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DEPARTMENTS OF COMMERCE, JUSTICE, AND
STATE, THE JUDICIARY, AND RELATED
AGENCIES APPROPRIATIONS FOR 2000

HEARINGS

BEFORE A

SUBCOMMITTEE OF THE
COMMITTEE ON APPROPRIATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED SIXTH CONGRESS

FIRST SESSION

SUBCOMMITTEE ON THE DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE
JUDICIARY, AND RELATED AGENCIES

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PART 9

TESTIMONY OF MEMBERS OF CONGRESS AND OTHER
INTERESTED INDIVIDUALS AND ORGANIZATIONS

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TESTIMONY OF MEMBERS OF CONGRESS AND OTHER INTERESTED INDIVIDUALS AND
ORGANIZATIONS

THURSDAY, APRIL 15, 1999

SEX OFFENDER MANAGEMENT ASSISTANCE PROGRAM

WITNESS

HON. CHARLES F. BASS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF
NEW HAMPSHIRE

Mr. Rogers. The Committee will come to order.

We will now commence the hearing at which individual
Members of Congress will present their views on various aspects
of the administration's budget request for fiscal year 2000.

Your statements will be made a part of the record and we
hope you can summarize and keep your remarks within the 5-
minute frame. I think the first member on the schedule is the
gentleman from New Hampshire, Mr. Bass.

Welcome.

Mr. Bass. Thank you very much, Mr. Chairman.

I am glad to be here, and thank you for giving me the
opportunity to testify and I assure you that I will not take 5
minutes.

I am here to testify in favor of funding for a program
which was passed in a bill last year. The program is called the
Sex Offender Management Assistance Program. As you know, back
in the 105th and 104th Congresses we passed the Child
Protection Sexual Predator Punishment Act, and, Megan's Law,
which required that local communities establish procedures for
notification, publication of the names and addresses of sex
offenders.

And there was a provision in the law that, in essence, says
that if you fail to comply with the provisions of the law you
could lose up to 10 percent in Byrne program funds for your
state.

Now, a lot of states have been attempting to comply with
this very worthwhile and excellent law, Megan's Law, but they
have run into some expenses. There has been the legislative
process, of course, but then after that the problems of
implementation on a community by community basis.

I was able to get this little program authorized last year
at \$25 million for fiscal year 1999 and 2000. I would urge the
Committee to consider authorizing this program for this fiscal
year.

For one reason it is the last year that the program is
authorized so that if you do not authorize any money this year,
I will have to go back for reauthorization. At that point, we
will want to reexamine the state of the implementation of
Megan's Law to ensure that these resources are still needed.

I would point out that Megan's Law is a great law but it is

indirectly, at least, an unfunded Federal mandate in that you do suffer a penalty if you fail to spend the additional resources required by Federal law to comply with Megan's Law.

I would hope that the Committee would consider giving this small block grant program a chance to have funds appropriated so that local communities all over the country can comply with Megan's Law smoothly, equitably and in such a fashion so that taxpayers at a local level are not unduly affected by this law.

So, I will end with that and answer any questions.

Mr. Rogers. Well, we certainly appreciate your support of this law. And we will certainly give it very due consideration for funding. We do not have our allocation yet, and do not know where we are going to get some money. We know we are going to be hurting for certain, but certainly this is on our list.

Mr. Bass. Thank you, Mr. Chairman, and as a member of the Budget Committee I feel your pain. [Laughter.]

Mr. Rogers. Well, some people say that you caused our pain. [Laughter.]

Mr. Bass. Thank you very much, Mr. Chairman.

Mr. Rogers. Thank you, Congressman Bass.

[The information follows:]

Mr. Rogers. Mr. Visclosky.

Thursday, April 15, 1999.

COPS PROGRAMS

WITNESS

HON. PETER J. VISCLOSKY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF INDIANA

Mr. Rogers. Mr. Visclosky, welcome. We will make your statement a part of the record, and, we would welcome your summary.

Mr. Visclosky. Thank you, Mr. Chairman.

Mr. Serrano is here simply to receive a portion of the monies allocated to Mr. Dickey and I would be grateful for that. [Laughter.]

Mr. Chairman, in all seriousness, you and the Subcommittee were extremely responsible and extremely last year in fully funding the Bulletproof Vest Partnership Program which was a new program that is now up and running. And the administration has put in a request for an additional \$25 million and, obviously, I am here, Mr. LoBiondo, I am sure will be testifying before you, to support that request.

The other request before you is for a \$9.3 million earmark for the Northwest Indiana Anti-Crime Information System. One of the communities I represent, Gary, Indiana, while we have made great progress in reducing the homicide rate by 28 percent in the last 4 years, still leads the nation in per capita homicides.

The problem we are experiencing is we have a task force

from the sheriff department and other communities engaged in operations not only in Gary but other communities and the inability during operations for many of these departments to communicate with each other as far as needs and backups. And we would appreciate the committee's consideration as far as the earmark.

Mr. Rogers. Well, first off, Mr. Visclosky, I want to congratulate you and thank you for your initiative on the Bulletproof Vest Partnership Grant Act. You were the introducer of the Act and we salute you. We thought it was so worthy, that we fully funded that this current year and we will continue to support that. That is a wonderful idea that you had.

On the other aspect that you have testified about, there are, as you know, administrative grants that they can apply for. The grants program that this subcommittee approved and appropriated money for is in the balance of the COPS Program.

So, I would encourage you, pending this proposal that you have, while you pursue this, I would also encourage them to pursue a grant administratively through the Department of Justice for the equipment that you are desperate for, understandably.

At any rate, we will work with you and do all we can to help you.

Mr. Visclosky. I appreciate that very much, Mr. Chairman. Thank you.

Mr. Rogers. Thank you.

[The information follows:]

Mr. Rogers. Mr. Gilchrest.

Mr. Gilchrest. I thought Mr. Dickey was next.

Mr. Rogers. We are trying to put him off as long as we can.

Mr. Gilchrest. I do not blame you then, Mr. Chairman.

Thursday, April 15, 1999.

NOAA CHESAPEAKE BAY RESEARCH PROGRAM, OYSTER DISEASE RESEARCH AND HARMFUL ALGAE BLOOMS, SUSQUEHANNA RIVER BASIN FLOOD FORECAST AND WARNING SYSTEM AND THE NATIONAL MARINE SANCTUARY PROGRAM

WITNESS

HON. WAYNE GILCHREST, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MARYLAND

Mr. Gilchrest. Thank you, Mr. Chairman.

Mr. Rogers. We will make your statement a part of the record and invite you to summarize it.

Mr. Gilchrest. All right.

I have 5 critical areas. One of them is the NOAA Chesapeake Bay Research Program. This is interconnected with the Chesapeake Bay Program which started about 20 years ago to restore the Chesapeake Bay to its vibrancy as far as a fisheries industry is concerned and an enormous generator of recreational dollars.

It is \$1.89 million and it has been very successful over the last 20 years. It provides not only the scientists with the kind of information that they need to restore the Bay and reduce the pollution and nutrients and bring back the health of the fisheries, but it provides valuable, easily accessible information to local and elected officials so that they can more carefully manage the growth in the region and the watershed around the Chesapeake Bay.

Oyster disease research, \$3 million. And I would like to say, Mr. Chairman, compared to the rest of the Federal budget, when we put these few dollars into these programs, the enormous benefits that result are pretty incredible.

Oyster disease. We have had two problems with diseases called MSX and dermal. These two diseases likely came in on ballast water about 50 years ago and they have been persistent ever since.

One of the problems with our oysters that we have discovered is that they can resist these diseases if they are in a healthy procreation state. To be in a healthy procreation state they have to be restored to the way they used to be when John Smith came here, and that is, in large piles.

When you put them in large piles in their natural state as opposed to dredging along the bottom, the procreation rate and the health of the oyster is changed for the better significantly. This came as a result of all of the research that has been going on for a number of years.

The other thing is that if you have a healthy state of oysters in the Bay along with a number of other filter-feeders, certain kinds of fish, clams and things like that, they filter out an enormous number of nutrients that come into the Bay.

And one last comment on oyster research. About 30 percent of the overload of nutrients in the Chesapeake Bay comes from air deposition: Automobiles, power plants and things like that. And, so, you have more nutrients coming into the Bay, not to mention what comes in on the land, and you have less of the natural process being used to filter out these nutrients. So, things tend to get a little worse and a little worse and a little worse and so on.

But oyster disease, this oyster disease research money is a small amount of money but it goes an awful long way.

The other thing, number three, is harmful algae blooms. You have probably heard over the last couple of years about this thing called pfiesteria, which is a tiny little microorganism which has been around, who knows, 300 million years and it has 23 different life cycles.

One of the life cycles which very rarely has erupted on Planet Earth, let alone the Chesapeake Bay, is a toxic lifestyle, but a toxic lifestyle that comes about as a result of certain conditions: High nutrients, warm shallow water with a brackish nature to it.

And not only is pfiesteria bad for fish because it can kill tens of thousands--in North Carolina, it literally killed about a billion menhaden--and it has killed tens of thousands in the Chesapeake Bay.

The other thing is pfiesteria is dangerous to people. If you happen to be in the water at the time that it is in its toxic stage, you can have pretty severe neurological problems that

are persistent. So, we are asking for \$17.5 million there.

The Susquehanna River Basin Flood Forecast and Warning System is a system of several States, Pennsylvania, New Jersey, Maryland, and it was created about 15 years ago because the Susquehanna River has a tendency because of the geography of its location, high mountainous region and a number of rain events, mixed with snow events, it is one of the most dangerous flooded areas in the country.

And, so, this is an early warning system for residents that live along the river to tell them when the potential for a flood is. You might have three feet of snow on the ground in Pennsylvania and it could be 25 or 30 degrees and then a few days later you might have two or three inches of rain and all of a sudden this huge amount of water comes right down that narrow channel and it is a way of predicting what nature is going to do.

The last one is number five, National Marine Sanctuary Program. This is a program that has two very positive--actually everything I am saying here this morning, I am only bringing up the positive things of these programs--two really very positive things, the National Marine Sanctuary Program, and they are around the country, whether it is the Atlantic, the Gulf of Mexico or the coastal areas of California.

One is that it is like a water national wildlife refuge. It is a place for the life of the sea to have some type of sanctuary, where there is an effort to make the water pristine and clean and that marine ecosystem benefit from it.

The other thing is marine sanctuaries, obviously, are along the coastal areas of the United States. And in an economic sense, 75 percent of the harvestable, commercial fish spawn in the areas of marine sanctuaries. So, from the benefit of a fisheries perspective, an economic perspective, and an environmental perspective for the marine ecosystem that is also a positive program.

That is all I have, Mr. Chairman, and the gentleman from New York, and I appreciate your time.

Mr. Rogers. Well, this Subcommittee, as you know, has been supportive of all 5 of these programs.

Mr. Gilchrest. Yes, sir.

Mr. Rogers. And have funded all 5 of your targeted programs. And I see no reason why we would want to stop now. You have been very persistent and persuasive----

Mr. Gilchrest. Thank you.

Mr. Rogers [continuing]. In support of these matters and a lot of what we have done has been due to your efforts. So, you are very diligent and effective.

Mr. Gilchrest. Well, thank you very much and Mr. Serrano.

Mr. Serrano. Any forecast on the crab season this year?

Mr. Gilchrest. Unfortunately, the crab season seems to have dropped and the forecast is that it is going to be minimal. But I would, if the gentleman requests, make sure we get a bushel of crabs in here. [Laughter.]

Mr. Serrano. I will take that when I advise the chairman on your appropriation.

Mr. Gilchrest. Sometimes during the appropriations process we will get a bushel of crabs up here.

Mr. Rogers. Thank you, Mr. Gilchrest.

Mr. Gilchrest. Thank you, Mr. Chairman.
[The information follows:]

Mr. Rogers. Mr. Cramer.

Thursday, April 15, 1999.

CHILDREN'S ADVOCACY CENTER PROGRAMS

WITNESS

HON. BUD CRAMER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ALABAMA

Mr. Cramer. Good morning, Mr. Chairman.

Mr. Rogers. You are recognized. We will place your statement in the record and if you would like to summarize it within 5 minutes, we would appreciate it.

Mr. Cramer. I will do it within 5 minutes for sure and perhaps even briefer than that. Mr. Ranking Member, welcome to the Committee again, formally, though I have welcomed you to the Committee in the past.

I am glad to be back again to talk about the Children's Advocacy Center Programs, Mr. Chairman. And I have with me Nancy Chandler, back here, who is the Executive Director from Memphis, Tennessee, whose office is now in Washington, D.C. as a result of the funding that this Committee has given to this wonderful national network organization.

We have come a long way since we first obtained funding from this Committee and for the Ranking Member's benefit, these programs are child-abuse intervention programs. I was District Attorney in my prior political life and we, in the system, the child protective services system, we in the law enforcement or criminal justice system, had kids coming through the system that were having to be bounced from one agency to another. I was interviewing kids on the 4th floor of the District Attorney's office of a 10-story tall building in my moderate-sized city there in North Alabama.

And we said, wait a minute. This 9-year old has got to go to court on the civil side, maybe on the criminal side, as well, in order to be rescued? And then mental health services did not exist, medical services did not exist.

And we decided that we needed a one-stop service center where the social workers, the prosecutors, the police, be it sheriffs, be it city police, could leave where they work and work together and train together to develop expertise about what kids were saying. And then, in some cases, more importantly, what to do with them or what to do with the families that were torn apart by this kind of abuse?

So, we started off and are mainly still a child abuse intervention program. We started with a pilot program there in North Alabama. Now, we have at least 400 of these programs that exist around the country.

In New York, alone, I visited the programs in Manhattan, in the Bronx, in Brooklyn, as well. In Kentucky we have a program

in Louisville, a program in Lexington. We have done training programs in Kentucky, as well, and in Alabama, a State that does not have many resources, we have got 17 of the programs that exist.

In 1992, we were a membership organization and we had 22 programs that were members and now we have 200 programs that are full members, 100 associate members.

In the past year, though, we have come a long way. The Congressional Spouses have adopted this program as their principle program for the next year. The District of Columbia finally opened a Children's Advocacy Center, but we are working on a firehouse--I was talking to the new Mayor yesterday--a historic firehouse over here, across the hill in front of the Hyatt Regency. It would be a perfect location for an operating District of Columbia Children's Advocacy Center on the first floor, and then on the second and third floors our national headquarters, as well.

The private sector mainly supports these programs as they exist around the country. So, at a time when the public agencies are overwhelmed with these cases, the private sector joins with the public sector to help fund and create a place and maintain a budget for these programs.

This past year, we intervened with 54,000 children around the country. So, we think we are doing the kind of job that makes sense.

We enjoyed \$5.5 million in funding for last year. We are asking to be considered for \$6.5 million next year. Why an increase during the still tough budget times? That is because the numbers have grown in our program and I think that we have come to the table with private sector support that would justify these figures.

By the way, Mr. Chairman, the ``Barney'' children's TV show, they are doing a 2-year road tour where Barney and Company goes out and has concert performances around the country. They have adopted this program as the program that they will endorse. And they will create a little video that will be used in the Center saying Barney wants kids to talk about bad things that happen.

They are going to come into D.C. hopefully at this historic fire center during the next several months when they kick this tour off. And with the Congressional Spouses they are going to have a ribbon cutting there and try to encourage the private sector to do more to help these programs.

So, I think they are remarkable programs that are deserving of the support, still deserving of the support of this committee and maybe a little increase in funding. But most importantly, on behalf of this national network organization, I want to thank this committee, the staff of the committee as well for the support and the reception that we have been given over the years.

And I hope that we have returned that kind of opportunity by creating a bigger network of programs that are rescuing kids and making a difference in the lives of children and families all over the country.

Mr. Rogers. The gentleman certainly has been a champion of this program, and he is the reason why this Subcommittee has seen fit to fund the program in the past. And it has now proven

itself, as you have said, and the problem that we have, of course, is that we do not have any money.

In fact, we are going to have less than last year it looks like. So, any increases for anything is going to have to really be extraordinary. But, we are very well aware of the success of what you and the program are doing.

Mr. Cramer. Thank you.

Mr. Rogers. Thank you.

[The information follows:]

Mr. Rogers. Mr. Dickey.

Thursday, April 15, 1999.

SMALL BUSINESS ENTREPRENEURS AND EXCESSES BY THE EEOC

WITNESS

HON. JAY DICKEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARKANSAS

Mr. Rogers. We will make your written statement a part of the record, and we encourage you to be brief.

Mr. Dickey. Are you talking to me? [Laughter.]

I want to thank the Chairman for allowing me to come today and also for the colloquy that we had on the floor last year. I am here on behalf of small business persons all over the United States. And I want to give three examples of how the EEOC is terrorizing small business even if they have not done it actually, it is the fear that comes and the perception that comes from three different circumstances.

The first is in Joe's Stone Crab in Miami Beach. It has been owned for 85 years by a minority family. It has had diversity practices long before it was required by law. It is owned by a female. It has 22 percent female employees. But their waiters, because they carry heavy trays of food long distances, have been male.

And, so, the EEOC comes in without a complaint, without anybody complaining, without the 300-day rule--that is required--being complied with, and files a complaint because the ladies were not there. Now, they have hired ladies since that time.

They have to carry the trays on their arms and their shoulders. And there is going to be, obviously, some injury to their spine from doing this. But they are complying. They have had to give over their hiring practices to the court.

And, so, where they used to advertise by word of mouth, they now have to spend \$125,000 on each application day to notify people of the openings that are available. They have had fewer than 22 percent people apply, who are female. So, what I am saying is that this notification requirement does not stop what is happening with this company.

They have spent over \$1 million and 8 years of their time with this investigation. They have a solid reputation but it

has been soiled a great deal by accusations that they are guilty of discrimination. The court found Joe's Stone Crab guilty of discrimination, even though it is a civil action.

They have received bad publicity. After the publicity of having to notify of hiring practices and everything else, they are still going.

Two other companies I would like to mention are Lily Rubin, which is a clothing store. This is not in my statement. This is an addition. Lily Rubin is a clothing store that used to be nationally recognized.

The EEOC came in without a complaint and specified that they wanted men in the dressing rooms where ladies had been before. There had not been any men employees. This company fought it and fought it and fought it and finally just gave in and went bankrupt.

There is another company, a Korean company in Chicago that had a cleaning business. And it was quite successful. The EEOC came in and said, well, you are hiring only Koreans. They are all minimum wage people. In their attempt to try to hire and comply with all of the EEOC's regulations, they spent \$200,000 in litigation expenses. They could not comply because the work force was not there, and they went bankrupt because they could not face that issue.

One last thing that I want to mention is the Attorney General for the State of Florida. He is a Democrat. People have described him as liberal and/or a moderate liberal. He had a situation where the EEOC came in because of a complaint. A black female attorney said that the blacks were getting paid less and had more conditions put on them than the whites in the attorney section of the Attorney General's Office.

The Attorney General then went in to complete an investigation and found that out of all the State agencies they were complying more than any of the others with this particular practice, but this did not stop the EEOC.

They continued the process. They continued to say that there had been discrimination. Failing, my point is, just failing to admit that they were at fault. It is an obsessive drive that they seem to have in all of these instances.

When the EEOC and the Attorney General's office had one of their conciliatory hearings, the EEOC refused to send anyone of authority. When asked why somebody of stature was not there with the clerical person, they said the investigator refused to summon a supervisor to the meeting. When a supervisor was requested, the EEOC representative stated that the person was too busy.

The Attorney General also asked who else was complaining. They said we have had other complaints but we are not going to tell you.

Going back to Joe's Stone Crab, the EEOC walked in without anyone complaining. Now the EEOC is holding the complainants in secrecy. Florida's Attorney General is now facing these things. Here are his comments.

His name is Robert Butterfield. He has characterized the EEOC investigation, investigative and conciliation process, as replete with ``professional sloppiness, inaccuracies, improper application of the law, and an absence of anything resembling internal oversight.''

Now, I am saying that obviously the backlog, if any exists, with the EEOC is not large enough. This must be the cause of them filling this idleness with all this bedevilment.

I have been a small business person. I know what it is like to have the threat of an EEOC investigation. But the unreasonableness of this is unbelievable.

Joe's Stone Crab is now on appeal. They lost their case and they are in the process of appealing it.

Somewhere, somehow there needs to be a legislative relief given to these people faced with this, but there is no way to do it. I am just saying somebody needs to take a hold of this, look at the EEOC, and say all of these things are going to be grandfathered. We cannot un-bankrupt these people and we cannot give them back their money because that would be something that would be untenable.

Again, I just wanted to emphasize how important it is that the EEOC get off of this tangent. The work that they do is wonderful. As a small business person, I really appreciated the ability to have an administrative hearing for the complaints that we had rather than going straight to court. They are doing great things, but somewhere in this thing they are just off on a tangent.

I hope that you, this committee, would consider trying to control that tangent so we do not have these abusive, terroristic practices placed on our small businesses of this nation.

Mr. Rogers. What is it about these cases that you have mentioned that make them out of the ordinary; that, as you say, that the EEOC was acting in an abusive fashion?

What is it about these that make them different from the run of the mill charge?

Mr. Dickey. Well, I think overall they show a lack of objectivity. They seem to be targeting certain places. In these three instances, the EEOC has gone into these businesses. When a reasonable explanation has been given for why there are not female employees, why there are not males in the dressing room, and why there are not anything other than Koreans in a Korean neighborhood, they have ignored them and kept on going. These businesses have met these inquiries with worthy explanations.

They are saying you have to hire people not in your neighborhood, and you have to hire Chinese, Blacks, and Whites and everything else all across the city instead of those people close to your business.

Mr. Chairman, in one instance, the EEOC found that 22 percent of Joe's Stone Crab employees were female. When they found out that this was the statistical figure within that locality, they broadened the statistical base to 32 percent of hires in the whole county were female.

In other words, they did not stay still. They do not have enough to do. This is what I am saying. They are creating. They are activists. They are creating these things, and it is costing our economy.

Mr. Rogers. Well, they claim that they have an enormous backlog.

Mr. Dickey. Well, I can see why. They are creating it. They are spending all of this time on these cases and what is their goal--excuse me for interrupting you. They are bankrupting

people. Is this what they do? Do they mark up on the wall another one down, another one down, another one down?

This may be something that is worthy from their standpoint. If it is, it should not be condoned. It should not be sponsored by us.

Mr. Rogers. What I will do is request the EEOC to respond to your charges on these three individual cases, respond to this Subcommittee about the allegations that you have made and ask for a full report.

Now, are all three of the cases on appeal?

Mr. Dickey. There are four.

Mr. Rogers. Four?

Mr. Dickey. No. The two bankrupt cases are gone. The Attorney General is still pending. He says he is going to go to court rather than put up with the EEOC, and the other is on appeal. Joe's Stone Crab is on appeal.

Mr. Rogers. Administrative appeal?

Mr. Dickey. No, sir.

Mr. Rogers. Into the Federal Court?

Mr. Dickey. Federal Court.

Mr. Rogers. So, they have sued to enjoin EEOC or whatever.

Mr. Dickey. No. It is the other way around. The EEOC went voluntarily into court with a cross-appeal.

Mr. Rogers. I see.

Mr. Dickey. And they have met them. They have gone through all the administrative deals and now they are doing it.

Mr. Rogers. Why did the EEOC go to court? I thought they won administratively, obviously, did they not?

Mr. Dickey. It says here that a complaint was filed by the EEOC. Now, I do not know at what level. Do you want me to--I will find that out.

Mr. Rogers. If you would. And what I----

Mr. Dickey. And the Attorney General, as I told you, there really are four circumstances. And if you----

Mr. Rogers. What I would like for you to do is, if you can, is summarize for us each of those four cases.

Mr. Dickey. Okay.

Mr. Rogers. The ones that you want us to check.

Mr. Dickey. All right.

Mr. Rogers. And what I would be interested in the summary including a very concise part that backs up your allegation that they were acting in an abusive or over-zealous fashion or targeting a business for extinction or whatever.

So, that we have something specific we can ask them to respond to.

Mr. Dickey. Okay. I will do that.

Mr. Serrano. Mr. Chairman, if I may?

I certainly, Mr. Dickey, understand your concern about these complaints and I think the Chairman's request is a good one. I would note, however, that I think that the deeper question would be if it is a pattern at the EEOC--because as I can see the Joe's Stone Crab situation starts in April of 1992, so, it precedes this administration and that is something that we should ask from EEOC--if this is a just a pattern of behavior.

I must say, however, that while you single these cases out and certainly I repeat that we will take a look at them, there

are some of us who think EEOC, in general, is a very necessary agency. And I hope that in looking at these particular cases we do not smear the whole agency with this.

Mr. Dickey. I understand and I am telling you that it was such a benefit. I had 97 employees in and out in my restaurant businesses and it was so good to go to the EEOC. I lost some of them but we could get to them quickly. And I am in support of the EEOC, I do not want to marginalize what they are doing in that respect.

It is just that, Mr. Serrano, that they are going out and no one is doing anything. In some of these things, the EEOC ignored the rules such as who has complained and what about the 300-day rule? They just went right past it. There is a 300-day rule that you have to abide by that is in this statement. They shot right by it.

The Attorney General proved that his agency had more than anybody else and they just kept on going. This is in Florida.

Mr. Rogers. If you would summarize for us, we would appreciate it.

Mr. Dickey. Thank you, sir.

Mr. Rogers. Thank you, Mr. Dickey.

Mr. Dickey. Thank you for your time.

[The information follows:]

Mr. Rogers. Mr. LoBiondo.

We will include your statement in the record and we would welcome your summary.

Thursday, April 15, 1999.

COPS PROGRAM AND THE OYSTER INDUSTRY IN THE DELAWARE BAY

WITNESS

HON. FRANK A. LOBIONDO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Mr. LoBiondo. Thank you, Mr. Chairman.

I intend to do that. I want to thank you very much, Mr. Chairman, and Mr. Serrano.

There are two topics that I wanted to discuss this morning, Mr. Chairman. First, I would like to take the opportunity to thank you and the committee for the work last year in generously funding the Bulletproof Vest Partnership Grant Program at its full authorization level of \$25 million: Certainly and clearly a plan that will save the lives of police officers.

And I respectfully request that you continue to support this critically necessary program by maintaining a level funding of \$25 million which is also incidentally the administration's request for this Bulletproof Vest initiative.

The second issue, Mr. Chairman, that I wanted to bring to your attention and ask you about is your assistance with the Coastal Zone Management Report language, that in 1997, was to

have the effect of bringing much needed funding and resources to the oyster industry in Southern New Jersey.

Now, by way of just a brief background, the area in my district in Southern New Jersey where the oyster industry actually operates is one of the poorest areas in the State and probably in the nation. The unemployment rate is at terrible double digit levels. There are transportation problems, there are all kinds of problems trying to find and create jobs.

The oyster industry in that part of the State at one point was the capital of the world for oysters. It was decimated in the middle of the century by disease and they have been struggling to find a way to come back with this.

In 1996, there were 307,000 bushels of oysters harvested from the Delaware Bay. That is an incredible number, a big number, a positive number, an uptake, which translates to roughly \$37 million boost for the local economy.

This is dramatic because few people expected edible oysters to be harvested from the Delaware Bay again. But improved planning, and cultivation techniques that were matched with Federal, State and local efforts to clean the waters of the Bay resulted in this big potential windfall for the part of Southern New Jersey that has been very economically distressed because of the loss of revenue, as I explained a few minutes ago.

While giant steps have been taken in the last three years, the industry is at a turning point. An influx of Coastal Zone Management funding will be needed to enhance the development of the oyster harvesting. This funding will translate into much needed jobs and increased economic activity in the region while this industry is reborn.

And while the efforts of local harvesters have begun to bear fruit I am unhappy, very unhappy with the lack of cooperation given by the State's coastal managers. As you may recall, the Subcommittee included language in fiscal year 1998 CJS Conference Report which encouraged New Jersey's coastal managers to use Federal funding where possible to assist in oyster shell planting efforts.

Unfortunately, the language was totally and completely ignored. The fiscal year 1998 report language was designed to bring the coastal managers' attention to this very important project: Moving under-utilized seed stock from upper reefs to lower reefs and when completed allow oysters to rapidly grow to market size.

Now, Mr. Chairman, last summer I took a tour, scenic tour of the Morris River and had the opportunity to see and to sample Delaware Bay oysters and I strongly believe that the size and health of these shellfish are harbingers of the oyster industry's revival in Southern New Jersey and the translation into many jobs that will result once again.

And, incidentally, many of these jobs are in the minority community.

Mr. Chairman, let me point out a crucial fact related to the oyster industry. Every dollar spent on oyster harvesting activities produces \$7 in economic growth. It is a tremendous return on investment.

This revival and associated economic growth potential cannot happen without the involvement of the State's coastal

managers.

I am not here today to ask for earmark funding. Again, I repeat, I am not asking for earmark funding in coastal zone management section of CJS. However, I would respectfully request the Subcommittee's assistance in helping me or in finding a creative solution that will clearly demonstrate the intent of Congress and which will bring much needed funding to an industry that could revitalize local economies in my district.

They, obviously, have ignored the efforts that we have made in the past and I am hopeful with the creative thinking on this Subcommittee that we can find some language that can be incorporated which will clearly demonstrate the intent that we have and move them forward in the right direction which will be a win-win situation.

Mr. Chairman, I thank you very much for the opportunity to come before the Subcommittee today and I look forward to working with you in the future.

Mr. Rogers. Well, the gentleman has been persistent and effective in trying to help his folks there. As you know, the coastal zone management monies which we funded, I think rather liberally, is a grant program, a formula grant program to States. We give them the money and they decide what they do with it.

And that is by law and we cannot change that at this point. And, as you asked in 1997 and 1998, we did put report language in encouraging the New Jersey people to pay attention to this problem and they ignored it.

But what we can do is have your staff and the Committee staff confer and we will see if there is some way creatively that we can help within the law.

Mr. LoBiondo. Okay. I appreciate that, Mr. Chairman.

Mr. Rogers. But the gentleman makes a very strong case and I want to thank you for your initial sponsorship of the Bulletproof Vest Partnership Grant Program which is working wonderfully. We funded it fully last year and expect to continue that.

Mr. LoBiondo. That would not have happened without your help, Mr. Chairman.

Thank you.

Mr. Rogers. It would not have happened without you introducing the bill.

Thank you.

Mr. LoBiondo. Thank you.

Mr. Serrano, thank you.

[The information follows:]

Mr. Rogers. Mr. Roemer.

We will put your statement in the record, and we invite you to summarize within our 5-minute rule.

Thursday, April 15, 1999.

WITNESS

HON. TIM ROEMER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF INDIANA

Mr. Roemer. Thank you, Mr. Chairman.

It is a pleasure to be with you today. I appreciate your help and Mr. Serrano's help on this issue and a host of other issues that I have come here before to appeal for your common sense and your wisdom.

Today, Mr. Chairman, I am here to testify about an issue of great importance to U.S. public diplomacy. I want to talk about a decision made last year in conference to terminate the U.S. Advisory Commission on Public Diplomacy, an important oversight body of the U.S. Information Agency.

Last year's State Department consolidation was a smart reinvention of our foreign policy programs. I applaud this commission's role in that process. However, this consolidation abolished the only citizen's advisory body for public diplomacy, the U.S. Advisory Commission on Public Diplomacy on October 1, 1999, when USIA ceases to exist.

The consolidation retained the Advisory Commission to the Arms Control and Disarmament Agency but it eliminated the Advisory Commission to USIA, a much larger agency.

There was no vote on the Commission's continuance and I do not believe that there was fair consideration of its future and its value.

The Commission, Mr. Chairman as you know, is bipartisan and Presidentially appointed, with the consent of the Senate and its membership has included distinguished Americans like Father Theodore Hesburgh, George Gallup, William F. Buckley, Frank Stanton and James Michener who have all served without compensation.

Currently, the commission has a budget of less than \$500,000 and it has returned--and I know you will like this, Mr. Chairman--has returned an average of \$75,000 to the taxpayers in each of the last three years.

In this age of information and democracy, of globalized free markets and the Internet foreign publics are more important than ever before. As we are developing a new diplomacy for the 21st century the commission is of even greater constructive value to the Congress and the administration.

If I could, Mr. Chairman, and Mr. Serrano, I would like to cite an article from the Boston Globe just recently written in February of 1999 and I quote. ``In the past year, three separate groups of experts in Washington have issued studies calling for an overhaul of America's diplomatic corps: The Henry L. Stimson Center, the Center for Strategic And International Studies, and the U.S. Advisory Commission on Public Diplomacy which was created by Congress. The experts agreed on the need for a new diplomacy in which the American ambassadors around the world make their case not just to foreign ministers but to civic groups, to Chambers of Commerce, to college audiences. They have to sell American products and sell American policy.''

Before USIA was created when the overseas information and

cultural programs were still located in the State Department, Congress decided in the Smith-Mundt Act that distinguished Americans be asked to provide a great constructive value to the Secretary of State and the Congress in the best development of public relations programs in the foreign relations of the United States.

For 50 years the commission and its predecessor bodies issued several intelligent and thoughtful reports in which relevant public policy issues have been examined and recommendations made. With the integration of USIA into the State Department a citizens' board which represents the public interest and provides policy makers with responsible oversight on public diplomacy, strategic priorities and program effectiveness is needed now more than ever.

I encourage, Mr. Chairman, this committee to support a legislative provision repealing the abolition of this Commission. Mr. Smith, in the authorizing committee has incorporated our language into his recently drafted bill and I thank him for his support.

In the 1980s, the commission broke new ground when it released a special report, "Terrorism and Security: The Challenge for Public Diplomacy" which recommended ways to make the difficult balance between the need to protect our diplomats and overseas installations and the need to reach out to our publics.

It has done so again in the 1990s by focusing on a new diplomacy for the new information age. Our country enjoys a considerable edge in public diplomacy both in reaching publics through advanced technology and in our message of democracy, human rights, free markets, and ethnic and cultural diversity. We should use that edge, Mr. Chairman. In the post-Cold War era of instant global journalism and people power, foreign public opinion is critical to the success of American foreign policy initiatives.

Mr. Chairman, in conclusion, the new State Department we are creating must be a responsive and flexible diplomatic institution that can deal as effectively with foreign publics as with foreign governments. We need the insight and experience of the advisory commission to make this transition successful and to achieve our foreign policy goals.

In conclusion, Mr. Chairman, I would just say I recently finished a book by Paul Nagel on John Quincy Adams. John Quincy Adams, as you know, was the son of a President, was the Secretary of State to James Monroe and developed the Monroe Doctrine. He traveled extensively through Europe when he was appointed to three commissions over there at the Hague, Russia and England. And he sought out not just the ambassador to that country but the public and tried to influence public opinion.

And that, I think, is the foundation I think that we are looking at in, as you tried to reconstruct and reform and modify the State Department--and I applaud you for doing that--we also need to construct a new policy, a new way of communicating with the foreign publics in other countries. And this advisory committee does it inexpensively, it does it without compensating the Republican and Democratic members, and for less than \$500,000 it has issued some very, very important reports to our State Department and other bodies to help us do

a better job overseas.

Mr. Rogers. Well, the gentleman is a very effective spokesman for his cause. You have done a very good job of stating the case. John Quincy Adams had the great wisdom to appoint as his Secretary of State probably the greatest Kentuckian ever to serve in the U.S. Congress.

Mr. Roemer. I should have mentioned that in my statement, Mr. Chairman. [Laughter.]

Mr. Rogers. Henry Clay, the greatest Kentuckian ever to sit up here. But you make a very strong case for your cause.

Mr. Serrano?

Mr. Serrano. Yes, Mr. Chairman. As you know, I have an interest in this issue. In fact, yesterday, I questioned the State Department management team about their decision to abolish it, and they were pretty strong in their belief that this item was better served by the public sector. In fact, we had an exchange where I found out that they support a Commission on Salmon, a Government Commission on Salmon, but they do not want Government involvement in this issue. They want the public sector. I could not figure that out.

But I am very supportive of it, and I think you make an excellent argument. The kind of budgets we have, less than \$500,000, returning \$75,000 a year. So they are obviously not trying to take any money from us, and I would hope that I can convince all of us that this Commission should stay in place.

And I think the Chairman is the greatest Kentuckian to ever serve in this House. [Laughter.]

Mr. Roemer. Henry Clay also helped John Quincy Adams get elected when the election was thrown in the House of Representatives. So he did many things to help----

Mr. Rogers. Andrew Jackson did not take to that very kindly, though. [Laughter.]

Mr. Roemer. No, he sure did not. But he eventually came back and won two terms.

Mr. Rogers. Thank you.

Mr. Roemer. Thank you very much, Mr. Chairman. I look forward to working with you.

Mr. Rogers. Thank you.

[The information follows:]

Mr. Rogers. Mr. Stupak.

We will make your statement a part of the record, but we would like you to summarize it briefly for us.

Thursday, April 15, 1999.

GREAT LAKES FISHERY COMMISSION, GREAT LAKES ENVIRONMENTAL RESEARCH
LABORATORY, COPS PROGRAM, BYRNE FORMULA GRANT PROGRAM, VIOLENCE AGAINST
WOMEN ACT, UPPER PENINSULA OF MICHIGAN FEDERAL JUDGE

WITNESS

HON. BART STUPAK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF

MICHIGAN

Mr. Stupak. Thank you, Mr. Chairman, Mr. Serrano, and Ms. Roybal-Allard. Thanks for having me here.

Mr. Chairman, as you know, my district borders three of the five Great Lakes, so I would like to spend a little time on some Great Lakes' issues.

First of all, the sea lamprey. This committee has always been great in trying to help us fund the sea lamprey. Once again, we have a \$1 million line in the budget. To do the job effectively on the sea lamprey control, we need \$5.8 million. Michigan has agreed to put up \$3 million over the next five years. We would ask if the committee could maybe boost that amount a little bit. It is a five-year program. We need \$5.8. We are at about \$4 million right now, with Michigan putting in just over half the money. We had hoped that we could match that.

Along those same lines, the National Sea Grant College and the Great Lakes Environmental Research Lab actually is cut in the President's proposed budget by \$740,000. It does not sound like a lot of money, but what that would probably do is wipe out trying to control the zebra mussels in the Great Lakes. Zebra mussels are now gone basically all over this country. As you know, one zebra mussel can multiply a million eggs a year. They are clogging all of our water intake pipes which is a huge expense not just to our municipalities, but also to many of the utilities along the Great Lakes, and I am sure the Mississippi and even the Gulf coast now. So we would like to see the funding restored for the Great Lakes Research Laboratory.

Mr. Chairman, you will see in the proposed budget, also, and I am sure you are aware, the International Joint Commission actually got an increase in their budget line, and that increase was as a result of the problems we are facing throughout North America, in the export of water. The International Joint Commission is now looking at the export or diversion of water. It is an issue that I have been advocating for some time, and what has happened, we have a number of-- Canada issued a permit to allow the sale of Great Lakes water to a Canadian company to ship it to Asia. We were successful in blocking that idea. Up in Sitka, Alaska, there is a Canadian company that has a license to ship U.S. water to Asia. They are actually doing it right now in bottles, but they want to do it in bulk tankers, and you also have it on the East Coast of Canada.

So the International Joint Commission, which was set up to mediate, if you will, boundary disputes of our waters under the 1909 Boundary Water Treaty, is actually studying this problem. So the increased funding is for them so they can study and determine what will the future be in this country about exporting fresh water.

As you know, North America has 85 percent of the world's fresh water. It is right now, according to the World Bank, the second or third most sought after commodity in the world, and by 2010 it will be the number one commodity in the world. This country and Canada has to get some policies together to regulate the sale or diversion of water, whether it be the Great Lakes or whether it be the East Coast or the Alaskan glacial waters.

Last, but not least, Mr. Chairman, the COPS program and law enforcement--as you know, my role in law enforcement here in the U.S. Congress.

It was interesting, yesterday, we were at a briefing by the International Association of Chiefs of Police and, to that, this committee has jurisdiction funding over the COPS program. They would like to see that continue and the program be fully funded at \$1.275 billion in the year 2000. But they also made a strong pitch to continue the Byrne Grant Program. And I know this committee, and you, Mr. Chairman, have been very supportive of that program in the past to allow local units of Government to use monies that come from the Federal Government, whether it is to run their jail operation or to do a multi-jurisdiction drug task force or DARE program, whatever way States would like to use it. And we would like to see that funded at last year's level of \$550 million.

So, Mr. Chairman, you can see in the Great Lakes there has been some cutting in the programs which will probably hurt our zebra mussel program and other aquatic nuisances that has invaded our areas. In the COPS program and law enforcement, we are asking for continued funding, and we have the new wrinkle with the fresh water and the International Joint Commission, and we would ask that the committee look favorably upon putting funding in there.

On the last page of my testimony, I mention, because it is not authorized yet, but I am sure in the future I will be back before this committee, hopefully, to seek appropriations for a judge up in the Upper Peninsula of Michigan. The nearest Federal judge is in Grand Rapids, which is some 400 miles away. The Upper Peninsula of Michigan has most of the Federal land in Michigan. And the issues with crossing between the Canadian border, and Federal lands and other problems up there, even the judges, we have magistrates up there, we have everything but a judge. In order for a judge to come hear a case, they have to go 400 miles. Or if the case is heard in Grand Rapids, then the people from Upper Peninsula have to go 400 miles. We have everything there but a judge. So we are going to ask the authorizing committees to help us out there, and I just put it on your radar screen for future consideration.

Mr. Rogers. Of course, we have nothing to do with that, except pay them.

Mr. Stupak. Pay them, exactly.

Mr. Rogers. Well, the gentleman makes a very strong case for all of the items that he has mentioned. The Administration's new COPS-II program, which they are proposing, is unauthorized, of course, and essentially they propose to fund the renewal of the COPS program by eliminating the local Law Enforcement Block Grant Program, which the Congress passed over their objections. But they propose to take that money and fund a new COPS-II program. That will not happen.

Mr. Stupak. I agree.

Mr. Rogers. They have also proposed to take the Juvenile Accountability Block Grant. That will not happen. And they would make a drastic reduction in the State Prison Grant Program, and I do not think California would stand for that.

It is also proposed to be funded at the expense of program increases in Federal law enforcement needs, such as the border

patrol agents. There is no money, by the way, in the President's budget for border patrol increases, and that will not stand. And they propose to cut the Byrne Grant Program, and that will not happen.

So I do not know where we are going to find the money for COPS-II because we are going to be short of money in the first place.

And in the second place, we are not going to cut those necessary programs to make room for COPS-II. As much as the COPS program has done in helping communities hire police, we predicted, at the time when it started, that communities would not be able to afford this gradually increasing share of that salary that they would have to pay; until now, it is 100 percent. And a lot of the communities are saying, ``We cannot afford this. Our budget will not stand it, so we are having to lay them off.'' We said so at the time, and that is the reason we created the Local Law Enforcement Block Grant, which would pay 100 percent of that salary for as long as the community wanted to apply for it, and that was why we did that.

Now, on the GLERL, Great Lakes Research, the President's budget cuts it, and that is nothing new. They do it every year, and we always restore the money.

Mr. Stupak. Right. And you have been great to us on that.

Mr. Rogers. And I see no reason why we cannot. How would anybody sell water from Lake Superior to Asia? How would you get it there?

Mr. Stupak. Ship it; bulk ship.

Mr. Rogers. Bulk ship?

Mr. Stupak. Yes. It is a quite interesting concept. Right now, when you pay for a gallon of water, I mean, in supermarkets, it costs more than a gallon of gas. And there is a great need for fresh water. Most water in the world, of course, is not fresh water. And 80 percent of all water consumed in the world is for agricultural purposes, and every 21 years, our world population doubles.

Therefore, you can see a demand for greater food production. And to do that you need water, and you need fresh water, and we have it all here. A couple of interesting entrepreneurs have brought that forward as a way of doing it, and it is economically feasible to ship from, let us say, Lake Superior to Alaska. They had the contract. They had it ready to go. The Province of Ontario actually issued a permit. We found out about it, got with some Canadian counterparts, passed our resolution last fall asking the President and the Senate to start addressing this issue. They referred it to IJC. That is how it started. Of course, IJC is Canada and U.S.

And then Canada passed a moratorium, no more shipments or permits will be issued until the Canadian Government has a chance to address it. In the meantime, we find Global Corporation, which is out of Canada--I want to say Vancouver--has this permit from Sitka, Alaska. What they are doing right now is bottled water they are shipping to Asia right now in containers; bottled containers, plastic, things like that. But they are building a bottling plant in Asia, China, and they envision, according to their Web page, shipping 445 tanker loads a year from Sitka, Alaska, to Asia for water distribution and water, and they want it in bulk, and they will use bulk

ships to do it.

Mr. Rogers. Where would Sitka get the water, from Superior?

Mr. Stupak. Sitka is getting it right from a glacier pack just on the north end of the town. Sitka was an international shipping port. I believe it was timber and paper. That paper mill shut down, and this is the new lifeline for this community which is water.

Now, our fear is this: When the first tanker of bulk water goes, then do you trigger Section 11 under NAFTA, North America Free Trade Agreement, and then all of our fresh water in the United States and Canada becomes a commodity underneath NAFTA, and we have a Pandora's box because there are no policies or procedures or regulations of how we are even going to do this. How much can we ship without hurting our environment, our aquaculture in the Great Lakes and all parts of this country and Canada.

And the issues, as we get into it, have become more and more complex, and we need a little time, and we are probably going to introduce another piece of legislation asking for a moratorium until we have some policy in place between our two countries, and I would, again, urge the administration and the Senate to seriously address this issue because it is at our doorstep now, and entrepreneurs are doing it.

And my fear is, once the first drop of water in bulk container is shipped, we trigger NAFTA. I raised the issue in 1993, Mr. Chairman. Most people thought I had water on the brain, but now they understand that maybe my worst fears are true, and so we have got a real problem here that would have to be addressed.

Mr. Rogers. How much of an increase are you asking in the IJC's budget for that purpose?

Mr. Stupak. Mr. Chairman, off the top of my head, it was I believe they had an increase of about a half a million, like \$500,000, to finish this study. They have to have their preliminary study done by August or early September, and then six months later they are going to have a final draft. I was with some of the IJC last night, because it was their 90th birthday, at the State Department, and they were telling me that, while they made no decisions, they do not know how they would--they urge us to get the legislative branch geared up here because they are not a legislative body, they can only make recommendations. It is going to have to be a legislative branch to do it.

Mr. Rogers. What if a company started selling bottled water, retailing bottled water out of Superior? Have you got a problem with that?

Mr. Stupak. I do not have a problem with that, as long as it is going in bottles.

Mr. Rogers. But not a tanker or a wholesale----

Mr. Stupak. Not wholesale, bulk sale of Great Lakes water. In order for anyone to sell or divert water out of the Great Lakes, the 1985 Great Lakes charter requires each governor and each provincial head--because we share the Great Lakes with Canada--to sign-off and to approve the plan. In the past, when people have suggested we divert some of the water out of the Great Lakes and maybe, let us say, to the southwestern part of the United States, it has always been vetoed by the governors.

We are pretty protective of the Great Lakes.

But this water issue is more than just a Great Lakes issue. It is a North America issue that we have to start to address. So if anyone tried to sell it out of the Great Lakes for commercial like that, I am sure there would probably be a veto by one of the governors, at least, of the nine Great Lake States.

Mr. Rogers. We will take your request into consideration. Thank you very much.

Mr. Stupak. Thank you.

Mr. Rogers. Thanks for your work on the COPS program and the law enforcement area.

Mr. Stupak. Thank you. Thanks for your help.

[The information follows:]

Mr. Rogers. Mr. Deal.

Thursday, April 15, 1999.

INS BUDGET AND ILLEGAL IMMIGRATION CONCERNS

WITNESS

HON. NATHAN DEAL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF GEORGIA

Mr. Deal. Thank you, Mr. Chairman.

I would like to address the Subcommittee--and thank you for allowing me to be with you--on the issue of the budget of the INS for internal enforcement.

My district has become an area that has a substantial internal immigration enforcement problem. And as a result of some changes that have been made internally in the INS, it appears that they have made a decision to de-emphasize internal enforcement and concentrate on border enforcement as their exclusive effort to fight illegal immigration--unbelievable to many people of my district. And North Georgia has become a haven for illegal immigration. It is probably the number one social issue, I would say, that is facing my district.

We have been told by Tom Fischer, who is the district director for the Atlanta region of INS, which has responsibility for my area, that the region's law enforcement budget for nonmandatory provisions, which includes criminal aliens, was cut by 50 percent in 1999 from the fiscal year 1998 levels. As a result of that reduction, it has affected such things as they have just restricted vehicle use.

My district lies some 50 to 60 to 70 miles north of Atlanta itself. They have delayed or canceled law enforcement agreements with task forces in the two major cities in my district. They have no operational funds to cover the Quick Response Teams, which I understand were congressionally mandated. They have delayed expansions of the county jail initiatives under the National Criminal Aliens Removal Program. They have gone to the point that they simply tell us that they

don't have the funds to even remove criminal aliens who have been convicted of aggravated felonies, and that has created a very serious problem with law enforcement in my district and with the community as a whole.

As the Chairman alluded to just a minute ago, it is my understanding that the President's budget for this year does not include the funding for the thousand border patrol agents, which I understood was congressionally required, and I assume this subcommittee will probably be addressing that.

But I do not think that we can expect border enforcement to be the only remedy for dealing with this problem. And the effort to back off of internal enforcement I think is a mistake. The Atlanta Division of INS says that they need an additional \$252,000 just to fulfill their minimal level of responsibility for just their region. I do not know what that translates into across the country for just their region. I do not know what that translates into across the country, but I wish to bring that to the subcommittee's attention. I do think that some direction should be given by the House and Congress as a whole to the INS with regard to not retreating from internal enforcement.

Mr. Rogers. Well, the gentleman makes a strong case. He has talked to me privately for some time about these problems. I wish I could tell you that we had a good answer.

I am trying to abolish the INS. We fund them here, but they are so inept that I have tried to abolish the whole agency and reassign their chores to other agencies; law enforcement to the Justice Department, and labor to the Labor Department, and the visas and that type of thing to the State Department because this agency is absolutely inept. It has been this way since I came on this Subcommittee now 17 years ago, and it is the most inept Federal agency that exists.

Money is not the problem. I mean, we have quadrupled their budget in the last six years or so. We have just poured money at them saying maybe that is the problem. But it just goes down a rat hole and nothing ever happens. It is unresponsive. It is disorganized. It is a nonpartisan, bipartisan problem. It is not just a problem under the Clinton Administration. It was a bigger problem under the Bush and Reagan Administrations. So it is not that. They are an island unto themselves, and you cannot regulate them. It is incredible. I have never seen anything quite like it in my experience.

Mr. Deal. I support the Chairman's efforts in that regard because I think the diversity of the responsibilities that is assigned to the agency, they do make choices as to which priority they give for a particular year. And internal enforcement and the enforcement arm, as a whole, I think has been de-emphasized.

Mr. Rogers. Exactly. Now, as a result of problems that you brought to our attention and others, last year, we, in our bill, mandated--we created a Quick Response Team in each State to respond to local law enforcement officers who would call INS's hotline and not get an answer for hours and hours and hours. Meanwhile, they had arrested or stopped some illegal aliens in their district and did not know what to do with them.

And so we created these Quick Response Teams, as a result of the 1999 Conference Report, in 11 States for interior

enforcement--11 interior States--and they are in place right now. In Georgia, you have three; in Dalton, Albany and Savannah.

Mr. Deal. But Dalton being in my district they are now saying they do not have funds to operate.

Mr. Rogers. And you know why? Because the Agency, through another case of ineptitude, overhired in other areas and had to take the money out of this account. I mean, they are absolutely incredibly unresponsive. Do not get me started on this.

[Laughter.]

And we authorized a thousand more border patrol agents for the fiscal years 1997 through 2001. They come in with a request in their budget, not a single dollar for new border patrol agents for 2000.

Mr. Serrano.

Mr. Serrano. Mr. Chairman, I find myself two days in a row agreeing with you, and that is beginning to scare me a little bit. [Laughter.]

Mr. Rogers. It scares me even more. [Laughter.]

Mr. Serrano. There is no love from this gentleman for the INS. In fact, I have felt there is something inherently wrong with an agency that both tracks down people, at times in a very mean way, and then tries to make out of them good American citizens at another time. There seems to be a conflict of behavior. And we understand that Georgia has become, and many people in the North have wondered why Georgia, but it has become an area with this situation. You make a strong case, and we certainly want to be joining the Chairman in looking at that Agency over and over again, seeing which way we can make it function better.

Mr. Rogers. The gentleman makes a good point. One of the problems with INS is it has two conflicting responsibilities that we gave to it. One is to grant rights and privileges to people, such as visas and whatever, and also to prosecute them.

Mr. Serrano. Kick them out of the country.

Mr. Rogers. To kick them out and to take enforcement action against people.

Mr. Deal. It is the worst kind of schizophrenia I think that we have in a Federal agency.

Mr. Rogers. It is. And it has created an agency that is schizophrenic and collapsing on itself and wasting \$4 billion a year.

Well, thank you, Mr. Deal.

Mr. Deal. Yes, sir. Thank you.

Mr. Rogers. We are going to work with you to try to help all we can.

Mr. Deal. Thank you very much.

Mr. Rogers. Realizing we have got an agency that we cannot control.

[The information follows:]

Mr. Rogers. Mr. Farr, glad to have you. We will make your statement a part of the record, and we will welcome a summary.

Thursday, April 15, 1999.

NATIONAL MARINE SANCTUARIES PROGRAM, NATIONAL UNDERSEAS RESEARCH PROGRAM, THE NATIONAL ESTUARINE RESEARCH RESERVES, SEA CAMP, THE PACIFIC SALMON RECOVERY FUND, YEAR OF THE OCEAN

WITNESS

HON. SAM FARR, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. Farr. Thank you very much, Mr. Chairman, and members, Mr. Serrano. I am delighted to be here today. On that last comment, I spend, my office is a mini-INS office in Salinas, California. I would love to sit down with you some day. I agree with your concerns.

I am here to talk about oceans, and I thought that maybe the best way to talk about oceans, for two people that are sitting here today, is to remind the Chairman that if it was not for the Eastern Kentucky hillsides, both the Ohio and Mississippi River drainage system would not be able to provide for the wetlands in that Delta area. So I think of you as the headwaters for the Mississippi Delta, and you are, in that way, related to the oceans.

And, for Mr. Serrano, you have Orchard Beach in your district. In Orchard Beach, you have all of the summer concerts, and nature walkways and you provide several businesses charter services for fishing and diving trips.

Mr. Serrano. You have two shots with me. You could hit Puerto Rico, too. [Laughter.]

Mr. Rogers. The gentleman must have been reading Dale Carnegie's book.

Mr. Farr. No, I am just passionate about the subject, and I do not know if any other members, although Elton Gallegly is here to talk about another point, but I know he is also supportive of the National Marine Sanctuaries.

My list is essentially in the budget, and it is a recommendation that you support the increase of \$15 million to the National Marine Sanctuaries.

National Marine Sanctuaries is essentially a relatively new concept to create national parks and Federal lands in the ocean. We do not know where they are going, but I can tell you we created one in our district, and just the logo of having it attracts people. The irony is somebody comes and says, ``Well, how do I get there?'' when they are standing on the beach, and you say, ``Well, there it is, right in front of you.''

Eighty-five percent of the tourist revenues in the United States are spent in the coastal areas. In a poll conducted in 1998 by Melman and this year by USA Today, showed that more than half of Americans have observed the conditions of the oceans and believe that they are worsening, and they really want us to do something about it.

We are concerned. We all go to restaurants and eat fish. The fish stock in the world are overfished. It is essentially we just take from. It is not like we do with essentially cattle, and chickens and other kinds of meat or hogs that we raise them. We do not raise fish, except for limited

monoculture experiences. We mostly just take from the ocean and do not put back. We need to know more about that. Seventy-five percent of the endangered and threatened mammals and birds that are listed are in coastal habitats. Americans are moving to the coastline. They are exploding more than ever. By the year 2010, 75 percent of the U.S. population will live within 50 miles of the coast.

And yet we, as a Congress, really have not demonstrated a commitment to our oceans, as we have to our terrestrial resources. We have the National Marine Sanctuary Program receives less than 1 percent than we give our national parks. Congress has created 378 national parks, 155 national forests and only 12 marine sanctuaries. So I am representing one of the 12, and other members have indicated their support as well in a bipartisan fashion.

But I am also here to speak for the National Undersea Research Program, which is requesting \$14.5 million, and the National Estuarine Research Reserves. Those are essentially the wetlands reserves that have become parklike areas in many areas. We have created one in California, and I want to invite the committee to come out and see some of these resources that you are responsible for funding because they are really exciting.

The Estuary and Research Reserve in our area is really big. It is almost like a big park. It is a collaboration between the Federal Government and the State Government. The State Government Fish and Game manages it. All of the universities and schools have adopted curriculum to get students out there to learn about it.

We also have the initiative of the Year of the Oceans, which many members of Congress went to Lisbon last year to participate in that international effort. In the budget is a request for \$78 million to carry out the initiatives created there.

We have a Sea Camp Program, very little money, \$250,000. Sea Camp is essentially an idea based around the Space Camp to get kids involved in. If we are going to be a--a population is going to depend on this sort of eco-zone between the ocean and land, the whole future of science, and land management, and recreation and tourism is going to be there, and so Sea Camp essentially allows the kids to get a taste of that, just like they have of Space Camp.

And, lastly, a program that is very necessary for the Pacific Coast States is the Salmon Recovery Fund. We all eat Salmon. We do not ranch salmon in America. They ranch it mostly a little bit in Canada. They have had a lot of problems with their ranching with diseases of the stock. They ranch it in Norway.

We rely on wild salmon. That is how we raise and fish them. And so the Recovery Program is essentially an initiative to get that wild stock up. And the States of Washington, California and Oregon are very involved in that. And the President has requested \$100 million for that, and I support that.

I would be glad to answer any questions you might have.

Mr. Rogers. We appreciate your testimony, Mr. Farr.

NOAA, overall, has fared very well by our hand here over the last four years, despite the budget constraints that we

have been under. We appropriated \$15 million over the last two years for that new NOAA lab in Santa Cruz in your district, at your urging.

Mr. Farr. I want you to come out and see it.

Mr. Rogers. And we want to, and we will.

In terms of 2000, the items you are requesting funding for are areas where NOAA is asking for big increases. The problem is that NOAA's budget is really unrealistic because they want a \$400 million increase, which is a 13-percent increase, and many of the increases they ask for are not authorized even. There is an overreliance on budget gimmicks, which are not going to happen: fees, which the Congress is not going to pass; phony trust-fund gimmicks, which are not in our jurisdiction; and the like.

And, number two, we are going to have less money to deal with this year than we had last year for anything. So we are going to have to really go through that NOAA budget and prioritize so as not to do harm.

On your Sea Camp for elementary school kids, that is something that the Sea Grant Program, as you may not know, is not authorized to do. Sea Grant is a university research program. But what you may want to do is try under either GLOBE or the National Science Foundation education programs and go for a grant for that Sea Camp idea that you have, which I think is a worthy idea.

So as a way of suggestion, I would, if I were you, maybe go after GLOBE or the National Science Foundation, a grant program.

Mr. Farr. Well, we will certainly pursue those. NOAA, as you know in your Commerce role, it is about 50 percent or more of the Commerce budget. And what my concern is that in that, if you look at it, they have been spending a lot more on the space side, on the atmosphere side, than they have on the wet side. And the wet side is, essentially, the side that is going to affect our lives, for all of the reasons that I have outlined. So I appreciate that.

Mr. Rogers. But the big increases, though, that we have directed to NOAA, in the last two or three years, have been on the wet side, as opposed to the dry side.

Mr. Farr. That is why I appreciate your interest in this, and I look forward to you coming out to the district.

Mr. Rogers. We look forward to that, too. Thank you, Mr. Farr.

[The information follows:]

Mr. Rogers. Mr. Scott. We will make your statement a part of the record and hope you can summarize briefly.

Thursday, April 15, 1999.

JUVENILE JUSTICE PROGRAMS

WITNESS

HON. ROBERT ``BOBBY'' C. SCOTT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF VIRGINIA

Mr. Scott. Thank you, Mr. Chairman, Mr. Serrano, members of the Subcommittee. Thank you for the opportunity to provide testimony before you today.

I am a member of two subcommittees with juvenile justice authority; that is, the Judiciary Committee, and I am the ranking Democrat on the Crime Subcommittee, and also Education and the Workforce, and I serve on the Early Childhood Subcommittee, and we are both dealing with juvenile justice as we speak.

I want to thank you for your funding for juvenile justice programs in the past. Unfortunately, your funding that you have done in this subcommittee has not been retained in conference, and we have not been able to reauthorize the Juvenile Justice and Delinquency Prevention Act, although I hope that we will be able to do it this year.

Mr. Chairman, I come to you, today, to make again the case for increasing Federal investment in prevention programs and to do this by encouraging you to acknowledge that money spent on prevention is more valuable in reducing crime than money spent on prisons.

We have not fully funded the money for prevention initiatives, such as drug treatment and family resource centers, and we could put the money that is now in the Truth-in-Sentencing Initiative Program into that funding. The reason that the Truth-in-Sentencing provision is not as good an idea, is because, first of all, all States do not qualify, and many States that may qualify do not need the money. Virginia, for example, has excess prison beds and is now leasing out prison beds. I think the money for Virginia would be much better spent in prevention rather than new prison beds.

Mr. Chairman, we can increase funds for building and running Boys' and Girls' Clubs, in public housing and other sites for at-risk youth. Boys' and Girls' Clubs have been shown to be effective in reducing crime. Drug courts and drug prevention activities have been very cost effective in reducing crime. And there are a number of other programs that could benefit from your support, such as court-appointed special advocates, child abuse prevention training, delinquency prevention programs, law enforcement, family support, all of which will reduce family violence and child abuse and which have been shown, in turn, to reduce crime.

I want to make a special note of a program in my district, An Achievable Dream, which offers special opportunities, education and direction to youth. It keeps them out of trouble in the first place.

So, Mr. Chairman, and members of the subcommittee, I ask you again to demonstrate your resolve in actually reducing crime and choosing to make the investment in the areas which can, in a cost-effective way, reduce crime, save money and make a much better investment in our future.

Mr. Rogers. Well, we thank the gentleman for his statement.

This Subcommittee has been on the leading edge on juvenile justice monies--crime prevention and programs. And one of the biggest boosters of that is also in the room with us at this

time, Bill McCollum from Florida, who has been the leader on this whole subject and has been out front in pushing the Congress to put more money into juvenile justice and juvenile crime prevention programs.

In fact, we funded Mr. McCollum's juvenile justice programs. It was only when we got to the other body that they were lax in their duties, in my opinion, and we had to revert back to the existing law because they had not passed their authorization.

Mr. Scott. Mr. Chairman, I think your attention had been diverted. I did point out, and thank you for putting the money in, and I pointed out that it got lost further along the line in the Subcommittee.

Mr. Rogers. I know that. I did not mean to say that you did not.

What I think you are saying is you would like to take the money in the State Prison Grant Program and put it in juvenile prevention, which has been the gentleman's advocacy for some time, and it is a legitimate argument. It is just that the Committee and the Congress has felt that the State Prison Grant Program is a worthy program. There are certain States that have large numbers of members in this body that I do not think would let this happen, even if we wanted to.

Mr. Scott. I would point out, as a matter of fairness, that a lot of States do not qualify, and if we could pass authorization so that everybody can use their share as they wanted to, I think the Appropriations Committee may not be able to legislate that change on an Appropriations bill, but that would make it fairer.

I would point out, Mr. Chairman, that the gentleman from Florida and I are working extremely hard right now on trying to reauthorize juvenile justice and delinquency prevention legislation, and hopefully you will save a significant chunk of money to fund that because there is a shocking possibility that it might be a bipartisan bill.

Mr. Rogers. Well, we certainly welcome that. [Laughter.]

Thank you, Mr. Scott.

Mr. Scott. Thank you.

[The information follows:]

Mr. Rogers. Ms. Morella. Connie Morella.

We will make your statement a part of the record, and we would welcome a brief summary.

Thursday, April 15, 1999.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, VIOLENCE AGAINST WOMEN ACT, LEGAL SERVICES CORPORATION

WITNESS

HON. CONSTANCE A. MORELLA, A REPRESENTATIVE IN CONGRESS FROM THE STATE

OF MARYLAND

Ms. Morella. Thank you. I am sure that you would, Mr. Chairman.

I am delighted to be here with you and Congressman Serrano to testify on behalf of a few issues in your appropriations bill. I want to thank you very much for providing me, as you usually do, with this opportunity to testify on behalf of some funding priorities. And I know the difficult job you have. I know you have been here all morning. I know there are people who still want to testify.

Thanks so much for your historic support of the laboratory programs on the National Institute of Standards and Technology. NIST is the Nation's oldest Federal laboratory. It was established in 1901 by Congress, but actually it dates back to well before that in the 1800s, when it existed as the Bureau of Weights and Measures.

As part of the Department of Commerce, NIST's mission is to promote economic growth by working with industry to develop an applied technology, measurements and standards. It is the Nation's arbiter of standards, and it enables businesses to engage each other in commerce. And particularly in the global marketplace, standards and measurements are critically important for trade.

The precise measurements required for establishing standards associated with today's increasingly complex technologies require the NIST laboratories to maintain the most state-of-the-art and sophisticated equipment and the best scientists in the world. However, its infrastructure is failing and needs repair and replacement.

NIST currently has a maintenance backlog of over \$300 million. In addition, NIST requires new laboratory space that includes a higher level of environmental control of both the air quality and vibration than can be achieved by the retrofitting of any existing facilities. And so to meet this need, NIST must construct an Advanced Measurement Laboratory.

Mr. Chairman and Congressman Serrano, over the past two years, your Appropriations Subcommittee has supported the AML-- you know it quite well--appropriating well over half of the total needed to complete the project. And, actually, following your lead, the administration has requested enough money to complete funding for the AML and begin construction in fiscal year 2000. We certainly want to invite all members of this subcommittee to be there for the dedication of the building.

I strongly support beginning construction of the AML this year and ask that you include \$106.8 million, which is the amount necessary that is requested by the administration.

In addition to construction and maintenance, I strongly support fully funding this Scientific and Technical Research and Services account, STRS. It not only funds all of NIST's laboratory facilities, but also the Baldrige Quality Awards program, which has been working. And under the President's request, STRS actually declines slightly compared to its base funding requirements for fiscal year 2000. So, at a minimum, I believe that STRS base funding requirements should be met.

I also want to reiterate my strong support for the appropriation of \$10 million in fiscal year 2000 to begin the first of a three-year effort to establish the Emergency

Services Advanced Technology Program. ESAT is an innovative initiative that would take existing technologies that have been developed for other applications and apply them in a way which would benefit, tremendously, fire services communities across the Nation. It is a collaborative research and development project between the Fire Research Laboratories at NIST and Yale Medical School. And it would really help to protect the lives of our Nation's 1.2 million fire fighters and local emergency responders. I believe it is well worthy of your funding.

I want to also mention NOAA, the National Oceanic and Atmospheric Administration, is a vital component of Commerce. It plays an invaluable role in contributing to the Nation's economic and environmental health. Its budget request of \$2.5 billion will allow NOAA to build on a number of significant accomplishments, and I am pleased that legislation last year preserved the NOAA Corps. The legislation provided a specific five-year authorization for this valuable national asset, and it would assure that a commissioned officer will lead the NOAA Corps to the 21st Century.

Congress has relieved the hiring freeze for NOAA Corps officers, allowing a continued service to our Nation. I want to thank the subcommittee for doing that.

NOAA budget requests will allow the organization to perform an essential role in a number of important initiatives, including the Natural Disaster Reduction Initiative. In the 2000 fiscal year budget, NOAA requests an increase of \$42.1 million to implement the second phase of the Department's strategy to reduce and mitigate against the impacts of extreme natural events.

So the budget requests will support NOAA's continued efforts.

I want to also mention Violence Against Women. You have so many things under your jurisdiction in your budget. I want to again urge that you continue to fund, and thank you for what you have funded, the Violence Against Women Acts at the Department of Justice. Enacted in 1994 with strong bipartisan support, it is up for reauthorization. It has made a big difference. We can cite, within every State and nationally, the difference it has made with hotline, shelters. It has improved law enforcement on the local level, through STOP grants, to the States for training police officers, victims' services, implementing pro-arrest policies in cases of domestic violence, and it has really helped communities deal with the problems of teenage runaways and fighting child abuse.

Finally, with Legal Services, I have always supported the Legal Services Corporation because I think it is important to assisting the vulnerable people in our society, and women and children certainly are among the most vulnerable, as well as the elderly, and they sometimes find themselves in abusive situations which they cannot control. So the impact of these situations may result in homelessness, loss of necessary financial resources, maintenance and health and, ultimately, costs society far more fiscal burden.

It has also been invaluable in allowing impoverished people to access the judicial system who might not otherwise have this opportunity, and that is the American way. As an example, much of the caseload, almost half of the caseload in Maryland, deals

with divorce, child custody, domestic violence, issues of the family.

So, finally, Mr. Chairman, Congressman Serrano, I really appreciate the opportunity to testify before you today, knowing the challenge and the burden that you face. I wish you well. I look forward to continuing to work with you. Go for it.

Thank you very much.

Mr. Rogers. Well, thank the gentle lady for her testimony.

We, in fact, have a NOAA hearing this afternoon at 2 o'clock. We will have the NOAA director here to testify about his budget request. But their request is unrealistic. They are asking for a \$400-million increase, 13 percent, at a time when we are going to have less money to deal with this year than last. So we are going to have to go with NOAA through their budget and try to prioritize with them. But you have been one of the big boosters of the NOAA budget, and you have been very effective in that, and I salute you for that.

On NIST, as you know, we have been banking the money for the new lab there in your district for the last couple of years, and we had to do that in spite of the fact the Administration was sending us tricked-up budgets, for whatever purpose I do not know. But, nevertheless, we did find a way to bank money for that very expensive building, which is a \$225-million building.

The question is, this year, whether or not we are going to have enough money to bankroll the final lump sum or whether we will have to go two years at it. It is just a function of whether or not they give us enough money to do this. So we will be working with you on that.

The Violence Against Women Act, you know it has been this Subcommittee that funded the efforts that you led on the floor in creating VAWA. And the Administration, in 1998, did not request enough money, and so we took the initiative and funded Violence Against Women at a much higher rate than the Administration requested of us.

On Legal Services, their request is for \$340 million. We funded them, this current year, at \$300 million. Again, the question is where can we find the money.

Ms. Morella. Mr. Chairman, I am one of your big fans because I think you and the Subcommittee have done a terrific job.

NOAA has so often been kind of, I guess, unacknowledged, in terms of the kind of work it has done. It has needed more advocates. But I know that when you have the hearing, you will listen to what they say and question them accordingly because I think they perform an excellent function.

For NIST, you have inspired the Administration to look to the importance, and the Secretary of Commerce, the importance of the AML building, and I thank you very much for that. The concern was spreading it out; maybe that the costs will accelerate as a result of that.

The Violence Against Women Act, I want you to know I have traditionally said that do you know that actually that the Committee has actually appropriated more than was even authorized, and so I applaud you for that. But please know I have been stating that throughout the last Congress.

Mr. Rogers. And the gentle lady has been an inspiration for

that, and we appreciate your dedication to it.

Thank you very much for your testimony.

Ms. Morella. Thank you.

[The information follows:]

Mr. Rogers. Mr. Gallegly, we will put your statement in the record and invite you to make as brief a summary as you would care to make because we are running late.

Thursday, April 15, 1999.

INS PROGRAM FUNDING REQUEST

WITNESS

HON. ELTON GALLEGLY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. Gallegly. Thank you very much, Mr. Chairman. I will make my comments brief.

I would like to, however, preface my remarks by saluting you for your candor and your generous comments as it related to the INS, and I am sure that your true feelings were somewhat restrained in order to give the benefit of any doubt to the agency, and you as well, Mr. Serrano.

Mr. Chairman and Members of the Committee, thank you very much for this opportunity to appear before you today on a very important request that I have. This is an issue that we have talked about for a long time.

This year, I ask that you allocate \$36 million in fiscal year 2000 to the CJS appropriations bill to expand a successful INS program that identifies criminal aliens in local and county jails prior to arraignment, and holds them for deportation after their sentences are served. These funds would allow INS to expand the program to 40 countries.

In the 105th Congress, we overwhelmingly passed legislation to expand the program. In fact, the vote was 410 to 2. It is not often that we get that many members who can agree on what day of the week it is. And then, subsequent to that, President Clinton signed the bill into law on December 5, 1997.

This successful and important program began as a pilot program in Ventura County, in my district, and during its first 2 years in Ventura County, INS officials identified more than 2,200 criminal aliens. Approximately 60 percent of all of those screened were deemed to be illegally in the United States.

Many of them were violent criminals with a long history of arrests and convictions. Without this program, many of those criminal aliens would have been released back onto our streets.

Let me illustrate how important this program is in the lives of our citizens. On November 5, 1996, one of my constituents, Isabel Guzman, was working in her Santa Paula restaurant when Felix Mendez Magana walked in. He had been drinking. He brandished two handguns. He argued with another customer. Isabel asked him to leave. Magana did, and then

returned a few minutes later, gunned her down and killed her. Magana is an illegal alien. He had two previous arrests for assault with a deadly weapon in the same district. Had this law been in effect earlier, Isabel very likely would be alive today. She was only 30 years old.

Needless to say, this program has unqualified support of local police and prison officials. Mr. Chairman, this program has proven its worth. I ask that you include the \$36 million to expand it to the other jurisdictions across the country. Mr. Deal, who was here earlier, was speaking on this issue indirectly.

As a part of the appropriation, I would also request that you require the INS to screen for criminal aliens on a full-time basis, including those times when the highest number of arrests occur.

Furthermore, given the INS's reluctance to fully implement this crime-fighting program, I request that the Subcommittee include language as specific as possible that will lock the money into a local jail program.

Thank you very much for all your continued support.

Mr. Rogers. This program makes so much sense and has been so effective. No wonder the INS does not back it. [Laughter.]

Mr. Gallegly. Let me just add that the INS testified before our committee aggressively in opposition to this legislation. It passed the House 410 to 2, and it was passed under unanimous consent on the Senate side.

Mr. Rogers. Thanks to the gentleman's efforts in 1998, we increased the program by \$6.8 million. In 1999, we increased by \$10 million the program for a local jail initiative.

I think there is about \$20 million in the base for 1999.

Our problem is money. If we can find some money, this is going to be at the top of the list.

Mr. Gallegly. I appreciate that, Mr. Chairman, and I would ask you to look as hard as you can, but equally important to the money is that we provide the language to lock this money in so that we do not find it going to other places, as has historically been the case.

Mr. Rogers. Yes, I agree with you, but the problem is INS just does not pay attention to Congress. You can put money in there, and it may wind up on the other side of the world. That is why I am for abolishing the agency.

Mr. Gallegly. I would like to join your parade, Mr. Chairman.

Mr. Rogers. I have a bill, by the way.

Mr. Gallegly. Sign me on.

Mr. Rogers. Thank you.

[The information follows:]

Mr. Rogers. Mr. Neal, we will make your statement a part of the record, and if you can summarize briefly, we would appreciate it.

Thursday, April 15, 1999.

OLD STURBRIDGE VILLAGE

WITNESS

HON. RICHARD NEAL, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS

Mr. Neal. Thank you, Mr. Chairman.

Mr. Chairman, I am here to speak to you and members of the Committee today on behalf of what is truly a national treasure, Old Sturbridge Village. It has been a tourist destination for millions of Americans over the last 50 years, and essentially, my specific request today is for the purpose of helping them to construct a new threshold center at the entrance of Old Sturbridge Village that would be part of the broad interpretive success that the museum has had over these last five decades.

At this museum, Mr. Chairman, it is one that encourages people to participate, not just to observe. It has been a treasure for school children in particular across the New England region and indeed from points much beyond.

What we are asking for is the opportunity to explore the New England roots of this Nation be reinforced and highlighted once again.

The specific funding request, Mr. Chairman, is for \$1.8 million. I know as Republican members of the Congress, you will be happy to hear that there has been an effort to raise the other half privately, and my sense is that much of that has indeed already been accomplished. I think of the \$1.8 million in private fund-raising, they have already secured \$1.5 million. So that demonstrates the nature of the commitment that has been made by the private sector in the central part of Massachusetts.

At the center, people would be able to learn about the early travel, the community life, and trace the history of food, ways of cooking, and it would be used as well as an opportunity for people to conduct symposiums and to speak to the remarkable history that New England has given to the rest of the Nation. We still treasure that sense of independence that has been such a critical part of our collective history in New England, and we believe that by once again enhancing the role that Old Sturbridge Village plays not only from an educational perspective, but just as importantly from a living perspective that once again millions will benefit in the future as they have in the past.

Mr. Rogers. Who owns the village?

Mr. Neal. It is privately owned.

Mr. Rogers. It sounds like a wonderful project, and the gentleman is to be congratulated for promoting the project. Again, as I have said before, our problem is with money, to be able to work. I do not think we can pass these appropriations bills with the budget caps that we are having to live with. There is just no way. There is just not any money there.

In this Subcommittee, for example, we have got to find an additional \$4 billion to do the Census, and not to mention the defense problems that are going on, but nevertheless that is our problem, not yours.

We appreciate your testimony, and we will look at it very carefully.

Mr. Neal. I understand, Mr. Chairman, of course, in these sessions, this is like public confession. There will be an opportunity for private confession as well. So I will be trying to catch up with you.

Thank you all very much.

Mr. Rogers. Thank you, Mr. Neal.

[The information follows:]

Mr. Rogers. Lamar Smith.

The Chairman is welcome. He has been a warrior on INS issues and is our collaborator on all of those efforts, and he is our leader. So we welcome you here. If you can, summarize your statement.

Thursday, April 15, 1999.

INS FUNDING REQUEST

WITNESS

HON. LAMAR S. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Mr. Smith. Thank you, Mr. Chairman. I will do so, but let me first say that I am particularly pleased to be here because I believe it is important for the authorizing subcommittee to work closely with the appropriating subcommittee that you chair to ensure that the resource needs of the Immigration and Naturalization Service are met in a manner consistent with the policy priorities of the Congress.

Mr. Chairman, you and I share, as you just mentioned, many concerns regarding the INS. The agency has seen an increase in resources from \$1.4 billion in fiscal year 1992 to nearly \$4 billion for the current fiscal year 1999.

However, the agency has not produced the results that we expected. I am sure that you are aware of Syracuse University's recent Government Performance Project which studied 15 Federal agencies. The INS received the lowest average grade of all 15 agencies. So it is obvious that money alone will not fix the problems of the INS.

Also, the Administration's request for fiscal year 2000 does not address several key priorities. First, the Administration requested no new Border Patrol Agents for fiscal year 2000. This is incredible because the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 authorizes the INS to hire 1,000 new Border Patrol Agents each year to fiscal year 2001. To request no new agents is a flagrant disregard of Congress' action in passing the 1996 Act by an overwhelmingly bipartisan majority.

These additional Border Patrol Agents will not just help in defeating attempts at illegal entry. They are crucial

participants in the war on drugs, and 70 percent of the illegal drugs entering the United States come across our Southwestern border. Except for a very small number of Customs and DEA agents, the Border Patrol is our only line of defense.

Although the problems of our Southern border are well recognized, drug smuggling, illegal immigration, and terrorism are increasing at the Northern border as well, where there are only 300 Border Patrol Agents for more than 3,500 miles of border. The lack of resources at the Northern border mirrors that at the South and jeopardizes our national security.

Every Texas Border Patrol Chief that we have talked to, as well as those along our Northern border, have stated that they desperately need more Border Patrol Agents. The only Member of Congress who has served in the border patrol, Congressman Silvestre Reyes of Texas, discounts as unfounded the Administration's claim that the Border Patrol has grown too rapidly, and inexperienced agents are a cause of concern. It is obvious that the professionals with the most knowledge about training support for more Border Patrol Agents. We have a White House that wants to surrender the war against drugs, and in my judgment an Attorney General who is waving the white flag.

I might point out that the administration's own drug czar, General McCaffrey, has said we need 20,000 Border Patrol Agents. We have only 9,000 today, which is one-third of the number of police officers just in the City of Chicago alone.

Second, the detention and removal of criminal aliens should be a priority for the INS. However, its budget request shows that it is not. The problem is enormous. A quarter of all Federal prisoners today are non-citizens.

The Justice Department tells us that 60 percent of all released prisoners are arrested again for new crimes within 3 years. This threat can be significantly reduced by removing non-citizen criminals from the United States.

The INS consistently fails to deport criminal aliens, which endangers our families and our neighbors. Congress recognized this when it passed and President Clinton signed the bipartisan 1996 immigration reform law. The law mandated detention of most criminals until their removal.

The INS was granted an additional 2 years to implement the law. Congress has doubled the funding for detention and deportation since 1996 to \$730 million. Yet, the INS is still not ready to implement the law.

There are immediate steps the INS could take. It could free up the 2,700 beds by moving long-term prisoners to Federal prisons. A recent GAO report concluded that the INS could save another 1,700 beds and \$40 million a year by completing removal proceedings before deportable prisoners are released.

Third, the INS has failed to develop a comprehensive interior enforcement strategy to apprehend and remove illegal and criminal aliens from the interior of the United States. It appears that the INS intends to allow all 5 million illegal aliens now residing in the United States to remain here. The administration's request for fiscal year 2000 requests few additional resources for interior enforcement.

Mr. Chairman, these facts lead us to the obvious conclusion that the INS is not serious about enforcing immigration laws. I hope that your subcommittee will question the administration's

commitment to enforcing existing law and find a way to provide additional resources. Congress should act to reduce illegal immigration and protect our citizens from illegal drugs even if the administration will not.

I thank you again for the opportunity of sharing my suggestions with you, and I want to personally thank you for all you have done in the past to make sure that we have the resources that we need to both reduce illegal immigration and reduce the flow of illegal drugs and also stop terrorists from entering the country.

Mr. Rogers. I thank the gentleman.

As I have said before, as Chairman of the Immigration Subcommittee on Judiciary, you have been the leader in trying to reform the INS. That was my attitude for the first 15 years I served on this Subcommittee, and I came to the conclusion that they are not reformable. So I concluded that the only way to try to get at the problem that faces the country is to find another agency to do it. So I would abolish INS and let the Justice Department do the law enforcement, Labor do the labor law enforcement, and the State Department do the other, and failing that, to separate out the law enforcement from the services portion of INS into two different agencies, as the gentleman, I think, agrees.

Mr. Smith. Mr. Chairman, I was going to agree with you that I think that that is a good idea, but I would also say just in the last few weeks, we have heard from a number of Border Patrol Sector Chiefs who all have endorsed the concept that you have just mentioned that we do need to separate the two functions of the INS, the enforcement as well as the processing.

I know that you are active in trying to achieve that goal, and you will have a bill shortly to do that. We look forward to supporting it along the process.

Mr. Rogers. I appreciate that.

Mr. Serrano. If I may, very briefly, I think it is important to note also that the Commonwealth of Puerto Rico has asked for an increased number of border patrol. We do not think the island is a border, but as you know, they have an influx of people coming in by sea. At this committee, folks testified that Puerto Rico has become--just the issue of drugs coming into the island and just coming up to Florida and then to New York. So I think we have to keep that in mind.

Then, once again, Mr. Chairman, this is a fine example of some of the things that we were talking about before. The gentleman and I have disagreed at times about how to deal with folks who come into this country to wash dishes, and this harsh treatment that is given to them by the Immigration Department, but I have no problem with somebody who hits a little old lady over the head and takes her wallet staying in the country and enjoying the country. So, even there, I have my problems with INS in that they seem to treat the dishwasher much rougher than the treat the criminal.

Mr. Rogers. Yes, but that is INS. [Laughter]

On detention, which is the thrust of what you talked about, the 1999 supplemental request was for \$80 million. That amount, plus an expected additional \$31 million reprogramming request, will likely cost about \$150 million in fiscal year 2000. Yet,

the administration request to back up the supplemental? Zero.
Zero.

Then, to detain all of the criminal aliens on top of that is another \$150 million, but I am as frustrated with INS as you are.

Mr. Smith. Mr. Chairman, I could not agree more. We hear all of these words about the need to reduce the flow of illegal drugs, the need to reduce illegal immigration, and we do not get any requests for funds by the Administration, the same thing on the detention. We know the desperate need there, and I appreciate both of my colleagues saying that we do, and yet, the Administration itself did not request the necessary funds. So it is frustrating.

Mr. Rogers. Thanks so much.

Mr. Smith. Thank you, Mr. Chairman.

Mr. Serrano. Thank you.

[The information follows:]

Mr. Rogers. Chairman McCollum.

I am sorry to make you wait. We will make your written statement a part of the record.

Thursday, April 15, 1999.

FUNDING PRIORITIES FOR LOCAL LAW ENFORCEMENT

WITNESS

HON. BILL MCCOLLUM, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. McCollum. I will summarize as briefly as I can, Mr. Chairman and Mr. Serrano.

First of all, I want to say thank you. I do not think that there has been any more cooperation between any two authorizers or appropriators than there has between this subcommittee and your subcommittee. So it has been a good 4 years.

I intend to hold hearings in the Crime Subcommittee on the next 4 years as to what should be the Federal funding priorities for local law enforcement. We need to reexamine that, and we are going to be doing that in the near term.

However, at the present time, there are a number of programs that you are fully aware of that I have come before you today to encourage you to continue, and with our assistance, we will be glad to give it to you. We will get to that authorization.

First of all, I think we now have, as Mr. Scott said earlier, the opportunity to fully authorize for the first time the Juvenile Accountability Grant, the program that you have graciously put forward each time we have asked you to, without our having been able to complete that deal, but it looks good now.

I also expect to reauthorize in some form the local law enforcement block grant program that will expire otherwise this

year. It is my recommendation generally that you maintain the status quo with regard to fiscal year 2000 law enforcement funding.

First of all, with regard to the block grants, that is, the local law enforcement ones, I think the key there is the flexibility that has been maintained in those. If you will recall, in 1995, when this program came into existence, we had an authorization intending \$2 billion a year to be appropriated. Actually, the appropriation has been just over \$500 million in each of the last 4 years, and that has proven entirely adequate. So my request is that you simply continue that \$500 million for the next year.

I regret deeply the administration has zeroed out the funding, as you know. They do not have any request at all in here, and I think that is a huge mistake. And it is indicative of the fact that they do not, and have not, supported this very flexible local community, county, commission, city council program.

Truth-in-Sentencing Grants. We may be nearing the end of this program, but I think it should go on at least another year. If you will recall, on this one, too, there was a substantially larger authorization than the appropriations had been allowed. It was designed originally to go up from \$1 billion to \$2 billion over 5 years. We have had a pretty steady stream of \$425 million a year, and I think that should continue this next year.

The benefits have been really good. Nearly 30 States are now requiring violent criminals to serve at least 85 percent of their actual sentences, and 4 years ago, it was less than 10 States that did that. So I think the incentives and the reason for that grant are there, and the benefit of locking up violent criminals is there. So, if we can carry on at least another year, I think we will pick up several more States. We will never get to 50, as 30 is very good, and that is the objective, is to assist them, but many of these States have a need, as I understand it, because of the incarceration and because some of the flexibility in this funding to be able to support what they have already built. We certainly do not want them to go back to the program of revolving doors.

Third, with regard to the money on juvenile accountability, I think we would be very happy with the \$250 million that you put there last year, to give it again this year. The bill I am going to produce--I think Mr. Scott will call for \$500 million for 3 years. I hope that you can increase a little bit, the juvenile grants from 250, but that is going to be something you are going to have to judge. I think when you see what we put out in the bill, this is going to be an area where if there is any shift of money in the area to increase anything, I would encourage you to look at doing it in that area as opposed to the prisons or the local block grants.

Technology support. You have been good about that. I just want to make a word about forensic labs, criminal history records, DNA analysis. They all need sustained funding. We do not pound the table on that. They are not new bills, but it is really important that they not be overlooked in the process of your funding because that is the bread and butter that makes these programs work.

One program bothers me a lot, and I would be very remiss if I did not mention it to you. We are near the end of this Cops on the Street program, the 100,000 cops, but there are some very serious questions about the 100,000 Cops on the Street program.

I definitely do not think we should expand it, as the administration has requested, for another 50,000 police officers. Maybe you saw, as I did, the editorial in USA Today earlier this week in which they have roundly criticized the 100,000 cops program. It has not produced 100,000, and it has not produced an efficient system.

In fact, there is an indication that the money is not going where it should go, and it is going to other places. We are going to hold hearings on it. It is a very important thing, and I have just got all kinds of question flags on this program, as I am sure you do.

Last on my list is DEA. I am really concerned about this one, Mr. Chairman. DEA has requested 400 new officers and agents to move through their Quantico program each year. The administration has not proposed any new agents this time whatsoever, not a single one. They have requested 200 intelligence analysts at DEA, and there are only 6 intelligence analysts that the administration has proposed.

I do not know why they are trying to find the savings here, but DEA is our bulwark, front line for drug fighting, and it is, of course, a principal concern that I know you have shared with me over the years, but this is just totally unacceptable. I cannot imagine why there is no administration support, Mr. Serrano and Chairman Rogers, for these additional agents, or at least some of them. Good Lord, that is a huge difference from zero to 400 or zero to 200 in the two different areas.

There is also no money in the administration's budget for the proposed DEA Intelligence Training Academy at Quantico, and I think that, too, is a big problem. So I would encourage the subcommittee to find a way to appropriate monies for these DEA programs, whether the administration does or not. I just do not see how we win the war on drugs without DEA, and without giving them some resources that they need.

So that is a brief summary, Mr. Chairman, and I thank you.

Mr. Rogers. On the last one first, on DEA, we are trying to find out what happened to \$330 million that we gave them.

Mr. McCollum. Fair enough.

Mr. Rogers. They cannot account for it.

For example, in the Bahamas, we had funded 11 new agents, and as of about 2 weeks ago, none of them were there. This was in the fiscal year 1997 budget. So we questioned that, and now those agents are there.

In Puerto Rico, we cannot find out. They do not know. They will not tell us. So I am frustrated with DEA right now. We have funded DEA with large increases. We have doubled their budget in 3 years, doubled the funding level in 3 years out of this subcommittee.

Mr. McCollum. I know you have.

Mr. Rogers. And I am just frustrated because we cannot get a handle on where it is going. We know it is not going to agents, where we need them, and that troubles me very much.

Mr. McCollum. Mr. Chairman, I would be more than happy to

work with you on that. We will review things with you and try to get them into shape because they are critical. You would not have funded them like that if you did not share with me the concern that their job is very, very important.

Mr. Rogers. It is very critical, and it is a good agency. Administrator Constantine is a fine man. He brings to that job the ``cop on the beat'' attitude, which I think it needs, but we have got to have accountability in the dollars. Right now, we are not getting that, and so I would welcome your help on that.

I share your views, of course, on block grants. That is a congressional creation. Block grants are 100-percent funding for indefinite periods of time to localities, and they can use the money as they see fit, not as we tell them how to use it, which is what they need. Some places need equipment. Some need salaries. Some need something else, and that is fine.

The COPS program, of course, is only for COPS salaries, and it is a 3-year program. Increasingly, each year, the community has to pay a bigger share of it, and now they cannot afford it. They have reached the 100-percent level, and they are having to lay those people off because their budget cannot stand it.

We told them at the outset that that would happen, all of us did.

Mr. McCollum. That is right.

Mr. Rogers. That is the reason we created the block grant program for that very purpose, to give more flexibility.

So I share your views on the block grants and the COPS renewal and all of that, and as I have said before, the gentleman is the father of the juvenile justice programs in his subcommittee and the Congress. I wish you could convince our brethren on the other side of the Capitol as you have convinced us.

Mr. McCollum. I am optimistic, Mr. Chairman, this time. Senator Leahy and I have reached an understanding and believe that that bill would have been signed into law the last Congress if it had not been for some Administration objections at the end of the day, and it looks like with Mr. Scott's help now that we are going to do it. I am really very optimistic.

Mr. Rogers. I congratulate you, and you do a great job in your chairmanship over there.

Mr. Serrano. Mr. Chairman, thank you.

Just very briefly on two points. First of all, I would hope that your problems of opposition to the COPS program is exactly as I heard it, one about the management, and not necessarily against the issue of more cops on the street because it is a good program and we need more police officers.

On the other hand, I would hope that when you deal with some issues over there in your subcommittee which end up advising us on things to do that you look at this whole issue of how we select, train, and assign police officers in this country.

At 3:00 this afternoon in New York City, the largest demonstration since the civil rights movement will take place, people from all walks of life coming together, who have never been seen together, to protest against the issue of police brutality which has become a dividing issue in our city.

I am one of those who thinks that it is not intentional. It

is people who are never trained properly and other people who should never be police officers and who fear people they are supposed to police or dislike them or whatever. I would hope you look at those issues as you deliberate.

Mr. McCollum. Mr. Serrano, I share your concern about police brutality wherever it occurs.

I find the flip side of that for your city to be that it is the model where community policing has worked.

Mr. Serrano. Exactly.

Mr. McCollum. I want to assure you that we will as a subcommittee on the authorizing side be reviewing the whole COPS program. I want to know what the local community officers and local community leaders feel about these things. They are very diverse in their views, and the criticisms, as you know, are wide-ranging, but your city has been a prime example of where it has been positive.

Mr. Serrano. Exactly.

Mr. McCollum. But there are other places where, unfortunately, it has not been.

Mr. Rogers. We thank the chairman.

Mr. Serrano. Thank you.

Mr. McCollum. Thank you very much.

[The information follows:]

Mr. Rogers. Mr. Smith and Mr. Hoyer, I understand will jointly appear. Is that correct?

We will make your written statements a part of the record, and we would invite a brief summary. We would hope you would not talk yourself out of your monies, which we always give to you.

Mr. Serrano. He has a way with words.

Thursday, April 15, 1999.

HELSINKI COMMISSION

WITNESSES

HON. CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

HON. STENY HOYER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MARYLAND

Mr. Smith. I will be very brief, Mr. Chairman, and thank you. Thanks for letting us both take part on the record.

Very briefly, the Helsinki Commission, as you know, was formed by an act of Congress in 1976. It was formed to try to ensure compliance with the Helsinki final act and all the follow-up documents and agreements with the now-54 states that make up the Organization for the Security and Cooperation in Europe.

Our commission has 14 full-time staff. They have been below the pay grades of other professional staff, and we have been trying to rectify that in recent years.

Mr. Hoyer, the ranking member, and myself as Chairman--he was Chairman in the past, and I have served as ranking member. I have been on this commission now for nine of my ten terms in the House, and it is probably one of the most under-heralded, but one of the most effective especially in Europe--organizations of government because our staff and members are always interfacing with the heads of the various parliaments, foreign ministers, on Helsinki issues, whether they be trade, human rights, human dimensions, and we have held a series of many briefings and a number of hearings in the Capitol.

So it is very much of an engaged hands-on type of commission. We have asked for \$1.25 million for this year. That is the President's request, which can be found on page 40 of his budget, and it does represent an \$80,000 increase over the appropriated level of 1999. But, again, that is to try to rectify this shortfall that we have seen, through no fault of anyone, over these many years with regards to our professional staff.

We have a listing of all the staff and what their agendas or portfolios are, and they are experts in the field. The longevity of the staff has been that these people have institutional memories that are just golden because they know the issues. They know all the players, and they are a tremendous source for the State Department, which calls on them at all the ministerial meetings and all the follow-up meetings that are held throughout Europe. There is one planned for Turkey in the fall. The Helsinki staff here has just the institutional memory that has been invaluable in promoting these important issues.

Ben Nighthorse Campbell, the Co-Chair, could not be here because of scheduling, but will submit a statement for the record, and I would like to yield to Steny.

Mr. Hoyer. Thank you, Mr. Chairman.

You have been supportive. Obviously, you recognize the growing importance of CSCE, that is, the Conference on Security and Cooperation in Europe, which in 1990 in Paris, as you recall, was changed to the Organization on Security and Cooperation in Europe, indicating it had a much greater operational role.

In fact, we had testimony just the other day. Chris called a hearing. Ambassador Walker testified about the peace-keepers who were taken out of Kosovo--but while they were there, at least the atrocities were not occurring. The 2,000 or so were under OSCE direction, as you know. So the OSCE has become very operational. It is operational in Bosnia. Both the Parliamentary Assembly and the Ministerial Council have become very engaged in some of the most troubled spots in Europe. The support of this Commission is very modest indeed when confronted with the complexity of the world as we find it today.

I want to thank you, Mr. Chairman, and the committee for your continuing support.

Mr. Rogers. As you say, it is a modest amount of money. It is \$1.25 million. The requested increase is \$80,000 over fiscal year 1999. Is that just to cover inflation?

Mr. Smith. It would be to continue the slow and modest increase for salaries.

Mr. Rogers. There is no additional personnel or equipment?

Mr. Smith. There is one new personnel hire. A former Commission consultant/counsel for Property Rights has been hired as a full-time staff member.

Mr. Hoyer. Mr. Chairman, I was just going to add, one of the things I have seen, and it is unfortunate that the public does not see, is that when Al D'Amato took over as chairman in 1985, there was a lot of pressure to politicize the staff of the Helsinki Commission from people outside the Commission.

Senator D'Amato refused to do that, and, in fact, there was a professional staff in place by 1985. Obviously, there have been changes, but a lot of them still remain, and they were selected by Senator Dole and by Dante Fascell back when they were running the Commission. It is really a staff of which I think all of us could be very, very proud, and it is a professional staff, not a political staff.

Mr. Rogers. I want to thank both of you for your dedication to this humanitarian cause. It is a thankless job for the most part, but we thank you.

Mr. Smith. Thank you, Mr. Chairman.

Mr. Hoyer. Thank you, Mr. Chairman.

[The information follows:]

Mr. Rogers. Ms. Hooley, I think, has stepped out for a few minutes.

We will call Ms. Jackson-Lee.

Your written statement will be made a part of the record, and we would hope that you can summarize briefly.

Thursday, April 15, 1999.

INS DISTRICT OFFICES

WITNESS

HON. SHEILA JACKSON-LEE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Ms. Jackson-Lee. Thank you very much, Mr. Chairman.

First of all, let me thank you and thank Ranking Member Serrano for your kindness.

My chairman said that if he had seen me in the corner there, he would have said complimentary remarks about his ranking member. That is Lamar Smith. As I listened to your conversation, let me bring to the table at least a measure of agreement on some of the problems that we are facing with the INS.

It is my philosophy--and, Ranking Member Serrano, I have heard your comments--that we are a Nation of immigrants, but we are a Nation of laws. So we would like to see the laws enforced against the criminal aliens, if you will, but we also want the treatment, the decent and humane treatment, of those who come and wash our dishes, but also come for an opportunity.

Mr. Chairman, if I might, I have not written this issue,

but if you would allow me, I am a new ranking member on this particular committee and just wanted to add a word for State USAID with respect to the refugee problem and hope that as the supplemental appropriations come forward that we will look kindly on the responsibility that they will have in building encampments to house some of the refugees that are coming across the border, and I just wanted to add that. It is not in my statement, but I have been meeting with the State Department on that issue.

Again, I would like to thank both of you. I have had an opportunity to speak with Members of Congress about the INS and have listened to their concerns. The concerns that I hear over and over again from my constituents and from other Members of Congress is that something must be done about the backlog of casework with the INS district offices.

There is a lack of resources and technology to deal with the overwhelming amount of casework that needs to be dealt with the fiscal year 2000 budget, which contains funding provided in 1999 at a level of \$124 million to decrease the backlog that has accumulated.

However, I am told by the INS that these monies only bring us up to speed, and an additional \$15.6 million should be included in the citizenship and benefits immigration support program direction account. This will provide for 200 adjudicators and additional clerical support staff to be brought on board to augment the completion of the naturalization application.

This is in response to Mr. Serrano's comments in how people are treated at the INS and also responds to, Mr. Rogers, your continuing frustration, but whether or not they even listen to us.

Let me cite for you a very tragic story. As I said, we are a country of immigrants, but a country of laws, and when we ask people to comply with the laws, why can't we get the job done?

The case of Azimi Atia of Israel, he had been living in the United States in Houston for several years as a legal permanent resident, a college graduate, employed with the Exxon Corporation, and applied for a U.S. citizenship in early 1997.

He desperately wanted to become a citizen so that he could receive a passport to travel back home to Israel to visit his dying mother. Due to the backlog, he was not granted citizenship in time before his mother died. Since then, he has suffered from severe depression, and he is coping every day of not becoming a citizen. This problem must be corrected, and we must do it in Congress. The additional \$15.6 million will do just that.

The other issue that I wanted to bring to your attention is the U.S. border patrol agents which has been discussed by Chairman Smith. We realize that although there has been an appropriations or an authorization for 1,000 border patrol agents since 1996, this has not occurred. INS did not request any additional agents in its proposed budget for fiscal year 2000.

I put on my investigatory hat to see what the problem was, and the representation has been made that with the market as it is, the lucrative job market, it has been difficult to secure these much-needed border patrol agents, and also, of course, we

want to ensure that they are well trained.

The appalling number of 300 along our Northern border is something that we cannot tolerate. The border patrol is not able to recruit enough agents to meet this authorizing level. Therefore, I would ask the committee to consider a \$3.7-million additional amount to raise the starting-salary level from GS-5, which is \$22,000, if you can believe it, for a college graduate to come into the border patrol, which is one of their requirements, to a GS-7 level, which will be slightly over \$30,000, but it will be comparable with other Federal law enforcement agencies and certainly meets the responsibilities of the border patrol agents.

Also, Mr. Chairman, the border patrol agency loses a lot of its agents when they reach the GS-9 level. That salary level is off about \$33,000 because there is currently a ceiling on how much they can earn.

So I would ask, Mr. Chairman, that we upgrade the grade level for experienced border patrol agents so they are allowed to receive salary increases. Right now, only 30 percent of the border patrol agents benefit from any increase and are able to move beyond a GS-9 and a GS-11 due to a very competitive process. The border patrol agents must remain at a GS-9 for life.

To lift this salary ceiling so that the majority of border patrol agents can receive an increase and be allowed to advance to a GS-11 would take an additional \$43.7 million to the Enforcement Affairs account.

I would simply say, Mr. Chairman, out of the frustration that they do not listen, as I have heard you say, I believe these resources would quickly be consumed by INS for the purpose that we are trying to do, listening to the frustration of the already-existing border patrol agents and slightly knowing the reality of a good employment market or job market so that the difficulty of getting people to areas where they need, i.e., the Northern border, is a reality, in spite of the INS and concerns thereof.

I would look forward, Mr. Chairman, as I move quickly to two other points, to working with you on INS concerns. One of the problems that I see is the general attitude and the service operation and treatment of the individuals who come to that agency. I should not say legally, but with legitimate purposes, meaning that they legitimately have their papers. They are legitimately in the process and the treatment that they get. I hope that we will have the opportunity to collaborate.

Let me quickly just thank you for the increase to the Community Relations Service that you provided us last year. As you well know, I come from Texas. So I was actively engaged in the tragedy that occurred with the killing of Mr. James Baird. If I can cite the CRS as being a productive unit of the Department of Justice, let me tell you, Mr. Chairman, how effective they were in Jasper, Texas.

Not only did they go in there, but they were actually welcomed by the local citizens and businesses alike. The CRS has been helpful in St. Petersburg, Florida; Leland, Mississippi; Phoenix, Arizona; Brunswick, New Jersey; and Portland, Oregon. They are not limited to Southern communities. In fact, they have had a presence in over 190 communities

throughout the Nation.

We were able to raise their \$5.3 million last year by \$500,000. I would simply ask both you and the committee to consider the \$2.1 million that has been asked for by the administration, but I would look forward to working with you on however we could assist them because they are now declining 40 percent of their cases.

Finally, Mr. Chairman, I chair the Congressional Children's Caucus and note as a member of the House Judiciary Committee that we have been seeing an increasing number of murder victims who are under the age of 18, 2,100 in 1997, and 900 of those were under the age of 13. More than two-thirds of those were killed with a firearm, and we are seeing an increase in the amount of women encountering the justice system at a young age.

In 1997, 748,000 young women were arrested. I would hope that you would consider favorably the juvenile delinquency prevention programs, which whenever you go to local governments, they applaud enthusiastically. These are the programs that deal with after-school efforts, and they work out of the Office of Juvenile Justice and Delinquency Prevention.

They are key to instructing and helping children understand that there are different ways to lead their life. The administration has asked for a \$95-million request for community prevention programs aimed at youth. However, I would hope that, together, the authorizers and, of course, this committee could look to these programs and provide the necessary funding that would include mentoring, truancy prevention, gang intervention programs, and many other such programs.

Mr. Chairman, I thank you. I am trying to move with deliberative speed. I hope that you will consider--I know that you were engaged, as I was discussing it, but I would be very open to answer any questions about the INS. I think there are many ways of looking at this agency. What I have tried to do is sort of bullet-point or hit some immediate issues that have been brought to our attention over and over and over again about the service element, but also our border patrol men and women who serve so ably, but really with a salary scale that is really not responding to their service.

Mr. Rogers. I was engaged in reading your statement as you went along with it. So I was following you in your statement.

Of course, as the new ranking member on the Immigration Subcommittee, you are right on target on many of your Immigration Service points.

Barbara Jordan headed the commission that reviewed the INS and came back with what I thought was a brilliant report. I am just very sad that she is not with us still, but she rendered--during, I guess, one of the last public service acts she did in her life was this commission, which we then copied and tried to enact into law, but it met a brick wall. But I still believe in it.

Failing that, what do you think about the proposal that now has come forward about reorganizing INS, to not go as far as the Barbara Jordan Commission's findings, but to separate the agency into two different functions? It is our fault, I think, because the Congress gave INS these conflicting duties, service on the one hand, law enforcement on the other, and those two

clash at times, most of the time, but the agency is unmanageable for whatever reason, and we pumped money into it. We have doubled their budget in the last 3 years. Money is not the problem.

I am so frustrated about it. I know the gentle lady is now ranking on that subcommittee with heavy responsibility. What do you think about dividing the agency into two parts?

Ms. Jackson-Lee. Sylvester Reyes is a member of my Texas delegation, and we have been engaged in this. I should not say funny that you should ask. I would expect it, but just as you had asked, I just leaned over to my staff to indicate, to let us take a broad look at that proposal.

My position is that I remain open to solutions to making INS work. In the short period of time that I have been a member of the committee, and now ranking, the number of the issues that suggest that INS needs fixing, I have certainly gotten my plate full. I certainly see the need for addressing those concerns, and I think the proposal of enforcement versus services is one that should be seriously considered, and that I will do such.

Mr. Rogers. If I am not mistaken, Sylvester Reyes' bill last year would have done just that.

Ms. Jackson-Lee. I believe it would, and he is about to drop another. That is the one we are going to be looking at.

Mr. Rogers. He is our resident expert on the border patrol, especially, but wherever you look at the INS, whether it is backlogs for naturalization, criminal detention monies, across the board, their backlogs continue to just astound us.

We have given them money. They cannot spend it in the right way. We cannot get a proper accounting for it.

I have been doing this on this Subcommittee now for 16, 17 years, and INS has been, for all that time, the most unmanageable agency that we have through different administrations. I am not talking politics here. This is an agency that is out of control ever since I have known it.

I think it is our responsibility to our constituents that we try to do something constructive about fixing the INS, and I hope that we can all come to some bipartisan agreement on it.

Ms. Jackson-Lee. I think you have been a leader on this issue, and it has been painful throughout the years.

One of the things I would like to say is similar to when we all collectively had to take a good look at the IRS. I do want to cite the good employees scattered throughout the Nation in the INS service, the border patrol agents all trying to do our best.

I would like one day for us to come up here on the Hill and say isn't it great news, they are responding to Congress persons. You do not know how I feel. Though it is a new kinship, I obviously have a relationship with the INS because I have been on Judiciary since coming to Congress, but to hear Members of Congress say that they have sent a letter to the INS, it is almost the death knell for any Congress person to hear a constituent stand up in a town hall meeting and talk about a letter that they sent that you did not respond to.

So it certainly is hurtful to hear and striking that many Members of Congress have sent letters to that agency, and it is 6 months later and the letter has not been answered. That is

just indicative of some of the problems, but I do want to cite the good employees.

Mr. Chairman, I hope that maybe with your staff, there are elements of this that you would see, particularly in this adjudicator's point, and the salary aspect might be of help on a temporary basis.

Mr. Rogers. Yes, I meant to respond to that.

Ms. Jackson-Lee. All right.

Mr. Rogers. They put out an inaccurate press release from which, I think, you may have gathered that information on the 2000 budget. They said in their press release that the 2000 budget contained funding at a level of \$124 million. That is inaccurate.

We already gave them that figure in this current fiscal year 1999, and that included 200 adjudicators. So they got the money for that. They corrected it later, and we gave them those adjudicators in the current year.

They issued an inaccurate press release, which they have not corrected, and you have probably picked up that earlier press release.

Ms. Jackson-Lee. We have been in conversation with them for the last couple of days. Let me clarify that because they have indicated to us that they need additional adjudicators, and I think we obviously do need to get on the same page.

Mr. Rogers. They have not requested it.

Again, that is the INS.

Ms. Jackson-Lee. As I say, we will get on the same page. I would like to keep my request at additional levels of adjudicators, but I would like to get back and further explain that to you.

Mr. Rogers. Check it out and get back with us. We appreciate your testimony.

Ms. Jackson-Lee. I thank you very much, and I look forward to working you.

Mr. Rogers. Thanks for your work.

[The information follows:]

Mr. Rogers. Ms. Hooley, we will enter your statement in the record.

Thursday, April 15, 1999.

JUVENILE DETENTION FACILITY, FORENSICS LAB AND CLASSROOMS, LEGAL SERVICES FOR SPANISH-SPEAKING CLIENTS, ENHANCED LAW ENFORCEMENT RADIO SYSTEMS IN CLACKAMAS COUNTY

WITNESS

HON. DARLENE HOOLEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OREGON

Ms. Hooley. Thank you.

Mr. Rogers. If you could, summarize it briefly.

Ms. Hooley. I will.

Mr. Rogers. You do not need to read it to us.

Ms. Hooley. I am not going to.

Mr. Rogers. Welcome.

Ms. Hooley. Thank you, Mr. Chairman, for your patience.

When you talk about the INS, you have hit some real hot buttons with me. As a person that has dealt with that agency, I thought the IRS was a problem, but it does not even compare to the INS.

Mr. Rogers. I agree. I agree.

Ms. Hooley. Most of the people have been talking about general programs. Those general programs fund a lot of specific programs in all of our districts, and let me talk about what they do and some real needs.

One of my requests is for \$3.5 million for a juvenile detention facility. The reason for this request is that we have four beds in that county, and 650 young people were held in detention last year. When the beds were filled, which they always were, it meant an hour drive to another facility. Usually, that was full, and then they were released, but those trips just alone, without counting the officer's time or the lack of law enforcement on the streets when they were busy driving a child someplace was \$120,000.

The county is absolutely committed to this program. They have raised \$1.2 million to help stem their juvenile crime problem, and they have set aside money for our land for the building.

Second, I just wanted to talk briefly about a \$4-million project, and that is to build a forensics lab and classrooms. This is at a university, a small university that specializes in law enforcement and public safety programs. There is no degree program anywhere in the area for forensics. As you know for law enforcement, it is a growing field where we need to train people. We need to also have a lab that all of the law enforcement agencies would use. Again, this money is for a lab and classrooms.

In that same small university, Western Oregon University, we are also looking for \$400,000 to work with the legal services for Spanish-speaking clients. It is a region with a large influx of immigrants, 10 percent of whom are not fluent in English, and frankly, in Oregon's legal system, we do not have enough bilingual lawyers, judges, or court personnel to serve the Spanish-speaking community in my district.

Finally, another \$4-million request for enhanced law enforcement radio systems in Clackamas County. We are on a 1950's channel. It is hard for fire, police, ambulance services to communicate with one another, where work is a larger part of the Portland metropolitan region. We need to update our radio system to an 800-megahertz.

So those are my four projects. Those are what those program monies are used for.

Mr. Rogers. I thank the gentlelady for her testimony.

First, on the juvenile detention facilities, we do not earmark in that category----

Ms. Hooley. Right.

Mr. Rogers [continuing]. But I would suggest that you try for a Juvenile Accountability Block Grant. We have got a large sum of money that we have provided in that account for the

current year.

Ms. Hooley. Okay.

Mr. Rogers. So you might try that route on that. That would probably be the best way to go.

Ms. Hooley. Okay.

Mr. Rogers. As staff has pointed out, the prison grant monies that goes to States is another place that you should look.

On forensics science laboratory----

Ms. Hooley. Yes, laboratory and classrooms.

Mr. Rogers [continuing]. Our problem is the budget caps are killing us.

Ms. Hooley. I understand.

Mr. Rogers. This is new money.

Ms. Hooley. This is new money.

Mr. Rogers. We cannot even pay the old bills, let alone the new, but, anyway, if the caps are removed, then this might be possible.

Ms. Hooley. Is there any category that that makes sense, that currently is in the budget?

Mr. Rogers. For a grant?

Ms. Hooley. It is an area where we absolutely have to train people. It is a growing field.

Mr. Rogers. Why don't you have your staff confer with the Committee staff----

Ms. Hooley. Okay, we will do that.

Mr. Rogers [continuing]. And explore the possibilities.

Ms. Hooley. Okay.

Mr. Rogers. On your program at Western Oregon on legal service professionals, you might want to check also the Juvenile Accountability Block Grant area for that. That is possible there.

Ms. Hooley. Okay.

Mr. Rogers. On your radio equipment, you may want to check on the Local Law Enforcement Block Grants that this Subcommittee wrote into the law a couple of years ago or so, and it is funded at a large amount.

Ms. Hooley. Right.

Mr. Rogers. That might cover that area as well.

Ms. Hooley. I would be happy to work with the INS, I will tell you. I have some stories to tell.

Mr. Rogers. I appreciate that.

Ms. Hooley. I have visited the agency several times.

Mr. Rogers. We are probably going to have a bill, a bipartisan bill put together that would divide the agency into two parts as a step in the right direction. I would invite you to look at that when it comes out soon.

Ms. Hooley. Thank you. Thank you for your time and for listening and spending all of your time listening to these.

Mr. Rogers. Thank you for a very effective presentation. Thank you.

[The information follows:]

Mr. Rogers. Chairman Gilman?

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Thursday, April 15, 1999.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

WITNESSES

HON. BENJAMIN GILMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF
NEW YORK

CHRIS HILL, PROJECT OFFICER, COMMISSION FOR THE PRESERVATION OF
AMERICA'S HERITAGE ABROAD

Mr. Gilman. Thank you, and, Chairman Rogers, I want to thank Congresswoman Capps for allowing me to go ahead of her. I have a markup that I have to go back to my committee on.

Chairman Rogers, I am here on the request on behalf of the Commission for the Preservation of America's Heritage Abroad, and I submit my full statement for the record and would just summarize.

I am making a request on their behalf for \$350,000. They are documenting some 500 sites in Romania, some 1,500 ethnic and religious sites in Ukraine. They are assisting in restoring a desecrated synagogue and establishing a new study center just across the river from the infamous Auschwitz death camp, and they are working to sign agreements with the Bosnian government, beginning the process of renovating and preserving a cemetery in Sarajevo, the oldest of its kind in Europe, and a symbol of the city's rebirth.

Regrettably, the commission, while it is making substantial progress, it is prohibited, due to financial constraints from completing surveys, research, and other procedures necessary to protect the cultural heritage with regard to these projects, though it is embarrassing for our commission to negotiate their agreements in the name of historical, cultural, and religious importance, and then to forego any further meetings and surveys and other protection due to the lack of money. That is why we are asking for that amount. We would welcome the Appropriations Committee, Mr. Chairman, to give them sufficient funding so that they can move ahead in the good progress that they are making.

Mr. Rogers. I appreciate the Chairman's advocacy for this program which he does every year. You are the reason why we fund the Commission to be frank with you.

I am confused. I am told that the 2000 request was for \$265,000. You say it is \$350,000.

Mr. Gilman. I am asking that it be \$350,000 because they are undergoing financial constraints in meeting the needs for their surveys and research.

Mr. Rogers. But is it not correct that they requested \$265,000?

Mr. Gilman. I think that that is the request.

There is someone in here from the commission. Would you explain your request? Why don't you come on up to the table and identify yourself.

Mr. Rogers. You will need to state your name for us.

Mr. Hill. My name is Chris Hill, and I am a project officer

with the commission. We are proud of Congressman Gilman's support.

We asked for \$265,000 for fiscal year 2000. So that is what our request is for this current fiscal year. We certainly would be grateful for any increase that we could receive from your Subcommittee to further our site work and our surveys that we are doing in several countries in Europe, and as well as move forward with our agreements.

I apologize if the number is incorrect that you have on your testimony here. That is what we asked for.

Mr. Rogers. That would be level funding.

Mr. Hill. Yes.

Mr. Rogers. We gave you that increase.

Mr. Hill. Right, that would be what we received last year.

Mr. Rogers. We gave you that increase in 1999 over 1998.

Mr. Hill. Right.

Mr. Rogers. So our problem is we are going to be short of money, like everyone else at this time.

So, Mr. Chairman, we will give this thing every shot we can.

Mr. Gilman. Thank you, Mr. Chairman.

Mr. Rogers. Thank you very much for your advocacy for this program.

Mr. Gilman. Thank you.

Mr. Hill. Thank you.

[The information follows:]

Mr. Rogers. Ms. Capps, we will enter your statement in the record, and we would like for you to summarize, of course, please.

Thursday, April 15, 1999

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, NATIONAL MARINE
SANCTUARIES PROGRAM AND THE COASTAL NONPOINT POLLUTION CONTROL PROGRAM

WITNESS

HON. LOIS CAPPS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF
CALIFORNIA

Mrs. Capps. Thank you very much.

Chairman Rogers, it is a pleasure to be able to testify on behalf of your Subcommittee, and I am here to urge support of two very important programs under the National Oceanic and Atmospheric Administration, NOAA, the National Marine Sanctuaries Program and the Coastal Nonpoint Source Pollution Control Program.

I know that Mr. Farr and Mr. Pallone, two of my colleagues, have already presented testimony on these important programs. These programs represent a crucial investment in our oceans and coastal resources.

I urge the Subcommittee to support the Administration's budget request for the sanctuaries and nonpoint pollution

control programs. Specifically, \$29 million is requested for the National Marine Sanctuaries Program and \$17.5 million for the Coastal Nonpoint Source Pollution Control Program.

Mr. Chairman, you do not have to represent the spectacular Central Coast of California as I do to know that our oceans are the world's greatest resource. As I was waiting to speak, I was drawn to the map on the wall. It is a beautiful map. The proportion of blue with green indicates the vastness of our ocean resources.

Oceans are key to the life support system for all species and play a crucial role in the daily lives of all of us. Our Nation must, and I believe, is poised and ready to take responsibility to be good stewards of the oceans, and these two programs are essential to that stewardship.

I want to explain from my perspective the importance of the National Marine Sanctuaries Program and the Coastal Nonpoint Source Pollution Control Program.

The National Marine Sanctuaries Program is vital to protect and manage our Nation's outstanding marine areas. This program does have strong support in Congress, and as you know, I have written to the committee, along with 17 of my colleagues from both sides of the aisle, in support of the sanctuary program.

The aquatic equivalent of our national parks, the National Marine Sanctuaries Program identifies, designates, and protects these areas of the marine environment deserving special protection and recognition for their outstanding ecological, cultural, historical, and educational qualities. I am proud to have one of the designated 12 sanctuaries in my district, the Channel Islands National Marine Sanctuary.

As the only program designed to manage these important ecologically sensitive areas, these sanctuary sites not only protect our marine heritage for generations to come, but help to sustain critical resources and vibrant economies for our coastal communities and our country as a whole.

This year, the sanctuary program has undertaken a new and exciting program, the Sustainable Seas Expedition, a 5-year public/private partnership involving deep water exploration and public education of the national marine sanctuaries, all 12 of them.

The sanctuary program has achieved considerable success, but that success risks being diminished by inadequate funding levels. This partnership is dependent on the kind of relationship that has been established.

Despite the remarkable ability to leverage additional financial support from other governmental and non-governmental programs, an increase in Federal funding for the sanctuary program is not only fully warranted, but imperative so that this program can fulfill its important mandate.

The other important program that I am here today to discuss is the Coastal Nonpoint Source Pollution Control Program. Nonpoint source pollution is the Nation's number-one water pollution program. Polluted run-off is responsible for closing our beaches and contaminating our fish and shellfish. In my district, it has been remarkable in the last few years.

The problem of coastal pollution and beach closures has become so serious that local citizens have rallied together and formed an organization called 'Heal the Ocean' in Santa Barbara

to address the problem. Heal the Ocean has raised money on their own, but it is not sufficient. They also do not have the regulatory capacity, but they have the enthusiasm to deal with this issue.

While the group's efforts are to be commended, it really is the Federal Government's role to be a strong partner in this kind of effort to protect our coastal waters.

The Nonpoint Pollution Program is of critical importance in my locality. I can assure you of that. Modest investment in keeping our coastal waters clean will bring a substantial payback by improving water quality, protecting human health, creating new jobs, and sustaining the current economy that we enjoy.

In my district the ocean and coastal resources are at the heart of the local economy through tourism, fishing, and recreation, and these are all in jeopardy because of the pollution issues.

I urge the Committee to recognize the importance of our Nation's ocean and coastal resources and request that you put your backing behind full support for funding these vital programs.

I thank you for the opportunity to testify today, and I hope that being last on your agenda does not mean that we just get the leftovers. These programs are already in the Administrations budget and I would be interested to hear your comments.

Mr. Rogers. On the contrary, it is always common sense that the last person has the last word.

Mrs. Capps. So you are going to leave with that fresh in your mind. There is something biblical about that, isn't it? The last shall be first.

Mr. Rogers. Yes, or the first shall be last.

Mrs. Capps. Or, maybe that, whatever.

Mr. Rogers. The gentlelady makes a very cogent statement, and she represents one of the most beautiful districts in the country. In fact, San Luis Obispo, I think, is the projected West Coast aim of the new proposed I-66 Highway, which runs through my district as well.

Mrs. Capps. Oh.

Mr. Rogers. In fact, we just got the first funding for a stretch of that highway, which will be constructed in Kentucky, but would link---

Mrs. Capps. It would run all the way across?

Mr. Rogers [continuing]. All across the country, and I would advise the gentlelady to begin work on her end of the highway--

Mrs. Capps. I had better do that.

Mr. Rogers [continuing]. To try to get us a highway built out there so we can connect Somerset, Kentucky, with San Luis Obispo, California.

Mrs. Capps. So you can come out there and check on the beaches.

Mr. Rogers. Check on the beaches and check on the marine sanctuary program.

Mrs. Capps. Thank you very much for your time.

Mr. Rogers. Thank you.

[The information follows:]

Mr. Rogers. The hearing is adjourned.

[The following statements were submitted for the record:]

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