



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 105<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 143

WASHINGTON, WEDNESDAY, OCTOBER 1, 1997

No. 134

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. QUINN].

### DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
October 1, 1997.

I hereby designate the Honorable JACK QUINN to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
Speaker of the House of Representatives.

### PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

For all Your favor to us, O God, and for the grace that You give to us in our lives, we offer this prayer of thanksgiving and praise.

While problems exist in our land and in the world and tensions can overwhelm even the strongest among us, yet we know that Your good spirit can lead and guide us when we need direction, give us comfort and assurance when we hurt, and forgive us when we miss the mark.

For all these blessings, O God, that are new every morning and with us all the day long, we offer these words of thanksgiving and praise.

This is our earnest prayer. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. McNULTY. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote

on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

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

Mr. McNULTY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Illinois [Mr. SHIMKUS] come forward and lead the House in the Pledge of Allegiance.

Mr. SHIMKUS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE SENATE

A message from the Senate by Ms. McDevitt, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 394. An act to provide for the release of the reversionary interest held by the United States in certain property located in the County of Iosco, Michigan; and

H.R. 1948. An act to provide for the exchange of lands within Admiralty Island National Monument, and for other purposes.

The message also announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2472. An act to extend certain programs under the Energy Policy and Conservation Act.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces he will entertain five 1-minute speeches from each side.

### SUPPORT THE ENERGY POLICY ACT AMENDMENTS OF 1997

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I rise today to ask support from my colleagues for legislation I introduced with the gentlewoman from New York [Mrs. MCCARTHY] to classify biodiesel and its blended versions as an alternative fuel under the Energy Policy Act of 1992.

Biodiesel is a renewable alternative fuel for diesel engines derived from soybeans. The production, sale, and use of biodiesel is good for the environment, good for family farmers, and good for the economy. Biodiesel runs cleaner than regular diesel fuel, which means that fewer emissions, such as particulate matter, hydrocarbons, and carbon monoxide, are released into the environment. Meanwhile, soybean farmers are given a new market in which to sell their product, which helps them and the economy.

Mr. Speaker, this legislation does not create a tax credit, a tax incentive, or a Federal mandate. In fact, it costs the taxpayers nothing. This bill gives fleet managers the option to use biodiesel in heavy-duty fleet vehicles, such as city buses, boats, and trucks, in order to comply with the Federal mandates of the Energy Policy Act of 1992.

Mr. Speaker, I urge my colleagues to support the Energy Policy Act amendments of 1997.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper containing 100% post consumer waste

H8267

### UNION BOSSES TAKING MONEY FROM WORKING FAMILIES TO PAY FOR THEIR POLITICAL AGENDA

(Mr. TIAHRT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIAHRT. Mr. Speaker, we have heard a lot about campaign finance reform, and America thinks it is important that we have the freedom to support candidates that lift up the same ideals they do, freedom to determine which candidate will push for the public policies that will create a better America for their children.

But many working men and women in America cannot do that. See, every month they have taken from their paychecks compulsory union dues, and more than 80 percent of those dues come right here to Washington where union bosses obtain it. These union bosses are taking money from working families who are struggling to provide for their families, and they spend it on their own political agenda and on their own union candidates.

Mr. Speaker, that is not freedom, that is oppression. It is wrong, the Supreme Court said it was wrong in the Beck decision, and so we cannot have campaign finance reform without freeing American workers from the unlawful burden.

Let us make the Beck decision the law of the land.

### VETERANS AWAIT CONGRESSIONAL MOVE ON FROZEN IRAQI ASSETS

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

Mr. DOGGETT. Mr. Speaker, the current issue of the Stars and Stripes, the oldest national veterans newspaper in this land, tells the whole story. The lead headline is "Veterans Await Congressional Move on Frozen Iraqi Assets."

It is referring to the need for a congressional move on the Helms amendment, an amendment that would bar completely the right of every gulf war veteran to assert their claim against the frozen assets of Saddam Hussein. That amendment is wrong, and this morning this House has an opportunity to approve a motion to approve it on a record vote, to go down clearly on the side of the veterans of this country, who have defended this country, and respond to this issue.

And yet even this very morning in the morning newspapers, the author of the Helms amendment still insists on a position that would deny 1 red cent, veterans would not get 1 red cent, from Saddam Hussein if his position prevailed.

Let us approve the motion and send a message across the hall to Senator HELMS that we will stand up for veterans.

### CAMPAIGN FINANCE LAWS DID NOT STAND IN THE WAY OF THE CLINTON-GORE REELECTION CAMPAIGN

(Mr. BOB SCHAFFER of Colorado asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, when Americans opened up their newspaper last week, this is what they found:

DNC Teamsters and the Teamsters traded funds. Clinton-Gore campaign implicated in scheme to raise illegal donations. Court records show that the Clinton-Gore Reelection Committee and the Democrat National Committee conspired with Teamsters to divert money to a union boss's election. They conspired to hide these illegal contributions, and they conspired to swap funds with Teamsters. We know this because three aides to Teamster boss Ron Carey pleaded guilty to these felony charges of diverting funds through various political groups to the Teamsters. It was payback time over at the Clinton-Gore Reelection Committee, and so an illegal laundering scheme was hatched, and no campaign finance laws were going to stand in their way.

Here is how the laundry cycle worked: Take the union funds, put it to Democrat Senate and House election committees; the Clinton-Gore campaign pays back by calling their wealthy donors to send cash to the Carey reelection campaign.

And here we have just one more example of a Presidential legacy that makes Richard Nixon's legacy look like an ethics guide to the Boy Scouts.

### MAKE MY OVERRIDE

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. A spokesman said the White House will reform the IRS and any congressional bill that goes too far will be vetoed; "veto," the magic word. I expect to see Groucho's duck any day here.

Beam me up, Mr. Speaker, and it is time for Congress to take a stand. Who is kidding whom? The White House reforming the IRS would be like Barney Fife trying to reform Al Capone. My colleagues know it, I know it, and the American people know it.

Let us tell it like it is. If the President wants to carry water for the Internal Revenue Service, let him, and it is time for Congress to strap on the six-shooters and tell the President, "Make my override. Veto this."

Let us straighten those bums out.

### ASKING QUESTIONS ABOUT CAMPAIGN FINANCE REFORM

(Mr. ROGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGAN. Mr. Speaker, for the last several weeks we have been treated to a daily passionate call for campaign finance reform from our friends on the other side.

To those in the audience who listen to these debates and are actually persuaded by the seriousness of this litany, I suggest they ask a few questions to those people who make a daily practice of delivering these impassioned speeches.

Ask them if accepting campaign contributions from foreign governments should be illegal. If so, why are they silent on the subject, and who do they perceive to be the ones violating this on a routine basis?

Should laundering money from foreign sources to conceal its origin be illegal? If so, ask them who they see as being responsible for this practice.

Should shredding evidence to conceal criminal activity be illegal? If so, who do they see as being responsible for this practice?

Should raising money in Buddhist temples be illegal? Should fundraising on Federal property be illegal? If so, why are they so strangely silent on these real practices?

Listen closely to what these members are not saying, rather than what they are saying, and get a great education as to where they really stand on campaign finance reform.

### ARKANSAS AND AMERICA HAVE COME A LONG WAY IN 40 YEARS

(Mr. DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to commend the gentlemen from Arkansas, MARION BERRY, ASA HUTCHINSON, VIC SNYDER, and JAY DICKEY, for their eloquent and passionate remarks in commemorating the 40th anniversary of the integration of Central High School in Little Rock, AR. They reminded me that 40 years ago I too lived in Arkansas and, like JAY DICKEY, was a college freshman. Our heroes were Ernie Green, Melba Patillo, Gloria Ray, Thomas Jefferson, Minnie Jean Brown, Daisy Bates, Wiley Branton, and the rest of the Little Rock Nine.

Someone commented that in 40 years Arkansas has come a long way. I agree. But then I say so, too, has America.

### AMERICA'S VETERANS VERSUS TOBACCO COMPANIES

(Mr. EDWARDS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDWARDS. Mr. Speaker, in the next hour this House will have a clear choice. It is a choice between America's veterans versus tobacco companies. It is a choice between veterans versus partisanship.

As someone who represents over 40,000 Army soldiers and 60,000 veterans

in my district, I am disappointed and outraged that a Republican leader in the other body would add language to the foreign aid bill that actually gives tobacco companies precedence over Desert Storm veterans regarding claims against frozen Iraqi assets. What a slap in the face to every Desert Storm veteran and all veterans everywhere.

Desert Storm veterans were first in combat. They should not be last in line regarding legitimate claims against the Iraqis.

Mr. Speaker, I did not see tobacco companies fighting in Desert Storm. But I did see American service men and women fighting there, and I did have constituents who died on the sands of Kuwait in service to their Nation.

□ 1015

Those people, not tobacco companies, should be put first in line. They stood up for us; today we should stand up for them, and I hope my Republican colleagues will join the gentleman from Texas [Mr. DOGGETT] and the Democrats, and will work together to defeat the Helms amendment to the foreign aid bill.

#### MANPRINT FOR THE U.S. ARMY

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

Mr. SKELTON. Mr. Speaker, today, it is my pleasure to share with my colleagues a good news story, one about our Nation's military and, in particular, our Army. It involves a materiel acquisition program first developed in the 1980's for Army soldiers. It is called MANPRINT, which stands for manpower and personnel integration.

The MANPRINT program objective is to improve the performance of Army weapons and equipment through a man-machine total systems approach. That is, MANPRINT focuses on the interrelationship of the soldier and his or her weapon or equipment and the human requirements for maximizing system performance. In a nutshell, it does not make any difference if there is a tank that is capable of firing 10 rounds per minute if its crew can only operate it at three rounds per minute. Regardless of its technical capabilities, the tank is a three-round-per-minute tank due to the human factors that limit its output. This is the kind of problem MANPRINT addresses.

MANPRINT is an umbrella term that refers to seven disciplines that are critical to optimizing the man-machine, total-system approach. They are manpower, personnel, training, human factors engineering, system safety, health hazards, and soldier survivability. The central idea is to integrate considerations of these domains continuously into the acquisition process.

Thanks to MANPRINT the Army now has a vastly increased confidence that its new systems will perform as expected in the hands of its soldiers—and, at the same time, save lives and dollars. As I will explain later, MANPRINT

has, in fact, already saved hundreds of soldiers' lives and billions of dollars. It has returned thousands of percent on a trickle of investment dollars. It is, or should be, a governmental downsizer's dream come true. Moreover, in this day of increased reliance on technology, we are only beginning to explore the ramifications the Army's concept could have for our entire society.

There is an element of urgency associated with this Army program, however, and the very real danger that we could repeat mistakes of the past—the type where U.S. inventors or progressive thinkers create great ideas which we fail to appreciate and implement. Instead, other countries capitalize on them. You will recall the Dr. W. Edward Deming's ideas on quality were ignored in this country in the 1950's and then successfully adopted by the Japanese. We may be on the verge of committing such a mistake with the Army's MANPRINT program. The Army resources devoted to MANPRINT have been continually slashed during the drawdown. At the same time, the United Kingdom has picked up on the U.S. Army's idea and is already in the process of implementing it throughout all services in the royal force. Moreover, as the Japanese recognized, Deming's quality ideas applied to all technology, not just defense. Not surprisingly, the British are starting MANPRINT programs in the Departments of Trade and Industry as well.

In order to reduce the likelihood of our making the same error with MANPRINT as we did with Deming's quality management, I want to make sure my colleagues are familiar with this highly successful soldier-oriented concept for the design, development, manufacturing, and fielding of the Army's newest weapon's systems.

#### ARMY ACQUISITION PROGRAMS LED TO ADOPTION OF MANPRINT

I am sure that many of you recall the manpower and readiness problems that plagued the Army force modernization program in the early 1980's. It seemed that whenever a new system was put into the hands of the soldier, actual field performance often failed to match the standards predicted during its development. The Stinger anti-aircraft missile, for example, was designed to hit incoming aircraft better than 6 percent of the time. But if it had been placed in service as originally designed, it would actually have achieved hits only 30 percent of the time when operated by soldiers in combat units. The Stinger's problems were eventually corrected. But the problems of soldier utilization were so great in the Division Air Defense Gun, known as the DIVAD or Sergeant York, that the program had to be canceled. In the case of the Dragon anti-tank missile, that soldier's nightmare is still in the Army's inventory.

In addition to unacceptable performance from new systems, the Army experienced problems in crew performance. When the Army replaced an existing system with a newer, more technologically complex system, the newer system often generated requirements for soldiers of a higher level of skill and for more soldiers per system. The Army personnel system simply could not provide enough soldiers of the caliber required to operate and maintain such sophisticated systems.

The Army's first study on what to do about the disappointing performance and

unaffordable manpower costs of new weapons systems and equipment was conducted by retired Generals Walter T. Kerwin and George S. Blanchard in 1980. In examining the Army's concerns about the mobilization, readiness and sustainability of new systems, the report concluded that it was primarily a lack of consideration of the human in the system that was causing the problem. Human performance assessments either were not done or were too late to influence weapons design. Supporting the Kerwin and Blanchard findings, the General Accounting Office [GAO] published reports in 1981 and 1985 attributing 50 percent of equipment failures to human error. GAO, too, stressed the need for integrating into the acquisition process human disciplines, such as, in particular, manpower, personnel and training needs.

The recommendations for a new soldier-oriented approach to systems acquisition were taken very seriously in the mid-1980's. With the full support of the entire Army leadership, military and civilian, Gen. Maxwell Thurman, as the Vice Chief of Staff, directed that an entirely new approach to systems acquisition be adopted by the Army, one which required that systems fit the soldiers rather than that the soldier—through selection or training—fit the systems.

This new concept also affected industry because, as we all know, defense contractors actually design and develop Army systems. In the mid-eighties, the concept required a radical change in the way contractors did business. To successfully compete in the new Army acquisition process, industry had to focus on the human element and design systems that fit soldier's needs and capabilities. In the MANPRINT process, human parameters are specified in the same manner as any other component of the system. System performance is measured with the humans quantitative performance included as an inherent part of the total system performance. No longer could performance in the laboratory be extrapolated as satisfying the requirements of performance in the field.

The MANPRINT philosophy and examples of the array of concepts inherent in MANPRINT are documented in a book, "MANPRINT: An Approach to Systems Integration" (Van Nostrand Reinhold, 1990), edited by Dr. Harold R. Booher, who was the first senior Army civilian official appointed to direct the Army's MANPRINT program.

#### COMANCHE AND MANPRINT

Nowhere has the new soldier-oriented partnership between Government and industry been more visible than on the Army's Light Helicopter Experimental [LHX] program. Better known to us today as the Comanche, the LHX in 1986 was the Army's true experimental program, testing where it was possible to introduce cutting-edge technology into its inventory without running headlong into the problems of unsatisfactory performance and runaway personnel costs. Even opponents of Comanche cannot ignore the great advances achieved in this program beyond the standard of normal acquisition practices.

Perhaps the first indication that MANPRINT was not only viable but could revolutionize the military's procurement process was the successful development of the Comanche's T-800 engine. The MANPRINT approach fostered hundreds of design improvements affecting both maintenance and reliability. In one

striking example, the tool kit for the organization mechanic was reduced from 134 tools to only 6. The trunk-sized caster tool kit used on other helicopters was reduced to a canvass pouch half the size of a rolled-up newspaper. Furthermore, this reduction cost Government and industry nothing and will save taxpayer dollars.

For the Comanche itself, MANPRINT resulted in more than 500 design improvements in system performance and logistics. The cockpit was designed outward, from the pilot seat, using simulations and modeling, lessons learned from previous aircraft programs, and user inputs. In addition, when fielded, the Comanche would allow the aircrew to select what information is needed during missions. The result is an anticipated system with a much improved pilot-crew workload. A typical performance benefit is illustrated in the reduced number of steps it takes for the pilot to acquire a target. The OH-58D Kiowa Warrior required 34; the Comanche, 5.

Incorporation of MANPRINT considerations during Comanche development also introduced entirely new concepts to the acquisition process. The source selection competition included MANPRINT in all evaluation areas. It became impossible for a company to win the contract without a plan to integrate MANPRINT in the design, development, and manufacture of Comanche. In addition, seasoned maintenance personnel and other soldiers with field experience in operational units were assigned to the contractor's plant as representatives of the users in the operating commands. These soldiers were invaluable in fitting the machine to the operator. For example, they completed a rotor design change in 30 days that would otherwise have taken 12 months to achieve contractor-Government approval.

MANPRINT was also responsible for technological advances. To provide for easy maintenance to aircraft components, Comanche was built around a box-like, load-bearing keel. In most helicopters, the load is carried by the external skin. In Comanche, the load-bearing keel made it possible to locate easy-access panels almost anywhere on the aircraft. Consequently, maintenance personnel can easily reach all of the internal components. In this case, a maintenance requirement drove the technological design, which in turn resulted in an aerodynamic improvement.

In another instance MANPRINT and transport considerations suggested the need for an improved rotor blade removal capability. The contractor design team already had a rotor blade design which met Government specifications and was concerned about the added expense. Nevertheless, because of soldier concerns, MANPRINT prevailed. A new blade was designed at a cost of approximately \$60,000. Life cycle cost calculations have indicated that the new blade will remain easier to manufacture and should save approximately \$150 million in personnel, maintenance, and transport costs from the original design.

From the outset soldier safety has been a major design objective. Safety experts studied more than two decades of helicopters accident reports to determine how the designers could make Comanche a safer aircraft. As a result of their efforts, the Comanche's safety-related design features are projected—when compared to other helicopters such as the OH-58 Kiowa and AH-1F Cobra—to save 91 soldiers lives and avoid at least 116 disabling injuries.

A 1995 report by the Analytic Sciences Corp.—Minninger, et al.—documents the performance improvements and savings on Comanche attributable to MANPRINT. The report found Comanche cost avoidance in manpower, personnel, training, and safety to be a whopping \$3.29 billion. This return resulted from a design investment of approximately 4 percent of the Comanche R&D budget. Calculated as a return on design investment, MANPRINT in the Comanche program yielded over an 8,000-percent return. Moreover, if the costs of the remaining MANPRINT disciplines—health hazards and soldiers survivability—are included in the calculation, the return on investment for the entire program remains well over 4000 percent.

#### MANPRINT APPLIED TO OTHER ARMY SYSTEMS

MANPRINT is not only limited to new or major acquisition systems. It works with systems already in the inventory as well. In 1994, McDonnell Douglas conducted a study covering 4 years of MANPRINT design improvements on Longbow Apache. More than 80 MANPRINT problems, issues, and concerns were identified and resolved. Each of them yielded an improvement either for the operator or the maintainer of the aircraft. Once again, improved human performance proved cost effective. From a \$2.7 million investment, a return in manpower and safety costs reached \$268 million, approximately a 2,000-percent return on investment.

The Fox vehicle modification is an illustrative example of MANPRINT's contribution to smaller, less visible acquisition programs. The Army uses the Fox—a mobile sensing module built into an eight-wheeled armored vehicle—as a nuclear, biological, and chemical reconnaissance system for identifying contaminated areas. In a recent system improvement project, the Army wanted to reduce the crew from four soldiers to three. But operational evaluators labeled the vehicle, when operated by three soldiers, "unsuitable and ineffective." The program appeared doomed because it was out of money and time. But MANPRINT experts, using two different types of integration models, redesigned the Fox and it was subsequently shown to be fully effective in its projected missions. The MANPRINT effort cost \$60,000 and was completed in a short time; additional operational testing was avoided and the Army saved \$2 to \$4 million from projected program costs while removing on crew member requirement from each vehicle.

#### MANPRINT VIABILITY TODAY

A recent Army Audit Agency [AAA] report evaluated how the Army, after its radical downsizing, is "incorporating MANPRINT into weapon systems development." The good news is that nine Army weapons systems were evaluated and all but one were considered to have incorporated MANPRINT adequately. Based on the AAA's audit assessment, the Army can expect positive MANPRINT results in such current programs as Land Warrior, Javelin, and Extended Range Multiple Launch Rocket System. The Command and Control Vehicle program and several nondevelopmental programs examined by AAA, including the Embedded Global Positioning System/Inertial Navigation System, also include good MANPRINT initiatives. Because of MANPRINT, the Army can have increased confidence in many of the systems it will be fielding in the not-too-distant future.

The Army cannot rest on its laurels, however. Several developments cloud the future of MANPRINT.

First, the AAA report noted that not all systems under development have incorporated MANPRINT. The now-canceled Armored Gun System is an example in the recent past of a program in which MANPRINT considerations were purposely rejected. It is not a coincidence that the Army canceled the program.

Second, the new DOD acquisition system may make it easier to omit MANPRINT from programs. The new system rightly attempts to give program managers more latitude by removing regulations that previously proved too restrictive. But this new-found freedom in itself may make it more difficult in the future to ensure an appropriate incorporation of MANPRINT. It would be very unfortunate if an unintended consequence of streamlining the acquisition process proved to be a reduced emphasis on MANPRINT.

That need not be the case, as the AAA report points out. The new acquisition system, if approached correctly, affords the opportunity for greater integration of people-oriented concerns into the acquisition process. If the "unbound" program managers appreciate the value of optimizing the man-machine interface, they are free under the new system to tailor their programs to incorporate people-oriented considerations. Consequently, a major effort is needed to adapt MANPRINT to the new acquisition process.

A third concern is the erosion of the MANPRINT program in recent years as the Army has experienced the drawdown. The Army made a commitment to understand and incorporate the features that optimize man-machine performance in the mid-1980's but until recently has been in danger of returning to old ways. MANPRINT personnel have been reduced 55 percent while the active Army has come down approximately 37 percent. The AAA audit report concluded that the Army's training process, which started out so well in 1986, is now inadequate. Career paths no longer identify MANPRINT as important. Nor does MANPRINT always play as prominent a role in source selection as in some programs, such as Comanche. Finally, the technology resources devoted to the research and development needed to advance the state of the art for quantitative tradeoffs of manpower, personnel skills, and training have shrunk significantly.

Fortunately, thanks to the AAA audit report, Army leadership has been reminded that MANPRINT is a golden nugget and seems determined that it must be revitalized. A panel of senior officers has been working for several months to ensure that the wounds inflicted on the program by the drawdown are not fatal and that MANPRINT recovers its health.

In closing I want to congratulate the Army for developing MANPRINT and for continuing to support the program in a time of very scarce resources.

I also want to suggest that the Army's approach to systems integration is relevant to the other military departments, to the entire Department of Defense, and probably to the remainder of the Government. Acquisition reform seeks to advance technology while holding down procurement costs. Downsizing seeks to ensure essential Government functions are accomplished with a minimum of

staff. MANPRINT can be an essential ingredient in both initiatives. With respect to the military, it ensures that the weapons and equipment supporting a reduced force structure will perform as expected on the battlefield.

But the possible applications for MANPRINT go far beyond the military in our constantly evolving technological-based society. Our regulatory agencies like the Federal Aviation Agency, the Nuclear Regulatory Commission, the Food and Drug Administration should push this concept to the forefront with the systems and equipment they regulate. Also it would seem our medical and educational systems could benefit from a technological development and management process which focuses on the end user. One may wonder what a difference it would make if these systems were made to operate primarily for the doctor and the patient or the teacher and the learner rather than fitting these individuals to the system as an afterthought. We have not been in such an enviable position to take advantage of a technological cultural change since Deming's total quality management. Let's not miss our opportunity this time around.

COMMUNICATION FROM THE HONORABLE CHARLES E. SCHUMER, MEMBER OF CONGRESS

The SPEAKER pro tempore [Mr. QUINN] laid before the House the following communication from the Honorable CHARLES E. SCHUMER, Member of Congress:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, September 26, 1997.

Hon. NEWT GINGRICH,  
Speaker, U.S. House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L(50) of the rules of the House that I have been served with a subpoena duces tecum issued by the Supreme Court of the State of New York, County of Kings, in the case of *Ellen Frankel v. Jeffrey Frankel*, Index No. 10369/96.

After consultation with the Office of General Counsel, I have determined that the subpoena relates to my official duties, and that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

CHARLES E. SCHUMER,  
Member of Congress.

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

The SPEAKER pro tempore. The unfinished business is the motion to instruct conferees on the bill H.R. 1757 offered by the gentleman from Texas [Mr. DOGGETT].

The Clerk will report the motion.

The Clerk read as follows:

Mr. DOGGETT moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 1757, be instructed to reject section 1601 of the Senate amendment, which provides for payment of all private claims against the Iraqi Government before those of

U.S. veterans and the U.S. Government (i.e., U.S. taxpayers).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. DOGGETT] and the gentleman from Kentucky [Mr. WHITFIELD] each will control 30 minutes.

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that we limit debate on this issue to 15 minutes per side.

Mr. DOGGETT. Mr. Speaker, I object. It has been delayed long enough and we need the full 30 minutes as provided for in our rules.

The SPEAKER pro tempore. Objection is heard.

The Chair recognizes the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, I yield myself 4 minutes and 10 seconds.

Mr. Speaker, the men and women of our Armed Forces gave America their best in the gulf war against Saddam Hussein, and now these brave veterans deserve nothing less than our best from this Congress.

Unfortunately, many of our Desert Shield and Desert Storm veterans will never be able to forget their experience, because they have the lingering effects of illness and disability: fatigue, muscle and joint pain, severe headaches, and other limitations as a result of their defense of our national interests. They call it Persian Gulf syndrome from being exposed to biological and chemical weapons.

About 3,000 of our Desert Storm and Desert Shield veterans have filed claims concerning the illnesses against frozen Iraqi Government assets. Following the invasion of Kuwait by Iraq in 1990, the United States Government froze \$1.3 billion of Iraqi assets in this country. This motion is to assure that our veterans are not forgotten with reference to those claims.

In 1991, the U.N. Security Council resolved that Iraq is liable, under international law, for the injury that it caused to foreign nationals as a result of its unlawful invasion of Kuwait. The claims of our veterans were clearly contemplated by this internationally approved resolution.

Accordingly, in 1994, when the Democrats were in control of this House, legislation was approved by an overwhelming majority under the leadership of the gentleman from Indiana [Mr. HAMILTON] that established an Iraqi claims fund and gave first preference, as we should, to the claims of our veterans. This House went on record as saying, we give our priority to those who sacrificed their life and limb for the future of our Nation. Unfortunately, the Senate did not act on this bill.

This year, 1997, the Senate has acted. The Senate version of the State Department or foreign authorization bill, which is now pending in conference committee, would place these same Desert Shield and Desert Storm veterans out in the storm without one red cent being recoverable from the frozen assets of Saddam Hussein.

This injustice is imposed on our veterans by subordinating their claims to the separate commercial claims that existed before the war ever took place and they made their sacrifices, claims that those who did business with Saddam Hussein like the seven largest tobacco companies, and undoubtedly among those enterprises that were doing business with Saddam Hussein were some of those who provided the very materials that were used in the war against our veterans. Who would like to go on record supporting a provision which turns out to benefit corporations at the expense of our soldiers? But that is exactly what the Senate provision would do. It puts our veterans in last place with no practical way to access the frozen assets of the Iraqis. Fortunately, the House has not yet acceded to this outrageous demand.

Additionally, I would note that this is not only a veterans' issue, it is a taxpayer issue. Why is it that the American taxpayer should be placed in last place behind the claims of the tobacco companies? But the same Helms amendment that does damage to veterans also subordinates the rights of the American taxpayer to reclaim money owed to the United States Government by the Iraqis.

This was first reported in a front-page story in USA Today entitled, "Helms Bill Favors Tobacco Firms Over Vets," referring to the authorization bill in conference, and recognizing that across the Hall in this Capitol building, it is apparently possible for one person and one person alone to deny a hearing to block individually the appointment of an Ambassador to Mexico. But please, Members of the House, do not allow one individual to block 3,000 vets from asserting their claims against the Iraqi Government.

Amazingly, I say to my colleagues, this morning's AP, this very morning, reports the author of the Helms amendment continuing, continuing this morning to defend his total bar to our veterans and American taxpayers against these Iraqi assets.

My motion would quite simply instruct our House conferees, who are meeting even today, to not accede to the demands of the tobacco companies and the other commercial claims and put those ahead of veterans. As the National Gulf War Resource Center has told this House, the Helms amendment, if passed, would amount to a grotesque injustice against gulf war veterans. Let us not have that injustice.

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

Mr. Speaker, I am delighted that today we have the opportunity to talk about very serious issues facing the American veterans. All of us obviously support the American veterans. There is no question about that. In this House on July 16, we passed an appropriation bill, \$90.7 billion for the VA, and that was more than the Clinton administration had asked for.

Of course, we want to do more than that, and there are bills pending in the House right now that would give veterans and retirees the opportunity to go to military bases, be treated, and have Medicare reimburse them both at the VA and also at the military bases. In addition to that, the Committee on Veterans' Affairs favorably considered H.R. 2206, the Veterans Health Program Improvement Act of 1997, and it was reported out favorably. It would improve the VA's ability to provide health care to Persian Gulf veterans by authorizing as many as 10 VA facilities to establish demonstration projects aimed at improving care to Gulf veterans with undiagnosed illnesses.

In addition, and this is particularly important, this bill would also specify that Persian Gulf veterans are eligible for VA health care for any problem related to service in the Gulf, not just those problems that may be linked to exposure to toxic substances or environmental hazards.

One of the great histories of our country is that we have been always supportive of our veterans. I also represent a district that has over 30,000 veterans, and Fort Campbell, home of the 101st Airborne, is in my district.

But I rise today in opposition to this amendment for many reasons. First of all, even if the amendment is adopted, it is not going to mean one thing for the American veteran. They will not receive one benefit, even if the amendment of the gentleman from Texas [Mr. DOGGETT] is adopted. So let us look at the facts of this case, and of course we all want to be emotional about veterans' issues, because they have dedicated their lives, and they have sacrificed for this country.

Mr. Speaker, let us look at the facts here. We are talking about establishing a mechanism so that money frozen in Iraqi assets after the Persian Gulf War or at the start of it, \$1.2 billion, which has been sitting in a fund, untouched by anyone, since 1990, would be given back to individuals and companies who provided commerce to Iraq. Many of these were small businesses. Many of them have gone bankrupt, and there are over 813 individuals who also are asking to be reimbursed for their expenditures and their losses.

Now, if we do not adopt section 1601 as a part of this legislation, if the conferees kick it out, then in essence what is going to happen is nothing. The money is still going to be there, the veterans still are not going to be able to get to it, and let me also say this: The argument has been made that if we do not allow private claims to go over the Government claims, then the veterans somehow are going to get all of this money. But if we look at the Treasury Department's statement on this and the document that they provided, all of the claims, there is only \$1.2 billion, and the priority for reimbursement by this administration is not the veteran, but it is the Commodities Credit Corporation of America. It is OPEC, it is the Export-Import Bank.

So this is not about veterans, this is not about tobacco companies, but I would commend the gentleman for his ability to cloud the issue. We do not want to mislead the veterans and make them think that they are going to get something that they are not going to get, because even if his motion is adopted, even if the conferees agree to it, it does not change anything about the veterans' ability to get any of this money that belongs to small businesses, large businesses, and individuals who did business.

Mr. EDWARDS. Mr. Speaker, will the gentleman yield?

Mr. WHITFIELD. I yield to the gentleman from Texas.

Mr. EDWARDS. Mr. Speaker, I appreciate the gentleman saying this issue should be based on the facts. Did I understand the gentleman correctly to say that the veterans' programs were appropriated \$90 billion this year?

Mr. WHITFIELD. Mr. Speaker, \$90.7 billion.

Mr. EDWARDS. \$90 billion this year? Mr. WHITFIELD. Right, for 1998.

Mr. EDWARDS. Mr. Speaker, if the gentleman were off by a factor of about \$40 billion to \$50 billion, would he agree that his facts were not correct? Because I know he would not want to mislead the veterans and make them think they are going to get something they are not going to get.

Mr. WHITFIELD. Mr. Speaker, reclaiming my time, let me say this. I looked at the Congressional Quarterly this morning, and the figure that I saw set out in there was \$90.7 billion for the VA. If the gentleman is saying that I am wrong, and I am wrong, then I would apologize about that.

Mr. EDWARDS. Mr. Speaker, if the gentleman would yield further, I know it was not intentional, but I appreciate the gentleman saying that we should not make veterans think they are going to get something that they are not going to get. Last year the appropriation was in the approximate range of \$37 billion. If they receive \$90 billion this year, I want to commend the chairman of the VA appropriations subcommittee and the chairman of the authorizing committee for their tremendous work on behalf of the veterans.

Mr. WHITFIELD. Mr. Speaker, reclaiming my time once again, I would just say this to the gentleman. I would be happy to look this up and I will get back to the gentleman on it, because I do not want to mislead anybody on the amount of money available, and of course whatever is available is really not enough for veterans, but in trying to balance all of the demands on the taxpayer dollars, we have a great difficulty.

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

Mr. DOGGETT. Mr. Speaker, I yield myself 10 seconds.

The gentleman who claims to represent so many veterans, while at the same time opposing an amendment in

their vital interest, should have his facts correct. There is no reason why veterans should not be able to access this money and the conference committee able to adjust the differences under this instruction.

Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. MCHALE], a member of this body who serves on the Committee on National Security, who had the courage to resign his seat in the Pennsylvania House to serve our country in the gulf war, who is a marine and remains active not only as a veteran of that war, but as a colonel in the Marine Reserve.

□ 1030

Mr. MCHALE. Mr. Speaker, I thank the gentleman from Texas for the promotion. It is lieutenant colonel, not colonel. There are many fine reasons why it will never be colonel.

Mr. Speaker, beginning in August, 1990, our Nation deployed 540,000 men and women in uniform to the Persian Gulf. They answered the call to service. Of those who answered that call, 211 did not come home, 357 were wounded, for a total of approximately 550 casualties during the course of that war.

Mr. Speaker, I rise today, as the gentleman from Texas indicated, as a veteran of that war to urge strong support for the Doggett motion.

In addition to those who were wounded and killed in that war, we now recognize that as many as 100,000 of our forces may have been exposed to nerve gas. And, finally, there are currently 28,000 gulf war veterans receiving disability compensation.

I listened to the comments from the gentleman who spoke earlier in defense of the tobacco interests and other commercial activities, and I appreciate the defense that he has to raise. But I am holding in my hand an article from the September 10 issue of USA Today, which headline reads, in part, "Bill favors tobacco firms over vets."

Mr. Speaker, USA Today got it right. Tobacco firms over vets. We can reverse that priority today Mr. Speaker. I rise in strong support of the Doggett motion. That motion would simply instruct the conferees on the foreign relations authorization bill to strike section 1601, which very clearly and intentionally places our veterans in line behind the tobacco interests in making claim on the \$1.2 billion fund that is available for compensation.

Mr. Speaker, the two largest groups of claimants against the Iraqi funds are the tobacco companies and our veterans. I once stood in a chow line in northern Saudi Arabia and looked at the helmet of the marine who was in front of me and it said, "It's not about oil." I would say today, Mr. Speaker, it is about tobacco.

There are 3,000 gulf war veterans who have indicated formally that they wish to pursue a claim against this again. In 1991 we needed the help of our men and women in our Nation's uniform. Today they need ours.

Mr. Speaker, the tobacco industry sells \$49 billion worth of tobacco products each year, generating profits of approximately \$7 billion, thereby continuing the single greatest cause of preventable death in the United States. Four hundred thousand graves dug each year by the tobacco industry. How dare we tell our brave men and women in uniform that they must stand in line behind the tobacco profiteers. That is outrageous. Shame on this body if we allow that to happen.

Mr. Speaker, this measure was surreptitiously inserted in the bill in the Senate. The Doggett motion simply says to our conferees: Remove that provision. Stand by our men and women in uniform.

Based on that principle, and frankly the tremendous moral obligation that I feel toward my fellow veterans of that war, I urge on both sides of the aisle overwhelming support for the Doggett motion.

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

Mr. Speaker, first of all, I would like to point out that there are over 400 companies that have claims against these funds that the Iraqi Government owed money to. There are over 832 individuals. In addition to that, there were many Government agencies.

This is not a debate about tobacco. Now, I know that in this Congress tobacco is not in favor, and I respect that. But this is not about tobacco. This is about a process to free up Iraqi funds to small businesses, large businesses, and individuals who are owed the money for services provided. Many of them have gone bankrupt.

The largest claimant is the Commodity Credit Corporation for \$900 million. Now, if we paid the Commodity Credit Corporation \$900 million, there is only \$1.2 billion in the fund and no one else would even be considered.

Now, I would also like to point out, not that I am here to defend anyone in the Senate, but I do respect the body, and I respect the Members. They were all elected like we are. But there has been the impression left today that this was some sinister move by the senior citizen, or the senior Senator and citizen from North Carolina. I would like to point out to the body that this legislation was first proposed in 1993, and some of the cosponsors were Senator ROBB, a Democrat from Virginia, Senator PATTY MURRAY from Washington State, and others.

Mr. Speaker, I have a letter here dated September 29, 1997, from CHUCK ROBB and CHUCK HAGEL, both in the U.S. Senate, saying that they support this section 1601.

Mr. Speaker, if this were really an issue about veterans, of course we all would be there, we would want to help veterans. But the bottom line is there is not any way they are going to get any of this money, unless this body takes up the measure again and tries to go forward with it, and there has been no effort to do that by anyone.

But simply adopting the amendment of the gentleman from Texas does not do anything except put us back where we are with Iraqi funds frozen and many small businesses, many individuals, sitting there without being reimbursed.

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

Mr. DOGGETT. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. SKELTON], a leading member of our Committee on National Security, a strong defender of our national defense, and someone who has indicated deep personal and professional commitment to our service men and women.

Mr. SKELTON. Mr. Speaker, the gentleman from Kentucky [Mr. WHITFIELD] spoke about us clouding an issue. This issue is not clouded. It is as clear as day.

The purpose of our military in this country is to protect our freedoms and to protect American interests. Today I speak for the veterans, I speak for those in uniform, I speak for the military who fought for America against Saddam Hussein and against Iraq. Some of those Americans died. Some were injured. Some came home very, very sick and still suffer as a result of toxics obtained in that area and from that war.

What kind of a message are we sending the troops that now stand guard in Macedonia, in Korea, Ft. Leonard Wood, anywhere else around the world, if we do not adopt this resolution unanimously? That is what I call upon us to do.

We should not put business interests ahead of those who fought for and sacrificed for our country, whether those business interests be tobacco or otherwise. Our American military should come first. It is up to the Congress under the Constitution to raise and maintain the military. I stand by them. Let us work with them. Let us support them. This is an opportunity to do just that.

Mr. Speaker, I heard in testimony in our committee some of these young soldiers who were suffering from what is known as gulf war syndrome. Not just fatigue. Some had deformed limbs, some had scars on their bodies, very difficult anxiety that they are going through.

I say this, Mr. Speaker, let us look at those veterans and listen to those veterans and then cast our vote in favor of them. They deserve no less.

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

Mr. Speaker, I certainly respect the gentleman from Missouri [Mr. SKELTON] and we know that he has been a defender throughout his career, not only of the active military, but also those retired and veterans everywhere, and I commend the gentleman for that.

I would also like to point out, however, that during the consideration of this, the Disabled American Veterans

testified relating to this issue, and I would just like to read a statement that they made. In fact, the statement was made by Mr. Violante, who was representing the Disabled American Veterans.

"While the DAV is certainly supportive of the principle of ensuring that there is just compensation for any damages or injuries received by a veteran or his or her family as a result of the war in the Persian Gulf, we are very concerned about the precedent established here. In recent history, veterans have always been cared for by the VA (previously Veterans' Administration, currently the Department of Veterans Affairs) with respect to the injuries received in services to their country."

And that is true. That is the obligation of VA. That is the obligation of this Congress to provide adequate funding to take care of them. And then he goes on to say, "However, the Iraqi claims legislation establishes a procedure whereby veterans could be compensated directly from the assets of the 'foreign enemy' government. This precedent could have far-reaching ramifications which could adversely impact upon the current VA system."

Mr. Speaker, it would be a first time that we have reacted in this type of way. We know that the U.S.S. *Stark*, which there were injuries and death on the U.S.S. *Stark* before the start of the Persian gulf war, the Iraqi Government agreed to compensate in that incidence and those people were compensated. Their families were compensated.

But I would simply point out that there are veterans and members of veterans groups who are very concerned about the new direction that we are moving off here, diverting responsibility away from this government into the hands of some foreign power that we have defeated in a military endeavor.

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

Mr. DOGGETT. Mr. Speaker, I yield myself 10 seconds.

Mr. Speaker, the gentleman from Kentucky is referring to testimony given in 1994. This Congress made it clear that in no way would the right to claim against Saddam Hussein's assets interfere with the right of every veteran to the rights assured under the Veterans Administration, which were preserved. The Veterans of Foreign Wars took exactly the opposite direction.

Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts [Mr. TIERNEY], a Member of this body who has expressed significant concerns on behalf of our veterans, some 67,000 that he represents in Massachusetts.

Mr. TIERNEY. Mr. Speaker, I thank the gentleman from Texas [Mr. DOGGETT] for drawing to the attention of the House this serious matter. I also acknowledge the interest of the gentleman from Kentucky [Mr. WHITFIELD], our colleague across the

aisle, and his concern for the veterans and want to draw a distinction between the legitimate claims our veterans have to health care services within the system and within the processes, and a separate matter of having a legal claim for wrongs and injustices done to them when Iraq violated international law.

Mr. Speaker, I think people need to know the distinction we are talking about here is \$1.3 billion in assets frozen when Iraq entered into Kuwait, and those assets are there and available now. The U.S. Government has them for claims by people who feel they are legitimately pursuing some injustice to them, whether it be a contractual matter or personal injury.

What we stand to see happen over in the Senate and now in the conference committee is that veterans would be precluded from pushing their claims, but other corporations and other entities, in particular tobacco companies, would be allowed to exclude the veterans and go forward with their claims.

Mr. Speaker, what this particular resolution on behalf of my colleague from Texas says is that the veterans will at least have the ability to put forward their claims to stand there with the others and make their case for the wrongs that were done to them.

We have to remember that these were violations of international law that people are suffering from problems that have manifested themselves, sometimes very much later after their service was done. Veterans in my district and throughout this country have the continuing feeling that sometimes their concerns are lost. This is one way of assuring that they are given equal footing and a right to pursue the claims that they have.

□ 1045

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

I would like to point out that under existing law that is there today, veterans are precluded from pursuing any of this. As you know, there is a United Nations Commission with funds available and the U.S. Government has made claims against it but has never made any claims on behalf of veterans. As I said earlier, even if we adopt the gentleman's amendment from Texas, it is not going to make any difference.

My whole point is, of course, we all support veterans. But this amendment does nothing. If it eliminates it, all we are is where we began; that is, the money is still frozen. It is not going to be distributed to anyone.

What about the fact of this? In America, America was built on the free enterprise system where people went out and earned money and they worked hard and they were either successful or they were not successful. But as I said, we have 813 individuals; we have various commercial enterprises who did business; they are owed the money. In many ways, it is their money. They are going to be denied any opportunity of getting it.

Under section 601, there is a procedure for private claims with the Commission and then there is a procedure for the Government. As I said earlier, even if the Government makes the claim on behalf of veterans, they have already prioritized it in such a way that the Commodity Credit Corp., OPIC, and Eximbank would get the money first, leaving the veterans without anything.

That is why I think we need to do everything we can, as I said earlier, to support these bills reported out by the Committee on Veterans' Affairs that would address in a real way some of the problems of Persian Gulf syndrome. These bills provide real relief, not imaginary relief.

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

Mr. DOGGETT. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. EVANS]. I can think of no one better able to respond about the Committee on Veterans' Affairs than the ranking member.

Mr. EVANS. Mr. Speaker, I rise in strong support of the Doggett motion to instruct conferees concerning H.R. 1757, the Foreign Relations Authorization Act.

It is very clear that our Senate colleagues, in this Helms amendment, have established an Iraqi claims fund to provide a means to handle conflicting claims for frozen Iraqi assets stemming from the Persian Gulf war. Among those who have filed claims for such frozen assets are gulf war veterans and tobacco companies. In determining who has priority to such claims, the Helms amendment would give preference to private corporate interests, such as tobacco companies, over our veterans.

It is inconceivable that Americans would support such priorities at the expense of our Nation's veterans. We should instruct the conferees to reject the Helms amendment to the foreign relations bill. Many veterans who served our Nation during that conflict have been afflicted with undiagnosed illnesses that many people call Persian Gulf syndrome since they returned home.

As forcefully stated by veterans service organizations and veterans advocates, this ill-conceived provision which pits gulf war veterans against tobacco would add insult to the illnesses many veterans contend with daily.

To suggest we have done enough to help those veterans of that war with the problems that they are facing I think is to ignore the facts. Under both Democratic and Republican administrations, I am afraid to say, we have not done enough for our Persian Gulf veterans.

Having access to these assets, perhaps as a result of a class action suit, the same way that Vietnam veterans sued the chemical companies dealing with the agent orange issue, is something that could be a real possibility

for these veterans to obtain assistance they have not received from the Federal Government under those Democratic or Republican administrations.

While I have supported the legislation that has dealt in small part with the Persian Gulf veterans, I think it is woefully inadequate today. Our Government has not honored the claims of those people who fought and defended those people in the Persian Gulf region. This at least offers them one other fund, one other road, one other avenue that they can take to get the help they need.

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

I would just say once again that of course we want the veterans to pursue any legal remedy that they have. I know that there is an attorney in Houston by the name of Gary Pitts who is working with a lot of veterans to pursue claims in various ways. But the bottom line, as I have said before, is that the money will not be there.

Let us work on real solutions to this problem. Let us get this legislation through that I have referred to. Let us take concrete action that will not raise false hopes for veterans, because we are raising false hopes here. That is my whole point.

These men and women have devoted an important part of their life. Their families have suffered. Many of them continue to suffer in the Persian Gulf syndrome. Why should we raise false expectations over this particular issue? We need to be involved with real solutions to this problem.

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

Mr. DOGGETT. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore (Mr. QUINN). The gentleman from Texas [Mr. DOGGETT] has 16 minutes remaining, and the gentleman from Kentucky [Mr. WHITFIELD] has 14½ minutes.

Mr. DOGGETT. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas [Mr. REYES] a new Member of this body who has already distinguished himself as a member of the Committee on National Security and as a representative for the many men and women at Fort Bliss, TX, and the many veterans in the El Paso area.

Mr. REYES. Mr. Speaker, I appreciate the gentleman yielding me the time.

This morning I rise, regrettably, as a member of the Committee on Veterans' Affairs representing a district containing nearly 60,000 veterans and as a veteran myself, because I think it is a sad day, indeed, when we have to debate such a clear issue as this as we are today.

Thousands of our soldiers served honorably in the Persian Gulf and secured freedom for that part of the world. However, this did not come without a high cost. As we are all aware, Persian gulf war veterans came back with undiagnosable conditions suffering

from a variety of ailments as a price for their service. Our country has an obligation to these men and women who risked life and health for the safety and security of our country and for freedom throughout the world.

One result of the Persian Gulf war was that Iraqi assets were frozen during the course of that conflict. These funds amounted to \$1.3 billion. The Foreign Relations Authorization Act, which is currently in conference, establishes the Iraqi Claims Fund which allows claims against these frozen assets. Our veterans should not be placed in the back of the line in making claims against these assets. A provision provided from the Senate would put veterans behind other interested claimants, including tobacco companies and other commercial claimants. While commercial entities certainly must be allowed to file for compensation, our veterans must come first, for they paid the heaviest price.

I join today with the gentleman from Texas [Mr. DOGGETT] and the gentleman from Illinois [Mr. EVANS] and others to stand firmly with all veterans of this country in urging the conferees to strike the Senate provision favoring commercial entities over veterans.

Mr. DOGGETT. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Minnesota [Mr. LUTHER], an advocate for veterans.

Mr. LUTHER. Mr. Speaker, I rise in support of the Doggett motion and first want to thank the gentleman from Texas [Mr. DOGGETT] for his outstanding leadership on this issue.

Specifically, I oppose the process where a provision is inserted in a bill giving any priority to commercial interests over veterans when it comes to these frozen Iraqi assets. This provision was inserted without any hearings in committee or subcommittee. We recently saw, just a couple of months ago, where a \$50 billion tax break for special interests was inserted in the budget bill, and now, just as we are in the process of repealing that, we see this provision. These are examples of why the American public has lost confidence in their Government, why they are disgusted with the political process, why many of them refuse to even vote any longer.

When I came to Congress, I promised to change the old way of doing things and to have openness in this body. That is what this provision is about. I urge fellow House Members to reject the old way of doing things. Support openness in government, support ordinary Americans, and support this motion.

Mr. DOGGETT. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. TURNER], another distinguished member of the Committee on National Security, an advocate for veterans.

Mr. TURNER. Mr. Speaker, I thank my colleague from Texas for his leadership on this very important issue.

It is very clear to me that the Senate has put our veterans at the end of the

line in making their claims against the \$1.3 billion fund frozen in the gulf war. Under the Senate amendment, those who served on the front lines will be at the back of the line when it comes to making their claims. Veterans who courageously served in the gulf war deserve better. Our Nation owes a debt to those veterans that we must try to repay, and we certainly are moving in the wrong direction if we put them at the back of the line in making their claims.

It is amazing to me that we did not even at least see the Senate give veterans equal access to these funds but, rather, they put them at the back of the line.

The American people have a long tradition of supporting our veterans who have served us so courageously. I urge the Members of this body to join in supporting this motion to instruct our conferees to give our veterans their fair share of these funds.

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

Would the gentleman from Texas enter into a dialog for a moment? What I would like to ask the gentleman is: Let us say we adopted the amendment without anything else; is there a mechanism, would veterans be able to get to this money?

Mr. DOGGETT. Mr. Speaker, will the gentleman yield?

Mr. WHITFIELD. I yield to the gentleman from Texas.

Mr. DOGGETT. Mr. Speaker, I appreciate the gentleman raising the question. As the gentleman well knows, to be more specific in this motion, which is not truly an amendment, it is the Helms amendment by Senator HELMS of North Carolina that is the problem here. The House bill does not speak to this issue. The only motion I could offer, after consulting with the parliamentarian, was of the nature here.

I would like to have spelled out the entire mechanism for veterans recovery, but I believe that if we instruct our conferees in this fashion, the conference committee will be authorized to continue its negotiations, as it is negotiating now, to give veterans first preference, I would prefer, or at least treat them equally to the tobacco companies. I think they have earned that. I believe that that is the effect of this motion.

To not approve this motion, even under the statement of Senator HELMS as reported in Stars and Stripes by his explanation, we are assuring that veterans will never recover one penny of Saddam Hussein's assets if the Helms amendment sticks. That is why all these veterans groups are coming out against the Helms amendment and speaking out so vigorously against it and in favor of the motion that I am offering.

Mr. WHITFIELD. Mr. Speaker, I thank the gentleman.

I would just simply say that adopting this motion, as I said, does nothing. If

we go through this process, the Government continues, this administration continues, to go by the priority that it has established: The veterans are not going to get anything. So the administration would have to change its position on this.

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

Mr. DOGGETT. Mr. Speaker, I yield 1 minute and 30 seconds to the gentlewoman from Michigan [Ms. STABENOW], a woman in this body, because there are women who fought for this country in the gulf war as well, an outspoken advocate for veterans, especially those suffering from gulf war syndrome.

Ms. STABENOW. Mr. Speaker, I first would like to thank my colleague from Texas who has brought the attention of the House to this issue that is so critical to our veterans.

It has been said earlier today, and I feel compelled to respond, that this body, that our Government, has always been there for the veterans. I can assure my colleagues that the veterans in my district believe they have to be vigilant, fighting to make sure they have VA benefits, fighting to make sure they have the health care that they need, and especially those who fought in the gulf war.

The families in my district, the men and women who came back exposed chemically to illnesses that have ruined their lives, I have individuals in my district whose health will never be the same, who have been impacted so severely, they do not feel that their Government has been with them. They are fighting every day.

We are making small steps forward in finally recognizing what happened to them and creating some health care. But this amendment by Senator HELMS, the Helms language, takes us a tremendous step backward. It says to all of those who fought, who came home sick, whose lives have been forever changed because they served our country, that they are at the back of the line, that tobacco companies and others are more important.

□ 1100

Shame on us as a Congress if we allow the Helms language to stand. I urge my colleagues to support this very important motion.

Mr. DOGGETT. Mr. Speaker, I yield 1 minute to the gentleman from San Antonio, TX, Mr. RODRIGUEZ, a member of the Committee on National Security, one of our new Hispanic Members who ably represents many Hispanic veterans who made the ultimate sacrifice. And I might note, Mr. Speaker, that our Hispanic population has contributed more congressional honor winners than any other group in this country.

Mr. RODRIGUEZ. Mr. Speaker, let me first of all thank the gentleman from Texas [Mr. DOGGETT] for his efforts in ensuring that veterans are prioritized as No. 1.

I have sat back and listened to the gentleman from Kentucky [Mr.

WHITFIELD] indicate that it does not make any difference. If it does not make any difference, I would ask him to reconsider and accept the amendment and do the right thing.

I think it is unfair that as we move forward and listen to Senator HELMS and his prioritizing, there is no doubt that businesses out there have suffered. There is no doubt that the industry and construction has suffered, but we need to just ask one question: Who suffered the most in the Persian Gulf? It was our veterans who were out there. They were the ones out there on the front line. They were the ones that made the difference. They were the ones that made it happen, and we need to be there for them.

For us to not consider them as our first priority when we look at that \$1.2 billion is not appropriate and it is unfair. We need to make sure that we are fair and that we are not insensitive, and so I will ask for my colleagues' support to make sure the conference committee takes into consideration and puts veterans No. 1.

Mr. Speaker, I rise in strong support of Mr. DOGGETT's motion to instruct conferees concerning H.R. 1757, the Foreign Relations Authorization Act.

There is not enough money from the \$1.2 billion Iraqi frozen assets to pay all the claims of our citizens, businesses, and Government. Therefore, we have to decide who should take first, and how much they can potentially get. This is a tough decision. I recognize that many individuals and businesses who have dealt with Iraq have faced losses on shipments, commodities, and unpaid consulting and construction contracts. We must ask ourselves: Among us, who paid the highest price in the Persian Gulf war? I do not even have to leave my district to answer—the gulf war veteran suffering from disease and illness. I can think of several cases off the top of my head, one even involving birth defects to a veteran's child.

The other side argues that care for veterans has traditionally been the sole responsibility of the Government, which it is. But what do you do when the Government does not recognize the illness as service-connected? What do you tell the veteran whose own Government is telling him that he or she does not have a problem? I believe that telling the veteran that he or she will not get a chance to collect on a claim is adding insult to injury. While our Government deliberates on whether and how to compensate those so clearly affected by their service in the gulf war, how can we break the bank for anyone else?

I respectfully advise the conferees to look beyond the heated and sometimes misleading rhetoric on priorities of businesses versus veterans. Then, I believe, they will do the right thing.

Mr. WHITFIELD. Madam Speaker, I yield myself such time as I may consume to say that I think this debate has been quite helpful today because it has truly focused the issue of the importance of veterans to the American people and to the sacrifices that they have made.

My purpose in having this debate today was to bring attention to this

whole process of how, as is usual in wars, they always set up these commissions to distribute money owed to people who provided services, and they allow governments to come in and make claims against them. This administration and this Congress, they have not done anything in a positive way to make sure that veterans are compensated and, as I said before, if the Doggett amendment is adopted, it still does nothing.

So I would urge the committee and the House to work diligently on Medicare subvention so that retirees can go to military bases and have Medicare reimburse them, because they can provide the services more economically. I would urge this House to allow veterans to go to VA hospitals, as they do, and when they are reimbursed through CHAMPUS or by private insurance, allow VA hospitals to keep that money instead of sending it back to the general fund.

I would also urge this House to move H.R. 2206, that would improve the VA's ability to provide health care to Persian Gulf veterans; and, more importantly, would specify that Persian Gulf veterans are eligible for VA health care for any problem related to service in the gulf, not just to those problems that may be linked to exposure to toxic substances or environmental hazards.

It is obvious to me that we all want the same thing, and I am delighted that the gentleman from Texas raised the issue, and I would like to say I hope that we will adopt it by unanimous consent.

Madam Speaker, I yield back the balance of my time.

Mr. DOGGETT. Madam Speaker, I yield myself 25 seconds to say that I think this is the first time I have found a debate here maybe really persuades an opponent, who is still opposing a measure but says we should adopt it by unanimous consent.

I would join the gentleman in urging Speaker GINGRICH to set every measure the gentleman mentioned on this calendar. I do not understand why Medicare subvention has not been set out here. I do not understand why a mechanism for our gulf war veterans to make claims against Saddam Hussein has not been put on the calendar.

I do not understand why this motion was tucked away at midnight last night and then adjourned instead of addressed. I think our veterans should be put first instead of last again and again by this Republican leadership.

Madam Speaker, I yield 1 minute to the gentleman from New Haven, CT [Ms. DELAURO], who has been an articulate spokesperson not only on the needs of our veterans but on the tremendous dangers of nicotine addiction.

Ms. DELAURO. Madam Speaker, I thank the gentleman for yielding this time to me.

We have a responsibility as public servants. That is what our job is here as the U.S. Government, as Democrats, as Republicans. This is not a partisan issue. This is a national issue.

We need to reward our veterans for their brave actions and their sacrifice. Veterans must come first. And it is very interesting this morning to take a look at what is going on, on this floor and who is speaking on this side of the aisle, on the Democrat side of the aisle. The gentleman is a lone voice on the other side. Where are his Republican colleagues to come here this morning and to talk about what veterans have done to protect our rights and our liberties in this country?

We stand here. We have the opportunity to serve this country because veterans fought for this great Nation of ours. I support this motion. I thank the gentleman from Texas [Mr. DOGGETT] for bringing it before the House.

I oppose what the tobacco companies would be allowed to do in making their claims before veterans in this country. It is wrong and we should vote for the Doggett amendment.

Mr. DOGGETT. Madam Speaker, I yield 4 minutes to the gentleman from Texas, [Mr. CHET EDWARDS]. We are fortunate, indeed, to have in this body someone who represents more members of our military in a populated area than anyone else in the world, I believe, Fort Hood, TX, the former chair of the Veterans Health Subcommittee within the Committee on National Security, I believe, and now on the Committee on Appropriations.

Mr. EDWARDS. Madam Speaker, sometimes silence says a lot and, frankly, I am disappointed that out of over 200 Republican House Members, not 1 Republican has come to the floor of this House to stand up for veterans versus tobacco companies this morning.

Most Americans will never know a young man named Arden Cooper. He was 22 years old, fighting against the Iraqi Forces in Kuwait. He saw a comrade of his lying in the sand wounded by Iraqi fire, and despite murderous fire, he went to his friend's aid and put his body over that of his comrade's in order to try to save his life. In doing so, Arden Cooper gave his life to his friend and to his country. When he was given a Silver Star for his bravery, his parents had to accept it posthumously.

To me Arden Cooper represents the very best of American veterans. Ordinary citizens, Americans, willing to fight and, if necessary, yes, die for their country. And while not all Americans died on the sands of Kuwait like that 22-year-old young American, many of Arden Cooper's comrades breathe every breath today in pain because of the injuries and the illnesses sustained in standing up to Saddam Hussein.

The choice today is very clear. It is a choice of whose side we are on, the side of those who made profits selling cigarettes to Saddam Hussein and his citizens, or do we want to side with those who put their lives on the line to fight for America's freedom and stand up to Saddam Hussein and his forces?

I am outraged that a Republican leader from the other body would be so

bold as to put the interests of tobacco companies or any company ahead of the interests of the men and women who fought, were injured, yes, even those who died in Desert Storm. To put the interests of tobacco companies in front of the interests of veterans is absolutely, in my book, morally wrong. I think it is a slap in the face not only to Desert Storm veterans but to all veterans in America who have ever served this Nation.

The gentleman from Kentucky, and I respect his privilege to stand and speak for the other side on this issue, but I must take objection to his comment that we are only talking about \$1.2 billion here. Well, maybe \$1.2 billion is not a whole lot to the richest tobacco companies in the world, but to one of my constituents living in my hometown of Waco, who lives in a tent, confined in his own bedroom because of illnesses sustained in Desert Storm, to someone like that, a few thousand dollars, not \$1.2 billion, could be the difference between living life in dignity and respect and just surviving.

Madam Speaker, in just a few days, on Veterans Day, Members from both sides of the aisle will go back home and ride in Veterans Day parades. They will give patriotic speeches thanking our veterans for their service to our country. Well, I do not think that is good enough. It is not good enough to just support veterans on Veterans Day or to pay tribute to those who died on Memorial Day. We ought to stand up for our veterans every day, and certainly we ought to stand up for them today.

I will join with any Member of this House to see that American veterans are put at the front of the line, not the back of the line, when it comes to claiming frozen Iraqi assets in America.

Mr. DOGGETT. Madam Speaker, how much time is remaining?

The SPEAKER pro tempore [Mrs. EMERSON]. The gentleman from Texas [Mr. DOGGETT] has 4 minutes remaining.

Mr. DOGGETT. Madam Speaker, I yield myself the balance of my time.

Members, with this motion, we probe once more the influence of the powerful tobacco lobby on this Congress: The same tobacco companies that begin the addiction of 3,000 children in America every day to nicotine; the same tobacco companies that rank among the top soft money contributors to soften up the political leadership of this Congress; the same tobacco companies that give that soft money to produce a hard, bad deal for the ordinary working American; the same tobacco companies that snuck into this Congress earlier this summer and got themselves a \$50 billion tax break, masquerading under the title "Technical Amendments to the Small Business Job Protection Act," and then were so ashamed of it, they could not find anyone to claim authorship of that provision urged on by former Republican chair Haley Barbour.

That same group seems to have no shame, because not having gotten enough in the past from this Congress with their audacity, they come forward today through the senior Senator from North Carolina, and they ask to have their claims put on top of the heroic men and women who fought our Nation's battles in the gulf war.

The gentleman from Kentucky keeps referring to our clouding the issue this morning. Well, my colleagues, the only cloud here is a smoke cloud, a cloud of smoke that lingers over this Congress as long as the tobacco industry has a stranglehold on it.

A vote for this motion is simply a vote to assure an opportunity, not a guarantee, an opportunity for our gulf war veterans to make their case before the commission and to have a decision rendered based on the evidence that they are entitled to some payment for the illness and the disability that they are suffering.

As my colleague from Texas just pointed out, \$1.2 billion is probably just pocket change to the seven largest tobacco companies that have been blocking, since Democrats were in control of this Congress, that have been blocking the access of our veterans to get to these funds.

Let me emphasize, contrary to what we heard from the opposition, from the gentleman from Kentucky, that in no way does this motion interfere with the obligation of the Federal Government to meet the needs of our veterans. I am merely suggesting that a young veteran who suddenly finds himself without the capacity to provide for his or her family, cut down in his youth, ought not to have to rely solely on a Veterans Hospital and on veterans disability payments, which often are not adequate to meet the true needs of a family; and that that veteran ought to have the right to say Mr. Saddam Hussein violated international law, as the United Nations even concluded, in invading Kuwait, and I ought to be able to get back some of the loss that my family has suffered as a result of his violation of international law, and my claim is every bit as legitimate as the seven tobacco companies that sold the cigarettes that the Iraqi soldiers were smoking there in the desert, and may still be laying around the desert somewhere, when they dealt with Saddam Hussein before he started this war.

□ 1115

It is my contention that these disabled veterans, as the VFW has concluded, as the State Department has concluded, will get nothing unless they have priority.

The front page of the "Stars and Stripes" magazine tells it all: "Our veterans await the decision of this Congress, even as Senator HELMS speaks out today that he would bar every cent of their claim."

I ask my colleagues to stand first with our gulf war veterans because they stood first for this country. We

have a simple decision on this record vote. Stand with GI Joe, stand with GI Jane, who defended our democracy, not Joe Camel, who continues to exploit our children.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would rise in support of my colleague from Texas, Mr. DOGGETT, to instruct the conferees on the Foreign Policy Act (H.R. 1757). Representative DOGGETT's motion instructs conferees to reject a Senate provision which would position private claims ahead of U.S. Government claimants—including gulf war veterans—against frozen Iraqi assets. The provision authored by Senator HELMS prioritizes the claims in such a way that tobacco companies and other commercial claimants would be paid from the fund before our veterans.

Mr. Speaker, as a friend of veterans I must urge my colleagues to vote in favor of Mr. DOGGETT's motion which would prevent any money taken from our veterans. Many of our soldiers have been afflicted with undiagnosed illnesses since defeating Saddam Hussein's forces in the Persian Gulf region. The U.S. Government has a duty to take care of its veterans. Their claims against available assets do not relieve the Government of its obligations to veterans, but rather provide additional compensation to veterans who have suffered at the hands of Iraq's violations of international law.

Instead of gulf war veterans, tens of thousands of whom are ill, Senator HELMS wants those with contracts, including seven large tobacco companies, to have priority to receive the funds. I must urge my colleagues to reject section 1601 of the Senate amendment, which provides for payment of all private claims against the Iraqi Government before those of U.S. veterans and the U.S. Government.

Mr. DOGGETT. Madam Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion to instruct offered by the gentleman from Texas [Mr. DOGGETT].

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 412, nays 5, not voting 16, as follows:

[Roll No. 480]

YEAS—412

Abercrombie	Barrett (WI)	Blunt
Ackerman	Bartlett	Boehlert
Aderholt	Barton	Boehner
Allen	Bass	Bonilla
Andrews	Bateman	Bonior
Archer	Becerra	Bono
Armey	Bentsen	Borski
Bachus	Berman	Boswell
Baesler	Berry	Boucher
Baker	Bilbray	Boyd
Baldacci	Bilirakis	Brady
Ballenger	Bishop	Brown (CA)
Barcia	Blagojevich	Brown (FL)
Barrett (NE)	Blumenauer	Brown (OH)

Bryant	Goode	McCarthy (NY)	Schaefer, Dan	Solomon	Traficant
Bunning	Goodlatte	McCollum	Schaffer, Bob	Souder	Turner
Burr	Gooding	McCrary	Schumer	Spence	Upton
Burton	Gordon	McDade	Scott	Spratt	Velazquez
Buyer	Goss	McDermott	Sensenbrenner	Stabenow	Vento
Callahan	Graham	McGovern	Serrano	Stark	Walsh
Calvert	Green	McHale	Sessions	Stenholm	Wamp
Camp	Greenwood	McHugh	Shadegg	Strickland	Waters
Campbell	Gutierrez	McIntosh	Shaw	Stump	Watkins
Canady	Gutknecht	McIntyre	Shays	Stupak	Watt (NC)
Cannon	Hall (OH)	McKeon	Sherman	Sununu	Watts (OK)
Capps	Hall (TX)	McKinney	Shimkus	Talent	Weldon (FL)
Cardin	Hamilton	McNulty	Shuster	Tanner	Weldon (PA)
Carson	Hansen	Meehan	Sisisky	Tauscher	Weller
Castle	Harman	Meek	Skaggs	Tauzin	Wexler
Chabot	Hastert	Menendez	Skeen	Taylor (MS)	Weygand
Chambliss	Hastings (FL)	Metcalfe	Skelton	Thomas	White
Chenoweth	Hastings (WA)	Mica	Slaughter	Thompson	Whitfield
Christensen	Hayworth	Millender-	Smith (MI)	Thornberry	Wicker
Clay	Hefley	McDonald	Smith (NJ)	Thune	Wise
Clayton	Hefner	Miller (CA)	Smith (TX)	Thurman	Wolf
Clement	Hergert	Miller (FL)	Smith, Adam	Tiahrt	Woolsey
Clyburn	Hill	Minge	Smith, Linda	Tierney	Wynn
Coble	Hilleary	Mink	Snowbarger	Torres	Yates
Coburn	Hilliard	Moakley	Snyder	Towns	Young (AK)
Collins	Hinchee	Mollohan			
Combust	Hinojosa	Moran (KS)			
Condit	Hobson	Moran (VA)	Barr	Scarborough	Taylor (NC)
Cook	Hoekstra	Morella	Johnson, Sam	Stearns	
Cooksey	Holden	Murtha			
Costello	Hooley	Myrick			
Cox	Horn	Nadler			
Coyne	Hostettler	Neal	Bereuter	Granger	Stokes
Cramer	Houghton	Nethercutt	Bliley	Linder	Visclosky
Crane	Hoyer	Neumann	Conyers	McInnis	Waxman
Crapo	Hulshof	Ney	Fazio	Ros-Lehtinen	Young (FL)
Cubin	Hunter	Northup	Gibbons	Schiff	
Cummings	Hutchinson	Norwood	Gonzalez	Smith (OR)	
Cunningham	Hyde	Nussle			
Danner	Inglis	Oberstar			
Davis (FL)	Istook	Obey			
Davis (IL)	Jackson (IL)	Olver			
Davis (VA)	Jackson-Lee	Ortiz			
Deal	(TX)	Owens			
DeFazio	Jefferson	Oxley			
DeGette	Jenkins	Packard			
Delahunt	John	Pallone			
DeLauro	Johnson (CT)	Pappas			
DeLay	Johnson (WI)	Parker			
Dellums	Johnson, E. B.	Pascarell			
Deutsch	Jones	Pastor			
Diaz-Balart	Kanjorski	Paul			
Dickey	Kaptur	Paxon			
Dicks	Kasich	Payne			
Dingell	Kelly	Pease			
Dixon	Kennedy (MA)	Pelosi			
Doggett	Kennedy (RI)	Peterson (MN)			
Dooley	Kennelly	Peterson (PA)			
Doolittle	Kildee	Petri			
Doyle	Kilpatrick	Pickering			
Dreier	Kim	Pickett			
Duncan	Kind (WI)	Pitts			
Dunn	King (NY)	Pombo			
Edwards	Kingston	Pomeroy			
Ehlers	Kleczka	Porter			
Ehrlich	Klink	Portman			
Emerson	Klug	Poshard			
Engel	Knollenberg	Price (NC)			
English	Kolbe	Pryce (OH)			
Ensign	Kucinich	Quinn			
Eshoo	LaFalce	Radanovich			
Etheridge	LaHood	Rahall			
Evans	Lampson	Ramstad			
Everett	Lantos	Rangel			
Ewing	Largent	Redmond			
Farr	Latham	Regula			
Fattah	LaTourette	Reyes			
Fawell	Lazio	Riggs			
Filner	Leach	Riley			
Flake	Levin	Rivers			
Foglietta	Lewis (CA)	Rodriguez			
Foley	Lewis (GA)	Roemer			
Forbes	Lewis (KY)	Rogan			
Ford	Lipinski	Rogers			
Fowler	Livingston	Rohrabacher			
Fox	LoBiondo	Rothman			
Frank (MA)	Lofgren	Roukema			
Franks (NJ)	Lowey	Roybal-Allard			
Frelinghuysen	Lucas	Royce			
Frost	Luther	Rush			
Furse	Maloney (CT)	Ryun			
Galleghy	Maloney (NY)	Sabo			
Ganske	Manton	Salmon			
Gejdenson	Manzullo	Sanchez			
Gekas	Markey	Sanders			
Gephardt	Martinez	Sandlin			
Gilchrest	Mascara	Sanford			
Gillmor	Matsui	Sawyer			
Gilman	McCarthy (MO)	Saxton			

tained and arrived too late for the vote on the Mollohan-Shays amendment. I would like to have the RECORD note that had I been here to vote, I would have voted against rollcall vote 475 to H.R. 2267.

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

Madam Speaker, we are bound by the Constitution to conduct a census every 10 years. Article 1, section 2 of the Constitution calls for an actual enumeration. The 14th amendment calls for the Representatives to be apportioned by counting the whole number of persons in each State. Any deviation from conducting the census under this constitutional mandate is a question for the Supreme Court to answer.

This is what this bill will now do. It will bar the Census Bureau from using sampling until this vital question is answered. Any other course of action would not be prudent or constitutional. It is for this overriding reason that I would have opposed the Mollohan-Shays amendment.

NAYS—5

NOT VOTING—16

□ 1135

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2378) "An act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1998, and for other purposes."

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 901, AMERICAN LAND SOVEREIGNTY PROTECTION ACT

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105-288) on the resolution (H. Res. 257) providing for consideration of the bill (H.R. 901) to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands, which was referred to the House Calendar and ordered to be printed.

#### PERSONAL EXPLANATION

Mrs. ROUKEMA. Madam Speaker, last evening I was unavoidably de-

#### PROVIDING FOR CONSIDERATION OF H.R. 1127, NATIONAL MONUMENT FAIRNESS ACT

Mr. SOLOMON. Madam Speaker, by the direction of the Committee on Rules, I call up House Resolution 256 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 256

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 1127) to amend the Antiquities Act to require an Act of Congress and the concurrence of the Governor and State legislature for the establishment by the President of national monuments in excess of 5,000 acres. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment;

and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Madam Speaker, in trying to live up to the majority leader's request that we be out of here by noon time, we are going to try to expedite.

#### PARLIAMENTARY INQUIRY

Mr. CONDIT. Madam Speaker, is it appropriate for me to propound a parliamentary inquiry at this time?

The SPEAKER pro tempore. Does the gentleman from New York yield for a parliamentary inquiry?

Mr. SOLOMON. Not at this time, Madam Speaker. I want to get through this so we can live up to our obligation.

Mr. CONDIT. Madam Speaker, I offer a motion.

The SPEAKER pro tempore. The gentleman from California cannot take the gentleman from his feet by a motion while he is engaged in debate.

The gentleman from New York [Mr. SOLOMON] is recognized.

Mr. SOLOMON. Madam Speaker, for purposes of debate only, I yield the customary 30 minutes to the distinguished gentleman from Ohio [Mr. HALL], pending which I would yield myself such time as I might consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

Madam Speaker, this bill before us is a simple resolution.

□ 1145

Mr. SOLOMON. Madam Speaker, the proposed rule that I am offering is a modified, closed rule providing for 1 hour of general debate divided equally between the chairman and ranking minority member on the Committee on Resources which will probably be taken up on the floor Monday or Tuesday, and not today.

Additionally, this resolution makes in order the Committee on Resources' amendment in the nature of a substitute as an original bill for purposes of amendment which shall be considered as read. Furthermore, this resolution provides for the consideration of the amendment printed in the Committee on Rules' report which shall be considered only in the order printed in the report, may be offered only by a Mem-

ber designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and opponent of the amendment. The amendments shall not be subject to amendment, nor are they subject to a demand for a division of the question in the House or in the Committee of the Whole.

At the appropriate time, I intend to offer an amendment to the rule that would allow for the consideration of an amendment to be offered by the gentleman from Utah [Mr. HANSEN], the bill manager. This amendment is a germane amendment that reflects the concerns of both the gentleman from Utah [Mr. HANSEN] and the gentleman from New York [Mr. BOEHLERT].

If my colleagues will recall, the gentleman from New York [Mr. BOEHLERT] had given us an amendment in the Committee on Rules that was not germane. He has done his due diligence and made the amendment in order, so we are living up to our commitment to make all of the filed amendments that were germane in order, and that is what my amendment will be about.

Mr. Speaker, the rule allows for the Chairman of the Committee of the Whole to postpone during consideration of the bill and to reduce votes to 5 minutes on a postponed question if the vote follows a 15-minute vote.

Finally, H.R. 256 provides for one motion to recommit, with or without instructions.

Now, Mr. Speaker, on September 18, 1996, the President of the United States, claiming authority under the 1906 Antiquities Act, proclaimed the Grand Staircase Escalante National Monument in Utah. According to a U.S. News and World Report article, "the White House went to great lengths to keep secret its plan to create by executive fiat a massive 1.7 million acre national monument in southern Utah."

Madam Speaker, dusting off the 91-year-old Antiquities Act to circumvent public hearings and a likely congressional battle, the stealth-like initiative was designed to boost the President's popularity with environmentalists during his campaign last year. In fact, Madam Speaker, the administration did not even inform, did not even consult with any of Utah's elected representatives of any political party. However, members of the administration did take the time to notify Governor Miller of Nevada, Governor Romer of Colorado, and Senators REID and BRYAN of Nevada.

Why would the administration go to great lengths to hide its plans from the public and the Utah delegation? Perhaps the answer lies in a memorandum sent by Katie McGinty, the chair of the President's Council on Environmental Quality. She wrote, "Any public release of information would probably foreclose the President's option to proceed." That is in writing, and we have a copy of it.

Additionally, Interior Department Solicitor John Lesly wrote to an outside consultant, "I can't emphasize confidentiality too much. If word leaks out, it probably won't happen." Talk about stealth and hiding things from the American people, Madam Speaker.

When President Roosevelt signed the Antiquities Act, which was designed to respond to a national movement back in 1906 to stop the vandalism and looting that was occurring on landmarks of prehistoric, historic, and scientific interest and value, the act made a great deal of sense back in those days. During the early 1900's there were few mechanisms for setting aside or protecting large portions of land. However, during the next several decades, concern for conservation became more widespread, and Congress responded by passing very powerful laws which serve the cause of conservation more fully.

Let me just give an example. Since 1906, the Congress has created the National Park System, the National Wildlife Refuge System, the National Wilderness Preservation Act, and the Wild and Scenic Rivers System. The principal effect of laws such as these has been to make it much easier to preserve large portions of land. Therefore, what made sense in 1906 is not necessarily applicable today.

Madam Speaker, most people believe the issues should be debated in the public forum, and this bill amends the Antiquities Act of 1906 to prevent the President from unilaterally creating large national monuments. By requiring an act of Congress and the comments of the Governor from any particular State in which the proposed monument is located, we can be certain that a fair and open process is certain to continue.

This legislation is a commonsense proposal. I would urge my colleagues to support the rule and the underlying legislation.

Madam Speaker, I reserve the balance of my time.

#### MOTION TO ADJOURN

Mr. CONDIT. Madam Speaker, I have a preferential motion at the desk.

The SPEAKER pro tempore (Mrs. EMERSON). The Clerk will report the motion.

The Clerk read as follows:

Mr. CONDIT moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from California [Mr. CONDIT].

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

#### RECORDED VOTE

Mr. CONDIT. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 112, noes 295, not voting 26, as follows:

[Roll No. 481]

AYES—112

Abercrombie	Ford	Nadler
Ackerman	Frank (MA)	Neal
Allen	Frost	Oberstar
Andrews	Furse	Obey
Baesler	Gejdenson	Olver
Baldacci	Gephardt	Owens
Barrett (WI)	Gutierrez	Pallone
Becerra	Harman	Pastor
Bentsen	Hastings (FL)	Payne
Blumenauer	Hefner	Pelosi
Bonior	Hinchee	Peterson (MN)
Borski	Jackson-Lee	Pomeroy
Boyd	(TX)	Rangel
Brown (CA)	Jefferson	Roybal-Allard
Brown (OH)	Johnson, E. B.	Sanchez
Capps	Kanjorski	Sanders
Carson	Kaptur	Schumer
Clayton	Kennedy (MA)	Serrano
Condit	Kennedy (RI)	Sherman
Cox	Kilpatrick	Skaggs
Cummings	Lampson	Slaughter
Davis (FL)	Levin	Stark
DeFazio	Lewis (GA)	Stenholm
DeGette	Lofgren	Strickland
Delahunt	Lowe	Stupak
DeLauro	Maloney (NY)	Tauscher
Deutsch	Manton	Thurman
Dingell	Markey	Tierney
Doggett	Matsui	Torres
Doyle	McCarthy (NY)	Towns
Edwards	McDermott	Turner
Engel	McGovern	Velazquez
Ensign	McNulty	Vento
Eshoo	Meehan	Waters
Evans	Miller (CA)	Wexler
Farr	Mink	Weygand
Fattah	Moakley	Woolsey
Filner	Murtha	

NOES—295

Aderholt	Cubin	Hilleary
Archer	Cunningham	Hilliard
Armey	Danner	Hinojosa
Bachus	Davis (IL)	Hobson
Ballenger	Davis (VA)	Hoekstra
Barcia	Deal	Holden
Barr	DeLay	Hooley
Barrett (NE)	Dellums	Horn
Bartlett	Diaz-Balart	Horstettler
Barton	Dickey	Houghton
Bass	Dicks	Hoyer
Bateman	Dixon	Hulshof
Bereuter	Dooley	Hunter
Berry	Doolittle	Hutchinson
Bilbray	Dreier	Hyde
Billirakis	Duncan	Inglis
Bishop	Dunn	Istook
Blagojevich	Ehlers	Jackson (IL)
Blunt	Ehrlich	Jenkins
Boehrlert	Emerson	John
Boehner	English	Johnson (CT)
Bonilla	Etheridge	Johnson (WI)
Bono	Everett	Jones
Boswell	Ewing	Kasich
Boucher	Fawell	Kelly
Brady	Flake	Kildee
Brown (FL)	Foley	Kim
Bryant	Forbes	Kind (WI)
Bunning	Fowler	King (NY)
Burr	Fox	Kingston
Burton	Franks (NJ)	Klecicka
Callahan	Frelinghuysen	Klink
Calvert	Gallegly	Klug
Camp	Ganske	Knollenberg
Campbell	Gilchrest	Kolbe
Cannon	Gillmor	Kucinich
Cardin	Gilman	LaHood
Castle	Goode	Lantos
Chabot	Goodlatte	Largent
Chambliss	Goodling	Latham
Chenoweth	Gordon	LaTourrette
Christensen	Goss	Lazio
Clay	Graham	Leach
Clement	Green	Lewis (CA)
Clyburn	Greenwood	Lewis (KY)
Coble	Gutknecht	Lipinski
Coburn	Hall (OH)	Livingston
Collins	Hall (TX)	LoBiondo
Combest	Hamilton	Lucas
Cook	Hansen	Luther
Cooksey	Hastert	Maloney (CT)
Costello	Hastings (WA)	Manzullo
Coyne	Hayworth	Mascara
Cramer	Hefley	McCarthy (MO)
Crane	Herger	McCollum
Crapo	Hill	McCreery

NOT VOTING—26

Baker	Gibbons	Moran (VA)
Berman	Gonzalez	Rohrabacher
Bilely	Granger	Ros-Lehtinen
Buyer	Johnson, Sam	Schiff
Canady	Kennelly	Skelton
Conyers	LaFalce	Smith (OR)
Fazio	Linder	Stokes
Foglietta	Martinez	Waxman
Gekas	McInnis	

□ 1208

Ms. SANCHEZ, Ms. JACKSON-LEE of Texas and Ms. ROYBAL-ALLARD changed their vote from "no" to "aye".

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. GIBBONS. Madam Speaker, on rollcall No's. 480 and 481. I was unavoidably detained due to a medical emergency. Had I been present, I would have voted "yes" on rollcall vote 480 and "no" on rollcall vote 481.

## FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2267.—Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2267) "An Act making appropriations for the Departments of

Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GREGG, Mr. STEVENS, Mr. DOMENICI, Mr. MCCONNELL, Mrs. HUTCHISON, Mr. CAMPBELL, Mr. COCHRAN, Mr. HOLLINGS, Mr. BYRD, Mr. INOUE, Mr. BUMPERS, Mr. LAUTENBERG, and Ms. MIKULSKI, to be the conferees on the part of the Senate.

## PROVIDING FOR CONSIDERATION OF H.R. 1127, NATIONAL MONUMENT FAIRNESS ACT

Mr. HALL of Ohio. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this is a modified closed rule. It will allow for consideration of H.R. 1127, which is a bill that amends the 1906 Antiquities Act to limit the ability of the President to establish national monuments. As the gentleman from New York [Mr. SOLOMON] described, this rule provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Resources.

Under this rule, five amendments printed in the committee report are allowed, each debatable for 10 minutes. No other amendments may be offered.

First of all, I do want to thank the members of the Committee on Rules and the gentleman from New York for making in order most of the amendments that were submitted, including four Democratic amendments.

Unfortunately, Members were notified on Thursday, September 25, that they had until Monday noon to submit amendments. That is only 2 working days. This modified closed rule only permits amendments that were submitted in advance, and these will be debated under severe time restraints. Thus, the House is denied the opportunity for full and fair debate normally permitted under an open rule.

On rare occasions, these restrictions are acceptable for matters of the highest priority or when urgent House action is required. However, this bill fits neither requirement. The bill was reported more than 2 months ago, and the House could have taken it up at any time.

Madam Speaker, this bill is not only low priority, it is entirely unnecessary in my opinion. This measure eliminates the President's ability to create new national monuments under 50,000 acres without specific congressional approval. However, Congress already has the power to add to, change, or reverse the designation of national monuments.

The bill would tie the President's hands in dealing with threats to our Nation's natural, historic, and scientific resources. If we pass the bill, the President will certainly veto it.

Madam Speaker, I reserve the balance of my time.

Mr. SOLOMON. Madam Speaker, I continue to reserve the balance of my time.

Mr. HALL of Ohio. Madam Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. VENTO].

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

Mr. VENTO. Madam Speaker, I rise in opposition to this rule. The fact is that this bill is being considered under severe time restraints and severe limits in terms of the amendments that are written in the rule.

While I appreciate the fact that the Committee on Rules did respond to my request to offer the amendment that I resubmitted, with the modifications to it, but the fact is that the nature of the time allotments on this, and the limitations on this are simply not justified.

□ 1215

Mr. SOLOMON. Madam Speaker, will the gentleman yield?

Mr. VENTO. I yield to the gentleman from New York.

Mr. SOLOMON. Madam Speaker, let the gentleman understand that we made in order all amendments that were filed, including the gentleman's, and even gave him the opportunity to modify.

Because of the windows of opportunity, we have put a time limit of 10 minutes on each amendment. However, if the gentleman desires more time, I am sure that the gentleman from California [Mr. MILLER] or the gentleman from Utah [Mr. HANSEN] would be willing to grant more time. This was sort of the understanding that we had.

Mr. VENTO. Madam Speaker, I thank the chairman and, of course, I acknowledge exactly what he had repeated as I yielded to him. The concern is and the reason is that there is no urgency in terms of this matter, the issue of this matter has been before the Congress, an introduced measure since the beginning of this Congress. It has been over 3 months actually since this bill, the so called Monument Fairness Act, was acted on by the House Committee on Resources. The effort at this late date and at this time, in fact, to try and squeeze in this bill, as it were, this week or next week simply does not do justice to the nature of the issue that is before us.

I say that because this 1906 act, this antiquities law that is proposed to be substantially cut and modified by this proposal, is one of the foundations of modern conservation law in terms of what has happened in this century as our Nation and our people and values came to realize the importance of conserving the great landscapes that make up our Nation which are the legacy of future generations of Americans.

It is hardly the time in the 20th century, when we have come to a realization where the United States has led the world, really, in terms of conservation and preservation of these special landscapes, that we would propose at

this date to move into the 21st century without extending and maintaining this essential power for the President.

While it is true that in the past 90 years we have developed the national parks, we have developed fish and wildlife areas and important landmark laws like the 1964 wilderness law, Madam Speaker, while it is true that we have developed these new laws that addressed the preservation of landscapes and provide Congress and, in a more limited way, the States and the administration an opportunity to act, in fact, deal with the risks and the problems that face these essential landscapes, the fact is that this fundamental power of the 1906 act is a very pervasive one and a very important one in terms of being the foundation of our efforts to, meet the objectives and goals of the American people in preserving these important natural, cultural, and scientific areas.

As a matter of fact, this is the legislation that is the essence of having developed important crown jewels that we hold up now as proudly as the accomplishments of this century as areas of landscape preservation, like the Grand Canyon, like Denali in Alaska, like Glacier Bay in southeast Alaska, and many, many other areas that are equally important and recognized by all America as our special places and valued.

To bring this bill up and to consider it with these abbreviated sorts of amendments and to try to jam it to conclusion in this session and in this manner is inappropriate and, I think, does not reflect well on the deliberative process that I would think would accompany a significant change in natural resource policy that is important to this House and our Nation.

Stripping away the President's power, the power that 13 Presidents have exercised in 105 different instances in creating and designating and declaring these national monuments, is a very important landscape and environmental law that we should not take away, initiated, by, of course, the pioneer of the modern conservation movement, Theodore Roosevelt, in 1906 and used through most of the Presidents, including President Clinton.

If we disagree with the actions of a President, whatever President it is, this Congress has the opportunity to act and historically has acted, effectively in terms of addressing this issue, but not to upset the very power that the Presidents have, in an emergency to act to protect our landscapes and resources for future generations of Americans.

Mr. SOLOMON. Mr. Speaker, I yield to the gentleman from Utah [Mr. HANSEN], 7 minutes.

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

Mr. HANSEN. Mr. Speaker, I appreciate the gentleman from New York yielding the time to me on this important piece of legislation.

Everyone has alluded to the idea of what Theodore Roosevelt was able to do. One of our great Presidents, no question about it, was the man who took care of conservation, started the ball rolling. What did he have to work with back at the turn of the century? Was there any legislation there that would allow him to go out and see these beautiful parks of America, let us take care of it? There was nothing there. So the 1906 antiquities law came along.

What does it do? Does it offer any protection to anything? Absolutely not. Nothing. So the President did not have the 1915 park bill. If he had, he would have used it, and later it was used. He did not have the 1969 NEPA bill. He did not have the 1964 wilderness bill. He did not have the 1976 FLPMA bill, Wild and Scenic River, Horse and Burro Act, did not have any of those things. What he did have? He had the 1906 law that has far outlived its usefulness.

What does that law say? The law says that the President of the United States sees an area, this should be protected for archeological reasons or historic reasons, and every President but one always stated the reason. Rainbow Bridge is a reason; two trains came together where it was. Whatever it may be. This President forgot to state the reason in this one. What does the next sentence in the law say? It is very clear. It says that he shall use the smallest amount of acreage to protect that archeological or historical thing.

Now we have a very interesting thing that occurred. On September 18, 1996, safely in Arizona, the President of the United States stood up and he declared 1.7 million acres as a national monument. Did this President say, here is this archeological thing I have tried to protect? Wait a minute, here is this historic thing I want to protect? He did not say a word about it. In fact, he had never even been there, different than Teddy Roosevelt who had been to all those areas. President Roosevelt had seen those areas, had walked on them, hunted on them, knew about them. He was an expert on it.

Does this President even know where it was? He did not even know where the thing was. Why did he do it? What is the historical nature? Did anyone say anything about this? Did I hear that from this side or this side? What was the archeological reason? Can anybody give it to me? And what is the smallest amount, as the law says? Should we now cut the President off and say, Mr. President, you cannot do this anymore; we have other laws?

No. There may be a hairy mammoth up there in northern Minnesota that we will find, and I would assure my good friend from Minnesota, who would want a national park there or national monument, the President could go up, under this law, and he could take 50,000 acres and no one says a thing about it. Come on, think about it.

Do any of you guys in here know anything about surveying? I do not know

very much. Let me say this: How big is 50,000 acres? The size of Washington, D.C., is 50,000 acres.

He can do that anywhere in any one of your States. He can go in and plunk it down right in the middle of Ithaca, NY, or wherever he wants to. You have 50,000; we do not say a thing about it. All we are saying is, this law has outused its purpose. Now let us just bring it to 50,000.

What does this bill say? It says, in the event the President of the United States wants more than 50,000 acres, he had better talk to the Governor. Does he have to listen to the Governor? No. But we are saying for 30 days he has to talk to the Governor of the State and then he has to come to Congress. And, incidentally, we all admit that Congress is given the right to take care of the public lands of America; the Constitution gives them that. And then he can come to Congress, and Congress can say, all right, Mr. President, we will give you more or less.

If he goes over, this bill says, for 2 years it sits there, and then it sunsets, unless Congress moves on it.

I would just say to my friends, please do not get conned into the idea of saying there is protection here. Does the antiquities bill stop coal mining in an area? No. You can still mine coal in a national monument. Does it stop mineral development? No. Conoco is drilling exploratory in the Grand Escalante Staircase as we speak. Does it prevent grazing? No. Grazing will continue. On the contrary, the national monuments are there to be seen.

This flies in the face of what the environmental community thought they had. They shot themselves in the foot on this one. They thought they got protection. What did they get? They got hundreds of people standing there. I was down there not too long ago. I was in the Government vehicle; State people were with me, all these folks standing around. They said: Hey, you folks are government. Tell us what is the national historic thing that I came to see in the monument, and where is the monument? We said: Folks, you are standing in it. I hope you enjoy it.

Next question: What is there to see? We do not know. So they are going there, all these people now. It is great for Escalante. It is great for Cannonville. It is great for Tropic. It is great for those little communities where they did not have a tax base. Now they have people coming in by the hundreds, and they are building motels, and they are building gas stations. And now all we can see out there is a panorama of people trying to find something to see like they do Rainbow Bridge, like they do the Golden Spike, like they do the other monuments. But there is nothing to see.

So why did we do it? Well, we have been asking the White House: Why did you do this anyway? Strangely enough, we are now even subpoenaing the records. They actually said I could look at them, and I did. There was not

one thing in there about protecting it. And, in fact, the chairman of the President's Environmental Protection Council said this: This ground is not worthy of protection. That is in black and white.

So then you ask yourself, what about the time it happened? Do you know what they said? They said: Who do we want to stand with us safely on the south rim of the Grand Canyon? Do we want the mainstream Utah folks? That was not stated. What was stated: Do we want the enviro crowd to accept it wildly?

Let us be honest, whether it is a Republican or a Democrat, this was done for political purpose only. That is it. It had nothing to do with anything as far as protecting an area. My dad ran uranium mines down there. I can tell you, I agree with Kathleen McGinney, it does not deserve protection.

Mr. VENTO. Madam Speaker, will the gentleman yield?

Mr. HANSEN. I yield to the gentleman from Minnesota.

Mr. VENTO. Will the gentleman have a bill to repeal the declaration of the President with regard to the Escalante Grand Staircase national monument?

Mr. HANSEN. Madam Speaker, let me say this to the gentleman. If we had any sense and the President had time enough to talk to us, we would have said the Grand Staircase Escalante should be 50-mile mountain, and it should be Paria-Hackberry. I would agree, it is almost national park status. There is one little tiny part of it. They did not talk to us. In fact, no one from the delegation was even alerted, which I find a little offensive.

Mr. HALL of Ohio. Madam Speaker, I yield 5 minutes to the gentleman from New York [Mr. HINCHEY].

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

Mr. HINCHEY. Madam Speaker, life is certainly full of inconsistencies, and nowhere is that more evident than on the floor of the House of Representatives today. We have before us something called the rule on the National Monument Fairness Act of 1997.

□ 1230

Of course this act has nothing to do with fairness whatsoever. It has to do entirely and completely with trying to, in some misguided way, strike back at the administration for declaring a national monument in the Grand Staircase in Escalante in southern Utah, an act which, as a matter of fact, has been hailed by people all across the country, including many in Utah and many public officials in Utah.

Why we are doing this is certainly beyond me, but inconsistent it certainly is. In introducing the rule on this act, the chairman of the Committee on Rules inveighed against the closed nature in which the President engaged in establishing this national monument while, in fact, that was not a closed process at all. It was a very

open process and heralded in many places all across the country. What is closed, in fact, is this modified closed rule in which we are seeking to address this very important issue.

Another inconsistency. Just recently, in a budget bill, we passed legislation which appropriated \$5 million for the purchase of the Reagan ranch in California. Now, that may be a very good idea. I do not know. And I am sure most people do not know because there were no hearings. There was no open process. No one knew anything about it. The people in the surrounding area, I understand, are very upset about the fact that this ranch has now been purchased, or is about to be purchased, for \$5 million. Talk about a closed process, this majority here seems to have the patent on closed processes.

Let us talk for a moment about one of the specific amendments here, the amendment that is being introduced by my good friend from Utah which would set up a process whereby before any national monuments can be designated, 30 days notice has to be given to the State. That may not be a bad idea, but then it goes further and it says that after 2 years, after the monument has been designated for 2 years, the Congress is going to have to take some affirmative action.

What that means is, in effect, that the National Monuments Act will be made null and void, because virtually any Member of the Congress would be able to hold it up.

Now, my dear friend from Utah was talking a few moments ago about how a national monument can be installed anywhere in the country by whim of the President. Not so, my colleagues. That is not the case at all. First of all, national monuments can be declared only on public land, and the Grand Staircase Escalante National Monument involves public land in the State of Utah, and that is what this is about.

This is about designating land that is owned by all of the people of this country, public lands owned by all of the people of this country to be a national monument.

Now, we were told also that there are no specifics in this proclamation. Quite the contrary, Madam Speaker. The proclamation that the President used in declaring the Grand Staircase Escalante National Monument is replete with specifics. Let me mention just a few.

The monument holds many arches and natural bridges, including the 130-foot high Escalante Natural Bridge, with a 100-foot span, and Grosvenor Arch, a rare double arch. The upper Escalante canyons in the northeastern reaches of the monument are distinctive: In addition to several major arches and the natural bridges, vivid geological features are laid bare in narrow serpentine canyons. It goes on and on. There are innumerable specifics in this proclamation that set forth precisely why this area was designated a national monument.

So what we have before us today is not an act that seeks fairness, it is an act that seeks some perverse kind of revenge for having done something that some people may not approve of, although is approved of by the overwhelming majority of the American people and by notable public officials in the State of Utah, including the Governor of the State of Utah.

This was, in fact, the right thing to do. The President has used this act in precisely the way it was intended to be used, precisely the way 13 other Presidents have used it in the past. And if this act were in effect when other national monuments were intended to be enacted, they never would have taken place. The people of this country would have been deprived of some of the most important aspects of our natural heritage.

This rule is a bad rule, Madam Speaker, and the amendments that it makes germane are bad also and they ought to both be defeated.

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

I am shocked, literally shocked, at my colleague from New York, whose district borders mine, complaining about this rule. The rule is totally open to every Member of this Congress to offer amendments. We made in order every single request that we had, with the exception of the gentleman's colleague, who now has turned his amendment into a germane amendment and we are about to move to make that amendment in order as well.

I really hesitate to be critical of my colleague, but he ought to know that what he said is not true about the rule. The rule is fair and open and it is supported by everyone in the Chamber.

Mr. HINCHEY. Madam Speaker, will the gentleman yield?

Mr. SOLOMON. I will not yield to the gentleman from New York, because the gentleman would not yield to another colleague.

Well, I will yield to the gentleman to show how fair we are.

Mr. HINCHEY. Madam Speaker, I would point out to my friend that only 2 days time was given to file amendments and there is only 10 minutes allowed for debate on each of the amendments that have been allowed. So in my colleague's own language, and appropriately so, this rule has been described as a modified closed rule, and closed it certainly is.

Mr. SOLOMON. Madam Speaker, reclaiming my time, if the gentleman had requested an amendment, it would have been made in order.

Madam Speaker, I yield 2½ minutes to the gentleman from Alaska [Mr. YOUNG], chairman of the Committee on Resources. He is really one of the most respected Members of this body because he always tells it like it is.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Madam Speaker, I have been listening to this

thing with great interest. If my colleagues read the bill, it is a very simple and very good bill.

It limits the President's ability. Up to or below 50,000 acres, he can do anything he wants to do. If we read the Antiquities Act, it was never meant to be used as Jimmy Carter used it when they set aside 87 million acres in my State as a national monument. It was never meant to set Escalante aside. That was never the intent of the Antiquities Act. It was to save the Statue of Liberty or some historical house or something that was being threatened by, in fact, outside encroachment.

The most interesting thing I hear today is this body, especially that side, is willing to let the President run this country by himself when the Constitution says we have the authority, and only the Congress of the United States, to set aside and designate lands. I am not about to elect a king. He may think he is a king, but I say he is just a President and he has to answer to this Congress.

This gentleman from Utah puts it very clearly, that we now say, all right, sir, Mr. President, if there is a Statue of Liberty or a Washington Monument or Mount Vernon being threatened, he can declare that a national monument if they are not already. But if there is anything larger than 50,000 acres, which is bigger than the gentleman's district, then he has to come back to the Congress. And what is wrong with letting the Congress do the job instead of just letting the President do the job?

But more than Escalante, I want to tell my colleagues a little thing about Escalante. No one was consulted in the State of Utah. The Governor was not; our colleague was not. In fact, he was washed down the drain by this President on behalf of the environmental community. Washed out of this Congress. He was defeated because this President did not have the decency to communicate with those elected close by.

And by the way, it is not a monument. It is actually an area that is basically of little value other than the coal. It is ironic to me this large massive amount of coal is now off limits.

The second thing is there is private land involved here, 200,000 acres of land owned by the State of Utah, that is surrounded by, now, this monument. There are private land holdings within the monument that are no longer of any value. It is a taking without compensation.

We are trying to solve a problem that this President has abused; that Jimmy Carter abused. It is a bill that should be passed, and I would suggest, respectfully, let us go with the amendments that have been offered by the gentleman from Utah; let us pass this legislation; let us put, I suggest, Congress back in the role of selecting the lands that should be a monument.

Mr. HALL of Ohio. Madam Speaker, I yield 6 minutes to the gentleman from

California [Mr. MILLER], the ranking minority member of the committee.

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Madam Speaker, I rise in strong opposition to this rule.

It is unfortunate that we are being rushed both in this rule and I guess in consideration of the underlying legislation. This is a bill that was reported out of our committee in June, and now we find, just before the House is in a rush to leave for the religious holidays, that we have this bill jammed to us on the floor and time limitations placed upon the amendment.

This is an important bill. Understand that. This is not a minor bill, this is an important bill, and it should be open to full and fair debate because this bill stands the Antiquities Act on its head.

Now, those who are supporting this legislation would have us think that somehow the President was wandering around the country willy-nilly declaring areas to be national monuments and to preserve Federal lands. That is not the case at all.

They would have us believe there has been no consultation, no discussion, no awareness of this. The fact of the matter is there has been years of consultation, years of discussion within the Utah delegation, within our committee, within the Congress, within the Senate, within the House, among the Governors, among the administration; and the fact of the matter is that nobody could arrive at a conclusion about the protection of these lands.

The people of Utah have expressed over and over again that they want an expansive Utah wilderness bill to protect these lands and other lands in that State. The President took these lands to protect them.

Why did he protect them? Because when we go out to Utah and we travel the lands, we will see an interesting phenomenon: people driving tractors across the land, people punching roads into the land because they think that that somehow will disqualify them from being nominated as a wilderness area. And it is going on on a weekly and daily basis out there, so somebody had to take action.

Now, under the existing law, the President took action, as he properly did and rightfully did, to protect the lands in this State that belong to the people of the United States, all of the people of the United States. But the Senators from Utah and elsewhere have filibustered, they have blocked amendments. They would not let this happen. The President took the action to protect the lands.

Now, the gentleman from Utah, the Senators from Utah or anybody else who wants, can come here and introduce legislation to modify the Escalante area. The gentleman says some of it is worthy of a national park and the rest is not much. Bring that bill to the floor. Let us have that debate.

Many people think that the wilderness area should be much larger than that. There are many other areas that should be protected. The gentleman has his own bill. Other people have brought bills in the past to modify actions of the President. Some 40 times we have modified those actions.

But rather than deal with that, rather than deal with this on the merits, is it too large, too small, is it the right area, the wrong area, is it a valuable area or an invaluable area, they would rather gut the Antiquities Act. They would rather put it back into the hands of the Senators who have filibustered the protection of these lands in the first place. That is what they want to do.

That stands one of the crown jewels of environmental protection on its head. It guts the Antiquities Act. When it is all said and done we put it right back into the hands of the great "hall of whims" down at the other end of the aisle here where they cannot resolve anything.

We have asked year after year after year for a Utah wilderness bill. They cannot resolve it. So we are not going to let people lay waste to these lands because the politicians cannot make up their minds to do what the people in the State want them to do. That is what this debate is about.

This bill is a bad bill, the amendments will not cure it, and we ought to defeat the rule and we ought to defeat the bill.

Mr. VENTO. Madam Speaker, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Minnesota.

Mr. VENTO. Madam Speaker, I thank the gentleman for yielding to me. I certainly concur with much of his statement.

The fact that President Carter, the fact that President Clinton used this action was precisely because there were imminent actions. And my colleague from Alaska, our chairman, surely knows that the protection of the D-2 lands, had it been extended, expired because Congress failed to act. The only tool he had available that would really work was this 1906 act.

Today we would not have the protection of many of these key areas in Alaska but for the fact that the President had this backup power. It is important to have the '64 Wilderness Act, the 1916 Park Act, and many others, but the fact is the President needs that so that he can protect the public interest, the national interest, in terms of these lands, whether they be in Alaska or Utah.

The gentleman disagrees, and I respect the fact that we have disagreement with regards to this, but the President acted in this instance because there were mineral leases that were going to go on.

Talking about consultation, there are major flaws in terms of these bills.

□ 1245

Mr. VENTO. The fact is that when there is an instance where there is a

conservation action that may take place with regard to wilderness designation or park designation, we have a group of individuals in this country that will go on seeking mineral leasing, seeking permits, simply with the effort to in fact frustrate, and at great expense to the taxpayer. We have to go back at that particular point if we want to achieve the conservation, the preservation of that land, and pay for what the taxpayer already owns, that is, the Federal Government already has. We have to go back and pay, basically, in essence being blackmailed in these instances in order to conserve these lands. That is wrong.

Mr. MILLER of California. The gentleman from Minnesota [Mr. VENTO] is right. My colleague wants to keep alluding to Katie McGinty's memo. But the fact of the matter is, with advanced notice, the Senate would have tried to stop this, would have tried to put this into an appropriations bill, and left these lands unprotected.

That was the fact that was on the ground and evident to everyone in this Nation before the President had the courage to act and protect these lands.

Mr. SOLOMON. Madam Speaker, I intend to close for our side, if the gentleman from Ohio [Mr. HALL] would like to yield back the balance of his time.

Mr. HALL of Ohio. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I have no more speakers. I would just say that the chairman has referred to this as being an open rule. It is really a modified closed rule.

I just want to correct that particular statement and say that the bill is a high priority from the standpoint if you are an environmentalist and really care about these lands. On the other hand, the bill can wait and it is not necessary that we continue to stay here and debate this piece of legislation.

I would just say that I would hope that people would consider this rule and vote according to what the gentleman from California [Mr. MILLER] and what the gentleman from Minnesota [Mr. VENTO] and what the gentleman from New York [Mr. HINCHEY] have said about this. I think they have made very, very good points about this legislation.

Madam Speaker, I yield back the balance of my time.

Mr. SOLOMON. Madam Speaker, I yield 2 minutes to the gentleman from Utah [Mr. COOK], a very distinguished new Member of this body.

Mr. COOK. Madam Speaker, I thank the gentleman from New York [Mr. SOLOMON] for yielding me the time in the closing arguments here.

Madam Speaker, I rise to speak in strong support of the rule on the underlying legislation, the National Monument Fairness Act. With all due respect to my friends and colleagues from New York, Minnesota, and Cali-

fornia, I just cannot see what the real problem is. Because, Madam Speaker, I think this act will only enhance the ability of a President to work with Governors and State lawmakers to preserve America's scenic wonders, something I feel very strongly about, something that ought to be done.

The Antiquities Act can be a wonderful tool for enshrining significant natural, archaeological and historical sites. H.R. 1127 will still allow a President to declare national monuments, up to 50,000 acres, in the same way that he declared the Escalante Grand Staircase.

But when he is going to designate a monument that size, 1.7 million, in fact, anything over 50,000, he is going to have to consult with State legislatures and Governors. Because if he does not, there will be sunset provisions or some other way to make sure appropriate notification, not denial, of the opportunity to use the Antiquities Act is done.

History shows us that this bill will not affect very many of the vast number of prospective sites. The vast majority of all previously declared areas are much, much smaller than 50,000 acres. But common sense and fair play dictate the large piece of land in a State that is to be set aside as a national monument, the Governor and the States' legislatures ought to be consulted. Failure to do so absolutely flies in the face of representative government and democracy itself.

That kind of offense is really unnecessary. This would totally be prevented by the simple notifications required.

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

Madam Speaker, I sum up very briefly, not using all of our time that we have. I just want to quote one more time, if I might, because it is really what this bill is all about that the rule makes in order; and that is the statement by Katie McGinty, the chair of the President's Council on Environmental Quality, when she wrote, "I will say again, any public release of information would probably foreclose the President's option to proceed," that is, hiding it from the American people.

Interior Department Solicitor John Lishy said something similar when he said, "I can't emphasize confidentiality too much. If word leaks out, it probably won't happen."

That is what this legislation is all about. The American people are always entitled to know what their Government is doing.

Now, the rule is a fair rule, whether it is modified closed, modified open. It is a rule that made in order every single request by every single Member for any germane amendment, including the gentleman from New York [Mr. BOEHLERT], the noted environmentalist, over here, who I will offer an amendment in a minute to this rule, making in order his amendment, which is now germane to the issue. And that is out of fairness.

We have then taken care of anyone and everyone who wanted to offer amendments to this, including the gentleman from New York [Mr. HINCHEY]. Had he wanted an amendment, it would have been made in order.

AMENDMENT OFFERED BY MR. SOLOMON

Mr. SOLOMON. Madam Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SOLOMON:  
At the end of the resolution add the following new sections:

"Sec. 2. Notwithstanding any other provision of this resolution, it shall be in order to consider the amendment specified in section 3 of this resolution as though it were amendment numbered 6 in House Report 105-283. That amendment may be offered only by Representative Hansen of Utah or his designee and shall be debatable for 10 minutes.

"Sec. 3. The amendment described in section 2 is as follows:

Strike all after the enacting clause and insert:

**SECTION 1. SHORT TITLE**

This Act may be cited as the "National Monument Fairness Act of 1997".

**SEC. 2. CONGRESSIONAL REVIEW OF NATIONAL MONUMENT STATUS AND CONSULTATION.**

Section 2 of the Act of June 8, 1906, commonly referred to as the "Antiquities Act" (34 Stat. 225; 16 U.S.C. 431) is amended by adding the following at the end thereof: "A proclamation of the President under this section that results in the designation of a total acreage in excess of 50,000 acres in a single State in a single calendar year as a national monument may not be issued until 30 days after the President has transmitted the proposed proclamation to the Governor of the State in which such acreage is located and solicited such Governor's written comments, and any such proclamation shall cease to be effective on the date 2 years after issuance unless the Congress has approved such proclamation by joint resolution."

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

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

There was no objection.

Mr. SOLOMON. Madam Speaker, I yield back the balance of my time, and I move the previous question on the amendment and on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The resolution, as amended, was agreed to.

A motion to reconsider was laid upon the table.

**REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1173**

Mr. MCCRERY. Madam Speaker, I request unanimous consent that my name be removed as a cosponsor of H.R. 1173.

The SPEAKER pro tempore (Mrs. EMERSON). Is there objection to the re-

quest of the gentleman from Louisiana?

There was no objection.

**INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT EXTENSION**

Mr. SHUSTER. Madam Speaker, I ask unanimous consent that the House immediately consider the bill (H.R. 2516) to extend the Intermodal Surface Transportation Efficiency Act of 1991 through March 31, 1998; that the amendment now at the desk be considered as adopted; and that the bill, as amended, be considered as passed.

The Clerk read the title of the bill.

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

There was no objection.

The text of H.R. 2516 is as follows:

H.R. 2516

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. STATEMENT OF PURPOSE.**

This Act makes funds available for the Federal-aid highway, highway safety, motor carrier safety, and mass transportation programs for the first 6 months of fiscal year 1998 by extending the Intermodal Surface Transportation Efficiency Act of 1991 to ensure the continuation of such programs while a multiyear reauthorization is developed. This extension is structured to allow programmatic, apportionment formula, and funding adjustments for the second 6 months of fiscal year 1998 through enactment of a multiyear program.

**SEC. 2. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAM FUNDING.**

(a) IN GENERAL.—Section 1003 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1918-1922) is amended by adding at the end the following:

"(d) FEDERAL-AID HIGHWAYS FOR THE PERIOD OCTOBER 1, 1997, THROUGH MARCH 31, 1998.—

"(1) IN GENERAL.—For Federal-aid highways and highway safety construction programs, \$11,942,375,000 are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) during the period October 1, 1997, through March 31, 1998, and shall be distributed in accordance with this subsection.

"(2) CERTAIN DISCRETIONARY PROGRAMS.—Of the amounts made available by paragraph (1), the Secretary shall deduct \$32,500,000 to carry out section 118(c)(2) of title 23, United States Code, for the period October 1, 1997, through March 31, 1998, and shall deduct \$30,250,000 to carry out the discretionary program under paragraphs (1) and (2) of section 144(g) of such title during such period.

"(3) STATE ALLOCATION PERCENTAGES.—From amounts remaining after making the deductions under paragraph (2) and application of paragraphs (4) and (5), the Secretary shall determine the amount to be apportioned among the States in accordance with the following table:

<i>"State:</i>	<i>Percentage:</i>
Alabama .....	2.0026
Alaska .....	1.0499
Arizona .....	1.4627
Arkansas .....	1.5268
California .....	8.9046
Colorado .....	1.0443
Connecticut .....	1.9229
Delaware .....	0.4057
District of Columbia .....	0.4436
Florida .....	4.4867
Georgia .....	3.2899

<i>"State:</i>	<i>Percentage:</i>
Hawaii .....	0.6435
Idaho .....	0.6314
Illinois .....	3.6779
Indiana .....	2.4581
Iowa .....	1.1364
Kansas .....	1.1383
Kentucky .....	1.6617
Louisiana .....	1.4831
Maine .....	0.6458
Maryland .....	1.4512
Massachusetts .....	3.5632
Michigan .....	3.0432
Minnesota .....	1.4547
Mississippi .....	1.1286
Missouri .....	2.2677
Montana .....	0.7857
Nebraska .....	0.7501
Nevada .....	0.6218
New Hampshire .....	0.4764
New Jersey .....	2.6851
New Mexico .....	0.8767
New York .....	5.7882
North Carolina .....	2.7408
North Dakota .....	0.5972
Ohio .....	3.4702
Oklahoma .....	1.5021
Oregon .....	1.1378
Pennsylvania .....	4.5007
Rhode Island .....	0.4708
South Carolina .....	1.6019
South Dakota .....	0.5990
Tennessee .....	2.0954
Texas .....	6.9197
Utah .....	0.6672
Vermont .....	0.4287
Virginia .....	2.4440
Washington .....	1.7603
West Virginia .....	1.1088
Wisconsin .....	2.0159
Wyoming .....	0.5999
Puerto Rico .....	0.4312.

"(4) STATE PROGRAMMATIC DISTRIBUTION.—

"(A) IN GENERAL.—Of the funds to be apportioned to each State under paragraph (3), the Secretary shall ensure that the State is apportioned an amount of such funds, determined under subparagraph (B), for the Interstate maintenance program, the National Highway System, the bridge program, the surface transportation program, the congestion mitigation and air quality program, minimum allocation under section 157 of title 23, United States Code, Interstate reimbursement under section 160 of such title, the donor State bonus under section 1013(c) of the Intermodal Surface Transportation Efficiency Act of 1991, hold harmless under section 1015(a) of such Act, 90 percent of payments adjustments under section 1015(b) of such Act, metropolitan planning under section 134 of such title, section 1015(c) and sections 1103 through 1108 of such Act, and funding restoration under section 202 of the National Highway System Designation Act of 1995.

"(B) FORMULA.—The amount which each State is to be apportioned under this subsection for each item referred to in subparagraph (A) shall be in the same ratio that each State was apportioned funds for such item or allocated funds under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 to the total of all such funds apportioned and allocated to such State for such items for fiscal year 1997.

"(C) MINIMUM ALLOCATION.—Not more than \$319,500,000 of the funds apportioned to States by this subsection for minimum allocation shall not be subject to any obligation limitation.

"(D) SPECIAL RULE.—Amounts apportioned to a State by this subsection for carrying out sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 shall be available to such State for projects eligible for assistance under chapter 1 of title 23, United States Code.

“(E) ADMINISTRATION.—Funds apportioned, and funds allocated, under this subsection shall be administered as if they had been apportioned or allocated, as the case may be, under title 23, United States Code.

“(5) GENERAL OPERATING EXPENSES AND OTHER DEDUCTIONS.—

“(A) GENERAL OPERATING EXPENSES.—After making the determinations and before apportioning funds under paragraphs (3) and (4), the Secretary shall deduct the amount that would be required to be deducted under section 104(a) of title 23, United States Code, from the aggregate of amounts to be apportioned to all States for programs to which the deduction under such section would apply if such section applied to such apportionment.

“(B) TERRITORIAL HIGHWAYS.—After making the determinations and before apportioning funds under paragraphs (3) and (4), the Secretary shall deduct the amount required to be deducted pursuant to section 104(b)(1) of title 23, United States Code, for the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands from the aggregate amounts to be apportioned to all States for the National Highway System under this subsection.

“(6) NATIONAL RECREATIONAL TRAILS PROGRAM.—Section 104(h) of title 23, United States Code, is amended by inserting ‘and \$7,500,000 for the period October 1, 1997, through March 31, 1998’ after ‘1997’.

“(7) WOODROW WILSON BRIDGE.—Section 104(i)(1) of title 23, United States Code, is amended by inserting ‘and for the period October 1, 1997, through March 31, 1998’ after ‘1997’.

“(8) OFF-SYSTEM BRIDGES.—Section 144(g)(3) of title 23, United States Code, is amended by inserting ‘and in the period October 1, 1997, through March 31, 1998’ after ‘1997’.

(b) FEDERAL LANDS HIGHWAYS.—Section 1003(a)(6) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1919) is amended—

(1) in subparagraph (A) by inserting “and \$95,500,000 for the period October 1, 1997, through March 31, 1998” before the period;

(2) in subparagraph (B)—  
(A) by striking “and” following “1995.”; and

(B) by inserting “and \$86,000,000 for the period October 1, 1997, through March 31, 1998” before the period;

(3) in subparagraph (C)—  
(A) by striking “and” following “1995.”; and

(B) by inserting “, and \$42,000,000 for the period October 1, 1997, through March 31, 1998” before the period.

(c) CERTAIN ALLOCATED PROGRAMS.—

(1) HIGHWAY USE TAX EVASION.—Section 1040(f)(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1992-1993) is amended by inserting “and \$2,500,000 for the period October 1, 1997, through March 31, 1998” before the period at the end of the first sentence.

(2) SCENIC BYWAYS PROGRAM.—Section 1047(d) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1998) is amended—

(A) by striking “and” following “1994.”; and

(B) by inserting “, and \$7,000,000 for the period October 1, 1997, through March 31, 1998” before the period at the end of the first sentence.

(3) FERRY BOAT CONSTRUCTION.—Section 1064(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2005) is amended—

(A) by striking “and” following “1996.”; and

(B) by inserting “, and \$9,000,000 for the period October 1, 1997, through March 31, 1998” after “1997”.

(d) FISCAL YEAR 1998 OBLIGATION LIMITATION.—

(1) AMENDMENTS TO ISTEA.—Section 1002 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1916-1918) is amended—

(A) in subsection (a)—

(i) by striking “and” at the end of paragraph (5);

(ii) by striking the period at the end of paragraph (6) and inserting “; and”; and

(iii) by inserting after paragraph (6) the following:

“(7) \$21,500,000,000 for fiscal year 1998.”; and

(B) by adding at the end the following:

“(i) SPECIAL RULE FOR FISCAL YEAR 1998.—The Secretary shall distribute on October 1, 1997, 50 percent of the limitation on obligations for Federal-aid highways and highway safety construction programs imposed by the Department of Transportation and Related Agencies Appropriations Act, 1998, and 50 percent of such limitation on July 1, 1998.”.

(2) LIMITATION.—Nothing in this section (including the amendments made by this section) shall apply to any funds made available before October 1, 1997, for carrying out sections 125 and 157 of title 23, United States Code, and sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991.

### SEC. 3. EXTENSION OF HIGHWAY SAFETY PROGRAMS.

(a) NHSTA HIGHWAY SAFETY PROGRAMS.—Section 2005(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2079) is amended by inserting “and \$83,000,000 for the period October 1, 1997, through March 31, 1998” before the period at the end.

(b) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES.—Section 410 of title 23, United States Code, is amended—

(1) in subsection (c) by striking “5” and inserting “6”;

(2) in subsection (c)(3) by striking “and fifth” and inserting “fifth, and sixth”;

(3) in subsection (d)(2)(B) by striking “two” and inserting “3”; and

(4) in subsection (j) by inserting “and \$12,500,000 for the period October 1, 1997, through March 31, 1998” after “1997”.

(c) NATIONAL DRIVER REGISTER.—Section 30308(a) of title 49, United States Code, is amended—

(1) by striking “and” following “1994.”; and

(2) by inserting “, and \$1,855,000 for the period October 1, 1997, through March 31, 1998” after “1996”.

(d) OBLIGATION LIMITATION.—The total of all obligations for highway traffic safety grants under section 402 and 410 of title 23, United States Code, for fiscal year 1998 shall not exceed \$186,500,000.

### SEC. 4. FEDERAL TRANSIT PROGRAMS.

(a) EXTENSION.—Title III of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2087-2140) is amended by adding at the end the following:

“SEC. 3049. EXTENSION OF FEDERAL TRANSIT PROGRAMS FOR THE PERIOD OCTOBER 1, 1997, THROUGH MARCH 31, 1998.

“(a) ALLOCATING AMOUNTS.—Section 5309(m) of title 49, United States Code, is amended by inserting ‘and for the period October 1, 1997, through March 31, 1998’ after ‘1997’.

“(b) APPORTIONMENT OF APPROPRIATIONS FOR FIXED GUIDEWAY MODERNIZATION.—Section 5337(a) of title 49, United States Code, is amended by inserting ‘and for the period October 1, 1997, through March 31, 1998’ after ‘1997’.

“(c) AUTHORIZATIONS.—Section 5338 of title 49, United States Code, is amended—

“(1) by adding at the end of subsection (a)(1) the following:

“(F) \$1,284,792,000 for the period October 1, 1997, through March 31, 1998.”;

“(2) by adding at the end of subsection (a)(2) the following:

“(F) \$213,869,000 for the period October 1, 1997, through March 31, 1998.”;

“(3) by adding at the end of subsection (b)(1) the following:

“(F) \$1,162,708,000 for the period October 1, 1997, through March 31, 1998.”;

“(4) in subsection (c) by inserting ‘and not more than \$1,500,000 for the period October 1, 1997, through March 31, 1998’ after ‘1997.’;

“(5) in subsection (e) by inserting ‘and not more than \$3,000,000 is available from the Fund (except the Account) for the Secretary for the period October 1, 1997, through March 31, 1998’ after ‘1997.’;

“(6) in subsection (h)(3) by inserting ‘\$3,000,000 is available for section 5317 for the period October 1, 1997, through March 31, 1998’ after ‘1997.’;

“(7) in subsection (j)(5)—

“(A) by striking ‘and’ at the end of subparagraph (B);

“(B) by striking the period at the end of subparagraph (C) and inserting ‘; and’; and

“(C) by adding at the end the following:

“(D) the lesser of \$1,500,000 or an amount the Secretary determines is necessary is available for the period October 1, 1997, through March 31, 1998.”;

“(8) in subsection (k) by striking ‘or (e)’ and inserting ‘(e), or (m)’; and

“(9) by adding at the end the following:

“(m) SECTION 5316 FOR THE PERIOD OCTOBER 1, 1997, THROUGH MARCH 31, 1998.—Not more than the following amounts may be appropriated to the Secretary from the Fund (except the Account) for the period October 1, 1997, through March 31, 1998:

“(1) \$125,000 to carry out section 5316(a) of this title;

“(2) \$1,500,000 to carry out section 5316(b) of this title;

“(3) \$500,000 to carry out section 5316(c) of this title;

“(4) \$500,000 to carry out section 5316(d) of this title; and

“(5) \$500,000 to carry out section 5316(e) of this title.”.

(b) OBLIGATION LIMITATIONS.—

(1) DISCRETIONARY GRANTS AND LOANS.—The total of all obligations from the Mass Transit Account of the Highway Trust Fund for carrying out section 5309 of title 49, United States Code, relating to discretionary grants and loans, for fiscal year 1998 shall not exceed \$2,000,000,000.

(2) FORMULA TRANSIT PROGRAMS.—The total of all obligations for formula transit programs under sections 5307, 5310(a)(2), 5311, and 5336 of title 49, United States Code, for fiscal year 1998 shall not exceed \$2,210,000,000.

### SEC. 5. MOTOR CARRIER SAFETY PROGRAM.

(a) EXTENSION.—Section 4002 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2140-2144) is amended by adding at the end the following:

“(m) EXTENSION OF MOTOR CARRIER SAFETY ASSISTANCE PROGRAM FOR PERIOD OCTOBER 1, 1997, THROUGH MARCH 31, 1998.—Section 31104(a) of title 49, United States Code, is amended by adding at the end the following: “(6) not more than \$45,000,000 for the period October 1, 1997, through March 31, 1998.”.

(b) OBLIGATION LIMITATION.—The total of all obligations for carrying out the motor carrier safety program under section 31102 title 49, United States Code, for fiscal year 1998 shall not exceed \$85,325,000.

### SEC. 6. EXTENSION OF RESEARCH PROGRAMS.

(a) BUREAU OF TRANSPORTATION STATISTICS.—Section 6006 of the Intermodal Surface

Transportation Efficiency Act of 1991 (105 Stat. 2172-2174) is amended—

(1) by inserting "(a) IN GENERAL.—" before "Chapter I"; and

(2) in subsection (b)—

(A) by striking "and" following "1996";

(B) by inserting ", and \$12,500,000 for the period October 1, 1997, through March 31, 1998" after "1997".

(b) INTELLIGENT TRANSPORTATION SYSTEM.—Section 6058(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2194) is amended by inserting "and \$56,500,000 for the period October 1, 1997, through March 31, 1998" after "1997".

**SEC. 7. FINAL ASSEMBLY OF BUSES.**

In applying the requirements of section 5323(j) of title 49, United States Code, to buses purchased using funds made available by this Act, the Secretary shall require that the final assembly of such buses be conducted in the United States, including, at a minimum, the installation and interconnection of the engine, transmission, and axles, including the cooling and braking systems; the installation and interconnection of the heating and air conditioning equipment; the installation of pneumatic and electrical systems, door systems, passenger seats, passenger grab rails, destination signs, and wheelchair lifts; and road testing, final inspection repairs, and preparation of the vehicles for delivery.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. SHUSTER

The SPEAKER pro tempore. Without objection, the reading of the amendment will be dispensed.

There was no objection.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. SHUSTER:

Strike all after the enacting clause and insert the following:

**SECTION 1. STATEMENT OF PURPOSE.**

This Act makes funds available for the Federal-aid highway, highway safety, motor carrier safety, and mass transportation programs for the first 6 months of fiscal year 1998 by extending the Intermodal Surface Transportation Efficiency Act of 1991 to ensure the continuation of such programs while a multiyear reauthorization is developed. This extension is structured to allow programmatic, apportionment formula, and funding adjustments for the second 6 months of fiscal year 1998 through enactment of a multiyear program.

**SEC. 2. EXTENSION OF FEDERAL-AID HIGHWAY PROGRAM FUNDING.**

(a) IN GENERAL.—Section 1003 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1918-1922) is amended by adding at the end the following:

"(d) FEDERAL-AID HIGHWAYS FOR THE PERIOD OCTOBER 1, 1997, THROUGH MARCH 31, 1998.—

"(1) IN GENERAL.—For Federal-aid highways and highway safety construction programs, \$11,942,375,000 are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) during the period October 1, 1997, through March 31, 1998, and shall be distributed in accordance with this subsection.

"(2) CERTAIN DISCRETIONARY PROGRAMS.—Of the amounts made available by paragraph (1), the Secretary shall deduct \$32,500,000 to carry out section 118(c)(2) of title 23, United States Code, for the period October 1, 1997, through March 31, 1998, and shall deduct \$30,250,000 to carry out the discretionary program under paragraphs (1) and (2) of section 144(g) of such title during such period.

"(3) STATE ALLOCATION PERCENTAGES.—From amounts remaining after making the deductions under paragraph (2) and application of paragraphs (4) and (5), the Secretary

shall determine the amount to be apportioned among the States in accordance with the following table:

<i>"State:</i>	<i>Percentage:</i>
Alabama .....	2.0026
Alaska .....	1.0499
Arizona .....	1.4627
Arkansas .....	1.5268
California .....	8.9046
Colorado .....	1.0443
Connecticut .....	1.9229
Delaware .....	0.4057
District of Columbia .....	0.4436
Florida .....	4.4867
Georgia .....	3.2899
Hawaii .....	0.6435
Idaho .....	0.6314
Illinois .....	3.6779
Indiana .....	2.4581
Iowa .....	1.1364
Kansas .....	1.1383
Kentucky .....	1.6617
Louisiana .....	1.4831
Maine .....	0.6458
Maryland .....	1.4512
Massachusetts .....	3.5632
Michigan .....	3.0432
Minnesota .....	1.4547
Mississippi .....	1.1286
Missouri .....	2.2677
Montana .....	0.7857
Nebraska .....	0.7501
Nevada .....	0.6218
New Hampshire .....	0.4764
New Jersey .....	2.6851
New Mexico .....	0.8767
New York .....	5.7882
North Carolina .....	2.7408
North Dakota .....	0.5972
Ohio .....	3.4702
Oklahoma .....	1.5021
Oregon .....	1.1378
Pennsylvania .....	4.5007
Rhode Island .....	0.4708
South Carolina .....	1.6019
South Dakota .....	0.5990
Tennessee .....	2.0954
Texas .....	6.9197
Utah .....	0.6672
Vermont .....	0.4287
Virginia .....	2.4440
Washington .....	1.7603
West Virginia .....	1.1088
Wisconsin .....	2.0159
Wyoming .....	0.5999
Puerto Rico .....	0.4312.

"(4) STATE PROGRAMMATIC DISTRIBUTION.—

"(A) IN GENERAL.—Of the funds to be apportioned to each State under paragraph (3), the Secretary shall ensure that the State is apportioned an amount of such funds, determined under subparagraph (B), for the Interstate maintenance program, the National Highway System, the bridge program, the surface transportation program, the congestion mitigation and air quality improvement program, minimum allocation under section 157 of title 23, United States Code, Interstate reimbursement under section 160 of such title, the donor State bonus under section 1013(c) of the Intermodal Surface Transportation Efficiency Act of 1991, hold harmless under section 1015(a) of such Act, 90 percent of payments adjustments under section 1015(b) of such Act, metropolitan planning under section 134 of such title, section 1015(c) of such Act, an amount equal to the funds provided under sections 1103 through 1108 of such Act, and funding restoration under section 202 of the National Highway System Designation Act of 1995.

"(B) FORMULA.—The amount which each State is to be apportioned under this subsection for each item referred to in subparagraph (A) shall be in the same ratio that each State was apportioned funds for such item or allocated funds under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 to the total of all such funds apportioned, and allocated under such sections, to such State for such items for fiscal year 1997.

"(C) MINIMUM ALLOCATION.—Not more than \$319,500,000 of the funds apportioned to

States by this subsection for minimum allocation shall not be subject to any obligation limitation.

"(D) SPECIAL RULE.—Amounts apportioned to a State by this subsection attributable to sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 shall be available to such State for projects eligible for assistance under chapter 1 of title 23, United States Code.

"(E) ADMINISTRATION.—Funds authorized by this subsection shall be administered as if they had been apportioned, allocated, deducted, or set aside, as the case may be, under title 23, United States Code.

"(5) GENERAL OPERATING EXPENSES AND OTHER DEDUCTIONS.—

"(A) GENERAL OPERATING EXPENSES.—After making the determinations and before apportioning funds under paragraphs (3) and (4), the Secretary shall deduct the amount that would be required to be deducted under section 104(a) of title 23, United States Code, from the aggregate of amounts to be apportioned to all States for programs to which the deduction under such section would apply if such section applied to such apportionment.

"(B) TERRITORIAL HIGHWAYS.—After making the determinations and before apportioning funds under paragraphs (3) and (4), the Secretary shall deduct the amount required to be deducted pursuant to section 104(b)(1) of title 23, United States Code, for the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands from the aggregate amounts to be apportioned to all States for the National Highway System under this subsection.

"(6) NATIONAL RECREATIONAL TRAILS PROGRAM.—Section 104(h) of title 23, United States Code, is amended by inserting "and \$7,500,000 for the period October 1, 1997, through March 31, 1998" after "1997".

"(7) WOODROW WILSON BRIDGE.—Section 104(i)(1) of title 23, United States Code, is amended by inserting "and for the period October 1, 1997, through March 31, 1998" after "1997".

"(8) OFF-SYSTEM BRIDGES.—Section 144(g)(3) of title 23, United States Code, is amended by inserting "and in the period October 1, 1997, through March 31, 1998" after "1997".

(b) FEDERAL LANDS HIGHWAYS.—Section 1003(a)(6) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1919) is amended—

(1) in subparagraph (A) by inserting "and \$95,500,000 for the period October 1, 1997, through March 31, 1998" before the period;

(2) in subparagraph (B)—

(A) by striking "and" following "1995"; and

(B) by inserting "and \$86,000,000 for the period October 1, 1997, through March 31, 1998" before the period; and

(3) in subparagraph (C)—

(A) by striking "and" following "1995"; and

(B) by inserting ", and \$42,000,000 for the period October 1, 1997, through March 31, 1998" before the period.

(c) CERTAIN ALLOCATED PROGRAMS.—

(1) HIGHWAY USE TAX EVASION.—Section 1040(f)(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1992-1993) is amended by inserting "and \$2,500,000 for the period October 1, 1997, through March 31, 1998" before the period at the end of the first sentence.

(2) SCENIC BYWAYS PROGRAM.—Section 1047(d) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1998) is amended—

(A) by striking "and" following "1994,"; and

(B) by inserting ", and \$7,000,000 for the period October 1, 1997, through March 31, 1998" before the period at the end of the first sentence.

(3) FERRY BOAT CONSTRUCTION.—Section 1064(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2005) is amended—

(A) by striking "and" following "1996,"; and

(B) by inserting ", and \$9,000,000 for the period October 1, 1997, through March 31, 1998" after "1997".

(d) FISCAL YEAR 1998 OBLIGATION LIMITATION.—

(1) AMENDMENTS TO ISTEAL.—Section 1002 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1916-1918) is amended—

(A) in subsection (a)—

(i) by striking "and" at the end of paragraph (5);

(ii) by striking the period at the end of paragraph (6) and inserting "; and"; and

(iii) by inserting after paragraph (6) the following:

"(7) \$21,500,000,000 for fiscal year 1998."; and

(B) by adding at the end the following:

"(i) SPECIAL RULE FOR FISCAL YEAR 1998.—

The Secretary shall distribute on October 1, 1997, 50 percent of the limitation on obligations for Federal-aid highways and highway safety construction programs imposed by the Department of Transportation and Related Agencies Appropriations Act, 1998, and 50 percent of such limitation on July 1, 1998."

(2) LIMITATION.—Nothing in this section (including the amendments made by this section) shall apply to any funds made available before October 1, 1997, for carrying out sections 125 and 157 of title 23, United States Code, and sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991.

### SEC. 3. EXTENSION OF HIGHWAY SAFETY PROGRAMS.

(a) NHTSA HIGHWAY SAFETY PROGRAMS.—Section 2005(l) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2079) is amended by inserting "and \$83,000,000 for the period October 1, 1997, through March 31, 1998" before the period at the end.

(b) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES.—Section 410 of title 23, United States Code, is amended—

(1) in subsection (c) by striking "5" and inserting "6";

(2) in subsection (c)(3) by striking "and fifth" and inserting "fifth, and sixth";

(3) in subsection (d)(2)(B) by striking "two" and inserting "3"; and

(4) in subsection (j)—

(A) by striking "and" following "1997,"; and

(B) by inserting "and \$12,500,000 for the period October 1, 1997, through March 31, 1998" after "1997" the second place it appears.

(c) NATIONAL DRIVER REGISTER.—Section 30308(a) of title 49, United States Code, is amended—

(1) by striking "and" following "1994,"; and

(2) by inserting ", and \$1,855,000 for the period October 1, 1997, through March 31, 1998" after "1996".

(d) OBLIGATION LIMITATION.—The total of all obligations for highway traffic safety grants under sections 402 and 410 of title 23, United States Code, for fiscal year 1998 shall not exceed \$186,500,000.

### SEC. 4. FEDERAL TRANSIT PROGRAMS.

(a) EXTENSION.—Title III of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2087-2140) is amended by adding at the end the following:

#### "SEC. 3049. EXTENSION OF FEDERAL TRANSIT PROGRAMS FOR THE PERIOD OCTOBER 1, 1997, THROUGH MARCH 31, 1998.

"(a) ALLOCATING AMOUNTS.—Section 5309(m) of title 49, United States Code, is amended by inserting 'and for the period October 1, 1997, through March 31, 1998' after '1997'.

"(b) APPORTIONMENT OF APPROPRIATIONS FOR FIXED GUIDEWAY MODERNIZATION.—Section 5337 of title 49, United States Code, is amended—

"(1) in subsection (a) by inserting 'and for the period October 1, 1997, through March 31, 1998' after '1997'; and

"(2) by adding at the end the following:

"(e) SPECIAL RULE FOR OCTOBER 1, 1997, THROUGH MARCH 31, 1998.—The Secretary shall determine the amount which each urbanized area is to be apportioned for fixed guideway modernization under this section on a pro rata basis to reflect the partial fiscal year 1998 funding made available by section 5338(b)(1)(F)."

"(c) AUTHORIZATIONS.—Section 5338 of title 49, United States Code, is amended—

"(1) by adding at the end of subsection (a)(1) the following:

"(F) \$1,284,792,000 for the period October 1, 1997, through March 31, 1998.;"

"(2) by adding at the end of subsection (a)(2) the following:

"(F) \$213,869,000 for the period October 1, 1997, through March 31, 1998.;"

"(3) by adding at the end of subsection (b)(1) the following:

"(F) \$1,162,708,000 for the period October 1, 1997, through March 31, 1998.;"

"(4) in subsection (c) by inserting 'and not more than \$1,500,000 for the period October 1, 1997, through March 31, 1998' after '1997.;"

"(5) in subsection (e) by inserting 'and not more than \$3,000,000 is available from the Fund (except the Account) for the Secretary for the period October 1, 1997, through March 31, 1998' after '1997.;"

"(6) in subsection (h)(3) by inserting '\$3,000,000 is available for section 5317 for the period October 1, 1997, through March 31, 1998' after '1997.;"

"(7) in subsection (j)(5)—

"(A) by striking 'and' at the end of subparagraph (B);

"(B) by striking the period at the end of subparagraph (C) and inserting "; and"; and

"(C) by adding at the end the following:

"(D) the lesser of \$1,500,000 or an amount the Secretary determines is necessary is available for the period October 1, 1997, through March 31, 1998.;"

"(8) in subsection (k) by striking 'or (e)' and inserting '(e), or (m)'; and

"(9) by adding at the end the following:

"(m) SECTION 5316 FOR THE PERIOD OCTOBER 1, 1997, THROUGH MARCH 31, 1998.—Not more than the following amounts may be appropriated to the Secretary from the Fund (except the Account) for the period October 1, 1997, through March 31, 1998:

"(1) \$125,000 to carry out section 5316(a) of this title;

"(2) \$1,500,000 to carry out section 5316(b) of this title;

"(3) \$500,000 to carry out section 5316(c) of this title;

"(4) \$500,000 to carry out section 5316(d) of this title; and

"(5) \$500,000 to carry out section 5316(e) of this title."

(b) OBLIGATION LIMITATIONS.—

(1) DISCRETIONARY GRANTS AND LOANS.—The total of all obligations from the Mass Transit Account of the Highway Trust Fund for carrying out section 5309 of title 49, United States Code, relating to discretionary grants and loans, for fiscal year 1998 shall not exceed \$2,000,000,000.

(2) FORMULA TRANSIT PROGRAMS.—The total of all obligations for formula transit programs under sections 5307, 5310, 5311, and 5336 of title 49, United States Code, for fiscal year 1998 shall not exceed \$2,210,000,000.

### SEC. 5. MOTOR CARRIER SAFETY PROGRAM.

(a) EXTENSION OF MOTOR CARRIER SAFETY ASSISTANCE PROGRAM FOR PERIOD OCTOBER 1, 1997, THROUGH MARCH 31, 1998.—Section 31104(a) of title 49, United States Code, is amended by adding at the end the following:

"(6) not more than \$45,000,000 for the period October 1, 1997, through March 31, 1998."

(b) OBLIGATION LIMITATION.—The total of all obligations for carrying out the motor carrier safety program under section 31102 title 49, United States Code, for fiscal year 1998 shall not exceed \$85,325,000.

### SEC. 6. EXTENSION OF RESEARCH PROGRAMS.

(a) BUREAU OF TRANSPORTATION STATISTICS.—Section 6006 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2172-2174) is amended—

(1) by inserting "(a) IN GENERAL.—" before "Chapter I"; and

(2) in subsection (b)—

(A) by striking "and" following "1996,";

(B) by inserting ", and \$12,500,000 for the period October 1, 1997, through March 31, 1998" after "1997".

(b) INTELLIGENT TRANSPORTATION SYSTEM.—Section 6058(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2194) is amended by inserting "and \$56,500,000 for the period October 1, 1997, through March 31, 1998" after "1997".

### SEC. 7. 1-YEAR EXTENSION OF HIGHWAY TRUST FUND EXPENDITURES.

(a) GENERAL EXPENDITURE AUTHORITY AND PURPOSES.—Paragraph (1) of section 9503(c) of the Internal Revenue Code of 1986 is amended—

(1) by striking "October 1, 1997" and inserting "October 1, 1998"; and

(2) by striking the last sentence and inserting the following new flush sentence:

"In determining the authorizations under the Acts referred to in the preceding subparagraphs, such Acts shall be applied as in effect on the date of the enactment of this sentence."

(b) TRANSFERS TO OTHER ACCOUNTS.—

(1) Paragraphs (4)(A)(i) and (5)(A) of section 9503(c), and paragraph (3) of section 9503(e), of such Code are each amended by striking "October 1, 1997" and inserting "October 1, 1998".

(2) Subparagraph (E) of section 9503(c)(6) of such Code is amended by striking "September 30, 1997" and inserting "September 30, 1998".

(c) MASS TRANSIT ACCOUNT.—Paragraph (3) of section 9503(e) of such Code is amended—

(1) by striking "October 1, 1997" and inserting "October 1, 1998"; and

(2) by striking all that follows "the enactment of" and inserting "the last sentence of subsection (c)(1)."

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1997.

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

Mr. OBERSTAR. Madam Speaker, reserving the right to object, I do so for the purpose of simply stating that it is my understanding that the bill before us will extend the programs authorized under ISTEA for 6 months, without substantive changes, at exactly one-half the amount provided in the budget resolution for fiscal year 1998 and under a distribution formula which is the exact same percentage that the States received in fiscal year 1997.

Is that the understanding of the Chairman?

Mr. SHUSTER. Madam Speaker, will the gentleman yield?

Mr. OBERSTAR. Further reserving the right to object, I yield to the gentleman from Pennsylvania.

(Mr. SHUSTER asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. SHUSTER. That is my understanding.

Madam Speaker, I would like to express my appreciation to the gentleman from Texas, chairman of the Committee on Ways and Means, for his cooperation in allowing this bill to be brought up in an expeditious manner.

H.R. 2516 is an extension of the current ISTEA programs for the 6-month period October 1, 1997, through March 31, 1998.

I would first like to briefly explain how the bill works.

#### EXPLANATION OF THE BILL

The bill provides one-half of the funding allocation for surface transportation programs in the fiscal year 1998 budget resolution and authorizes those programs for 6 months of the fiscal year.

The bill is intended to fully comply with the budget resolution.

For the Highway Program, H.R. 2516 apportions these funds to the States according to the fiscal year 1997 final funding percentages in ISTEA.

The bill then directs that the funds distributed to each State be divided between the existing ISTEA Program categories in the same proportion as 1997.

Choosing the 1997 funding distribution while maintaining the fiscal year 1997 proportional ISTEA Program distribution is a balanced approach which will help ensure that States can continue to fund projects.

For donor States that are concerned about extending the ISTEA formulas, fiscal year 1997 was the most favorable funding year in ISTEA for donor States because of the 90 percent of payments program.

The bill also continues all allocated programs which are continued in BESTEA at 50 percent of their fiscal year 1997 funding levels.

The transit, safety and motor carrier programs are similarly continued by extending fiscal year 1997 authorizations for 6 months at one-half the fiscal year 1997 amounts.

#### WHY WE ARE OFFERING THIS BILL

It is with great reluctance that we are acting on this 6-month extension.

As I have outlined, extending ISTEA for any period of time is not the preferred course of action for the committee.

Our strongly desired course was to bring up beset before the full House for quick action.

However, this 6-month extension will provide States sufficient funding to carry out their highway construction programs for most of fiscal year 1998 so that we could obtain higher funding levels for BESTEA in the budget resolution next spring.

This bill will provide significant relief to the States. H.R. 2516 provides \$12.4 billion in highway funding, of which \$11.5 billion is distributed to the States. In addition, the States have nearly \$10 billion in unobligated balances of funds apportioned in earlier years. Together, the States will have approximately

\$21 billion in funds to obligated during fiscal year 1998.

When the fiscal year 1998 transportation appropriations bill is signed into law, States will be able to obligate these new fiscal year 1998 funds as well as unobligated balances. That bill should provide about \$21 billion in obligation authority.

We also anticipate quick action next spring on a multiyear reauthorization. When enacted, that bill will provide additional funding for fiscal year 1998 as well as beyond.

We have chosen 6 months because this is the maximum amount of funds that could be distributed for a part of fiscal year 1998 and still implement a formula change when the multiyear bill is passed later in the year.

If more funding was distributed, then some States would receive partial allocations that were larger than their full allocation for fiscal year 1998 in BESTEA.

We are sympathetic to the concerns of Members, States, and industry about a 6-month extension. However, it is the only way to ensure that sufficient funding is received for the multiyear reauthorization bill that we all want to pass.

We will continue to work with all parties to further refine this legislation, or if possible, enact a multiyear bill this fall.

#### UNANTICIPATED CHANGE TO MANDATORY BASELINE

An unanticipated consequence of this 6-month bill has been a change to the 10-year baseline for minimum allocation.

H.R. 2516 provides that \$319 million of minimum allocation is exempt from the obligation limitation.

This amount is one-half of the fiscal year 1998 allocation of the exempt baseline for minimum allocation be made exempt in this bill.

However, providing this number in H.R. 2516 has had the result of freezing the baseline for minimum allocation at \$640 million over the next 10 years.

This occurs because the recent Budget Reconciliation Act changed the baseline rules for programs that expire to eliminate adjustments for inflation. This change was made without any discussion or consultation.

As this situation proves, this was not a mere technical change.

The minimum allocation program authorized in section 157 of title 23 provides that such sums as necessary be expended for minimum allocation.

As a result, CBO has estimated that minimum allocation would grow from \$640 million in fiscal year 1998 to \$800 million in 2007.

This anomalous scoring effect would reduce minimum allocation by a total of \$752 million over that period.

I had wanted to alter H.R. 2516 to prevent this reduction in the minimum allocation baseline.

I have spoken with the Budget Committee about this problem and they have assured me that the baseline for minimum allocation in the fiscal year 1999 budget resolution will restore this inadvertent cut.

This issue is critically important for the Federal-Aid Highway Program. Minimum allocations is the program which ensures that States receive a fair share of funds from the highway trust fund. Any cut would be devastating to the so-called donor States.

Madam Speaker, I insert in the RECORD an exchange of letters between

the gentleman from Texas [Mr. ARCHER] and myself concerning this legislation.

The letters referred to follow:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, CONGRESS OF THE UNITED STATES, HOUSE OF REPRESENTATIVES,

Washington, DC, September 26, 1997.

Hon. BILL ARCHER,

Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR BILL: Thank you for your letter of September 26, 1997 regarding H.R. 2516, a bill to extend the Intermodal Surface Transportation Efficiency Act of 1991 through March 31, 1998. H.R. 2516 was marked-up by the Committee on Transportation and Infrastructure on September 24, 1997 and reported to the House on September 25, 1997. I intend to move this legislation as expeditiously as possible to minimize any disruption in the program while Congress crafts a multi-year authorization bill next spring.

As described in your letter, the Committee on Ways and Means generally has limited expenditures from the Highway Trust Fund to certain purposes and time periods through provisions in the Trust Fund Code. Your Committee believes that this six month extension will require conforming amendments to the Trust Fund Code to permit continued expenditures. Your letter included a draft of the legislative language required to be added to H.R. 2516 which would extend the general expenditure authority from the Highway Trust Fund through September 30, 1998 and modify the eligible purposes for expenditures. Your proposal also makes similar changes to the Aquatic Resources Trust Fund. With your concurrence, I will add these provisions in an amendment to H.R. 2516 when it is considered by the House.

Finally, I concur that the Committee on Ways and Means has raised valid jurisdictional claims regarding the matters raised in your letter and appreciate your Committee's expedited consideration of these issues. I will place a copy of this exchange of letters in the Congressional Record during consideration of the bill. I want to thank you for your cooperation and assistance on this issue of high priority to my Committee.

With kindest personal regards, I remain

Sincerely,

BUD SHUSTER,  
Chairman.

COMMITTEE ON WAYS AND MEANS,  
U.S. HOUSE OF REPRESENTATIVES,  
Washington, DC, September 26, 1997.

Hon. BUD SHUSTER,

Chairman, House Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR BUD: I understand that on Thursday, September 25, 1997, the Committee on Transportation and Infrastructure reported H.R. 2516, a bill to extend the Intermodal Surface Transportation Efficiency Act of 1991 through March 31, 1998.

As you know, each trust fund in the Trust Fund Code includes specific provisions within the jurisdiction of the Committee on Ways and Means which limit purposes for which trust fund monies may be spent. Statutorily, the Committee on Ways and Means generally has limited expenditures by cross-referencing provisions of authorizing legislation. Currently, with respect to the Highway Trust Fund, the Trust Fund Code provisions approve all expenditures out of the Highway Trust Fund permitted under the highway authorization Acts of 1956, 1982, 1987, and 1991, but only as those Acts were in effect on the date of enactment of the 1991 Act. Thus, an

Act not referenced in the Trust Fund Code must be approved by the Committee on Ways and Means before the authorizations are funded. Similarly, expenditures from the Highway Trust Fund into the Boat Safety Account and the Sport Fish Restoration Account in the Aquatic Resources Trust Fund require conforming Trust Fund Code language.

I now understand that you are seeking to have the bill considered by the House as early as next week. In addition, I have been informed that your Committee will seek a Manager's or Committee amendment to the bill which will include language I am supplying (attached) to address the necessary trust funds provisions. The amendment would extend through September 30, 1998, the general expenditure authority and purposes of the Highway Trust Fund contained in section 9503(c); extend, through September 30, 1998, authority to make expenditures from the Highway Trust Fund to the Boat Safety Account in the Aquatic Resources Trust Fund; and extend through September 30, 1998, authority to make expenditures from the Highway Trust Fund to the Sport Fish Restoration Account in the Aquatic Resources Trust Fund relating to small-engine fuels receipts.

Based on this understanding, and in order to expedite consideration of this legislation, it will not be necessary for the Committee on Ways and Means to mark up this legislation. This is being done with the further understanding that the Committee will be treated without prejudice as to its jurisdictional prerogatives on such or similar provisions in the future, and it should not be considered as precedent for consideration of matters of jurisdictional interest to the Committee on Ways and Means in the future.

Finally, I would appreciate your response to this letter, confirming this understanding with respect to H.R. 2516, and would ask that a copy of our exchange of letters on this matter be placed in the Record during consideration of the bill on the Floor. Thank you for your cooperation and assistance on this matter.

With best personal regards,

BILL ARCHER,  
*Chairman.*

Mr. BARCIA. Mr. Speaker, I must express grave concerns about this measure in light of reports in yesterday's press. Assurances were made to our chairman, Mr. SHUSTER, and our ranking member, Mr. OBERSTAR, regarding the passage of this 6-month extension of ISTEA. They worked tirelessly this year to put together a bill which met the Nation's transportation needs. They withdrew it in favor of this temporary alternative with assurances of an opportunity to address the irresponsibly low transportation funding levels in the budget agreement. It would appear that the leadership has already closed that door.

I find your statements in yesterday's Congress Daily, Mr. Speaker, to be deeply troubling. You were quite generous, during recent visits to our State of Michigan, in pledging your support for more funding for our deteriorating road system. Since that time, you have personally intervened in stopping a bill which would have delivered a much needed increase to our State, and yesterday, you reneged on your promise to seek more transportation funding for the Nation.

Mr. Speaker, the people of Michigan sincerely want to believe your promises, and I can think of one individual in particular who is most interested in whether you will. Monday night our Governor, John Engler, experienced

what literally thousands of Michiganites experience every week: his car blew a tire when it hit a pothole on Interstate 96. The next time the Governor calls you, I don't think there will be any doubt what he will be calling about.

Mr. Speaker, yesterday you expressed concern for returning money to our citizens. If you want to return money to the people, Mr. Speaker, free the highway trust fund to fix our broken roads. The gas taxes were collected to fix roads, and it should be spent to fix roads, not to offset spending on other programs. Let's keep our word to the American people and use our transportation trust funds for transportation.

I thank Mr. SHUSTER and Mr. OBERSTAR for their efforts.

Mr. PETRI. Mr. Speaker, I want to express my support for this short-term extension of ISTEA. The bill serves many important purposes. It allows States to continue to operate and manage their programs without interruption in the new fiscal year. At the same time, it will allow us to fully consider and make our case for increased transportation investment during budget negotiations next year. We then will be able to move the multiyear reauthorization bill, H.R. 2400, that the committee has developed.

It is important to note that funds going to the States in this extension are not based on ISTEA averages or some chart approved by conferees 6 years ago. It is based on the year 1997—the best year for donor States since that is the year that the equity program known as 90 percent of payments came into play and provided donor States a more equitable return.

I know there may be some States or contractors who want the safety and security of a long-term bill. Certainly we had hoped to provide them with that and a 6-month extension is not the preferable course of action. But, as my own State has told me, while we want a long-term bill, we do not want a long-term bill at any cost. There may be some uncertainty, but the potential payoff can be great.

If we were to authorize 6 years of transportation spending under the budget agreement, the highway trust fund balance would soar to roughly \$80 billion. It is totally unacceptable for this Congress to continue to collect taxes from American citizens at the gas pump and then not spend those revenues for urgently needed transportation improvements. Even under H.R. 2400, where we begin to more fully spend highway trust fund revenues, the balance will grow to about \$50 billion before stabilizing. The committee will not move forward with legislation that does not set us on a course of living up to the promise of the highway trust fund made over 40 years ago that taxes imposed on the traveling public would be used only for preserving and upgrading our Nation's transportation system.

We need the time provided in this extension to review changing economic conditions and spending and revenue projections in order to set a realistic, responsible level of funding for transportation for the future. H.R. 2516 allows the State programs to continue while we pursue our goal of a multiyear reauthorization bill and higher funding levels.

I urge the House to approve H.R. 2516.

The SPEAKER pro tempore. Without objection, the amendment is agreed to. There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SHUSTER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2516, the bill just passed.

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

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed on Monday, September 29, 1997 in the order in which that motion was entertained, and then on approval of the Journal.

Votes will be taken in the following order. S. 1198, de novo; S. 1161, de novo; H. Con. Res. 131, de novo; H.R. 2233, de novo; H.R. 2007, de novo; H.R. 1476, de novo; H.R. 1262, by the yeas and nays; H.R. 2165, de novo; H.R. 2207, de novo; S. 819, de novo; S. 833, de novo; H.R. 548, de novo; H.R. 2036, de novo; and H.R. 595, de novo, and approval of the Journal.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

#### PERMANENT ENTRY AUTHORITY FOR CERTAIN RELIGIOUS WORKERS

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate bill, S. 1198, as amended.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. SMITH] that the House suspend rules and pass the Senate bill, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill, as amended, was passed.

The title of the Senate bill was amended so as to read:

"A bill to amend the Immigration and Nationality Act to extend the special immigrant religious worker program, to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to extend the deadline for designation of an effective date for paperwork changes in the employer sanctions program, and to require the Secretary of State to waive or reduce the fee for application and issuance of a nonimmigrant visa for aliens coming to the United States for certain charitable purposes."

A motion to reconsider was laid on the table.

**AUTHORIZING APPROPRIATIONS FOR REFUGE AND ENTRANT ASSISTANCE, FISCAL YEARS 1998 AND 1999**

The SPEAKER pro tempore. The unfinished business is the question of suspending rules and passing the Senate bill, S. 1161.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. SMITH] that the House suspend the rules and pass the Senate bill, S. 1161.

The question was taken.

Mr. MILLER of California. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device and there were—yeas 230, nays 193, not voting 10, as follows:

[Roll No. 482]  
YEAS—230

Aderholt	Emerson	Kolbe
Archer	English	LaHood
Army	Ensign	Latham
Bachus	Ewing	LaTourette
Baker	Fawell	Lazio
Ballenger	Filner	Leach
Barr	Foley	Lewis (CA)
Barrett (NE)	Forbes	Lewis (KY)
Bartlett	Fowler	Linder
Bass	Fox	Livingston
Bateman	Franks (NJ)	LoBiondo
Bereuter	Frelinghuysen	Lucas
Bilbray	Ganske	Luther
Bilirakis	Gekas	Maloney (CT)
Bishop	Gibbons	Manzullo
Bliley	Gilchrest	McCollum
Blunt	Gillmor	McCrery
Boehlert	Gilman	McHugh
Boehner	Goodlatte	McInnis
Bonilla	Goodling	McIntosh
Bono	Goss	McKeon
Brady	Graham	McKinney
Bryant	Green	McNulty
Bunning	Greenwood	Menendez
Burr	Gutknecht	Metcalf
Burton	Hall (OH)	Mica
Buyer	Hamilton	Miller (FL)
Callahan	Hansen	Moran (KS)
Calvert	Harman	Morella
Camp	Hastert	Nadler
Campbell	Hastings (FL)	Nethercutt
Canady	Hastings (WA)	Ney
Cannon	Hayworth	Northup
Cardin	Hefley	Norwood
Castle	Herger	Nussle
Chabot	Hill	Obey
Chambliss	Hobson	Oxley
Chenoweth	Hoekstra	Packard
Christensen	Hookey	Pappas
Coburn	Horn	Pascarell
Combest	Hostettler	Paxon
Cook	Houghton	Pease
Cox	Hulshof	Peterson (PA)
Coyne	Hunter	Petri
Crane	Hutchinson	Pickett
Crapo	Hyde	Pitts
Cubin	Inglis	Pombo
Cunningham	Johnson-Lee	Porter
Davis (VA)	(TX)	Portman
Deal	Johnson (CT)	Pryce (OH)
Delahunt	Johnson, Sam	Quinn
DeLay	Kasich	Radanovich
Diaz-Balart	Kelly	Ramstad
Dickey	Kennelly	Redmond
Dingell	Kildee	Regula
Doolittle	Kim	Riggs
Dreier	King (NY)	Riley
Dunn	Kingston	Rogan
Ehlers	Klug	Rogers
Ehrlich	Knollenberg	Rohrabacher

Rothman	Smith (MI)	Tiaht
Ryun	Smith (NJ)	Towns
Salmon	Smith (OR)	Upton
Sanchez	Smith (TX)	Walsh
Sandlin	Smith, Linda	Watkins
Sanford	Snowbarger	Watts (OK)
Saxton	Souder	Weldon (FL)
Schaffer, Bob	Spence	Weldon (PA)
Schumer	Stearns	Weller
Sessions	Stump	Wexler
Shadegg	Sununu	Weygand
Shaw	Talent	White
Shays	Tauzin	Whitfield
Sherman	Taylor (NC)	Wicker
Shimkus	Thomas	Wolf
Sisisky	Thornberry	Young (AK)
Skeen	Thune	Young (FL)

NAYS—193

Abercrombie	Goode	Ortiz
Allen	Gordon	Owens
Andrews	Gutierrez	Pallone
Baesler	Hall (TX)	Parker
Baldacci	Hefner	Pastor
Barcia	Hilleary	Paul
Barrett (WI)	Hilliard	Payne
Becerra	Hinchev	Pelosi
Bentsen	Hinojosa	Peterson (MN)
Berry	Holden	Pickering
Blagojevich	Hoyer	Pomeroy
Blumenauer	Istook	Poshard
Bonior	Jackson (IL)	Price (NC)
Borski	Jefferson	Rahall
Boswell	Jenkins	Rangel
Boucher	John	Reyes
Boyd	Johnson (WI)	Rivers
Brown (CA)	Johnson, E. B.	Rodriguez
Brown (FL)	Jones	Roemer
Brown (OH)	Kanjorski	Roukema
Capps	Kaptur	Roybal-Allard
Carson	Kennedy (MA)	Royce
Clay	Kennedy (RI)	Rush
Clayton	Kilpatrick	Sabo
Clement	Kind (WI)	Sanders
Clyburn	Klecza	Sawyer
Coble	Klink	Scarborough
Collins	Kucinich	Schaefer, Dan
Condit	LaFalce	Scott
Conyers	Lampson	Sensenbrenner
Cooksey	Lantos	Serrano
Costello	Largent	Shuster
Cramer	Levin	Skaggs
Cummings	Lewis (GA)	Skelton
Danner	Lipinski	Slaughter
Davis (FL)	Lofgren	Smith, Adam
Davis (IL)	Maloney (NY)	Snyder
DeFazio	Manton	Solomon
DeGette	Markey	Spratt
DeLauro	Martinez	Stabenow
Dellums	Mascara	Stark
Deutsch	Matsui	Stenholm
Dicks	McCarthy (MO)	Strickland
Dixon	McCarthy (NY)	Stupak
Doggett	McDade	Tanner
Dooley	McDermott	Tauscher
Doyle	McGovern	Taylor (MS)
Duncan	McHale	Thompson
Edwards	McIntyre	Thurman
Engel	Meehan	Tierney
Eshoo	Meek	Torres
Etheridge	Millender-	Trafficant
Ney	McDonald	Turner
Everett	Miller (CA)	Velazquez
Farr	Minge	Vento
Fattah	Mink	Visclosky
Fazio	Moakley	Wamp
Flake	Mollohan	Waters
Foglietta	Moran (VA)	Watt (NC)
Ford	Murtha	Waxman
Frank (MA)	Myrick	Wise
Frost	Neal	Woolsey
Furse	Neumann	Wynn
Gejdenson	Oberstar	Yates
Gephardt	Olver	

NOT VOTING—10

Ackerman	Gonzalez	Schiff
Barton	Granger	Stokes
Berman	Lowe	
Gallegly	Ros-Lehtinen	

□ 1321

Messrs. WATT of North Carolina, BOSWELL, WAMP, JENKINS, DIXON, EVERETT, and CUMMINGS, and Ms. FURSE changed their vote from "yea" to "nay."

Messrs. PETRI, UPTON, RIGGS, DELAHUNT, HOEKSTRA, LEWIS of Kentucky, NADLER, HASTINGS of Florida, WATKINS, WEYGAND, HEFLEY, BOB SCHAFFER of Colorado, GIBBONS, KILDEE, and Mrs. KENNELLY of Connecticut and Ms. JACKSON-LEE of Texas changed their vote from "nay" to "yea."

Mr. ROTHMAN and Mr. WEXLER changed their vote from "present" to "yea."

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

REQUEST TO SPEAK OUT OF ORDER

Mr. NADLER. Mr. Speaker, I move to strike the last word.

The SPEAKER pro tempore. The gentleman is not in order.

Mr. NADLER. Mr. Speaker, I ask unanimous consent to speak out of order.

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

Mr. FOLEY. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Mr. NADLER. Mr. Speaker, the Jewish holiday of Rosh Hashana starts in 5 hours. The House should not be in session.

The SPEAKER pro tempore. The gentleman is speaking out of order and will suspend.

MOTION TO ADJOURN

Mr. NADLER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from New York [Mr. NADLER].

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 207, nays 213, not voting 13, as follows:

[Roll No. 483]  
YEAS—207

Abercrombie	Baesler	Becerra
Allen	Baldacci	Bentsen
Andrews	Barcia	Berry
Bachus	Barrett (WI)	Bishop

Blagojevich	Holden	Pallone	Hostettler	Moran (KS)	Schaffer, Bob
Blumenauer	Hooley	Pastrell	Houghton	Morella	Sensenbrenner
Boniior	Horn	Pastor	Hulshof	Myrick	Sessions
Borski	Hoyer	Paxon	Hunter	Nethercutt	Shadegg
Boswell	Jackson (IL)	Payne	Hutchinson	Neumann	Shimkus
Boucher	Jackson-Lee	Pelosi	Hyde	Ney	Shuster
Boyd	(TX)	Peterson (MN)	Inglis	Northup	Skeen
Brown (CA)	Jefferson	Pomeroy	Istook	Norwood	Smith (MI)
Brown (FL)	John	Poshard	Jenkins	Nussle	Smith (NJ)
Brown (OH)	Johnson (WI)	Price (NC)	Johnson (CT)	Oxley	Smith (OR)
Capps	Johnson, E.B.	Rahall	Johnson, Sam	Packard	Smith (TX)
Cardin	Jones	Rangel	Kasich	Pappas	Smith, Linda
Carson	Kanjorski	Reyes	Kelly	Parker	Snowbarger
Clay	Kaptur	Rivers	Kim	Paul	Solomon
Clayton	Kennedy (MA)	Rodriguez	Kingston	Pease	Souder
Clement	Kennedy (RI)	Roemer	Klink	Peterson (PA)	Spence
Clyburn	Kennelly	Rothman	Klug	Petri	Stearns
Condit	Kildee	Roukema	Knollenberg	Pickering	Stump
Conyers	Kilpatrick	Roybal-Allard	Kolbe	Pickett	Sununu
Costello	Kind (WI)	Rush	LaHood	Pitts	Talent
Coyne	King (NY)	Sabo	Latham	Pombo	Tanner
Cramer	Kleczka	Sanchez	LaTourette	Porter	Tauzin
Cummings	Kucinich	Sanders	Lazio	Portman	Taylor (NC)
Danner	LaFalce	Sandlin	Leach	Pryce (OH)	Thomas
Davis (FL)	Lampson	Sawyer	Lewis (CA)	Quinn	Thornberry
Davis (IL)	Lantos	Saxton	Lewis (KY)	Radanovich	Thune
DeFazio	Largent	Schumer	Linder	Ramstad	Tiahrt
DeGette	Levin	Scott	Livingston	Redmond	Traficant
Delahunt	Serrano	Lucas	Lucas	Riggs	Upton
DeLauro	Lipinski	Shaw	Manzullo	Riley	Walsh
Dellums	LoBiondo	Shays	McCollum	Rogan	Watkins
Deusch	Lofgren	Sherman	McCrery	Rogers	Watts (OK)
Dicks	Luther	Sisisky	McDade	Rohrabacher	Weldon (PA)
Dingell	Maloney (NY)	Skaggs	McHugh	Royce	Weller
Dixon	Manton	Skelton	McInnis	Ryun	White
Doggett	Markey	Slaughter	McIntosh	Salmon	Whitfield
Dooley	Martinez	Smith, Adam	McKeon	Sanford	Wicker
Doyle	Mascara	Snyder	Metcalf	Scarborough	Wolf
Edwards	Matsui	Spratt	Miller (FL)	Schaefer, Dan	Young (AK)
Engel	McCarthy (MO)	Stabenow			Young (FL)
Eshoo	McCarthy (NY)	Stark			
Etheridge	McDermott	Stenholm			
Evans	McGovern	Strickland			
Farr	McHale	Stupak			
Fattah	McIntyre	Tauscher			
Fazio	McKinney	Taylor (MS)			
Filner	McNulty	Thompson			
Flake	Meehan	Thurman			
Forbes	Meek	Tierney			
Ford	Menendez	Torres			
Frank (MA)	Millender-	Towns			
Frost	McDonald	Turner			
Furse	Miller (CA)	Velazquez			
Gejdenson	Minge	Vento			
Gephardt	Mink	Visclosky			
Gordon	Moakley	Wamp			
Green	Mollohan	Waters			
Gutierrez	Moran (VA)	Watt (NC)			
Hall (OH)	Murtha	Waxman			
Hamilton	Nadler	Wexler			
Harman	Neal	Weygand			
Hastings (FL)	Oberstar	Wise			
Hefner	Obey	Woolsey			
Hilliard	Olver	Wynn			
Hinchey	Ortiz	Yates			
Hinojosa	Owens				

## NAYS—213

Aderholt	Cannon	Everett
Archer	Castle	Ewing
Army	Chabot	Fawell
Baker	Chambless	Foley
Ballenger	Chenoweth	Fowler
Barr	Christensen	Fox
Barrett (NE)	Coble	Franks (NJ)
Bartlett	Coburn	Frelinghuysen
Barton	Collins	Ganske
Bass	Combest	Gekas
Bateman	Cook	Gibbons
Bereuter	Cooksey	Gilchrest
Bilbray	Cox	Gillmor
Billrakis	Crane	Gilman
Bliley	Crapo	Goode
Blunt	Cubin	Goodlatte
Boehlert	Cunningham	Goodling
Boehner	Davis (VA)	Goss
Bonilla	Deal	Graham
Bono	DeLay	Greenwood
Brady	Diaz-Balart	Gutknecht
Bryant	Dickey	Hall (TX)
Bunning	Doolittle	Hansen
Burr	Dreier	Hastert
Burton	Duncan	Hastings (WA)
Buyer	Dunn	Hayworth
Callahan	Ehlers	Heffley
Calvert	Ehrlich	Hill
Camp	Emerson	Hilleary
Campbell	English	Hobson
Canady	Ensign	Hoekstra

continue to still be here with a great many Members who are finding their life beleaguered by anxiety.

□ 1345

REQUEST THAT POSTPONED MOTIONS TO SUSPEND RULES AND PASS BILLS OR AGREE TO RESOLUTIONS BE CONSIDERED AS PASSED IN FORM CONSIDERED BY THE HOUSE ON MONDAY, SEPTEMBER 29, 1997, AND THE JOURNAL STAND APPROVED

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the remaining postponed motions to suspend the rules and pass bills or agree to resolutions be considered as passed in the form considered by the House on Monday, September 29, 1997, and that the Journal stand approved today.

The SPEAKER pro tempore [Mr. PEASE]. Is there objection to the request of the gentleman from Texas?

Mr. MILLER of California. Reserving the right to object, Mr. Speaker, I appreciate the motion that the gentleman has made, but the history is all wrong. The history was that these votes were rolled from Monday night when the House went out early, coming to town late Monday, fully expecting to vote on these motions, and they were rolled to somehow teach a political lesson, the first time in the history of this House we have seen this kind of activity take place in front of the religious holidays. That was a conscious decision. This was a conscious decision.

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

Mr. MILLER of California. Reserving right to object, Mr. Speaker.

Mr. ARMEY. Mr. Speaker, I ask for regular order, and I ask that my unanimous consent request be granted by the body.

## PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FRANK of Massachusetts. Mr. Speaker, if we were to adjourn now without acting on the pending suspensions, what would the parliamentary effect be?

The SPEAKER pro tempore. The answer is that those motions would become unfinished business of the House.

Mr. FRANK of Massachusetts. They would simply be pending next week?

The SPEAKER pro tempore. No; tomorrow, on the next legislative day.

Mr. FRANK of Massachusetts. Which would be next week, if we adjourn, Mr. Speaker.

The SPEAKER pro tempore. Not if the House convenes tomorrow.

Is there objection to the request of the gentleman from Texas?

Mr. MILLER of California. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

## NOT VOTING—13

Ackerman	Granger	Schiff
Berman	Herger	Stokes
Foglietta	Lowey	Weldon (FL)
Galleghy	Maloney (CT)	
Gonzalez	Ros-Lehtinen	

□ 1340

Mr. BARTON of Texas changed his vote from "yea" to "nay."

Messrs. BARCIA, BACHUS, PAXON and LOBIONDO and Ms. MCKINNEY changed their vote from "nay" to "yea."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

## EXPEDITING LEGISLATIVE SCHEDULE

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

Mr. ARMEY. Mr. Speaker, as of course we all know, we were here late last night as we moved work forward the best we could in the face of many motions to adjourn or to rise during the course of the day. But our purpose was to try to do our very best to help our colleagues that need help on this very special day in their lives.

We would have been done with all recorded votes today at 11:30, at which time there was a motion to adjourn that was offered before us. We have, of course, some unfinished business in the form of some remaining postponed votes on motions to suspend that tend to occupy our time today, and despite the fact that the announced time for adjournment was 3 o'clock and we have made every effort to move that to 12:30, which was met by our completion of work that required votes at 11:30, we

EXPRESSING THE SENSE OF CONGRESS REGARDING THE OCEAN

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 131, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey [Mr. SAXTON] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 131, as amended.

The question was taken.

Mr. MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Without objection, this is a 5-minute vote.

There was no objection.

The vote was taken by electronic device, and there were—yeas 237, nays 175, not voting 21, as follows:

[Roll No. 484]

YEAS—237

Abercrombie	Dunn	Knollenberg
Aderholt	Ehlens	Kolbe
Archer	Ehrlich	Kucinich
Armey	Emerson	LaHood
Bachus	English	Largent
Baesler	Ensign	Latham
Baker	Eshoo	LaTourette
Ballenger	Everett	Lazio
Barr	Ewing	Leach
Barrett (NE)	Farr	Lewis (CA)
Bartlett	Fawell	Lewis (KY)
Barton	Filner	Linder
Bass	Flake	Livingston
Bateman	Foley	LoBiondo
Bereuter	Fowler	Lucas
Bilbray	Fox	Maloney (NY)
Bilirakis	Franks (NJ)	Manzullo
Bliley	Frelinghuysen	McCollum
Blumenauer	Ganske	McCrery
Blunt	Gekas	McDade
Boehlert	Gibbons	McHugh
Boehner	Gilchrest	McInnis
Bonilla	Gillmor	McIntosh
Bono	Gilman	McIntyre
Boyd	Goode	McKeon
Brady	Goodlatte	McNulty
Bryant	Goodling	Metcalf
Bunning	Goss	Mica
Burr	Graham	Miller (FL)
Burton	Greenwood	Moran (KS)
Buyer	Gutknecht	Morella
Callahan	Hamilton	Myrick
Calvert	Hansen	Nethercutt
Camp	Hastert	Neumann
Campbell	Hastings (WA)	Northup
Canady	Hayworth	Norwood
Cannon	Hefley	Nussle
Castle	Herger	Ortiz
Chabot	Hill	Oxley
Chambliss	Hilleary	Packard
Chenoweth	Hinchey	Pallone
Christensen	Hobson	Pappas
Coble	Hoekstra	Parker
Coburn	Horn	Paxon
Collins	Hostettler	Pease
Combest	Houghton	Peterson (PA)
Cook	Hulshof	Petri
Cooksey	Hutchinson	Pickering
Cox	Hyde	Pickett
Crane	Inglis	Pitts
Crapo	Istook	Pombo
Cubin	Jenkins	Porter
Cunningham	John	Portman
Davis (VA)	Johnson (CT)	Pryce (OH)
Deal	Johnson, Sam	Quinn
Delahunt	Kasich	Radanovich
DeLay	Kelly	Ranstad
Dickey	Kim	Redmond
Doolittle	King (NY)	Regula
Dreier	Kingston	Riggs
Duncan	Klug	Riley

Rogan	Shays	Thornberry
Rogers	Shimkus	Thune
Rohrabacher	Shuster	Tiahrt
Roukema	Skeen	Traficant
Royce	Smith (MI)	Upton
Ryun	Smith (NJ)	Walsh
Salmon	Smith (OR)	Wamp
Sandlin	Smith, Linda	Watkins
Sanford	Snowbarger	Weldon (FL)
Saxton	Solomon	Weldon (PA)
Scarborough	Souder	Weller
Schaefer, Dan	Spence	Weygand
Schaffer, Bob	Stearns	White
Schumer	Stump	Whitfield
Sensenbrenner	Sununu	Wicker
Sessions	Talent	Wolf
Shadegg	Tauzin	Young (AK)
Shaw	Taylor (NC)	Young (FL)

NAYS—175

Allen	Hall (OH)	Oberstar
Andrews	Hall (TX)	Obey
Baldacci	Harman	Olver
Barcia	Hastings (FL)	Owens
Barrett (WI)	Hefner	Pascrell
Becerra	Hilliard	Pastor
Bentsen	Hinojosa	Paul
Berry	Holden	Payne
Bishop	Hooley	Pelosi
Blagojevich	Hoyer	Peterson (MN)
Bonior	Jackson (IL)	Poshard
Borski	Jackson-Lee	Price (NC)
Boswell	(TX)	Rahall
Boucher	Jefferson	Rangel
Brown (CA)	Johnson (WI)	Reyes
Brown (FL)	Johnson, E. B.	Rivers
Brown (OH)	Kanjorski	Rodriguez
Capps	Kaptur	Roemer
Cardin	Kennedy (MA)	Rothman
Carson	Kennedy (RI)	Roybal-Allard
Clay	Kennelly	Rush
Clayton	Kildee	Sabo
Clement	Kilpatrick	Sanchez
Clyburn	Kind (WI)	Sanders
Condit	Klecicka	Sawyer
Conyers	Klink	Scott
Costello	LaFalce	Serrano
Coyne	Lampson	Sisisky
Cramer	Lantos	Skaggs
Cummings	Levin	Skelton
Danner	Lewis (GA)	Slaughter
Davis (FL)	Lipinski	Smith, Adam
Davis (IL)	Lofgren	Snyder
DeFazio	Luther	Spratt
DeGette	Maloney (CT)	Stabenow
DeLauro	Manton	Stark
Dellums	Markey	Stenholm
Dicks	Martinez	Strickland
Dingell	Mascara	Stupak
Dixon	Matsui	Tanner
Doggett	McCarthy (MO)	Tauscher
Dooley	McCarthy (NY)	Taylor (MS)
Doyle	McGovern	Thompson
Edwards	McHale	Thurman
Engel	McKinney	Tierney
Etheridge	Meehan	Torres
Evans	Meek	Towns
Fattah	Menendez	Turner
Fazio	Millender	Velazquez
Foglietta	McDonald	Vento
Ford	Miller (CA)	Visclosky
Frank (MA)	Minge	Waters
Frost	Mink	Watt (NC)
Furse	Moakley	Waxman
Gejdenson	Mollohan	Wexler
Gephardt	Moran (VA)	Wise
Gordon	Murtha	Woolsey
Green	Nadler	Wynn
Gutierrez	Neal	Yates

NOT VOTING—21

Ackerman	Granger	Ros-Lehtinen
Berman	Hunter	Schiff
Deutsch	Jones	Sherman
Diaz-Balart	Lowey	Smith (TX)
Forbes	McDermott	Stokes
Gallegly	Ney	Thomas
Gonzalez	Pomeroy	Watts (OK)

□ 1354

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

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

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

REQUEST THAT POSTPONED MOTIONS TO SUSPEND RULES AND PASS BILLS OR AGREE TO RESOLUTIONS BE CONSIDERED PASSED IN FORM CONSIDERED BY HOUSE ON MONDAY, SEPTEMBER 29, 1997, AND THE JOURNAL STAND APPROVED TODAY

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the remaining postponed motions to suspend the rules and pass bills or agree to resolutions be considered as passed in the form considered by the House on Monday, September 29, 1997, and that the Journal stand approved today.

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

Mr. FROST. Mr. Speaker, reserving the right to object, if I could engage the majority leader in a colloquy.

The SPEAKER pro tempore. Regular order is demanded. Is there objection to the request of the gentleman from Texas?

Mr. MILLER of California. I object Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

CORAL REEF CONSERVATION ACT OF 1997

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 2233, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey [Mr. SAXTON] that the House suspend the rules and pass the bill, H.R. 2233, as amended.

The question was taken.

RECORDED VOTE

Mr. CONDIT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 230, noes 181, not voting 22, as follows:

[Roll No. 485]

AYES—230

Abercrombie	Blunt	Coburn
Aderholt	Boehlert	Combest
Archer	Boehner	Cook
Armey	Bono	Cooksey
Bachus	Brady	Cox
Baesler	Bunning	Crane
Baker	Burr	Crapo
Ballenger	Burton	Cubin
Barrett (NE)	Buyer	Cunningham
Bartlett	Calvert	Davis (IL)
Barton	Camp	Davis (VA)
Bass	Campbell	Deal
Bateman	Canady	Delahunt
Bentsen	Cannon	DeLay
Bereuter	Cardin	Diaz-Balart
Bilbray	Castle	Dickey
Bilirakis	Chambliss	Doolittle
Bliley	Christensen	Dreier
Blumenauer	Coble	Dunn

Ehlers  
Ehrlich  
Emerson  
English  
Ensign  
Ewing  
Fawell  
Filner  
Foley  
Forbes  
Fowler  
Fox  
Franks (NJ)  
Frelinghuysen  
Ganske  
Gekas  
Gibbons  
Gilchrist  
Gillmor  
Gilman  
Goode  
Goodlatte  
Goodling  
Goss  
Graham  
Green  
Greenwood  
Gutknecht  
Hamilton  
Hansen  
Hastert  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Hefley  
Herger  
Hill  
Hilleary  
Hinchey  
Hobson  
Hoekstra  
Hooley  
Horn  
Hostettler  
Hulshof  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Jenkins  
John  
Johnson (CT)  
Johnson, Sam  
Kasich  
Kelly  
Kennelly  
Kildee

Kim  
King (NY)  
Kingston  
Klug  
Knollenberg  
Kolbe  
Kucinich  
LaHood  
Lampson  
Largent  
Latham  
LaTourrette  
Lazio  
Leach  
Lewis (CA)  
Lewis (KY)  
Linder  
Livingston  
LoBiondo  
Lucas  
Luther  
Maloney (CT)  
Manzullo  
McCollum  
McCrery  
McDade  
McHugh  
McInnis  
McIntosh  
McIntyre  
McKeon  
McNulty  
Metcalf  
Mica  
Miller (FL)  
Minge  
Moran (KS)  
Morella  
Myrick  
Nethercutt  
Ney  
Northup  
Norwood  
Nussle  
Oxley  
Packard  
Pappas  
Parker  
Paxon  
Pease  
Peterson (PA)  
Petri  
Pickett  
Pitts  
Pombo  
Porter  
Portman  
Pryce (OH)

NOES—181

Allen  
Andrews  
Baldacci  
Barcia  
Barr  
Barrett (WI)  
Becerra  
Berry  
Bishop  
Blagojevich  
Bonilla  
Bonior  
Borski  
Boswell  
Boucher  
Boyd  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Bryant  
Callahan  
Capps  
Carson  
Chabot  
Chenoweth  
Clay  
Clayton  
Clement  
Clyburn  
Collins  
Condit  
Conyers  
Costello  
Coyne  
Cramer  
Cummings  
Danner  
Davis (FL)  
DeFazio

DeGette  
DeLauro  
Dellums  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doyle  
Duncan  
Edwards  
Engel  
Eshoo  
Etheridge  
Evans  
Everett  
Fattah  
Fazio  
Flake  
Ford  
Frank (MA)  
Frost  
Furse  
Gejdenson  
Gephardt  
Gordon  
Gutierrez  
Hall (OH)  
Hall (TX)  
Harman  
Hefner  
Hilliard  
Hinojosa  
Holden  
Hoyer  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson

Quinn  
Radanovich  
Ramstad  
Redmond  
Regula  
Riggs  
Riley  
Roemer  
Rogan  
Rohrabacher  
Roukema  
Ryun  
Salmon  
Sanchez  
Sandlin  
Sawyer  
Saxton  
Scarborough  
Schaefer, Dan  
Schaffer, Bob  
Sessions  
Shadegg  
Shaw  
Shays  
Shimkus  
Shuster  
Skeen  
Smith (MI)  
Smith (NJ)  
Smith (OR)  
Smith (TX)  
Smith, Linda  
Snowbarger  
Solomon  
Souder  
Spence  
Talent  
Tauzin  
Taylor (NC)  
Thomas  
Thornberry  
Tiahrt  
Traficant  
Upton  
Walsh  
Wamp  
Watts (OK)  
Weldon (PA)  
Weller  
Wexler  
Weygand  
White  
Whitfield  
Wicker  
Wolf  
Young (AK)  
Young (FL)

Johnson (WI)  
Johnson, E. B.  
Kanjorski  
Kaptur  
Kennedy (MA)  
Kennedy (RI)  
Kilpatrick  
Kind (WI)  
Klecza  
Klink  
LaFalce  
Lantos  
Levin  
Lewis (GA)  
Lipinski  
Lofgren  
Maloney (NY)  
Manton  
Markey  
Martinez  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McGovern  
McHale  
Meehan  
Meek  
Menendez  
Millender-  
McDonald  
Miller (CA)  
Mink  
Moakley  
Mollohan  
Murtha  
Nadler  
Neal  
Neumann

Oberstar  
Obey  
Oliver  
Ortiz  
Owens  
Pallone  
Pascrell  
Pastor  
Paul  
Payne  
Peterson (MN)  
Pickering  
Poshard  
Price (NC)  
Rahall  
Rangel  
Reyes  
Rivers  
Rodriguez  
Rogers  
Rothman  
Roybal-Allard

NOT VOTING—22

Ackerman  
Berman  
Deutsch  
Farr  
Foglietta  
Gallegly  
Gonzalez  
Granger

Royce  
Rush  
Sabo  
Sanford  
Schumer  
Scott  
Sensenbrenner  
Serrano  
Sisisky  
Skaggs  
Skelton  
Slaughter  
Smith, Adam  
Snyder  
Spratt  
Stabenow  
Stark  
Stenholm  
Strickland  
Stump  
Stupak

NOT VOTING—22

Houghton  
Jones  
Lowey  
McDermott  
McKinney  
Moran (VA)  
Pelosi  
Pomeroy

□ 1403

So (two-thirds not having voted in favor thereof) the motion was rejected. The result of the vote was announced as above recorded.

REQUEST THAT POSTPONED MOTIONS TO SUSPEND RULES AND PASS BILLS OR AGREE TO RESOLUTIONS BE CONSIDERED PASSED IN FORM CONSIDERED BY HOUSE ON MONDAY, SEPTEMBER 29, 1997, AND THE JOURNAL STAND APPROVED

Mr. ARMEY. Mr. Speaker, in my continuing efforts to help Members who wish to make their religious observations on this day, I ask unanimous consent that the remaining postponed motions to suspend the rules and pass bills or agree to resolutions be considered as passed in the form considered by the House on Monday, September 29, 1997, and that the Journal stand approved today.

Mr. SCHUMER. Mr. Speaker, reserving the right to object.

The SPEAKER pro tempore. Regular order is insisted on. Is there objection to the request of the gentleman from Texas?

MOTION TO ADJOURN

Mr. SCHUMER. Mr. Speaker, I offer a privileged motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows: Mr. SCHUMER moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. SCHUMER].

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

Mr. MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The vote was taken by electronic device, and there were—yeas 202, nays 211, not voting 21, as follows:

[Roll No. 486]  
YEAS—202

Abercrombie	Green	Nadler
Allen	Gutierrez	Neal
Andrews	Hall (OH)	Oberstar
Bachus	Hamilton	Obey
Baesler	Harman	Oliver
Baldacci	Hastings (FL)	Ortiz
Barcia	Hefner	Owens
Barrett (WI)	Hilliard	Pallone
Becerra	Hinchee	Pascrell
Bentsen	Hinojosa	Pastor
Berry	Holden	Payne
Bishop	Hooley	Pelosi
Blagojevich	Hoyer	Peterson (MN)
Blumenauer	Jackson (IL)	Poshard
Bonior	Jackson-Lee	Price (NC)
Borski	(TX)	Rahall
Boswell	Jefferson	Rangel
Boucher	John	Reyes
Boyd	Johnson (WI)	Rivers
Brown (CA)	Johnson, E. B.	Rodriguez
Brown (FL)	Kanjorski	Roemer
Brown (OH)	Kaptur	Rothman
Capps	Kennedy (MA)	Roukema
Cardin	Kennedy (RI)	Roybal-Allard
Carson	Kennelly	Rush
Clay	Kildee	Sabo
Clayton	Kilpatrick	Sanchez
Clement	Kind (WI)	Sanders
Clyburn	King (NY)	Sandlin
Condit	Klecza	Sawyer
Conyers	Klink	Saxton
Costello	Kucinich	Schumer
Coyne	LaFalce	Scott
Cramer	Lampson	Serrano
Cummings	Lantos	Shaw
Danner	Largent	Sisisky
Davis (FL)	Levin	Skaggs
Davis (IL)	Lewis (GA)	Skelton
DeFazio	Lipinski	Slaughter
DeGette	LoBiondo	Smith, Adam
DeLahunt	Lofgren	Snyder
DeLauro	Luther	Spratt
Dellums	Maloney (CT)	Stabenow
Dicks	Maloney (NY)	Stark
Dingell	Manton	Stenholm
Dixon	Markey	Strickland
Doggett	Martinez	Stupak
Dooley	Mascara	Tanner
Doyle	Matsui	Tauscher
Edwards	McCarthy (MO)	Taylor (MS)
Engel	McCarthy (NY)	Thompson
Eshoo	McGovern	Thurman
Etheridge	McHale	Tierney
Evans	McIntyre	Torres
Farr	McKinney	Towns
Fattah	McNulty	Turner
Fazio	Meehan	Velazquez
Filner	Meek	Vento
Flake	Menendez	Visclosky
Forbes	Millender- McDonald	Waters
Ford	Miller (CA)	Watt (NC)
Frank (MA)	Minge	Waxman
Frost	Mink	Wexler
Furse	Moakley	Weygand
Gejdenson	Mollohan	Wise
Gephardt	Moran (VA)	Woolsey
Goode	Murtha	Wynn
Gordon		Yates

NAYS—211

Aderholt	Bryant	Cox
Archer	Bunning	Crane
Armeey	Burr	Crapo
Baker	Burton	Cubin
Ballenger	Buyer	Cunningham
Barr	Callahan	Davis (VA)
Barrett (NE)	Calvert	Deal
Bartlett	Camp	DeLay
Barton	Campbell	Diaz-Balart
Bass	Canady	Dickey
Bateman	Cannon	Doolittle
Bereuter	Castle	Dreier
Bilbray	Chabot	Duncan
Bilirakis	Chambliss	Dunn
Bliley	Chenoweth	Ehlers
Blunt	Christensen	Ehrlich
Boehlert	Coble	Emerson
Boehner	Coburn	English
Bonilla	Combest	Ensign
Bono	Cook	Everett
Brady	Cooksey	Ewing

Foley	Leach	Rogers
Fowler	Lewis (CA)	Rohrabacher
Fox	Lewis (KY)	Royce
Franks (NJ)	Linder	Ryun
Frelinghuysen	Livingston	Salmon
Ganske	Lucas	Sanford
Gekas	Manzullo	Scarborough
Gibbons	McCollum	Schaefer, Dan
Gilchrest	McCrery	Schaffer, Bob
Gillmor	McDade	Sensenbrenner
Gingrich	McHugh	Sessions
Goodlatte	McInnis	Shadegg
Goodling	McIntosh	Shays
Goss	McKeon	Shimkus
Graham	Metcalf	Shuster
Greenwood	Mica	Skeen
Gutknecht	Miller (FL)	Smith (MI)
Hall (TX)	Moran (KS)	Smith (NJ)
Hansen	Morella	Smith (OR)
Hastert	Myrick	Smith (TX)
Hastings (WA)	Nethercutt	Smith, Linda
Hayworth	Neumann	Snowbarger
Hefley	Ney	Solomon
Herger	Northup	Souder
Hill	Norwood	Spence
Hilleary	Nussle	Stearns
Hobson	Oxley	Stump
Hoekstra	Packard	Sununu
Horn	Pappas	Talent
Hostettler	Parker	Tauzin
Hulshof	Paul	Thomas
Hunter	Paxon	Thornberry
Hutchinson	Pease	Thune
Hyde	Peterson (PA)	Tiahrt
Inglis	Petri	Trafficant
Istook	Pickering	Upton
Jenkins	Pickett	Walsh
Johnson (CT)	Pitts	Watkins
Johnson, Sam	Pombo	Watts (OK)
Kasich	Porter	Weldon (FL)
Kelly	Portman	Weldon (PA)
Kim	Pryce (OH)	Weller
Kingston	Quinn	White
Klug	Radanovich	Whitfield
Knollenberg	Ramstad	Wicker
Kolbe	Redmond	Wolf
LaHood	Regula	Young (AK)
Latham	Riggs	Young (FL)
LaTourette	Riley	
Lazio	Rogan	

NOT VOTING—21

Ackerman	Gilman	Pomeroy
Berman	Gonzalez	Ros-Lehtinen
Collins	Granger	Schiff
Deutsch	Houghton	Sherman
Fawell	Jones	Stokes
Foglietta	Lowe	Taylor (NC)
Galleghy	McDermott	Wamp

□ 1421

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

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

**REQUEST THAT POSTPONED MOTIONS TO SUSPEND RULES AND PASS BILLS OR AGREE TO RESOLUTIONS BE CONSIDERED PASSED IN FORM CONSIDERED BY HOUSE ON MONDAY, SEPTEMBER 29, 1997, AND THE JOURNAL STAND APPROVED**

Mr. ARMEY. Mr. Speaker, I wish to take a moment to remind my colleagues that despite our very best efforts to complete this business as early as possible and to be done with business today, any of these suspension votes that are not handled today will, in fact, be regular order of business, necessarily handled tomorrow, and we would certainly want to avoid that if at all possible.

So in light of that, Mr. Speaker, again I ask unanimous consent that the remaining postponed motions to

suspend the rules and pass bills or agree to resolutions be considered as passed in the form considered by the House on Monday, September 29, 1997, and that the Journal stand approved today.

Mr. FROST. Mr. Speaker, reserving the right to object, as the only Jewish Member of the leadership of either party in this House, I feel obligated to make some observations at this point and to make a suggestion to my distinguished colleague from Texas, the majority leader.

I believe that the parliamentary situation that we have found ourselves in for the last several hours does not bring credit to either party in this House, and I would suggest to the majority leader that there is a solution to this problem. I know the majority leader is reluctant to accept this solution. I would urge him to do so.

The solution is to roll these votes until next Monday. The alternative of having votes tomorrow places the Jewish Members of this House, both Republicans and Democrats, in an intolerable situation. The Jewish Members cannot be present tomorrow. The Republican Jewish Members cannot be present, the Democratic Jewish Members cannot be present tomorrow, and the majority leader understands that.

If I may continue, I think what we have done in the last several hours does not bring credit to this House and it does not bring credit to either party in this House.

□ 1423

I would urge the majority leader to amend his unanimous request and do the correct thing, even though I know he is reluctant to do that. But I would urge him, in a sense of comity, in a sense of what is good for this institution, to continue those votes to a time when Members can be present and vote.

Mr. SERRANO. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

**REQUEST FOR PERMISSION FOR CHAIR TO REDUCE TIME FOR ELECTRONIC VOTING ON REMAINING MOTIONS TO SUSPEND THE RULES**

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the Chair be authorized to reduce to not less than 2 minutes the time for voting by electronic device on the remaining motions to suspend the rules.

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

Mr. WATT. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from North Carolina [Mr. WATT] objects.

**CANADIAN RIVER RECLAMATION PROJECT**

The SPEAKER pro tempore. The unfinished business is the question de

novo of suspending the rules and passing the bill, H.R. 2007, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. THORNBERRY] that the House suspend the rules and pass the bill, H.R. 2007, as amended.

The question was taken.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 176, answered "present" 1, not voting 30, as follows:

[Roll No. 487]  
YEAS—226

Aderholt	Gekas	Moran (KS)
Archer	Gibbons	Morella
Baesler	Gilchrest	Myrick
Baker	Gillmor	Nethercutt
Ballenger	Gilman	Ney
Barr	Goode	Northup
Barrett (NE)	Goodlatte	Norwood
Bartlett	Goodling	Nussle
Barton	Goss	Ortiz
Bass	Green	Oxley
Bateman	Greenwood	Packard
Bentsen	Gutknecht	Pappas
Bereuter	Hall (OH)	Parker
Berry	Hall (TX)	Paul
Bilbray	Hamilton	Paxon
Bilirakis	Hansen	Pease
Bliley	Hastert	Peterson (MN)
Blunt	Hastings (WA)	Peterson (PA)
Boehlert	Hayworth	Pickering
Boehner	Hefley	Pickett
Bonilla	Herger	Pitts
Bono	Hill	Pombo
Brady	Hilleary	Porter
Bryant	Hobson	Portman
Bunning	Hoekstra	Pryce (OH)
Buyer	Hoolley	Quinn
Callahan	Horn	Radanovich
Calvert	Hostettler	Ramstad
Camp	Hulshof	Redmond
Campbell	Hunter	Regula
Canady	Hutchinson	Riggs
Cannon	Hyde	Riley
Castle	Istook	Rodriguez
Chabot	Jackson-Lee	Roemer
Chambliss	(TX)	Rogan
Chenoweth	Jenkins	Rogers
Christensen	John	Rohrabacher
Coble	Johnson (CT)	Roukema
Coburn	Johnson, Sam	Ryun
Collins	Kasich	Salmon
Combest	Kelly	Sandlin
Cook	Kim	Sanford
Cooksey	Kingston	Saxton
Cox	Klug	Scarborough
Crane	Knollenberg	Schaffer, Bob
Cubin	Kolbe	Sessions
Cunningham	Kucinich	Shadegg
Davis (IL)	LaFalce	Shaw
Davis (VA)	LaHood	Shays
Deal	Largent	Shimkus
Delahunt	Latham	Shuster
DeLay	LaTourette	Smith (MI)
Dickey	Lazio	Smith (NJ)
Dooley	Leach	Smith (OR)
Doolittle	Lewis (CA)	Smith (TX)
Dreier	Lewis (KY)	Smith, Linda
Duncan	Linder	Snowbarger
Dunn	Livingston	Solomon
Ehrlich	LoBiondo	Souder
Emerson	Lucas	Spence
English	Manzullo	Stenholm
Ensign	McCollum	Stump
Everett	McCrery	Sununu
Ewing	McDade	Talent
Fawell	McHugh	Tauzin
Foley	McInnis	Taylor (NC)
Fowler	McIntosh	Thomas
Fox	McIntyre	Thornberry
Franks (NJ)	McKeon	Thune
Frelinghuysen	Metcalf	Tiahrt
Ganske	Mica	Upton
	Miller (FL)	Walsh

Watkins  
Watts (OK)  
Weldon (FL)  
Weldon (PA)

Weller  
White  
Whitfield  
Wicker

Wolf  
Young (AK)  
Young (FL)

NAYS—176

Abercrombie  
Allen  
Andrews  
Baldacci  
Barcia  
Barrett (WI)  
Becerra  
Bishop  
Blagojevich  
Blumenauer  
Bonior  
Borski  
Boswell  
Boucher  
Boyd  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Capps  
Cardin  
Carson  
Clay  
Clayton  
Clement  
Clyburn  
Condit  
Conyers  
Costello  
Coyne  
Cramer  
Crapo  
Cummings  
Danner  
Davis (FL)  
DeFazio  
DeGette  
DeLauro  
Dellums  
Dicks  
Dingell  
Dixon  
Doggett  
Doyle  
Edwards  
Engel  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Fazio  
Filner  
Flake  
Ford  
Frank (MA)  
Frost  
Furse  
Gejdenson  
Gephardt

Gordon  
Gutierrez  
Harman  
Hastings (FL)  
Hefner  
Hilliard  
Hinchey  
Hinojosa  
Holden  
Hoyer  
Jackson (IL)  
Jefferson  
Johnson (WI)  
Johnson, E. B.  
Kanjorski  
Kaptur  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kilpatrick  
Kind (WI)  
Kleczka  
Klink  
Lampson  
Lantos  
Levin  
Lewis (GA)  
Lipinski  
Lofgren  
Luther  
Maloney (CT)  
Maloney (NY)  
Manton  
Markey  
Martinez  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McGovern  
McHale  
McKinney  
Meehan  
Meek  
Menendez  
Millender-  
McDonald  
Miller (CA)  
Minge  
Mink  
Moakley  
Mollohan  
Moran (VA)  
Murtha  
Nadler  
Neal  
Neumann  
Oberstar

Obey  
Olver  
Owens  
Pallone  
Pascrell  
Pastor  
Payne  
Pelosi  
Petri  
Poshard  
Price (NC)  
Rahall  
Rangel  
Reyes  
Rivers  
Rothman  
Roybal-Allard  
Royce  
Rush  
Sabo  
Sanchez  
Sanders  
Sawyer  
Schaefer, Dan  
Schumer  
Scott  
Sensenbrenner  
Serrano  
Sisisky  
Skeen  
Skelton  
Slaughter  
Smith, Adam  
Snyder  
Spratt  
Stabenow  
Stark  
Strickland  
Stupak  
Tanner  
Tauscher  
Taylor (MS)  
Thompson  
Thurman  
Tierney  
Torres  
Towns  
Traficant  
Turner  
Velazquez  
Vento  
Vislosky  
Watt (NC)  
Waxman  
Weygand  
Wise  
Woolsey  
Wynn  
Yates

ANSWERED "PRESENT"—1

Waters

NOT VOTING—30

Ackerman  
Bachus  
Berman  
Burr  
Burton  
Deutsch  
Diaz-Balart  
Ehlers  
Foglietta  
Forbes

Gallegly  
Gonzalez  
Graham  
Granger  
Houghton  
Inglis  
Jones  
King (NY)  
Lowey  
McDermott

McNulty  
Pomeroy  
Ros-Lehtinen  
Schiff  
Sherman  
Skaggs  
Stearns  
Stokes  
Wamp  
Wexler

□ 1432

Mr. TAYLOR of North Carolina changed his vote from "nay" to "yea." So (two-thirds not having voted in favor thereof) the motion was rejected. The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. EHLERS. Mr. Speaker, on rollcall No. 487, I missed the vote due to an urgent need to return to my office between votes. Had I been present, I would have voted "yes."

REQUEST FOR REDUCTION OF TIME FOR VOTING BY ELECTRONIC DEVICE ON REMAINING MOTIONS TO SUSPEND THE RULES

Mr. ARMEY. Mr. Speaker, I have here before me an enumeration of over 10 hours' worth of motions to adjourn and motions to rise taken since September 4 in this body. Had we had those 10 hours for our work, we would not be in such shape.

Mr. Speaker, I ask unanimous consent that after the 5-minute vote on the next suspension, the Speaker be authorized to reduce the time for voting by electronic device for the balance of the postponed suspensions today to not less than 2 minutes.

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

Mr. ENGEL. Reserving the right to object, Mr. Speaker, and I will not object, but I want to echo the statement of my colleague from Texas [Mr. FROST].

Mr. Speaker, there are a number of us here that would like to go home out of respect for the religious holiday. I think that the request of the gentleman from Texas [Mr. ARMEY] is more than fair. I think that there is right and wrong here on both sides. I am tired of the disrespect, and I would respectfully urge my colleagues to accept what the majority leader has said. I think that is a compromise and it is a fair compromise.

Mr. Speaker, I withdraw my reservation of objection.

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

Mr. WATT of North Carolina. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

MICCOSUKEE SETTLEMENT ACT OF 1997

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 1476.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. THORNBERRY] that the House suspend the rules and pass the bill, H.R. 1476.

The question was taken.

Mr. SERRANO. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 229, nays 176, not voting 28, as follows:

[Roll No. 488]

YEAS—229

Abercrombie  
Aderholt  
Archer  
Armeey

Bachus  
Baker  
Ballenger  
Barr

Barrett (NE)  
Bartlett  
Barton  
Bass

Bateman  
Bereuter  
Bilbray  
Bilirakis  
Bliley  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bono  
Brady  
Brown (FL)  
Bryant  
Bunning  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Cannon  
Castle  
Chabot  
Chambliss  
Christensen  
Coburn  
Collins  
Combest  
Cook  
Cooksey  
Cox  
Crane  
Crapo  
Cunningham  
Davis (FL)  
Davis (IL)  
Davis (VA)  
Deal  
Delahunt  
DeLay  
Dickey  
Doolittle  
Dreier  
Duncan  
Dunn  
Ehlers  
Ehrlich  
Emerson  
English  
Ensign  
Eshoo  
Everett  
Ewing  
Farr  
Fawell  
Flake  
Foley  
Fowler  
Fox  
Franks (NJ)  
Frelinghuysen  
Ganske  
Gekas  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Goode  
Goodlatte  
Goodling  
Goss  
Greenwood

Gutknecht  
Hall (OH)  
Hamilton  
Hansen  
Hastert  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Herger  
Hill  
Hilleary  
Hobson  
Hoekstra  
Hooley  
Horn  
Hostettler  
Hulshof  
Hunter  
Hutchinson  
Hyde  
Istook  
Jenkins  
John  
Johnson (CT)  
Johnson, Sam  
Kasich  
Kelly  
Kennelly  
Kildee  
Kim  
Kingston  
Klug  
Knollenberg  
Kolbe  
Kucinich  
LaHood  
Largent  
Latham  
LaTourette  
Lazio  
Leach  
Lewis (CA)  
Lewis (KY)  
Linder  
Livingston  
LoBiondo  
Lucas  
Manzullo  
McCollum  
McCrary  
McDade  
McHugh  
McInnis  
McIntosh  
McIntyre  
McKeon  
Meek  
Metcalf  
Mica  
Miller (FL)  
Moran (KS)  
Morella  
Myrick  
Nethercutt  
Ney  
Northup  
Norwood  
Nussle  
Oxley  
Packard  
Pappas  
Parker  
Paul

Paxon  
Pease  
Peterson (PA)  
Pickering  
Pickett  
Pitts  
Pombo  
Porter  
Portman  
Pryce (OH)  
Quinn  
Radanovich  
Ramstad  
Redmond  
Regula  
Riggs  
Riley  
Roemer  
Rogan  
Rogers  
Rohrabacher  
Roukema  
Royce  
Ryun  
Salmon  
Sandlin  
Sanford  
Saxton  
Scarborough  
Schaffer, Bob  
Sessions  
Shaw  
Shays  
Shimkus  
Shuster  
Sisisky  
Skeen  
Smith (MI)  
Smith (NJ)  
Smith (OR)  
Smith (TX)  
Smith, Linda  
Snowbarger  
Solomon  
Souder  
Spence  
Stearns  
Stump  
Sununu  
Talent  
Tauzin  
Taylor (NC)  
Thomas  
Thornberry  
Thune  
Thurman  
Tiahrt  
Traficant  
Walsh  
Watkins  
Watts (OK)  
Weldon (FL)  
Weller  
White  
Whitfield  
Wicker  
Wolf  
Young (AK)  
Young (FL)

NAYS—176

Allen  
Andrews  
Baesler  
Baldacci  
Barcia  
Barrett (WI)  
Becerra  
Bentsen  
Berry  
Bishop  
Blagojevich  
Blumenauer  
Bonior  
Borski  
Boswell  
Boucher  
Boyd  
Brown (CA)  
Brown (OH)  
Capps  
Cardin  
Carson  
Chenoweth  
Clay

Clayton  
Clement  
Clyburn  
Coble  
Condit  
Conyers  
Costello  
Coyne  
Cramer  
Cubin  
Cummings  
Danner  
DeFazio  
DeGette  
DeLauro  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doyle  
Edwards  
Engel  
Etheridge

Evans  
Fattah  
Fazio  
Filner  
Ford  
Frank (MA)  
Frost  
Furse  
Gejdenson  
Gephardt  
Gordon  
Green  
Gutierrez  
Hall (TX)  
Harman  
Hefley  
Hefner  
Hilliard  
Hinchey  
Hinojosa  
Holden  
Hoyer  
Jackson (IL)

Jackson-Lee (TX)	Miller (CA)	Schaefer, Dan
Jefferson	Minge	Schumer
Mink	Mink	Scott
Johnson, E. B.	Moakley	Sensenbrenner
Kanjorski	Mollohan	Serrano
Kaptur	Moran (VA)	Skaggs
Kennedy (MA)	Murtha	Skelton
Kennedy (RI)	Nadler	Slaughter
Kilpatrick	Neal	Smith, Adam
Kind (WI)	Neumann	Snyder
Klecza	Oberstar	Spratt
Klink	Obey	Stabenow
LaFalce	Olver	Stark
Lampson	Ortiz	Stenholm
Lantos	Owens	Strickland
Levin	Pallone	Stupak
Lewis (GA)	Pascarell	Tanner
Lipinski	Pastor	Tauscher
Lofgren	Payne	Taylor (MS)
Luther	Pelosi	Thompson
Maloney (CT)	Peterson (MN)	Tierney
Maloney (NY)	Petri	Torres
Manton	Poshard	Towns
Markey	Price (NC)	Turner
Martinez	Rahall	Velazquez
Mascara	Rangel	Vento
Matsui	Reyes	Visclosky
McCarthy (MO)	Rivers	Waters
McCarthy (NY)	Rodriguez	Watt (NC)
McGovern	Rothman	Waxman
McHale	Roybal-Allard	Weygand
McKinney	Rush	Wise
Meehan	Sabo	Woolsey
Menendez	Sanchez	Wynn
Millender-McDonald	Sanders	Yates
	Sawyer	

Mr. WATT of North Carolina. Mr. Speaker, I object.  
The SPEAKER pro tempore. Objection is heard.

REQUEST FOR PERMISSION FOR CHAIR TO REDUCE VOTING TIME ON REMAINING MOTIONS TO SUSPEND THE RULES

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that after the 5-minute vote on the next suspension, the Speaker be authorized to reduce the time for voting by electronic device to not less than 2 minutes.

Mr. ENGEL. Mr. Speaker, reserving the right to object, I once again appeal to my colleagues on both sides of the aisle. I have been a Member of this body for 9 years. We all respected each other. We come from different faiths and different backgrounds and different regions of the country.

I would ask my colleagues on both sides of the aisle to go along with what the majority leader has said in respect to the Jewish Members here who need to get home for the religious holiday. I might say to my colleagues that I respect everyone else's religion; please respect mine.

Mr. WATT of North Carolina. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

SECURITIES AND EXCHANGE COMMISSION AUTHORIZATION, FISCAL YEARS 1998 AND 1999

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 1262.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio [Mr. OXLEY] that the House suspend the rules and pass the bill, H.R. 1262, on which the yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 230, nays 170, not voting 33, as follows:

[Roll No. 489]

YEAS—230

REQUEST THAT POSTPONED MOTIONS TO SUSPEND RULES AND PASS BILLS OR AGREE TO RESOLUTIONS BE CONSIDERED AS PASSED IN FORM CONSIDERED BY THE HOUSE ON MONDAY, SEPTEMBER 29, 1997, AND THAT THE JOURNAL STAND APPROVED

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that the remaining postponed motions to suspend the rules and pass bills or agree to resolutions be considered as passed in the form considered by the House on Monday, September 29, 1997, and that the Journal stand approved today.

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

Abercrombie	Burton	Danner
Aderholt	Buyer	Davis (IL)
Archer	Callahan	Davis (VA)
Armey	Calvert	Deal
Bachus	Camp	Delahunt
Baesler	Campbell	DeLay
Ballenger	Canady	Dickey
Barr	Cannon	Dixon
Barrett (NE)	Cardin	Doolittle
Bartlett	Castle	Dreier
Barton	Chabot	Dunn
Bass	Chambliss	Ehlers
Bateman	Christensen	Ehrlich
Bentsen	Coble	Emerson
Bereuter	Coburn	English
Bilbray	Collins	Ensign
Biley	Combest	Everett
Blunt	Cook	Ewing
Boehlert	Cooksey	Fawell
Boehner	Cox	Flake
Bono	Cramer	Foley
Boucher	Crane	Fowler
Brady	Crapo	Fox
Bryant	Cubin	Franks (NJ)
Bunning	Cunningham	Frelinghuysen

Ganske	Leach	Royce
Gekas	Lewis (CA)	Rush
Gibbons	Linder	Ryun
Gilchrest	Livingston	Salmon
Gillmor	LoBiondo	Sandlin
Gilman	Lucas	Sanford
Goode	Maloney (CT)	Saxton
Goodlatte	Manton	Scarborough
Goodling	McCollum	Schaefer, Dan
Goss	McDade	Schaffer, Bob
Green	McHugh	Schumer
Greenwood	McInnis	Sessions
Gutknecht	McIntyre	Shadegg
Hall (OH)	McKeon	Shaw
Hall (TX)	Mica	Shays
Hamilton	Miller (FL)	Shimkus
Hansen	Moran (KS)	Shuster
Hastert	Moran (VA)	Skaggs
Hastings (WA)	Morella	Skeen
Hayworth	Myrick	Smith (MI)
Herger	Nethercutt	Smith (NJ)
Hill	Ney	Smith (OR)
Hilleary	Northup	Smith (TX)
Hobson	Norwood	Smith, Linda
Hoekstra	Nussle	Snowbarger
Hooley	Oxley	Solomon
Horn	Packard	Souder
Hostettler	Pappas	Spence
Hulshof	Parker	Stearns
Hunter	Paxon	Sununu
Hutchinson	Pease	Talent
Hyde	Peterson (PA)	Tauzin
Istook	Pickering	Taylor (NC)
Jenkins	Pickett	Thomas
John	Pitts	Thornberry
Johnson (CT)	Pombo	Thune
Johnson, E. B.	Porter	Tiahrt
Johnson, Sam	Portman	Trafficant
Kasich	Pryce (OH)	Upton
Kelly	Quinn	Walsh
Kim	Radanovich	Watkins
Kingston	Ramstad	Watts (OK)
Klug	Redmond	Weldon (FL)
Knollenberg	Regula	Weller
Kolbe	Riggs	White
Kucinich	Riley	Whitfield
LaFalce	Roemer	Wicker
LaHood	Rogan	Wise
Largent	Rogers	Wolf
Latham	Rohrabacher	Young (AK)
LaTourette	Rothman	Young (FL)
Lazio	Roukema	

NAYS—170

Allen	Evans	Manzullo
Andrews	Farr	Markey
Baker	Fattah	Martinez
Baldacci	Fazio	Mascara
Barcia	Filner	Matsui
Barrett (WI)	Ford	McCarthy (MO)
Becerra	Frank (MA)	McCarthy (NY)
Berry	Frost	McCrery
Bishop	Furse	McGovern
Blagojevich	Gejdenson	McHale
Blumenauer	Gordon	McKinney
Bonilla	Gutierrez	Meehan
Bonior	Harman	Meek
Borski	Hastings (FL)	Menendez
Boswell	Hefley	Metcalf
Boyd	Hefner	Millender-McDonald
Brown (CA)	Hilliard	Miller (CA)
Brown (FL)	Hinchey	Minge
Brown (OH)	Hinojosa	Mink
Capps	Holden	Moakley
Carson	Hoyer	Mollohan
Chenoweth	Jackson (IL)	Murtha
Clay	Jackson-Lee (TX)	Neal
Clayton	Jefferson	Neumann
Clement	Johnson (WI)	Oberstar
Clyburn	Kanjorski	Obey
Condit	Conyers	Olver
Costello	Kennedy (MA)	Ortiz
Coyne	Kennedy (RI)	Owens
Cummings	Kennelly	Pallone
Davis (FL)	Kildee	Pascarell
DeFazio	Kilpatrick	Pastor
DeGette	Kind (WI)	Paul
DeLauro	Kleczka	Payne
Dicks	Klink	Pelosi
Dingell	Lampson	Peterson (MN)
Doggett	Lantos	Petri
Dooley	Levin	Poshard
Doyle	Lewis (GA)	Price (NC)
Duncan	Lewis (KY)	Rahall
Edwards	Lipinski	Rangel
Engel	Lofgren	Reyes
Eshoo	Luther	Rivers
Etheridge	Maloney (NY)	Rodriguez

Roybal-Allard	Stabenow	Towns
Sabo	Stark	Turner
Sanchez	Stenholm	Velazquez
Sanders	Strickland	Vento
Sawyer	Stump	Viscosky
Scott	Stupak	Waters
Sensenbrenner	Tanner	Watt (NC)
Serrano	Tauscher	Waxman
Skelton	Taylor (MS)	Weygand
Slaughter	Thompson	Woolsey
Smith, Adam	Thurman	Wynn
Snyder	Tierney	
Spratt	Torres	

## NOT VOTING—33

Ackerman	Gonzalez	Nadler
Berman	Graham	Pomeroy
Bilirakis	Granger	Ros-Lehtinen
Burr	Houghton	Schiff
Dellums	Inglis	Sherman
Deutsch	Jones	Sisisky
Diaz-Balart	King (NY)	Stokes
Foglietta	Lowey	Wamp
Forbes	McDermott	Weldon (PA)
Gallegly	McIntosh	Wexler
Gephardt	McNulty	Yates

□ 1452

So (two-thirds not having voted in favor thereof), the motion was rejected.

The result of the vote was announced as above recorded.

**POSTPONEMENT OF MOTIONS TO SUSPEND RULES CONSIDERED BY THE HOUSE ON MONDAY, SEPTEMBER 29, 1997 TO MONDAY, OCTOBER 6, 1997**

Mr. GILMAN. Mr. Speaker, according to the majority leader's previously announced schedule that we would wind up our business at 3 p.m., therefore, I am going to make the following unanimous-consent request and then move to adjourn so that the Jewish Members can observe their high holy days.

Mr. Speaker, I ask unanimous consent that further consideration of the remaining motions to suspend the rules postponed from Monday be postponed until Monday, October 6, 1997.

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

Mr. WATT of North Carolina. Mr. Speaker, reserving the right to object, I just want to ask the gentleman a question. Would the votes be after 5 Monday?

Mr. ARMEY. Mr. Speaker, the votes would be for a long time after 5.

Mr. WATT of North Carolina. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

## ADJOURNMENT

Mr. GILMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 57 minutes p.m.), the House adjourned until tomorrow, Thursday, October 2, 1997, at 10 a.m.

**BILL PRESENTED TO THE PRESIDENT**

Mr. THOMAS, from the Committee on House Oversight, reported that that

committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 2203. An act making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes.

**EXECUTIVE COMMUNICATIONS, ETC.**

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

5279. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Virginia: Determination of Attainment of Ozone Standard and Applicability of Certain Requirements in the Richmond Area [SIPTRAX No. VA-076-5028; FRL-5904-2] received October 1, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5280. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Connecticut: Reasonably Available Control Technology for Nitrogen Oxides [FRL-5901-7] received October 1, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5281. A letter from the Acting Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Revision to Entity List: Bharat Electronics, Ltd. (aka Baharat Electronics, Ltd.), India [Docket No. 970428099-7227-04] (RIN: 0694-AB60) received October 1, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

5282. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the designation of certain organizations as "foreign terrorist organizations," pursuant to Public Law 104-132, section 302; Public Law 104-208; to the Committee on International Relations.

5283. A letter from the Deputy Secretary, Department of Defense, transmitting the Department's strategic plan, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

5284. A letter from the Attorney General, Department of Justice, transmitting the Department of Justice Strategic Plan for 1997-2002, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

5285. A letter from the Acting Chief Financial Officer, Environmental Protection Agency, transmitting the Agency's strategic plan, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

5286. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting the Bank's strategic plan, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

5287. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's strategic plan for fiscal years 1997 through 2002, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

5288. A letter from the President, Federal Financing Bank, transmitting the Bank's final strategic plan for the years 1997

through 2002, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

5289. A letter from the Chairman, Federal Trade Commission, transmitting the Commission's strategic plan for fiscal years 1997 through 2002, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

5290. A letter from the Administrator, General Services Administration, transmitting the Administration's strategic plan covering the years 1998 through 2002, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

5291. A letter from the Director, Office of Management and Budget, transmitting the Office's strategic plan for fiscal years 1998 through 2002, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

5292. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's strategic plan for the fiscal years 1997 through 2002, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

5293. A letter from the Secretary of the Treasury, transmitting the Department's strategic plan for the fiscal years 1997-2002, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

5294. A letter from the Secretary of Health and Human Services, transmitting the 1997 Strategic Plan for the Department of Health and Human Services, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

5295. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's strategic plan, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

5296. A letter from the Acting Administrator, U.S. Agency for International Development, transmitting the Agency's 1998-2007 strategic plan, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

5297. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Use by Settlers and Homesteaders of Timber on Their Pending Claims and Free Use of Timber upon Oil and Gas Leases (RIN: 1004-AC92) received September 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5298. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Nonmineral Entries on Mineral Lands [WO-350-1430-00-24 1A] (RIN: 1004-AC65) received September 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5299. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Survivors and Dependents Education: Extension of Eligibility Period (RIN: 2900-AI45) received October 1, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5300. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Disinterments from National Cemeteries (RIN: 2900-AI21) received October 1, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5301. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability

[Rev. Proc. 97-45] received October 1, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5302. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Classification of taxes collected by the Internal Revenue Service [Rev. Proc. 97-46] received October 1, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5303. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Optional Procedures for Substantiating Certain Travel, Etc., Expenses—Public Comments Requested [Announcement 97-103] received October 1, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LIVINGSTON: Committee on Appropriations. Report on the revised subdivision of budget totals for fiscal year 1998 (Rept. 105-287). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 257. Resolution providing for the consideration of the bill (H.R. 901) to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands (Rept. 105-288). Referred to the House Calendar.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 2464. A bill to amend the Immigration and Nationality Act to exempt internationally adopted children under age 10 from the immunization requirement; with amendments (Rept. 105-289). Referred To the Committee on the Whole House on the State of the Union.

Mr. BLILEY: Committee on Commerce. H.R. 1270. A bill to amend the Nuclear Waste Policy Act of 1982; with an amendment (Rept. 105-290 Pt. 1). Ordered to be printed.

#### DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 1270 referred to the Committee of the Whole House on the State of the Union.

#### TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 1270. Referral to the Committee on Resources extended for a period ending not later than October 21, 1997.

H.R. 1270. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than October 1, 1997.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COBLE (for himself, Mr. FRANK of Massachusetts, Mr. CONYERS, Mr.

GALLEGLY, Mr. GOODLATTE, Mr. BONO, Mr. CANNON, Mr. MCCOLLUM, Mr. CANADY of Florida, Mr. BERMAN, Mr. BOUCHER, Ms. LOFGREN, and Mr. DELAHUNT):

H.R. 2589. A bill to amend the provisions of title 17, United States Code, with respect to the duration of copyright, and for other purposes; to the Committee on the Judiciary.

By Mr. DEFAZIO (for himself, Mr. DELLUMS, Mr. EVANS, Mr. FROST, Mr. GEJDESON, Mr. GREEN, Mr. LAFALCE, Mr. PARKER, Mr. SCHUMER, Ms. SLAUGHTER, and Mr. STARK):

H.R. 2590. A bill to require life and disability insurers to disclose an insurance applicant's medical test results to the applicant, unless the applicant specifically declines to receive the results, and otherwise to restrict the disclosure of such results by such insurers; to the Committee on Commerce.

By Mr. LEACH (for himself and Mr. GILMAN):

H.R. 2591. A bill to provide redress for inadequate restitution of assets seized by the U.S. Government during World War II which belonged to victims of the Holocaust, and for other purposes; to the Committee on International Relations.

By Mr. GOODLATTE (for himself, Mr. SMITH of Texas, and Mr. BARR of Georgia):

H.R. 2592. A bill to amend title 11 of the United States Code to provide private trustees the right to seek judicial review of U.S. trustee actions related to trustee expenses and trustee removal; to the Committee on the Judiciary.

By Mr. HERGER (for himself, Mrs. KENNELLY of Connecticut, Mr. WELLER, Mr. CRANE, Mr. SHAW, Mrs. JOHNSON of Connecticut, Mr. BUNNING of Kentucky, Mr. HOUGHTON, Mr. MCCRERY, Mr. CAMP, Mr. NUSSLE, Mr. SAM JOHNSON, Ms. DUNN of Washington, Mr. COLLINS, Mr. PORTMAN, Mr. ENGLISH of Pennsylvania, Mr. ENSIGN, Mr. CHRISTENSEN, Mr. WATKINS, Mr. HAYWORTH, Mr. NEAL of Massachusetts, and Mr. COYNE):

H.R. 2593. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for two-earner married couples; to the Committee on Ways and Means.

By Mr. FOX of Pennsylvania (for himself, Mr. WELDON of Pennsylvania, and Ms. PELOSI):

H.R. 2594. A bill to restrict the access of youth to tobacco products, and for other purposes; to the Committee on Commerce.

By Mr. CHAMBLISS (for himself, Mr. POMBO, Mr. LATOURETTE, Mr. GRAHAM, Mr. BISHOP, Mr. NORWOOD, Mr. PAXON, Mr. BONO, Mr. COLLINS, Mr. RILEY, Mr. JONES, Mr. LUCAS of Oklahoma, Mr. BOYD, Mr. THOMPSON, Mr. SOLOMON, Mr. LATHAM, Mr. NETHERCUTT, Mr. BERRY, Mr. JOHN, Mr. HASTINGS of Washington, and Mr. CONDIT):

H.R. 2595. A bill to amend the Immigration and Nationality Act to create a new non-immigrant category for temporary agricultural workers admitted pursuant to a labor condition attestation; to the Committee on the Judiciary, and in addition to the Committees on Agriculture, Ways and Means, and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAMP (for himself and Mr. GUTKNECHT):

H.R. 2596. A bill to amend the Trade Act of 1974 to establish procedures for identifying countries that deny market access for agricultural products of the United States; to the Committee on Ways and Means.

By Ms. FURSE (for herself, Mr. BECERRA, Mr. BONIOR, Mr. CLAY, Mr. CLYBURN, Mr. EVANS, Mr. FRANK of Massachusetts, Mr. GUTIERREZ, Mr. LEWIS of Georgia, Mr. MCGOVERN, Mrs. MINK of Hawaii, Mr. MARKEY, Ms. ROYBAL-ALLARD, Mr. SANDERS, Ms. WATERS, and Ms. WOOLSEY):

H.R. 2597. A bill to rescind restrictions on welfare and public benefits for legal immigrants enacted by title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, and to reduce arms transfer subsidies; to the Committee on Ways and Means, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN of Kansas:

H.R. 2598. A bill to amend the Internal Revenue Code of 1986 to provide for improved taxpayer access to the Internal Revenue Service, increased equity for taxpayers, and for other purposes; to the Committee on Ways and Means.

By Mr. FATTAH (for himself, Mr. RUSH, Mr. DELLUMS, Ms. CHRISTIAN-GREEN, Mr. CUMMINGS, Mr. SANDERS, Mr. BORSKI, Mr. FRANK of Massachusetts, Mr. FOGLETTA, Mr. STARK, Mr. TIERNEY, Mr. THOMPSON, Mr. DAVIS of Illinois, and Mr. FILNER):

H.R. 2599. A bill to amend the Consumer Credit Protection Act to make it unlawful to require a credit card as a condition for doing business; to the Committee on Banking and Financial Services.

By Mr. NUSSLE (for himself, Mr. POSHARD, Mr. MORAN of Kansas, Mr. MINGE, Mr. DEFAZIO, Mr. BEREUTER, Mr. PETERSON of Pennsylvania, Mr. HILLIARD, Mr. POMEROY, Mr. HAYWORTH, Mr. CAMP, Mr. COSTELLO, Mr. COOKSEY, Mr. UPTON, Mr. DEAL of Georgia, Mrs. MYRICK, Mr. BOSWELL, Mr. LATHAM, Mr. KIND of Wisconsin, and Ms. CHRISTIAN-GREEN):

H.R. 2600. A bill to amend title XVIII of the Social Security Act and section 4626 of the Balanced Budget Act of 1997 to prohibit the Secretary of Health and Human Services from providing any incentive payments to hospitals to reduce the number of residents in graduate medical education programs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROGAN (for himself, Mr. DREIER, Mr. GALLEGLY, and Mr. MCKEON):

H.R. 2601. A bill to exempt prescribed burning on national forestlands from regulation under the Clean Air Act; to the Committee on Commerce.

By Mr. STARK (for himself, Ms. PELOSI, Ms. SLAUGHTER, Mr. LIPINSKI, Mr. FILNER, Ms. HOOLEY of Oregon, Mrs. MALONEY of New York, Mr. YATES, Mr. MCGOVERN, Mr. SANDERS, Mrs. LOWEY, Ms. CHRISTIAN-GREEN, Mr. KUCINICH, Mr. MCDERMOTT, Mr. MILLER of California, Mr. MARKEY, Mr. SABO, and Mr. GUTIERREZ):

H.R. 2602. A bill to halt sales of surplus military material until the Defense Logistics Agency reclassifies such material according to the level of demilitarization required to render the material safe for public use and to ensure, that, in the future, surplus military material is correctly classified before disposal; to the Committee on National Security.

By Mr. FOX of Pennsylvania (for himself, Mr. GILMAN, Mr. WELLER, Mr. BRADY, Mr. SNOWBARGER, Mr. PAPPAS, Mr. WELDON of Pennsylvania, Mr. FORBES, Mr. LATOURETTE, Mr. HOSTETTLER, Mr. NEUMANN, Mr. HORN, Mr. PAXON, Mr. QUINN, Mr. MCHUGH, Mr. KINGSTON, Mr. GREENWOOD, Mr. WAXMAN, Mr. NADLER, Mr. SCHUMER, Mr. FOLEY, Mr. SAXTON, Mr. LINDER, Mr. ADERHOLT, Mrs. ROUKEMA, Mr. BONO, Ms. HARMAN, Mr. CANNON, Mr. SHIMKUS, Mr. ENGEL, Mr. MANZULLO, Mr. SOLOMON, and Mr. CARDIN):

H. Con. Res. 163. Concurrent resolution expressing the sense of the Congress that the United States should not provide assistance to terrorist organizations affiliated with the Palestinian Authority or to the Palestinian Broadcasting Corporation [PBC]; to the Committee on International Relations.

By Mrs. MINK of Hawaii:

H. Con. Res. 164. Concurrent resolution expressing the sense of the Congress that the Government of the Commonwealth of the Northern Mariana Islands should provide for a plebiscite on the question of compliance with United States immigration and wage laws or independence from the United States; to the Committee on Resources.

By Mrs. MORELLA:

H. Con. Res. 165. Concurrent resolution expressing the sense of the Congress that the Government of Israel should extradite Samuel Sheinbein to the United States; to the Committee on International Relations.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 135: Ms. DEGETTE.  
 H.R. 543: Mr. SKEEN, Mr. ROHRBACHER, Mrs. KELLY, Mr. MCGOVERN, Mr. GUTIERREZ, Mr. LOBONDO, Mr. CUNNINGHAM, Mr. RANGEL, Mr. CAPPS, Mr. BONIOR, Mr. HOLDEN, and Mr. HAYWORTH.  
 H.R. 611: Mr. ROTHMAN.  
 H.R. 758: Mr. NUSSLE.  
 H.R. 777: Mr. EDWARDS.  
 H.R. 866: Mr. BARTON of Texas.  
 H.R. 1025: Mr. NADLER.  
 H.R. 1114: Mr. WAMP.  
 H.R. 1215: Mr. KENNEDY of Rhode Island.  
 H.R. 1231: Ms. FURSE and Mr. WEYGAND.  
 H.R. 1334: Mr. GEKAS.

H.R. 1371: Mr. MILLER of Florida, Mr. SANDERS, and Mr. BUNNING of Kentucky.

H.R. 1415: Mr. CLEMENT, Ms. DELAURO, Mr. KENNEDY of Massachusetts, Mr. BOSWELL, and Mr. COOK.

H.R. 1432: Ms. KILPATRICK.

H.R. 1541: Mr. MINGE and Mr. MORAN of Virginia.

H.R. 1595: Mr. BOB SCHAFFER.

H.R. 1614: Mr. RUSH.

H.R. 1625: Mr. PORTER, Mr. SCARBOROUGH, Mr. SOUDER, Mr. GOSS, and Mr. COX of California.

H.R. 1636: Mr. BALDACCI.

H.R. 1679: Ms. DELAURO.

H.R. 1689: Mr. BONO, Mr. GEJDENSON, and Mr. LUTHER.

H.R. 1719: Mrs. CHENOWETH and Mr. TURNER.

H.R. 1754: Mr. COOK, Mr. EHRLICH, Mr. QUINN, Mr. BARTLETT of Maryland, and Mr. HAYWORTH.

H.R. 1914: Mr. SALMON.

H.R. 1995: Ms. FURSE, Mr. BOSWELL, and Mr. METCALF.

H.R. 2001: Mr. BRADY and Mr. PETERSON of Minnesota.

H.R. 2011: Mr. MORAN of Kansas.

H.R. 2070: Mr. WEYGAND.

H.R. 2190: Mr. WOLF.

H.R. 2195: Mr. WOLF, Mr. WELLER, and Mr. BURTON of Indiana.

H.R. 2196: Mr. WATTS of Oklahoma, Mr. WOLF, Mr. PAUL, Mr. SMITH of Michigan, and Mr. HYDE.

H.R. 2215: Mr. KUCINICH.

H.R. 2221: Mr. SNOWBARGER.

H.R. 2253: Mr. QUINN, Mr. BARCIA of Michigan, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. THOMPSON, Mr. SANDLIN, Mr. TORRES, Mr. BISHOP, and Mrs. LOWEY.

H.R. 2332: Mr. MICA.

H.R. 2386: Mr. HYDE and Mr. WOLF.

H.R. 2400: Mr. LAHOOD.

H.R. 2404: Mr. GRAHAM.

H.R. 2405: Mr. CLEMENT, Mr. THOMPSON, and Mr. EVANS.

H.R. 2409: Ms. FURSE.

H.R. 2428: Mr. VENTO, Mr. FILNER, Mrs. MEEK of Florida, Mr. LAMPSON, Mr. SKAGGS, Mr. DAVIS of Illinois, Mr. GREEN, and Mr. FARR of California.

H.R. 2438: Mr. HILL, Mr. GALLEGLY, Mr. SAM JOHNSON, Mr. TRAFICANT, and Mrs. LINDA SMITH of Washington.

H.R. 2449: Mr. BURTON of Indiana.

H.R. 2456: Mr. GINGRICH and Mr. MCINTYRE.

H.R. 2476: Mr. GUTIERREZ.

H.R. 2483: Mr. BURTON of Indiana, Mr. COLLINS, Mr. DEAL of Georgia, Mr. GILLMOR, Mr. RIGGS, and Mr. WELDON of Florida.

H.R. 2490: Mr. ARMEY, Mr. BARTLETT of Maryland, Mr. BRYANT, Mr. BURR of North Carolina, Mr. CANADY of Florida, Mrs. CHENOWETH, Mr. COBLE, Mr. COBURN, Mr. COOKSEY, Mr. DICKEY, Mr. DOOLITTLE, Mr. GRAHAM, Mr. HASTINGS of Washington, Mr. SAM JOHNSON, Mr. LINDER, Mr. NEUMANN, Mr. NETHERCUTT, Mr. NORWOOD, Mr. PAUL, Mr. PICKERING, Mr. PITTS, Mr. ROGAN, Mr. SESSIONS, Mr. SHIMKUS, Mrs. LINDA SMITH of Washington, Mr. SMITH of Michigan, Mr. TIAHRT, Mr. TRAFICANT, and Mr. WELDON of Florida.

H.R. 2503: Mr. BALDACCI and Mrs. LOWEY.

H.R. 2517: Mr. BARCIA of Michigan, Mr. RYUN, Ms. RIVERS, Mr. TAYLOR of Mississippi, Mrs. CHENOWETH, Mr. COLLINS, and Mrs. EMERSON.

H.R. 2527: Mr. FRANK of Massachusetts, Mr. KENNEDY of Massachusetts, Mr. OBERSTAR, Mr. CLEMENT, Ms. FURSE, Mr. LEACH, Mr. SPRATT, Ms. DELAURO, Mr. FROST, Mr. WALSH, Mr. HINCHEY, Mr. ACKERMAN, Mr. OLVER, Ms. STABENOW, and Mrs. LOWEY.

H.R. 2535: Mr. FAWELL, Mr. SOUDER, and Mr. DEAL of Georgia.

H.R. 2551: Mr. GUTIERREZ and Mr. LATOURETTE.

H.R. 2568: Mr. MORAN of Kansas, Mr. DAVIS of Illinois, Mr. WHITFIELD, Mr. DREIER, and Mr. GILLMOR.

H. Con. Res. 65: Mr. FRANKS of New Jersey and Mr. RIGGS.

H. Con. Res. 114: Mrs. LOWEY.

H. Con. Res. 127: Mr. SHERMAN, Mr. SCHIFF, Mr. SMITH of Michigan, and Mr. ENSIGN.

H. Con. Res. 132: Mr. BROWN of Ohio, Mr. WATTS of Oklahoma, and Mr. SMITH of Oregon.

H. Res. 139: Mr. ROGAN and Mr. GILLMOR.

H. Res. 171: Mr. DAVIS of Illinois.

H. Res. 224: Mr. FILNER, Mr. LIVINGSTON, Mr. JOHN, and Mr. LAFALCE.

H. Res. 235: Mr. CUNNINGHAM, Mr. SKEEN, Mr. PAPPAS, Mr. ALLEN, Mr. BLUNT, Ms. JACKSON-LEE, and Mr. KENNEDY of Massachusetts.

H. Res. 247: Ms. FURSE.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1173: Mr. MCCREERY.