

Ravenel	Schiff	Taylor (NC)
Regula	Schulze	Thomas (CA)
Rhodes	Sensenbrenner	Thomas (WY)
Ridge	Shaw	Upton
Riggs	Shays	Vucanovich
Rinaldo	Shuster	Walker
Ritter	Skeen	Walsh
Roberts	Smith (NJ)	Weber
Rogers	Smith (OR)	Weldon
Rohrabacher	Smith (TX)	Wolf
Ros-Lehtinen	Snowe	Wylie
Roth	Solomon	Young (AK)
Roukema	Spence	Young (FL)
Santorum	Stearns	Zeliff
Saxton	Stump	Zimmer
Schaefer	Sundquist	

ANSWERED "PRESENT"—1

James

NOT VOTING—28

Abercrombie	Fascell	Roemer
AuCoin	Feighan	Sanders
Baker	Ford (TN)	Torres
Boxer	Jefferson	Valentine
Byron	Jones (NC)	Vander Jagt
Campbell (CA)	Kolter	Waters
Conyers	McDade	Wilson
Donnelly	Moakley	Yatron
Dymally	Neal (MA)	
Eckart	Nowak	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

49.17 SUBPOENA

The SPEAKER pro tempore, Mrs. UNSOELD, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES, Washington, DC, April 30, 1992.

Hon. THOMAS FOLEY, Speaker of the House, 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 issued by the Circuit Court of Kane County, Illinois, in the case of Roger X. Baker vs. Osco Drug Company (American Drugstores).

After consultation with the General Counsel to the Clerk, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

J. DENNIS HASTERT, Member of Congress.

49.18 LEGAL SERVICES CORPORATION

The SPEAKER pro tempore, Mrs. UNSOELD, pursuant to House Resolution 444 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2039) to authorize appropriations for the Legal Services Corporation, and for other purposes.

Mr. MFUME, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

49.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendments en bloc, as modified, submitted by Mr. BROOKS:

Page 31, line 11, strike "legal assistance".

Page 24, strike lines 14 through 19 and insert the following:

"except that the Corporation—

"(I) shall, upon application, grant waivers of the requirements of this clause for a legal

services program, supported under section 222(a)(3) of the Economic Opportunity Act of 1964, which on the date of the enactment of this title has a majority of persons who are not attorneys on its policymaking board, and

"(II) may grant, pursuant to regulations issued by the Corporation, a waiver of the requirements of this clause for recipients which, because of the nature of the population they serve, are unable to comply with such requirements; and

21. The amendment to be offered by Representative FRANK of Massachusetts or his designee, debatable for not to exceed 20 minutes:

Page 17, line 8, strike the quotation marks and second period.

Page 17, insert the following after line 8:

"(5) Notwithstanding the preceding provisions of this subsection, the Inspector General of the Corporation shall not, in carrying out his or her functions, be subject to any restriction that—

"(A) is contained in the standards and procedures adopted by the Corporation under this subsection; and

"(B) limits access by the Corporation to documents or other information."

Modification to the amendment offered by Mr. FRANK to H.R. 2039, As Reported:

Add at the end of the amendment the following:

In section 1007(d)(2) of the Legal Services Corporation Act, as contained in section 6(c) of the bill, in the last sentence strike "an investigation" and insert "an audit, or to an investigation".

Page 42, line 22, insert after "12 months" the following: ", except for any grant to a new program commencing operation after the beginning of the applicable calendar year."

It was decided in the affirmative	Yeas	410
	Nays	3
	Answered present	1

49.20 [Roll No. 99] AYES—410

Abercrombie	Brown	Dickinson
Ackerman	Bruce	Dicks
Alexander	Bryant	Dingell
Allard	Bunning	Dixon
Allen	Burton	Donnelly
Anderson	Bustamante	Dooley
Andrews (ME)	Callahan	Doolittle
Andrews (NJ)	Camp	Dorgan (ND)
Andrews (TX)	Campbell (CO)	Dornan (CA)
Annunzio	Cardin	Downey
Anthony	Carper	Dreier
Applegate	Carr	Duncan
Archer	Chandler	Durbin
Aspin	Chapman	Dwyer
Atkins	Clay	Early
Bacchus	Clement	Edwards (CA)
Baker	Clinger	Edwards (OK)
Ballenger	Coble	Edwards (TX)
Barrett	Coleman (MO)	Emerson
Barton	Coleman (TX)	Engel
Bateman	Collins (IL)	English
Beilenson	Collins (MI)	Erdreich
Bennett	Combest	Espy
Bentley	Condit	Evans
Bereuter	Conyers	Ewing
Berman	Cooper	Fascell
Bevill	Costello	Fawell
Bilbray	Coughlin	Fazio
Bilirakis	Cox (IL)	Fleghan
Blackwell	Coyne	Fields
Bilely	Cramer	Fish
Boehlert	Cunningham	Flake
Boehner	Dannemeyer	Foglietta
Bonior	Darden	Ford (MI)
Borski	de la Garza	Frank (MA)
Boucher	DeFazio	Franks (CT)
Brewster	DeLauro	Frost
Brooks	DeLay	Galleghy
Broomfield	Dellums	Gaydos
Browder	Derrick	

Gejdenson	Markey	Ros-Lehtinen
Gekas	Marlenee	Rose
Gephardt	Martin	Rostenkowski
Geren	Martinez	Roth
Gibbons	Matsui	Roukema
Gilchrest	Mavroules	Rowland
Gillmor	Mazzoli	Roybal
Gilman	McCandless	Russo
Gingrich	McCloskey	Sabo
Glickman	McCollum	Sangmeister
Gonzalez	McCrery	Santorum
Goodling	McCurdy	Sarpaluis
Gordon	McDermott	Savage
Goss	McEwen	Sawyer
Gradison	McGrath	Saxton
Grandy	McHugh	Schaefer
Green	McMillan (NC)	Scheuer
Guarini	McMillen (MD)	Schiff
Gunderson	McNulty	Schroeder
Hall (OH)	Meyers	Schulze
Hall (TX)	Mfume	Schumer
Hamilton	Michel	Sensenbrenner
Hammerschmidt	Miller (CA)	Serrano
Hancock	Miller (OH)	Sharp
Hansen	Miller (WA)	Shaw
Harris	Mineta	Shays
Hastert	Mink	Shuster
Hatcher	Molinari	Sikorski
Hayes (IL)	Mollohan	Sisisky
Hayes (LA)	Montgomery	Skaggs
Hefley	Moody	Skeen
Hefner	Moorhead	Skelton
Herger	Moran	Slattery
Hoagland	Morella	Slaughter
Hobson	Morrison	Smith (FL)
Hochbrueckner	Mrazek	Smith (IA)
Holloway	Murphy	Smith (NJ)
Hopkins	Murtha	Smith (OR)
Horn	Myers	Smith (TX)
Horton	Nagle	Snowe
Houghton	Natcher	Solarz
Hoyer	Neal (MA)	Solomon
Hubbard	Neal (NC)	Spence
Huckaby	Nichols	Spratt
Hughes	Nowak	Staggers
Hunter	Nussle	Stallings
Hutto	Oakar	Stark
Hyde	Oberstar	Stearns
Inhofe	Obey	Stenholm
Jacobs	Olin	Stokes
Jefferson	Olver	Studds
Jenkins	Ortiz	Stump
Johnson (CT)	Orton	Sundquist
Johnson (SD)	Owens (NY)	Swett
Johnson (TX)	Owens (UT)	Swift
Johnston	Oxley	Synar
Jones (NC)	Packard	Tallon
Jontz	Pallone	Tanner
Kanjorski	Panetta	Tauzin
Kaptur	Parker	Taylor (MS)
Kasich	Pastor	Taylor (NC)
Kennedy	Patterson	Thomas (CA)
Kennelly	Paxon	Thomas (GA)
Kildee	Payne (NJ)	Thomas (WY)
Klecza	Payne (VA)	Thornton
Klug	Pease	Torres
Kolbe	Pelosi	Torricelli
Kolter	Penny	Towns
Kopetski	Kolter	Trafficant
Kostmayer	Kopetski	Traxler
Kyl	Kostmayer	Peterson (FL)
LaFalce	Kyl	Peterson (MN)
Lagomarsino	LaFalce	Petri
Lancaster	Lagomarsino	Pickett
Lantos	Lancaster	Pickle
LaRocco	Lantos	Porter
Laughlin	LaRocco	Poshard
Leach	Laughlin	Price
Lehman (CA)	Leach	Pursell
Lehman (FL)	Lehman (CA)	Quillen
Lent	Lehman (FL)	Rahall
Levin (MI)	Lent	Ramstad
Levine (CA)	Levin (MI)	Rangel
Lewis (CA)	Levine (CA)	Ravenel
Lewis (FL)	Lewis (CA)	Ray
Lewis (GA)	Lewis (FL)	Reed
Lightfoot	Lewis (GA)	Regula
Lipinski	Lightfoot	Rhodes
Livingston	Lipinski	Richardson
Lloyd	Livingston	Ridge
Long	Lloyd	Riggs
Lowery (CA)	Long	Rinaldo
Lowey (NY)	Lowery (CA)	Ritter
Luken	Lowey (NY)	Roberts
Machtley	Luken	Roe
Manton	Machtley	Roemer
	Manton	Rogers
		Rohrabacher

NOES—3

Armey	Cox (CA)	Crane
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ANSWERED "PRESENT"—1

James

NOT VOTING—20

Table with 3 columns: Name, State, and Status. Includes AuCoin, Barnard, Boxer, etc.

So the amendments en bloc, as modified, were agreed to.

After some further time,

49.21 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment, as modified, submitted by Mr. BROOKS:

Page 31, line 11, after the words "legal assistance", add the words "of church".

Table showing vote counts: Yeas 263, Nays 150, Answered present 1.

49.22 [Roll No. 100]

AYES—263

Large table listing names and states for the AYES group, including Abercrombie, Ackerman, Alexander, etc.

Table listing names and states for the NOT VOTING group, including Price, Rahall, Ramstad, etc.

NOES—150

Table listing names and states for the NOES group, including Allard, Allen, Andrews (TX), etc.

ANSWERED "PRESENT"—1

James

NOT VOTING—20

Table with 3 columns: Name, State, and Status. Includes AuCoin, Barnard, Boxer, etc.

So the amendment, as modified, was agreed to.

After some further time,

49.23 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. MCCOLLUM:

Strike section 16 (page 34, line 7, through page 36, line 2) and insert the following:

SEC. 16. PHASED IMPLEMENTATION OF COMPETITION; DISTRIBUTION OF GRANTS AND CONTRACTS.

Section 1007 (42 U.S.C. 2996f) is amended by adding at the end the following:

"(m)(1)(A) Ten percent of all grants and contracts awarded by the Corporation for the provision or support of legal assistance to eligible clients under this title shall be awarded under a competitive bidding system developed by the Corporation to test the use of competition in providing effective and efficient legal services of high quality. This competitive system shall—

"(i) ensure access to high-quality, economical, and effective legal services for eligible clients, consistent with section 1001,

"(ii) minimize disruption of client services, and

"(iii) ensure that every recipient or other grantee or contractor seeking a grant or contract through this competitive bidding process complies with all provisions of this title and the applicable rules, regulations, guidelines, and instructions issued under this title.

"(B) The competitive bidding system developed under subparagraph (A) shall be implemented in fiscal years 1993 and 1994.

"(C) The Corporation shall, not later than 18 months after implementation of the competitive bidding system under subparagraph (A), report to the Congress on the effectiveness of the system.

"(D) If at the end of fiscal year 1994 the Corporation determines that the competitive bidding system has met the requirements of subparagraph (A), the Corporation shall so notify the Congress and shall proceed to phase in, during the next 3 fiscal years, the implementation, for all grants and contracts awarded by the Corporation, of a competitive bidding system that meets the requirements of subparagraph (A).

"(2) Rights under sections 1007(a)(9) and 1006(b)(5) shall not apply to the termination or denial of financial assistance under this title as a result of the competitive award of any grant or contract under paragraph (1), and the expiration of any grant or contract under this title as a result of such competitive award shall not be treated as a termination or denial of refunding under section 1007(a)(9) or 1006(b)(5).

"(n)(1) Funds appropriated to the Corporation shall be distributed to each grantee or contractor on a per capita basis pursuant to the number of poor people determined by the Bureau of the Census to be within its geographical area, in accordance with paragraphs (2) and (3).

"(2) The amount of the grants from the Corporation and of the contracts entered into by the Corporation under section 1006(a)(1) shall be an equal figure per poor person for all geographic areas, based on the most recent decennial census of population conducted pursuant to section 141 of title 13, United States Code, regardless of the level of funding for any geographic area before the enactment of the Legal Services Reauthorization Act of 1991.

"(3) Beginning with the fiscal year beginning after the results of the most recent decennial census have been reported to the President under section 141(b) of title 13, United States Code, funding of geographic areas served by recipients shall be redetermined, in accordance with paragraph (2), based on the per capita poverty population in each such geographic area under that decennial census."

Table showing vote counts for the amendment: Yeas 170, Nays 251, Answered present 1.