

required activities, and selection criteria—Cooperative Demonstration Program (school-to-work), pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3479. A letter from the Secretary of Education, transmitting notice of final priority—Cooperative Demonstration Program (correctional education), pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

3480. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting notification of the antiterrorism training courses to be offered to the civilian security forces of the Government of Argentina, pursuant to 22 U.S.C. 2349aa-3(a)(1); to the Committee on Foreign Affairs.

3481. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting notification of the antiterrorism training courses to be offered to the civilian security forces of the Government of Uruguay, pursuant to 22 U.S.C. 2349aa-3(a)(1); to the Committee on Foreign Affairs.

3482. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of Peter Jon de Vos, of Florida, to be Ambassador to the Republic of Tanzania; of Robert E. Gribbon III, of Alabama, to be Ambassador to the Central African Republic, and members of their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3483. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of Dennis P. Barret, of Washington, to be Ambassador to the Democratic Republic of Madagascar; of Richard Goodwin Capen, Jr., of Florida, to be Ambassador to Spain; of William Lacy Swing, of North Carolina, to be Ambassador to the Federal Republic of Nigeria; of Roger A. McGuire, of Ohio, to be Ambassador to the Republic of Guinea Bissau, and members of their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3484. A letter from the Chief Financial Officer, Department of Commerce, transmitting notice of a proposed altered records system, pursuant to 5 U.S.C. 552a(r); to the Committee on Government Operations.

3485. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report of activities under the Freedom of Information Act for calendar year 1991, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3486. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize appropriations for the Patent and Trademark Office in the Department of Commerce for fiscal years 1993, 1994, and 1995; to the Committee on the Judiciary.

3487. A letter from the Administrator, General Services Administration, transmitting an informational copy of a lease prospectus, pursuant to 40 U.S.C. 606(a); to the Committee on Public Works and Transportation.

3488. A letter from the Administrator, General Service Administration, transmitting informational copies of various lease prospectuses, pursuant to 40 U.S.C. 606(a); to the Committee on Public Works and Transportation.

3489. A letter from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to encourage State and local governments to further identify and remove regulatory barriers to affordable housing, to strengthen the link between Federal housing assistance and removal of regulatory barriers, to extend and amend certain laws providing Federal tax incentives for affordable housing, and for other purposes; jointly, to the Committees on Banking, Finance and Urban Affairs and Ways and Means.

And then,

¶51.4 ADJOURNMENT

On motion of Mr. GONZALEZ, at 12 o'clock and 43 minutes p.m., the House adjourned.

¶51.5 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. MILLER of California: Committee on Interior and Insular Affairs. S. 452. An Act to authorize a transfer of administrative jurisdiction over certain land to the Secretary of the Interior, and for other purposes (Rept. No. 102-516). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Interior and Insular Affairs. S. 1182. An Act to transfer jurisdiction of certain public lands in the State of Utah to the Forest Service, and for other purposes (Rept. No. 102-517). Referred to the Committee of the Whole House on the State of the Union.

¶51.6 SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X the following action was taken by the Speaker:

[Submitted May 8, 1992]

H.R. 3304. Referred to the Committees on Government Operations and Rules extended for a period ending not later than May 15, 1992.

¶51.7 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. GINGRICH:

H.R. 5130. A bill to amend title 38, United States Code, to provide for the prorating of veterans compensations, dependency and indemnity compensation, and pension for the month in which the death of the payee occurs; to the Committee on Veterans' Affairs.

By Mr. SANDERS:

H.R. 5131. A bill to amend the Solid Waste Disposal Act to regulate the manufacture, collection, and disposal of batteries; to the Committee on Energy and Commerce.

By Mr. BOEHNER:

H. Con. Res. 317. Concurrent resolution declaring the ratification of the 27th article of amendment to the Constitution of the United States; to the Committee on the Judiciary.

¶51.8 MEMORIALS

Under clause 4 of rule XXII,

415. The SPEAKER presented a memorial of the Legislature of the State of Michigan, relative to the proposed amendment to the Constitution of the United States relating to the compensation of Members of the U.S. Congress; to the Committee on the Judiciary.

¶51.9 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 1969: Mr. LEWIS of Georgia.
 H.R. 3138: Mr. MARKEY.
 H.R. 3146: Mr. ROGERS.
 H.R. 3253: Mr. MURTHA and Mr. MINETA.
 H.R. 3258: Mr. HARRIS and Mr. HAYES of Illinois.
 H.R. 3503: Mr. CHAPMAN, Mr. WILSON, Mr. LANCASTER, and Mr. WALSH.

H.R. 4061: Mr. EVANS and Mr. ATKINS.
 H.R. 4168: Mr. SMITH of New Jersey.
 H.R. 4419: Mr. LEVINE of California, Mr. JEFFERSON, Mr. JOHNSON of South Dakota, and Mr. HANSEN.

H.R. 4944: Mr. SANTORUM.

H.J. Res. 429: Mr. GEJDENSON, Mr. SOLARZ, Mr. TAUZIN, Mr. DORNAN of California, Mr. OBERSTAR, Mr. ZIMMER, Mr. BROWN, Mr. SIKORSKI, Mr. LEWIS of Georgia, Mr. BREWSTER, Mr. SMITH of Iowa, Mrs. LOWEY of New York, Mr. BILBRAY, and Mr. COBLE.

H.J. Res. 467: Mr. SANGMEISTER, Mr. ENGEL, Mr. YOUNG of Florida, Mr. ALEXANDER, and Mr. FASCELL.

H. Res. 323: Mr. PAYNE of New Jersey.

H. Res. 384: Mr. LENT.

TUESDAY, MAY 12, 1992 (52)

The House was called to order by the SPEAKER.

¶52.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, May 11, 1992.

Mr. SOLOMON, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the nays had it.

Mr. SOLOMON objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 252
 Nays 116

¶52.2 [Roll No. 114] YEAS—252

Abercrombie	Conyers	Gonzalez
Ackerman	Cooper	Gordon
Anderson	Costello	Green
Andrews (ME)	Cox (CA)	Guarini
Andrews (NJ)	Cox (IL)	Gunderson
Andrews (TX)	Coyne	Hall (OH)
Annuozio	Cramer	Hall (TX)
Anthony	Darden	Hamilton
Applegate	de la Garza	Hammerschmidt
Archer	DeFazio	Hansen
Aspin	DeLauro	Harris
Atkins	Dellums	Hatcher
Bacchus	Derrick	Hayes (IL)
Bateman	Dicks	Hefner
Beilenson	Dingell	Hertel
Bennett	Dooley	Hoagland
Berman	Dorgan (ND)	Hochbrueckner
Bevill	Downey	Horn
Bilbray	Duncan	Horton
Blackwell	Durbin	Houghton
Bonior	Dwyer	Hoyer
Borski	Early	Hubbard
Boucher	Eckart	Huckaby
Brewster	Edwards (CA)	Hughes
Brooks	Edwards (TX)	Hutto
Broomfield	English	Johnson (SD)
Browder	Erdreich	Johnson (TX)
Brown	Evans	Johnston
Bruce	Ewing	Jones (GA)
Bustamante	Fazio	Jones (NC)
Campbell (CO)	Fish	Jontz
Cardin	Flake	Kanjorski
Carper	Ford (TN)	Kaptur
Carr	Frank (MA)	Kasich
Clinger	Gejdenson	Kennedy
Coleman (TX)	Gephardt	Kennelly
Collins (IL)	Gibbons	Kildee
Collins (MI)	Gillmor	Klecza
Combest	Gilman	Klug
Condit	Glickman	Kopetski

Kostmayer	Olver	Sharp
Lancaster	Ortiz	Shaw
Lantos	Orton	Sisisky
LaRocco	Owens (NY)	Skaggs
Laughlin	Owens (UT)	Skeen
Lehman (FL)	Packard	Skelton
Lent	Pallone	Slattery
Levin (MI)	Panetta	Slaughter
Lewis (GA)	Parker	Smith (FL)
Lipinski	Pastor	Smith (IA)
Livingston	Patterson	Smith (NJ)
Lloyd	Payne (NJ)	Snowe
Long	Payne (VA)	Solarz
Luken	Pease	Spence
Manton	Pelosi	Spratt
Markey	Penny	Stallings
Martinez	Perkins	Stark
Matsui	Peterson (FL)	Stenholm
Mavroules	Peterson (MN)	Studds
Mazzoli	Petri	Sweet
McCloskey	Pickett	Swift
McCrery	Pickle	Synar
McCurdy	Poshard	Tanner
McDermott	Price	Tauzin
McGrath	Pursell	Taylor (MS)
McHugh	Rangel	Thomas (GA)
McMillen (MD)	Ravenel	Thornton
McNulty	Ray	Torricelli
Miller (CA)	Reed	Towns
Mineta	Richardson	Trafficant
Mink	Rinaldo	Traxler
Montgomery	Ritter	Unsoeld
Moody	Roemer	Vander Jagt
Moran	Rose	Vento
Morrison	Rostenkowski	Visclosky
Murtha	Roth	Waters
Myers	Rowland	Wheat
Nagle	Russo	Williams
Natcher	Sabo	Wilson
Neal (NC)	Sangmeister	Wolpe
Nichols	Santorum	Wyden
Oberstar	Sawyer	Wyllie
Obey	Schumer	Yates
Olin	Serrano	Yatron

NAYS—116

Allard	Gradison	Porter
Allen	Grandy	Quillen
Baker	Hancock	Ramstad
Ballenger	Hastert	Regula
Barrett	Hefley	Rhodes
Barton	Henry	Ridge
Bentley	Herger	Riggs
Bilirakis	Hobson	Roberts
Biley	Holloway	Rogers
Boehlert	Hopkins	Rohrabacher
Boehner	Hunter	Ros-Lehtinen
Bunning	Hyde	Roukema
Burton	Inhofe	Saxton
Callahan	Ireland	Schaefer
Camp	James	Sensenbrenner
Campbell (CA)	Johnson (CT)	Shays
Chandler	Kolbe	Shuster
Clay	Kyl	Sikorski
Coble	Lagomarsino	Smith (OR)
Coleman (MO)	Leach	Smith (TX)
Coughlin	Lewis (CA)	Solomon
Crane	Lewis (FL)	Stearns
Cunningham	Lightfoot	Stump
Davis	Lowery (CA)	Sundquist
Dickinson	Machtley	Taylor (NC)
Doolittle	Martin	Thomas (CA)
Dornan (CA)	McCandless	Thomas (WY)
Dreier	McCollum	Upton
Edwards (OK)	McMillan (NC)	Vucanovich
Emerson	Meyers	Walker
Fawell	Michel	Walsh
Fields	Miller (OH)	Weber
Franks (CT)	Miller (WA)	Weldon
Gallegly	Molinari	Wolf
Gallo	Moorhead	Young (AK)
Gekas	Murphy	Young (FL)
Gilchrist	Nussle	Zeliff
Gingrich	Oxley	Zimmer
Goss	Paxon	

NOT VOTING—66

Alexander	Donnelly	Jacobs
Army	Dymally	Jefferson
AuCoin	Engel	Jenkins
Barnard	Espy	Kolter
Bereuter	Fascell	LaFalce
Boxer	Feighan	Lehman (CA)
Bryant	Foglietta	Levine (CA)
Byron	Ford (MI)	Lowey (NY)
Chapman	Frost	Marlenee
Clement	Gaydos	McDade
Dannemeyer	Geren	McEwen
DeLay	Goodling	Mfume
Dixon	Hayes (LA)	Moakley

Mollohan	Sanders	Tallon
Morella	Sarpalious	Torres
Mrazek	Savage	Valentine
Neal (MA)	Scheuer	Volkmer
Nowak	Schiff	Washington
Oakar	Schroeder	Waxman
Rahall	Schulze	Weiss
Roe	Staggers	Whitten
Roybal	Stokes	Wise

So the Journal was approved.

52.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

3490. A letter from the Administrator, Environmental Protection Agency, transmitting the annual report on the total number of applications for conditional registration during fiscal year 1991; included is the status of outstanding conditions that were imposed on conditional registrations, pursuant to 7 U.S.C. 136w-4; to the Committee on Agriculture.

3491. A letter from the Director, the Office of Management and Budget, transmitting the cumulative report on rescissions and deferrals of budget authority as of May 1, 1992, pursuant to 2 U.S.C. 685(e) (H. Doc. No. 102-328); to the Committee on Appropriations and ordered to be printed.

3492. A letter from the Secretary of the Navy, transmitting notification that a major defense acquisition program has breached the unit cost by more than 15 percent, pursuant to 10 U.S.C. 2433; to the Committee on Armed Services.

3493. A letter from the Office of General Counsel, Department of Defense, transmitting a draft of proposed legislation to enhance the ability of the Army's Civilian Marksmanship Program to provide training in the use of rifled arms to American youth; to the Committee on Armed Services.

3494. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the semiannual report on activities and efforts relating to utilization of the private sector, pursuant to 12 U.S.C. 1827; to the Committee on Banking, Finance and Urban Affairs.

3495. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

3496. A letter from the Secretary of Commerce, transmitting a report entitled, "Imposition of Foreign Policy Export Controls on Former Munitions Items Transferred To Commerce Control List"; to the Committee on Foreign Affairs.

3497. A letter from the Secretary of Commerce, transmitting a report entitled, "Expansion of Foreign Policy Controls on Supercomputers"; to the Committee on Foreign Affairs.

3498. A letter from the Chairman, International Trade Commission, transmitting a copy of the semiannual report on activities of the inspector general for the period October 1, 1991, through March 31, 1992, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3499. A letter from the Director, Uniformed Services University of the Health Sciences, transmitting the retirement plan for the Uniformed Services University of the Health Sciences for the year ending December 31, 1989, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Operations.

3500. A letter from the Attorney General, Department of Justice, transmitting the Office for Victims of Crime's Report to Congress on the Department of Justice's implementation of the Victims of Crime Act, as amended, pursuant to 42 U.S.C. 10604(g); to the Committee on the Judiciary.

3501. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend provisions of title 35, United States Code, regarding the late payment of patent maintenance fees and the membership on the Board of Patent Appeals and Interferences in the Patent and Trade Office; to the Committee on the Judiciary.

3502. A letter from the Office of General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend title 5, United States Code, to authorize employees, who received lump-sum annual leave payments when moving between non-appropriated fund and civil service employment and are now under portability of benefits legislation for nonappropriated fund employees, the option to keep such payments in lieu of required leave transfer; to the Committee on Post Office and Civil Service.

3503. A letter from the Director, National Science Foundation, transmitting a report on Women and Minorities in Science and Engineering: An Update, pursuant to 42 U.S.C. 1885d; to the Committee on Science, Space, and Technology.

3504. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to consolidate the accounts used to fund the housing loan programs for veterans, and for other purposes; to the Committee on Veterans' Affairs.

3505. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation entitled, "Health Insurance Market Reform Act of 1992"; jointly, to the Committees on Energy and Commerce and Ways and Means.

3506. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a report on the nondisclosure of safeguards information for the quarter ending March 31, 1991, pursuant to 42 U.S.C. 2167(e); jointly, to the Committees on Interior and Insular Affairs and Energy and Commerce.

52.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a bill and joint resolutions of the House of the following titles:

H.R. 4774. An Act to provide flexibility to the Secretary of Agriculture to carry out food assistance programs in certain countries;

H.J. Res. 371. Joint resolution designating May 31, 1992, through June 6, 1992, as a "Week for the National Observance of the Fiftieth Anniversary of World War II"; and

H.J. Res. 425. Joint resolution designating May 10, 1992, as "Infant Mortality Awareness Day".

The message also announced that the Senate had passed a bill, a joint resolution, and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1709. An Act to amend the Farm Credit Act of 1971 to enhance the financial safety and soundness of the Farm Credit System, and for other purposes;

S.J. Res. 268. Joint resolution designating May 1992, as "Neurofibromatosis Awareness Month"; and

S. Con. Res. 116. Concurrent resolution to authorize corrections in the enrollment of S. 838.

The message also announced that pursuant to Public Law 102-164, the Chair, on behalf of the President pro tempore, in consultation with the chairman and ranking member of the Committee on Finance, appointed William Grossenbacher of Texas, as a rep-

representative of the interests of State governments; Owen Bieber of Michigan, as a representative of the interests of labor; and John J. Stephens of Oregon, as a representative of the interests of business; to the Advisory Council on Unemployment Compensation.

§52.5 COMMITTEE TO SIT

On motion of Mrs. KENNELLY, by unanimous consent, the Permanent Select Committee on Intelligence was granted permission to sit during the 5-minute rule today.

§52.6 VETERANS' HEALTH PROGRAM AMENDMENTS

Mr. MONTGOMERY moved to suspend the rules and pass the bill of the Senate (S. 2344) to improve the provision of health care and other services to veterans by the Department of Veterans Affairs, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. McNULTY, recognized Mr. MONTGOMERY and Mr. STUMP, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. McNULTY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

On motion of Mr. MONTGOMERY, by unanimous consent, it was,

Resolved, That the House insist upon its amendment and request a conference with the Senate on the disagreeing votes of the two Houses thereon.

Thereupon, the SPEAKER pro tempore, Mr. McNULTY, by unanimous consent, announced the appointment of Messrs. MONTGOMERY, EDWARDS of California, ROWLAND, STUMP, and HAMMERSCHMIDT, as managers on the part of the House at said conference.

By unanimous consent, the Speaker reserved the authority to make additional appointments of conferees.

Ordered, That the Clerk notify the Senate thereof.

§52.7 WESTERN LAND TITLE DISPUTES

Mr. VENTO moved to suspend the rules and pass the bill (H.R. 1514) to disclaim or relinquish all right, title, and interest of the United States in and to certain lands conditionally relinquished to the United States under the Act of June 4, 1897 (30 Stat. 11, 36), and for other purposes; as amended.

The SPEAKER pro tempore, Mr. McNULTY, recognized Mr. VENTO and Mr. LAGOMARSINO, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. McNULTY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to resolve the status of certain lands relinquished to the United States under the Act of June 4, 1897 (30 Stat. 11, 36), and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

§52.8 COLORADO-SOUTH DAKOTA LAND EXCHANGE

Mr. VENTO moved to suspend the rules and pass the bill of the Senate (S. 452) to authorize a transfer of administrative jurisdiction over certain land to the Secretary of the Interior, and for other purposes.

The SPEAKER pro tempore, Mr. McNULTY, recognized Mr. VENTO and Mr. LAGOMARSINO, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. McNULTY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

§52.9 FISHLAKE NATIONAL FOREST ENLARGEMENT

Mr. VENTO moved to suspend the rules and pass the bill of the Senate (S. 1182) to transfer jurisdiction of certain public lands in the State of Utah to the Forest Service, and for other purposes.

The SPEAKER pro tempore, Mr. McNULTY, recognized Mr. VENTO and Mr. LAGOMARSINO, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. McNULTY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and

said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

§52.10 MOUND CITY GROUP NATIONAL MONUMENT

Mr. VENTO moved to suspend the rules and pass the bill (S. 749) to rename and expand the boundaries of the Mound City Group National Monument in Ohio.

The SPEAKER pro tempore, Mr. McNULTY, recognized Mr. VENTO and Mr. LAGOMARSINO, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. McNULTY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

§52.11 FURTHER MESSAGE FROM THE SENATE

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

H.R. 4990. An Act rescinding certain budget authority, and for other purposes.

The message also announced that the Senate insisted upon its amendments to the bill (H.R. 4990), "An Act rescinding certain budget authority, and for other purposes," and requested a conference with the House on the disagreeing votes of the two Houses thereon, and appointed Mr. BYRD, Mr. INOUE, Mr. HOLLINGS, Mr. JOHNSTON, Mr. BURGESS, Mr. LEAHY, Mr. SASSER, Mr. DECONCINI, Mr. BUMPERS, Mr. LAUTENBERG, Mr. HARKIN, Ms. MIKULSKI, Mr. REID, Mr. ADAMS, Mr. FOWLER, Mr. KERREY, Mr. HATFIELD, Mr. STEVENS, Mr. GARN, Mr. COCHRAN, Mr. KASTEN, Mr. D'AMATO, Mr. RUDMAN, Mr. SPECTER, Mr. DOMENICI, Mr. NICKLES, Mr. GRAMM, Mr. BOND, and Mr. GORTON to be the conferees on the part of the Senate.

§52.12 LEGAL SERVICES CORPORATION

The SPEAKER pro tempore, Mr. McNULTY, 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.

The Acting Chairman, Mr. SLATTERY, assumed the Chair; and after some time spent therein,

52.13 RECORDED VOTE

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

Page 36, insert the following after line 16 and redesignate succeeding sections, and references thereto, accordingly:

SEC. 18. ABORTION.

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

“(n) No funds made available to any recipient or other grantee or contractor of the Corporation from any source, including funds derived from Interest on Lawyer Trust Accounts (IOLTA), may be used to participate in any proceeding or litigation pertaining to abortion, or for any activity to influence the passage or defeat of any legislative or regulatory measure pertaining to abortion.”.

(b) CONFORMING AMENDMENT.—Section 1007(b) (42 U.S.C. 2996f(b)) is amended by striking paragraph (8).

Page 36, line 21, strike “(9) and (10)” and insert “(8) and (9)”.

It was decided in the negative Yeas 188 Nays 216 Answered present 1

52.14 [Roll No. 115] AYES—188

- Allard, Allen, Annunzio, Applegate, Archer, Baker, Ballenger, Barrett, Barton, Bateman, Bennett, Bentley, Bilbray, Bilirakis, Biiley, Boehner, Borski, Broomfield, Bruce, Bunning, Burton, Callahan, Camp, Clement, Clinger, Coble, Coleman (MO), Combest, Cooper, Costello, Cox (CA), Crane, Cunningham, Davis, de la Garza, DeLay, Dickinson, Donnelly, Doolittle, Dornan (CA), Dreier, Duncan, Early, Edwards (OK), Edwards (TX), Emerson, English, Ewing, Fields, Fish, Gallegly, Gaydos, Gekas, Geren, Gillmor, Gingrich, Goodling, Applegate, Archer, Baker, Ballenger, Barrett, Barton, Bateman, Bennett, Bentley, Bilbray, Bilirakis, Biiley, Boehner, Borski, Broomfield, Bruce, Bunning, Burton, Callahan, Camp, Clement, Clinger, Coble, Coleman (MO), Combest, Cooper, Costello, Cox (CA), Crane, Cunningham, Davis, de la Garza, DeLay, Dickinson, Donnelly, Doolittle, Dornan (CA), Dreier, Duncan, Early, Edwards (OK), Edwards (TX), Emerson, English, Ewing, Fields, Fish, Gallegly, Gaydos, Gekas, Geren, Miller (OH), Mollohan, Montgomery, Moorhead, Murphy, Murtha, DeLauro, Dellums, Derrick, Dicks, Dingell, Dixon, Dooley, Dorgan (ND), Downey, Durbin, Dwyer, Eckart, Edwards (CA), Erdreich, Espy, Evans, Fascell, Fawell, Fazio, Feighan, Flake, Foglietta, Ford (MI), Ritter, Ford (TN), Frank (MA), Franks (CT), Frost, Gallo, Gejdenson, Gephardt, Gibbons, Gilchrist, Miller (OH), Mollohan, Montgomery, Moorhead, Murphy, Murtha, DeLauro, Dellums, Derrick, Dicks, Dingell, Dixon, Dooley, Dorgan (ND), Downey, Durbin, Dwyer, Eckart, Edwards (CA), Erdreich, Espy, Evans, Fascell, Fawell, Fazio, Feighan, Flake, Foglietta, Ford (MI), Ritter, Ford (TN), Frank (MA), Franks (CT), Frost, Gallo, Gejdenson, Gephardt, Gibbons, Gilchrist, Nowak, Nussle, Ortiz, Orton, Oxley, Packard, Parker, Paxon, Penny, Perkins, Peterson (MN), Petri, Poshard, Quillen, Rahall, Ray, Regula, Rhodes, Rinaldo, Ritter, Roberts, Roe, Roemer, Rogers, Rohrabacher, Ros-Lehtinen, Roth, Russo, Sangmeister, Santorum, Sarpalius, Saxton, Schaefer, Schiff, Schulze, Sensenbrenner, Shaw, Shuster, Skeen, Skelton, Slattery, Smith (NJ), Smith (OR), Smith (TX), Solomon

- Spence, Stearns, Stenholm, Stump, Sundquist, Tauzin, Taylor (MS), Taylor (NC), Thomas (CA), Thomas (GA), Thomas (WY), Thornton, Upton, Valentine, Vander Jagt, Volkmer, Vucanovich, Walker

NOES—216

- Abercrombie, Anderson, Andrews (ME), Andrews (NJ), Andrews (TX), Anthony, Aspin, Atkins, Bacchus, Beilenson, Berman, Bevill, Blackwell, Boehlert, Bonior, Boucher, Boxer, Brewster, Brooks, Browder, Brown, Bustamante, Campbell (CA), Campbell (CO), Cardin, Carper, Carr, Chandler, Chapman, Clay, Coleman (TX), Collins (MI), Condit, Conyers, Coughlin, Cox (IL), Coyne, Cramer, Darden, Delfino, DeLauro, Dellums, Derrick, Dicks, Dingell, Dixon, Dooley, Dorgan (ND), Downey, Durbin, Dwyer, Eckart, Edwards (CA), Erdreich, Espy, Evans, Fascell, Fawell, Fazio, Feighan, Flake, Foglietta, Ford (MI), Ritter, Ford (TN), Frank (MA), Franks (CT), Frost, Gallo, Gejdenson, Gephardt, Gibbons, Gilchrist, Gilman, Glickman, Gonzalez, Gordon, Gradison, Green, Hamilton, Harris, Hatcher, Hayes (IL), Hefner, Hertel, Hoagland, Hochbruckner, Horn, Horton, Houghton, Hoyer, Hubbard, Hughes, Jacobs, Johnson (CT), Johnston, Jones (GA), Jones (NC), Jontz, Kennedy, Kennelly, Kleczka, Klug, Kolbe, Kopetsky, Kostmayer, Lancaster, Lantos, LaRocco, Leach, Lehman (CA), Lehman (FL), Levin (MI), Lewis (GA), Lloyd, Long, Lowey (NY), Machtley, Markey, Martinez, Matsui, McCandless, McCloskey, McCurdy, McDermott, McHugh, McMillen (MD), Espy, Mfume, Miller (CA), Miller (WA), Mineta, Mink, Molinari, Moody, Moran, Morella, Morrison, Nagle, Neal (NC), Nichols, Oberstar, Obey, Olin, Oliver, Owens (NY), Owens (UT), Pallone, Panetta, Pastor, Patterson, Payne (NJ), Payne (VA), Pease, Pelosi, Peterson (FL), Pickett, Pickle, Porter, Price, Pursell, Ramstad, Rangel, Ravenel, Reed, Richardson, Ridge, Riggs, Rose, Rostenkowski, Roukema, Rowland, Roybal, Sabo, Sanders, Savage, Sawyer, Scheuer, Schroeder, Schumer, Serrano, Sharp, Shays, Sikorski, Sisisky, Skaggs, Slaughter, Smith (FL), Smith (IA), Snowe, Solaz, Spratt, Stallings, Stark, Stokes, Studds, Swift, Synar, Tanner, Torres, Towns, Traficant, Traxler, Unsoeld, Vento, Visclosky, Washington, Waxman, Weiss, Wheat, Williams, Wilson, Wolpe, Wyden, Yates, Zimmer

ANSWERED “PRESENT”—1

James

NOT VOTING—29

- Ackerman, Alexander, Arney, AuCoin, Barnard, Bereuter, Bryant, Byron, Collins (IL), Dannemeyer, Dymally, Engel, Hayes (LA), Jefferson, Jenkins, Kolter, Levine (CA), Lightfoot, McEwen, Moakley, Mrazek, Oakar, Staggers, Tallon, Torricelli, Waters, Weber, Whitten, Wise

So the amendments en bloc were not agreed to.

After some further time,

52.15 RECORDED VOTE

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

Page 21, strike lines 14 through 16 and insert the following:

that is intended to or has the effect of altering, revising, or reapportioning a legislative, judicial, or elective district at any level of government, including influencing the timing or manner of the taking of a census.”.

It was decided in the affirmative Yeas 286 Nays 123 Answered present 1

52.16 [Roll No. 116] AYES—286

- Allard, Allen, Anderson, Andrews (NJ), Andrews (TX), Anthony, Applegate, Archer, Arney, Aspin, Baker, Ballenger, Barnard, Barrett, Bateman, Bennett, Bentley, Bevill, Bilbray, Bilirakis, Biiley, Boehner, Borski, Boucher, Brewster, Brooks, Broomfield, Browder, Bruce, Bunning, Burton, Callahan, Camp, Campbell (CA), Campbell (CO), Carper, Carr, Chandler, Chapman, Clement, Clinger, Coble, Coleman (MO), Combest, Cooper, Coughlin, Cox (CA), Cramer, Crane, Cunningham, Davis, Darden, Davis, DeLay, Dickinson, Derrick, Dicks, Dingell, Donnelly, Dooley, Doolittle, Dorgan (ND), Dornan (CA), Dreier, Duncan, Early, Eckart, Edwards (OK), Edwards (TX), Emerson, English, Erdreich, Ewing, Fascell, Fawell, Fields, Fish, Franks (CT), Gallegly, Gallo, Gaydos, Gekas, Geren, Gibbons, Gilchrist, Gillmor, Gilman, Gingrich, Glickman, Goodling, Gordon, Goss, Gradison, Grandy, Guarini, Gunderson, Hall (TX), Hamilton, Hammerschmidt, Hancock, Hansen, Harris, Hastert, Hatcher, Hayes (LA), Hefley, Hefner, Herger, Hobson, Holloway, Hopkins, Huckaby, Hunter, Hutto, Hyde, Inhofe, Ireland, Johnson (SD), Johnson (TX), Kanjorski, Kaptur, Kasich, Kildee, Kyl, LaFalce, Lagomarsino, Laughlin, Lent, Lewis (CA), Lewis (FL), Lipinski, Livingston, Lowery (CA), Luken, Manton, Marlenee, Martin, Mavroules, Mazzoli, McCollum, McCrery, McDade, McGrath, McMillan (NC), McNulty, Michel, Lewis (FL), Lipinski, Livingston, Lloyd, Long, Lowery (CA), Luken, Machtley, Manton, Marlenee, Martin, Martinez, Mavroules, McCandless, McCollum, McCrery, McCurdy, McDade, McGrath, McHugh, McMillan (NC), McMillen (MD), McNulty, Meyers, Michel, Miller (OH), Miller (WA), Mink, Molinari, Mollohan, Montgomery, Moorhead, Moran, Morella, Morrison, Murphy, Murtha, Myers, Nagle, Natcher, Neal (MA), Neal (NC), Nichols, Nowak, Nussle, Obey, Olin, Orton, Oxley, Packard, Parker, Patterson, Paxon, Payne (VA), Penny, Peterson (FL), Peterson (MN), Petri, Pickett, Pickle, Porter, Poshard, Price, Pursell, Quillen, Rahall, Ramstad, Ravenel, Ray, Regula, Rhodes

Richardson	Shuster	Thomas (CA)
Ridge	Sisisky	Thomas (GA)
Riggs	Skeen	Thomas (WY)
Rinaldo	Skelton	Thornton
Ritter	Slaughter	Trafficant
Roberts	Smith (FL)	Upton
Roemer	Smith (IA)	Valentine
Rogers	Smith (NJ)	Vander Jagt
Rohrabacher	Smith (OR)	Visclosky
Ros-Lehtinen	Smith (TX)	Volkmer
Rose	Snowe	Vucanovich
Roth	Solarz	Walker
Roukema	Solomon	Walsh
Rowland	Spence	Weber
Russo	Spratt	Weldon
Sangmeister	Stallings	Wilson
Santorum	Stearns	Wolf
Sarpalius	Stenholm	Wylie
Saxton	Stump	Yatron
Schaefer	Sundquist	Young (AK)
Schiff	Swift	Young (FL)
Schulze	Tanner	Zeliff
Sensenbrenner	Tauzin	Zimmer
Shaw	Taylor (MS)	
Shays	Taylor (NC)	

NOES—123

Abercrombie	Gejdenson	Payne (NJ)
Andrews (ME)	Gephardt	Pease
Annunzio	Gonzalez	Pelosi
Atkins	Green	Perkins
Bacchus	Hall (OH)	Rangel
Barton	Hayes (IL)	Reed
Beilenson	Hertel	Roe
Berman	Hoagland	Rostenkowski
Blackwell	Hochbrueckner	Roybal
Boehlert	Horton	Sabo
Bonior	Hoyer	Sanders
Boxer	Johnston	Savage
Brown	Jones (GA)	Sawyer
Bustamante	Jontz	Scheuer
Cardin	Kaptur	Schroeder
Clay	Kennedy	Schumer
Coleman (TX)	Kennelly	Serrano
Collins (MI)	Kildee	Sharp
Conyers	Kopetski	Spokorski
Costello	Kostmayer	Skaggs
Cox (IL)	Lantos	Slattery
Coyne	Leach	Stark
de la Garza	Lewis (GA)	Stokes
DeFazio	Lowe (NY)	Studds
DeLauro	Markey	Sweet
Dellums	Matsui	Synar
Dixon	Mazzoli	Torres
Downey	McCloskey	Torricelli
Durbin	McDermott	Towns
Dwyer	Mfume	Traxler
Edwards (CA)	Miller (CA)	Unsoeld
Espy	Mineta	Vento
Evans	Moody	Washington
Fazio	Oberstar	Waters
Feighan	Olver	Waxman
Flake	Ortiz	Weiss
Foglietta	Owens (NY)	Wheat
Ford (MI)	Owens (UT)	Williams
Ford (TN)	Pallone	Wolpe
Frank (MA)	Panetta	Wyden
Frost	Pastor	Yates

ANSWERED "PRESENT"—1

James

NOT VOTING—24

Ackerman	Dickinson	McEwen
Alexander	Dymally	Moakley
AuCoin	Engel	Mrazek
Bereuter	Hyde	Oakar
Bryant	Jefferson	Staggers
Byron	Kolter	Tallon
Collins (IL)	Levine (CA)	Whitten
Dannemeyer	Lightfoot	Wise

So the amendment was agreed to.

After some further time,

The SPEAKER pro tempore, Mr. SKAGGS, assumed the Chair.

When Mr. MFUME, Chairman, pursuant to House Resolution 444, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Legal Services Reauthorization Act of 1992".

(b) TABLE OF CONTENTS.—The table of contents is as follows:

- Sec. 1. Short title.
- Sec. 2. Reference to the Legal Services Corporation Act.
- Sec. 3. Authorization of appropriations.
- Sec. 4. Protection against theft and fraud.
- Sec. 5. Prohibitions on lobbying.
- Sec. 6. Enforcement, sanctions, and monitoring.
- Sec. 7. Class actions.
- Sec. 8. Negotiation requirement.
- Sec. 9. Prohibition on use of funds for restricting.
- Sec. 10. Restrictions on use of funds for legal assistance to aliens.
- Sec. 11. Governing bodies of recipients.
- Sec. 12. Professional responsibilities.
- Sec. 13. Solicitation.
- Sec. 14. Certain eviction proceedings.
- Sec. 15. Procedural safeguards for litigation.
- Sec. 16. Competition study.
- Sec. 17. Training.
- Sec. 18. Limitation on use amendments.
- Sec. 19. Recordkeeping and noncorporation funds.
- Sec. 20. Evasion.
- Sec. 21. Fee-generating case provisions.
- Sec. 22. Attorneys' fees provisions.
- Sec. 23. Corporation board control over policy.
- Sec. 24. Reprogramming provisions.
- Sec. 25. 12-month grants.
- Sec. 26. Establishment of local priorities.
- Sec. 27. Staff attorneys.
- Sec. 28. Study on legal assistance to older Americans.

SEC. 2. REFERENCE TO THE LEGAL SERVICES CORPORATION ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment or repeal of a section or other provision, the reference shall be considered to be made to a section or other provision of the Legal Services Corporation Act (42 U.S.C. 2996 and following).

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 1010(a) (42 U.S.C. 2996i(a)) is amended by striking the first three sentences and inserting the following: "There are authorized to be appropriated for the purpose of carrying out the activities of the Corporation such sums as may be necessary for each of fiscal years 1992, 1993, 1994, 1995, and 1996."

SEC. 4. PROTECTION AGAINST THEFT AND FRAUD.

Section 1005 (42 U.S.C. 2996d) is amended by adding at the end the following:

"(h) For purposes of sections 286, 287, 641, 1001, and 1002 of title 18, United States Code, the Corporation shall be considered to be a department or agency of the United States Government.

"(i) For purposes of sections 3729 through 3733 of title 31, United States Code, the term 'United States Government' shall include the Corporation, except that actions that are authorized by section 3730(b) of such title to be brought by persons may not be brought against the Corporation, any recipient, other grantee or contractor of the Corporation, subgrantee or subcontractor of any such entity, or employee thereof.

"(j) For purposes of section 1516 of title 18, United States Code—

"(1) the term 'Federal auditor' shall include any auditor employed or retained on a contractual basis by the Corporation,

"(2) the term 'contract' shall include any grant or contract made by the Corporation, and

"(3) the term 'person', as used in subsection (a) of such section, shall include any recipient or other grantee or contractor receiving financial assistance under section 1006(a)(1) or 1006(a)(3).

"(k) Funds provided by the Corporation under section 1006 shall be deemed to be Federal appropriations for the purpose of all Federal criminal laws when used by a recipient, another grantee or contractor of the Corporation, or any subgrantee or subcontractor of any such entity.

"(l) For purposes of section 666 of title 18, United States Code, funds provided by the Corporation shall be deemed to be benefits under a Federal program involving a grant or contract."

SEC. 5. PROHIBITIONS ON LOBBYING.

Section 1007(a)(5) (42 U.S.C. 2996f(a)(5)) is amended to read as follows:

"(5) ensure that no funds made available by the Corporation to any recipient or other grantee or contractor are used to pay for any personal service, advertisement, telegram, telephone communication, letter, printed or written matter, or other device, or to pay for any publicity or propaganda, intended or designed—

"(A) to influence any decision by a Federal, State, or local agency, except when legal assistance is provided by an employee of a recipient or other grantee or contractor of the Corporation to an eligible client on a particular application, claim, case, or other matter, which directly involves the client's legal rights or responsibilities, or

"(B) to influence any Member of Congress or any other Federal, State, or local elected official to favor or oppose any Act, bill, resolution, or similar legislation, or any referendum, initiative, constitutional amendment, or any similar procedure of the Congress, any State legislature, any local council, or any similar governing body,

except that this paragraph shall not preclude such funds from being used in connection with—

"(i) any communication made in response to any Federal, State, or local agency or elected official,

"(ii) any communication to a Federal, State, or local elected official pertaining to the authorization or appropriation of funds or any other measure affecting the authority, functions, or funding of the recipient, grantee, or contractor, or the Corporation or pertaining to oversight measures directly affecting the recipient, grantee, or contractor, or the Corporation, if the project director or designee of the recipient, grantee, or contractor has expressly determined that the legislative body involved is considering such authorization, appropriation, or other measure, or is conducting oversight of the recipient, grantee, or contractor, or the Corporation, or

"(iii) any communication on behalf of an eligible client in the course of representation of that client before a legislative body, if the project director or designee of the recipient, grantee, or contractor has expressly approved such representation in accordance with policy established by the governing or policy body of the recipient, grantee, or contractor, and if such project director or designee has determined, before approving the undertaking of such representation, that—

"(I) the client seeks representation to protect the client's existing legal rights or interests or is in need of relief which can be provided by the legislative body involved, and

"(II) documentation specifically authorizing such representation has been secured from the eligible client by a recipient or other grantee or contractor,

but nothing in this paragraph shall be construed to permit an attorney or an employee

of a recipient or other grantee or contractor of the Corporation to engage in any publicity or propaganda intended or designed to support or defeat legislation pending before the Congress or State or local legislative bodies or intended or designed to influence any decision by a Federal, State, or local agency or to solicit a client, in violation of professional responsibilities, for the purpose of making possible any activity permitted by this paragraph;”.

SEC. 6. ENFORCEMENT, SANCTIONS, AND MONITORING.

(a) ENFORCEMENT.—Section 1006(b)(1)(A) (42 U.S.C. 2996e(b)(1)(A)) is amended to read as follows:

“(b)(1)(A)(i) The Corporation shall have the authority to ensure the compliance of recipients, other grantees and contractors of the Corporation, and their respective employees with the provisions of this title. The Corporation may issue rules, regulations, guidelines, and instructions to interpret the provisions of this title, but may not impose, by regulation or otherwise, restrictions or limitations on types of cases or forms of representation of clients unless such restrictions or limitations are explicitly authorized by this title or other applicable law, and may not impose, by regulation or otherwise, restrictions or requirements on such recipients, grantees, or contractors that are in addition to or inconsistent with the provisions of this title and other applicable law.

“(ii) The Corporation shall have the authority to enforce the rules, regulations, guidelines, and instructions issued under this title, and to terminate, in accordance with the standards described in paragraph (5) of this subsection, financial support to a recipient or other grantee or contractor of the Corporation. Pursuant to regulations adopted by the Corporation under section 1008(e), the Corporation shall—

“(I) arrange for independent evaluations to determine whether recipients and other grantees and contractors of the Corporation are providing comprehensive, economical, and effective legal assistance of high quality to eligible clients, and

“(II) conduct reasonable monitoring and investigations into allegations that a recipient or other grantee or contractor has violated this title, the rules, regulations, guidelines, or instructions issued under this title, or other laws.

“(iii) Not later than 30 days after receiving a written request alleging that a recipient, other grantee, or contractor has violated the provisions of this title, or any rule, regulation, guideline, or instruction issued under this title, or any other law, the Corporation may initiate an investigation. A recipient, grantee, or contractor that is the subject of such investigation shall be notified by the Corporation and, prior to the completion of the investigation, provided with a reasonable opportunity to respond to the allegations either in writing or in person, as determined by the Corporation. Unless required by law, the Corporation shall not make the findings of its investigation public until a final report is issued or unless such disclosure is made with the consent of such recipient, grantee, or contractor. If, at the conclusion of the investigation, the Corporation determines that it will take action under paragraph (5) of this subsection, it shall notify the recipient, grantee, or contractor of its right to request a hearing. A hearing must be requested not later than 30 days after receiving the notification.”.

(b) REGULATIONS FOR ENFORCEMENT.—Section 1006(b)(5) (42 U.S.C. 2996e(b)(5)) is amended to read as follows:

“(5)(A) The Board shall issue regulations to provide for the enforcement of this title. Such regulations may include, among avail-

able remedies, provisions for the immediate suspension of financial assistance under this title, suspension or termination of an employee of the Corporation, or of any employee of a recipient or other grantee or contractor by such recipient, grantee, or contractor, the reduction or termination of such financial assistance or employment, and denial of an application for refunding. Any such employee may be terminated only after consideration of other remedial measures and only after the employee has been afforded reasonable notice and opportunity for a timely, full, and fair hearing. When requested, such hearing shall be conducted by an independent hearing examiner. The Corporation may suspend, reduce, or terminate financial assistance under this title, or deny an application for refunding under this title—

“(i) when there has been a substantial failure to comply with the provisions of this title, or rules, regulations, guidelines, or instructions issued under this title, or of other laws, and after notice and an opportunity to correct such failure has been provided to the recipient, grantee, or contractor involved; or

“(ii) when independent evaluations demonstrate that a recipient or other grantee or contractor has consistently failed to use its resources to provide economical and effective legal assistance of high quality as measured by generally accepted professional standards, and after notice and an opportunity to correct such failure has been provided to such recipient, grantee, or contractor.

The Corporation may deny an application for refunding of a recipient or other grantee or contractor when the Corporation has identified an applicant for financial assistance under this title that is better able to provide high quality, comprehensive, economical, and effective legal assistance for the geographic area served by such recipient, grantee, or contractor, consistent with the provisions of sections 1007(a)(2) and 1007(c) of this title.

“(B) Financial assistance under this title may not be terminated or suspended, an application for refunding under this title may not be denied, and the annual level of financial assistance under this title may not be reduced by more than 5 percent or \$20,000, whichever is less, unless the recipient or other grantee or contractor involved has been afforded reasonable notice and, at the request of the recipient, grantee, or contractor, a timely and fair hearing before an independent hearing examiner pursuant to regulations issued by the Corporation. Such regulations shall provide for commencement of the hearing before an independent hearing examiner at the earliest appropriate date, but in no case more than 45 days after a request for such a hearing is received. As soon as practical after the hearing, but in no case more than 60 days after its conclusion, the independent hearing examiner shall make a recommended decision on the matter involved. A copy of the recommended decision shall be sent to the Corporation and the recipient, grantee, or contractor involved. If neither the Corporation nor the recipient, grantee, or contractor involved requests review by the president of the Corporation of that recommended decision within 10 days after the date the recipient, grantee, or contractor receives a copy of the decision, that decision shall become final. Within 30 days after receipt of a request for a review of a recommended decision, the president of the Corporation shall make a final decision with respect to that recommended decision. In addition to other remedies provided by law, the recipient, grantee, or contractor may appeal the final decision to the Board.”.

(c) MONITORING AND INDEPENDENT EVALUATIONS OF PROGRAMS.—Section 1007(d) (42 U.S.C. 2996f(d)) is amended to read as follows:

“(d)(1) The Corporation shall monitor recipients and other grantees and contractors of the Corporation in order to ensure that the provisions of this title, the rules, regulations, guidelines, and instructions issued under this title, and other laws are carried out by such recipients, grantees, and contractors, and shall provide for independent evaluations to determine whether such recipients, grantees, and contractors are providing economical and effective legal assistance of high quality to eligible clients. The Corporation shall adopt standards and procedures to implement the provisions of section 1006(b)(1)(A) and this subsection as regulations under section 1008(e).

“(2) The standards and procedures adopted under paragraph (1) shall take into account—

“(A) that the responsibility of the Corporation with regard to monitoring and evaluation is to ensure compliance with this title, the rules, regulations, guidelines, and instructions issued under this title, and any other laws and to provide for independent evaluations to assess the extent to which the overall delivery of legal assistance by a recipient or other grantee or contractor is economical, effective, and of high quality and not to manage the day-to-day operations of recipients and other grantees and contractors;

“(B) that each recipient or other grantee or contractor has the responsibility to manage its day-to-day operations and to assure that its employees comply with all applicable law and deliver high quality legal assistance in an effective and economical manner;

“(C) that the personal privacy of eligible clients could be adversely affected by the public disclosure of records or documents obtained in connection with monitoring under paragraph (1) or an investigation pursuant to section 1006(b)(1)(A); and

“(D) the rules of ethics and professional responsibility that are applicable in the jurisdiction where a recipient or other grantee or contractor delivers legal assistance.

The Corporation may not require disclosure of records described in subparagraph (C) except to the extent such records can be expected to contain information directly pertinent and necessary to an audit, or to an investigation of a likely pattern of discrimination, lack of compliance with the law, or poor performance by a recipient or other grantee or contractor which is indicated by other external evidence.

“(3) The Corporation shall ensure that the monitoring process is fair and conducted in a manner that does not cause more than necessary disruption to the provision of legal services provided by the recipient or other grantee or contractor being monitored, and provides—

“(A) sufficient notice before monitoring is conducted;

“(B) flexibility to negotiate with the Corporation when disagreements arise over the timing and conduct of monitoring;

“(C) reasonable opportunity to respond and comment on draft reports on monitoring;

“(D) protection from disclosure to third parties of the results of monitoring and the contents of any draft reports on monitoring before a final report on the monitoring is issued; and

“(E) protection from disclosure to third parties of any documents obtained during monitoring except to the extent necessary to carry out the monitoring, consistent with the laws and the rules of ethics and professional responsibility applicable to the jurisdiction where such documents are maintained, except that the Corporation shall at all times have the authority to make evi-

dence of criminal conduct available to the appropriate legal authority. The Corporation shall ensure that the monitoring process is reasonably related to the purposes which the monitoring is intended to accomplish.

"(4) The Corporation, in cooperation with recipients and other appropriate groups, shall develop criteria for evaluating the capability and performance of recipients and other grantees and contractors of the Corporation. Such criteria shall provide for the assessment of—

"(A) the degree to which any such recipient, grantee, or contractor provides a comprehensive range of legal assistance to eligible clients, including, in the case of support entities, a comprehensive range of appropriate support services;

"(B) the past demonstrated record of any such recipient, grantee, or contractor in providing effective, economical, and high quality legal services to poor individuals and in developing additional resources, including pro bono services from the private bar;

"(C) the ability of any such recipient, grantee, or contractor to determine and address the needs of eligible clients for particular services, including, in the case of support entities, the range of support services needed in the geographical or subject matter area served;

"(D) the adherence by any such recipient, grantee, or contractor to accepted norms of performance to guide the provision of legal assistance to poor individuals; and

"(E) the adherence by any such recipient, grantee, or contractor to applicable rules of professional responsibility for attorneys providing legal assistance to poor individuals.

"(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."

(d) TECHNICAL AMENDMENTS.—

(1) Section 1006(b) (42 U.S.C. 2996e(b)) is amended by adding at the end the following:

"(7) The Corporation shall ensure that—

"(A) no employee of the Corporation or of any recipient or other grantee or contractor of the Corporation (except as permitted by law in connection with such employee's own employment situation), while carrying out legal assistance activities supported under this title, engages in, or encourages others to engage in, any public demonstration or picketing, boycott, or strike; and

"(B) no such employee, at any time, engages in, or encourages others to engage in—

"(i) any rioting or civil disturbance,

"(ii) any activity which is in violation of an outstanding injunction of any court of competent jurisdiction,

"(iii) any other illegal activity, or

"(iv) any intentional identification of the Corporation or any recipient or other grantee or contractor of the Corporation with any political activity prohibited by section 1007(a)(6)."

(2) Section 1006(b)(2) (42 U.S.C. 2996e(b)(2)) is amended by striking "provisions of section 1011" and inserting "regulations issued under paragraph (5) of this subsection".

(3) Section 1007(a)(9) (42 U.S.C. 2996f(a)(9)) is amended by striking "1011" and inserting "1006(b)(5)".

(4) Section 1011 (42 U.S.C. 2996j) is repealed.

SEC. 7. CLASS ACTIONS.

Section 1006(d)(5) (42 U.S.C. 2996e(d)(5)) is amended—

(1) by striking "No" and inserting "(A) Subject to subparagraph (B), no"; and

(2) by adding at the end the following:

"(B) No recipient, other grantee or contractor of the Corporation, or employee of any such recipient, grantee, or contractor may bring a class action suit against the Federal Government or any State or local government unless—

"(i) the project director of the recipient, grantee, or contractor has expressly approved the filing of such an action in accordance with policies established by the governing or policy body of the recipient, grantee, or contractor and the filing of such action has not been expressly disapproved by such governing or policy body;

"(ii) the class relief which is the subject of such an action is sought for the primary benefit of individuals who are eligible for legal assistance under this title; and

"(iii) before filing such an action, the project director of the recipient, grantee, or contractor determines that the government entity is not likely to change the policy or practice in question, that the policy or practice will continue to adversely affect eligible clients, that the recipient, grantee, or contractor has given notice of its intention to seek class relief, and that responsible efforts to resolve without litigation the adverse effects of the policy or practice have not been successful or would be adverse to the interest of the clients."

SEC. 8. NEGOTIATION REQUIREMENT.

Section 1007(a) (42 U.S.C. 2996f(a)) is amended—

(1) in paragraph (9) by striking "and" after the semicolon; and

(2) by adding at the end the following:

"(11) require recipients and other grantees and contractors of the Corporation to adopt policies, consistent with the rules of ethics and professional responsibility that apply in the jurisdiction in which legal assistance is to be provided, which require employees of the recipients, grantees, and contractors to attempt to negotiate settlements and to use alternative dispute resolution mechanisms, where appropriate and available, before filing suit, except that nothing in this paragraph shall be construed to permit the Corporation—

"(A) to require policies which restrict representation of clients to matters where the clients agree to such negotiation or use of alternative dispute resolution mechanisms; or

"(B) to preclude an attorney from filing suit where the attorney's professional responsibility to the client requires that litigation be commenced without notice to or negotiations with the opposing parties."

SEC. 9. PROHIBITION ON USE OF FUNDS FOR REDISTRIBUTING.

Section 1007(b) (42 U.S.C. 2996f(b)) is amended—

(1) in paragraph (10) by striking the period and inserting "; or"; and

(2) by adding at the end the following:

"(11) to—

"(A) advocate or oppose, or contribute or make available any funds, personnel, or equipment for use in advocating or opposing, any plan or proposal, or

"(B) represent any party or participate in any other way in litigation,

that is intended to or has the effect of altering, revising, or reapportioning a legislative, judicial, or elective district at any level of government, including influencing the timing or manner of the taking of a census."

SEC. 10. RESTRICTIONS ON USE OF FUNDS FOR LEGAL ASSISTANCE TO ALIENS.

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

"(i) No funds appropriated to the Legal Services Corporation may be used to provide legal assistance for or on behalf of any alien unless the alien is present in the United States and is—

"(1) an alien lawfully admitted for permanent residence as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)), including aliens who acquire the status of lawful permanent resident aliens under the provisions of section 216 or 245A of that Act (8 U.S.C. 1186a, 1255a);

"(2) an alien who is either married to a United States citizen or is a parent or an unmarried child under 21 years of age of such citizen and who has filed an application to adjust status to lawful permanent resident under the Immigration and Nationality Act, and such application has not been finally adjudicated;

"(3)(A) an alien who is lawfully present in the United States pursuant to an admission under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157), who has been granted suspension of deportation under section 244 of the Immigration and Nationality Act, or who has been granted asylum by the Attorney General under such Act, or

"(B) an alien who is lawfully present in the United States as a result of being granted conditional entry pursuant to section 203(a)(7) of the Immigration and Nationality Act before April 1, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion or because of being uprooted by catastrophic natural calamity;

"(4) an alien who is lawfully present in the United States as a result of the Attorney General's withholding of deportation pursuant to section 243(h) of the Immigration and Nationality Act (8 U.S.C. 1253(h));

"(5) an alien whose employment to perform temporary agricultural labor or services is authorized by the Immigration and Naturalization Service;

"(6) an alien who has been provided a record of permanent residence under section 249 of the Immigration and Nationality Act;

"(7) an alien who is an eligible immigrant (as defined in section 301(b)(1) of the Immigration Act of 1990), was physically present in the United States on May 5, 1988, and is seeking admission as an immediate relative under the Immigration and Nationality Act or under section 203(a)(2) of such Act (including under section 112 of the Immigration Act of 1990) or is seeking (or is being provided) benefits under section 301(a) of the Immigration Act of 1990; or

"(8) an alien who is eligible for medical assistance for treatment of an emergency medical condition under title XIX of the Social Security Act, if the legal assistance to be provided is needed in order to help obtain such medical assistance."

SEC. 11. GOVERNING BODIES OF RECIPIENTS.

Section 1007(c) (42 U.S.C. 2996f(c)) is amended to read as follows:

"(c)(1) In making grants or entering into contracts for legal assistance, the Corporation shall ensure that—

"(A) any recipient which has as one of its purposes the provision of legal assistance to eligible clients is governed by a body—

"(i) the majority of which is comprised of attorneys who are appointed by the governing bodies of State, county, or local bar associations the memberships of which represent a majority of the attorneys practicing law in the locality in which the recipient is to provide legal assistance or, in the case of programs providing service in more than one State, in the State or locality in which the principal office of the recipient is located;

"(ii) at least 60 percent of which consists of attorneys who are members of the bar of a State in which the legal assistance is to be provided 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

“(iii) at least one-third of which consists of persons who are, when selected, eligible clients who may also be representatives of associations or organizations of eligible clients; and

“(B) any other recipient, grantee, or contractor of the Corporation is governed by a body that meets the requirements of subparagraph (A) or has established a policy body, whose membership is selected consistent with such requirements, to establish policy with respect to the administration of any grant or contract under this title.

Any attorney serving on a governing body or policy body of a recipient, grantee, or contractor described in this paragraph may not, while so serving, receive compensation from such recipient, grantee, or contractor. Subparagraph (A)(i) shall not be construed to prevent the governing body of a bar association from appointing members of the governing or policy bodies of more than one recipient or other grantee or contractor of the Corporation.

“(2) Consistent with the provisions of this title, the rules, regulations, guidelines, and instructions issued under this title, and any other laws, each recipient or other grantee or contractor of the Corporation, pursuant to the direction and control of its governing or policy body, and not the Corporation, shall determine all broad policies concerning its provision of legal assistance and other activities of the recipient, grantee, or contractor, including—

“(A) financial eligibility criteria of clients represented, consistent with the guidelines established pursuant to section 1007(a)(2);

“(B) the services that the recipient, grantee, or contractor will make available;

“(C) the policies that will govern the fiscal, administrative, and representational activities of the recipient, grantee, or contractor, in compliance with the provisions of this title and regulations issued under this title, other applicable law, or requirements imposed by grantors of resources to the recipient, grantee, or contractor;

“(D) subject to the prohibitions contained in this title, the priorities of the recipient, grantee, or contractor for the use of all available resources, including the policies regarding the types of cases or matters attorneys, paralegal staff, and other staff may undertake using such resources; and

“(E) significant policy decisions concerning the use of staff attorneys and other available and appropriate staff and nonstaff resources, including private attorneys and others, to provide legal assistance to eligible clients and to carry out activities relating to the delivery of legal assistance.

“(3) The governing or policy body of a recipient or other grantee or contractor of the Corporation shall—

“(A) not interfere with the lawyer-client relationship in the representation of specific clients by the recipient, grantee, or contractor;

“(B) comply with the legal and ethical requirements on conflicts of interest that apply in the jurisdiction where the recipient, grantee, or contractor is located;

“(C) not act on a case-by-case basis in setting priorities, except that the governing or policy body may reconsider priorities at any time for future applications for services in light of changing legal needs of clients or in light of an emergency; and

“(D) ensure that activities under this title are carried out in a manner consistent with attorneys’ professional responsibilities to a client as established in the rules of ethics and professional responsibility that apply in the jurisdiction where the legal assistance is provided.

“(4) The Corporation shall not—

“(A) interfere with the governing or policy bodies described in paragraph (1) in their determinations of the broad policy matters described in paragraph (2);

“(B) impose requirements or limitations on the types of cases or representation of clients unless those requirements or limitations are explicitly authorized by this title or other applicable law; or

“(C) impose requirements or limitations on the governing or policy bodies of recipients and other grantees or contractors of the Corporation that are additional to, or more restrictive than, the provisions of this subsection, including requirements or limitations with respect to—

“(i) the procedures of appointment, the political affiliations, or the length of terms of board members,

“(ii) the size, quorum requirements, and committee operations of such governing or policy bodies;

“(iii) the content of the bylaws of such recipients, grantees, or contractors; or

“(iv) the communications between governing or policy bodies and appointing authorities specified in paragraph (1).”

SEC. 12. PROFESSIONAL RESPONSIBILITIES.

(a) STATEMENT OF FINDINGS.—Section 1001(6) (42 U.S.C. 2996(6)) is amended to read as follows:

“(6) attorneys providing legal assistance must have full freedom to protect the best interests of their clients in keeping with the rules of ethics and professional responsibility that apply in the jurisdiction where the legal assistance is provided and the high standards of the legal profession.”

(b) RESPONSIBILITIES OF THE CORPORATION.—Section 1006(b)(3) (42 U.S.C. 2996e(b)(3)) is amended to read as follows:

“(3) The Corporation shall not, under any provision of this title, interfere with any attorney in carrying out his or her ethical or professional responsibilities to a client as established in the rules of ethics and professional responsibility that apply in the jurisdiction where the legal assistance is provided or abrogate as to attorneys in programs assisted under this title the authority of a State or other jurisdiction to enforce the standards of professional responsibility generally applicable to attorneys in such jurisdiction.”

(c) GRANTS AND CONTRACTS.—Section 1007(a)(10) (42 U.S.C. 2996f(a)(10)) is amended to read as follows:

“(10) ensure that all attorneys, while engaged in legal assistance activities supported, in whole or in part, by the Corporation, refrain from the persistent incitement of litigation and any other activity prohibited by the rules of ethics or professional responsibility that apply in the jurisdiction where the legal assistance is provided, and ensure that such attorneys refrain from personal representation for a private fee in any cases in which they were involved while engaged in such legal assistance activities; and”

(d) ACCESS TO RECORDS.—Section 1009(d) (42 U.S.C. 2996h(d)) is amended by inserting before the period at the end the following: “or protected from disclosure by the laws or the rules of ethics or professional responsibility that apply in the jurisdiction where such reports or records are maintained”

SEC. 13. SOLICITATION.

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

“(j) Any recipient or other grantee or contractor of the Corporation, and any employee of any such recipient, grantee, or contractor, who has given in-person unsolicited advice to a nonattorney that such nonattorney should obtain counsel or take legal action shall not accept employment resulting from that advice, or refer that nonattorney to another such recipient, grantee, contractor, or employee, except that—

“(1) a recipient or other grantee or contractor of the Corporation, or an employee of any such recipient, grantee, or contractor may accept employment by a close friend, relative, former client (if the advice given is germane to the previous employment by the client), or person whom the recipient, grantee, contractor, or employee reasonably believes to be a client because the recipient, grantee, contractor, or employee is currently handling an active legal matter or case for that specific person;

“(2) a recipient or other grantee or contractor of the Corporation, or an employee of any such recipient, grantee, or contractor may accept employment or refer a nonattorney to another such recipient, grantee, contractor, or employee when the employment or referral (as the case may be) results from the participation of the recipient, grantee, contractor, or employee in activities designed to educate nonattorneys about their legal rights, to recognize legal problems, to make intelligent selection of counsel, or to utilize available legal services if such outreach activities are conducted or sponsored by the recipient, grantee, contractor, or other legal assistance or church organization; and

“(3) without affecting the right of a recipient, other grantee or contractor of the Corporation, or employee of any such recipient, grantee, or contractor to accept employment, any such recipient, grantee, contractor, or employee may speak publicly or write for publication on legal topics so long as such recipient, grantee, contractor, or employee does not emphasize his, her, or its own professional experience or reputation and does not undertake to give individual advice in such speech or publication.”

SEC. 14. CERTAIN EVICTION PROCEEDINGS.

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

“(k)(1) No funds made available by or through the Corporation may be used for initiating the defense of a person in a proceeding to evict that person from a public housing project if the person has been convicted of the illegal sale or distribution of a controlled substance and if the eviction proceeding is brought by a public housing agency because the illegal drug activity of that person threatens the health or safety of other tenants residing in the public housing project or employees of the public housing agency.

“(2) As used in this subsection—

“(A) the term ‘controlled substance’ has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802); and

“(B) the terms ‘public housing project’ and ‘public housing agency’ have the meanings given those terms in section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a).”

SEC. 15. PROCEDURAL SAFEGUARDS FOR LITIGATION.

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

“(l) No recipient, other grantee or contractor of the Corporation, or employee of such recipient, grantee, or contractor may engage in precomplaint settlement negotiations, file a complaint, or otherwise pursue litigation against a defendant unless a written retainer agreement which enumerates the particular facts on which the claim or controversy is

initially based has been signed by the plaintiffs (including named plaintiffs in a class action). Such retainer agreement shall be executed when representation commences or, if not possible at that time because of an emergency situation, then as soon thereafter as is practicable. Such retainer agreement—

“(1) shall be kept on file by the recipient, grantee, or contractor, in a manner that does not disclose information protected by the attorney-client privilege or by the rules of ethics or professional responsibility that apply in the jurisdiction in which the legal assistance is provided, and

“(2) shall be made available—

“(A) to any Federal department or agency that is auditing the activities of the Corporation or of any such recipient, grantee, or contractor, and

“(B) to any auditor receiving Federal funds to conduct such auditing, including any auditor or monitor of the Corporation. Other parties shall have access to such agreement only through the applicable rules of discovery after litigation has begun. Claims of attorney-client privilege shall not protect information contained in such agreement which, after the agreement is signed, is disclosed by the plaintiff or the plaintiff's counsel to third parties during precomplaint settlement negotiations or litigation. The recipient, grantee, or contractor is not required to execute a written retainer agreement under this subsection when the only service to be provided is brief advice and consultation. Unless authorized by a court of competent jurisdiction, no recipient, grantee, or contractor of the Corporation or employee of such recipient, grantee, or contractor may file a complaint or petition in a court until all plaintiffs known to plaintiff's counsel at the time have been specifically identified in the complaint or petition.”

SEC. 16. COMPETITION STUDY.

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

“(m)(1) The Corporation shall study the feasibility of a system of competition in the awarding of some or all grants or contracts for legal assistance and related activities under section 1006 (a)(1) and (a)(3) of this title. The Corporation shall, within 3 years after the date of the enactment of the Legal Services Reauthorization Act of 1992, report to the Congress the results of this study, based on independent evaluation. Such study shall be conducted in conjunction with an advisory committee which includes project directors, attorneys providing legal assistance, the organized bar, and eligible clients, who are selected by appropriate representatives of these groups.

“(2) The study under paragraph (1) shall examine how a system of competition would—

“(A) ensure access to, and the continued provision of, high-quality, economical, and effective legal services to resolve problems of clients, consistent with section 1001,

“(B) take into account locally determined needs for particular kinds of cases or services,

“(C) take into account the ongoing ethical and professional responsibilities of recipients, other grantees or contractors of the Corporation, and their attorneys for existing cases, the potential disruption in client services, and loss of experienced staff, pro bono services, funds from sources other than the Corporation, and other resources if an existing recipient or other grantee or contractor were replaced,

“(D) ensure that every recipient or other grantee or contractor seeking a grant or contract through a competitive bidding process will comply with all provisions of this title and the rules, regulations, guidelines, and instructions issued under this title that are ap-

plicable to those recipients and other grantees and contractors organized for the purpose of providing legal services to eligible clients; and

“(E) ensure that a new recipient or other grantee or contractor selected would provide a sufficient level of quality, economy, and effectiveness to justify the burdens of replacing the current recipient, grantee, or contractor, using the criteria set forth in this paragraph and those developed by the Corporation in accordance with section 1007(d)(4).”

SEC. 17. TRAINING.

Section 1007(b)(6) (42 U.S.C. 2996f(b)(6)) is amended to read as follows:

“(6) to support or conduct training programs for the purpose of advocating particular public policies or encouraging political activities, labor or antilabor activities, boycotts, picketing, strikes, or demonstrations, except that this paragraph shall not be construed to prohibit the training of attorneys or paralegal personnel necessary to prepare them to provide adequate legal assistance to eligible clients, to advise any eligible client as to the nature of the legislative process, or to inform any eligible client of his or her rights under any statute, order, or regulation;”

SEC. 18. LIMITATION ON USE AMENDMENTS.

Section 1007(b) (42 U.S.C. 2996f(b)) is amended by striking paragraph (9) and redesignating paragraph (10) and paragraph (11) (as added by section 9 of this Act) as paragraphs (9) and (10), respectively.

SEC. 19. RECORDKEEPING AND NONCORPORATION FUNDS.

(a) NON-CORPORATION FUNDS.—Section 1010(c) (42 U.S.C. 2996i(c)) is amended by adding at the end the following: “Public funds received by any recipient or other grantee or contractor of the Corporation, including funds from Interest on Lawyer Trust Account (IOLTA) programs, shall not be used to engage in publicity or propaganda as restricted by section 1007(a)(5).”

(b) TIMEKEEPING.—Section 1008(b) (42 U.S.C. 2996g(b)) is amended—

(1) by inserting “(1)” after “(b)”; and

(2) by adding at the end the following:

“(2) The Corporation, by regulation adopted pursuant to section 1008(e), shall require each recipient or other grantee or contractor of the Corporation to maintain records of time spent on the cases or matters with respect to which that recipient, grantee, or contractor is engaged in activities and to maintain a recordkeeping system that discloses the source of funds to be charged for each such case or matter. The specific time and recordkeeping system to be employed shall be determined by the recipient or other grantee or contractor in a manner that meets the requirements of a recordkeeping system as set forth in the preceding sentence and meets obligations that are imposed by other funding sources. Pursuant to regulations adopted under this paragraph, each employee of such recipient, grantee, or contractor, who is an attorney or paralegal, shall be required to keep contemporaneous records of the time spent by case or matter and the type of case or matter.”

SEC. 20. EVASION.

The Legal Services Corporation Act is amended—

(1) by redesignating sections 1013 and 1014 as sections 1014 and 1015, respectively; and

(2) by inserting after section 1012 the following new section:

“EVASION

“SEC. 1013. The use of ‘alternative corporations’ to avoid or otherwise evade the provisions of this title or the Legal Services Reauthorization Act of 1992 is prohibited. The term ‘alternative corporation’ means any

corporation, law firm, business association, group, entity, or enterprise which, through shared staff or control over workload or interlocking boards of directors, has a single identity of interest with a recipient or other grantee or contractor of the Corporation. Any recipient or other grantee or contractor of the Corporation which shares employees with any other corporation, law firm, business association, group, entity, or enterprise shall specify with particularity the use of any funds by such employees in accordance with the timekeeping and recordkeeping requirements established under section 1008(b).”

SEC. 21. FEE-GENERATING CASE PROVISIONS.

Section 1007(b)(1) (42 U.S.C. 2996f(b)(1)) is amended by striking “(which guidelines)” and all that follows through the end of the paragraph and inserting the following: “, except that—

“(A) such guidelines shall not preclude the provision of legal assistance in cases in which a client seeks only statutory benefits and appropriate private representation is not available; and

“(B) the Corporation may not—

“(i) prevent recipients or other grantees or contractors of the Corporation from seeking, receiving, or retaining attorneys' fees awarded or approved by a court or administrative body or included in a settlement in any matter that may be appropriately undertaken under the guidelines promulgated under this paragraph, or

“(ii) offset attorneys' fees against grant amounts or take into account the amount of any such attorneys' fees in establishing funding levels, fund balances, or distributing funds appropriated under this title;”

SEC. 22. ATTORNEYS' FEES PROVISIONS.

Section 1006(f) (42 U.S.C. 2996e(f)) is amended to read as follows:

“(f) If any court finds, based on substantial evidence, that a recipient or other grantee or contractor of the Corporation commenced an action for the purpose of harassment or retaliation or maliciously abused legal process, or that the plaintiff's action was frivolous, unreasonable, or without foundation, the court may award reasonable costs and attorneys' fees incurred by the defendant in defending the action. Any such costs and fees shall be paid directly by the Corporation. The Corporation may recover the amount of any costs and fees paid by the Corporation from the recipient, grantee, or contractor against whom the award was made by offsetting that amount against future grant awards made by the Corporation to such recipient, grantee, or contractor. Unless otherwise agreed by the Corporation and the recipient, grantee, or contractor, the Corporation, in any one grant year, may not deduct more than 5 percent of a grant for purposes of recoupment of such costs and fees.”

SEC. 23. CORPORATION BOARD CONTROL OVER POLICY.

Section 1006 (42 U.S.C. 2996e) is amended by adding at the end the following:

“(g) All rules, regulations, guidelines, instructions, and grant conditions under this title, and all policies or changes in policy directly affecting recipients or other grantees or contractors of the Corporation, shall be adopted by the Board of the Corporation after notice and comment. For purposes of this subsection, policies or changes in policies include, but are not limited to, increasing or decreasing funding to, imposing new terms and conditions on, or making changes in the classes of recipients or other grantees or contractors which provide and support the delivery of legal assistance. This subsection shall not preclude the staff of the Corporation from imposing, without notice and comment, specific conditions on a grant to an individual recipient or other grantee, or on a

contract with a recipient or other contractor, that are not applicable to other such recipients, grantees, or contractors if the conditions relate specifically to a prior determination that the recipient, grantee, or contractor has not complied with the provisions of this title or the rules, regulations, guidelines, or instructions issued under this title.”.

SEC. 24. REPROGRAMMING PROVISIONS.

Section 1008 (42 U.S.C. 2996h) is amended by adding at the end the following:

“(f) The Corporation may not promulgate rules, regulations, guidelines, or instructions under this title unless the Corporation has so notified the Committees on Appropriations and on the Judiciary of the House of Representatives and the Committees on Appropriations and on Labor and Human Resources of the Senate at least 15 days before final publication of the rules, regulations, guidelines, or instructions, and has given such committees an opportunity to comment on such rules, regulations, guidelines, or instructions.”.

SEC. 25. 12-MONTH GRANTS.

Section 1010 (42 U.S.C. 2996i) is amended by adding to the end the following:

“(e) All grants and contracts made pursuant to sections 1006(a) (1) and (3) for calendar years 1992, 1993, 1994, 1995, and 1996 shall be made for a period of at least 12 months, except for any grant to a new program commencing operations after the beginning of the applicable calendar year.”.

SEC. 26. ESTABLISHMENT OF LOCAL PRIORITIES.

Section 1007(a) (42 U.S.C. 2996f(a)) is amended—

(1) in paragraph (2)(C)(i) by striking “goals established by the Corporation” and inserting “the principles of section 1001 of this title and any goals established by law”; and

(2) by adding after paragraph (1) (as added by section 8(2) of this Act) the following:

“The procedures adopted pursuant to paragraph (2)(C)(i) shall require the governing or policy bodies of recipients and other grantees and contractors of the Corporation to review annually the priorities that are determined in accordance with such procedures, and periodically analyze the legal needs of clients in the area served by each such recipient, grantee, or contractor to take into account new or changing circumstances of such clients. As part of such analysis, each such recipient, grantee, or contractor shall seek comments and information from clients, the organized bar, and program staff, as well as other parties with relevant information concerning client needs, including community groups, private attorneys participating in the private attorney involvement plans of the recipient, grantee, or contractor, and human services agencies. In the case of support entities, their governing or policy bodies shall also periodically analyze the advocacy, support, and coordination needs of recipients served by the support entity.”.

SEC. 27. STAFF ATTORNEYS.

Section 1002(7) (42 U.S.C. 2996a(7)) is amended to read as follows:

“(7) ‘staff attorney’ means an attorney who—

“(A) is employed by a recipient organized in whole or in part for the provision of legal assistance to eligible clients under this title, and

“(B) receives more than one-half of his or her annual professional salary from the proceeds of a grant or contract from the Corporation to such recipient.”.

SEC. 28. STUDY ON LEGAL ASSISTANCE TO OLDER AMERICANS.

The Legal Services Corporation shall conduct a study to determine the extent and effectiveness of legal assistance provided to older Americans by recipients and other

grantees and contractors under the Legal Services Corporation Act. The Corporation shall submit to the Congress, not later than 6 months after the date of the enactment of this Act, a report on the study, together with any recommendations that the Corporation has on ways to improve the provision of such legal assistance to older Americans.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. MCCOLLUM moved to recommit the bill to the Committee on the Judiciary with instructions to report the bill back to the House forthwith with the following amendment:

Strike everything that follows the enacting clause and insert the following:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Legal Services Reauthorization Act of 1992”.

(b) TABLE OF CONTENTS.—The table of contents is as follows:

- Sec. 1. Short title.
- Sec. 2. Reference to the Legal Services Corporation Act.
- Sec. 3. Authorization of appropriations.
- Sec. 4. Protection against theft and fraud.
- Sec. 5. Prohibitions on lobbying.
- Sec. 6. Enforcement and monitoring.
- Sec. 7. Class actions.
- Sec. 8. Prohibition on use of funds for redistributing.
- Sec. 9. Restrictions on use of funds for legal assistance to aliens.
- Sec. 10. Governing bodies of recipients.
- Sec. 11. Solicitation.
- Sec. 12. Certain eviction proceedings.
- Sec. 13. Procedural safeguards for litigation.
- Sec. 14. Procedural implementation of competition; distribution of grants and contracts.
- Sec. 15. Training.
- Sec. 16. Abortion.
- Sec. 17. Limitation on use amendments.
- Sec. 18. Recordkeeping and noncorporation funds.
- Sec. 19. Evasion.
- Sec. 20. Attorneys’ fee provisions.
- Sec. 21. Reprogramming provisions.
- Sec. 22. Authorities of Inspector General.
- Sec. 23. Staff attorneys.
- Sec. 24. Study on legal assistance to older Americans.

SEC. 2. REFERENCE TO THE LEGAL SERVICES CORPORATION ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment or repeal of a section or other provision, the reference shall be considered to be made to a section or other provision of the Legal Services Corporation Act (42 U.S.C. 2996 and following).

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 1010(a) (42 U.S.C. 2996i(a)) is amended by striking the first three sentences and inserting the following: “There are authorized to be appropriated for the purpose of carrying out the activities of the Corporation such sums as may be necessary for each of fiscal years 1992, 1993, 1994, 1995, and 1996.”.

SEC. 4. PROTECTION AGAINST THEFT AND FRAUD.

Section 1005 (42 U.S.C. 2996d) is amended by adding at the end the following:

“(h) For purposes of sections 286, 287, 641, 1001, and 1002 of title 18, United States Code, the Corporation shall be considered to be a department or agency of the United States Government.

“(i) For purposes of sections 3729 through 3733 of title 31, United States Code, the term

‘United States Government’ shall include the Corporation, except that actions that are authorized by section 3730(b) of such title to be brought by persons may not be brought against the Corporation, any recipient, other grantee or contractor of the Corporation, subgrantee or subcontractor of any such entity, or employee thereof.

“(j) For purposes of section 1516 of title 18, United States Code—

“(1) the term ‘Federal auditor’ shall include any auditor employed or retained on a contractual basis by the Corporation,

“(2) the term ‘contract’ shall include any grant or contract made by the Corporation, and

“(3) the term ‘person’, as used in subsection (a) of such section, shall include any recipient or other grantee or contractor receiving financial assistance under section 1006(a)(1) or 1006(a)(3).

“(k) Funds provided by the Corporation under section 1006 shall be deemed to be Federal appropriations for the purpose of all Federal criminal laws when used by a recipient, another grantee or contractor of the Corporation, or any subgrantee or subcontractor of any such entity.

“(1) For purposes of section 666 of title 18, United States Code, funds provided by the Corporation shall be deemed to be benefits under a Federal program involving a grant or contract.”.

SEC. 5. PROHIBITIONS ON LOBBYING.

Section 1007(a)(5) (42 U.S.C. 2996f(a)(5)) is amended to read as follows:

“(5) ensure that no funds made available to any recipient or other grantee or contractor of the Corporation are used at any time, directly or indirectly—

“(A) to pay for any publicity or propaganda intended or designed—

“(i) to support or defeat legislation pending before the Congress or State or local legislative bodies,

“(ii) to influence any decision by a Federal, State, or local agency, or

“(iii) to influence the passage or defeat of any State proposal made by initiative petition or referendum;

“(B) to pay for any oral or written communication, personal service, advertisement, telegram, telephone communication, letter, printed or written matter, or other device, intended or designed to influence any decision by a Federal, State, or local agency, except when legal assistance is provided by an employee of a recipient or other grantee or contractor to an eligible client on a particular application, claim, or case, which directly involves the client’s legal rights or responsibilities and which does not involve the issuance, amendment or revocation of any executive order or similar promulgation by any Federal, State, or local agency; or

“(C) to pay for any oral or written communication, personal service, advertisement, telegram, telephone communication, letter, printed or written matter, or any other device intended or designed to influence the passage or defeat of any legislation by the Congress of the United States or by any State or local legislative body, or intended or designed to influence any Member of Congress or any other Federal, State, or local elected official—

“(i) to favor or oppose any referendum, initiative, constitutional amendment, or any similar procedures of the Congress, any State legislature, any local council, or any similar governing body acting in a legislative capacity,

“(ii) to favor or oppose an authorization or appropriation directly affecting the authority, function, or funding of a recipient, other grantee or contractor, or the Corporation,

“(iii) to influence the conduct of oversight proceedings of a recipient, other grantee or contractor, or the Corporation, or

“(iv) to favor or oppose any Act, bill, resolution, or similar legislation; and ensure that no funds made available to recipients or other grantees or contractors are used to pay for any administrative or related costs associated with an activity prohibited in subparagraph (A), (B), or (C);”.

SEC. 6. ENFORCEMENT AND MONITORING

(a) ENFORCEMENT.—Section 1006(b)(1)(A) (42 U.S.C. 29963(b)(1)(A)) is amended—

(1) by inserting “(i)” after “(b)(1)(A)”, and

(2) by adding at the end the following:

“(i) Unless required by law, the Corporation shall not make the findings of an investigation public until a final report is issued or unless such disclosure is made with the consent of the recipient or other grantee or contractor involved. If, at the conclusion of the investigation, the Corporation determines that it will take action under section 1011, it shall notify the recipient, grantee, or contractor of the right to request a hearing. A hearing must be requested not later than 30 days after receiving the notification.”

(b) MONITORING AND EVALUATIONS OF PROGRAMS.—At the end of section 1007(d) (42 U.S.C. 2996f(d)), add the following: “The Corporation may require disclosure of such records as are pertinent and necessary to effectively monitor and evaluate recipients and other grantees and contractors of the Corporation.”.

SEC. 7. CLASS ACTIONS.

Section 1006(d)(5) is amended—

(1) by striking “No” and inserting “(A) Subject to subparagraph (B), no”; and

(2) by adding at the end the following:

“(B) No recipient, other grantee or contractor of the Corporation, or employee of any such recipient, grantee, or contractor may bring a class action suit against the Federal Government or any State or local government unless—

“(i) the project director of the recipient, grantee, or contractor has expressly approved the filing of such an action in accordance with policies established by the governing or policy body of the recipient, grantee, or contractor and the filing of such action has not been expressly disapproved by such governing or policy body;

“(ii) the class relief which is the subject of such an action is sought for the primary benefit of individuals who are eligible for legal assistance under this title; and

“(iii) before filing such an action, the project director of the recipient, grantee, or contractor determines that the government entity is not likely to change the policy or practice in question, that the policy or practice will continue to adversely affect eligible clients, that the recipient, grantee, or contractor has given notice of its intention to seek class relief, and that responsible efforts to resolve without litigation the adverse effects of the policy or practice have not been successful or would be adverse to the interest of the clients.”.

SEC. 8. PROHIBITION ON USE OF FUNDS FOR REDISTRICTING.

Section 1007(b) (42 U.S.C. 2996f(b)) is amended—

(1) in paragraph (10) by striking the period and inserting “; or”; and

(2) by adding at the end the following:

“(11) to—

“(A) advocate or oppose, or contribute or make available any funds, personnel, or equipment for use in advocating or opposing, any plan or proposal, or

“(B) represent any party or participate in any other way in litigation,

that is intended to or has the effect of altering, revising, or reapportioning a legislative, judicial, or elective district at any level of government, including influencing the timing or manner of the taking of a census.”.

SEC. 9. RESTRICTIONS ON USE OF FUNDS FOR LEGAL ASSISTANCE TO ALIENS

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

“(i) No funds appropriated to the Legal Services Corporation may be used to provide legal assistance for or on behalf of any alien unless the alien is present in the United States and is—

“(1) an alien lawfully admitted for permanent residence as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)), including aliens who acquire the status of lawful permanent resident aliens under the provisions of section 210, 210A, 216 or 245A of that Act (8 U.S.C. 1160, 1161, 1186a, 1255a);

“(2) an alien who is either married to a United States citizen or is a parent or an unmarried child under 21 years of age of such citizen and who has filed an application to adjust status to lawful permanent resident under the Immigration and Nationality Act, and such application has not been finally adjudicated;

“(3)(A) an alien who is lawfully present in the United States pursuant to an admission as a refugee under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157), who has been granted suspension of deportation under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254), or who has been granted asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158), or

“(B) an alien who is lawfully present in the United States as a result of being granted conditional entry pursuant to section 203(a)(7) of the Immigration and Nationality Act as in effect immediately before April 1, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion or because of being uprooted by catastrophic natural calamity;

“(4) an alien who is lawfully present in the United States as a result of the Attorney General’s withholding of deportation pursuant to section 243(h) of the Immigration and Nationality Act (8 U.S.C. 1253(h));

“(5)(A) a nonimmigrant agricultural worker to whom section 305 of the Immigration Reform and Control Act of 1986 applies, but only to the extent that the legal assistance provided is that described in that section,

“(B) an alien who is in the status of an alien lawfully admitted to the United States for temporary residence under section 210 or 210A of the Immigration and Nationality Act (8 U.S.C. 1160, 1161);

“(6) an alien who has been provided a record of permanent residence under section 249 of the Immigration and Nationality Act (8 U.S.C. 1259); or

“(7) an alien who is eligible for medical assistance for treatment of an emergency medical condition under title XIX of the Social Security Act, if the legal assistance to be provided is needed in order to help obtain such medical assistance.”.

SEC. 10. GOVERNING BODIES OF RECIPIENTS.

Section 1007(c) (42 U.S.C. 2996f(c)) is amended—

(1) by striking “(1)” and “(2)” and inserting “(A)” and “(B)”, respectively;

(2) by inserting “(1)” after “(c)”; and

(3) by adding at the end the following:

“(2) Funds appropriated for the Corporation may not be used by the Corporation in making grants or entering into contracts for legal assistance unless the Corporation ensures that the recipient or other grantee or contractor is either—

“(A) a private attorney or attorneys, or

“(B) a qualified nonprofit organization chartered under the laws of one of the States—

“(i) a purpose of which is furnishing legal assistance to eligible clients, and

“(ii) the majority of the board of directors or other governing body of which is comprised of attorneys who are admitted to practice in one of the States and are approved to serve on such board or body by the governing bodies of State, county, or municipal bar associations the membership of which represents a majority of the attorneys practicing law in—

“(I) the locality in which the organization is to provide legal assistance, or

“(II) in the case of national support centers, the locality where the organization maintains its principal headquarters.

The approval described in subparagraph (B)(ii) may be given to more than one board of directors or other governing body.”.

SEC. 11. SOLICITATION.

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

“(j) Any recipient or other grantee or contractor of the Corporation, and any employee of any such recipient, grantee, or contractor, who has given in-person unsolicited advice to a nonattorney that such nonattorney should obtain counsel or take legal action shall not accept employment resulting from that advice, or refer that nonattorney to another such recipient, grantee, contractor, or employee, except that—

“(1) a recipient or other grantee or contractor of the Corporation, or an employee of any such recipient, grantee, or contractor, may accept employment by a close friend, relative, former client (if the advice given is germane to the previous employment by the client), or person whom the recipient, grantee, contractor, or employee reasonably believes to be a client because the recipient, grantee, contractor, or employee currently is handling an active legal matter or case for that specific person;

“(2) a recipient or other grantee or contractor of the Corporation, or an employee of any such recipient, grantee, or contractor may, accept employment or refer a nonattorney to another such recipient, grantee, contractor, or employee when the employment or referral (as the case may be) results from the participation of the recipient, grantee, contractor, or employee in activities designed to educate nonattorneys about their legal rights, to recognize legal problems, to make intelligent selection of counsel, or to utilize available legal services if such outreach activities are conducted or sponsored by the recipient, grantee, contractor, or other legal assistance organization; and

“(3) without affecting the right of a recipient or other grantee or contractor of the Corporation or an employee of any such recipient, grantee, or contractor to accept employment, any such recipient, grantee, contractor, or employee may speak publicly or write for publication on legal topics so long as such recipient, grantee, contractor, or employee does not emphasize his, her, or its own professional experience or reputation and does not undertake to give individual advice in such speech or publication.”.

SEC. 12. CERTAIN EVICTION PROCEEDINGS.

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

“(k)(1) No funds made available by or through the Corporation may be used for initiating the defense of a person in a proceeding to evict that person from a public housing project if the person has been convicted of the illegal sale or distribution of a controlled substance and if the eviction proceeding is brought by a public housing agency because the illegal drug activity of that person threatens the health or safety of other tenants residing in the public housing project or employees of the public housing agency.

“(2) As used in this subsection—

“(A) the term ‘controlled substance’ has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802); and

“(B) the terms ‘public housing project’ and ‘public housing agency’ have the meanings given those terms in section 3 of the United States Housing Act of 1937 (42 U.S.C. 1437a).”.

SEC. 13. PROCEDURAL SAFEGUARDS.

Section 1007 (42 U.S.C. 2997f) is amended by adding at the end the following:

“(i)(1) No recipient or other grantee or contractor of the Corporation, or employee of such recipient, grantee, or contractor, may engage in precomplaint settlement negotiations, file a complaint, or otherwise pursue litigation against a defendant unless a written retainer agreement which enumerates the particular facts on which the claim or controversy is initially based has been signed by the plaintiffs (including named plaintiffs in a class action). Such retainer agreement shall be executed when representation commences, or, if not possible at that time because of an emergency situation, then as soon thereafter as is practicable. Such retainer agreement—

“(A) shall be kept on file by the recipient, grantee, or contractor in a manner that does not disclose information protected by the attorney-client privilege, and

“(B) shall be made available—

“(i) to any Federal department or agency that is auditing the activities of the Corporation or of any such recipient, grantee, or contractor, and

“(ii) to any auditor receiving Federal funds to conduct such auditing, including any auditor or monitor of the Corporation.

Other parties shall have access to such agreement only through the applicable rules of discovery after litigation has begun. Claims of attorney-client privilege shall not protect information contained in such agreement which, after the agreement is signed, is disclosed by the plaintiffs or the plaintiff's counsel to third parties during precomplaint settlement negotiations or litigation. The recipient, grantee, or contractor is not required to execute a written retainer agreement under this subsection when the only service to be provided is brief advice and consultation.

“(2) No recipient or other grantee or contractor of the Corporation, or employee of such recipient, grantee, or contractor may engage in precomplaint settlement negotiations, file a complaint, or otherwise pursue litigation against a defendant unless all plaintiffs have been specifically identified, by name, for purposes of such negotiations or litigation, except to the extent that a court of competent jurisdiction has granted leave to protect the identity of any plaintiff.

“(3)(A) Subject to subparagraph (B), any Federal district court of competent jurisdiction, after notice to potential parties to negotiations or litigation referred to in paragraph (1) and after an opportunity for a hearing, may enjoin the disclosure of the identity of any potential plaintiff pending the outcome of such negotiations or litigation, upon the establishment of reasonable cause to believe that such an injunction is necessary to prevent probable, serious harm to such potential plaintiff.

“(B) Notwithstanding subparagraph (A), the court shall, in a case in which subparagraph (A) applies, order the disclosure of the identity of any potential plaintiff to counsel for potential defendants upon the condition that counsel for potential defendants not disclose the identity of such potential plaintiff (other than to investigators or paralegals hired by such counsel), unless authorized in writing by such potential plaintiff's counsel or the court.

“(C) Counsel for potential defendants and the recipient, grantee, contractor, or em-

ployee counsel of the recipient, grantee, or contractor may execute an agreement, in lieu of seeking a court order under subparagraph (A), governing disclosure of the identity of any potential plaintiff.

“(D) The court may punish as a contempt of court any violation of an order of the court under subparagraph (A) or (B) or of an agreement under subparagraph (C).”.

SEC. 14. 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, 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 for the provision or support of legal assistance to eligible clients under this title, of a competitive bidding system that meets the requirements of subparagraph (A).

“(2) Rights under section 1007(a)(9) and 1011 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 1011.

“(n)(1) Funds appropriated to the Corporation shall be distributed to each recipient or other 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 Service Reauthorization Act of 1992.

“(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, grantees, and contractors shall be redetermined, in accord-

ance with paragraph (2), based on the per capita poverty population in each such geographic area under that decennial census.”.

SEC. 15. TRAINING.

Section 1007(b)(6) (42 U.S.C. 2996f(b)(6)) is amended to read as follows:

“(6) to support or conduct training programs for the purpose of advocating particular public policies or encouraging political activities, labor or antilabor activities, boycotts, picketing, strikes, or demonstrations, including the dissemination of information about such policies or activities, except that this paragraph shall not be construed to prohibit the training of attorneys or paralegal personnel that is necessary to prepare them to provide adequate legal assistance to eligible clients, to advise any eligible client as to the nature of the legislative process, or to inform any eligible client of his or her rights under any statute, order, or rule;”.

SEC. 16. ABORTION.

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

“(o)(1) No funds made available to any recipient or other grantee or contractor of the Corporation from any source, including funds derived from Interest on Lawyer Trust Accounts (IOLTA), may be used to participate in any proceeding or litigation pertaining to abortion, or for any activity to influence the passage or defeat of any legislative or regulatory measure pertaining to abortion.

“(2) Nothing in this subsection shall affect the ability of a financially and physically separate entity that receives no funds from the Legal Services Corporation or its recipients or other grantees or contractors of the Corporation to engage in constitutionally-protected activities otherwise prohibited under this subsection.

“(3) As used in paragraph (2), a ‘separate entity’ is an entity that—

“(A) does not share offices, staff, or facilities with a recipient or other grantee or contractor of the Corporation, and

“(B) shares no control over workload with such a recipient, grantee, or contractor.”.

(b) CONFORMING AMENDMENT.—Section 1007(b) (42 U.S.C. 2996f(b)) is amended by striking paragraph (8).

SEC. 17. LIMITATION ON USE AMENDMENTS.

Section 1007(b) (42 U.S.C. 2996f(b)) is amended by striking paragraph (9) and redesignating paragraph (10) and paragraph (11) (as added by section 8 of this Act) as paragraphs (8) and (9), respectively.

SEC. 18. RECORDKEEPING AND NON-CORPORATION FUNDS.

(a) NON-CORPORATION FUNDS.—Section 1010(c) (42 U.S.C. 2996i(c)) is amended to read as follows:

“(c)(1) Any non-Federal funds received by the Corporation, and any funds received by any recipient or other grantee or contractor from any source other than the Corporation, shall be accounted for and reported as receipts and disbursements separate and distinct from Corporation funds. Any funds so received, including funds derived from Interest on Lawyers Trust Accounts (IOLTA), may not be expended by recipients, grantees, or contractors for any purpose prohibited by this title or the Legal Services Reauthorization Act of 1992. The Corporation shall not accept any non-Federal funds, and any recipient, grantee, or contractor shall not accept funds from any source other than the Corporation, unless the Corporation or the recipient, grantee, or contractor, as the case may be, notifies in writing the source of such funds that the funds may not be expended for any purpose prohibited by this title or the Legal Services Reauthorization Act of 1992.

“(2) Paragraph (1) shall not prevent recipients and other grantees and contractors from—

“(A) receiving Indian tribal funds (including funds from private nonprofit organizations for the benefit of Indians or Indian tribes) and expending them in accordance with the specific purposes for which they are provided; or

“(B) using funds received from a source other than the Corporation to provide legal assistance to a client who is not an eligible client or who is an alien prohibited from being provided assistance under section 1007(i) if such funds are used for the specific purposes for which such funds were received, except that such funds may not be expended by recipients, grantees, or contractors for any purpose prohibited by this title or the Legal Services Reauthorization Act of 1992 (other than the prohibition described in section 1007(i) or any requirement regarding the eligibility of clients.

“(3) Nothing in this subsection shall affect the ability of a financially and physically separate entity that receives no funds from the Legal Services Corporation or its recipients or other grantees or contractors of the Corporation to engage in constitutionally-protected activities otherwise prohibited under this subsection.

“(4) As used in paragraph (3), a ‘separate entity’ is an entity that—

“(A) does not share offices, staff, or facilities with a recipient or other grantee or contractor of the Corporation, and

“(B) shares no control over workload with such a recipient, grantee, or contractor.”

(b) TIMEKEEPING.—Section 1008(b) (42 U.S.C. 2996g(b)) is amended—

- (1) by inserting “(1)” after “(b)”; and
(2) by adding at the end the following:

“(2) The Corporation, by regulation adopted pursuant to section 1008(e), shall require each recipient or other grantee or contractor of the Corporation to maintain records of time spent on the cases or matters with respect to which that recipient, grantee, or contractor is engaged in activities and to maintain a recordkeeping system that discloses the source of funds to be charged for each such case or matter. The specific time and recordkeeping system to be employed shall be determined by the recipient, grantee, or contractor in a manner that meets the requirements of a recordkeeping system as set forth in the preceding sentence and meets obligations that are imposed by other funding sources. Pursuant to regulations adopted under this paragraph, each employee of such recipient, grantee, or contractor, who is an attorney or paralegal, shall be required to keep contemporaneous records of the time spent by case or matter and the type of case or matter.”

SEC. 19. EVASION.

The Legal Services Corporation Act is amended—

(1) by redesignating section 1013 and 1014 as sections 1014 and 1015, respectively; and

(2) by inserting after section 1012 the following new section:

“EVASION

“SEC. 1013. The use of ‘alternative corporations’ to avoid or otherwise evade the provisions of this title or the Legal Services Reauthorization Act of 1992 is prohibited. The term ‘alternative corporation’ means any corporation, law firm, business association, group, entity, or enterprise which shares offices, staff, or facilities with a recipient or other grantee or contractor of the Corporation or shares control over workload with such a recipient, grantee, or contractor.”

SEC. 20. ATTORNEYS’ FEES PROVISIONS.

Section 1006(f) (42 U.S.C. 2996e(f)) is amended to read as follows:

“(f)(1) A recipient or other grantee or contractor of the Corporation, or any client of such recipient, grantee, or contractor, may not claim or collect attorneys’ fees from

non-governmental parties to litigation initiated by such client with the assistance of such recipient, grantee, or contractor.

“(2) If any court finds, based on substantial evidence, that a recipient or other grantee or contractor of the Corporation commenced an action for the purpose of harassment or retaliation or maliciously abused legal process, or that the plaintiff’s action was frivolous, unreasonable, or without foundation, the court shall award reasonable costs and attorneys’ fees incurred by the defendant in defending the action. Any such costs and fees shall be paid directly by the Corporation. The Corporation may recover the amount of any costs and fees paid by the Corporation from the recipient, grantee, or contractor against whom the award was made by offsetting that amount against future grant awards or contracts made by the Corporation to such recipient, grantee, or contractor. Unless otherwise agreed to by the Corporation and the recipient, grantee, or contractor involved, the Corporation, in any one grant year, may not deduct more than 5 percent of a grant award or contract for purposes of recoupment of such costs and fees under the preceding sentence.”

SEC. 21. REPROGRAMMING PROVISIONS.

Section 1008 (42 U.S.C. 2996h) is amended by adding at the end the following:

“(f) The Corporation may not promulgate rules under this title unless the Corporation has so notified the Committees on Appropriations and on the Judiciary of the House of Representatives and the Committees on Appropriations and on Labor and Human Resources of the Senate at least 15 days before final publication of the rules.”

SEC. 22. AUTHORITIES OF INSPECTOR GENERAL.

Section 1009 (42 U.S.C. 2996h) is amended as follows:

(1) Subsection (a)(1) is amended to read as follows:

“(a)(1) The accounts of the Corporation shall be audited annually. Such audits shall be conducted in accordance with the Inspector General Act of 1978.”

(2) Subsection (c)(1) is amended to read as follows:

“(c)(1) The Inspector General of the Corporation shall conduct, or require each recipient, grantee, contractor, or person or entity receiving financial assistance under this title to provide for audits in accordance with the Inspector General Act of 1978.”

(3) Subsection (c)(2) is amended by striking “Corporation” the first place it appears and inserting “Inspector General”.

SEC. 23. STAFF ATTORNEYS.

Section 1002(7) (42 U.S.C. 2996a(7)) is amended to read as follows:

“(7) ‘staff attorney’ means an attorney who receives more than one-half of his or her annual professional income from a recipient or other grantee or contractor of the Corporation, which has as one of its purposes the provision of legal assistance to eligible clients under this title; and”

SEC. 24. STUDY ON LEGAL ASSISTANCE TO OLDER AMERICANS.

The Legal Services Corporation shall conduct a study to determine the extent and effectiveness of legal assistance provided to older Americans by recipients and contractors under the Legal Services Corporation Act. The Corporation shall submit to the Congress, not later than 6 months after the date of the enactment of this Act, a report on the study, together with any recommendations that the Corporation has on ways to improve the provision of such legal assistance to older Americans.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce, Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. SKAGGS, announced that the nays had it.

Mr. McCOLLUM objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared ... Yeas 173
Nays 236
Answered present 1

¶52.17 [Roll No. 117] YEAS—173

Table listing names of representatives and their corresponding roll numbers for YEAS (173 total) and NAYS (236 total).

NAYS—236

Table listing names of representatives and their corresponding roll numbers for NAYS (236 total).

DeLauro, Dellums, Derrick, Dicks, Dingell, Dixon, Donnelly, Dooley, Dorgan (ND), Downey, Durbin, Dwyer, Early, Eckart, Edwards (CA), Erdreich, Espy, Evans, Fascell, Fazio, Feighan, Fish, Flake, Foglietta, Ford (MI), Ford (TN), Frank (MA), Frost, Gallo, Gaydos, Gejdenson, Gephardt, Gibbons, Gilchrist, Gilman, Glickman, Gonzalez, Gordon, Gradison, Green, Guarini, Hall (OH), Hamilton, Harris, Hatcher, Hayes (IL), Hayes (LA), Hefner, Hertel, Hoagland, Hochbrueckner, Horn, Horton, Houghton, Hoyer, Hubbard, Hughes, Jacobs, Jenkins, Johnson (CT), Johnston, Jones (GA), Jones (NC), Jontz, Kaptur, Kennedy, Kennelly, Kildee, Kleczka, Kopetski, Kostmayer, Lancaster, Lantost, LaRocco, Leach, Lehman (CA), Lehman (FL), Levin (MI), Lewis (GA), Lipinski, Lloyd, Long, Lowey (NY), Luken, Machtley, Manton, Markey, Martinez, Matsui, Mavroules, Mazzoli, McCloskey, McCurdy, McDermott, McHugh, McMillen (MD), McNulty, Mfume, Miller (CA), Mineta, Mink, Molinari, Moody, Moran, Morella, Nagle, Natcher, Neal (MA), Neal (NC), Nowak, Oberstar, Obey, Olin, Olver, Ortiz, Owens (NY), Owens (UT), Pallone, Panetta, Pastor, Patterson, Payne (NJ), Payne (VA), Pease, Pelosi, Penny, Perkins, Peterson (FL), Peterson (MN), Pickett, Pickle, Porter, Price, Ramstad, Rangel, Reed, Richardson, Ridge, Riggs, Roe, Rose, Rostenkowski, Roybal, Russo, Sabo, Sanders, Sangmeister, Savage, Sawyer, Schiff, Schroeder, Schumer, Serrano, Sharp, Shays, Sikorski, Sisisky, Skaggs, Slattery, Slaughter, Smith (FL), Smith (IA), Solaz, Spratt, Stallings, Stark, Stokes, Studds, Swett, Swift, Synar, Thornton, Torres, Torricelli, Towns, Traficant, Traxler, Unsoeld, Vento, Visclosky, Volkmer, Washington, Waters, Waxman, Weiss, Wheat, Williams, Wolpe, Wyden, Yates, Zimmer

ANSWERED "PRESENT"—1

James

NOT VOTING—24

Ackerman, Alexander, AuCoin, Bereuter, Bryant, Collins (IL), Cunningham, Dannemeyer, Dymally, Engel, Hyde, Jefferson, Kolter, Levine (CA), Lightfoot, McEwen, Moakley, Mrazek, Oakar, Scheuer, Staggers, Tallon, Whitten, Wise

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce, Will the House pass said bill?

The SPEAKER pro tempore, Mr. SKAGGS, announced that the nays had it.

Mr. BROOKS demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative Yeas 253 Nays 154 Answered present 1

52.18 [Roll No. 118]

AYES—253

Abercrombie, Anderson, Andrews (ME), Andrews (NJ), Andrews (TX), Annunzio, Anthony, Aspin, Atkins, Bacchus, Beilenson, Bennett, Berman, Bonior, Borski, Boucher, Boxer, Brewster, Brooks, Browder, Brown, Bruce, Bustamante, Campbell (CO), Cardin, Carper, Carr, Chapman, Clay, Clement, Coleman (TX), Collins (MI), Condit, Conyers, Cooper, Costello, Cox (IL), Coyne, Cramer, de la Garza, DeFazio, DeLauro, Dellums, Derrick, Dingell, Dixon, Donnelly, Dooley, Dorgan (ND), Downey, Durbin, Dwyer, Early, Eckart, Edwards (CA), Edwards (TX), English, Erdreich, Espy, Evans, Fascell, Fazio, Feighan, Fish, Flake, Foglietta, Ford (MI), Ford (TN), Frank (MA), Frost, Gaydos, Gejdenson, Gephardt, Geren, Gibbons, Gilchrist, Glickman, Gonzalez, Gradison, Green, Allard, Allen, Applegate, Archer, Arney, Baker, Ballenger, Barnard, Barrett, Barton, Bateman, Bentley, Bilirakis, Bliley, Boehner, Broomfield, Bunning, Burton, Byron, Callahan, Camp, Campbell (CA), Chandler, Clinger, Coble, Coleman (MO), Combust, Coughlin, Cox (CA), Crane, Guarini, Gunderson, Hall (OH), Hamilton, Harris, Hatcher, Hayes (IL), Hayes (LA), Hefner, Hertel, Hoagland, Horn, Horton, Houghton, Hoyer, Hubbard, Hughes, Jacobs, Jenkins, Johnson (CT), Johnson (SD), Johnston, Jones (GA), Jones (NC), Jontz, Kanjorski, Kaptur, Kennedy, Kennelly, Kildee, Kleczka, Klug, Kopetski, Kostmayer, LaFalce, Lancaster, Lantost, LaRocco, Laughtin, Leach, Lehman (FL), Levin (MI), Lewis (GA), Lipinski, Lloyd, Long, Lowey (NY), Luken, Machtley, Manton, Markey, Martinez, Matsui, Mavroules, McCloskey, McCurdy, McDermott, McHugh, McMillen (MD), McNulty, Meyers, Mfume, Miller (CA), Miller (WA), Mineta, Mink, Moody, Moran, Morella, Murtha, Nagle, Natcher, Neal (MA), Neal (NC), Nowak, Oberstar, Obey, Olin, Olver, Ortiz, Owens (NY), Owens (UT), Pallone, Panetta, Pastor, Patterson, Payne (NJ), Payne (VA), Pease, Pelosi, Penny, Perkins, Peterson (FL), Peterson (MN), Pickett, Pickle, Porter, Poshard, Price, Ramstad, Rangel, Ravenel, Ray, Reed, Regula, Richardson, Ridge, Riggs, Roe, Roemer, Ros-Lehtinen, Rose, Rostenkowski, Roybal, Russo, Sabo, Sanders, Sangmeister, Sawyer, Scheuer, Schiff, Schroeder, Schumer, Serrano, Sharp, Sikorski, Sisisky, Skaggs, Slattery, Slaughter, Smith (FL), Smith (IA), Snow, Solaz, Spratt, Stallings, Stark, Stokes, Studds, Swift, Synar, Tanner, Thomas (GA), Thornton, Torres, Torricelli, Towns, Traficant, Traxler, Unsoeld, Vento, Visclosky, Walsh, Washington, Waters, Waxman, Weiss, Wheat, Williams, Wolpe, Wyden, Wylie, Yates, Yatron, Zimmer

NOES—154

Guarini, Gunderson, Hall (OH), Hamilton, Harris, Hatcher, Hayes (IL), Hayes (LA), Hefner, Hertel, Hoagland, Horn, Horton, Houghton, Hoyer, Hubbard, Hughes, Jacobs, Jenkins, Johnson (CT), Johnson (SD), Johnston, Jones (GA), Jones (NC), Jontz, Kanjorski, Kaptur, Kennedy, Kennelly, Kildee, Kleczka, Klug, Kopetski, Kostmayer, LaFalce, Lancaster, Lantost, LaRocco, Laughtin, Leach, Lehman (FL), Levin (MI), Lewis (GA), Lipinski, Lloyd, Long, Lowey (NY), Luken, Machtley, Manton, Markey, Martinez, Matsui, Mavroules, McCloskey, McCurdy, McDermott, McHugh, McMillen (MD), McNulty, Meyers, Mfume, Miller (CA), Miller (WA), Mineta, Mink, Moody, Moran, Morella, Murtha, Nagle, Natcher, Neal (MA), Neal (NC), Nowak, Oberstar, Obey, Olin, Olver, Ortiz, Owens (NY), Owens (UT), Pallone, Panetta, Pastor, Patterson, Payne (NJ), Payne (VA), Pease, Pelosi, Penny, Perkins, Peterson (FL), Peterson (MN), Pickett, Pickle, Porter, Poshard, Price, Ramstad, Rangel, Ravenel, Ray, Reed, Regula, Richardson, Ridge, Riggs, Roe, Roemer, Ros-Lehtinen, Rose, Rostenkowski, Roybal, Russo, Sabo, Sanders, Sangmeister, Sawyer, Scheuer, Schiff, Schroeder, Schumer, Serrano, Sharp, Sikorski, Sisisky, Skaggs, Slattery, Slaughter, Smith (FL), Smith (IA), Snow, Solaz, Spratt, Stallings, Stark, Stokes, Studds, Swift, Synar, Tanner, Thomas (GA), Thornton, Torres, Torricelli, Towns, Traficant, Traxler, Unsoeld, Vento, Visclosky, Walsh, Washington, Waters, Waxman, Weiss, Wheat, Williams, Wolpe, Wyden, Wylie, Yates, Yatron, Zimmer

Cunningham, Darden, Davis, DeLay, Dickinson, Doolittle, Dornan (CA), Dreier, Duncan, Edwards (OK), Emerson, Ewing, Fawell, Fields, Franks (CT), Gallegly, Gallo, Gekas, Gillmor, Gingrich, Goodling, Goss, Grandy, Hall (TX), Hammerschmidt, Hancock, Hansen, Hastert, Hefley, Henry, Herger, Hobson, Holloway, Hopkins, Huckaby, Hunter, Hutto, Inhofe, Ireland, Johnson (TX), Kolbe, Kyl, Lagomarsino, Lehman (CA), Lent, Lewis (CA), Lewis (FL), Livingston, Marlenee, Martin, Mazzoli, McCandless, McCollum, McCrery, McDade, McGrath, McMillan (NC), Michel, Miller (OH), Molinari, Mollohan, Montgomery, Moorhead, Morrison, Murphy, Myers, Nichols, Nussle, Orton, Oxley, Packard, Parker, Paxon, Petri, Pursell, Quillen, Rahall, Rhodes, Rinaldo, Ritter, Roberts, Rogers, Rohrabacher, Roth, Roukema, Rowland, Santorum, Sarpaluis, Saxton, Schaefer, Schulze, Sensenbrenner, Shaw, Shays, Shuster, Skeen, Skelton, Smith (NJ), Smith (OR), Smith (TX), Solomon, Spence, Stearns, Stenholm, Stump, Sundquist, Tauzin, Taylor (MS), Taylor (NC), Thomas (CA), Thomas (WY), Upton, Valentine, Vander Jagt, Volkmer, Vucanovich, Walker, Weber, Weldon, Wilson, Wolf, Young (AK), Young (FL), Zeliff

ANSWERED "PRESENT"—1

James

NOT VOTING—26

Ackerman, Alexander, AuCoin, Bereuter, Bryant, Collins (IL), Dannemeyer, Dymally, Engel, Gilman, Gordon, Hyde, Jefferson, Kasich, Kolter, Levine (CA), Lightfoot, Lowery (CA), McEwen, Moakley, Mrazek, Oakar, Staggers, Tallon, Whitten, Wise

So the bill was passed.

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

Ordered, That the Clerk request the concurrence of the Senate therein.

52.19 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. BROOKS, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill, the Clerk be authorized to correct section numbers, punctuation, cross references, and to make other technical corrections.

52.20 VETERANS HEALTH SERVICE EMPLOYEE PROTECTIONS

Mr. SIKORSKI moved to suspend the rules and pass the bill (H.R. 4384) to amend title V, United States Code, to provide that employees of the Veterans Health Administration excluded from subchapter II of chapter 75 of such title as a result of the enactment of Public Law 101-376 be restored to coverage under such subchapter, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SKAGGS, recognized Mr. SIKORSKI and Mrs. MORELLA, each for 20 minutes.

After debate, The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SKAGGS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

§52.21 LOS ANGELES AND CHICAGO CALAMITIES

Mr. WHITTEN submitted a privileged report (Rept. No. 102-518) on the bill (H.R. 5132) making dire emergency supplemental appropriations for disaster assistance to meet urgent needs because of calamities such as those which occurred in Los Angeles and Chicago, for the fiscal year ending September 30, 1992, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Mr. MCDADE reserved all points of order against said bill.

§52.22 RESCISSION OF CERTAIN BUDGET AUTHORITY

On motion of Mr. WHITTEN, by unanimous consent, the bill (H.R. 4990) rescinding certain budget authority, and for other purposes; together with the amendments of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. WHITTEN, it was,

Resolved, That the House disagree to the amendments of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

§52.23 MOTION TO INSTRUCT CONFEREES—H.R. 4990

Mr. MCDADE moved 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.4990) rescinding certain budget authority, and for other purposes, be instructed to consider rescissions committed to conference in response to all the rescission messages proposed by the President on March 10 and thereafter, including the messages submitted on April 9 which were not considered by the House, and to report back a conference report which does not include provisions committed to conference by either, but not both Houses, that are likely to provoke a veto.

After debate,

On motion of Mr. MCDADE, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, *viva voce*,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. SKAGGS, announced that the yeas had it.

So the motion to instruct the managers on the part of the House was agreed to.

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

§52.24 APPOINTMENT OF CONFEREES—H.R. 4990

Thereupon, the SPEAKER pro tempore, Mr. CARPER, by unanimous consent, announced the appointment of Messrs. WHITTEN, NATCHER, SMITH of Iowa, YATES, OBEY, BEVILL, MURTHA, TRAXLER, LEHMAN of Florida, FAZIO, HEFNER, MCDADE, MYERS, YOUNG of Florida, GREEN, ROGERS, and SKEEN, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

§52.25 SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 268. Joint resolution designating May 1992, as "Neurofibromatosis Awareness Month"; to the Committee on Post Office and Civil Service.

§52.26 ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4774. An Act to provide flexibility to the Secretary of Agriculture to carry out food assistance programs in certain countries;

H.J. Res. 371. Joint resolution designating May 31, 1992, through June 6, 1992, as a "Week for the National Observance of the Fiftieth Anniversary of World War II"; and

H.J. Res. 425. Joint resolution designating May 10, 1992, as "Infant Mortality Awareness Day".

§52.27 SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled bill and joint resolution of the Senate of the following titles:

S. 2378. An Act to amend title 38, United States Code, to extend certain authorities relating to the administration of veterans laws, and for other purposes; and

S.J. Res. 251. Joint resolution to designate the month of May 1992 as "National Huntington's Disease Awareness Month".

§52.28 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ENGEL, for today.

And then,

§52.29 ADJOURNMENT

On motion of Mrs. BENTLEY, at 6 o'clock and 10 minutes p.m., the House adjourned.

§52.30 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. WHITTEN: Committee on Appropriations. H.R. 5132. A bill making dire emergency supplemental appropriations for disaster assistance to meet urgent needs because of calamities such as those which occurred in Los Angeles and Chicago, for the fiscal year ending September 30, 1992, and for other purposes (Rept. No. 102-518). Referred to the Committee of the Whole House on the State of the Union.

§52.31 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. WHITTEN:

H.R. 5132. A bill making dire emergency supplemental appropriations for disaster assistance to meet urgent needs because of calamities such as those which occurred in Los Angeles and Chicago, for the fiscal year ending September 30, 1992, and for other purposes.

By Mr. JONES of North Carolina (for himself and Mr. LANCASTER):

H.R. 5133. A bill to authorize the project for navigation at Morehead City Harbor; to the Committee on Public Works and Transportation.

By Mr. BARTON of Texas (for himself, Mr. HALL of Texas, and Mr. SLATTERY):

H.R. 5134. A bill to provide for a study of commercial bank examination standards and procedures and the temporary use of tax appraisals in connection with federally related transactions in areas experiencing a shortage of certified or licensed appraisers; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BILIRAKIS:

H.R. 5135. A bill to amend the Internal Revenue Code of 1986 to provide that economically disadvantaged individuals who have attained age 65 are eligible for the targeted jobs tax credit, and to provide for a permanent extension of the credit; to the Committee on Ways and Means.

By Mr. CARPER (for himself, Mr. GILCHREST, Mr. HUGHES, Mr. RAVENEL, and Mr. LIPINSKI):

H.R. 5136. A bill to amend the Interjurisdictional Fisheries Act of 1986 to provide for the development, implementation, and enforcement of effective interstate action regarding the conservation and management of fisheries of the Atlantic States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CRAMER:

H.R. 5137. A bill to amend chapter 153 of title 10, United States Code, to permit the Secretary of Defense to provide certain property and services of the Department of Defense to certain educational entities; to the Committee on Armed Services.

By Mr. FRANK of Massachusetts:

H.R. 5138. A bill to amend title XIX of the Social Security Act to permit certain proprietary organizations to conduct functional assessments and develop individual community care plans for purposes of providing home and community care for functionally disabled individuals under State plans for medical assistance under such title; to the Committee on Energy and Commerce.

By Mr. GEJDENSON (for himself, Mr. ATKINS, Mr. LIPINSKI, Mr. WAXMAN, Ms. HORN, Ms. KAPTUR, Mr. JONTZ,

Mr. KOLTER, Mr. ANDREWS of New Jersey, Mr. FRANK of Massachusetts, Mr. ECKART, and Mr. ANDREWS of Maine):

H.R. 5139. A bill to provide for the recoupment of defense expenditures abroad, and for other purposes; jointly, to the Committees on Armed Services; Foreign Affairs; Science, Space, and Technology; Energy and Commerce; Public Works and Transportation; Interior and Insular Affairs; Banking, Finance and Urban Affairs; and Education and Labor.

By Mr. GREEN of New York (for himself, Mr. LEHMAN of Florida, and Mr. SMITH of Florida):

H.R. 5140. A bill to prohibit United States military assistance for Jordan until the President certifies to the Congress that Jordan is in compliance with the United Nations Security Council sanctions against Iraq; to the Committee on Foreign Affairs.

By Mr. HAYES of Illinois:

H.R. 5141. A bill to exclude shipboard supervisory personnel from selection as employer representatives and for other purposes; to the Committee on Education and Labor.

By Mr. KASICH (for himself and Mr. SANTORUM):

H.R. 5142. A bill to amend the Social Security Act to extend the ban on physician self-referrals to all payors and to radiology and diagnostic imaging services, radiation therapy services, physical therapy services, and durable medical equipment; jointly, to the Committees on Ways and Means and Energy and Commerce.

By Mr. McMILLEN of Maryland:

H.R. 5143. A bill to revise the deadline for the destruction of the U.S. stockpile of old lethal chemical agents and munitions; to encourage international cooperation on the disposal of lethal chemical agents and munitions; and to establish a commission to advise the President and Congress on alternative technologies appropriate for use in the disposal of lethal chemical agents and munitions; jointly, to the Committees on Armed Services and Foreign Affairs.

By Mr. PALLONE:

H.R. 5144. A bill to provide for the rehabilitation of historic structures within the Sandy Hook Unit of Gateway National Recreation Area in the State of New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PETERSON of Minnesota (for himself, Mr. SANDERS, and Mr. CONDIT):

H.R. 5145. A bill to repeal title V of the Trade Act of 1927; to the Committee on Ways and Means.

By Mr. REGULA (for himself and Mr. MURTHA):

H.R. 5146. A bill to amend the Tariff Act of 1930 to make technical improvements to the U.S. antidumping and countervailing duty laws; to express the sense of Congress regarding the scope and standard of review of GATT dispute settlement panels; to express the sense of Congress for the extension of the specialty steel voluntary restraint agreement; and for other purposes; to the Committee on Ways and Means.

By Mr. BROOMFIELD (for himself, Mr. GILMAN, and Mr. YATRON):

H. Con. Res. 318. Concurrent resolution to urge a resumption of the Cyprus peace talks and to encourage support for United Nations peace initiatives regarding Cyprus; to the Committee on Foreign Affairs.

By Mr. ERDREICH:

H. Con. Res. 319. Concurrent resolution declaring that the amendment to the Constitution of the United States, prohibiting the altering of compensation of Senators and Representatives without an intervening election of Representatives, is valid to all intents and purposes as part of the Constitution of the

United States; to the Committee on the Judiciary.

52.32 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MACHTLEY:

H.R. 5147. A bill for the relief of Victoria M. Bringhurst of Tiverton, RI; to the Committee on Ways and Means.

By Mr. YOUNG of Alaska:

H.R. 5148. A bill to clear certain impediments to the licensing of a vessel for employment in the coastwise trade and fisheries of the United States; to the Committee on Merchant Marine and Fisheries.

52.33 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. ROGERS, Ms. OAKAR, Mr. RIDGE, Mr. WELDON, Mr. COSTELLO, Mr. BLACKWELL, Mr. MCDADE, Mr. BLILEY, Mr. SMITH of New Jersey, Mr. THOMAS of Wyoming, Mr. DORNAN of California, Mr. ROHRABACHER, Mr. MARTIN, Mr. ROBERTS, Mr. HOBSON, Mr. GEKAS, Mr. SOLOMON, Mr. DREIER of California, Mrs. VUCANOVICH, Mr. COBLE, Mr. MCCOLLUM, Mr. ARMEY, Mr. MOODY, Mr. SANTORUM, Mr. FEIGHAN, and Mr. MCEWEN.

H.R. 127: Mr. PASTOR.
 H.R. 308: Mr. ROTH.
 H.R. 412: Mr. DUNCAN.
 H.R. 473: Mr. SMITH of Oregon.
 H.R. 780: Mr. LEWIS of Georgia.
 H.R. 842: Mr. KENNEDY.
 H.R. 911: Mr. LEHMAN of Florida, Mr. SUNDQUIST, Mr. McMILLEN of Maryland, and Mr. SANGMEISTER.
 H.R. 945: Mr. McMILLEN of Maryland.
 H.R. 1443: Mr. GLICKMAN, Mr. DELLUMS, Ms. PELOSI, Mr. GUARINI, and Mr. ATKINS.
 H.R. 1472: Mr. ANDERSON.
 H.R. 1531: Mr. PETERSON of Minnesota, Mr. PALLONE, and Mr. CARDIN.
 H.R. 1536: Mr. ATKINS and Mr. GUARINI.
 H.R. 1611: Mr. ALLEN.
 H.R. 1637: Mrs. COLLINS of Illinois, Mr. KOPETSKI, and Mr. HAYES of Illinois.
 H.R. 1771: Mr. BERMAN, Mr. PANETTA, Mr. ROGERS, and Mr. STUMP.
 H.R. 1809: Mr. LAFALCE, Mr. TOWNS, Mr. SCHIFF, and Mr. SOLOMON.
 H.R. 1900: Mr. KOLBE.
 H.R. 1987: Mr. LEVIN of Michigan, Mr. MOLLOHAN, Mr. OLVER, Mr. DURBIN, Mr. PALLONE, Mr. ATKINS, Mr. TRAXLER, and Mr. DOWNEY.
 H.R. 2070: Mr. BEREUTER, Mr. DELAY, and Mr. NEAL of North Carolina.
 H.R. 2248: Mr. GRANDY.
 H.R. 2258: Mrs. COLLINS of Illinois.
 H.R. 2782: Ms. DELAURO and Mr. OLVER.
 H.R. 2855: Mrs. MINK and Ms. NORTON.
 H.R. 2880: Mr. HENRY.
 H.R. 3071: Mr. PASTOR, Mr. JOHNSON of Texas, and Mr. AUCOIN.
 H.R. 3082: Mrs. MEYERS of Kansas.
 H.R. 3171: Mr. PERKINS.
 H.R. 3193: Mr. ANTHONY and Mr. BURTON of Indiana.
 H.R. 3204: Mr. HOAGLAND, Mr. ALLEN, Mr. QUILLEN, Mr. BOEHLERT, Mr. SARPALIUS, and Mrs. UNSOELD.
 H.R. 3221: Mrs. PATTERSON and Mr. CALLAHAN.
 H.R. 3450: Mr. RANGEL.
 H.R. 3475: Mr. ENGEL.
 H.R. 3476: Mr. ENGEL.
 H.R. 3598: Mr. MANTON and Mr. CRAMER.
 H.R. 3609: Mr. SKEEN.
 H.R. 3927: Mr. BRYANT, Mr. LENT, Mr. MOORHEAD, Mr. BLILEY, Mr. OXLEY, Mr. Barton of Texas, Mr. FIELDS, and Mr. BILIRAKIS.
 H.R. 4002: Mr. FOGLIETTA.

H.R. 4013: Mr. KOPETSKI.
 H.R. 4040: Mr. DOOLITTLE.
 H.R. 4099: Mr. ROGERS.
 H.R. 4100: Mr. TANNER.
 H.R. 4104: Mr. HEFLEY.
 H.R. 4124: Mr. TOWNS.
 H.R. 4144: Mr. MAZZOLI.
 H.R. 4169: Mr. HUBBARD.
 H.R. 4207: Ms. KAPTUR, Mr. ROHRABACHER, Mr. SPENCE, Mr. LAGOMARSINO, and Mr. GALLEGLY.
 H.R. 4253: Ms. DELAURO, Mr. LANCASTER, and Mr. HEFLEY.
 H.R. 4275: Mr. LEWIS of Georgia.
 H.R. 4279: Mr. PERKINS, Mr. DURBIN, and Mr. JENKINS.
 H.R. 4294: Mr. RITTER.
 H.R. 4304: Ms. KAPTUR, Mr. ATKINS, Mr. KLUG, and Mr. JOHNSON of South Dakota.
 H.R. 4341: Mr. HORTON.
 H.R. 4350: Mr. MACHTLEY, Mr. LEWIS of Georgia, Ms. NORTON, and Mr. EVANS.
 H.R. 4370: Mr. STARK, Mr. BROWN, and Ms. PELOSI.
 H.R. 4396: Mr. SCHAEFER, Mr. BAKER, Mr. ZIMMER, and Mr. TAUZIN.
 H.R. 4399: Mr. HENRY, Mr. KOPETSKI, and Mr. WYDEN.
 H.R. 4432: Mr. GUARINI, Mr. FRANK of Massachusetts, Mr. BEILENSON, and Mr. HORTON.
 H.R. 4446: Mr. ALLEN.
 H.R. 4488: Mr. SCHIFF, Mr. KOLBE, Mr. COX of California, Mr. FAWELL, Mr. EDWARDS of Oklahoma, Mr. COOPER, Mr. GORDON, Mr. HUBBARD, Mr. FROST, Mr. PURSELL, Mr. HERGER, Mr. SENSENBRENNER, Mr. CUNNINGHAM, Mr. SANTORUM, Mr. CHANDLER, Mr. ALLEN, Mr. WELDON, and Mr. SHAW.
 H.R. 4504: Mr. HUGHES.
 H.R. 4507: Mr. JOHNSON of South Dakota, Mr. SKAGGS, Mr. MILLER of Washington, Mr. LAROCO, Mr. QUILLEN, Mr. NOWAK, Mr. MORRISON, Mr. GALLEGLY, Mr. TAUZIN, Mr. SOLOMON, Mr. LAFALCE, Mr. HOCHBRUECKNER, Mr. ORTIZ, Mr. WYDEN, Mr. LENT, Mr. McMILLEN of Maryland, and Mr. GOODLING.
 H.R. 4530: Mr. ATKINS.
 H.R. 4550: Mr. HOUGHTON, Mr. FOGLIETTA, Mr. BACCHUS, Mr. HOCHBRUECKNER, Mr. MARTINEZ, Mr. SWETT, Mr. NAGLE, Mr. ENGEL, Mr. PERKINS, Mr. BEREUTER, Mr. FALCOMAVAEGA, Mr. McNULTY, Ms. NORTON, Mr. NOWAK, Mr. GLICKMAN, Mr. KOPETSKI, Mr. BERMAN, Mr. TOWNS, Mr. PASTOR, Mr. GEREN of Texas, and Mr. NEAL of North Carolina.
 H.R. 4606: Mr. JONTZ.
 H.R. 4613: Mr. SOLOMON and Mr. EMERSON.
 H.R. 4700: Mr. ATKINS, Mr. JONTZ, and Ms. HORN.
 H.R. 4708: Mrs. BYRON.
 H.R. 4709: Mrs. BYRON.
 H.R. 4754: Mr. SENSENBRENNER.
 H.R. 4902: Mr. PETERSON of Minnesota.
 H.R. 4944: Mr. ATKINS.
 H.R. 4975: Mr. LAGOMARSINO, Mr. McMILLEN of Maryland, Mr. SAXTON, Mr. MFUME, Mr. SIKORSKI, Mr. CARPER, Mr. TAYLOR of Mississippi, and Mr. ATKINS.
 H.R. 4979: Mr. AUCOIN.
 H.R. 5014: Mr. PETERSON of Minnesota, Mr. JOHNSON of South Dakota, Mr. HORTON, and Mr. PENNY.
 H.R. 5034: Mr. FAWELL, Mr. PORTER, and Mr. FROST.
 H.J. Res. 237: Mr. MILLER of Washington, and Mr. MORAN.
 H.J. Res. 238: Mr. SABO, Mr. MORAN, Mr. TALLON, Mr. CALLAHAN, Mr. BEVILL, Mr. SCHIFF, Mr. FEIGHAN, Mr. JENKINS, Mr. BENNETT, Mr. HARRIS, Mr. McNULTY, Mr. MCGRATH, Mr. GINGRICH, Mr. FAWELL, Mr. LEWIS of Georgia, Mr. SERRANO, and Mr. EVANS.
 H.J. Res. 271: Mr. HYDE and Mr. ROSTENKOWSKI.
 H.J. Res. 397: Mr. BONIOR, Mr. CRAMER, Mr. ENGEL, Mr. FAZIO, Mr. WOLF, Mr. HOAGLAND, Mr. HUBBARD, Mr. YOUNG of Florida, Mr. KA-

SICH, Mrs. KENNELLY, and Mrs. MEYERS of Kansas.

H.J. Res. 399: Mrs. JOHNSON of Connecticut, Mr. PRICE, and Mr. WEBER.

H.J. Res. 411: Mr. HOCHBRUECKNER, Mr. RAVENEL, Mr. MINETA, Mr. PRICE, and Mr. VANDER JAGT.

H.J. Res. 435: Mr. OWENS of New York, Mr. DYMALLY, Mr. SAVAGE, Mr. STOKES, Ms. WATERS, Mr. MFUME, Mr. FROST, Mr. FALCOMA, Mr. HAYES of Illinois, and Mr. WASHINGTON.

H.J. Res. 444: Mr. DELLUMS, Mrs. MINK, Ms. DELAURO, Mr. SAWYER, Mr. CLEMENT, Mr. BROOMFIELD, Mr. BLAZ, Mr. AUCOIN, Mr. DICKS, Mr. BREWSTER, Mr. COLORADO, Mr. HARRIS, Mr. LANTOS, Mr. HERTEL, Mr. HYDE, Mr. SCHEUER, Mr. SLATTERY, Mr. VALENTINE, Mr. HUBBARD, Ms. SNOWE, Mr. CHAPMAN, Mr. FRANKS of Connecticut, Mrs. BOXER, Mr. VANDER JAGT, Mr. HASTERT, Mr. MARKEY, Mr. JOHNSON of South Dakota, Mr. ROEMER, Mr. HUNTER, Mr. HENRY, and Mr. SIKORSKI.

H.J. Res. 452: Mr. LEACH, Mr. TRAXLER, Mr. McMILLEN of Maryland, Mr. HORTON, Mr. ESPY, Mr. CLEMENT, Mr. OWENS of Utah, Mr. EMERSON, Mr. JOHNSON of South Dakota, Mr. SABO, Mr. PETERSON of Minnesota, Mrs. PATTERSON, Mr. ROE, Mr. BEVILL, Mr. QUILLEN, Mr. SKEEN, Mr. OBERSTAR, Mr. NUSSLE, Mr. RAMSTAD, Mr. SPRATT, Mr. WEBER, Mr. NAGLE, Mr. MORAN, Mr. LIGHTFOOT, Mr. SPENCE, Mr. MARTIN, Mr. SYNAR, Mr. HOCHBRUECKNER, Mr. BREWSTER, and Mr. BOEHLERT.

H.J. Res. 457: Mr. GORDON, Mr. FROST, Mr. HAMMERSCHMIDT, Mr. CHAPMAN, Mr. FASCELL, Mr. LIPINSKI, Ms. KAPTUR, Mrs. PATTERSON, Mr. MCGRATH, Mr. ATKINS, Mr. GINGRICH, Mr. LANCASTER, Mr. KOPETSKI, Mr. GEKAS, Mr. BONIOR, Mr. BAKER, Mr. KASICH, Mr. MARTIN, Mr. DORNAN of California, Mr. ROTH, Mr. KOSTMAYER, Mr. SMITH of Texas, Mr. MOORHEAD, Mr. BOEHLERT, Mr. BROOMFIELD, Mr. BURTON of Indiana, Mr. CHANDLER, Mr. CLINGER, Mr. DICKS, Mr. DWYER of New Jersey, Mr. HUNTER, Mr. JOHNSTON of Florida, Mr. MCCLOSKEY, Mr. MCCOLLUM, Mr. MICHEL, Ms. MOLINARI, Mr. PAXON, Mr. TRAXLER, Mrs. VUCANOVICH, and Mr. FRANKS of Connecticut.

H.J. Res. 470: Mr. McNULTY, Ms. NORTON, Mr. JOHNSON of South Dakota, Mr. PAYNE of New Jersey, Mr. DREIER of California, Mrs. VUCANOVICH, Mr. DICKINSON, Mr. HANSEN, Mr. HAMMERSCHMIDT, Mr. HUCKABY, Mr. HATCHER, Mr. JENKINS, Mr. MINETA, Ms. KAPTUR, Mr. SMITH of Texas, Mr. STOKES, Mr. EDWARDS of Oklahoma, Mr. NOWAK, Mr. KOLBE, Mrs. BOXER, Mr. SAXTON, Mr. BROWN, Mr. DE LA GARZA, Mr. HERTEL, Mr. WOLPE, Mr. TRAXLER, Mr. ROE, Mr. GILCHREST, Mr. LEWIS of Florida, Mr. MCCOLLUM, Mr. GRANDY, Mr. DOOLITTLE, and Mr. THOMAS of California.

H.J. Res. 474: Ms. NORTON, Mr. GUARINI, Mr. HORTON, Mr. McMILLEN of Maryland, Mr. POSHARD, Mr. QUILLEN, and Mr. ESPY.

H.J. Res. 479: Mr. HUNTER, Mr. GINGRICH, Mr. NEAL of Massachusetts, Mr. HAMMERSCHMIDT, Mr. HORTON, Mr. CLEMENT, Mr. MCCREERY, Ms. NORTON, Ms. OAKAR, Mr. WOLF, Mr. LENT, Mrs. MINK, Mr. SCHEUER, Mr. SMITH of New Jersey, Mr. ORTON, Mr. EVANS, Mr. HARRIS, and Mr. GUARINI.

H. Con. Res. 92: Mr. BOEHLERT.

H. Con. Res. 223: Mr. BUSTAMANTE, Mr. FAZIO, Mr. LIPINSKI, Mrs. MORELLA, Mr. RANGEL, Mr. ROE, and Mr. WEBER.

H. Con. Res. 278: Mr. BUSTAMANTE, Mr. DWYER of New Jersey, Mr. ESPY, Mr. EVANS, Mr. FOGLIETTA, Mr. FROST, Mr. GALLO, Mr. LEVIN of Michigan, Mr. LIPINSKI, Mr. McMILLEN of Maryland, Mr. OLIN, Mrs. ROUKEMA, Mr. SCHEUER, Mr. SERRANO, Mr. SHAYS, Mr. SMITH of New Jersey, and Mr. STARK.

H. Con. Res. 282: Mr. SISISKY, Mr. WILLIAMS, Mr. AUCOIN, Mr. BOUCHER, Mr. WYLIE, Mr. SHARP, Mrs. COLLINS of Illinois, Mr. RA-

HALL, Mr. TORRES, Mr. WISE, Mr. FRANKS of Connecticut, Mrs. LLOYD, Ms. OAKAR, Mr. SWIFT, Mr. SYNAR, Mr. BLILEY, Mr. PAYNE of New Jersey, and Mr. RIGGS.

H. Con. Res. 301: Mr. HUNTER, Mr. McNULTY, and Mr. LAGOMARSINO.

H. Res. 153: Mr. OWENS of Utah and Mr. PERKINS.

H. Res. 350: Mrs. MEYERS of Kansas and Mr. PASTOR.

H. Res. 406: Mr. ZIMMER, Mr. OLVER, and Mr. STUMP.

H. Res. 411: Mrs. MEYERS of Kansas, Mr. FAWELL, and Mr. FAZIO.

H. Res. 414: Mr. FRANK of Massachusetts, Mr. RIGGS, Mrs. SCHROEDER, Mr. GOSS, Mr. JACOBS, Mr. HANSEN, Mr. SPRATT, Mr. PETERSON of Florida, Mr. BALLENGER, Mr. SHAYS, Mr. POSHARD, Mr. DANNEMEYER, Mr. GALLEGLEY, and Mr. ZELIFF.

§52.34 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. Res. 194: Mr. GRANDY.

§52.35 PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

155. By the SPEAKER: Petition of the Legislature of Rockland County, NY, relative to the Job Training and Basic Skills Act of 1992; to the Committee on Education and Labor.

156. Also, petition of the Legislature of Rockland County, NY, relative to the High Skills, Competitive Workforce Act; to the Committee on Education and Labor.

WEDNESDAY, MAY 13, 1992 (53)

§53.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. DONNELLY, who laid before the House the following communication:

WASHINGTON, DC,

May 13, 1992.

I hereby designate the Honorable BRIAN DONNELLY to act as Speaker pro tempore on Wednesday.

THOMAS S. FOLEY,
Speaker, House of Representatives.

§53.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. DONNELLY, announced he had examined and approved the Journal of the proceedings of Tuesday, May 12, 1992.

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

§53.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

3507. A letter from the Secretary of Transportation, transmitting a report of a violation of the Anti-Deficiency Act which occurred in the Coast Guard's operating expenses appropriation for fiscal year 1991, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

3508. A letter from the Secretary of Education, transmitting a copy of the annual report of the Helen Keller National Center for Deaf-Blind Youths and Adults [HKNC] for the 1991 program year, pursuant to 29 U.S.C. 1903(b)(2); to the Committee on Education and Labor.

3509. A letter from the Assistant Secretary, Department of the Interior, transmitting a draft of proposed legislation to reauthorize titles I and II of the Tribally Controlled Community College Assistance Act of 1978, as amended (25 U.S.C. 1801, et seq.), and for other purposes; to the Committee on Education and Labor.

3510. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed transfer of major defense equipment from the Federal Republic of Germany to Turkey and Greece (Transmittal No. DRSA-1-92), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

3511. A letter from the Secretary of Commerce, transmitting a progress report regarding contracting for the rebuilding of Kuwait, pursuant to Public Law 102-25, section 606(f) (105 Stat. 111); to the Committee on Foreign Affairs.

3512. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of William Thornton Pryce, of Pennsylvania, to be Ambassador to the United Republic of Honduras; of Princeton Nathan Lyman, of Maryland, to be Ambassador to the Republic of South Africa; of Teresita Currie Schaffer, of New York, to be Ambassador to the Democratic Socialist Republic of Sri Lanka and to service concurrently as Ambassador to the Republic of Maldives; of David C. Fields, of California, to be Ambassador to the Republic of the Marshall Islands; of William H.G. Fitzgerald, of the District of Columbia, to be Ambassador to Ireland, and members of their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3513. A letter from the Director, Office of Policy and Communications, Department of Justice, transmitting a report of activities under the Freedom of Information Act for calendar year 1991, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3514. A letter from the Secretary of Housing and Urban Development, transmitting the fiscal year 1991 Federal Housing Administration annual management report, pursuant to Public Law 101-576, section 306(a) (104 Stat. 2854); to the Committee on Government Operations.

3515. A letter from the Commissioner, Bureau of Reclamation, Department of the Interior, transmitting a report on the necessity to construct further modifications to the Mormon Island Auxiliary Dam, Central Valley Project, CA, in order to preserve its structural safety, pursuant to 43 U.S.C. 509; to the Committee on Interior and Insular Affairs.

3516. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3517. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to transfer certain lands in the Shenandoah National Park to the Secretary of the Treasury for use as a U.S. Customs Service Canine Enforcement Training Center, and for other purposes; to the Committee on Interior and Insular Affairs.

3518. A letter from the Chairman, Northeast Interstate Low-Level Radioactive Waste Commission, transmitting the 1991 annual report of the Northeast Interstate Low-Level Radioactive Waste Commission; jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

3519. A letter from the Secretary of Transportation, transmitting a draft of proposed