

Hutto	Nagle	Serrano
Jefferson	Natcher	Sharp
Jenkins	Neal (MA)	Sikorski
Johnson (SD)	Neal (NC)	Sisisky
Johnston	Nowak	Skaggs
Jones (GA)	Oakar	Skeen
Jones (NC)	Oberstar	Skelton
Jontz	Obey	Slattery
Kanjorski	Olin	Slaughter
Kaptur	Olver	Smith (FL)
Kennedy	Ortiz	Smith (IA)
Kennelly	Orton	Smith (NJ)
Kildee	Owens (NY)	Snowe
Klecza	Owens (UT)	Solarz
Kopetski	Packard	Spence
Kostmayer	Pallone	Spratt
LaFalce	Panetta	Stallings
Lancaster	Pastor	Stark
Lantos	Patterson	Stenholm
LaRocco	Payne (NJ)	Stokes
Laughlin	Payne (VA)	Studds
Lehman (CA)	Pease	Sweet
Lehman (FL)	Pelosi	Swift
Lent	Penny	Synar
Levin (MI)	Perkins	Tallon
Lewis (GA)	Peterson (FL)	Tanner
Lipinski	Peterson (MN)	Tauzin
Livingston	Petri	Taylor (MS)
Lloyd	Pickett	Taylor (NC)
Long	Pickle	Thomas (GA)
Lowery (CA)	Poshard	Thornton
Lowe (NY)	Price	Torres
Luken	Quillen	Torricelli
Machtley	Rahall	Towns
Manton	Rangel	Traficant
Markey	Ravenel	Traxler
Martinez	Ray	Unsoeld
Matsui	Reed	Valentine
Mavroules	Richardson	Vander Jagt
Mazzoli	Ridge	Vento
McCloskey	Ritter	Visclosky
McCurdy	Roe	Volkmer
McDade	Roemer	Washington
McDermott	Rose	Waters
McGrath	Rostenkowski	Waxman
McHugh	Rowland	Weiss
McMillen (MD)	Roybal	Weldon
McNulty	Russo	Wheat
Mfume	Sabo	Whitten
Miller (CA)	Sanders	Williams
Mineta	Sarpalius	Wilson
Mink	Savage	Wise
Mollohan	Sawyer	Wolpe
Montgomery	Saxton	Wyden
Moody	Scheuer	Yates
Moran	Schroeder	Yatron
Murphy	Schulze	Young (AK)
Murtha	Schumer	

NAYS—125

Allard	Gingrich	Molinari
Allen	Goodling	Moorhead
Archer	Goss	Morella
Armey	Grandy	Morrison
Baker	Green	Myers
Ballenger	Hancock	Nichols
Barrett	Hansen	Nussle
Barton	Hastert	Oxley
Bereuter	Hefley	Paxon
Bilirakis	Henry	Porter
Biiley	Herger	Pursell
Broomfield	Hobson	Ramstad
Bunning	Holloway	Regula
Burton	Hopkins	Rhodes
Campbell (CA)	Houghton	Riggs
Chandler	Hyde	Rinaldo
Clinger	Inhofe	Roberts
Coble	Ireland	Rogers
Coleman (MO)	Jacobs	Rohrabacher
Combest	James	Ros-Lehtinen
Coughlin	Johnson (CT)	Roth
Cox (CA)	Johnson (TX)	Schaefer
Crane	Kasich	Schiff
DeLay	Klug	Sensenbrenner
Dickinson	Kolbe	Shaw
Doolittle	Kyl	Shays
Dornan (CA)	Lagomarsino	Shuster
Dreier	Leach	Smith (OR)
Duncan	Lewis (CA)	Smith (TX)
Eckart	Lewis (FL)	Solomon
Edwards (OK)	Marlenee	Stearns
Ewing	Martin	Stump
Fascell	McCandless	Sundquist
Fields	McCollum	Thomas (CA)
Franks (CT)	McEwen	Thomas (WY)
Gallegly	McMillan (NC)	Upton
Gallo	Meyers	Vucanovich
Gekas	Michel	Walker
Gilchrist	Miller (OH)	Walsh
Gillmor	Miller (WA)	

Weber	Wylie	Zeliff
Wolf	Young (FL)	Zimmer

NOT VOTING—19

AuCoin	Hatcher	Parker
Bryant	Kolter	Roukema
Clement	Levine (CA)	Sangmeister
Dannemeyer	Lightfoot	Santorum
Olin	McCrary	Staggers
Edwards (CA)	Moakley	
Engel	Mrazek	

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

53.10 PUBLIC WORKS PROJECTS

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

COMMITTEE ON PUBLIC WORKS
 AND TRANSPORTATION,
Washington, DC, April 30, 1992.
 Hon. THOMAS S. FOLEY,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Enclosed are copies of resolutions adopted by the Committee on Public Works and Transportation on April 30, 1992. These resolutions authorize studies of potential water resources projects by the Army Corps of Engineers in accordance with the provisions of section 4 of the Act of March 4, 1913.

Sincerely,
 ROBERT A. ROE,
Chairman.

By unanimous consent, the communication was referred to the Committee on Appropriations.

53.11 MESSAGE FROM THE PRESIDENT—
 YOUTH APPRENTICESHIP ACT

The SPEAKER pro tempore, Mr. MCNULTY, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:
 I am pleased to transmit herewith for your immediate consideration the "National Youth Apprenticeship Act of 1992." Also transmitted is a section-by-section analysis.

This legislation would establish a national framework for implementing comprehensive youth apprenticeship programs. These programs would be a high-quality learning alternative for preparing young people to be valuable and productive members of the 21st century work force. Although this framework has been designed to be comprehensive and national in scope, it is also flexible enough to allow States to customize the model to economic, demographic, and other local conditions.

I am proposing this legislation in order to promote a comprehensive approach for helping our youth make the transition from school to the workplace and strive to reach high levels of academic achievement. The lack of such an approach is one very important reason that a significant proportion of American youth do not possess the necessary skills to meet employer requirements for entry level positions.

There is widespread agreement that the time has come to strengthen the

connection between the academic subjects taught in our schools and the demands of the modern, high-technology workplace. Work-based learning models have proven to be effective approaches for preparing youth at the secondary school level.

Under my proposal, a student could enter a youth apprenticeship program in the 11th or 12th grade. Before reaching these grades, students would receive career and academic guidance to prepare them for entry into youth apprenticeship programs. Particular programs may end with graduation from high school or continue for up to an additional 2 years of postsecondary education. In addition to the high school diploma, all youth apprentices would earn a certificate of competency and quality for a postsecondary program, a registered apprenticeship program, or employment.

A youth apprentice would receive academic instruction, job training, and work experience. The program is intended to attract and develop high-quality, motivated students. Standards of academic achievement, consistent with voluntary, national standards, will apply to all academic instruction, including the required instruction in the core subjects of English, mathematics, science, history, and geography. Students also would be expected to demonstrate mastery of job skills.

My proposal provides for vigorous involvement at the Federal, State, and local levels to ensure the success of the program. It also requires that employers, schools, students, and parents promise to work together to achieve the program goals. Enactment of my proposal will result in national standards applicable to all youth apprenticeship programs. Thus, upon completion of the program, the youth apprentice will have a portable credential that will be recognized wherever the individual may go to seek employment or pursue further education and training.

I believe that the time has come for a national, comprehensive approach to work-based learning. The bill I am proposing would establish a formal process in which business, labor, and education would form partnerships to motivate the Nation's young people to stay in school and become productive citizens. It will provide American youth the opportunity to gain marketable and portable skills while establishing a relationship with a prospective employer.

I urge the Congress to give swift and favorable consideration to the National Youth Apprenticeship Act of 1992.

GEORGE BUSH.
 THE WHITE HOUSE, *May 13, 1992.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Education and Labor and ordered to be printed (H. Doc. 102-329).

53.12 SHIPBUILDING TRADE REFORM

The SPEAKER pro tempore, Mr. MCNULTY, pursuant to House Resolution 443 and rule XXIII, declared the House resolved into the Committee of

the Whole House on the state of the Union for the consideration of the bill (H.R. 2056) to amend the Tariff Act of 1930 to require that subsidy information regarding vessels be provided upon entry within customs collection districts and to provide effective trade remedies under the countervailing and antidumping duty laws against foreign-built ships that are subsidized or dumped.

The SPEAKER pro tempore, Mr. McNULTY, by unanimous consent, designated Ms. PELOSI as Chairman of the Committee of the Whole; and after some time spent therein,

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

When Ms. PELOSI, Chairman, pursuant to House Resolution 443, 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:

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

TITLE I—FAIR TRADE FOR THE COMMERCIAL SHIPBUILDING AND REPAIR INDUSTRY

SECTION 101. SHORT TITLE.

This title may be cited as the "Shipbuilding Trade Reform Act of 1992".

SEC. 102. CONGRESSIONAL FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds that—

(1) in 1981, the United States Government terminated funding for the construction differential subsidy program, thereby ending direct subsidization of commercial shipbuilding in the United States;

(2) the international market for shipbuilding and ship repair continues to be distorted by a wide array of foreign subsidies including direct grants, preferential financing, equity infusions, research and development assistance, restructuring aid, special tax concessions, debt forgiveness, and other direct and indirect assistance;

(3) existing United States trade laws and trade agreements provide limited redress to domestic producers of ships for the trade-distorting subsidies and dumping practices of foreign shipbuilders; and

(4) a strong, effective multilateral agreement among all shipbuilding nations to eliminate trade-distorting practices in the shipbuilding and repair industry is the best means of providing for fair international competition, however, absent such an agreement, changes in United States trade laws are necessary to provide domestic producers of ships greater protection against unfair trade practices than is provided under current law.

(b) PURPOSE.—It is the purpose of this title to ensure fair trade in the commercial shipbuilding and repair industry by providing for effective trade remedies against subsidized and dumped foreign commercial ships.

SEC. 103. SUBSIDIZED SHIPYARD LIST AND REQUIRED VESSEL ENTRY DOCUMENTATION REGARDING CONSTRUCTION AND REPAIR SUBSIDIES.

(a) Part II of title IV of the Tariff Act of 1930 (19 U.S.C. 1431 et seq.) is amended by inserting after section 435 the following new sections:

"SEC. 435A. LISTING OF SUBSIDIZED SHIPYARDS.

"(a) ESTABLISHMENT OF LIST.—The administering authority shall establish and maintain a list of all foreign shipyards that receive or benefit from, directly or indirectly, a subsidy for the construction or repair of vessels.

"(b) INVESTIGATION.—The administering authority shall conduct an investigation to decide whether there is reasonable cause to believe that a foreign shipyard receives or benefits from a subsidy for the construction or repair of vessels. That investigation shall be initiated when the administering authority has reasonable cause to believe that a shipyard receives or benefits from, directly or indirectly, a subsidy for the construction or repair of vessels—

"(1) on the basis of information available to the administering authority; or

"(2) on petition for an investigation from an interested party.

"(c) DETERMINATION AFTER INVESTIGATION.—

"(1) IN GENERAL.—Based on the investigation conducted under subsection (b), the administering authority shall make a determination as to whether a shipyard receives or benefits from, directly or indirectly, a subsidy for the construction or repair of vessels.

"(2) NOTIFICATION AND PUBLICATION OF LISTING.—If the administering authority determines that a foreign shipyard receives or benefits from, directly or indirectly, a subsidy for the construction or repair of vessels, the administering authority shall—

"(A) add the foreign shipyard to the list established under subsection (a);

"(B) notify that shipyard of its inclusion on that list; and

"(C) publish notice of that determination in the Federal Register.

"(3) TIME LIMIT ON MAKING DETERMINATION.—The administering authority shall make a determination under this subsection within 90 days of receipt of the information or petition that serves as the basis for initiating an investigation under subsection (b).

"(4) PUBLICATION OF LIST.—The administering authority shall publish the list of foreign shipyards receiving or benefiting from a subsidy for the construction or repair of vessels at least once every 6 months.

"(d) EMERGENCY LISTING.—

"(1) IN GENERAL.—If at any time the administering authority finds a reasonable basis to suspect that a foreign shipyard may be receiving or benefiting from a subsidy for the construction or repair of vessels, the administering authority may add that shipyard to the list established under subsection (a). The administering authority shall publish notice of that emergency listing in the Federal Register, which shall also include a schedule for investigation of the alleged subsidy.

"(2) INVESTIGATION AND DETERMINATION OF EMERGENCY LISTINGS.—Within 90 days after publication of a listing under paragraph (1), the administering authority shall conclude the investigation and make a determination under subsection (c) whether the shipyard is receiving or benefiting from a subsidy for the construction or repair of vessels.

"(e) REVIEW OF LISTINGS.—If a foreign shipyard that is listed under subsection (c) requests a review of that determination within 30 days after the date of the publication of the determination in the Federal Register under subsection (c)(2), the administering authority shall review that listing.

"(f) SUBSEQUENT RECONSIDERATION AND REMOVAL OF LISTINGS.—

"(1) RECONSIDERATION.—The administering authority may reconsider a listing under subsection (c)—

"(A) on application from a foreign shipyard added to the list under subsection (c) alleg-

ing changed circumstances sufficient to warrant a reconsideration of that listing and notice of that reconsideration is published in the Federal Register; or

"(B) if the administering authority receives information concerning the signing of an agreement between the United States Government and the foreign country in which the shipyard is located that provides for the immediate elimination by that country of construction and repair subsidies for vessels.

"(2) RESTRICTION ON RECONSIDERATION.—A foreign shipyard may not make more than one application for reconsideration under this paragraph in any calendar year.

"(3) BURDEN OF PERSUASION.—In any reconsideration under paragraph (1)(A), the burden of persuasion with respect to whether there are changed circumstances sufficient to warrant a determination that the foreign shipyard should be removed from the list is on the applicant.

"(4) REMOVAL FROM LIST.—The administering authority may remove a foreign shipyard from the listing only if—

"(A) the foreign shipyard has proven that the foreign shipyard does not receive or benefit from a subsidy, directly or indirectly, for the construction or repair of vessels; or

"(B) there is a signed agreement between the United States Government and the foreign country in which the shipyard is located that provides for the immediate elimination of construction and repair subsidies for vessels.

"(g) PENALTY FOR FALSE INFORMATION AND RENEWAL OF SUBSIDIES.—The administering authority shall place a foreign shipyard on the list established under subsection (a) for a period of not less than 5 years if the administering authority determines—

"(1) that the foreign shipyard, or government of the country in which the shipyard is located, provided the administering authority with false or misleading information during the investigation conducted under subsection (b); or

"(2) after making a determination under subsections (c) or (f) that the shipyard is not subsidized, that the shipyard receives or benefits from, directly or indirectly, any new construction subsidies.

"(h) ACTION AGAINST THE UNITED STATES GOVERNMENT.—An interested party may bring a civil action against the United States Government, in an appropriate district court of the United States, for failure of the administering authority to use due diligence to add a subsidized foreign shipyard to the list established under subsection (a).

"SEC. 435B. CONSTRUCTION SUBSIDY CERTIFICATION REQUIRED OF VESSELS FOR ENTRY.

"(a) CERTIFICATION REQUIRED AT ENTRY.—The master of a vessel shall, at the time of making formal entry of the vessel under section 434 or 435, deposit with the appropriate customs officer a construction subsidy certification for the vessel.

"(b) CONSTRUCTION SUBSIDY CERTIFICATIONS.—

"(1) IN GENERAL.—For purposes of this section, a construction subsidy certification for a vessel is a document that—

"(A) is either—

"(i) issued by the administering authority under subsection (d), or

"(ii) in a form as the administering authority shall prescribe and signed by either the vessel owner or person that constructed the vessel; and

"(B) attests, regarding any construction carried out with respect to the vessel, that the construction meets one of the requirements set forth in paragraph (2).

“(2) CERTIFICATION REQUIREMENTS.—The requirements referred to in paragraph (1)(B) are as follows:

“(A) No construction subsidy was granted or otherwise provided with respect to the construction.

“(B) The construction was carried out with the benefit of one or more subsidies, all of which were granted or otherwise provided before the date of the enactment of this section.

“(C) The construction was carried out pursuant to a specific contract entered into before October 16, 1991.

“(D) The construction was carried out with the benefit of one or more subsidies that were granted or otherwise provided during the 2-year period beginning on the date of the enactment of this section, but an amount equal to the value of each construction subsidy has been repaid to the agency that granted or otherwise provided the construction subsidy.

“(E) The construction was carried out with the benefit of one or more subsidies that were granted or provided on or after the date of the enactment of this section, but an amount equal to the value of each construction subsidy, reduced by any amount repaid under paragraph (D), has been paid by the Treasury of the United States.

“(F) The construction was carried out in a foreign country which is signatory to a trade agreement with the United States that provides for the immediate elimination of construction subsidies for vessels.

“(G) The construction was carried out in a shipyard that, at the time of contracting for construction of the vessel, was not on the list established under section 435A(a).

“(3) APPLICATION OF CERTIFICATION REQUIREMENTS.—With respect to vessels constructed in a foreign country which is a signatory to a trade agreement with the United States that provides for the elimination of construction subsidies for vessels, the requirements set forth in paragraph (2) shall be applied in a manner consistent with that agreement.

“(c) ENFORCEMENT.—If the Secretary has reason to believe that an unlawful act under section 436 relating to this section has been committed, the Secretary shall—

“(1) undertake any investigation necessary to ascertain whether action authorized under section 436 against the master of the vessel, or the vessel, or both, is warranted; and

“(2) if the vessel is not covered by a construction subsidy certification issued under subsection (d) and the information obtained during that investigation indicates that there is reason to believe that the vessel does not meet any certification requirement under subsection (b), so inform the administering authority and provide that information to the authority.

“(d) ISSUANCE OF CONSTRUCTION SUBSIDY CERTIFICATIONS BY THE ADMINISTERING AUTHORITY.—

“(1) APPLICATIONS.—The owner or lessee of a vessel, or the builder of a vessel, may apply to the administering authority for the issuance of a construction subsidy certification for that vessel. An application shall be accompanied by any documentation that the administering authority may require for purposes of establishing the eligibility of the vessel for that certification, including, if compliance with the requirement in subsection (b)(2)(D) or (E) is alleged, information regarding the amount of each construction subsidy granted or provided with respect to the vessel and the payment or repayment of amounts equal to the value of the construction subsidy.

“(2) ACTION ON APPLICATIONS.—After considering the documentation submitted with an application under paragraph (1), the administering authority, within 90 days after

the day on which the application was received, shall decide whether to issue or deny the construction subsidy certification. The administering authority shall make the decision publicly available.

“(3) DENIAL OR CONDITION OF ISSUANCE OF CERTIFICATION.—The administering authority shall, if a construction subsidy certification for a vessel is denied under paragraph (2), provide the applicant with a written statement of the reasons for the denial or condition. The applicant may, within 14 days after the date of the written statement, request a review of the denial or condition under subsection (e)(3).

“(e) DETERMINATIONS AND REVIEWS.—

“(1) PRELIMINARY INVESTIGATION.—The administering authority shall—

“(A) on the basis of information available to the administering authority;

“(B) on the basis of information provided by the Secretary under subsection (c)(2); or

“(C) upon petition therefor from an interested party; initiate a preliminary investigation to decide whether there is reasonable cause to believe that a vessel does not meet the construction subsidy certification requirements under subsection (c).

“(2) DETERMINATIONS AFTER PRELIMINARY INVESTIGATIONS.—If the administering authority makes an affirmative decision under paragraph (1) with respect to a vessel, the administering authority shall determine whether the vessel meets any construction subsidy certification requirement under subsection (b)(2). If the administering authority makes a negative determination on the basis of failure to meet the requirement under subparagraph (D) or (E) of subsection (b)(2), the administering authority shall calculate, and set forth in the determination, the aggregate value of the subsidy or subsidies used in the construction of the vessel.

“(3) REVIEW OF CERTIFICATION DENIALS AND CONDITIONS.—If a person whose application for a construction subsidy certification was denied or conditioned under subsection (d)(3) makes a timely request for review under this paragraph, the administering authority shall review the denial or condition.

“(4) CORRECTIVE ACTIONS.—If the administering authority makes a negative determination under paragraph (2), or upholds any certification denial or condition after review under paragraph (3), the administering authority shall set forth in the determination or review decision the action which must be taken in order to satisfy a requirement for construction subsidy certification for the vessel under subsection (b). The builder of the vessel shall be primarily responsible, and the vessel owner or operator secondarily responsible, for taking any corrective action. If that action is taken, the administering authority shall issue a construction subsidy certification for the vessel and that certification shall be treated as a construction subsidy certification issued under subsection (d).

“(5) CONSEQUENTIAL EFFECTS.—After a negative determination under paragraph (2), or a decision under paragraph (3) upholding a certification denial or condition, becomes final and until a construction subsidy certification for the vessel concerned is issued under paragraph (4), neither that vessel, nor any other vessel that is owned or leased by the owner of that vessel, may—

“(A) arrive at any port or place in the United States; or

“(B) remain at any port or place in the United States.

“**SEC. 435C. DECLARATION OF REPAIR SUBSIDIES REQUIRED OF VESSELS FOR ENTRY.**

“(a) SUBSIDY DECLARATION AND SURETY REQUIREMENTS AT ENTRY.—

“(1) IN GENERAL.—The owner or master of a vessel shall, at, or before, the time of mak-

ing formal entry of a vessel under section 434 or 435, deposit with the appropriate customs officer a subsidy declaration for repairs made to that vessel since the vessel last entered the United States.

“(2) INFORMATION IN DECLARATION.—The subsidy declaration made under paragraph (1) shall include a statement attesting to whether any repairs were made in a foreign shipyard since the vessel last entered the United States and, if repairs were made in a foreign shipyard, include—

“(A) a list and description of each repair made;

“(B) an identification of each foreign shipyard in which a repair was made and the date of that repair;

“(C) the dollar value of the repair made in that shipyard; and

“(D) any other information required by the administering authority.

“(3) SURETY REQUIREMENTS.—

“(A) REQUIREMENT ON ENTRY.—On or before entry, the owner or master of the vessel shall file with the customs officer a bond, proof of insurance, or any other surety, as the administering authority may require, in an amount equal to at least 2 times the dollar value of the repairs declared under paragraph (2) that were made in a shipyard listed on the list established under section 435A(a) at the time of the repair.

“(B) FORM OF SURETY.—A bond, proof of insurance, or any other surety filed under paragraph (A) shall be in a form determined by the administering authority to be satisfactory to insure the financial responsibility of that vessel owner to pay for any repair subsidies. Any bond submitted under this section shall be issued by a surety company found acceptable by the Secretary.

“(C) CLAIMS AGAINST SURETY.—A bond, insurance, or other surety filed under paragraph (A) shall be available to pay for any repair subsidy determined by the administering authority or any penalty assessed under section 436.

“(b) APPLICATION FOR REPAIR SUBSIDY DETERMINATION.—Within 30 days after the filing of the bond, proof of insurance or other surety under subsection (a)(3), the vessel owner may apply to the administering authority for the issuance of a repair subsidy determination for that vessel. An application shall be accompanied by any documentation that the administering authority may require for purposes of making the determination, including information regarding the amount of each repair subsidy granted and any repayment of the repair subsidy to the foreign government.

“(c) REPAYMENT OF REPAIR SUBSIDY.—

“(1) IN GENERAL.—A vessel owner shall pay to the United States Government an amount equal to any repair subsidy from which the vessel owned by that person has received or benefitted.

“(2) PRELIMINARY FINDING.—Within 30 days after the application, the administering authority shall make a preliminary finding as to the amount of repair subsidy which is to be paid to the Treasury of the United States. Notice of this finding shall be provided to the owner or his agent and published in the Federal Register. At any time before the preliminary finding is made, an interested party may file information with the administering authority regarding the validity or accuracy of the information provided by the vessel master or owner.

“(3) PETITION FOR REVIEW.—Unless a petition for review of that determination is received within 15 days after the date of notification under paragraph (2), from either the owner or an interested party, the finding by the administering authority is final.

“(d) FINAL REPAIR SUBSIDY DETERMINATIONS.—If the owner or interested party files a petition for review of the preliminary de-

termination within the 15 days, the administering authority shall make a final determination within 30 days after the date the petition is filed.

“(e) FORFEITURE OF SURETY.—Unless a repair subsidy payback payment is made within 30 days of the final order, the face amount guaranteed by the bond, insurance, or other surety shall be forfeited to the United States Government.

“(f) INSUFFICIENT SURETY.—If the amount of the surety is insufficient to cover the amount of the repair subsidy ordered to be repaid, then the vessel, and any other vessel owned by that owner, may not enter or clear the United States until the full amount of the repair subsidy is paid to the United States Government.

“**SEC. 435D. DEFINITIONS AND ADMINISTRATIVE PROVISIONS RELATED TO DETERMINATIONS AND REVIEWS UNDER SECTIONS 435A, 435B AND 435C.**

“(a) DEFINITIONS.—As used in this section and sections 435A–435C:

“(1) The term ‘administering authority’ means the officer of the United States responsible for determining under subtitle A of title VII whether subsidies are provided with respect to imported merchandise.

“(2) The term ‘construction’ includes reconstruction.

“(3) The term ‘interested party’ means—

“(i) a person that engages in ship construction in the United States;

“(ii) a certified union or recognized union or group of workers which is representative of an industry that engages in ship construction in the United States;

“(iii) a trade or business association, a majority of whose members engage in ship construction in the United States; and

“(iv) an association, a majority of whose members is composed of interested parties described in clauses (i), (ii), and (iii) with respect to ship construction.

“(4) The term ‘foreign shipyard’ includes a ship construction or repair facility located in a foreign country that is directly or indirectly owned, controlled, managed, or financed by a foreign shipyard that receives or benefits from a subsidy.

“(5) The term ‘subsidy’ includes, but is not limited to, any of the following:

“(A) Officially supported export credits and development assistance.

“(B) Direct official operating support to the commercial shipbuilding and repair industry, or to a related entity that favors the operation of shipbuilding and repair, including—

“(i) grants;

“(ii) loans and loan guarantees other than those available on the commercial market;

“(iii) forgiveness of debt;

“(iv) equity infusions on terms inconsistent with commercially reasonable investment practices;

“(v) preferential provision of goods and services; and

“(vi) public sector ownership of commercial shipyards on terms inconsistent with commercially reasonable investment practices.

“(C) Direct official support for investment in the commercial shipbuilding and repair industry, or to a related entity that favors the operation of shipbuilding and repair, including the kinds of support listed in clauses (i) through (v) of subparagraph (B), and any restructuring support, except public support for social purposes directly and effectively linked to shipyard closures.

“(D) Assistance in the form of grants, preferential loans, preferential tax treatment, or otherwise, that benefits or is directly related to shipbuilding and repair for purposes of research and development that is not equally open to domestic and foreign enterprises.

“(E) Tax policies and practices that favor the shipbuilding and repair industry, directly or indirectly, such as tax credits, deductions, exemptions and preferences, including accelerated depreciation, if the benefits are not generally available to persons or firms not engaged in shipbuilding or repair.

“(F) Any official regulation or practice that authorizes or encourages persons or firms engaged in shipbuilding or repair to enter into anticompetitive arrangements.

“(G) Any indirect support directly related, in law or in fact, to shipbuilding and repair at national yards, including any public assistance favoring shipowners with an indirect effect on shipbuilding or repair activities, and any assistance provided to suppliers of significant inputs to shipbuilding, which results in benefits to domestic shipbuilders.

“(H) Any export subsidy identified in the Illustrative List of Export Subsidies in the Annex to the Agreement on Interpretation and Application of Articles VI, XVI, and XXIII of the General Agreement on Tariffs and Trade or any other export subsidy that may be prohibited as a result of the Uruguay Round of trade negotiations.

“(6) The term ‘vessel’ means any self-propelled, sea-going vessel—

“(A) of not less than 100 gross tons, as measured under the International Convention of Tonnage Measurement of Ships, 1969; and

“(B) not exempt from entry under section 441.

“(b) HEARING AND REVIEW PROCEDURES.—The administering authority shall make determinations under sections 435A(c), 435B(e)(2), and 435C(d) and conduct reviews under section 435A (b), (e), (f), section 435B(e)(3), and section 435C(c), under the hearing procedures applied by the administering authority under section 774 with respect to hearings required or permitted under title VII. A determination by the administering authority under section 435A(c), 435B(e)(2), or 435C(d) is subject to judicial review under section 516A under the applicable procedures and standards applied under that section for reviewable determinations described in subsection (a)(2)(B) of that section.

“(c) PROPRIETARY INFORMATION.—Information submitted to the administering authority in regard to the making of any determination under sections 435A(c), 435B(e)(2), and 435C(d) and reviews conducted under section 435A (b), (e), (f), section 435B(e)(3), and section 435C(c), shall be treated as proprietary if it fulfills the requirements of section 777(b). Access to proprietary information under protective order shall be permitted under, and governed by, section 777(c).

“(d) INFORMATION USED IN MAKING DETERMINATIONS OR REVIEWS.—The administering authority shall verify all information relied upon in making any determination under sections 435A(c), 435B(e)(2), and 435C(d) or review under section 435A (b), (e), (f), section 435B(e)(3), and section 435C(c). If the administering authority is unable to verify the information submitted, the authority shall use the best information available as the basis for action. Whenever a party refuses or is unable to produce information requested in a timely manner and in the form provided, the administering authority shall use the best information otherwise available.

“(e) PUBLIC AVAILABILITY OF DETERMINATIONS AND REVIEW DECISIONS.—The administering authority shall make available for public inspection the text of all determinations and review decisions made under sections 435A–435C.”

(b) SPECIAL PROVISIONS RELATING TO THE SUBSIDIZED SHIPYARD LIST.—

(1) STATUTORY LISTINGS.—For purposes of section 435A(a) of the Tariff Act of 1930 (as added by subsection(a)), unless the admin-

istering authority determines, with clear and convincing evidence, that a foreign shipyard does not receive or benefit from, directly or indirectly, subsidies, a foreign shipyard (including a shipyard in a country that was a party to negotiating a multilateral agreement for the elimination of shipbuilding subsidies in the Organization for Economic Cooperation and Development Working Party 6 on October 16, 1991) is deemed to be on the list established under that section until the earlier of the date—

(A) the administering authority publishes the list of subsidized shipyards under subsection (c); or

(B) the foreign country in which the shipyard is located signs a trade agreement with the United States that provides for the immediate elimination of subsidies for that shipyard.

(2) TIME LIMIT ON INITIAL LISTINGS.—Within 120 days after the date of enactment of this Act, the administering authority shall—

(A) conduct an investigation under section 435A(b) of the Tariff Act of 1930 (as enacted by subsection (a)) with respect to all foreign shipyards;

(B) make a determination under section 435A(c) of that Act; and

(C) publish in the Federal Register a list of the foreign shipyards that have been determined to be receiving or benefiting from a subsidy for the construction or repair of vessels.

(c) ENACTMENT OF CIVIL ACTION REMEDIES.—Section 435A(i) of the Tariff Act of 1930 (as added by subsection (a)) takes effect one year after the date of enactment of this Act.

(d) GRANDFATHERED REPAIRS.—Section 435C of the Tariff Act of 1930 (as added by subsection (a)) applies to repairs made to a vessel under a contract entered into after the date of enactment of this Act.

SEC. 104. CONFORMING AMENDMENTS.

(a) ENTRY REQUIREMENTS FOR VESSELS.—Section 434 of the Tariff Act of 1930 (19 U.S.C. 1934) is amended by inserting “its subsidy certification (if required under section 435B,” after “or document in lieu thereof,”.

(b) PENALTIES FOR VIOLATIONS OF ARRIVAL, REPORTING, AND ENTRY REQUIREMENTS.—Section 436(a) of the Tariff Act of 1930 (19 U.S.C. 1436(a)) is amended—

(1) by redesignating paragraph (4) as paragraph (7);

(2) by striking “or” at the end of paragraph (3);

(3) by inserting after paragraph (3) the following:

“(4) to present any forged, altered, or false subsidy certification to a customs officer under section 435B(a) or 435C(a) without revealing the facts;

“(5) to enter, or to attempt to enter, any vessel to which a prohibition on arrival in the United States applies under section 435B(e)(5);

“(6) to fail to remove promptly from the United States any vessel to which a prohibition on remaining in the United States applies under section 435B(e)(5); or”; and

(4) by striking “(3)” in paragraph (7) (as redesignated by paragraph (1)) and inserting “(6)”.

SEC. 105. TREATMENT OF VESSELS UNDER THE COUNTERVAILING AND ANTIDUMPING DUTY LAWS.

(a) IN GENERAL.—Subtitle D of title VII of the Tariff Act of 1930 is amended by adding after section 771B the following new section:

“SEC. 771C. SPECIAL RULES IN APPLYING TITLE TO FOREIGN-MADE VESSELS.

“(a) DEFINITION.—The term ‘vessel’ means any vessel of a kind described in heading 8901 or 8902.00.00 of the Harmonized Tariff Schedule of the United States of not less than 100 gross tons, as measured under the Inter-

national Convention on Tonnage Measurement of Ships, 1969.

“(b) VESSELS CONSIDERED AS MERCHANDISE.—Vessels are merchandise for purposes of this title.

“(c) APPLICATION OF SUBTITLES A AND B.—

“(1) IN GENERAL.—In applying subtitles A and B with respect to vessels constructed, reconstructed, or repaired in foreign countries—

“(A) a vessel shall be treated as sold for importation into the United States when a United States person enters into a contract for—

“(i) the construction or reconstruction of the vessel by, or the purchase (or leasing, if the equivalent of a purchase) of the vessel after construction or reconstruction from, the builder; or

“(ii) the repair of the vessel; and

“(B) a vessel sold for importation into the United States shall be treated as being offered for entry for consumption under the tariff laws at the time of its first arrival at a port or place in the United States after construction, reconstruction, or repair, regardless of where the vessel is registered or documented.

“(2) DEFINITION.—For purposes of paragraph (1), the term ‘United States person’ means—

“(A) any individual or entity described in subsection (a) of section 12102 of title 46, United States Code;

“(B) any agent or other person acting on behalf of any individual or entity referred to in subparagraph (A); or

“(C) any person directly or indirectly owned or controlled by any individual or entity referred to in subparagraph (A).”.

(b) PROSPECTIVE APPLICATION TO CONTRACTS.—The amendments made by subsection (a) of this section apply to a vessel built or repaired under a contract entered into after the date of enactment of this Act.

SEC. 106. UNITED STATES CONSTRUCTION SUBSIDY PROGRAMS.

(a) GOVERNMENT-IMPELLED CARGO.—Section 901(b) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1241(b)) is amended—

(1) in paragraph (1), by striking “For purposes of this section, the term ‘privately owned United States-flag commercial vessels’” and all that follows through the end of the paragraph and inserting a period; and

(2) by adding at the end the following new paragraph:

“(3) In this section, ‘privately owned United States-flag commercial vessels’ does not include a vessel (until the vessel has been documented under chapter 121 of title 46, United States Code, for a period of 3 years) that—

“(A)(i) was built and, if rebuilt, rebuilt outside the United States; or

“(ii) for a vessel operated by an ocean common carrier (as defined in section 3 of the Shipping Act of 1984 (46 App. U.S.C. 1702)), is built under a contract entered into after October 16, 1991 and has not been issued a construction subsidy certification under section 435B of the Tariff Act of 1930; or

“(B) was registered under the laws of a foreign country.”.

(b) CONSTRUCTION RESERVE FUND.—Section 511(a)(2) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1161(a)) is amended to read as follows: “(2) constructed in the United States after December 31, 1939,” and all that follows through “insured under title XI of this Act as amended;” and inserting “(2)(A) constructed in the United States, or (B) the construction of which has been aided by a mortgage insured under title XI of this Act, or (C) if constructed in a foreign shipyard under a contract entered into after October 16, 1991, has been issued a construction subsidy certification under section 435B of the Tariff Act of 1930; and”.

(c) OPERATING-DIFFERENTIAL SUBSIDY.—Section 601(a)(1) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1171(a)(1)) is amended by striking “and that such vessel or vessels were built in the United States,” and all that follows through “prior to such date;” and inserting “and that the vessel was built in the United States or, if constructed in a foreign shipyard under a contract entered into after October 16, 1991, has been issued a construction subsidy certification under section 435B of the Tariff Act of 1930;”.

(d) CONSTRUCTION LOAN GUARANTEES.—Section 1103(b) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1273(b)) is amended—

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

(2) by adding at the end the following new paragraph:

“(2) The Secretary may not guarantee an obligation under this title unless the vessel—

“(A) was built in the United States; or

“(B) if constructed in a foreign shipyard under a contract entered into after October 16, 1991, has been issued a construction subsidy certification under section 435B of the Tariff Act of 1930.”.

(e) PRIORITY LOAN GUARANTEES FOR VESSELS IN COASTWISE TRADE.—Section 1103 of the Merchant Marine Act, 1936 (46 App. U.S.C. 1273) is amended by adding at the end the following new subsection:

“(g) When making guarantees, or commitments to guarantee, under this title, the Secretary of Transportation shall give priority for guarantees or commitments for vessels that will be engaged in the coastwise trade over guarantees or commitments for vessels that will be engaged in the foreign commerce.”.

(f) TRADE-IN OF OBSOLETE VESSELS.—Section 510(a)(2)(B) of the Merchant Marine Act, 1936 (46 App. U.S.C. 1160(a)(2)(B)) is amended to read as follows: “(B) is built in the United States or, if constructed in a foreign shipyard under a contract entered into after October 16, 1991, has been issued a construction subsidy certification under section 435B of the Tariff Act of 1930, and documented under chapter 121 of title 46, United States Code.”.

TITLE II—REPEAL OF COAST GUARD RECREATIONAL BOAT USER FEE

SEC. 201. REPEAL OF COAST GUARD RECREATIONAL BOAT USER FEE.

(a) MANDATORY FEE TO TERMINATE ON SEPTEMBER 30, 1994.—Paragraph (1) of section 2110(b) of title 46, United States Code, is amended by striking “1994, and 1995” and inserting “and 1994”.

(b) FEE SCHEDULE FOR FISCAL YEARS 1993 and 1994.—Subsection (b) of section 2110 of such title 46 is amended by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively, and by inserting after paragraph (2) the following new paragraph:

“(3) In the case of fiscal years 1993 and 1994, the fee or charge established under paragraph (1) shall be as follows:

“(A) In fiscal year 1993—

“(i) for vessels of 21 feet or less in length, zero;

“(ii) for vessels of more than 21 feet in length but less than 27 feet, not more than \$35;

“(iii) for vessels of at least 27 feet in length but less than 40 feet, not more than \$50; and

“(iv) for vessels of at least 40 feet in length, not more than \$100.

“(B) In fiscal year 1994—

“(i) for vessels of 37 feet or less in length, zero;

“(ii) for vessels of more than 37 feet in length but less than 40 feet, not more than \$50; and

“(iii) for vessels of at least 40 feet in length, not more than \$100.”.

(c) TECHNICAL AMENDMENTS.—

(1) Paragraph (1) of such section 2110(b) is amended—

(A) by striking “paragraph (2)” and inserting “paragraphs (2) and (3)”, and

(B) by striking “that is greater than 16 feet in length”.

(2) Paragraph (2) of such section 2110(b) is amended—

(A) by striking “The fee or charge” and inserting “In the case of fiscal years 1991 and 1992, the fee or charge”, and

(B) by adding at the end thereof the following new sentence:

“No fee or charge may be imposed under this paragraph on any vessel of 16 feet in length or less.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 1992.

SEC. 202. AUTOMATED TARIFF FILING AND INFORMATION SYSTEM.

(a) DEFINITIONS.—In this section—

(1) “Commission” and “conference” have the meaning given those terms under section 3 of the Shipping Act, 1984 (46 App. U.S.C. 1702);

(2) “common carrier” has the meaning given that term under section 3 of the Shipping Act, 1984 (46 App. U.S.C. 1702), and includes a “common carrier by water in interstate commerce” under the Shipping Act, 1916 (46 App. U.S.C. 801 et seq.), and a “common carrier by water in intercoastal commerce” under the Intercoastal Shipping Act, 1933 (46 App. U.S.C. 843 et seq.);

(3) “essential terms of service contracts” has the meaning given that term under section 8 of the Shipping Act, 1984 (46 App. U.S.C. 1707); and

(4) “tariff” has the meaning given that term under section 3 of the Shipping Act, 1984 (46 App. U.S.C. 1702), and includes the rates, fares, and charges filed under the Shipping Act, 1916 (46 App. U.S.C. 801 et seq.) and the Intercoastal Shipping Act, 1933 (46 App. U.S.C. 843 et seq.).

(b) TARIFF FORM AND AVAILABILITY.—Notwithstanding any other law, according to the schedule under subsection (c)—

(1) common carriers and conferences shall file electronically with the Commission all tariffs and essential terms of service contracts required to be filed by section 8 of the Shipping Act, 1984 (46 App. U.S.C. 1707), the Shipping Act, 1916 (46 App. U.S.C. 801 et seq.), and the Intercoastal Shipping Act, 1933 (46 App. U.S.C. 843 et seq.); and

(2) the Commission shall make available electronically to any person, without time, quantity, or other limitation, both at the Commission Headquarters and from remote terminals, all tariff information and essential terms of service contracts filed in the Automated Tariff Filing and Information System database and all tariff information in the system enhanced electronically by the Commission at any time.

(c) FILING SCHEDULE.—

(1) New tariffs and essential terms of service contracts shall be filed electronically not later than June 1, 1992; and

(2) All other tariffs and essential terms of service contracts shall be filed not later than September 1, 1992.

(d) FEES.—

(1) Beginning June 1, 1992, and subject to paragraph (3), the Commission shall charge—

(A) a fee of 46 cents for each minute of remote computer access by any person of the information available electronically under this section; and

(B)(i) for electronic copies of the Automated Tariff Filing and Information database (in bulk), or any portion of the database, a fee equal to the cost of duplication, distribution, and user-dedicated equipment; and

(ii) a person operating or maintaining information in a database that has multiple tariff or service contract information ob-

tained directly or indirectly from the Commission a fee of 46 cents for each minute that database is subsequently accessed by computer by any person.

(2) A Federal agency is exempt from paying a fee under this subsection.

(3) No fee may be charged under paragraph (1) after September 30, 1995.

(e) ENFORCEMENT.—The Commission shall use systems controls or other appropriate methods to enforce subsection (d) of this section.

(f) PENALTIES.—

(1) A person failing to pay the fees established under subsection (b) of this section is liable to the United States Government for a civil penalty of not more than \$5,000 for each violation.

(2) A person that willfully fails to pay the fees established under subsection (b) of this section commits a class A misdemeanor.

(g) AUTOMATIC FILING IMPLEMENTATION.—

(1) Software that provides for the electronic filing of data in the Automated Tariff Filing and Information System shall be submitted to the Commission for certification. Not later than 14 days after a person submits software to the Commission for certification, the Commission shall—

(A) certify the software if it provides for the electronic filing of data; and

(B) publish notice of that certification.

(2)(A) The Secretary of the Treasury shall make available to the Commission, as a repayable advance in fiscal year 1992, not more than \$4,000,000, to remain available until expended. The Commission shall spend these funds to complete and upgrade the capacity of the Automated Tariff Filing and Information System to provide access to information under this section.

(B)(i) Any advance made to the Commission under subparagraph (A) shall be repaid (with interest thereon) to the general fund of the Treasury by not later than September 30, 1995.

(ii) Interest on any advance made to the Commission under subparagraph (A) shall be at a rate determined by the Secretary of the Treasury (as of the close of the calendar month preceding the month in which the advance is made) to be equal to the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the anticipated period during which the advance will be outstanding and shall be compounded annually.

(3) Out of amounts collected by the Commission under this section, amounts shall be retained and expended by the Commission for fiscal year 1992 and each subsequent fiscal year, without fiscal year limitation, to carry out this section and pay back the Secretary under paragraph (2) of this subsection.

(4) Except for the amounts retained by the Commission under paragraph (3) of this subsection, fees collected under this section shall be deposited in the general fund of the Treasury as offsetting receipts.

(h) CONFORMING AMENDMENT.—Effective June 1, 1992, section 2 of the Act of August 16, 1989 (Public Law 101-92; 103 Stat. 601), is repealed.

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

Mr. ARCHER moved to recommit the bill to the Committee on Ways and Means with instructions to report the bill back to the House forthwith with an amendment striking title I of the bill.

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. MCNULTY, announced that the yeas had it.

Mr. ARCHER 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 179 Nays 237

53.13 [Roll No. 120] YEAS—179

- Allard Gunderson Peterson (FL)
Anderson Hall (TX) Peterson (MN)
Andrews (TX) Hamilton Petri
Anthony Hammerschmidt Porter
Archer Hancock Price
Armey Hansen Pursell
Aspin Hastert Rahall
Bacchus Hayes (LA) Ramstad
Ballenger Henry Ravenel
Barnard Herger Rhodes
Barrett Hobson Riggs
Barton Hopkins Roberts
Bereuter Horton Rogers
Berman Houghton Rohrabacher
Biley Hubbard Ros-Lehtinen
Boucher Huckaby Rose
Brewster Hyde Sarpalius
Broomfield Inhofe Schaefer
Bunning James Schiff
Burton Johnson (TX) Schumer
Bustamante Johnston Sensenbrenner
Camp Kasich Sharp
Campbell (CA) Klug Shaw
Chandler Kolbe Shays
Chapman Kostmayer Shuster
Clinger Kyl Skaggs
Coble LaFalce Slattery
Coleman (MO) Lagomarsino Smith (FL)
Combest Laughlin Smith (IA)
Cox (CA) Leach Smith (NJ)
Crane Lehman (FL) Smith (OR)
de la Garza Lewis (FL) Smith (TX)
DeLay Long Solomon
Dicks Lowey (NY) Spence
Doolittle Machtley Stearns
Dorgan (ND) Marlenee Stenholm
Dornan (CA) Martin Stump
Dreier McCandless Sundquist
Durbin McCollum Swift
Eckart McCurdy Synar
Edwards (OK) McDade Tallon
Edwards (TX) McEwen Thomas (CA)
English McMullan (NC) Thomas (GA)
Ewing Meyers Thomas (WY)
Fascell Michel Upton
Fawell Miller (OH) Valentine
Fields Miller (WA) Vander Jagt
Fish Mink Vucanovich
Frank (MA) Moorhead Walker
Franks (CT) Morrison Walsh
Gallegly Myers Weber
Gallo Nagle Williams
Geren Nichols Wilson
Gillmor Nussle Wolf
Gingrich Obey Wylie
Glickman Ortiz Young (AK)
Goss Oxley Young (FL)
Gradison Panetta Zeliff
Grandy Paxon Zimmer
Green Penny

NAYS—237

- Abercrombie Bilbray Cardin
Ackerman Bilirakis Carper
Alexander Blackwell Carr
Allen Boehlert Clay
Andrews (ME) Boehner Clement
Andrews (NJ) Bonior Coleman (TX)
Annunzio Borski Collins (IL)
Applegate Boxer Collins (MI)
Atkins Brooks Condit
Baker Browder Conyers
Bateman Brown Cooper
Bateman Bruce Costello
Bentley Byron Coughlin
Bennett Callahan Cox (IL)
Bevill Campbell (CO) Coyne

- Cramer Kaptur Quillen
Cunningham Kennedy Rangel
Darden Kennelly Ray
Davis Kildee Reed
DeFazio Kleczka Regula
DeLauro Kopetski Richardson
Dellums Lancaster Ridge
Derrick Lantos Rinaldo
Dickinson LaRocco Ritter
Dingell Lehman (CA) Roe
Dixon Lent Roemer
Donnelly Levin (MI) Rostenkowski
Dooley Lewis (CA) Roth
Downey Lewis (GA) Rowland
Duncan Lipinski Roybal
Dwyer Livingston Russo
Early Lloyd Sabo
Edwards (CA) Lowery (CA) Sanders
Emerson Luken Savage
Engel Manton Sawyer
Erdreich Markey Saxton
Espy Martinez Scheuer
Evans Matsui Schroeder
Fazio Mavroules Schulze
Feighan Mazzoli Serrano
Flake McCloskey Sikorski
Foglietta McDermott Siskis
Ford (MI) McGrath Skee
Ford (TN) McHugh Skelton
Frost McMillen (MD) Slaughter
Gaydos McNulty Snowe
Gejdenson Mfume Solarz
Gekas Mineta Spratt
Gephardt Molinari Stallings
Gibbons Mollohan Stark
Gilchrist Montgomery Stokes
Gilman Moody Studds
Gonzalez Moran Swett
Goodling Morella Tanner
Gordon Murphy Tauzin
Guarini Murtha Taylor (MS)
Hall (OH) Natcher Taylor (NC)
Harris Neal (MA) Thornton
Hayes (IL) Neal (NC) Torres
Hefley Nowak Torricelli
Hefner Oaker Towns
Hertel Oberstar Traficant
Hoagland Olin Traxler
Hochbrueckner Olver Unsoeld
Holloway Orton Vento
Horn Owens (NY) Visclosky
Hoyer Owens (UT) Volkmere
Hughes Packard Washington
Hunter Pallone Waters
Hutto Pastor Waxman
Jacobs Patterson Weiss
Jefferson Payne (NJ) Weldon
Jenkins Payne (VA) Wheat
Johnson (CT) Pease Whitten
Johnson (SD) Pelosi Wise
Jones (GA) Perkins Wolpe
Jones (NC) Pickett Wyden
Jontz Pickle Yates
Kanjorski Poshard Yatron

NOT VOTING—18

- AuCoin Kolter Mrazek
Bryant Levine (CA) Parker
Dannemeyer Lightfoot Roukema
Dymally McCrery Sangmeister
Hatcher Miller (CA) Santorum
Ireland Moakley Staggers

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. MCNULTY, announced that the yeas had it.

Mr. WALKER 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 339 Nays 78

53.14 [Roll No. 121] AYES—339

- Abercrombie Allen Annunzio
Ackerman Andrews (ME) Anthony
Alexander Andrews (NJ) Applegate