Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 4310. A bill to reauthorize and improve the national marine sanctuaries program, and to establish the Coastal and Ocean Sanctuary Foundation; with an amendment (Rept. No. 102–565). Referred to the Committee of the Whole House on the State of the Union.

¶70.10 SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

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

H.R. 5095. Referral to the Committee on Armed Services extended for a period during not later than June 17, 1992.

¶70.11 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. KOSTMAYER:

H.R. 5394. A bill to direct the Secretary of Veterans Affairs to sell the real property known as Pershing Hall, located in Paris, France; to the Committee on Veteran's Affairs.

By Mr. ORTON:

H.R. 5395. A bill to exchange lands within the State of Utah, between the United States and the State of Utah; to the Committee on Interior and Insular Affairs.

By Ms. SNOWE (for herself, Mr. MURPHY, Mr. HORTON, Mr. WILSON, Mr. EMERSON, Mr. HOPKINS, Mr. HUCKABY, Mr. TOWNS, Mr. PASTOR, Mr. SCHIFF, Mr. APPLEGATE, Mr. POSHARD, Mr. MURTHA, Mrs. MINK, Mr. BOUCHER, Mr. JOHNSON of South Dakota, Mr. LEWIS of Florida, Mr. HUGHES, Mr. HANCOCK, Mr. MARTIN, Mr. LANCASTER, Mrs. LLOYD, Mr. HUTTO, Mr. WHEAT, Mrs. JOHNSON of Connecticut, Mr. MACHTLEY, and Mr. FROST):

H.R. 5396. A bill to amend title II of the Social Security Act to provide that a monthly insurance benefit thereunder shall be paid for the month in which the recipient dies to the recipient's surviving spouse, subject to a reduction of 50 percent in the last monthly payment if the recipient dies during the first 15 days of such month; to the Committee on Ways and Means.

By Mr. TAUZIN (for himself, Mr. JONES of North Carolina, and Mr. FIELDS):

H.R. 5397. A bill to amend title 46, United States Code, to prohibit abandonment of barges, and for other purposes; to the Committee on Merchant Marine and Fisheries.

¶70.12 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII.

Mr. CONDIT introduced a bill (H.R. 5398) to grant a right of use and occupancy of a certain tract of land in Yosemite National Park to George R. Lange and Lucille F. Lange, and for other purposes; which was referred to the Committee on Interior and Insular Affairs.

¶70.13 ADDITIONAL SPONSORS

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

H.R. 371: Mr. CRANE and Mr. CARPER.

H.R. 3253: Ms. SLAUGHTER.

H.R. 3545: Mr. MCCLOSKEY.

H.R. 3971: Mr. WILLIAMS.

H.R. 4438: Mr. MINETA, Mr. OBERSTAR, Mr. NOWAK, Mr. RAHALL, Mr. APPLEGATE, Mr. DE LUGO, Mr. SAVAGE, Mr. BORSKI, Mr. KOLTER, Mr. VALENTINE, Mr. LIPINSKI, Mr. TRAFICANT, Mr. LEWIS of Georgia, Mr. DEFAZIO, Mr. HAYES of Louisiana, Mr. CLEMENT, Mr. PAYNE of Virginia, Mr. COSTELLO, Mr. PALLONE, Mr. JONES of Georgia, Mr. PARKER, Mr. LAUGHLIN, Mr. GEREN of Texas, Mr. SANGMEISTER, Mr. POSHARD, Mr. SWETT, Mr. BREWSTER, Mr. CRAMER, Ms. DELAURO, Ms. HORN, Mrs. COLLINS of Michigan, Mr. PETERSON of Florida, Ms. NORTON, Mr. BLACKWELL, Mr. HAMMERSCHMIDT, Mr. SHUSTER, Mr. CLINGER, Mr. PETRI, Mr. PACKARD, Mr. BOEHLERT, Mrs. BENTLEY, Mr. INHOFE, Mr. BALLENGER, Mr. EMERSON, Mr. DUNCAN, Mr. HANCOCK, Mr. COX of California, Ms. MOLINARI, Mr. HOBSON, Mr. RIGGS, Mr. TAYLOR of North Carolina, Mr. NICHOLS, Mr. ZELIFF, Mr. EWING, and Mr. GILLMOR.

H.R. 4528: Mr. SCHUMER, Mr. FLAKE, Mr. WHEAT, Ms. WATERS, Mr. TORRES, and Mr. AUCOIN.

H.R. 4599: Mr. HAYES of Louisiana.

H.R. 5166: Mr. BATEMAN.

H.R. 5240: Mr. JONES of North Carolina, Mr. RAVENEL, Mr. BRYANT, Mr. FEIGHAN, Mr. LEHMAN of Florida, Mr. HAMMERSCHMIDT, Mr. HYDE, Mrs. COLLINS of Michigan, Mr. YATES, and Mr. IRELAND.

H.J. Res. 240: Mrs. PATTERSON and Mrs. VUCANOVICH.

H.J. Res. 391: Mr. CRAMER, Mr. MOLLOHAN, Mr. GILLMOR, Mr. ORTIZ, and Mr. SISISKY.

H.J. Res. 399: Mr. ENGEL, Mr. ROSE, Mrs. UNSOELD, Mr. HORTON, Mr. SCHIFF, Mr. POSHARD, Ms. SNOWE, Mr. BOEHLERT, Mr. ROEMER, Mr. CARDIN, Mr. STALLINGS, Mr. COLORADO, Mr. WHEAT, Mr. MOORHEAD, Mr. CALLAHAN, Mr. EMERSON, Mr. APPLEGATE, Mr. CHAPMAN, Mr. GINGRICH, Mr. MCDADE, Mr. ANDERSON, Mr. OBERSTAR, Mr. HAMILTON, Mr. LEWIS of Georgia, Mr. SPENCE, Mr. COUGHLIN, Mr. CARR, Mr. THOMAS of California, Mr. FISH, Mr. HAYES of Illinois, Mr. GORDON, Mr. BORSKI, Mr. OXLEY, Mrs. LLOYD, Ms. LONG, Mr. JEFFERSON, Mr. CAMP, Ms. OAKAR, Ms. KAPTUR, Mrs. COLLINS of Michigan, Mr. RAHALL, Mr. AUCOIN, Mr. ESPY, and Mr. VOLKMER.

H.J. Res. 478: Mr. FROST, Mr. OWENS of Utah, Mr. KASICH, Mr. ANDERSON, Mr. ATKINS, and Mr. ORTIZ.

H. Con. Res. 92: Mr. GINGRICH, Mr. GILLMOR, Mrs. PATTERSON, Mr. YOUNG of Alaska, Mr. BOEHNER, Mr. SARPALIUS, Mr. SANDERS, Mr. PICKETT, Mr. VALENTINE, Mr. BEVILL, Mr. HAYES of Illinois, Mr. ANDERSON, Mr. LAFALCE, Mr. WOLPE, Mr. HARRIS, Mr. CLEMENT, and Mr. SAWYER.

H. Con. Res. 316: Mr. GALLO, Mr. GINGRICH, Mr. KYL, Mr. GEJDENSON, Mr. HYDE, Mrs. MEYERS of Kansas, Mr. DORNAN California, Mr. DURBIN, and Mr. ATKINS.

H. Con. Res. 328: Mr. SCHEUER, Mr. HAYES of Illinois, Mr. HALL of Ohio, Mr. PETERSON of Florida, Mr. VENTO, Mr. BILBRAY, Mr. ROYBAL, Mr. RHODES, Mr. WALSH, Mr. LIPINSKI, Mr. RANGEL, Mr. TRAFICANT, Mr. ESPY, Mr. TOWNS, Mr. SAVAGE, Mr. RAVENEL, Mr. PAYNE of Virginia, Mr. MAZZOLI, Mr. SERRANO, and Mr. JONES of North Carolina.

TUESDAY, JUNE 16, 1992 (71)

The House was called to order by the SPEAKER.

¶71.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, June 15, 1992.

Mr. MCNULTY, 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 yeas had it.

Mr. MCNULTY, 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 ..... 276 / Nays ..... 113 }

¶71.2 [Roll No. 188]

YEAS—276

Abercrombie	Frost	Moody
Ackerman	Gaydos	Morrison
Anderson	Gejdenson	Mrazek
Andrews (ME)	Gephardt	Myers
Andrews (NJ)	Geren	Nagle
Andrews (TX)	Gibbons	Natcher
Annunzio	Gillmor	Neal (MA)
Applegate	Gilman	Neal (NC)
Archer	Glickman	Nichols
Aspin	Gonzalez	Nowak
Atkins	Gordon	Oakar
AuCoin	Gradison	Oberstar
Bacchus	Green	Obey
Barnard	Guarini	Olin
Bateman	Gunderson	Olver
Beilenson	Hall (OH)	Ortiz
Bennett	Hall (TX)	Orton
Berman	Hamilton	Owens (NY)
Bevill	Hammerschmidt	Owens (UT)
Bilbray	Harris	Packard
Blackwell	Hatcher	Pallone
Borski	Hayes (IL)	Panetta
Boucher	Hayes (LA)	Parker
Brewster	Hertel	Pastor
Brooks	Hoagland	Patterson
Broomfield	Hochbrueckner	Payne (NJ)
Browder	Horn	Payne (VA)
Brown	Horton	Pease
Bruce	Houghton	Pelosi
Bryant	Hoyer	Penny
Bustamante	Huckaby	Peterson (FL)
Byron	Hughes	Peterson (MN)
Callahan	Hutto	Petri
Cardin	Hyde	Pickett
Carper	Jenkins	Pickle
Carr	Johnson (SD)	Poshard
Chapman	Johnson (TX)	Price
Clement	Johnston	Pursell
Clinger	Jones (GA)	Ravenel
Coleman (TX)	Jones (NC)	Reed
Collins (IL)	Jontz	Richardson
Collins (MI)	Kanjorski	Rinaldo
Combest	Kaptur	Ritter
Condit	Kasich	Roe
Cooper	Kennedy	Roemer
Costello	Kennelly	Rose
Cox (CA)	Kildee	Rostenkowski
Cox (IL)	Kleczka	Roth
Coyne	Kolter	Rowland
Cramer	Kopetski	Roybal
Darden	Kostmayer	Russo
de la Garza	Lancaster	Sabo
DeFazio	Lantos	Sanders
DeLauro	LaRocco	Sangmeister
Dellums	Laughlin	Sarpalius
Derrick	Lehman (CA)	Sawyer
Dicks	Lehman (FL)	Scheuer
Dingell	Lent	Schiff
Dixon	Levin (MI)	Schulze
Dooley	Lewis (GA)	Serrano
Dorgan (ND)	Lipinski	Sharp
Downey	Livingston	Shaw
Dreier	Long	Sisisky
Durbin	Lowey (NY)	Skaggs
Dwyer	Luken	Skeen
Dymally	Manton	Skelton
Early	Markey	Slattery
Eckart	Martin	Slaughter
Edwards (CA)	Martinez	Smith (FL)
Edwards (TX)	Matsui	Smith (IA)
Engel	Mavroules	Smith (NJ)
English	Mazzoli	Snowe
Erdreich	McCloskey	Spence
Espy	McCurdy	Staggers
Evans	McDermott	Stallings
Ewing	McGrath	Stark
Fascell	McHugh	Stenholm
Fazio	McMillen (MD)	Stokes
Feighan	McNulty	Studds
Fish	Mfume	Swett
Flake	Miller (CA)	Swift
Foglietta	Mineta	Tallon
Ford (MI)	Mink	Tanner
Ford (TN)	Moakley	Tauzin
Frank (MA)	Montgomery	Taylor (MS)

Thomas (GA)	Volkmer	Wheat
Thomas (WY)	Walsh	Williams
Torres	Washington	Wilson
Traficant	Waters	Wyden
Valentine	Waxman	Wylie
Vento	Weber	Yates
Visclosky	Weiss	Yatron

NAYS—113

Allard	Goodling	Morella
Allen	Goss	Murphy
Armey	Grandy	Nussle
Baker	Hancock	Oxley
Ballenger	Hansen	Paxon
Barrett	Hastert	Porter
Barton	Hefley	Ramstad
Bentley	Henry	Regula
Bereuter	Herger	Rhodes
Bilirakis	Hobson	Ridge
Bliley	Holloway	Riggs
Boehlert	Hopkins	Roberts
Boehner	Hunter	Rogers
Bunning	Inhofe	Rohrabacher
Burton	Ireland	Ros-Lehtinen
Camp	Jacobs	Roukema
Campbell (CA)	James	Saxton
Chandler	Johnson (CT)	Schroeder
Clay	Klug	Sensenbrenner
Coble	Kolbe	Shays
Coleman (MO)	Kyl	Shuster
Coughlin	Lagomarsino	Sikorski
Crane	Leach	Smith (OR)
Cunningham	Lewis (CA)	Solomon
Dannemeyer	Lewis (FL)	Stearns
Davis	Lightfoot	Stump
DeLay	Machtley	Sundquist
Doolittle	McCandless	Taylor (NC)
Dornan (CA)	McCollum	Thomas (CA)
Edwards (OK)	McCrery	Upton
Emerson	McDade	Vander Jagt
Fawell	McEwen	Vucanovich
Fields	McMillan (NC)	Walker
Franks (CT)	Meyers	Wolf
Gallegly	Miller (OH)	Young (AK)
Gallo	Miller (WA)	Zeliff
Gilchrest	Molinari	Zimmer
Gingrich	Moorhead	

NOT VOTING—45

Alexander	Lloyd	Schumer
Anthony	Lowery (CA)	Smith (TX)
Bonior	Marlenee	Solarz
Boxer	Michel	Spratt
Campbell (CO)	Mollohan	Synar
Conyers	Moran	Thornton
Dickinson	Murtha	Torricelli
Donnelly	Perkins	Towns
Duncan	Quillen	Traxler
Gekas	Rahall	Unsoeld
Hefner	Rangel	Weldon
Hubbard	Ray	Whitten
Jefferson	Santorum	Wise
LaFalce	Savage	Wolpe
Levine (CA)	Schaefer	Young (FL)

So the Journal was approved.

¶71.3 COMMUNICATIONS

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

3756. A letter from the Chairman, Federal Housing Finance Board, transmitting annual enforcement report of the Federal Housing Finance Board, pursuant to 12 U.S.C. 1422a; to the Committee on Banking, Finance and Urban Affairs.

3757. A letter from the Director, Environmental Protection Agency, transmitting the semiannual report of activities of the inspector general covering the period October 1, 1991 through March 31, 1992, and management report for the same period, pursuant to Public Law 95–452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

3758. A letter from the Secretary, Department of the Interior, transmitting the biological study of the striped bass fishery resources and habitats of the Albermarle Sound-Roanoke River basin area, pursuant to 16 U.S.C. 1851 note; to the Committee on Merchant Marine and Fisheries.

3759. A letter from the Acting General Counsel, Department of Defense, transmitting a draft of proposed legislation to amend title 5, United States Code, to encourage the voluntary separation of civilian employees of the Department of Defense, and for other purposes; to the Committee on Post Office and Civil Service.

3760. A communication from the President of the United States, transmitting a copy of a proclamation that extends nondiscriminatory treatment to the products of Albania; also enclosed is the text of the ''Agreement on Trade Relations Between the Government of the United States of America and the Republic of Albania,'' which was signed on May 14, 1992, pursuant to 19 U.S.C. 2437(a) (H. Doc. No. 102–346); to the Committee on Ways and Means and ordered to be printed.

3761. A communication from the President of the United States, transmitting his determination that Syria no longer meets the eligibility requirements set forth in the GSP law (H. Doc. No. 102–345); to the Committee on Ways and Means and ordered to be printed.

3762. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the second and third annual report of the Federated States of Micronesia on the use and expenditure of funds made available under the Compact of Free Association, pursuant to 48 U.S.C. 1681 note; jointly, to the Committees on Interior and Insular Affairs and Foreign Affairs.

¶71.4 COMMITTEE TO SIT

On motion of Mr. SWIFT, by unanimous consent, the Committee on Energy and Commerce was granted permission to sit today during the 5-minute rule.

¶71.5 SELECT COMMITTEE ON CHILDREN, YOUTH AND FAMILIES

The SPEAKER pro tempore, Mr. MCNULTY, announced that pursuant to the provisions of section 203 of House Resolution 51, 102d Congress, the Speaker did appoint to the Select Committee on Children, Youth and Families, Mr. FAWELL, to fill the existing vacancy thereon.

¶71.6 PROVIDING FOR THE CONSIDERATION OF S. 250

Mr. WHEAT, by direction of the Committee on Rules, called up the following resolution (H. Res. 480):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 250) to establish national voter registration procedures for Federal elections, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and which shall not exceed one hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration, the bill shall be considered as having been read under the five-minute rule. No amendment to the bill shall be in order except the amendment printed in the report of the Committee on Rules accompanying this resolution. Said amendment shall be considered as having been read, shall be debatable for not to exceed one hour, equally divided and controlled by the proponent and a member opposed thereto. Said amendment shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House, and the previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit which may not contain instructions.

Pending consideration of said resolution,

¶71.7 POINT OF ORDER

Mr. SOLOMON made a point of order against the consideration of the resolution, and said:

''Mr. Speaker, let me say at the outset that I regret that it is even necessary to raise this point of order. As you will recall, in January of last year I presented you, Mr. Speaker, with a 48-page paper documenting the precedents and history behind the rules which guarantee to the minority the right to offer a motion to recommit a bill of its choosing—including one with instructions.

''Then last June we sat down in your office with the Republican leader, the majority leader, and the Rules Committee chairman, and myself, and it was agreed that the Rules Committee would further look into our complaints about being denied our right to offer recommittal instructions on certain bills.

''The Rules Committee's Subcommittee on Rules of the House finally did hold a hearing on May 6 of this year, but no report has yet been issued as a result of that hearing and study.

''As the Speaker well knows, the whole purpose of the Rules Committee study of this controversy was to attempt to reach some kind of accommodation between the majority and minority over the issue of restricting our right to recommit bills.

''I am certain the Speaker did not have in mind that a hearing alone, without any subsequent effort to solve this problem, would suffice, and I know that. A hearing alone does not constitute a good-faith effort to reach accommodation.

''Having said all that, Mr. Speaker, permit me once again to make the case for this point of order. The rule before us allows for one motion to recommit but goes on to say that the motion 'may not contain instructions.'

''Mr. Speaker, permit me once again to make the case for this point of order. The rule before us allows for one motion to recommit but goes on to say that the motion 'may not contain instructions.'

''Mr. Speaker, again I have to repeat, clause 4(b) of House rule XI provides that the Rules Committee 'shall not report any rule or order * * * which would prevent the motion to recommit from being made as provided in clause 4 of rule XVI.'

''And clause 4 of rule XVI, at the relevant part, states that:

''After the previous question shall have been ordered on the passage of a bill or joint resolution one motion to recommit shall be in order and the Speaker shall give preference in recognition to a Member who is opposed to the bill or joint resolution.

''Mr. Speaker, it can hardly be argued that by denying any instructions in a motion to recommit, the right of

the minority Member entitled to offer that motion is being preserved or protected. When the rule issued by the majority's Committee on Rules dictates that the minority Member may only offer a straight motion to recommit, that Member is deprived of the right to offer a motion of his or her choosing.

''Mr. Speaker, it must be remembered that before these two rules were adopted in 1909, the House already had a rule, dating back to 1880, allowing for a motion to recommit, with or without instructions, either before or after the previous question is ordered. That rule is rule XVII, clause 1 and is still a part of our rules today under which we are supposed to be operating here.

''As the Speaker will recall from the paper I presented him in January 1991, in 1909 the new recommit rule was offered by a minority Member of this House, Democrat John Fitzgerald from my State of New York, specifically giving that motion to the minority. And at the same time, a rule was adopted, which we now call clause 4(b) of rule XI, to prevent the Rules Committee from ever denying the minority that right.

''In offering those two rules changes, Representative Fitzgerald said, and I quote once again, and I hate to take the Speaker's time but it has to be said:

> ''Under our present practice, if a Member desires to move to recommit with instructions, the Speaker instead of recognizing a Member desiring to submit a specific proposition by instructions, recognizes the gentleman in charge of the bill.

''In other words, Mr. Speaker, up to that point, the Speaker could recognize the majority manager to offer the motion to recommit and thereby prevent the minority from offering such a motion with instructions in the way of a final amendment.

''And Fitzgerald went on to say, and again I quote:

> Under our practice, the motion to recommit might better by eliminated from the rules altogether.

''In short, Mr. Speaker, the whole purpose for the new rule was to permit the minority to offer a motion to recommit with instructions if it so desired. On May 14, 1912, Speaker Champ Clark, another Democrat, and I used to be one, Mr. Speaker—I have researched all these Democrats.

''Champ Clark, a Democrat from Missouri, upheld a point of order against a rule denying a motion to recommit by pointing to Jefferson's Manual in which Jefferson observed that rules are instituted in parliamentary bodies as a check against action of the majority and a shelter and protection to the minority.

''Clark concluded on this point by ruling that, and I quote, 'it was intended that the right to make the motion to recommit should be preserved inviolate.'

''On October 17, 1919, Speaker Gillett, a Republican from Massachusetts—we had Republicans from Massachusetts in those days—in overruling a point of order against a minority motion to recommit with instructions, said, and I quote:

> The fact is that a motion to recommit is intended to give the minority one chance to fully express their views so long as they are germane.

''Please note, Mr. Speaker, the only condition on that motion was the germaneness rule as found in the standing rules of the House.

And he concluded:

> The whole purpose of this motion to recommit is to have a record vote upon the program of the minority. That is the main purpose of the motion to recommit.

''Mr. Speaker, the recent body of rulings upholding the right of the Rules Committee to deny the minority that right to offer amendatory instructions in the motion to recommit is based on a 1934 ruling by Speaker Rainey, another Democrat from Illinois, in which he overruled a point of order against a special rule that prohibited amendments to one title of the bill during its consideration.

''Speaker Rainey said that the special rule did not mention the motion to recommit which therefore could still be offered under the general rules of the House. And he went on to rely on the principle that one cannot do indirectly by way of a motion to recommit that which cannot be done directly by way of amendment. And since the special rule prohibited amendments to one title, the motion to recommit could not amend that title either.

''In short, Mr. Speaker, he held that a special rule prohibiting certain amendments had the same status as the standing rules of the House, even though the special rule was more restrictive than the standing rules, and in, fact, was a departure from those standing rules.

''Even a germane amendment could not be offered in the motion to recommit.

''Mr. Speaker, I have long maintained that the ruling of Speaker Rainey was wrongly decided. On the one hand, he tried to claim that the right of the motion to recommit was preserved under the general rules. But he then turned around and said the general rules of the House had no standing when it came to an amendment in the motion to recommit—that the special rule from the Rules Committee had precedence.

''Mr. Speaker, you cannot have it both ways. To the extent that the Rules Committee limits or denies the motion to recommit in a way that departs from the general rules of this House that we operate under, it is violating the prohibition on it as contained in clause 4(b) of Rules XI.

''And I ask the Members to read the rules and see for yourselves.

''To paraphrase Speaker Champ Clark, the motion is no longer inviolate as it was intended to be. And that is wrong. Instead, the right has been grossly violated.

''Mr. Speaker, finally I will just point out that I am basing my point of order on House Rule XLII, which states, in part, and I quote:

> The Rules of parliamentary practice comprised in Jefferson's Manual * * * shall govern the House in all cases to which they are applicable and in which they are not inconsistent with the standing rules and orders of the House * * *.

''Mr. Speaker, I would maintain that in a case such as this, where there is ambiguity, Jefferson's Manual should be relied on as the final arbiter, just as Speaker Clark relied on it in his ruling in 1912 on this issue. And, to quote from section 1 of Jefferson's Manual, and I wish the Members would listen up because what we are trying to strive for here is fairness. It says:

> As it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents,'' the opponents being we, the minority, ''the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceedings which have been adopted as they were found necessary from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check.

''Mr. Speaker, that is terribly, terribly important.

''Jefferson concluded on this point as follows:

> It is much more material that there should be a rule to go by than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the Members. It is very material that order, decency, and regularity be preserved in a dignified public body.

''I repeat, Mr. Speaker, in a dignified and fair body.

''Mr. Speaker, I would submit that Jefferson's Manual, which is incorporated as part of the rules of the House, should be the final authority on this issue. And Jefferson's Manual clearly comes down on the side of minority rights which are protected under the standing rules of the House—the regular order of proceeding, which we defend every day.

''Mr. Speaker, to permit a special rule such as this to take priority is to give way to the caprice of the Speaker's Committee on Rules or the captiousness of the majority Members in abusing, indeed denying, the only protection and weapon which we, the minority have, and that is the standing, not special, the standing rules of this House.

''Mr. Speaker, I cannot make it any clearer. You are a fair man, a man respected by us; but you do represent all of us in this House, the majority and minority. And I know that you feel that way personally. And I would just hope for the good of this House and the future of this House and the future of your party, which may become a minority someday—we hope soon—I would hope that you would rule in my favor.''.

Mr. WHEAT was recognized to speak to the point of order and said:

''Mr. Speaker, the gentleman from New York makes the point of order that the rule limits the motion to recommit and therefore, according to the minority, the rules violates clause 4(b) of rule XI.

''Mr. Speaker, I respectfully disagree. Rule XI prohibits the Rules Committee from reporting a rule that: 'would prevent the motion to recommit from being made as provided in clause 4 of rule XVI.'

''Clause 4 of rule XVI only addresses the simple motion to recommit. Nowhere are instructions mentioned.

''Mr. Speaker, the Rules Committee may report a rule limiting the motion to recommit. So long as the rule allows a simple motion to recommit, it does not violate clause 4(b) of rule XI.

''Mr. Speaker, this is a well-established parliamentary point. Speaker Rainey, on January 11, 1934, so ruled and was sustained on appeal.

''The point was reaffirmed five times in the last 2 years: October 16, 1990; June 4, 1991; on November 25, 1991; February 26, 1992, and again 1 month ago, on May 7, 1992. Several times, the minority moved to appeal the ruling of the Chair. On each occasion the House voted to table the motion, sustaining the ruling.

''Mr. Speaker, the precedents were strengthened by the votes of the House. The House consistently supported our interpretation of the rule. Absent an intervening change in the rule, the chair would be constrained, in my opinion, to heed this interpretation.

''Finally, Mr. Speaker, the minority's position on the motion to recommit was seriously compromised, to my mind, by its support for House Resolution 450. House Resolution 450 was the rule providing for consideration of the balanced budget constitutional amendment.

''House Resolution 450 severely restricted the motion to recommit with instructions. Yet every member of the minority voting on the rule—except two—voted 'aye.'

''In summary, Mr. Speaker, the precedents are clear, consistent, and unequivocal.

''Since 1934 there is not a single instance in which Speaker Rainey's interpretation was overturned. Not one rule limiting the motion to recommit was successfully challenged on a point of order.

''Moreover, the House spoke several times in the last 2 years to reaffirm and strengthen this position. And finally, Mr. Speaker, the House overwhelmingly supported—just last week—a rule limiting the motion to recommit.

''Search the RECORD and you will not find a single word of protest from the minority last week.

''Mr. Speaker, I urge you not to sustain the point of order.''.

Mr. WALKER was recognized to speak to the point of order and said:

''Mr. Speaker, the gentleman from Missouri [Mr. WHEAT] cited as the principal evidence of the willingness of the House to abandon its minority right a series of votes that have taken place in recent years. Obviously, what we have there is the majority party muscling the minority party with its voting majority, and it has nothing to with the rules of the House or the kind of precedents that protect minority rights.

''If in fact what we have decided is that the minority is always at the mercy of the majority's ability to change the rules, then the Chair, it seems to me, does rule against the gentleman from New York, and that would be a travesty. If what the Chair is concerned about doing is protecting the minority, as it is supposed to be protected under the rules, then the Chair, I think, has no other duty than to rule in favor of the point of order of the gentleman from New York, because it is clear in this particular instance that to rule against the point of order of the gentleman from New York is to really rule that the minority has no real position under the rules, and that any position the minority has under the rules is conveniently stripped by a majority vote of the majority party. That would be a travesty that goes against everything the House is supposed to stand for in debate, and I would hope that the Chair would rule in favor of the point of order raised by the gentleman from New York [Mr. SOLOMON].''.

The SPEAKER overruled the point of order, and said:

''The gentleman from New York [Mr. SOLOMON] has made a point of order against consideration of House Resolution 480 and, based on arguments made previously by the gentleman from New York, has insisted that in denying the motion to recommit with instructions and providing authority only for a motion to recommit, the committee has violated House rules and a point of order should be sustained against the resolution.

''Under the precedents of October 16, 1990, February 26, 1992, and May 7, 1992, all of which, as the gentleman correctly points out, stem from the precedent of January 11, 1934, the Chair is constrained to overrule the point of order.''.

Mr. SOLOMON appealed the ruling of the Chair.

Mr. WHEAT moved to lay the appeal on the table.

The question being put, viva voce,

Will the House lay on the table the appeal of the ruling of the Chair?

The SPEAKER announced that the nays had it.

Mr. WHEAT 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 ..... 250 / Nays 158

¶71.8 [Roll No. 189]

YEAS—250

Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Barnard
Beilenson
Bennett
Berman
Bevill
Bilbray
Blackwell
Borski
Boucher
Boxer
Brewster
Brooks
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Clement
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Cooper
Costello
Cox (IL)
Coyne
Cramer
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Glickman
Gonzalez
Gordon
Guarini
Hall (OH)
Hall (TX)
Hamilton
Harris
Hatcher
Hayes (IL)
Hayes (LA)
Hertel
Hoagland
Hochbrueckner
Horn
Hoyer
Huckaby
Hughes
Hutto
Jacobs
Jefferson
Jenkins
Johnson (SD)
Johnston
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Lehman (CA)
Lehman (FL)
Levin (MI)
Lewis (GA)
Lipinski
Long
Lowey (NY)
Luken
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Mink
Moakley
Montgomery
Moody
Moran
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Orton
Owens (NY)
Owens (UT)
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Poshard
Price
Rahall
Rangel
Reed
Richardson
Roe
Roemer
Rose
Rostenkowski
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Solarz
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (GA)
Thornton
Torres
Traficant
Unsoeld
Valentine
Vento
Visclosky
Volkmer
Washington
Waters
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wyden
Yates
Yatron

NAYS—158

Allard
Allen
Archer
Armey
Baker
Ballenger
Barrett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Boehner
Broomfield
Bunning
Burton
Callahan
Camp
Campbell (CA)
Chandler
Clinger
Coble
Coleman (MO)
Combest
Coughlin
Cox (CA)
Cunningham
Dannemeyer
Davis
DeLay
Doolittle

Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Ewing
Fawell
Fields
Fish
Franks (CT)
Gallegly
Gallo
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Goodling
Goss
Gradison
Grandy
Green
Gunderson
Hammerschmidt
Hancock
Hansen
Hastert
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Horton
Houghton
Hunter
Hyde
Inhofe
Ireland
James
Johnson (CT)
Johnson (TX)
Kasich
Klug
Kolbe
Kyl
Lagomarsino
Leach
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Machtley
Martin
McCandless
McCollum
McCrery
McDade
McEwen
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Moorhead
Morella
Morrison
Myers
Nichols
Nussle
Oxley
Packard
Paxon
Petri
Porter
Pursell
Ramstad
Ravenel
Regula
Rhodes
Ridge
Riggs
Rinaldo
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Santorum
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (NJ)
Smith (OR)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Taylor (NC)
Thomas (WY)
Upton
Vander Jagt
Vucanovich
Walker
Walsh
Weber
Weldon
Wolf
Wylie
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—26

Bonior
Conyers
Crane
Dickinson
Hefner
Hubbard
Jones (GA)
Levine (CA)
Lloyd
Lowery (CA)
Marlenee
McGrath
Mollohan
Ortiz
Perkins
Quillen
Ray
Savage
Sharp
Smith (TX)
Spratt
Thomas (CA)
Torricelli
Towns
Traxler
Wolpe

So the motion to lay the appeal on the table was agreed to.

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

Accordingly, House Resolution 480 was considered.

After debate,

Mr. WHEAT moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

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

Mr. WHEAT 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 ..... 256 / Nays ..... 163 }

¶71.9 [Roll No. 190]

YEAS—256

Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Barnard
Beilenson
Bennett
Berman
Bevill
Bilbray
Blackwell
Borski
Boucher
Boxer
Brewster
Brooks
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Clement
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Cox (IL)
Coyne
Cramer
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Glickman
Gonzalez
Gordon
Guarini
Hall (OH)
Hall (TX)
Hamilton
Harris
Hatcher
Hayes (IL)
Hayes (LA)
Hertel
Hoagland
Hochbrueckner
Horn
Hoyer
Huckaby
Hughes
Hutto
Jefferson
Jenkins
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Lehman (CA)
Lehman (FL)
Levin (MI)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey (NY)
Luken
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moody
Moran
Morrison
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Poshard
Price
Rahall
Rangel
Reed
Richardson
Roe
Roemer
Rose
Rostenkowski
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Solarz
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Unsoeld
Valentine
Vento
Visclosky
Volkmer
Washington
Waters
Waxman
Weiss
Wheat
Whitten
Wyden
Yates
Yatron

NAYS—163

Allard
Allen
Archer
Armey
Baker
Ballenger
Barrett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Boehner
Broomfield
Bunning
Burton
Callahan
Camp
Campbell (CA)
Chandler
Clinger
Coble
Coleman (MO)
Combest
Coughlin
Cox (CA)
Crane
Cunningham
Dannemeyer
Davis
DeLay
Dickinson
Doolittle
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Ewing
Fawell
Fields
Fish
Franks (CT)
Gallegly
Gallo
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Goodling
Goss
Gradison
Grandy
Green
Gunderson
Hammerschmidt
Hancock
Hansen
Hastert
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Horton
Houghton
Hunter
Hyde
Inhofe
Ireland
Jacobs
James
Johnson (CT)
Johnson (TX)
Kasich
Klug
Kolbe
Kyl
Lagomarsino
Leach
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Machtley
Martin
McCandless
McCollum
McCrery
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Moorhead
Morella
Myers
Nichols
Nussle
Oxley
Packard
Paxon
Petri
Porter
Pursell
Ramstad
Ravenel
Regula
Rhodes
Ridge
Riggs
Rinaldo
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Santorum
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Taylor (NC)
Thomas (CA)
Thomas (WY)
Upton
Vander Jagt
Vucanovich
Walker
Walsh
Weber
Weldon
Wolf
Wylie
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—15

Bonior
Hefner
Hubbard
Levine (CA)
Lowery (CA)
Marlenee
Quillen
Ray
Savage
Sharp
Traxler
Williams
Wilson
Wise
Wolpe

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

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

Mr. DREIER demanded a recorded vote on agreeing to said resolution, 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 ..... 264 / Nays ..... 157 }

¶71.10 [Roll No. 191]

AYES—264

Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Barnard
Beilenson
Bennett
Berman
Bevill
Bilbray
Blackwell
Boehlert
Borski
Boucher
Boxer
Brewster
Brooks
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Clement
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Cox (IL)
Coyne
Cramer
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Guarini
Hall (OH)
Hall (TX)

Hamilton
Harris
Hatcher
Hayes (IL)
Hayes (LA)
Hertel
Hoagland
Hochbrueckner
Horn
Horton
Hoyer
Huckaby
Hughes
Hutto
Jacobs
Jefferson
Jenkins
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kennedy
Kennelly
Kildee
Kleczka
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Lehman (CA)
Lehman (FL)
Levin (MI)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey (NY)
Luken
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moody
Moran
Morella
Morrison
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Poshard
Price
Rahall
Rangel
Reed
Richardson
Roe
Roemer
Rose
Rostenkowski
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sharp
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Solarz
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Unsoeld
Valentine
Vento
Visclosky
Walsh
Washington
Waters
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wyden
Yates
Yatron

NOES—157

Allard
Allen
Archer
Armey
Baker
Ballenger
Barrett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Boehner
Broomfield
Bunning
Burton
Callahan
Camp
Campbell (CA)
Chandler
Clinger
Coble
Coleman (MO)
Combest
Coughlin
Cox (CA)
Crane
Cunningham
Dannemeyer
Davis
DeLay
Dickinson
Doolittle
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Ewing
Fawell
Fields
Fish
Franks (CT)
Gallegly
Gallo
Gekas
Gilchrest
Gillmor
Gingrich
Goodling
Goss
Gradison
Grandy
Green
Gunderson
Hammerschmidt
Hancock
Hansen
Hastert
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Hunter
Hyde
Inhofe
Ireland
James
Johnson (CT)
Johnson (TX)
Kasich
Klug
Kolbe
Kyl
Lagomarsino
Leach
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lowery (CA)
Machtley
Martin
McCandless
McCollum
McCrery
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinari
Moorhead
Myers
Nichols
Nussle
Oxley
Packard
Paxon
Petri
Porter
Pursell
Ramstad
Ravenel
Regula
Rhodes
Ridge
Riggs
Rinaldo
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Santorum
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Taylor (NC)
Thomas (CA)
Thomas (WY)
Upton
Vander Jagt
Vucanovich
Walker
Weber
Weldon
Wolf
Wylie
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—13

Bonior
Hefner
Houghton
Hubbard
Kaptur
Levine (CA)
Marlenee
Quillen
Ray
Savage
Traxler
Volkmer
Wolpe

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.

¶71.11 VOTER REGISTRATION

The SPEAKER pro tempore, Mr. MCNULTY, pursuant to House Resolution 480 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 of the Senate (S. 250) to establish national voter registration procedures for Federal elections, and for other purposes.

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

The Committee rose informally to receive a message from the President.

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

¶71.12 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. McCathran, one of his secretaries.

The Committee resumed its sitting; and after some further time spent therein,

¶71.13 CALL IN COMMITTEE

Mr. MCDERMOTT, Chairman, announced that the Committee, having had under consideration said bill, finding itself without a quorum, directed the Members to record their presence by electronic device, and the following-named Members responded—

¶71.14 [Roll No. 192]

Abercrombie
Alexander
Allard
Allen
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Archer
Armey
Aspin
Atkins
AuCoin
Bacchus
Baker
Ballenger
Barnard
Barrett
Barton
Bateman
Beilenson
Bennett
Bentley
Bereuter
Bevill
Bilbray
Bilirakis
Blackwell
Bliley
Boehlert
Boehner
Borski
Boucher
Boxer
Brewster
Brooks
Browder
Brown
Bruce
Bunning
Burton
Bustamante
Byron
Callahan
Camp
Campbell (CA)
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clement
Clinger
Coble
Coleman (MO)
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooper
Costello
Coughlin
Cox (CA)
Cox (IL)
Coyne
Cramer
Crane
Cunningham
Dannemeyer
Darden
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Derrick
Dickinson
Dicks
Dingell
Dixon
Donnelly
Dooley
Doolittle
Dorgan (ND)
Dornan (CA)
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (OK)
Edwards (TX)
Emerson
Engel
English
Erdreich
Espy
Evans
Ewing
Fascell
Fawell
Fazio
Feighan
Fields
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Franks (CT)
Frost
Gallegly
Gallo
Gaydos
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodling
Gordon
Goss
Gradison
Grandy
Green
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hatcher
Hayes (IL)
Hayes (LA)
Hefley
Henry
Herger
Hertel
Hoagland
Hobson
Hochbrueckner
Holloway
Hopkins
Horn
Horton
Houghton
Hoyer
Huckaby
Hughes
Hunter
Hutto
Hyde
Inhofe
Ireland
Jacobs
James
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnson (TX)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolbe
Kolter
Kopetski
Kostmayer
Kyl
LaFalce
Lagomarsino
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Lent
Levin (MI)
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowery (CA)
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martin
Martinez
Matsui
Mavroules
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McEwen
McGrath
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Meyers
Mfume
Michel
Miller (CA)
Miller (OH)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moorhead
Moran
Morella
Morrison
Mrazek
Murphy
Murtha
Myers
Nagle
Natcher
Neal (MA)
Neal (NC)
Nichols
Nowak
Nussle
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Oxley
Packard
Pallone
Panetta
Parker
Pastor
Patterson
Paxon
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Porter
Poshard
Price
Pursell
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Rhodes
Richardson
Ridge
Rinaldo
Ritter
Roberts
Roe
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Saxton
Schaefer
Scheuer
Schiff
Schroeder
Schulze
Schumer
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shuster
Sikorski
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solarz
Solomon
Spence
Spratt
Staggers
Stallings

Stearns	Thornton	Weber
Stenholm	Torres	Weiss
Stokes	Torricelli	Weldon
Studds	Towns	Wheat
Stump	Traficant	Whitten
Sundquist	Unsoeld	Williams
Swett	Upton	Wilson
Swift	Valentine	Wise
Synar	Vander Jagt	Wolf
Tallon	Vento	Wyden
Tanner	Visclosky	Wylie
Tauzin	Volkmer	Yates
Taylor (MS)	Vucanovich	Yatron
Taylor (NC)	Walker	Young (AK)
Thomas (CA)	Walsh	Young (FL)
Thomas (GA)	Waters	Zeliff
Thomas (WY)	Waxman	Zimmer

Thereupon, Mr. MCDERMOTT, Chairman, announced that 417 Members had been recorded, a quorum.

The Committee resumed its business.

After some further time,

¶71.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. THOMAS of California:

Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Voter Registration Enhancement Act of 1992''.

SEC. 2. FINDINGS AND PURPOSES.

(A) FINDINGS.—The Congress finds that—

(1) the right to vote is a fundamental right;

(2) it is the responsibility of each citizen to exercise that right;

(3) it is the duty of the Federal, State, and local governments to promote the exercise of that right;

(4) discriminatory and unfair registration laws and procedures can have a direct and damaging effect on voter participation in elections for Federal office;

(5) such laws and procedures can disproportionately harm voter participation in such elections by members of various groups, including racial minorities;

(6) all citizens of the United States are entitled to be protected from vote fraud and from voter registration lists that contain the names of ineligible or nonexistent voters, which dilute the worth of qualified votes honestly cast; and

(7) all citizens of the United States are entitled to be governed by elected and appointed public officers who are responsible to them and who govern in the public interest without corruption, self-dealing, or favoritism.

(b) Purposes.—The purposes of this Act are—

(1) to increase registration of citizens as voters in elections for Federal office;

(2) to make it possible for Federal, State, and local governments to enhance voter participation in elections for Federal office;

(3) to protect the integrity of the electoral process;

(4) to ensure the maintenance of accurate and current official voter registration lists; and

(5) to guarantee to the States, and to their citizens, a republican form of government, including elections conducted free of fraud, and governmental processes conducted free of corruption, self-dealing, or favoritism.

''TITLE I—VOTER REGISTRATION ENHANCEMENT

SEC. 101. FEDERAL COORDINATION AND BIENNIAL ASSESSMENT.

The Attorney General—

(1) shall be responsible for coordination of Federal functions under this Act;

(2) shall provide information to the States with respect to State responsibilities under this Act; and

(3) shall, not later than June 30 of each even-numbered year, submit to the Congress a report assessing the impact of this Act on the administration of elections for Federal office during the preceding 2 calendar years and providing recommendations for improvements in Federal and State procedures, forms, and other matters affected by this Act.

SEC. 102. RESPONSIBILITY OF CHIEF STATE ELECTION OFFICAL.

The chief State election official of each State shall be responsible for coordination of State functions under this title.

SEC. 103. VOTER REGISTRATION ENHANCEMENT BLOCK GRANTS.

(A) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General—

(1) for making grants under this section for fiscal years 1992, 1993, and 1994, a total of $25,000,000; and

(2) such additional sums as may be necessary for administrative expenses of the Attorney General in carrying out this title.

(b) BLOCK GRANTS.—(1) From the amounts appropriated under section (a) for any fiscal year, the Attorney General shall make grants to States, through chief State election officials, for the purposes of supporting, facilitating, and enhancing voter registration.

(2) To qualify for a grant under paragraph (1), a State shall match any amount of Federal funds dollar for dollar with State funds for voter registration enhancement activities, such as, but not limited to—

(A) providing for voter registration for elections for Federal office at State departments of motor vehicles; and

(B) providing for uniform and nondiscriminatory programs to ensure that official voter registration lists are accurate and current in each State.

(c) ALLOCATION OF GRANTS.—(1) The Attorney General shall by regulation establish criteria for allocation of grants among States based on—

(A) the number of residents of each State;

(B) the percentage of eligible voters in each State not registered to vote; and

(C) other appropriate factors.

(2) In promulgating criteria pursuant to paragraph (1), the Attorney General shall give special consideration to State-sponsored programs designed to improve registration in counties with voter registration percentages significantly lower than that for the State as a whole.

(d) ADMINISTRATIVE REQUIREMENTS.—(1) The Attorney General shall by regulation establish administrative requirements necessary to carry out this section.

(2) To be eligible to receive a grant under this section, a State shall certify that the State—

(A) has in place legislative authority and a plan to implement procedures to promote and facilitate, to an extent and in such manner as the Attorney General may deem adequate to carry out the purposes of this title, voter registration for Federal elections in connection with applications for driver's licenses;

(B) agrees to use any amount received from a grant under this section in accordance with the requirements of this section;

(C) agrees that any amount received through a grant under this section for any period will be used to supplement and increase any State, local, or other non-Federal funds that would, in the absence of the grant, be made available for the programs and activities for which grants are provided under this section and will in no event supplant such State, local, and other non-Federal funds; and

(D) has established fiscal control and fund accounting procedures to ensure the proper disbursement of, and accounting for, grants made to the State under this section.

(3) The Attorney General may not prescribe for a State the manner of compliance with the requirements of this subsection.

(e) REPORTS.—(1) The chief State election official of a State that receives a grant under this section shall submit to the Attorney General annual reports on its activities under this section.

(2) A report required by paragraph (1) shall be in such form and contain such information as the Attorney General, after consultation with chief State election officials, determines to be necessary to—

(A) determine whether grant amounts were expended in accordance with this section;

(B) describe activities under this section; and

(C) provide a record of the progress made toward achieving the purposes for which the block grants were provided.

SEC. 104. DEFINITIONS.

For the purpose of this title—

(1) the term ''chief State election official'' means, with respect to a State, the officer, employee, or entity with authority, under State law, for election administration in the State;

(2) the term ''election'' has the meaning stated in section 301(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(1));

(3) the term ''Federal office'' has the meaning stated in section 301(3) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(3)); and

(4) the term ''State'' has the meaning stated in section 301(12) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(12)).

TITLE II—PUBLIC CORRUPTION

SEC. 201. ELECTION FRAUD AND OTHER PUBLIC CORRUPTION.

(a) AMENDMENT OF TITLE 18 OF THE UNITED STATES CODE.—Chapter 11 of title 18, United States Code, is amended by adding at the end thereof the following new section:

''§ 226. Public corruption

''(a) Whoever, in a circumstance described in subsection (d), defrauds, or endeavors to defraud, by any scheme or artifice, the inhabitants of the United States, a State, a political subdivision of a State, or Indian country of the honest services of an official or employee of the United States or the State, political subdivision, or Indian tribal government shall be fined under this title, imprisoned for not more than 20 years, or both.

''(b) Whoever, in a circumstance described in subsection (d), defrauds, or endeavors to defraud, by any scheme or artifice, the inhabitants of the United States, a State, a political subdivision of a State, or Indian country of a fair and impartially conducted election process in any primary, runoff, special, or general election—

''(1) through the procurement, casting, or tabulation of ballots that are materially false, fictitious, or fraudulent or that are invalid, under the laws of the jurisdiction in which the election is held;

''(2) through paying or offering to pay any person for voting;

''(3) through the procurement or submission of voter registrations that contain false material information, or omit material information; or

''(4) through the filing of any report required to be filed under State law regarding an election campaign that contains false material information or omits material information,

shall be fined under this title, imprisoned for not more than 20 years, or both.

''(c) Whoever, being a public official or an official or employee of the United States, a State, a political subdivision of a State, or an Indian tribal government, in a cir-

cumstances described in subsection (d), defrauds or endeavors to defraud, by any scheme or artifice, the inhabitants of the United States, a State, a political subdivision of a State, or Indian country of the right to have the affairs of the United States, the State, political subdivision, or Indian tribal government conducted on the basis of complete, true, and accurate material information, shall be fined under this title, imprisoned for not more than 20 years, or both.

''(d) The circumstances referred to in subsection (a), (b), and (c) are that—

''(1) for the purpose of executing or concealing such scheme or artifice or attempting to do so, the person so doing—

''(A) places in any post office or authorized depository for mail matter, any matter or thing whatever to be sent or delivered by the Postal Service, or takes or receives therefrom, any such matter or thing, or knowingly causes to be delivered by mail according to the direction thereon, or at the place at which it is directed to be delivered by the person to whom it is addressed, any such matter or thing;

''(B) transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce any writings, signs, signals, pictures, or sounds;

''(C) transports or causes to be transported any person or thing, or induces any person to travel in or to be transported in, interstate or foreign commerce; or

''(D) in connection with intrastate, interstate, or foreign commerce, engages the use of a facility of interstate or foreign commerce;

''(2) the scheme or artifice affects or constitutes an attempt to affect in any manner or degree, or would if executed or concealed so affect, interstate or foreign commerce; or

''(3) as applied to an offense under subsection (b), an objective of the scheme or artifice is to secure the election of an official who, if elected, would have some authority over the administration of funds derived from an Act of Congress totaling $10,000 or more during the 12-month period immediately preceding or following the election or date of the offense.

''(3) Whoever defrauds or endeavors to defraud, by any scheme or artifice, the inhabitants of the United States of the honest services of a public official or person who has been selected to be a public official shall be fined under this title, imprisoned for not more than 20 years, or both.

''(f) Whoever, being an official, public official, or person who has been selected to be a public official, directly or indirectly discharges, demotes, suspends, threatens, harasses, or in any manner discriminates against an employee or official of the United States, a State, a political subdivision of a State, or an Indian tribal government, or endeavors to do so, in order to carry out or to conceal any scheme or artifice described in this section, shall be fined under this title, imprisoned for not more than 5 years, or both.

''(g) For the purposes of this section—

''(1) the term 'official' includes—

''(A) any person employed by, exercising any authority derived from, or holding any position in an Indian tribal government or the government of a State or any subdivision of the executive, legislative, judicial, or other branch of government thereof, including a department, independent establishment, commission, administration, authority, board, and bureau, and a corporation or other legal entity established and subject to control by a government or governments for the execution of a governmental or intergovernmental program;

''(B) any person acting or pretending to act under color of official authority; and

''(C) any person who has been nominated, appointed, or selected to be an official or who has been officially informed that such person will be so nominated, appointed, or selected;

''(2) the terms 'public official' and 'person who has been selected to be a public official' have the meanings stated in section 201(a) and shall also include any person acting or pretending to act under color of official authority;

''(3) the term 'State' means a State of the United States, the District of Columbia, Puerto Rico, and any other commonwealth, territory, or possession of the United States; and

''(4) the term 'under color of official authority' includes any person who represents that such person controls, is an agent of, or otherwise acts on behalf of an official, a public official, or a person who has been selected to be a public official.''.

(b) TECHNICAL AMENDMENTS.—(1) The table of sections for chapter 11 of title 18, United States Code, is amended by adding at the end thereof the following item:

''226. Public corruption.''.

(2) Section 1961(1) of title 18, United States Code, is amended by inserting ''section 226 (relating to public corruption),'' after ''section 224 (relating to sports bribery),''.

(3) Section 2516(1)(c) of title 18, United States Code, is amended by inserting ''section 226 (relating to public corruption),'' after ''section 224 (bribery in sporting contests),''.

SEC. 202. FRAUD IN INTERSTATE COMMERCE.

(a) AMENDMENT OF TITLE 18 OF THE UNITED STATES CODE.—Section 1343 of title 18, United States Code, is amended—

(1) by striking ''transmits or causes to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds'' and inserting ''in connection with intrastate, interstate, or foreign commerce, engages the use of a facility of interstate or foreign commerce''; and

(2) by inserting ''or attempting to do so'' after ''for the purpose of executing such scheme or artifice''.

(b) TECHNICAL AMENDMENTS.—(1) The heading of section 1343 of title 18, United States Code, is amended to read as follows:

''§ 1343. Fraud by use of facility of interstate commerce''.

(2) The chapter analysis for chapter 63 of title 18, United States Code, is amended by striking the analysis for section 1343 and inserting the following:

''1343. Fraud by use of facility of interstate commerce.''.

SEC. 203. PRESERVATION OF THE EFFECT OF STATE LAW THAT PROVIDES GREATER PROTECTION AGAINST VOTE FRAUD.

In the case of any conflict between the provision of this Act and any provision of the civil or criminal law of any State, the law of the State shall prevail to the extent that such State law provides for more stringent suppression of vote fraud than this Act.

Amend the title so as to read ''An Act to establish national voter registration procedures for Presidential and congressional elections, and for other purposes.''.

It was decided in the negative { Yeas ..... 133 / Nays ..... 290 }

¶71.16 [Roll No. 193]

AYES—133

Allard
Applegate
Archer
Armey
Baker
Ballenger
Barrett
Barton
Bentley
Bereuter
Bilirakis
Bliley
Boehner
Bunning
Burton
Callahan
Camp
Campbell (CA)
Clinger
Coleman (MO)
Combest
Coughlin
Cox (CA)
Crane
Cunningham
Davis
DeLay
Dickinson
Doolittle
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Ewing
Fawell
Fields
Franks (CT)
Gallegly
Gallo
Gekas
Gilchrest
Gillmor
Gingrich
Goodling
Goss
Gradison
Grandy
Gunderson
Hammerschmidt
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Holloway
Hopkins
Houghton
Hunter
Hyde
Inhofe
Johnson (CT)
Johnson (TX)
Kasich
Kolbe
Kyl
Lagomarsino
Lancaster
Lent
Lewis (CA)
Lightfoot
Livingston
Lowery (CA)
Martin
McCandless
McCollum
McCrery
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Molinari
Moorhead
Myers
Nichols
Nussle
Packard
Paxon
Petri
Porter
Ravenel
Regula
Rhodes
Riggs
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Santorum
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shuster
Skeen
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Thomas (CA)
Thomas (WY)
Vander Jagt
Vucanovich
Walker
Weber
Weldon
Wolf
Wylie
Young (AK)
Young (FL)

NOES—290

Abercrombie
Alexander
Allen
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Aspin
Atkins
AuCoin
Bacchus
Barnard
Bateman
Beilenson
Bennett
Berman
Bevill
Bilbray
Blackwell
Boehlert
Borski
Boucher
Boxer
Brewster
Brooks
Browder
Brown
Bruce
Bustamante
Byron
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clement
Coble
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Cox (IL)
Coyne
Cramer
Dannemeyer
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Green
Guarini
Hall (OH)
Hall (TX)
Hamilton
Harris
Hatcher
Hayes (IL)
Hayes (LA)
Henry
Hertel
Hoagland
Hochbrueckner
Horn
Horton
Hoyer
Huckaby
Hughes
Hutto
Ireland
Jacobs
James
Jefferson
Jenkins
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolter
Kopetski
Kostmayer
LaFalce
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (FL)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey (NY)
Luken
Machtley
Manton
Markey
Marlenee
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Miller (WA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moody

Moran
Morella
Morrison
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Oxley
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Poshard
Price
Pursell
Rahall
Ramstad
Rangel
Reed
Richardson
Ridge
Rinaldo
Roe
Roemer
Rose
Rostenkowski
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Sarpalius
Savage
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sharp
Shays
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Solarz
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Unsoeld
Upton
Valentine
Vento
Visclosky
Volkmer
Walsh
Washington
Waters
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wyden
Yates
Yatron
Zeliff
Zimmer

NOT VOTING—11

Ackerman
Bonior
Broomfield
Bryant
Hefner
Hubbard
Owens (UT)
Quillen
Ray
Traxler
Wolpe

So the amendment in the nature of a substitute was not agreed to.

After some further time,

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

When Mr. MCDERMOTT, Chairman, pursuant to House Resolution 480, reported the bill back to the House.

The previous question having been ordered by said resolution.

The bill was ordered to be read a third time, was read a third time by title.

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. THOMAS of California demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 268; Nays ..... 153; Answered present 1

¶71.17 [Roll No. 194]

YEAS—268

Abercrombie
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Atkins
AuCoin
Bacchus
Beilenson
Bennett
Berman
Bilbray
Bilirakis
Blackwell
Boehlert
Borski
Boucher
Boxer
Brooks
Brown
Bruce
Bustamante
Campbell (CO)
Cardin
Carper
Carr
Chandler
Chapman
Clay
Clement
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Cox (IL)
Coyne
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Espy
Evans
Fascell
Fazio
Feighan
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Glickman
Gonzalez
Gordon
Green
Guarini
Hall (OH)
Hall (TX)
Hamilton
Hatcher
Hayes (IL)
Hayes (LA)
Hertel
Hoagland
Hochbrueckner
Hopkins
Horn
Horton
Hoyer
Huckaby
Hughes
Jacobs
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kolter
Kopetski
Kostmayer
LaFalce
Lantos
LaRocco
Laughlin
Leach
Lehman (CA)
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (GA)
Lloyd
Long
Lowey (NY)
Luken
Machtley
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McGrath
McHugh
McMillen (MD)
McNulty
Meyers
Mfume
Miller (CA)
Miller (WA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moran
Morella
Morrison
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olver
Ortiz
Orton
Owens (NY)
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickle
Poshard
Price
Rahall
Ramstad
Rangel
Reed
Richardson
Riggs
Rinaldo
Roe
Roemer
Ros-Lehtinen
Rose
Rostenkowski
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Savage
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sharp
Shays
Sikorski
Sisisky
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Solarz
Spratt
Staggers
Stallings
Stark
Stokes
Studds
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Unsoeld
Vento
Walsh
Washington
Waters
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wyden
Yates
Yatron
Zimmer

NAYS—153

Allard
Allen
Archer
Armey
Baker
Ballenger
Barnard
Barrett
Barton
Bateman
Bentley
Bereuter
Bevill
Bliley
Boehner
Brewster
Browder
Bunning
Burton
Byron
Callahan
Camp
Campbell (CA)
Clinger
Coble
Coleman (MO)
Combest
Coughlin
Cox (CA)
Cramer
Crane
Cunningham
Dannemeyer
Davis
DeLay
Dickinson
Donnelly
Doolittle
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Erdreich
Ewing
Fawell
Fields
Franks (CT)
Gallegly
Gallo
Gekas
Gillmor
Gingrich
Goodling
Goss
Gradison
Grandy
Gunderson
Hammerschmidt
Hancock
Hansen
Harris
Hastert
Hefley
Henry
Herger
Hobson
Holloway
Houghton
Hunter
Hutto
Hyde
Inhofe
Ireland
James
Johnson (TX)
Kasich
Kolbe
Kyl
Lagomarsino
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lowery (CA)
Marlenee
McCandless
McCollum
McCrery
McDade
McEwen
McMillan (NC)
Michel
Miller (OH)
Moorhead
Myers
Nichols
Nussle
Olin
Oxley
Packard
Paxon
Petri
Pickett
Porter
Pursell
Ravenel
Regula
Rhodes
Ridge
Ritter
Roberts
Rogers
Rohrabacher
Roth
Roukema
Saxton
Schaefer
Schiff
Schulze
Sensenbrenner
Shaw
Shuster
Skaggs
Skeen
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Sundquist
Taylor (NC)
Thomas (CA)
Thomas (WY)
Upton
Valentine
Vander Jagt
Visclosky
Volkmer
Vucanovich
Walker
Weber
Weldon
Wolf
Wylie
Young (AK)
Young (FL)
Zeliff

ANSWERED "PRESENT"—1

Martin

NOT VOTING—12

Ackerman
Bonior
Broomfield
Bryant
Hefner
Hubbard
Lancaster
Owens (UT)
Quillen
Ray
Traxler
Wolpe

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 notify the Senate thereof.

¶71.18 WAIVING POINTS OF ORDER AGAINST H.R. 5373

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 102–571) the resolution (H. Res. 485) waiving certain points of order during consideration of the bill (H.R. 5373) making appropriations for energy and water development for the fiscal year ending September 30, 1993, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶71.19 PROVIDING FOR THE CONSIDERATION OF H.R. 5099

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 102–572) the resolution (H. Res. 486) providing for the consideration of the bill (H.R. 5099) to provide for the restoration of fish and wildlife and their habitat in the Central Valley of California, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶71.20 PROVIDING FOR THE CONSIDERATION OF H.R. 3247

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 102–573) the resolution (H. Res. 487) providing for the consideration of the bill (H.R. 3247) to establish a National Undersea Research Program within the National Oceanic and Atmospheric Administration.

When said resolution and report were referred to the House Calendar and ordered printed.

¶71.21 PROVIDING FOR THE CONSIDERATION OF H.R. 4310

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 102–574) the resolution (H. Res. 488) providing for the consideration of the bill (H.R. 4310) to reauthorize and improve the national marine sanctuaries program, and to establish the Coastal and Ocean Sanctuary Foundation.

When said resolution and report were referred to the House Calendar and ordered printed.

¶71.22 PROVIDING FOR THE CONSIDERATION OF H.R. 4996

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 102–575) the resolution (H. Res. 489) providing for the consideration of the bill (H.R. 4996) to extend the authorities of the Overseas Private Investment Corporation, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶71.23 U.S. HOLOCAUST MEMORIAL COUNCIL

Mr. KOSTMAYER moved to suspend the rules and pass the bill (H.R. 2660) entitled, ''Authorization of Appropriations for the United States Holocaust Memorial Council''; as amended.

The SPEAKER pro tempore, Mr. MCNULTY, recognized Mr. KOSTMAYER and Mr. THOMAS of Wyoming, 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 authorize appropriations for the United States Holocaust Memorial Council, 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.

¶71.24 MESSAGE FROM THE PRESIDENT—ENERGY SECURITY

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 transmit herewith the annual report describing the activities of the Federal Government for fiscal year 1991 required by subtitle H, title V of the Energy Security Act (Public Law 96–264; 42 U.S.C. 8286, *et seq.*). These activities include the development of energy conservation and efficiency standards for new commercial and multifamily high-rise buildings and for new residential buildings.

GEORGE BUSH.

THE WHITE HOUSE, *June 16, 1992.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Energy and Commerce.

¶71.25 ENROLLED BILL SIGNED

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

H.R. 2507. An Act to amend the Public Health Service Act to revise and extend the program of the National Institutes of Health, and for other purposes.

¶71.26 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HEFNER, for today through June 26.

And then,

¶71.27 ADJOURNMENT

On motion of Mr. ANDERSON, at 7 o'clock and 2 minutes p.m., the House adjourned.

¶71.28 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. BROWN: Committee on Science, Space, and Technology. H.R. 3673. A bill to authorize a research program through the National Science Foundation on the treatment of contaminated water through membrane processes; with an amendment (Rept. No. 102–566). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROWN: Committee on Science, Space, and Technology. H.R. 5344. A bill to authorize the National Science Foundation to foster and support the development and use of certain computer networks (Rept. No. 102–567). Referred to the Committee of the Whole House on the State of the Union.

Mr. CLAY: Committee on Post Office and Civil Service. H.R. 2675. A bill to amend title 5, United States Code, to provide for the granting of leave to Federal employees wishing to serve as bone-marrow or organ donors, and to allow Federal employees to use sick leave for purposes relating to the adoption of a child; with an amendment (Rept. No. 102–568). Referred to the Committee of the Whole House on State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 4484. A bill to authorize appropriations for fiscal year 1993 for the Maritime Administration; with an amendment (Rept. No. 102–570). Referred to the Committee of the Whole House on the State of the Union.

Mr. FROST: Committee on Rules. House Resolution 485, waiving certain points of order during consideration of H.R. 5373 a bill making appropriations for energy and water development for the fiscal year ending September 30, 1993, and for other purposes (Rept. No. 102–571). Referred to the House Calendar.

Mr. BEILENSON: Committee on Rules. House Resolution 486. Resolution providing for the consideration of H.R. 5099, a bill to provide for the restoration of fish and wildlife and their habitat in the Central Valley of California, and for other purposes (Rept. No. 102–572). Referred to the House Calendar.

Mr. MOAKLEY: Committee on Rules. House Resolution 487. Resolution providing for the consideration of H.R. 3247, a bill to establish a National Undersea Research Program within the National Oceanic and Atmospheric Administration (Rept. No. 102–573). Referred to the House Calendar.

Mr. MOAKLEY: June 16, 1992 Committee on Rules. House Resolution 488. Resolution providing for the consideration of H.R. 4310, a bill to reauthorize and improve the national marine sanctuaries program, and to establish the Coastal and Ocean Sanctuary Foundation. Referred to the House Calendar.

Mr. BEILENSON: Committee on Rules. House Resolution 489. Resolution providing for the consideration of H.R. 4996, a bill to extend the authorities of the Overseas Private Investment Corporation, and for other purposes. Referred to the House Calendar.

Mr. MILLER of California: Committee on Interior and Insular Affairs. H.R. 5099. A bill to provide for the restoration of fish and wildlife and their habitat in the Central Valley of California, and for other purposes, with an amendment (Rept. No. 102–576, Pt. 1). Ordered to be printed.

¶71.29 REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. FASCELL: Committee on Foreign Affairs. H.R. 4547. A bill to authorize supplemental assistance for the former Soviet republics; with amendments; referred to the Committees on Agriculture, Armed Services, Banking, Finance and Urban Affairs, and Science, Space, and Technology for a period ending not later than July 2, 1992, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1 (a), (c), (d), and (r) of rule X, respectively. (Rept. No. 102–569, Pt. 1). Ordered to be printed.

¶71.30 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. EDWARDS of California:

H.R. 5399. A bill to amend the U.S. Commission on Civil Rights Act of 1983 to provide an authorization of appropriations; to the Committee on the Judiciary.

By Mr. STAGGERS (for himself, Mr. BURTON of Indiana, Mr. MONTGOMERY, Mr. STUMP, Mr. EVANS, and Mr. KENNEDY):

H.R. 5400. A bill to establish in the Department of Veterans Affairs a program of comprehensive services for homeless veterans; to the Committee on Veterans' Affairs.

By Mr. KLECZKA:

H.R. 5401. A bill to amend the Federal Food, Drug, and Cosmetic Act to require that foods derived from plant varieties developed by methods of genetic modification be labeled to identify their derivation; to the Committee on Energy and Commerce.

By Mr. PENNY:

H.R. 5402. A bill to amend the Food Security Act of 1985 to remove certain easement requirements under the conservation reserve program, and for other purposes; to the Committee on Agriculture.

By Mr. PENNY (for himself, Mr. FAWELL, Mr. JONTZ, Mr. BALLENGER, Mrs. MEYERS of Kansas, Mr. ZELIFF, and Mr. UPTON):

H.R. 5403. A bill to rescind funds made available under the Department of Defense

Appropriations Act, 1992, for the Arctic Region Supercomputing Center; to the Committee on Appropriations.

By Mr. ROSE:

H.R. 5404. A bill to require that the operating segment of the Federal budget be balanced in fiscal year 1994 and that the entire budget be balanced by fiscal year 1998 and to provide tough enforcement mechanisms to guarantee the budget is balanced; jointly, to the Committees on Government Operations, Rules, and Ways and Means.

By Mr. TORRICELLI (for himself, Mr. FIELDS, Mr. SOLARZ, Mr. LANTOS, Mr. LENT, MR. JONES of North Carolina, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. AUCOIN, Mr. BATEMAN, Mrs. BENTLEY, Mr. BORSKI, Mr. DARDEN, Mr. DAVIS, Mr. DELLUMS, Mr. ENGEL, Mr. HOCHBRUECKNER, Mr. HUBBARD, Mr. JEFFERSON, Mr. JOHNSTON of Florida, Mr. KOSTMAYER, Mr. LAUGHLIN, Mr. MACHTLEY, Mr. MANTON, Mr. MILLER of Washington, Mr. NAGLE, Mr. PAYNE of New Jersey, Ms. PELOSI, Mr. PRICE, Mr. RAHALL, Mr. RITTER, Mr. SAXTON, Mr. SMITH of New Jersey, Mr. SWETT, Mr. TAUZIN, Mrs. UNSOELD, and Mr. YOUNG of Alaska):

H.R. 5405. A bill to amend the Foreign Assistance Act of 1961 to ensure that U.S. cash transfer assistance is utilized to purchase U.S. goods and services, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BERMAN (for himself, Mr. HAMILTON, Mr. MILLER of Washington, Mr. GEJDENSON, Mr. PANETTA, Mr. MILLER of California, Mr. GONZALEZ, Mr. CONYERS, Mr. FRANK of Massachusetts, Mr. WEISS, Mr. MCCLOSKEY, Mr. LEVINE of California, Mr. WAXMAN, Mr. KOSTMAYER, Mr. PAYNE of New Jersey, Ms. PELOSI, Mr. MINETA, Mr. KOPETSKI, Mr. ATKINS, Mr. NAGLE, and Mr. RANGEL):

H.R. 5406. A bill to restrict the authorities of the President with respect to regulating the exchange of information with, travel to or from, and educational and cultural exchanges with, foreign countries; to the Committee on Foreign Affairs.

By Mr. RICHARDSON (for himself, Mr. HALL of Texas, Mr. SERRANO, Mr. MORAN, Mr. ABERCROMBIE, Mr. ECKART, Mr. PAYNE of New Jersey, Mr. ANDREWS of New Jersey, Mr. ROYBAL, Mr. TORRES, Mr. TAUZIN, and Mr. DORGAN of North Dakota):

H.R. 5407. A bill to establish in the Department of Labor the U.S. Boxing Commission to develop minimum Federal boxing standards applicable to the conduct of professional boxing, and for other purposes; jointly, to the Committees on Energy and Commerce and Education and Labor.

By Mr. STARK:

H.R. 5408. A bill to extend until January 1, 1995, the existing reduction of duty on certain paper products; to the Committee on Ways and Means.

By Mr. VENTO:

H.R. 5409. A bill to extend the statute of limitations applicable to civil actions brought by the Federal conservator or receiver of a failed depository institution; to the Committee on Banking, Finance and Urban Affairs.

By Mr. GEPHARDT (for himself and Mr. MICHEL) (both by request):

H.J. Res. 507. Joint resolution to approve the extension of nondiscriminatory treatment with respect to the products of the Republic of Albania; to the Committee on Ways and Means.

By Mr. HOYER (for himself, Mr. PORTER, Mr. FASCELL, Mr. MARKEY, Mr. FEIGHAN, Mr. RICHARDSON, Mr. RITTER, Mr. SMITH of New Jersey, Mr. WOLF, Mr. SMITH of Florida, Ms. HORN, Ms. PELOSI, Mrs. MORELLA, Mr. MCNULTY, Mr. BLILEY, Mr. CARDIN, Mr. ACKERMAN, Mr. LEHMAN of California, Mr. HUGHES, Mr. LANTOS, Mr. BATEMAN, Mr. OWENS of Utah, Mr. SISISKY, Mr. BUSTAMANTE, Mr. SCHEUER, Ms. NORTON, and Mr. LIPINSKI):

H.J. Res. 508. Joint resolution designating August 1, 1992, as ''Helsinki Human Rights Day''; jointly, to the Committees on Foreign Affairs and Post Office and Civil Service.

By Mr. MCCOLLUM (for himself, Mr. CRANE, Mr. HUNTER, and Mr. DORNAN of California):

H. Con. Res. 332. Concurrent resolution expressing the sense of the Congress that the governmental authorities of the independent states of the former Soviet Union should release certain information regarding the past activities of the Communist Party of the Soviet Union, and for other purposes; to the Committee on Foreign Affairs.

¶71.31 PRIVATE BILLS AND RESOLUTIONS

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

By Mr. GILCHREST:

H.R. 5410. 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.

By Mr. SCHIFF:

H.R. 5411. A bill for the relief of Benjamin Stock; to the Committee on the Judiciary.

¶71.32 ADDITIONAL SPONSORS

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

H.R. 53: Mr. GUARINI, Mr. GALLEGLY, and Mr. CLEMENT.

H.R. 576: Mr. CAMP and Mr. CLEMENT.

H.R. 643: Mr. SUNDQUIST.

H.R. 747: Mr. ROWLAND.

H.R. 875: Mr. MINETA.

H.R. 1188: Mr. KLUG and Mr. RITTER.

H.R. 1218: Mrs. LOWEY of New York.

H.R. 1443: Mr. CONDIT, Mr. SMITH of Texas, and Mr. COLORADO.

H.R. 1468: Mr. SANTORUM.

H.R. 1509: Mr. DAVIS.

H.R. 1536: Mrs. COLLINS of Michigan, Mrs. BYRON, and Mrs. BOXER.

H.R. 1624: Mr. CUNNINGHAM and Mr. GINGRICH.

H.R. 2063: Mrs. UNSOELD.

H.R. 2089: Mr. BUSTAMANTE.

H.R. 2650: Mr. WEISS.

H.R. 2798: Mr. PETERSON of Florida.

H.R. 3026: Mr. GUARINI.

H.R. 3164: Mr. MCCRERY and Mr. GALLEGLY.

H.R. 3258: Mr. SCHEUER.

H.R. 3438: Mr. RITTER.

H.R. 3439: Mr. RITTER.

H.R. 3440: Mr. RITTER.

H.R. 3441: Mr. RITTER.

H.R. 3442: Mr. RITTER.

H.R. 3450: Mr. ATKINS, Mrs. COLLINS of Michigan, and Mr. OWENS of New York.

H.R. 3518: Mr. UPTON and Mr. MCCURDY.

H.R. 3561: Mr. EWING and Mr. MILLER of Washington.

H.R. 3570: Mr. ATKINS.

H.R. 3599: Mr. EWING.

H.R. 3677: Mr. AUCOIN and Mr. BUSTAMANTE.

H.R. 3763: Mr. LANTOS.

H.R. 3838: Mr. DANNEMEYER and Mr. GOODLING.

H.R. 4089: Mr. FISH and Ms. DELAURO.

H.R. 4124: Mr. ATKINS.

H.R. 4159: Mr. BEILENSON, Mr. MORRISON, Mrs. UNSOELD, and Mr. EVANS.

H.R. 4192: Mr. WELDON.

H.R. 4206: Mr. MOLLOHAN and Mr. CAMPBELL of Colorado.

H.R. 4207: Mr. SENSENBRENNER, Mr. BOEHLERT, and Mr. PETERSON of Minnesota.

H.R. 4259: Mr. FRANK of Massachusetts, Mr. HAYES of Illinois, Mr. PENNY, Mr. EARLY, Mr. NOWAK, Mr. KOPETSKI, Mr. LAGOMARSINO, Mr. KENNEDY, Mr. SHAYS, and Ms. KAPTUR.

H.R. 4300: Mr. ATKINS, Mr. SAWYER, Mrs. SCHROEDER, and Mr. TORRICELLI.

H.R. 4311: Mr. ENGLISH, Mr. DEFAZIO, Mr. JONTZ, Mrs. MINK, Mr. STALLINGS, Ms. NORTON, Mr. KOPETSKI, Mr. PETERSON of Minnesota, Mr. RANGEL, Mr. HUGHES, Mrs. SCHROEDER, and Mr. LANCASTER.

H.R. 4393: Mr. CRAMER, Mr. FLAKE, Mr. GOSS, Mr. HOCHBRUECKNER, Mr. JOHNSTON of Florida, Mr. LAFALCE, Mr. LANCASTER, Mr. LENT, Mrs. LOWEY of New York, Mr. MCHUGH, Mr. NOWAK, Mr. OWENS of New York, Mr. PAXON, Mr. SHAW, Mr. SOLOMON, Mr. SUNDQUIST, Mr. THOMAS of Wyoming, and Mr. WALKER.

H.R. 4611: Ms. MOLINARI.

H.R. 4689: Mr. OWENS of Utah.

H.R. 4754: Mr. RITTER.

H.R. 4848: Mr. BERMAN and Mr. MURTHA.

H.R. 4961: Mr. GALLEGLY.

H.R. 5000: Mr. HORTON and Mr. HOYER.

H.R. 5017: Mr. BERMAN.

H.R. 5019: Mr. DORNAN of California, Mr. KLUG, Mr. PORTER, Mr. DANNEMEYER, Mr. SANTORUM, and Mr. BROWN.

H.R. 5036: Ms. NORTON.

H.R. 5108: Mrs. KENNELLY.

H.R. 5113: Mr. BOEHNER.

H.R. 5155: Mr. WELDON, Mr. RANGEL, and Mr. FROST.

H.R. 5157: Mr. RIGGS.

H.R. 5166: Mr. ATKINS.

H.R. 5167: Mr. BATEMAN.

H.R. 5176: Mr. TOWNS.

H.R. 5208: Mr. PALLONE, Mr. OWENS of Utah, Mr. LANTOS, Mr. LEWIS of Georgia, and Mrs. MORELLA.

H.R. 5217: Mr. ATKINS, Mr. FORD of Michigan, and Mr. TORRICELLI.

H.R. 5250: Mr. SHAW and Mr. ANTHONY.

H.R. 5257: Mr. TAUZIN and Mr. BLACKWELL.

H.R. 5272: Mr. PENNY, Mr. VISCLOSKY, and Mr. ESPY.

H.R. 5276: Mr. PARKER, Mr. BLAZ, Mr. COBLE, Mr. STENHOLM, Mr. HAYES of Louisiana, Mr. PICKETT, Mr. MCCRERY, Mr. CALLAHAN, Mr. UPTON, Mr. SCHAEFER, Mr. BLILEY, Mr. BARTON of Texas, Mr. HANCOCK, Mr. OXLEY, Mr. CHANDLER, Mr. COSTELLO, Mr. SAXTON, and Mr. GALLO.

H.R. 5282: Mr. STUDDS, Mr. ROHRABACHER, Mr. PALLONE, and Mr. MURPHY.

H.R. 5316: Mr. JEFFERSON.

H.R. 5323: Mr. HOCHBRUECKNER.

H.R. 5340: Ms. ROS-LEHTINEN.

H.R. 5357: Ms. NORTON.

H.R. 5360: Mr. FRANK of Massachusetts, Mr. SCHEUER, Mr. ATKINS, Mr. OBERSTAR, Mr. PENNY, Mr. FOGLIETTA, Mr. LEHMAN of Florida, Mr. HAYES of Illinois, Mr. JOHNSTON of Florida, Mr. OLIN, Mr. STARK, Mr. ABERCROMBIE, Mr. MOODY, Ms. HORN, Mr. HALL of Ohio, Mr. KOPETSKI, Mr. DE LUGO, Mr. ACKERMAN, Mr. GEJDENSON, Mr. DYMALLY, Mr. WHEAT, Mr. CLAY, Mr. OWENS of New York, Mr. STOKES, Mr. ESPY, Mr. BLACKWELL, and Mr. KOSTMAYER.

H.J. Res. 83: Mr. YOUNG of Alaska.

H.J. Res. 237: Mr. LEHMAN of Florida, Mr. HUBBARD, Mr. MATSUI, Mr. GONZALEZ, Mr. NATCHER, and Mr. KOPETSKI.

H.J. Res. 336: Mr. FISH.

H.J. Res. 393: Mr. MURTHA, Mr. FASCELL, Mr. BORSKI, Mr. ANNUNZIO, Mr. BILIRAKIS, Mr. FRANK of Massachusetts, Mr. ROWLAND, Mr. SMITH of Florida, Mr. MCNULTY, Mr. GILCHREST, Mr. EWING, Mr. PORTER, Mr. GOODLING, and Mr. GINGRICH.

H.J. Res. 399: Mr. BOUCHER.

H.J. Res. 411: Mr. ACKERMAN, Mr. ROEMER, Mr. STAGGERS, and Mr. BACCHUS.

H.J. Res. 436: Mr. FISH.
H.J. Res. 473: Mr. MATSUI.
H.J. Res. 476: Mr. ESPY.
H.J. Res. 478: Mr. OWENS of New York and Mr. FALEOMAVAEGA.
H.J. Res. 483: Mr. TALLON, Mr. MILLER of Washington, and Ms. NORTON.
H.J. Res. 486: Mr. ANNUNZIO, Mr. MCHUGH, Mr. TANNER, Mr. PETERSON of Florida, Mr. SAWYER, Mr. LEHMAN of California, Mrs. PATTERSON, Mr. ATKINS, Mr. ERDREICH, Mr. FEIGHAN, Mr. HUBBARD, Mr. HARRIS, Mr. HEFNER, Mr. FASCELL, Mr. HAYES of Illinois, Mr. CRAMER, Mr. ROSE, and Mr. JONTZ.
H.J. Res. 495:, Mr. SERRANO, Mr. QUILLEN, Mr. BATEMAN, Mr. GALLEGLY, Mr. BEVILL, Mrs. MORELLA, Mrs. BENTLEY, Mr. BREWSTER, Mr. CLEMENT, Mr. COOPER, Mr. COSTELLO, Mr. DE LUGO, Mr. DICKS, Mr. DWYER of New Jersey, Mr. DYMALLY, Mr. FALEOMAVAEGA, Mr. FEIGHAN, Mr. FORD of Tennessee, Mr. GEJDENSON, Mr. GEKAS, Mr. GEREN of Texas, Mr. GILCHREST, Mr. HEFNER, Mr. HERTEL, Mr. HOBSON, Mr. HOCHBRUECKNER, Mr. HUGHES, Mr. HUTTO, Mr. HYDE, Mr. JONES of North Carolina, Mr. JONTZ, Mr. KASICH, Mr. LAGOMARSINO, Mr. LANCASTER, Mr. LEACH, Mr. LEWIS of California, Ms. LONG, Mr. LOWERY of California, Mr. MCCLOSKEY, Mr. MCCOLLUM, Mr. MCCRERY, Mr. MCEWEN, Mr. MARTIN, Mr. MURPHY, Mr. OWENS of New York, Mrs. PATTERSON, Mr. PURSELL, Mr. RINALDO, Mr. RITTER, Mr. ROE, Mr. ROWLAND, Mr. ROYBAL, Mr. SAVAGE, Mr. SLATTERY, Mr. SPRATT, Mr. STAGGERS, Mr. TAYLOR of Mississippi, Mr. TRAFICANT, Mr. VALENTINE, Mr. VANDER JAGT, Mr. WYLIE, Mr. YATRON, Mr. BACCHUS, Mr. MATSUI, Mr. HAYES of Illinois, and Ms. NORTON.
H. Con. Res. 189: Mr. PETERSON of Florida, Mr. PAXON, Mr. ZELIFF, Mr. LENT, Mr. DURBIN, Mrs. MEYERS of Kansas, Mr. CAMPBELL of California, Ms. HORN, Mr. GUARINI, Mr. GILMAN, Mr. OXLEY, Mr. FRANKS of Connecticut, Mr. HUGHES, Mr. HAYES of Illinois, and Mr. BUSTAMANTE.
H. Con. Res. 295: Mrs KENNELLY.
H. Con. Res. 309: Mr. Espy.
H.Con. Res. 316: Mr. QUILLEN, Mr. HUGHES, Mr. CONDIT, and Mr. DIXON.
H. Res. 347: Mr. UPTON.

¶71.33 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 4211: Mr. BERMAN.

¶71.34 PETITIONS, ETC.

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

161. By the SPEAKER. Petition of the city council of the city of New York, relative to a national health plan; to the Committee on Energy and Commerce.

162. Also, petition of the city council, District of Columbia, relative to legal admission of Haitian refugees; jointly, to the Committees on Foreign Affairs and the Judiciary.

WEDNESDAY, JUNE 17, 1992 (72)

¶72.1 DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 17, 1992.

I hereby designate the Honorable G.V. (SONNY) MONTGOMERY to act as Speaker pro tempore on this day.

THOMAS S. FOLEY,
Speaker of the House of Representatives.

¶72.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MONTGOMERY, announced he had examined and approved the Journal of the proceedings of Tuesday, June 16, 1992.

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

¶72.3 COMMUNICATIONS

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

3763. A letter from the Assistant Administrator for Legislative Affairs, International Development Cooperation Agency, transmitting a summary of activities proposed for funding in Peru during Fiscal Year 1992, pursuant to 22 U.S.C. 2151u(e); to the Committee on Foreign Affairs.

3764. A letter from the Secretary of Labor, transmitting the semiannual report of the Pension Benefit Guaranty Corporation's results of audits conducted by the Office of Inspector General, pursuant to Public Law 95–452, section 8E(h)(2) (102 Stat. 2525); to the Committee on Government Operations.

3765. A letter from the chairman, Board for International Broadcasting, transmitting the semiannual report of the Office 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.

3766. A letter from the Director, Office of Management and Budget, transmitting a report on activities under the Freedom of Information Act during calendar year 1991, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

3767. A communication from the President of the United States, transmitting notification that the designations of Don E. Newquist as Chairman and Peter S. Watson as Vice Chairman of the U.S. International Trade Commission, are effective June 17, 1992, pursuant to 19 U.S.C. 1330(c)(1); to the Committee on Ways and Means.

3768. A letter from the Office of Management and Budget, transmitting the 16th report on U.S. costs in the Persian Gulf conflict and foreign contributions to offset such costs, pursuant to Public Law 102–25, section 401 (105 Stat. 99); jointly, to the Committees on Armed Services and Foreign Affairs.

3769. A letter from the Acting General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize the transfer of four naval vessels to the Government of Greece; jointly, to the Committees on Foreign Affairs and Armed Services.

¶72.4 COMMITTEE TO SIT

On motion of Mr. MARKEY, by unanimous consent, the Committee on Energy and Commerce was granted permission to sit today during the 5-minute rule.

¶72.5 RECESS—10:06 A.M.

The SPEAKER pro tempore, Mr. MONTGOMERY, pursuant to the order of the House agreed to on June 11, 1992, declared the House in recess at 10 o'clock and 6 minutes a.m., subject to the call of the Chair.

¶72.6 AFTER RECESS—12:30 P.M.

The SPEAKER pro tempore, Mr. MONTGOMERY, called the House to order.

¶72.7 PROCEEDINGS PRINTED IN THE RECORD

On motion of Mrs. SCHROEDER, by unanimous consent, the proceedings had during the recess were ordered to be printed in the Record.

¶72.8 WAIVING POINTS OF ORDER AGAINST H.R. 5373

Mr. FROST, by direction of the Committee on Rules, called up the following resolution (H. Res. 485):

Resolved, That during consideration of the bill (H.R. 5373) making appropriations for energy and water development for the fiscal year ending September 30, 1993, and for other purposes, all points of order against the following provisions in the bill for failure to comply with clause 2 of rule XXI are waived: beginning on page 2, line 11, through page 18, line 10; beginning on page 19, line 5, through line 22; beginning on page 20, line 9, through page 25, line 8; beginning on page 26, line 1, through line 16; beginning on page 26, line 23, through page 50, line 3; beginning on page 51, line 3, through page 54, line 3; and beginning on page 55, line 14, through page 57, line 18; and all points of order against the following provisions in the bill for failure to comply with clause 6 of rule XXI are waived: beginning on page 2, line 11, through page 15, line 6; beginning on page 21, line 1, through page 23, line 20; beginning on page 26, line 23, through page 27, line 9; beginning on page 32, line 16, through page 33, line 7; beginning on page 34, line 8, through page 35; line 15; beginning on page 45, line 1, through line 20; beginning on page 46, line 18, through page 48, line 6; and beginning on page 51, line 3, through page 54, line 11. All points of order against amendments printed in the report of the Committee on Rules accompanying this resolution for failure to comply with clause 2 of rule XXI are waived. The amendment specified in the report to be offered by Representative Brown of California or his designee shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment. No other amendment to the paragraph under the heading ''General Science and Research Activities'' shall be in order until the amendment specified in the report to be offered by Representative Brown of California or his designee has been disposed of.

When said resolution was considered.

After debate,

On motion of Mr. FROST, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

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

Mr. FROST 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 ..... 377 / Nays ..... 44 }

¶72.9 [Roll No. 195]

YEAS—377

Abercrombie	Anderson	Annunzio
Ackerman	Andrews (ME)	Anthony
Alexander	Andrews (NJ)	Applegate
Allen	Andrews (TX)	Archer