

PETRI, Mr. BROWN of Ohio, Mr. THOMAS of Wyoming, Ms KAPTUR, Mr. GALLO, and Mr. HASTERT.

H.R. 3435: Mrs. CLAYTON.  
H.R. 3513: Mr. EVANS, and Mr. YATES.  
H.R. 3538: Mrs. UNSOELD, Mr. OBERSTAR, Mr. WAXMAN, Ms. FURSE, Mr. McCLOSKEY, Mr. EVANS, Mr. McDERMOTT, Mr. RAHALL, Ms. WOOLSEY, and Ms. SHEPHERD.

H.R. 3545: Mr. SHAYS, Mr. SKEEN, Mr. WALKER, Mr. RAMSTAD, Mr. WALSH, Mr. GREENWOOD, Mr. EWING, Mr. PETRI, Mr. MACHTLEY, Mr. GOSS, and Mr. LEVY.

H.R. 3574: Mr. FRANK of Massachusetts, Mrs. MORELLA, Mr. FOGLIETTA, Mr. FALDOMAEGA, and Mr. MINETA.

H.R. 3584: Mr. BAKER of Louisiana, Mr. DICKEY, Mr. EDWARDS of Texas, Mr. FROST, Mr. GILCHREST, Mr. GENE GREEN of Texas, Mr. HOLDEN, Mr. LEVY, Mrs. LLOYD, Mr. MILLER of Florida, Mr. QUINN, Mr. WALSH, Mr. WILSON, and Ms. KAPTUR.

H.R. 3624: Mr. QUILLEN, Mr. DUNCAN, and Mr. JOHNSON of Georgia.

H.R. 3645: Mr. PORTER.  
H.R. 3656: Ms. WOOLSEY.

H.R. 3663: Mr. COYNE, Mr. CLAY, Mr. HINCHEY, Mr. ABERCROMBIE, Mr. STUDDS, and Mr. WHEAT.

H.R. 3727: Mr. POMEROY and Mr. SANTORUM.  
H.R. 3757: Mr. BARCA of Wisconsin.

H.R. 3783: Mrs. MINK of Hawaii, Mr. McDERMOTT, and Mr. FALDOMAEGA.

H.R. 3789: Mr. LEWIS of Florida.  
H.R. 3808: Mr. TEJEDA and Mr. ROWLAND.

H.J. Res. 9: Mr. CALVERT and Ms. DUNN.  
H.J. Res. 28: Mr. SARPALIUS.

H.J. Res. 209: Mr. WELDON.  
H.J. Res. 230: Mr. BEVILL, Mr. FISH, Mr. GENE GREEN of Texas, Mr. HAYES, Mr. HEFNER, Mr. HILLIARD, Mr. HINCHEY, Mr. HOBSON, Mr. JACOBS, Mr. KLECZKA, Mr. KLEIN, Mr. LANCASTER, Mr. LIPINSKI, Mr. McDADE, Mrs. MALONEY, Mr. MANTON, Mr. MARTINEZ, Mr. MATSUI, Mr. MEEHAN, Mrs. MINK of Hawaii, Mr. MONTGOMERY, Mr. MOORHEAD, Mrs. MORELLA, Mr. MURPHY, Mr. KNOLLENBERG, Mr. PAYNE of New Jersey, Mr. PETERSON of Florida, Mr. PETRI, Mr. QUINN, Mr. SABO, Mr. SARPALIUS, Mr. SAWYER, Mr. SAXTON, Mr. SCHUMER, Mr. SERRANO, Mr. SHUSTER, Mr. SLATTERY, Mr. SPENCE, Mr. TALENT, Mrs. THURMAN, Mr. COPPERSMITH, Mr. TORKILDSEN, Mr. VALENTINE, Mr. WYNN, Mr. FALDOMAEGA, and Mr. PETE GEREN of Texas.

H.J. Res. 251: Mrs. MEYERS of Kansas.  
H.J. Res. 253: Mr. GRANDY.

H.J. Res. 256: Mr. BACHUS of Alabama.  
H.J. Res. 297: Mr. CLEMENT, Mr. SUNDQUIST, Mr. CLAY, and Mr. TUCKER.

H.J. Res. 303: Mr. QUINN, Mr. McDADE, Mr. HAMILTON, Mr. SANGMEISTER, Mr. TALENT, Mr. HUNTER, Mr. HOCHBRUECKNER, Ms. BROWN of Florida, Mr. DINGELL, Mr. MACHTLEY, Mr. HUTTO, Mr. BACHUS of Alabama, Mr. FOGLIETTA, Mr. GALLEGLY, Mr. SMITH of Michigan, Mr. NEAL of Massachusetts, Mr. HYDE, Mr. REED, and Mr. KASICH.

H.J. Res. 305: Mr. MOAKLEY, Mr. BOEHLERT, Mrs. THURMAN, Mrs. MALONEY, Mr. KENNEDY, Mr. EVANS, Mr. FROST, Mr. YATES, Mr. NEAL of Massachusetts, Mr. SISISKY, Mr. BEVILL, Mr. WILSON, Mr. LIPINSKI, Mr. FALDOMAEGA, Mr. MONTGOMERY, and Mr. McDERMOTT.

H.J. Res. 310: Mr. BLILEY, Mr. McDERMOTT, Mr. WELDON, Mr. KOPETSKI, Mr. KNOLLENBERG, Mr. RANGEL, Mrs. THURMAN, Mr. WALSH, Mr. TORKILDSEN, Mr. TORRICELLI, Ms. DELAURO, Mr. HALL of Ohio, Mr. SOLOMON, and Mr. LAZIO.

H. Con. Res. 84: Mr. HOLDEN, Mr. FLAKE, and Mr. BURTON of Indiana.

H. Con. Res. 122: Mr. PARKER.  
H. Con. Res. 127: Mr. NEAL of North Carolina and Mr. CAMP.

H. Con. Res. 147: Mr. FLAKE, Mr. GILMAN, Mr. DARDEN, and Mr. HUTCHINSON.

H. Con. Res. 152: Mr. SERRANO.  
H. Con. Res. 201: Mr. HANCOCK, Mr. GRAMS, Mr. MINGE, Mr. KINGSTON, Mr. GALLO, Ms. MARGOLIES-MEZVINSKY, and Mr. GOODLATTE.  
H. Con. Res. 202: Mr. CLAY and Mr. KOPETSKI.

H. Res. 53: Mr. DEAL.  
H. Res. 236: Mr. MAZZOLI, Mr. PARKER, Mr. ENGEL, Mr. HOCHBRUECKNER, Mr. FIELDS of Louisiana, and Mr. WISE.

H. Res. 238: Mr. BAKER of California, Mr. BARTON of Texas, Mr. COX, Mr. THOMAS of Wyoming, Mr. TAYLOR of North Carolina, Mr. ROBERTS, Mr. INGLIS of South Carolina, Mr. COOPER, Mr. GALLEGLY, and Mr. HUTCHINSON.

H. Res. 247: Mr. COLLINS of Georgia, Mr. BACHUS of Alabama, and Mr. RAVENEL.

H. Res. 281: Mr. MANTON, Mr. BARCA of Wisconsin, and Mr. STUPAK.

H. Res. 343: Mr. DORNAN, Mrs. UNSOELD, Mr. MANN, Mr. SCHUMER, Mr. WELDON, Mr. WOLF, Mrs. MEYERS of Kansas, and Mr. McNULTY.

18.21 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. 3527: Mr. HEFNER.

**THURSDAY, FEBRUARY 10, 1994 (9)**

The House was called to order by the SPEAKER.

**9.1 APPROVAL OF THE JOURNAL**

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, February 10, 1994.

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

**9.2 COMMUNICATIONS**

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

2558. A letter from the Comptroller General and Director of Congressional Budget Office, transmitting their report on evaluating DOD's certification regarding expansion of the CHAMPUS Reform Initiative beyond the States of California and Hawaii, pursuant to Public Law 102-484, section 712(c) (106 Stat. 2435); to the Committee on Armed Services.

2559. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled "Audit of Contracts Between the Agency for HIV/AIDS and the Whitman Walker Clinic," pursuant to D.C. Code, section 47-117(d); to the Committee on the District of Columbia.

2560. A letter from the Vice Chairman and Chief Financial Officer, Potomac Electric Power Co., transmitting a copy of the balance sheet of Potomac Electric Power Co. as of December 31, 1993, pursuant to D.C. Code, section 43-513; to the Committee on the District of Columbia.

2561. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the Deputy Secretary's Determination and Justification that it is in the national interest to grant assistance to Kenya, pursuant to 22 U.S.C. 2370(g); to the Committee on Foreign Affairs.

2562. A letter from the Comptroller General, General Accounting Office, transmitting the GAO's Annual Report for fiscal year 1993 and a supplement summary tables of GAO personnel assigned to congressional committees for fiscal year 1993, pursuant to 31 U.S.C. 719(a); to the Committee on Government Operations.

2563. A letter from the Acting Secretary, American Battle Monuments Commission,

transmitting the annual report on the activities of the Inspector General for fiscal year 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

2564. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting a report on proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Natural Resources.

2565. A letter from the Paralyzed Veterans of America, transmitting a copy of the annual audit report of the Paralyzed Veterans of America for the fiscal year ended September 30, 1993, pursuant to 36 U.S.C. 1166; to the Committee on the Judiciary.

2566. A letter from the Acting Assistant Secretary of the Army (Civil Works), Department of Defense, transmitting a report on the review of need for modifications in water resource project structures and result of a demonstration program making modifications, pursuant to 33 U.S.C. 2294 note; to the Committee on Public Works and Transportation.

2567. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to amend section 1004 of Public Law 102-240, and for other purposes; to the Committee on Public Works and Transportation.

**9.3 MESSAGE FROM THE SENATE**

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

H.R. 2333. An Act to authorize appropriations for the Department of State, the United States Information Agency, and related agencies, and for other purposes.

The message also announced that the Senate insisted upon its amendment to the bill (H.R. 2333) "An Act to authorize appropriations for the Department of State, the United States Information Agency, and related agencies, and for other purposes," requested a conference with the House on the disagreeing votes of the two Houses thereon, and appointed Mr. KERRY of Massachusetts, Mr. PELL, Mr. BIDEN, Mr. SARBANES, Mr. DODD, Mr. SIMON, Mr. MOYNIHAN, Mr. HELMS, Mr. LUGAR, Mrs. KASSEBAUM, Mr. PRESSLER, Mr. MURKOWSKI, and Mr. BROWN, to be the conferees on the part of the Senate.

**9.4 ORDER OF BUSINESS—OBSERVANCE OF GEORGE WASHINGTON'S BIRTHDAY**

On motion of Mr. KLECZKA, by unanimous consent,

*Ordered*, That it may be in order for the Speaker to appoint two Members of the House, one upon the recommendation of the Minority Leader, to represent the House of Representatives at appropriate ceremonies for the observance of George Washington's birthday to be held on Monday, February 21, 1994.

**9.5 OBSERVANCE OF GEORGE WASHINGTON'S BIRTHDAY**

The SPEAKER, pursuant to the foregoing order, appointed to represent the House of Representatives at appropriate ceremonies for the observance of George Washington's birthday to be

held on Monday, February 21, 1994, the following Members on the part of the House: Ms. BYRNE and Mr. BATEMAN.

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

¶9.6 RECESS—10:55 A.M.

The SPEAKER pro tempore, Mr. WISE, pursuant to clause 12 of rule I, declared the House in recess at 10 o'clock and 55 minutes a.m., until 11 a.m.

¶9.7 AFTER RECESS—11 A.M.

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

¶9.8 INDEPENDENT COUNSEL REAUTHORIZATION

The SPEAKER pro tempore, Mr. GEJDENSON, pursuant to House Resolution 352 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 811) to reauthorize the independent counsel law for an additional 5 years, and for other purposes.

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

¶9.9 RECORDED VOTE

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

Page 10, insert the following after line 20 and redesignate the succeeding section accordingly:

SEC. 6. GROUNDS FOR REMOVAL.

Section 596(a)(1) of title 28, United States Code, is amended by adding at the end the following: "Failure of the independent counsel to comply with the established policies of the Department of Justice as required by section 594(f) or to comply with section 594(j) may be grounds for removing that independent counsel from office for good cause under this subsection."

It was decided in the { Yeas ..... 187 negative ..... } Nays ..... 227

¶9.10 [Roll No. 18] AYES—187

- Allard Clinger Gallegly
Andrews (NJ) Coble Gallo
Archer Collins (GA) Gekas
Army Combest Gilchrest
Bachus (AL) Cooper Gillmor
Baker (CA) Cox Gilman
Baker (LA) Crane Gingrich
Ballenger Crapo Goodlatte
Barrett (NE) Cunningham Goodling
Bartlett DeFazio Goss
Barton DeLay Grams
Bateman Diaz-Balart Grandy
Bentley Dickey Greenwood
Bereuter Dooley Gunderson
Bilbray Doolittle Hancock
Bliley Dreier Hansen
Blute Duncan Hayes
Boehlert Dunn Hefley
Boehner Ehlers Heger
Bonilla Emerson Hobson
Bunning Everett Hoekstra
Burton Fawell Hoke
Buyer Fields (TX) Horn
Callahan Fish Houghton
Calvert Fowler Huffington
Camp Franks (CT) Hunter
Canady Franks (NJ) Hutchinsson
Castle Frost Hyde

- Inglis
Inhofe
Istook
Johnson (CT)
Johnson, Sam
Johnston
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Machtley
Manzullo
Margolies-Mezvinsky
McCandless
McCollum
McCrery
McCurdy
McDade
McHale
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Molinari
Moorhead
Morella
Myers
Nussle
Orton
Oxley
Packard
Parker
Paxon
Penny
Peterson (FL)
Peterson (MN)
Petri
Pombo
Porter
Portman
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Talent
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Traficant
Upton
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—227

- Abercrombie
Ackerman
Andrews (ME)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Clay
Clayton
Clement
Clyburn
Collins (IL)
Collins (MI)
Condit
Conyers
Coppersmith
Costello
Coyne
Cramer
Danner
Darden
De Lugo (VI)
Deal
DeLauro
Dellums
Derrick
Deutsch
Dicks
Dingell
Dixon
Durbin
Edwards (CA)
Edwards (TX)
Engel
English
Eshoo
Evans
Faleomavaega (AS)
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Frank (MA)
Furse
Gejdenson
Gephardt
Geren
Gibbons
Glickman
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hefner
Hilliard
Hinchev
Hoagland
Hochbrueckner
Holden
Hoyer
Hughes
Hutto
Inslee
Jacobs
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Klecza
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lantos
LaRocco
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Maloney
Mann
Markey
Matsui
Mazzoli
McCloskey
McDermott
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murphy
Murtha
Nadler
Natcher
Neal (MA)
Norton (DC)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Romero-Barcelo (PR)
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shepherd
Skaggs

- Skelton
Slaughter
Smith (IA)
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Swett
Synar
Tanner
Tausin
Tejeda
Thompson
Thornton
Thurman
Torres
Toricelli
Towns
Underwood (GU)
Unsold
Valentine
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOT VOTING—24

- Andrews (TX)
Bilirakis
Blackwell
Chapman
Coleman
de la Garza
Dornan
Ewing
Ford (TN)
Hastert
Hastings
Lancaster
Laughlin
Manton
Martinez
Neal (NC)
Ridge
Roberts
Slattery
Smith (OR)
Swift
Tucker
Vucanovich
Washington

So the amendment was not agreed to. After some further time,

¶9.11 RECORDED VOTE

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

Substitute amendment submitted by Mr. BRYANT:

Page 10, strike lines 6 through 14 and insert the following:

"(2) MEMBERS OF CONGRESS.—Whenever the Attorney General determines that it would be in the public interest, the Attorney General may conduct a preliminary investigation in accordance with section 592 if the Attorney General has received information sufficient to constitute grounds to investigate whether a Member of Congress may have violated any Federal criminal law other than a violation classified as a Class B or C misdemeanor or an infraction."

Amendment submitted by Mr. GEKAS:

Page 9, strike line 18 and all that follows through line 14 on page 10 and insert the following:

SEC. 4. APPLICATION TO MEMBERS OF CONGRESS.

Section 591(b) of title 28, United States Code, is amended—

(1) by striking "and" at the end of paragraph (7);

(2) by striking the period at the end of paragraph (8) and inserting "; and"; and

(3) by adding at the end the following:

"(9) any Senator or Representative in, or Delegate or Resident Commissioner to, the Congress, or any person who has served as a Senator, a Representative, Delegate, or Resident Commissioner within the 2-year period before the receipt of the information under subsection (a) with respect to conduct that occurred while such person was a Senator, a Representative, Delegate, or Resident Commissioner."

It was decided in the { Yeas ..... 230 affirmative ..... } Nays ..... 188

¶9.12 [Roll No. 19] AYES—230

- Abercrombie
Ackerman
Andrews (ME)
Applegate
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr

Chapman Johnson (SD)  
 Clayton Johnson, E. B.  
 Clement Johnston  
 Clyburn Kanjorski  
 Collins (IL) Kaptur  
 Collins (MI) Kennedy  
 Condit Kennelly  
 Conyers Kildee  
 Costello Kleczka  
 Coyne Klein  
 Cramer Klink  
 Danner Kopetski  
 Darden Kreidler  
 de Lugo (VI) LaFalce  
 DeFazio Lambert  
 DeLauro Lancaster  
 Dellums Lantos  
 Deutsch LaRocco  
 Dicks Lehman  
 Dingell Levin  
 Dixon Lewis (GA)  
 Dooley Lipinski  
 Durbin Lloyd  
 Edwards (CA) Long  
 Edwards (TX) Lowey  
 Engel Maloney  
 English Mann  
 Eshoo Manton  
 Evans Margolies-  
 Faleomavaega Mezvinsky  
 (AS) Markey  
 Farr Martinez  
 Fazio Matsui  
 Fields (LA) McCloskey  
 Filner McDermott  
 Fingerhut McKinney  
 Flake McNulty  
 Foglietta Meehan  
 Ford (MI) Meek  
 Ford (TN) Menendez  
 Frank (MA) Mfume  
 Frost Miller (CA)  
 Gejdenson Mineta  
 Gephardt Minge  
 Gibbons Mink  
 Glickman Moakley  
 Gonzalez Mollohan  
 Gordon Montgomery  
 Green Moran  
 Gutierrez Murphy  
 Hall (OH) Murtha  
 Hamburg Nadler  
 Hamilton Natcher  
 Harman Neal (MA)  
 Hayes Norton (DC)  
 Hefley Oberstar  
 Hefner Obey  
 Hilliard Olver  
 Hinchey Ortiz  
 Hoagland Owens  
 Hochbrueckner Oxley  
 Holden Pallone  
 Hoyer Pastor  
 Hughes Payne (NJ)  
 Hutto Payne (VA)  
 Inslee Pelosi  
 Jefferson Penny  
 Johnson (GA) Peterson (FL)

NOES—188

Allard Collins (GA)  
 Andrews (NJ) Combest  
 Archer Cooper  
 Armey Coppersmith  
 Bacchus (FL) Cox  
 Bachus (AL) Crane  
 Baker (CA) Crapo  
 Baker (LA) Cunningham  
 Ballenger Deal  
 Barrett (NE) DeLay  
 Bartlett Diaz-Balart  
 Barton Dickey  
 Bateman Doolittle  
 Bentley Dornan  
 Bereuter Dreier  
 Bliley Duncan  
 Blute Dunn  
 Boehlert Ehlers  
 Boehner Emerson  
 Bonilla Everett  
 Bunning Fawell  
 Burton Fields (TX)  
 Buyer Fish  
 Callahan Fowler  
 Calvert Franks (CT)  
 Camp Franks (NJ)  
 Canady Furse  
 Castle Gallegly  
 Clinger Gallo  
 Coble Gekas

Johnson, Sam  
 Kasich  
 Kim  
 King  
 Kingston  
 Klug  
 Knollenberg  
 Kolbe  
 Kyl  
 Lazio  
 Leach  
 Levy  
 Lewis (CA)  
 Lewis (FL)  
 Lightfoot  
 Linder  
 Livingston  
 Machtley  
 Manzullo  
 Mazzoli  
 McCandless  
 McCollum  
 McCrery  
 McDade  
 McHale  
 McHugh  
 McInnis  
 McKeon  
 Meyers  
 Mica  
 Miller (FL)  
 Molinari  
 Moorhead

Andrews (TX) Hastert  
 Bilirakis Hastings  
 Clay Laughlin  
 Coleman McCurdy  
 de la Garza McMillan  
 Derrick Michel  
 Ewing Morella

So the substitute amendment was agreed to.

After some further time,

9.13 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the foregoing amendment, as amended, submitted by Mr. GEKAS.

It was decided in the } Yeas ..... 339  
 affirmative ..... } Nays ..... 76

9.14 [Roll No. 20] AYES—339

Ackerman Canady  
 Allard Cantwell  
 Andrews (ME) Cardin  
 Andrews (NJ) Carr  
 Applegate Castle  
 Bacchus (FL) Chapman  
 Bachus (AL) Clayton  
 Baesler Clement  
 Baker (LA) Clinger  
 Ballenger Clyburn  
 Barca Collins (GA)  
 Barcia Collins (IL)  
 Barlow Collins (MI)  
 Barrett (WI) Combest  
 Bateman Condit  
 Becerra Conyers  
 Bieleon Cooper  
 Bentley Coppersmith  
 Bereuter Costello  
 Berman Coyne  
 Bevil Cramer  
 Bilbray Cunningham  
 Bishop Danner  
 Blackwell Darden  
 Blute de Lugo (VI)  
 Boehlert DeFazio  
 Dunn DeLauro  
 Bonior Dellums  
 Borski Derrick  
 Boucher Deutsch  
 Brewster Dickey  
 Brooks Dicks  
 Browder Dingell  
 Brown (FL) Dixon  
 Brown (OH) Dooley  
 Bryant Durbin  
 Bunning Edwards (CA)  
 Byrne Edwards (TX)  
 Calvert Engel  
 Camp English

Hayes  
 Hefley  
 Hefner  
 Herger  
 Hilliard  
 Hinchey  
 Hoagland  
 Hobson  
 Hochbrueckner  
 Hoekstra  
 Holden  
 Hoyer  
 Hughes  
 Hunter  
 Hutchinson  
 Hutto  
 Inhofe  
 Inslee  
 Istook  
 Jacobs  
 Jefferson  
 Johnson (CT)  
 Johnson (GA)  
 Johnson (SD)  
 Johnson, E. B.  
 Kanjorski  
 Kaptur  
 Kasich  
 Kennedy  
 Kennelly  
 Kildee  
 Kim  
 Kleczka  
 Klein  
 Klink  
 Klug  
 Knollenberg  
 Kopetski  
 Kreidler  
 LaFalce  
 Lambert  
 Lancaster  
 Lantos  
 LaRocco  
 Lazio  
 Leach  
 Lehman  
 Levin  
 Lewis (CA)  
 Lewis (FL)  
 Lewis (GA)  
 Lightfoot  
 Lipinski  
 Livingston  
 Lloyd  
 Long  
 Lowey  
 Machtley  
 Maloney  
 Mann  
 Manton  
 Manzullo  
 Margolies-  
 Mezvinsky  
 Markey  
 Martinez  
 Matsui  
 Mazzoli  
 McCandless  
 McCloskey  
 McCrery  
 McDade  
 McDermott  
 McHale  
 McInnis  
 McKee  
 McKinney  
 McNulty  
 Meehan  
 Meek  
 Menendez  
 Meyers  
 Mfume  
 Mineta  
 Minge  
 Mink  
 Moakley  
 Mollinari  
 Mollohan  
 Montgomery  
 Moran  
 Morella  
 Murphy  
 Murtha  
 Nadler  
 Natcher  
 Neal (MA)  
 Norton (DC)  
 Oberstar  
 Obey  
 Olver  
 Ortiz  
 Orton  
 Owens  
 Oxley  
 Pallone  
 Parker  
 Pastor  
 Payne (NJ)  
 Payne (VA)  
 Pelosi  
 Penny  
 Peterson (FL)  
 Peterson (MN)  
 Petri  
 Pickett  
 Pickle  
 Pomeroy  
 Porter  
 Portman  
 Poshard  
 Price (NC)  
 Pryce (OH)  
 Quinn  
 Rangel  
 Ravenel  
 Reed  
 Regula  
 Reynolds  
 Richardson  
 Roberts  
 Roemer  
 Rogers  
 Romero-Barceló  
 (PR)  
 Rose  
 Rostenkowski  
 Roth  
 Roukema  
 Rowland  
 Roybal-Allard  
 Rush  
 Sabo  
 Sanders  
 Sanders  
 Sargolies  
 Sarpalio  
 Sawyer  
 Schenk  
 Schroeder  
 Schumer  
 Scott  
 Serrano  
 Sharp  
 Shepherd  
 Siskis  
 Skaggs  
 Slaughter  
 Smith (IA)  
 Spratt  
 Stark  
 Stokes  
 Strickland  
 Studds  
 Stupak  
 Swift  
 Synar  
 Tanner  
 Tejada  
 Thompson  
 Thornton  
 Thurman  
 Torres  
 Torricelli  
 Towns  
 Traficant  
 Underwood (GU)  
 Unsoeld  
 Velazquez  
 Vento  
 Visclosky  
 Waters  
 Watt  
 Waxman  
 Wheat  
 Whitten  
 Wilson  
 Wise  
 Woolsey  
 Wyden  
 Wynn  
 Yates

NOES—76

Abercrombie Emerson  
 Archer Fields (TX)  
 Armey Fowler  
 Baker (CA) Franks (CT)  
 Barrett (NE) Furse  
 Bartlett Gekas  
 Barton Moorhead  
 Bliley Gingrich  
 Boehner Goss  
 Burton Grams  
 Buyer Grandy  
 Callahan Hancock  
 Coble Hansen  
 Cox Hoke  
 Crane Houghton  
 Crapo Huffington  
 Deal Hyde  
 DeLay Inglis  
 Diaz-Balart Johnson, Sam  
 Doolittle King  
 Dornan Kingston  
 Dreier Kolbe  
 Dunn Kyl  
 Ehlers Levy  
 Linder  
 McCollum  
 McHugh  
 Mica  
 Miller (FL)  
 Moorhead  
 Myers  
 Nussle  
 Packard  
 Paxon  
 Pombo  
 Quillen  
 Rohrabacher  
 Ros-Lehtinen  
 Smith (TX)  
 Spence  
 Stearns  
 Stump  
 Sundquist  
 Swett  
 Taylor (MS)

Taylor (NC)	Vucanovich	Weldon
Thomas (CA)	Walker	Zeliff

## NOT VOTING—23

Andrews (TX)	Fazio	Neal (NC)
Bilirakis	Gutierrez	Ridge
Brown (CA)	Hastert	Royce
Clay	Hastings	Slattery
Coleman	Laughlin	Underwood (GU)
de la Garza	McMillan	Washington
Duncan	Michel	Williams
Ewing	Miller (CA)	

So the amendment, as amended, was agreed to.

After some further time,

## §9.15 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. HYDE:

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Independent Counsel Accountability and Reform Act of 1994".

**SEC. 2. EXTENSION.**

Section 599 of title 28, United States Code, is amended by striking "Reauthorization Act of 1987" and inserting "Accountability and Reform Act of 1994".

**SEC. 3. APPLICATION TO MEMBERS OF CONGRESS.**

Section 591(b) of title 28, United States Code, is amended—

(1) by striking "and" at the end of paragraph (7);

(2) by striking the period at the end of paragraph (8) and inserting "; and"; and

(3) by adding at the end the following:

"(9) any Senator, or any Representative in, or Delegate or Resident Commissioner to, the Congress, or any person who has served as a Senator or such a Representative, Delegate, or Resident Commissioner within the 2-year period before the receipt of the information under subsection (a) with respect to conduct that occurred while such person was a Senator or such a Representative, Delegate, or Resident Commissioner."

**SEC. 4. BASIS FOR PRELIMINARY INVESTIGATION.**

(a) INITIAL RECEIPT OF INFORMATION.—Section 591 of title 28, United States Code, is amended—

(1) in subsection (a)—

(A) by striking "information" and inserting "specific information from a credible source that is"; and

(B) by striking "may have" and inserting "has";

(2) in subsection (c)(1)—

(A) by striking "information" and inserting "specific information from a credible source that is"; and

(B) by striking "may have" and inserting "has"; and

(3) by amending subsection (d) to read as follows:

"(d) TIME PERIOD FOR DETERMINING NEED FOR PRELIMINARY INVESTIGATION.—The Attorney General shall determine, under subsection (a) or (c) (or section 592(c)(2)), whether grounds to investigate exist not later than 15 days after the information is first received. If within that 15-day period the Attorney General determines that there is insufficient evidence of a violation of Federal criminal law referred to in subsection (a), then the Attorney General shall close the matter. If within that 15-day period the Attorney General determines there is sufficient evidence of such a violation, the Attorney General shall, upon making that determina-

tion, commence a preliminary investigation with respect to that information. If the Attorney General is unable to determine, within that 15-day period, whether there is sufficient evidence of such a violation, the Attorney General shall, at the end of that 15-day period, commence a preliminary investigation with respect to that information."

(b) RECEIPT OF ADDITIONAL INFORMATION.—Section 592(c)(2) of title 28, United States Code, is amended by striking "information" and inserting "specific information from a credible source that is".

**SEC. 5. SUBPOENA POWER.**

Section 592(a)(2) of title 28, United States Code, is amended by striking "grant immunity, or issue subpoenas" and inserting "or grant immunity, but may issue subpoenas duces tecum".

**SEC. 6. PROSECUTORIAL JURISDICTION OF INDEPENDENT COUNSEL.**

(a) PROSECUTORIAL JURISDICTION.—Section 593(b) of title 28, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking "define" and inserting "with specificity, define"; and

(B) by adding at the end the following: "Such jurisdiction shall be limited to the alleged violations of criminal law with respect to which the Attorney General has requested the appointment of the independent counsel, and matters directly related to such criminal violations."; and

(2) by amending paragraph (3) to read as follows:

"(3) SCOPE OF PROSECUTORIAL JURISDICTION.—In defining the independent counsel's prosecutorial jurisdiction, the division of the court shall assure that the independent counsel has adequate authority to fully investigate and prosecute the alleged violations of criminal law with respect to which the Attorney General has requested the appointment of the independent counsel, and matters directly related to such criminal violations, including perjury, obstruction of justice, destruction of evidence, and intimidation of witnesses."

(b) CONFORMING AMENDMENT.—Section 592(d) of title 28, United States Code, is amended by striking "subject matter" and inserting "the alleged violations of criminal law with respect to which the application is made, and matters directly related to such criminal violations".

**SEC. 7. USE OF STATE AND LOCAL PROSECUTORS; STAFF OF INDEPENDENT COUNSEL.**

(a) PROSECUTORS AS INDEPENDENT COUNSEL.—Section 593(b)(1) of title 28, United States Code, as amended by section 7 of this Act, is further amended by adding at the end the following: "The division of the court should strongly consider exercising the authority of section 3372 of title 5 so that it may appoint as independent counsel prosecutors from State or local governments, and the division of the court may exercise the authorities of such section 3372 for such purpose to the same extent as the head of a Federal agency."

(b) STAFF OF INDEPENDENT COUNSEL.—Section 594(c) of title 28, United States Code, is amended by striking the last sentence and inserting the following: "Not more than 2 such employees may be compensated at a rate not to exceed the rate of basic pay payable for level V of the Executive schedule under section 5316 of title 5, and all other such employees shall be compensated at rates not to exceed the maximum rate of basic pay payable for GS-15 of the General Schedule under section 5332 of title 5. The independent counsel should, to the greatest extent possible, use personnel of the Department of Justice, on a reimbursable basis, in

lieu of appointing employees, to carry out the duties of such independent counsel. The independent counsel should also strongly consider exercising the authority of section 3372 of title 5 so that he or she may appoint as employees under this subsection prosecutors of State or local governments. In order to carry out the preceding sentence, each independent counsel shall, for purposes of such section 3372, be considered to be the head of a Federal agency."

**SEC. 8. ATTORNEYS' FEES.**

Section 593(f)(1) of title 28, United States Code, is amended in the first sentence—

(1) by striking "the court may" and inserting "the court shall";

(2) by inserting after "pursuant to that investigation," the following: "if such individual is acquitted of all charges, or no conviction is obtained against such individual, at a trial brought pursuant to that investigation, or if the conviction of such individual at such a trial is overturned on appeal."; and

(3) by inserting ", trial, and appeal (if any)" after "during that investigation".

**SEC. 9. TREATMENT OF CLASSIFIED INFORMATION.**

Section 594(a) of title 28, United States Code, is amended by adding at the end the following:

"An independent counsel appointed under this chapter who gains access to classified information shall follow all procedures established by the United States Government regarding the maintenance, use, and disclosure of such information. The failure to follow such procedures shall be grounds for removal for good cause under section 596(a)(1), in addition to any penalty provided in section 798 of title 18 or any other law that may apply."

**SEC. 10. INDEPENDENT COUNSEL PER DIEM EXPENSES.**

Section 594(b) of title 28, United States Code, is amended to read as follows:

"(b) COMPENSATION.—

"(1) IN GENERAL.—Except as provided in paragraph (2), an independent counsel appointed under this chapter shall receive compensation at the per diem rate not to exceed the annual rate of basic pay payable for level IV of the Executive Schedule under section 5315 of title 5.

"(2) TRAVEL AND LODGING IN WASHINGTON.—An independent counsel and persons appointed under subsection (c) shall not be entitled to the payment of travel and subsistence expenses under subchapter 1 of chapter 57 of title 5, with respect to duties performed in the District of Columbia after 1 year of service under this chapter."

**SEC. 11. AUTHORITIES AND DUTIES OF INDEPENDENT COUNSEL.**

(a) ADMINISTRATIVE SUPPORT.—Section 594 of title 28, United States Code, is amended by adding at the end the following new subsection:

"(1) ADMINISTRATIVE SERVICES.—

"(1) ADMINISTRATIVE SUPPORT.—The Administrator of General Services shall provide administrative support to each independent counsel.

"(2) OFFICE SPACE.—The Administrator of General Services shall promptly provide appropriate office space for each independent counsel. Such office space shall be within a Federal building unless the Administrator of General Services determines that other arrangements would cost less."

(b) COMPLIANCE WITH POLICIES OF THE DEPARTMENT OF JUSTICE.—Section 594(f) of title 28, United States Code, is amended—

(1) by striking "except where not possible," and inserting "at all times"; and

(2) by striking "enforcement of the criminal laws" and inserting "the enforcement of criminal laws and the release of information relating to criminal proceedings".

(c) LIMITATION ON EXPENDITURES.—Section 594 of title 28, United States Code, is amended by adding at the end the following:

“(m) LIMITATION ON EXPENDITURES.—No funds may be expended for the operation of any office of independent counsel after the end of the 2-year period after its establishment, except to the extent that an appropriations Act enacted after such establishment specifically makes available funds for such office for use after the end of that 2-year period.”.

SEC. 12. PERIODIC REPORTS.

Section 595(a)(2) of title 28, United States Code, is amended by striking “such statements” and all that follows through “appropriate” and inserting “annually a report on the activities of such independent counsel, including a description of the progress of any investigation or prosecution conducted by such independent counsel. Such report need not contain information which would—

“(A) compromise or undermine the confidentiality of an ongoing investigation under this chapter,

“(B) adversely affect the outcome of any prosecution under this chapter, or

“(C) violate the personal privacy of any individual,

but shall provide information adequate to justify the expenditures which the office of that independent counsel has made, and indicate in general terms the state of the work of the independent counsel”.

SEC. 13. REMOVAL, TERMINATION, AND PERIODIC REAPPOINTMENT OF INDEPENDENT COUNSEL.

(a) GROUNDS FOR REMOVAL.—Section 596(a)(1) of title 28, United States Code, is amended by adding at the end the following: “Failure of the independent counsel to comply with the established policies of the Department of Justice as required by section 594(f) or to comply with section 594(j) may be grounds for removing that independent counsel from office for good cause under this subsection.”.

(b) TERMINATION.—Section 596(b)(2) of title 28, United States Code, is amended to read as follows:

“(2) TERMINATION BY DIVISION OF THE COURT.—The division of the court may terminate an office of independent counsel at any time—

“(A) on its own motion,

“(B) upon the request of the Attorney General, or

“(C) upon the petition of the subject of an investigation conducted by such independent counsel, if the petition is made more than 2 years after the appointment of such independent counsel,

on the ground that the investigation conducted by the independent counsel has been completed or substantially completed and that it would be appropriate for the Department of Justice to complete such investigation or to conduct any prosecution brought pursuant to such investigation, or on the ground that continuation of the investigation or prosecution conducted by the independent counsel is not in the public interest.”.

(c) PERIODIC REAPPOINTMENT.—Section 596 of title 28, United States Code, is amended by adding at the end the following:

“(d) PERIODIC REAPPOINTMENT OF INDEPENDENT COUNSEL.—If an office of independent counsel has not terminated before—

“(1) the date that is 2 years after the original appointment to that office, or

“(2) the end of each succeeding 2-year period,

such counsel shall apply to the division of the court for reappointment. The court shall first determine whether the office of that independent counsel should be terminated under subsection (b)(2). If the court deter-

mines that such office will not be terminated under such subsection, the court shall reappoint the applicant if the court determines that such applicant remains the appropriate person to carry out the duties of the office. If not, the court shall appoint some other person whom it considers qualified under the standards set forth in section 593 of this title. If the court has not taken the actions required by this subsection within 90 days after the end of the applicable 2-year period, then that office of independent counsel shall terminate at the end of that 90-day period.”.

SEC. 14. JOB PROTECTIONS FOR INDIVIDUALS UNDER INVESTIGATION.

(a) IN GENERAL.—Section 597 of title 28, United States Code, is amended—

(1) by amending the section caption to read as follows:

“§ 597. Relationship with Department of Justice; job protection for individuals under investigation”; and

(2) by adding at the end the following:

“(c) JOB PROTECTION FOR INDIVIDUALS UNDER INVESTIGATION.—

“(1) PROHIBITED PERSONNEL PRACTICE.—It shall be a prohibited personnel practice for an employee of the United States Government who has authority to take, direct others to take, recommend, or approve any personnel action (as defined in section 2302(a)(2)(A) of title 5) with respect to an individual described in paragraph (2) who is the subject of an investigation or prosecution under this chapter, to take or fail to take, or threaten to take or fail to take, such a personnel action with respect to such individual, on account of such investigation or prosecution.

“(2) APPLICABILITY.—The individuals referred to in paragraph (1) are individuals other than—

“(A) any person described in section 591(a); and

“(B) any employee of the Federal Government whose position is excepted from the competitive service on the basis of its confidential, policy-determining, policy-making, or policy-advocating character.

“(3) EXEMPTION.—Paragraph (1) does not apply in the case of an individual who is convicted of a criminal offense pursuant to an investigation or prosecution described in paragraph (1), unless such conviction is overturned on appeal.

“(4) REMEDIES.—An individual with respect to whom a prohibited personnel practice applies under paragraph (1) may seek corrective action from the Merit Systems Protection Board to the same extent as an employee may seek corrective action under section 1221 of title 5 (including subsection (h) of such section), except that, for purposes of such section, any reference to section 2302(b)(8) of title 5 shall be deemed to refer to paragraph (1) of this subsection, and any reference to a disclosure under such section 2302(b)(8) shall be deemed to refer to an investigation or prosecution described in paragraph (1) of this subsection.”.

(b) CONFORMING AMENDMENT.—The item relating to section 597 in the table of sections at the beginning of chapter 40 of title 28, United States Code, is amended to read as follows:

“597. Relationship with Department of Justice; job protection for individuals under investigation.”.

SEC. 15. EFFECT OF TERMINATION OF CHAPTER.

Section 599 of title 28, United States Code, is amended by inserting “, or until 120 days have elapsed, whichever is earlier” after “completed”.

SEC. 16. GAO REPORT.

The Comptroller General of the United States shall submit to the Congress, not later than 1 year after the date of the enact-

ment of this Act, a report setting forth recommendations of ways to improve controls on costs of offices of independent counsel under chapter 40 of title 28, United States Code.

It was decided in the { Yeas ..... 181 negative ..... } Nays ..... 238

9.16

[Roll No. 21]

AYES—181

Table listing names of individuals in two columns: Allard, Archer, Arney, Bachus (AL), Baker (CA), Baker (LA), Ballenger, Barrett (NE), Bartlett, Barton, Bateman, Bentley, Bereuter, Biley, Blute, Boehlert, Boehner, Bonilla, Bunning, Burton, Buyer, Callahan, Calvert, Camp, Canady, Castle, Clinger, Coble, Collins (GA), Combust, Cooper, Cox, Crane, Crapo, DeLay, Diaz-Balart, Dickey, Doolittle, Dornan, Dreier, Duncan, Dunn, Ehlers, Emerson, Everett, Fawell, Fish, Fowler, Franks (CT), Franks (NJ), Gallegly, Gallo, Gekas, Geren, Gilchrist, Gillmor, Gilman, Gingrich, Goodlatte, Goodling, Goss, Grams, Grandy, Greenwood, Gunderson, Hall (TX), Hancock, Hansen, Hefley, Herger, Hobson, Hoekstra, Hoke, Horn, Houghton, Huffington, Hunter, Hutchinson, Hutto, Hyde, Inglis, Inhofe, Istook, Jacobs, Johnson (CT), Johnson, Sam, Kasich, Kim, Kingston, Klug, Knollenberg, Kolbe, Kyl, Lazio, Leach, Levy, Lewis (CA), Lewis (FL), Lightfoot, Linder, Livingston, Machtley, Manzullo, McCandless, McCollum, McCrery, McDade, McHugh, McInnis, McKeon, Meyers, Mica, Miller (FL), Molinari, Montgomery, Moorhead, Morella, Myers, Nussle, Oxley, Packard, Parker, Paxon, Petri, Pickle, Pombo, Porter, Portman, Pryce (OH), Quillen, Quinn, Ramstad, Ravenel, Regula, Roberts, Rogers, Rohrabacher, Ros-Lehtinen, Roth, Roukema, Royce, Santorum, Saxton, Schaefer, Schiff, Sensenbrenner, Shaw, Shays, Shuster, Skeen, Skelton, Smith (MI), Smith (NJ), Smith (OR), Smith (TX), Snowe, Solomon, Spence, Stearns, Stenholm, Stump, Sundquist, Talent, Tauzin, Taylor (MS), Taylor (NC), Thomas (CA), Thomas (WY), Torkildsen, Upton, Valentine, Vucanovich, Walker, Walsh, Weldon, Wilson, Wolf, Young (AK), Young (FL), Zeliff, Zimmer.

NOES—238

Table listing names of individuals in two columns: Abercrombie, Ackerman, Andrews (ME), Andrews (NJ), Applegate, Bacchus (FL), Baesler, Barca, Barcia, Barlow, Barrett (WI), Becerra, Beilenson, Berman, Bevill, Bilbray, Bishop, Blackwell, Bonior, Borski, Boucher, Brewster, Brooks, Browder, Brown (CA), Brown (FL), Brown (OH), Bryant, Byrne, Cantwell, Cardin, Carr, Chapman, Clay, Clement, Clyburn, Collins (IL), Collins (MI), Condit, Conyers, Coppersmith, Costello, Coyne, Cramer, Danner, Darden, de Lugo (VI), Deal, DeFazio, DeLauro, Dellums, Derrick, Deutsch, Dicks, Dingell, Dixon, Dooley, Durbin, Edwards (CA), Edwards (TX), Engel, English, Eshoo, Evans, Faleomavaega (AS), Farr, Fazio, Fields (LA), Filner, Fingerhut, Flake, Foglietta, Ford (MI), Ford (TN).

Frank (MA)	Markey	Roybal-Allard
Frost	Martinez	Rush
Furse	Matsui	Sabo
Gejdenson	Mazzoli	Sanders
Gephardt	McCloskey	Sangmeister
Gibbons	McCurdy	Sarpalius
Glickman	McDermott	Sawyer
Gonzalez	McHale	Schenk
Gordon	McKinney	Schroeder
Green	McNulty	Schumer
Gutierrez	Meehan	Scott
Hall (OH)	Meek	Serrano
Hamburg	Menendez	Sharp
Hamilton	Mfume	Shepherd
Harman	Miller (CA)	Sisisky
Hayes	Mineta	Skaggs
Hefner	Minge	Slaughter
Hilliard	Mink	Smith (IA)
Hinchey	Moakley	Spratt
Hoagland	Mollohan	Stark
Hochbrueckner	Moran	Stokes
Holden	Murphy	Strickland
Hoyer	Murtha	Studds
Hughes	Nadler	Stupak
Inslee	Natcher	Sweet
Jefferson	Neal (MA)	Swift
Johnson (GA)	Norton (DC)	Synar
Johnson (SD)	Oberstar	Tanner
Johnson, E.B.	Obey	Tejeda
Johnston	Olver	Thompson
Kanjorski	Ortiz	Thornton
Kaptur	Orton	Thurman
Kennelly	Owens	Torres
Kildee	Pallone	Torricelli
King	Pastor	Towns
Kiecicka	Payne (NJ)	Traficant
Klein	Payne (VA)	Tucker
Klink	Pelosi	Underwood (GU)
Kopetski	Penny	Unsoeld
Kreidler	Peterson (FL)	Velazquez
LaFalce	Peterson (MN)	Vento
Lambert	Pickett	Visclosky
Lancaster	Pomeroy	Volkmer
Lantos	Poshard	Waters
LaRocco	Price (NC)	Watt
Lehman	Rahall	Waxman
Levin	Rangel	Wheat
Lewis (GA)	Reed	Whitten
Lipinski	Reynolds	Williams
Long	Richardson	Wise
Lowe	Roemer	Woolsey
Maloney	Romero-Barceló	Wyden
Mann	(PR)	Wynn
Manton	Rose	Yates
Margolies-	Rostenkowski	
Mezvinsky	Rowland	

## NOT VOTING—19

Andrews (TX)	Fields (TX)	Michel
Bilirakis	Hastert	Neal (NC)
Clayton	Hastings	Ridge
Coleman	Kennedy	Slattery
Cunningham	Laughlin	Washington
de la Garza	Lloyd	
Ewing	McMillan	

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

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

When Mrs. MINK, Acting Chairman, pursuant to House Resolution 352, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

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

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Independent Counsel Reauthorization Act of 1994".

**SEC. 2. FIVE-YEAR REAUTHORIZATION.**

(a) REAUTHORIZATION.—Section 599 of title 28, United States Code, is amended by striking "1987" and inserting "1993".

(b) EFFECTIVENESS OF STATUTE.—Chapter 40 of title 28, United States Code, shall be effective, on and after the date of the enactment of this Act, as if the authority for such chapter had not expired before such date.

**SEC. 3. ADDED CONTROLS.**

(a) COST CONTROLS AND ADMINISTRATIVE SUPPORT.—Section 594 of title 28, United States Code, is amended by adding at the end the following new subsection:

"(1) COST CONTROLS AND ADMINISTRATIVE SUPPORT.—

"(1) COST CONTROLS.—

"(A) IN GENERAL.—An independent counsel shall—

"(i) conduct all activities with due regard for expense;

"(ii) authorize only reasonable and lawful expenditures; and

"(iii) promptly, upon taking office, assign to a specific employee the duty of certifying that expenditures of the independent counsel are reasonable and made in accordance with law.

"(B) DEPARTMENT OF JUSTICE POLICIES.—An independent counsel shall comply with the established policies of the Department of Justice respecting expenditures of funds, except to the extent that compliance would be inconsistent with the purposes of this chapter.

"(2) ADMINISTRATIVE SUPPORT.—The Director of the Administrative Office of the United States Courts shall provide administrative support and guidance to each independent counsel. No officer or employee of the Administrative Office of the United States Courts shall disclose information related to an independent counsel's expenditures, personnel, or administrative acts or arrangements without the authorization of the independent counsel.

"(3) OFFICE SPACE.—The Administrator of General Services, in consultation with the Director of the Administrative Office of the United States Courts, shall promptly provide appropriate office space for each independent counsel. Such office space shall be within a Federal building unless the Administrator of General Services determines that other arrangements would cost less."

(b) INDEPENDENT COUNSEL PER DIEM EXPENSES.—Section 594(b) of title 28, United States Code, is amended—

(1) by striking "An independent counsel" and inserting—

"(1) IN GENERAL.—An independent counsel"; and

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

"(2) TRAVEL EXPENSES.—Except as provided in paragraph (3), an independent counsel and persons appointed under subsection (c) shall be entitled to the payment of travel expenses as provided by subchapter 1 of chapter 57 of title 5, including travel or transportation expenses in accordance with section 5703 of title 5.

"(3) TRAVEL TO PRIMARY OFFICE.—An independent counsel and any person appointed under subsection (c) shall not be entitled to the payment of travel and subsistence expenses under subchapter 1 of chapter 57 of title 5 with respect to duties performed in the city in which the primary office of that independent counsel or person is located after 1 year of service by that independent counsel or person (as the case may be) under this chapter unless the employee assigned duties under subsection (1)(1)(A)(iii) certifies that the payment is in the public interest to carry out the purposes of this chapter. Any such certification shall be effective for 6 months, but may be renewed for additional periods of 6-months each if, for each such renewal, the employee assigned duties under subsection (1)(1)(A)(iii) makes a recertification with respect to the public interest described in the preceding sentence. In making any certification or recertification under this paragraph with respect to travel and subsistence expenses of an independent counsel or person appointed under subsection (c),

such employee shall consider, among other relevant factors—

"(A) the cost to the Government of reimbursing such travel and subsistence expenses;

"(B) the period of time for which the independent counsel anticipates that the activities of the independent counsel or person, as the case may be, will continue;

"(C) the personal and financial burdens on the independent counsel or person, as the case may be, of relocating so that such travel and subsistence expenses would not be incurred; and

"(D) the burdens associated with appointing a new independent counsel, or appointing another person under subsection (c), to replace the individual involved who is unable or unwilling to so relocate.

An employee making a certification or recertification under this paragraph shall be liable for an invalid certification or recertification to the same extent as a certifying official certifying a voucher is liable under section 3528 of title 31."

(c) INDEPENDENT COUNSEL EMPLOYEE PAY COMPARABILITY.—Section 594(c) of title 28, United States Code, is amended by striking the last sentence and inserting the following: "Not more than 2 such employees may be compensated at a rate not to exceed the rate of basic pay payable for level V of the Executive schedule under section 5316 of title 5, and all other such employees shall be compensated at rates not to exceed the maximum rate of basic pay payable for GS-15 of the General Schedule under section 5332 of title 5."

(d) ETHICS ENFORCEMENT.—Section 594(j) of title 28, United States Code, is amended by adding at the end the following new paragraph:

"(5) ENFORCEMENT.—The Attorney General and the Director of the Office of Government Ethics have authority to enforce compliance with this subsection."

(e) COMPLIANCE WITH POLICIES OF THE DEPARTMENT OF JUSTICE.—Section 594(f) of title 28, United States Code, is amended by striking "shall, except where not possible, comply" and inserting "shall, except to the extent that to do so would be inconsistent with the purposes of this chapter, comply".

(f) PUBLICATION OF REPORTS.—Section 594(h) of title 28, United States Code, is amended—

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

"(3) PUBLICATION OF REPORTS.—At the request of an independent counsel, the Public Printer shall cause to be printed any report previously released to the public under paragraph (2). The independent counsel shall certify the number of copies necessary for the public, and the Public Printer shall place the cost of the required number to the debit of such independent counsel. Additional copies shall be made available to the public through the Superintendent of Documents sales program under section 1702 of title 44 and the depository library program under section 1903 of such title."; and

(2) in the first sentence of paragraph (2), by striking "appropriate" the second place it appears and inserting "in the public interest, consistent with maximizing public disclosure, ensuring a full explanation of independent counsel activities and decisionmaking, and facilitating the release of information and materials which the independent counsel has determined should be disclosed".

(g) ANNUAL REPORTS TO CONGRESS.—Section 595(a)(2) of title 28, United States Code, is amended by striking "such statements" and all that follows through "appropriate" and inserting "annually a report on the activities of the independent counsel, including a description of the progress of any investigation or prosecution conducted by the

independent counsel. Such report may omit any matter that in the judgment of the independent counsel should be kept confidential, but shall provide information adequate to justify the expenditures that the office of the independent counsel has made".

(h) PERIODIC REAPPOINTMENT OF INDEPENDENT COUNSEL.—Section 596(b)(2) of title 28, United States Code, is amended by adding at the end the following new sentence: "If the Attorney General has not made a request under this paragraph, the division of the court shall determine on its own motion whether termination is appropriate under this paragraph not later than 3 years after the appointment of an independent counsel and at the end of each succeeding 3-year period."

(i) AUDITS BY THE COMPTROLLER GENERAL.—Section 596(c) of title 28, United States Code, is amended to read as follows:

"(c) AUDITS.—By December 31 of each year, an independent counsel shall prepare a statement of expenditures for the fiscal year that ended on the immediately preceding September 30. An independent counsel whose office is terminated prior to the end of the fiscal year shall prepare a statement of expenditures by the date that is 90 days after the date on which the office is terminated. The Comptroller General shall audit each such statement and shall, not later than March 31 of the year following the submission of any such statement, report the results of each audit to the Committee on the Judiciary and the Committee on Government Operations of the House of Representatives and to the Committee on Governmental Affairs and the Committee on the Judiciary of the Senate."

SEC. 4. MEMBERS OF CONGRESS.

Section 591(c) of title 28, United States Code, is amended—

(1) by indenting paragraphs (1) and (2) two ems to the right and by redesignating such paragraphs as subparagraphs (A) and (B), respectively;

(2) by striking "The Attorney" and all that follows through "if—" and inserting the following:

"(1) IN GENERAL.—The Attorney General may conduct a preliminary investigation in accordance with section 592 if—"; and

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

"(2) MEMBERS OF CONGRESS.—Whenever the Attorney General determines that it would be in the public interest, the Attorney General may conduct a preliminary investigation in accordance with section 592 if the Attorney General has received information sufficient to constitute grounds to investigate whether a Member of Congress may have violated any Federal criminal law other than a violation classified as a Class B or C misdemeanor or an infraction."

SEC. 5. GROUNDS FOR REMOVAL.

Section 596(a)(1) of title 28, United States Code, is amended by striking "physical disability, mental incapacity" and inserting "physical or mental disability (consistent with prohibitions on discrimination otherwise imposed by law)".

SEC. 6. NATIONAL SECURITY.

Section 597 of title 28, United States Code, is amended by adding at the end the following:

"(c) NATIONAL SECURITY.—An independent counsel shall comply with guidelines and procedures used by the Department in the handling and use of classified materials."

SEC. 7. EFFECTIVE DATE.

The amendments made by this Act shall become effective on the date of the enactment of this Act.

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

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

Page 9, strike line 18 and all that follows through line 14 on page 10 and insert the following:

SEC. 4. APPLICATION TO MEMBERS OF CONGRESS.

Section 591(b) of title 28, United States Code, is amended—

(1) by striking "and" at the end of paragraph (7);

(2) by striking the period at the end of paragraph (8) and inserting "; and"; and

(3) by adding at the end the following:

"(9) any Senator or Representative in, or Delegate or Resident Commissioner to, the Congress, or any person who has served as a Senator, a Representative, Delegate, or Resident Commissioner within the 2-year period before the receipt of the information under subsection (a) with respect to conduct that occurred while such person was a Senator, a Representative, Delegate, or Resident Commissioner."

After debate,

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

The question being put, viva voce,

Will the House recommit said bill with instructions?

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

Mr. GEKAS demanded a recorded vote on agreeing to said motion to recommit with instructions, 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 { Yeas ..... 183 negative ..... 230

19.17 [Roll No. 22] AYES—183

- Allard Diaz-Balart Horn Archer Dickey Houghton Arney Doolittle Huffington Bachus (AL) Dornan Hunter Baker (CA) Dreier Hutchinson Baker (LA) Duncan Hyde Ballenger Dunn Inglis Barrett (NE) Ehlers Inhofe Bartlett Emerson Istook Barton Everett Jacobs Bateman Fawell Johnson (CT) Bentley Fish Johnson, Sam Bereuter Fowler Kasich Bliley Franks (CT) Kim Blute Franks (NJ) Kingston Boehlert Gallegly Klug Boehner Gallo Knollenberg Bonilla Gekas Kolbe Brown (FL) Geren Kyl Bunning Gilchrist Lazio Burton Gilmor Leach Buyer Gilman Levy Byrnie Gingrich Lewis (CA) Callahan Goodlatte Lewis (FL) Calvert Goodling Lightfoot Camp Goss Linder Canady Grams Livingston Castle Grandy Machtley Clinger Greenwood Manzullo Coble Gunderson McCandless Collins (GA) Hall (TX) McCollum Combest Hancock McCrery Cox Hansen McDade Crane Hefley McHugh Crapo Hergert McInnis Cunningham Hobson McKeon Deal Hoekstra Meyers DeLay Hoke Mica

- Miller (FL) Ros-Lehtinen Stenholm Molinari Roth Stump Moorhead Roukema Sundquist Morella Royce Sweet Myers Santorum Talent Nussle Saxton Tauzin Oxley Schaefer Taylor (MS) Packard Schiff Taylor (NC) Parker Sensenbrenner Thomas (CA) Paxon Shaw Thomas (WY) Petri Shays Torkildsen Pombo Shepherd Upton Porter Shuster Valentine Portman Skeen Volkmer Pryce (OH) Skelton Vucanovich Quillen Smith (MI) Walker Quinn Smith (NJ) Walsh Ramstad Smith (OR) Weldon Ravenel Smith (TX) Wolf Regula Snow Young (AK) Roberts Solomow Young (FL) Rogers Spence Zeliff Rohrabacher Stearns Zimmer

NOES—230

- Abercrombie Glickman Natcher Ackerman Gonzalez Neal (MA) Andrews (ME) Gordon Oberstar Andrews (NJ) Green Obey Applegate Gutierrez Olver Baesler Hall (OH) Ortiz Barca Hamburg Orton Barcia Hamilton Owens Barlow Harman Pallone Barrett (WI) Hayes Pastor Becerra Hefner Payne (NJ) Beilenson Hinchey Payne (VA) Berman Hoagland Pelosi Bevill Hochbrueckner Penny Bilbray Holden Peterson (FL) Bishop Hoyer Peterson (MN) Blackwell Hughes Pickett Bonior Hutto Pickle Borski Inslee Pomeroy Boucher Jefferson Poshard Brewster Johnson (GA) Price (NC) Brooks Johnson (SD) Rahall Browder Johnson, E. B. Rangel Brown (CA) Johnston Reed Brown (OH) Kanjorski Reynolds Bryant Kaptur Richardson Cantwell Kennedy Roemer Cardin Kennedy Rose Carr Kildee Rostenkowski Chapman King Rowland Clay Kleczka Roybal-Allard Clement Klein Rush Clyburn Klink Sabo Collins (IL) Kopetski Sanders Collins (MI) Kreidler Sangmeister Condit LaFalce Sarpalious Coyners Lambert Sawyer Cooper Lancaster Schenk Coppersmith Lantos Schroeder Costello LaRocco Schumer Coyne Lehman Scott Cramer Levin Serrano Danner Lewis (GA) Sharp Darden Lipinski Sisisky DeFazio Lloyd Skaggs DeLauro Long Slaughter Dellums Lowey Smith (IA) Derrick Maloney Spratt Deutsch Mann Stark Dicks Manton Stokes Dingell Margolies-Strickland Dixon Mezvinsky Studts Dooley Martinez Stupak Durbin Mazzoli Swift Edwards (CA) McCloskey Synar Edwards (TX) McCurdy Tanner Engel McDermott Tejada English McHale Thompson Eshoo McKinney Thornton Evans McNulty Thurman Farr Meehan Torres Fazio Meek Torricelli Fields (LA) Menendez Towns Filner Mfume Traficant Fingerhut Miller (CA) Tucker Flake Mineta Unsoeld Foglietta Minge Velazquez Ford (MI) Mink Vento Ford (TN) Moakley Visclosky Frank (MA) Mollohan Waters Frost Montgomery Watt Furse Moran Waxman Gejdenson Murphy Wheat Gephardt Murtha Whitten Gibbons Nadler Williams

Wilson Wise	Woolsey Wyden	Wynn Yates
NOT VOTING—20		
Andrews (TX)	Fields (TX)	McMillan
Bacchus (FL)	Hastert	Michel
Bilirakis	Hastings	Neal (NC)
Clayton	Hilliard	Ridge
Coleman	Laughlin	Slattery
de la Garza	Markey	Washington
Ewing	Matsui	

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

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

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

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

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 356  
Nays ..... 56

¶9.18 [Roll No. 23]  
AYES—356

Ackerman	Deal	Herger
Allard	DeFazio	Hinchey
Andrews (ME)	DeLauro	Hoagland
Andrews (NJ)	Dellums	Hobson
Applegate	Derrick	Hochbrueckner
Bachus (AL)	Deutsch	Hoekstra
Baesler	Diaz-Balart	Holden
Baker (LA)	Dicks	Horn
Barca	Dingell	Hoyer
Barcia	Dixon	Huffington
Barlow	Dooley	Hughes
Barrett (NE)	Dunn	Hunter
Barrett (WI)	Durbin	Hutto
Bateman	Edwards (CA)	Hyde
Becerra	Edwards (TX)	Inhofe
Beilenson	Ehlers	Inslee
Bentley	Engel	Istook
Bereuter	English	Jacobs
Berman	Eshoo	Jefferson
Bevill	Evans	Johnson (CT)
Bilbray	Everett	Johnson (GA)
Bishop	Farr	Johnson (SD)
Blackwell	Fawell	Johnson, E. B.
Blute	Fazio	Johnston
Boehlert	Fields (LA)	Kanjorski
Boehner	Filner	Kaptur
Bonior	Fingerhut	Kasich
Borski	Fish	Kennedy
Boucher	Flake	Kennelly
Brewster	Foglietta	Kildee
Brooks	Ford (MI)	Kingston
Browder	Ford (TN)	Kleczka
Brown (CA)	Fowler	Klein
Brown (FL)	Frank (MA)	Klink
Brown (OH)	Franks (CT)	Klug
Bryant	Franks (NJ)	Knollenberg
Burton	Frost	Kopetski
Byrne	Furse	Kreidler
Calvert	Galleghy	LaFalce
Camp	Gallo	Lambert
Canady	Gejdenson	Lancaster
Cantwell	Gephardt	Lantos
Cardin	Geren	LaRocco
Carr	Gibbons	Lazio
Castle	Gilchrest	Leach
Chapman	Gillmor	Lehman
Clay	Gilman	Levin
Clement	Glickman	Levy
Clinger	Gonzalez	Lewis (CA)
Clyburn	Goodlatte	Lewis (FL)
Collins (GA)	Gordon	Lewis (GA)
Collins (IL)	Goss	Lightfoot
Collins (MI)	Grandy	Lipinski
Combest	Green	Livingston
Condit	Greenwood	Lloyd
Conyers	Gunderson	Long
Cooper	Gutierrez	Lowey
Coppersmith	Hall (OH)	Machtley
Costello	Hall (TX)	Maloney
Coyne	Hamburg	Mann
Cramer	Hamilton	Manton
Cunningham	Harman	Manzullo
Danner	Hayes	Margolies-
Darden	Hefner	Mezvinsky

Markey	Petri	Smith (OR)
Martinez	Pickett	Smith (TX)
Matsui	Pickle	Snowe
Mazzoli	Pomeroy	Spence
McCandless	Porter	Spratt
McCoskey	Portman	Stark
McCollum	Poshard	Stearns
McCrery	Price (NC)	Stenholm
McCurdy	Pryce (OH)	Stokes
McDade	Quinn	Strickland
McDermott	Rahall	Studds
McHale	Ramstad	Stupak
McHugh	Rangel	Sweet
McKeon	Ravenel	Swift
McKinney	Reed	Synar
Meehan	Regula	Tanner
Meek	Reynolds	Tauzin
Menendez	Richardson	Taylor (MS)
Meyers	Roberts	Tejeda
Mfume	Roemer	Thomas (WY)
Mica	Rogers	Thompson
Miller (CA)	Rohrabacher	Thornton
Miller (FL)	Ros-Lehtinen	Thurman
Mineta	Rose	Torkildsen
Minge	Rostenkowski	Torres
Mink	Roukema	Torricelli
Moakley	Rowland	Towns
Molinari	Roybal-Allard	Traficant
Mollohan	Royce	Tucker
Montgomery	Rush	Unsoeld
Moorhead	Sabo	Upton
Moran	Sanders	Valentine
Morella	Sangmeister	Velazquez
Murphy	Santorum	Vento
Murtha	Sarpalius	Visclosky
Myers	Sawyer	Volkmer
Nadler	Saxton	Vucanovich
Natcher	Schenk	Walsh
Neal (MA)	Schiff	Waters
Oberstar	Schroeder	Watt
Obey	Schumer	Waxman
Olver	Scott	Weldon
Ortiz	Serrano	Wheat
Orton	Sharp	Whitten
Owens	Shaw	Williams
Packard	Shays	Wilson
Pallone	Shepherd	Wise
Parker	Sisisky	Wolf
Pastor	Skaggs	Woolsey
Payne (NJ)	Skeen	Wyden
Payne (VA)	Skelton	Wynn
Pelosi	Slaughter	Yates
Penny	Smith (IA)	Young (FL)
Peterson (FL)	Smith (MI)	Zeliff
Peterson (MN)	Smith (NJ)	Zimmer

NOES—56

Abercrombie	Dreier	Linder
Archer	Duncan	McInnis
Armey	Emerson	McNulty
Ballenger	Gekas	Nussle
Bartlett	Gingrich	Oxley
Barton	Goodling	Paxon
Bliley	Grams	Pombo
Blonica	Hancock	Quillen
Bunning	Hansen	Schaefer
Buyer	Hefley	Sensenbrenner
Callahan	Hoke	Shuster
Coble	Houghton	Solomon
Cox	Hutchinson	Stump
Crane	Inglis	Sundquist
Crapo	Johnson, Sam	Taylor (NC)
DeLay	Kim	Thomas (CA)
Dickey	King	Walker
Doolittle	Kolbe	Young (AK)
Dornan	Kyl	

NOT VOTING—21

Andrews (TX)	Ewing	Michel
Bacchus (FL)	Fields (TX)	Neal (NC)
Baker (CA)	Hastert	Ridge
Bilirakis	Hastings	Roth
Clayton	Hilliard	Slattery
Coleman	Laughlin	Talent
de la Garza	McMillan	Washington

So the bill was passed.

On motion of Mr. BROOKS, pursuant to House Resolution 352, the bill of the Senate (S. 24) to reauthorize the independent counsel law for an additional 5 years, and for other purposes; was taken from the Speaker's table.

When said bill was considered and read twice.

Mr. BROOKS submitted the following amendment, which was agreed to:

Strike out all after the enacting clause and insert the provisions of H.R. 811, as passed by the House.

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

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

On motion of Mr. BROOKS, pursuant to House Resolution 352, it was,

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

Thereupon, the SPEAKER pro tempore, Mr. CARDIN, by unanimous consent, announced the appointment of Messrs. BROOKS, BRYANT, GLICKMAN, FRANK, FISH, HYDE, and GEKAS, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate thereof.

By unanimous consent, H.R. 811, a similar House bill, was laid on the table.

¶9.19 PROVIDING FOR THE  
CONSIDERATION OF H.R. 3345

Mr. MOAKLEY, by direction of the Committee on Rules, called up the following resolution (H. Res. 357):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3345) to amend title 5, United States Code, to eliminate certain restrictions on employee training; to provide temporary authority to agencies relating to voluntary separation incentive payments; and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in part 1 of the report of the Committee on Rules accompanying this resolution. The amendment in the nature of a substitute shall be considered as read. No amendment to the amendment in the nature of a substitute shall be in order except the amendment printed in part 2 of the report of the Committee on Rules, which may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report of the Committee on Rules are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any

amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. MOAKLEY, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, 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.

9.20 FEDERAL WORKFORCE RESTRUCTURING

The SPEAKER pro tempore, Mr. CARDIN, pursuant to House Resolution 357 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3345) to amend title 5, United States Code, to eliminate certain restrictions on employee training; to provide temporary authority to agencies relating to voluntary separation incentive payments, and for other purposes.

The SPEAKER pro tempore, Mr. CARDIN, by unanimous consent, designated Mr. MORAN as Chairman of the Committee of the Whole.

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

9.21 RECORDED VOTE

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

In section 2(d)(1), strike "2" and insert "5". In section 2(d)(2)(A), strike "repayment if" and all that follows through the period and insert "repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position."

In section 2(d)(2)(B), strike "repayment if" and all that follows through the period and insert "repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position."

In section 2(d)(2)(C), strike "repayment if" and all that follows through the period and insert "repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position."

In section 2(d), add at the end the following:

(3) DEFINITION.—For purposes of paragraph (1) (but not paragraph (2)), the term "employment" includes employment under a personal services contract with the United States.

After the last section, add the following:

SEC. 4. REDUCTION OF FEDERAL FULL-TIME EQUIVALENT POSITIONS.

(a) DEFINITION.—For purposes of this section, the term "agency" means an Executive agency as defined under section 105 of title 5, United States Code, but does not include the General Accounting Office.

(b) LIMITATIONS ON FULL-TIME EQUIVALENT POSITIONS.—The President, through the Of-

fice of Management and Budget (in consultation with the Office of Personnel Management), shall ensure that the total number of full-time equivalent positions in all agencies shall not exceed—

- (1) 2,084,600 during fiscal year 1994;
(2) 2,043,300 during fiscal year 1995;
(3) 2,003,300 during fiscal year 1996;
(4) 1,963,300 during fiscal year 1997;
(5) 1,992,300 during fiscal year 1998; and
(6) 1,882,300 during fiscal year 1999.

(c) MONITORING AND NOTIFICATION.—The Office of Management and Budget, after consultation with the Office of Personnel Management, shall—

(1) continuously monitor all agencies and make a determination on the first date of each quarter of each applicable fiscal year of whether the requirements under subsection (b) are met; and

(2) notify the President and the Congress on the first date of each quarter of each applicable fiscal year of any determination that any requirement of subsection (b) is not met.

(d) COMPLIANCE.—If at any time during a fiscal year, the Office of Management and Budget notifies the President and the Congress that any requirement under subsection (b) is not met, no agency may hire any employee for any position in such agency until the Office of Management and Budget notifies the President and the Congress that the total number of full-time equivalent positions for all agencies equals or is less than the applicable number required under subsection (b).

(e) WAIVER.—

(1) EMERGENCIES.—Any provision of this section may be waived upon a determination by the President that—

(A) the existence of a state of war or other national security concern so requires; or

(B) the existence of an extraordinary emergency threatening life, health, safety, property, or the environment so requires.

(2) AGENCY EFFICIENCY OR CRITICAL MISSION.—

(A) Subsection (d) may be waived, in the case of a particular position or category of positions in an agency, upon a determination of the President that the efficiency of the agency or the performance of a critical agency mission so requires.

(B) Whenever the President grants a waiver pursuant to subparagraph (A), the President shall take all necessary actions to ensure that the overall limitations set forth in subsection (b) are not exceeded.

(f) EMPLOYMENT BACKFILL PREVENTION.—

(1) IN GENERAL.—The total number of funded employee positions in all agencies (excluding the Department of Defense and the Central Intelligence Agency) shall be reduced by one position for each vacancy created by the separation of any employee who has received, or is due to receive, a voluntary separation incentive payment under section 2(a)-(e). For purposes of this subsection, positions and vacancies shall be counted on a full-time-equivalent basis.

(2) RELATED RESTRICTION.—No funds budgeted for and appropriated by any Act for salaries or expenses of positions eliminated under this subsection may be used for any purpose other than authorized separation costs.

It was decided in the affirmative { Yeas ..... 409 Nays ..... 1

9.22 [Roll No. 24] AYES—409

Table with 3 columns: Name, Name, Name. Includes: Abercrombie, Archer, Baker (LA), Ackerman, Arney, Ballenger, Allard, Bacchus (FL), Barca, Andrews (ME), Bachus (AL), Barcia, Andrews (NJ), Baesler, Barlow, Applegate, Baker (CA), Barrett (NE)

Table with 3 columns: Name, Name, Name. Includes: Barrett (WI), Foglietta, Linder, Bartlett, Ford (MI), Lipinski, Barton, Ford (TN), Livingston, Bateman, Fowler, Lloyd, Becerra, Frank (MA), Long, Beilenson, Franks (CT), Lowey, Bentley, Franks (NJ), Maloney, Bereuter, Frost, Mann, Berman, Furse, Manton, Bevill, Gallegly, Manzullo, Bilbray, Gallo, Margolies-Mezvinsky, Bishop, Gejdenson, Markye, Blackwell, Gekas, Martinez, Bliley, Gephardt, Matsui, Blute, Geren, Mazzoli, Boehlert, Gibbons, McCandless, Bonilla, Gilchrest, McCloskey, Bonior, Gillmor, McCollum, Borski, Gilman, McCrery, Boucher, Gingrich, McCurdy, Brewster, Glickman, McDade, Browder, Gonzalez, McDermott, Brown (CA), Goodlatte, McHale, Brown (FL), Goodling, McHugh, Brown (OH), Gordon, McInnis, Bryant, Goss, McKeon, Bunning, Grams, McKinney, Burton, Grandy, McMillan, Buyer, Green, McNulty, Byrne, Greenwood, McNulty, Callahan, Gunderson, Meehan, Calvert, Hall (TX), Meek, Camp, Hamburg, Menendez, Canady, Hamilton, Meyers, Cantwell, Hancock, Mfume, Cardin, Hansen, Mica, Carr, Harman, Miller (CA), Castle, Hayes, Miller (FL), Chapman, Hefley, Mineta, Clay, Hefner, Minge, Clayton, Herger, Mink, Clement, Hilliard, Moakley, Clinger, Hinchey, Molinari, Clyburn, Hoagland, Mollohan, Coble, Hobson, Montgomery, Collins (GA), Hochbrueckner, Moorhead, Collins (IL), Hoekstra, Moran, Collins (MI), Hoke, Morella, Combest, Holden, Murphy, Condit, Horn, Murtha, Conyers, Houghton, Myers, Cooper, Hoyer, Nadler, Coppersmith, Huffington, Natcher, Costello, Hughes, Neal (MA), Cox, Hunter, Norton (DC), Coyne, Hutchinson, Nussle, Cramer, Hutto, Oberstar, Crane, Hyde, Olver, Crapo, Inglis, Obey, Cunningham, Inhofe, Orton, Danner, Inslee, Oxley, Darden, Istook, Packard, de Lugo (VI), Jacobs, Pallone, Deal, Jefferson, Parker, DeFazio, Johnson (CT), Pastor, DeLauro, Johnson (GA), Paxon, DeLay, Johnson (SD), Payne (NJ), Dellums, Johnson, E. B., Payne (VA), Derrick, Johnson, Sam, Pelosi, Deutsch, Johnston, Penny, Diaz-Balart, Kaptur, Peterson (FL), Dickey, Kasich, Peterson (MN), Dicks, Kennedy, Petri, Dixon, Kennelly, Pickett, Dooley, Kildee, Pickle, Doolittle, Kim, Pombo, Dornan, King, Pomeroy, Dreier, Kingston, Porter, Duncan, Kleczka, Portman, Dunn, Klein, Poshard, Durbin, Klink, Price (NC), Edwards (CA), Klug, Pryce (OH), Edwards (TX), Knollenberg, Quillen, Ehlers, Kolbe, Quinn, Emerson, Kopetski, Rahall, Engel, Kreidler, Ramstad, English, Kyl, Rangel, Eshoo, LaFalce, Ravenel, Evans, Lambert, Reed, Everett, Lancaster, Regula, Faleomavaega, Lantos, Reynolds, (AS), LaRocco, Richardson, Farr, Lazio, Roberts, Fawell, Leach, Roemer, Fazio, Lehman, Rogers, Fields (LA), Levin, Rohrabacher, Filner, Levy, Romero-Barcelo, Fingerhut, Lewis (CA), (PR), Fish, Lewis (GA), Ros-Lehtinen, Flake, Lightfoot, Rose

Rostenkowski	Smith (OR)	Traficant
Roukema	Smith (TX)	Tucker
Rowland	Snowe	Underwood (GU)
Roybal-Allard	Solomon	Unsoeld
Royce	Spence	Upton
Rush	Spratt	Valentine
Sabo	Stark	Velazquez
Sanders	Stearns	Vento
Sangmeister	Stenholm	Visclosky
Santorum	Stokes	Volkmer
Sarpalius	Strickland	Vucanovich
Sawyer	Studds	Walker
Saxton	Stump	Walsh
Schaefer	Stupak	Waters
Schenck	Sundquist	Watt
Schiff	Sweet	Waxman
Schroeder	Swift	Weldon
Schumer	Synar	Wheat
Sensenbrenner	Talent	Whitten
Serrano	Tanner	Williams
Shaw	Tauzin	Wilson
Shays	Taylor (MS)	Wise
Shepherd	Taylor (NC)	Wolf
Shuster	Tejeda	Woolsey
Sisisky	Thomas (CA)	Wyden
Skaggs	Thomas (WY)	Wynn
Skeen	Thompson	Yates
Skelton	Thornton	Young (FL)
Slaughter	Thurman	Zeliff
Smith (IA)	Torkildsen	Zimmer
Smith (MI)	Torres	
Smith (NJ)	Torricelli	

## NOES—1

Kanjorski

## NOT VOTING—28

Andrews (TX)	Hall (OH)	Ridge
Bilirakis	Hastert	Roth
Boehner	Hastings	Scott
Brooks	Laughlin	Sharp
Coleman	Lewis (FL)	Slattery
de la Garza	Machtley	Towns
Dingell	Michel	Washington
Ewing	Neal (NC)	Young (AK)
Fields (TX)	Ortiz	
Gutierrez	Owens	

So the amendment was agreed to.

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

When Mr. MORAN, Chairman, pursuant to House Resolution 357, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

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

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Federal Workforce Restructuring Act of 1994".

**SEC. 2. VOLUNTARY SEPARATION INCENTIVES.**

(a) DEFINITIONS.—For the purpose of this section—

(1) the term "agency" means an Executive agency (as defined by section 105 of title 5, United States Code), but does not include the Department of Defense, the Central Intelligence Agency, or the General Accounting Office; and

(2) the term "employee" means an employee (as defined by section 2105 of title 5, United States Code) who is employed by an agency, is serving under an appointment without time limitation, and has been currently employed for a continuous period of at least 12 months; such term includes an individual employed by a county committee established under section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)), but does not include—

(A) a reemployed annuitant under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, or another retirement system for employees of the Government; or

(B) an employee having a disability on the basis of which such employee is or would be

eligible for disability retirement under the applicable retirement system referred to in subparagraph (A).

(b) AUTHORITY.—

(1) IN GENERAL.—In order to avoid or minimize the need for involuntary separations due to a reduction in force, reorganization, transfer of function, or other similar action, and subject to paragraph (2), the head of an agency may pay, or authorize the payment of, voluntary separation incentive payments to agency employees—

(A) in any component of the agency;

(B) in any occupation;

(C) in any geographic location; or

(D) on the basis of any combination of factors under subparagraphs (A) through (C).

(2) CONDITION.—

(A) IN GENERAL.—In order to receive an incentive payment, an employee must separate from service with the agency (whether by retirement or resignation) before January 1, 1995.

(B) EXCEPTION.—An employee who does not separate from service before the date specified in subparagraph (A) shall be ineligible for an incentive payment under this section unless—

(i) the agency head determines that, in order to ensure the performance of the agency's mission, it is necessary to delay such employee's separation; and

(ii) the employee separates after completing any additional period of service required (but not later December 31, 1996).

(c) AMOUNT AND TREATMENT OF PAYMENTS.—A voluntary separation incentive payment—

(1) shall be paid in a lump sum after the employee's separation;

(2) shall be equal to the lesser of—

(A) an amount equal to the amount the employee would be entitled to receive under section 5595(c) of title 5, United States Code, if the employee were entitled to payment under such section; or

(B) \$25,000;

(3) shall not be a basis for payment, and shall not be included in the computation, of any other type of Government benefit;

(4) shall not be taken into account in determining the amount of any severance pay to which an employee may be entitled under section 5595 of title 5, United States Code, based on any other separation; and

(5) shall be paid from appropriations or funds available for the payment of the basic pay of the employee.

(d) EFFECT OF SUBSEQUENT EMPLOYMENT WITH THE GOVERNMENT.—

(1) IN GENERAL.—An employee who has received a voluntary separation incentive payment under this section and accepts employment with the Government of the United States within 5 years after the date of the separation on which the payment is based shall be required to repay the entire amount of the incentive payment to the agency that paid the incentive payment.

(2) WAIVER AUTHORITY.—

(A) EXECUTIVE AGENCY.—If the employment is with an Executive agency (as defined in section 105 of title 5, United States Code), the Director of the Office of Personnel Management may, at the request of the head of the agency, waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(B) LEGISLATIVE BRANCH.—If the employment is with an entity in the legislative branch, the head of the entity or the appointing official may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(C) JUDICIAL BRANCH.—If the employment is with the judicial branch, the Director of the Administrative Office of the United

States Courts may waive the repayment if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(3) DEFINITION.—For purposes of paragraph (1) (but not paragraph (2)), the term "employment" includes employment under a personal services contract with the United States.

(e) REGULATIONS.—The Director of the Office of Personnel Management may prescribe any regulations necessary for the administration of subsections (a) through (d).

(f) EMPLOYEES OF THE JUDICIAL BRANCH.—The Director of the Administrative Office of the United States Courts may, by regulation, establish a program consistent with the program established by subsections (a) through (d) for individuals serving in the judicial branch.

**SEC. 3. ADDITIONAL AGENCY CONTRIBUTIONS TO THE RETIREMENT FUND.**

(a) IN GENERAL.—In addition to any other payments which it is required to make under subchapter III of chapter 83 of title 5, United States Code, an agency shall remit to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund an amount equal to 9 percent of the final basic pay of each employee of the agency—

(1) who retires under section 8336(d)(2) of such title; and

(2) to whom a voluntary separation incentive payment under section 2 (including under any program established under section 2(f)) has been paid by such agency based on that retirement.

(b) DEFINITION.—For the purpose of this section, the term "final basic pay", with respect to an employee, means the total amount of basic pay which would be payable for a year of service by such employee, computed using the employee's final rate of basic pay, and, if last serving on other than a full-time basis, with appropriate adjustment therefor.

(c) REGULATIONS.—The Director of the Office of Personnel Management may prescribe any regulations necessary to carry out this section.

**SEC. 4. REDUCTION OF FEDERAL FULL-TIME EQUIVALENT POSITIONS.**

(a) DEFINITION.—For purposes of this section, the term "agency" means an Executive agency as defined under section 105 of title 5, United States Code, but does not include the General Accounting Office.

(b) LIMITATIONS ON FULL-TIME EQUIVALENT POSITIONS.—The President, through the Office of Management and Budget (in consultation with the Office of Personnel Management), shall ensure that the total number of full-time equivalent positions in all agencies shall not exceed—

(1) 2,084,600 during fiscal year 1994;

(2) 2,043,300 during fiscal year 1995;

(3) 2,003,300 during fiscal year 1996;

(4) 1,963,300 during fiscal year 1997;

(5) 1,922,300 during fiscal year 1998; and

(6) 1,882,300 during fiscal year 1999.

(c) MONITORING AND NOTIFICATION.—The Office of Management and Budget, after consultation with the Office of Personnel Management, shall—

(1) continuously monitor all agencies and make a determination on the first date of each quarter of each applicable fiscal year of whether the requirements under subsection (b) are met; and

(2) notify the President and the Congress on the first date of each quarter of each applicable fiscal year of any determination that any requirement of subsection (b) is not met.

(d) COMPLIANCE.—If at any time during a fiscal year, the Office of Management and

Budget notifies the President and the Congress that any requirement under subsection (b) is not met, no agency may hire any employee for any position in such agency until the Office of Management and Budget notifies the President and the Congress that the total number of full-time equivalent positions for all agencies equals or is less than the applicable number required under subsection (b).

(e) WAIVER.—

(1) EMERGENCIES.—Any provision of this section may be waived upon a determination by the President that—

(A) the existence of a state of war or other national security concern so requires; or

(B) the existence of an extraordinary emergency threatening life, health, safety, property, or the environment so requires.

(2) AGENCY EFFICIENCY OR CRITICAL MISSION.—

(A) Subsection (d) may be waived, in the case of a particular position or category of positions in an agency, upon a determination of the President that the efficiency of the agency or the performance of a critical agency mission so requires.

(B) Whenever the President grants a waiver pursuant to subparagraph (A), the President shall take all necessary actions to ensure that the overall limitations set forth in subsection (b) are not exceeded.

(f) EMPLOYMENT BACKFILL PREVENTION.—

(1) IN GENERAL.—The total number of funded employee positions in all agencies (excluding the Department of Defense and the Central Intelligence Agency) shall be reduced by one position for each vacancy created by the separation of any employee who has received, or is due to receive, a voluntary separation incentive payment under section 2 (a)–(e). For purposes of this subsection, positions and vacancies shall be counted on a full-time-equivalent basis.

(2) RELATED RESTRICTION.—No funds budgeted for and appropriated by any Act for salaries or expenses of positions eliminated under this subsection may be used for any purpose other than authorized separation costs.

The bill, as amended, was ordered to be engrossed and 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. SKAGGS, announced that the yeas had it.

Mr. MYERS 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 .....	391
	Nays .....

9.23 [Roll No. 25]  
YEAS—391

Abercrombie	Bartlett	Boucher
Ackerman	Bateman	Brewster
Allard	Becerra	Browder
Andrews (ME)	Beilenson	Brown (CA)
Andrews (NJ)	Bentley	Brown (FL)
Applegate	Bereuter	Brown (OH)
Bacchus (FL)	Berman	Bryant
Bachus (AL)	Bevill	Bunning
Baessler	Billbray	Burton
Baker (CA)	Bishop	Buyer
Baker (LA)	Blackwell	Byrne
Ballenger	Bliley	Callahan
Barca	Blute	Calvert
Barcia	Boehrlert	Cantwell
Barlow	Bonilla	Cardin
Barrett (NE)	Bonior	Carr
Barrett (WI)	Borski	Castle

Chapman	Hochbrueckner	Moran
Clay	Hoekstra	Morella
Clayton	Hoke	Murphy
Clement	Holden	Murtha
Clinger	Horn	Myers
Clyburn	Houghton	Nadler
Coble	Hoyer	Natcher
Collins (GA)	Huffington	Neal (MA)
Collins (IL)	Hughes	Nussle
Collins (MI)	Hunter	Oberstar
Combest	Hutchinson	Obey
Condit	Hutto	Olver
Conyers	Hyde	Orton
Cooper	Inglis	Oxley
Coppersmith	Inhofe	Packard
Costello	Inslee	Pallone
Cox	Istook	Parker
Coyne	Jacobs	Pastor
Cramer	Jefferson	Paxon
Crapo	Johnson (CT)	Payne (NJ)
Cunningham	Johnson (GA)	Payne (VA)
Danner	Johnson (SD)	Pelosi
Darden	Johnson, E. B.	Penny
Deal	Johnston	Peterson (FL)
DeFazio	Kanjorski	Peterson (MN)
DeLauro	Kaptur	Petri
Dellums	Kennedy	Pickett
Derrick	Kennelly	Pickle
Deutsch	Kildee	Pombo
Diaz-Balart	Kim	Pomeroy
Dickey	King	Portman
Dicks	Kingston	Poshard
Dixon	Klecza	Price (NC)
Dooley	Klein	Pryce (OH)
Doolittle	Klink	Quillen
Dornan	Klug	Quinn
Dreier	Knollenberg	Rahall
Dunn	Kolbe	Ramstad
Durbin	Kopetski	Rangel
Edwards (CA)	Kreidler	Ravenel
Edwards (TX)	Kyl	Reed
Emerson	LaFalce	Regula
Engel	Lambert	Reynolds
English	Lancaster	Richardson
Eshoo	Lantos	Roberts
Evans	LaRocco	Roemer
Everett	Lazio	Rohrabacher
Farr	Leach	Ros-Lehtinen
Fawell	Lehman	Rose
Fazio	Levin	Rostenkowski
Fields (LA)	Levy	Roukema
Filner	Lewis (CA)	Rowland
Fingerhut	Lewis (GA)	Roybal-Allard
Fish	Lightfoot	Royce
Flake	Linder	Rush
Foglietta	Lipinski	Sabo
Ford (MI)	Livingston	Sanders
Ford (TN)	Lloyd	Sangmeister
Fowler	Long	Santorum
Frank (MA)	Lowey	Sarpalius
Franks (CT)	Maloney	Sawyer
Franks (NJ)	Mann	Saxton
Frost	Manton	Schaefer
Furse	Manzullo	Schenk
Gallegly	Margolies-	Schiff
Gallo	Mezvinsky	Schroeder
Gejdenson	Markey	Schumer
Gekas	Martinez	Scott
Gephardt	Matsui	Serrano
Geren	Mazzoli	Sharp
Gibbons	McCandless	Shaw
Gilchrest	McCloskey	Shays
Gillmor	McCollum	Shepherd
Gilman	McCrery	Shuster
Gingrich	McCurdy	Sisisky
Glickman	McDade	Skaggs
Gonzalez	McDermott	Skeen
Goodlatte	McHale	Skelton
Goodling	McHugh	Slaughter
Gordon	McInnis	Smith (IA)
Goss	McKeon	Smith (NJ)
Grams	McKinney	Smith (OR)
Grandy	McMillan	Smith (TX)
Green	McNulty	Snowe
Greenwood	Meehan	Solomon
Gunderson	Meek	Spence
Gutierrez	Menendez	Spratt
Hall (TX)	Meyers	Stark
Hamburg	Mfume	Stearns
Hamilton	Mica	Stenholm
Hansen	Miller (CA)	Stokes
Harman	Miller (FL)	Strickland
Hayes	Mineta	Studds
Hefley	Minge	Stupak
Hefner	Mink	Sundquist
Herger	Moakley	Sweet
Hillhard	Molinari	Swift
Hinchey	Mollohan	Synar
Hoagland	Montgomery	Talent
Hobson	Moorhead	Tanner

Tauzin	Unsoeld	Wheat
Upton	Upton	Whitten
Taylor (NC)	Valentine	Williams
Tejeda	Velazquez	Wilson
Thomas (CA)	Vento	Wise
Thomas (WY)	Visclosky	Wolf
Thompson	Volkmer	Woolsey
Thornton	Vucanovich	Wyden
Thurman	Walker	Wynn
Torkildsen	Walsh	Yates
Torres	Waters	Young (FL)
Torricelli	Watt	Zeliff
Trafficant	Waxman	Zimmer
Tucker	Weldon	

NAYS—17

Archer	DeLay	Porter
Armey	Duncan	Rogers
Barton	Ehlers	Sensenbrenner
Camp	Hancock	Smith (MI)
Canady	Johnson, Sam	Stump
Crane	Kasich	

NOT VOTING—25

Andrews (TX)	Hall (OH)	Owens
Bilirakis	Hastert	Ridge
Boehner	Hastings	Roth
Brooks	Laughlin	Slattery
Coleman	Lewis (FL)	Towns
de la Garza	Machtley	Washington
Dingell	Michel	Young (AK)
Ewing	Neal (NC)	
Fields (TX)	Ortiz	

So the bill was passed.

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

By unanimous consent, the title was amended so as to read: "An Act to provide temporary authority to Government agencies relating to voluntary separation incentive payments, and for other purposes."

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

9.24 ORDER OF BUSINESS—CONFERENCE  
ON H.R. 3759

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That, if and when the Clerk receives a message from the Senate indicating that that body has passed the bill (H.R. 3759) making emergency supplemental appropriations for the fiscal year ending September 30, 1994, and for other purposes, with amendments, insisted on said amendments and requested a conference with the House, the House be deemed to have disagreed to the amendments of the Senate and agreed to the conference asked by the Senate, and that the Speaker be deemed to have appointed conferees.

9.25 MESSAGE FROM THE PRESIDENT

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

9.26 MOTION TO INSTRUCT CONFEREES—  
H.R. 3759

Mr. MCDADE submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 3759) making emergency supplemental appropriations for the fiscal year ending September 30, 1994, and for other purposes, to agree to the D'Amato amendment numbered 1442, as modified, adopted by the Senate on vote number 36, as follows:

SEC. . Extension of RTC Civil Statute of Limitations.

"Section 21A(b)(14)(C) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)(14)(C) is amended by striking clause (i) and inserting in lieu thereof the following:

"(i) the period beginning on the date the claim accrues (as determined pursuant to section 11(d)(14)(B) of the Federal Deposit Insurance Act) and ending on December 31, 1995; or ending on the date of the termination of the corporation pursuant to section 21A(m)(1), whichever is later; or."

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

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

Mr. SOLOMON demanded a recorded vote on agreeing to said motion, 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 ..... 390 Nays ..... 1 Answered present 1

9.27 [Roll No. 26] AYES—390

- Abercrombie Castle Fish
Ackerman Chapman Flake
Allard Clayton Ford (MI)
Andrews (ME) Clement Ford (TN)
Andrews (NJ) Clinger Fowler
Applegate Clyburn Frank (MA)
Archer Coble Franks (CT)
Army Collins (GA) Franks (NJ)
Bacchus (FL) Collins (IL) Frost
Bachus (AL) Collins (MI) Furse
Baesler Combest Gallegly
Baker (CA) Condit Gallo
Baker (LA) Conyers Gekas
Ballenger Cooper Gephardt
Barca Coppersmith Geren
Barcia Costello Gilchrist
Barlow Cox Gillmor
Barrett (NE) Coyne Gilman
Barrett (WI) Cramer Gingrich
Bartlett Crane Glickman
Barton Crapo Gonzalez
Bateman Cunningham Goodlatte
Becerra Danner Goodling
Beilenson Darden Gordon
Bentley Deal Goss
Bereuter DeLauro Grams
Berman DeLay Grandy
Bevill Dellums Green
Bilbray Derrick Greenwood
Bishop Deutsch Gunderson
Blackwell Diaz-Balart Gutierrez
Biley Dickey Hall (TX)
Blute Dicks Hamburg
Boehlert Dixon Hamilton
Bonilla Dooley Hancock
Bonior Doolittle Hansen
Borski Dornan Harman
Boucher Dreier Hayes
Brewster Duncan Hefley
Browder Dunn Hefner
Brown (CA) Durbin Herger
Brown (FL) Edwards (CA) Hilliard
Brown (OH) Edwards (TX) Hinchey
Bryant Ehlers Hoagland
Bunning Emerson Hobson
Burton Engel Hochbrueckner
Buyer English Hoekstra
Byrne Eshoo Hoke
Callahan Evans Holden
Calvert Everett Horn
Camp Farr Houghton
Canady Fawell Hoyer
Cantwell Fazio Huffington
Cardin Fields (LA) Hughes
Carr Filner Hunter

- Hutchinson Mica
Inglis Miller (CA)
Inhofe Miller (FL)
Insee Mineta
Istook Minge
Jefferson Mink
Johnson (CT) Moakley
Johnson (GA) Molinari
Johnson (SD) Mollohan
Johnson, E. B. Montgomery
Johnson, Sam Moorhead
Johnston Moran
Kanjorski Morella
Kaptur Myers
Kasich Nadler
Kennedy Natcher
Kennelly Neal (MA)
Kildee Neal (NC)
Kim Nussle
King Oberstar
Kingston Obey
Klecza Oliver
Klein Oxley
Klink Packard
Klug Pallone
Knollenberg Parker
Kolbe Pastor
Kopetski Paxon
Kreidler Payne (NJ)
Kyl Payne (VA)
LaFalce Pelosi
Lambert Penny
Lancaster Peterson (FL)
Lantos Peterson (MN)
LaRocco Petri
Lazio Pickett
Leach Pickle
Lehman Pombo
Levin Pomeroy
Levy Porter
Lewis (CA) Portman
Lewis (GA) Poshard
Lightfoot Price (NC)
Linder Pryce (OH)
Livingston Quinn
Lloyd Rahall
Long Ramstad
Lowe Rangel
Maloney Ravenel
Mann Reed
Manton Regula
Manzullo Reynolds
Margolies Roberts
Mezvinsky Roemer
Markey Rogers
Martinez Rohrbacher
Matsui Ros-Lehtinen
Mazzoli Rostenkowski
McCandless Roukema
McCloskey Rowland
McCollum Roybal-Allard
McCrery Royce
McCurdy Rush
McDade Sabo
McDermott Sanders
McHale Sangmeister
McHugh Santorum
McInnis Sarpaluis
McKeon Sawyer
McKinney Saxton
McNulty Schaefer
Meehan Schenck
Meek Schiff
Menendez Schroeder
Meyers Schumer
Mfume Scott

- Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeel
Skelton
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stump
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Toricelli
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Walsh
Waters
Watt
Waxman
Weldon
Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (FL)
Zeliff
Zimmer

NOES—1

Clay

ANSWERED "PRESENT"—1

Hyde

NOT VOTING—41

- Andrews (TX) Hall (OH) Orton
Bilirakis Hastert Owens
Boehner Hastings Quillen
Brooks Hutto Richardson
Coleman Jacobs Ridge
de la Garza Hoekstra Rose
DeFazio Lewis (FL) Roth
Dingell Lipinski Slattery
Ewing Machtley Smith (OR)
Fields (TX) McMillan Tauzin
Fingerhut Michel Towns
Foglietta Murphy Washington
Hughes Fojdenson Young (AK)
Gibbons Ortiz

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

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

9.28 APPOINTMENT OF CONFEREES— H.R. 3759

The SPEAKER pro tempore, Mr. CHAPMAN, by unanimous consent, appointed the following Members as managers on the part of the House to the conference with the Senate on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3759) making emergency supplemental appropriations for the fiscal year ending September 30, 1994, and for other purposes: Messrs. NATCHER, SMITH of Iowa, YATES, OBEY, STOKES, BEVILL, MURTHA, DIXON, FAZIO, HEFNER, HOYER, CARR, DURBIN, MCDADE, MYERS, REGULA, LIVINGSTON, LEWIS of California, ROGERS, SKEEN, and PORTER.

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

9.29 ADJOURNMENT OF THE TWO HOUSES

Mr. GEPHARDT submitted the following privileged concurrent resolution (H. Con. Res. 206):

Resolved by the House of Representatives (the Senate concurring). That when the House adjourns on Thursday, February 10, 1994, Friday, February 11, 1994, Saturday, February 12, 1994, Sunday, February 13, 1994, Monday, February 14, 1994, Tuesday, February 15, 1994, Wednesday, February 16, 1994, Thursday, February 17, 1994, or Friday, February 18, 1994, pursuant to a motion made by the Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, February 22, 1994, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, February 10, 1994, Friday, February 11, 1994, Saturday, February 12, 1994, Sunday, February 13, 1994, Monday, February 14, 1994, Tuesday, February 15, 1994, Wednesday, February 16, 1994, Thursday, February 17, 1994, or Friday, February 18, 1994, pursuant to a motion made by the Majority Leader or his designee, in accordance with this resolution, it stand recessed or adjourned until noon on Tuesday, February 12, 1994, or at such time as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered and agreed to.

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

Ordered. That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶9.30 HOUR OF MEETING

On motion of Mr. GEPHARDT, by unanimous consent,

*Ordered.* That when the House adjourns today, it adjourn to meet at 2 p.m. on Friday, February 11, 1994.

¶9.31 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. GEPHARDT, by unanimous consent,

*Ordered.* That business in order for consideration on Wednesday, February 23, 1994, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

¶9.32 SPEAKER AND MINORITY LEADER TO ACCEPT RESIGNATIONS, APPOINT COMMISSIONS

On motion of Mr. GEPHARDT, by unanimous consent,

*Ordered.* That, notwithstanding any adjournment of the House until Tuesday, February 22, 1994, the Speaker and the Minority Leader be authorized to accept resignations and to make appointments to commissions, boards and committees duly authorized by law or by the House.

¶9.33 MESSAGE FROM THE PRESIDENT— NATIONAL EMERGENCY WITH RESPECT TO LIBYA

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

*To the Congress of the United States:*

I hereby report to the Congress on the developments since my last report of July 12, 1993, concerning the national emergency with respect to Libya that was declared in Executive Order No. 12543 of January 7, 1986. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c); section 204(c) of the International Emergency Economic Powers Act ("IEEPA"), 50 U.S.C. 1703(c); and section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa-9(c).

1. On December 3, 1993, I announced new measures to tighten economic sanctions against Libya. These measures are taken pursuant to the imposition by the world community of new sanctions against Libya under Security Council ("UNSC") Resolution 883 of November 11, 1993, and are designed to bring to justice the perpetrators of terrorist attacks against Pan Am flight 103 and UTA flight 772. The actions signal that Libya cannot continue to defy justice and flout the will of the international community with impunity.

UNSC Resolution 883 freezes on a worldwide basis certain financial assets owned or controlled by the Government of Libya or certain Libyan entities and bans provision of equipment for refining and transporting oil. It tightens the international air embargo and other measures imposed in 1992 under UNSC Resolution 748. It is the result of close cooperation between the

United States, France, and the United Kingdom, whose citizens were the principal victims of Libyan-sponsored terrorist attacks against Pan Am 103 and UTA 772, and of consultations with Russia and other friends and allies.

On December 2, 1993, I renewed for another year the national emergency with respect to Libya pursuant to IEEPA. This renewal extends the current comprehensive financial and trade embargo against Libya in effect since 1986. Under these sanctions, all trade with Libya is prohibited, and all assets owned or controlled by the Libyan Government in the United States or in the possession or control of U.S. persons are blocked. In addition, I have instructed the Secretary of Commerce to reinforce our current trade embargo against Libya by prohibiting the re-export from foreign countries to Libya of U.S.-origin products, including equipment for refining and transporting oil.

2. There has been one amendment to the Libyan Sanctions Regulations, 31 C.F.R. Part 550 (the "Regulations"), administered by the Office of Foreign Assets Control ("FAC") of the Department of the Treasury, since my last report on July 12, 1993. The amendment (58 Fed. Reg. 47643) requires U.S. financial institutions to provide written notification to FAC of any transfers into blocked accounts within 10 days of each transfer. It also standardizes registration and reporting requirements applicable to all persons holding blocked property and requires the annual designation of an individual contact responsible for maintaining the property in a blocked status. A copy of the amendment is attached to this report.

3. During the current 6-month period, FAC made numerous decisions with respect to applications for licenses to engage in transactions under the regulations, issuing 65 licensing determinations—both approvals and denials. Consistent with FAC's ongoing scrutiny of banking transactions, the largest category of license approvals (17) concerned requests by non-Libyan persons or entities to unblock bank accounts initially blocked because of an apparent Libyan interest. One license involved export transactions from the United States to support a United Nations program in Libya. Six licenses were issued authorizing intellectual property protection in Libya. Two licenses were issued that permit U.S. attorneys to provide legal representation under circumstances permitted by the regulations. FAC has also issued one license authorizing U.S. landlords to liquidate the personality of the People's Committee for Libyan Students, with the net proceeds from the sale paid into blocked accounts. Finally, FAC has issued three licenses to the Embassy of the United Arab Emirates, as Protecting Power for Libya, to manage Libyan property in the United States subject to stringent FAC reporting requirements.

4. During the current 6-month period, FAC has continued to emphasize to the

international banking community in the United States the importance of identifying and blocking payments made by or on behalf of Libya. The FAC worked closely with the banks to implement new interdiction software systems to identify such payments. As a result, during the reporting period, more than 130 transactions involving Libya, totaling more than \$20.7 million, were blocked.

Since my last report, FAC has collected 39 civil monetary penalties totaling nearly \$277,000 for violations of U.S. sanctions against Libya. All but 8 of the violations involved the failure of banks to block funds transfers to Libyan-owned or controlled banks, with 5 of the remainder involving the U.S. companies that ordered the funds transfers. The balance involved one case each for violations involving a letter of credit, trademark registrations, and export transactions.

Various enforcement actions carried over from previous reporting periods have continued to be aggressively pursued. Several new investigations of potentially significant violations of the Libyan sanctions have been initiated by FAC and cooperating U.S. law enforcement agencies. Many of these cases are believed to involve complex conspiracies to circumvent the various prohibitions of the Libyan sanctions, as well as the utilization of international diversionary shipping routes to and from Libya. FAC continued to work closely with the Departments of State and Justice to identify U.S. persons who enter into contracts or agreements with the Government of Libya, or other third-country parties, to lobby U.S. Government officials and to engage in public relations work on behalf of the Government of Libya without FAC authorization.

FAC also continued its efforts under the Operation Roadblock initiative. This ongoing program seeks to identify U.S. persons who travel to and/or work in Libya in violation of U.S. law.

FAC has continued to pursue the investigation and identification of Libyan entities as Specially Designated Nationals of Libya. During the reporting period, those activities have resulted in the addition of one third-country Libyan bank to the Specially Designated Nationals list; and FAC has intervened with respect to a Libyan takeover attempt of another foreign bank. FAC is also reviewing options for additional measures directed against Libyan assets in order to ensure strict implementation of UNSC Resolution 883 that has imposed international sanctions against Libyan financial assets.

5. The expenses incurred by the Federal Government in the 6-month period from July 7, 1993, through January 6, 1994, that are directly attributable to the exercise of powers and authorities conferred by the declaration of the Libyan national emergency are estimated at approximately \$1 million. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control,

the Office of the General Counsel, and the U.S. Customs Service), the Department of State, and the Department of Commerce.

6. The policies and actions of the Government of Libya continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. The United States continues to believe that still stronger international measures than those mandated by UNSC Resolution 883, including a worldwide oil embargo, should be enacted if Libya continues to defy the international community. We remain determined to ensure the perpetrators of the terrorist acts against Pan Am 103 and UTA 772 are brought to justice. The families of the victims in the murderous Lockerbie bombing and other acts of Libyan terrorism deserve nothing less. I shall continue to exercise the powers at my disposal to apply economic sanctions against Libya fully and effectively, so long as those measures are appropriate, and will continue to report periodically to the Congress on significant developments as required by law.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 10, 1994.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 103-208).

#### ¶9.34 SUBPOENA

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

OFFICE OF THE DIRECTOR, NON-LEGISLATIVE AND FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES

*Washington, DC, February 10, 1994.*

Hon. THOMAS S. FOLEY,  
*Speaker, House of Representatives, Washington, DC*

DEAR MR. SPEAKER: This is to notify you formally pursuant to Rule L (50) of the Rules of the House that the Office Supply Service and the Office of Finance have each been served with a subpoena issued by the United States District Court for the District of Columbia.

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

Sincerely,

RANDALL B. MEDLOCK,  
*Acting Director.*

#### ¶9.35 SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 119. Joint resolution to designate the month of March 1994 as "Irish-American Heritage Month."

#### ¶9.36 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BILIRAKIS, for today and balance of the week; and

To Mr. ORTON, for today after 5 p.m. and balance of the week.

And then,

#### ¶9.37 ADJOURNMENT

On motion of Mr. GOSS, pursuant to the special order heretofore agreed to, at 6 o'clock and 59 minutes p.m., the House adjourned until 2 o'clock p.m. on Friday, February 11, 1994.

#### ¶9.38 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. MINETA: Committee on Public Works and Transportation. H.R. 2442. A bill to reauthorize appropriations under the Public Works and Economic Development Act of 1965, as amended, to revise administrative provisions of the Act to improve the authority of the Secretary of Commerce to administer grant programs, and for other purposes; with an amendment; referred to the Committee on Banking, Finance and Urban Affairs for a period ending not later than April 22, 1994, for consideration of such provisions of the bill and amendments as fall within the jurisdiction of that committee pursuant to clause 1(d), rule X (Rept. No. 103-423, Pt. 1).

#### ¶9.39 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. GONZALEZ (for himself, Mrs. ROUKEMA, Mr. NEAL of North Carolina, Mr. LAFALCE, Mr. VENTO, Mr. FRANK of Massachusetts, Mr. KANJORSKI, Mr. KENNEDY, Mr. FLAKE, Mr. MFUME, Ms. WATERS, Mr. BACCHUS of Florida, Mr. KLEIN, Mr. DEUTSCH, Mr. GUTIERREZ, Mr. RUSH, Ms. VELÁZQUEZ, Mr. WYNN, Mr. FIELDS of Louisiana, Mr. WATT, Mr. HINCHEY, and Ms. FURSE):

H.R. 3838. A bill to amend and extend certain laws relating to housing and community development, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. TAYLOR of Mississippi (for himself, Mr. PARKER, and Mr. MONTGOMERY):

H.R. 3839. A bill to designate the U.S. post office located at 220 South 40th Avenue in Hattiesburg, MS, as the "Roy M. Wheat Post Office"; to the Committee on Post Office and Civil Service.

By Mr. CHAPMAN:

H.R. 3840. A bill to designate the Federal building and U.S. courthouse located at 100 East Houston Street in Marshall, TX, as the "Sam B. Hall, Jr. Federal Building and United States Courthouse"; to the Committee on Public Works and Transportation.

By Mr. NEAL of North Carolina (for himself, Mr. MCCOLLUM, Mr. LAFALCE, Mr. VENTO, Mr. SCHUMER, Mr. FRANK of Massachusetts, Mr. KANJORSKI, Mr. KENNEDY, Mr. FLAKE, Mr. MFUME, Mr. LAROCO, Mr. ORTON, Mr. KLEIN, Mrs. MALONEY, Ms. PRYCE of Ohio, Mr. LINDER, Mr. LAZIO, Mr. BACHUS of Alabama, Mrs. ROUKEMA, Mr. MCCANDLESS, and Mr. KING):

H.R. 3841. A bill to amend the Bank Holding Company Act of 1956, the Revised Statutes of the United States, and the Federal Deposit Insurance Act to provide for interstate banking and branching; to the Committee on Banking, Finance and Urban Affairs.

By Mr. MARTINEZ (for himself, Mr. FORD of Michigan, Mr. GOODLING, Ms. MOLINARI, Mr. GEPHARDT, Mr. CLAY, Mr. MILLER of California, Mr. MURPHY, Mr. KILDEE, Mr. WILLIAMS, Mr.

OWENS, Mr. SAWYER, Mr. PAYNE of New Jersey, Mrs. UNSOELD, Mrs. MINK of Hawaii, Mr. SCOTT, Mr. ENGEL, Mr. GENE GREEN of Texas, Ms. WOOLSEY, Mr. ROMERO-BARCELO, Mr. CASTLE, Mr. DE LUGO, Mr. FALEOMAVAEGA, Mr. BAESLER, and Mr. UNDERWOOD).

H.R. 3842. A bill to amend the Head Start Act to extend authorization of appropriations for progress under that act, to strengthen provisions designed to provide quality assurance and improvement, to provide for orderly and appropriate expansion of such program, and for other purposes, to the Committee on Education and Labor.

By Mr. VISCLOSKEY (for himself, Mr. REGULA, Ms. KAPTUR, Mr. GALLO, Mr. LIPINSKI, and Mr. FINGERHUT):

H.R. 3843. A bill to require the Administrator of the Environmental Protection Agency to establish a program under which States may be certified to carry out voluntary environmental cleanup programs for low and medium priority sites; to the Committee on Energy and Commerce.

By Mr. VISCLOSKEY (for himself, Mr. REGULA, Mr. FINGERHUT, and Mr. LIPINSKI):

H.R. 3844. A bill to authorize the Administrator of the Environmental Protection Agency to provide loans to States to establish revolving loan funds for the environmental cleanup of sites in distressed areas that have the potential to attract private investment and create local employment; to the Committee on Energy and Commerce.

By Mr. VISCLOSKEY (for himself, Mr. DURBIN, Mr. EVANS, Mr. FOGLIETTA, Mr. HANSEN, Mr. JACOBS, Mr. LAFALCE, Mr. MEEHAN, and Mr. SLATTERY):

H.R. 3845. A bill to limit access by minors to cigarettes through prohibiting the sale of tobacco products in vending machines and the distribution of free samples of tobacco products in Federal buildings and property accessible by minors; to the Committee on Public Works and Transportation.

By Mr. ARMEY (for himself and Mr. JACOBS):

H.R. 3846. A bill to repeal the quota and price support programs for peanuts; to the Committee on Agriculture.

By Mr. CARDIN:

H.R. 3847. A bill to require the Secretary of Defense to release the requirements and reversionary interest on certain property in Baltimore, MD; to the Committee on Armed Services.

By Mr. COBLE:

H.R. 3848. A bill to suspend until January 1, 1996, the duty on certain machinery; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 3849. A bill to amend section 3730 of title 31, United States Code, to limit the amount a private party may be awarded in an action under such section; to the Committee on the Judiciary.

By Mr. GALLEGLY:

H.R. 3850. A bill to provide for a study of human health risks associated with National Weather Service doppler radar installations, and to prohibit the operation of such an installation in Ojai, CA, unless such study finds no significant health risk; jointly, to the Committees on Science, Space, and Technology and Energy and Commerce.

By Mr. ISTOOK (for himself, Mr. GILCHREST, Mr. EMERSON, Mr. DORNAN, Mr. CALVERT, Mr. PETE GEREN of Texas, Mr. DOOLITTLE, Mr. LIVINGSTON, Mr. GOSS, Mr. HASTERT, Mr. GREENWOOD, Mr. CALLAHAN, Mr. GALLEGLY, Mr. PETRI, Mr. ALLARD, Mr. MACHTLEY and Mr. HUTCHINSON):

H.R. 3851. A bill to amend the Internal Revenue Code of 1986 to eliminate the marriage

penalty; to the Committee on Ways and Means.

By Mr. JOHNSON of South Dakota:

H.R. 3852. A bill to amend title 18, United States Code, to prohibit a Federal firearms licensee from selling or delivering a firearm or ammunition to an intoxicated person; to the Committee on the Judiciary.

By Mr. KLEIN (for himself, Mr. FRANK of Massachusetts, Mr. SCHUMER, and Mr. DEUTSCH):

H.R. 3853. A bill to stimulate private investment, economic development, and the creation of jobs in the private sector by authorizing the Secretary of the Treasury to participate in loans, and guarantee a portion of loans, made by banks and other qualified lenders for businesses with potential for expansion and growth and for other viable economic development projects, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. KOPETSKI:

H.R. 3854. A bill to repeal the Cuban Adjustment Act; to the Committee on the Judiciary.

By Mr. LEACH:

H.R. 3855. A bill to suspend temporarily the duty on Halosulfuron-Methyl; to the Committee on Ways and Means.

By Mrs. MEYERS of Kansas:

H.R. 3856. A bill to suspend until January 1, 1997 the duty on 2-(4-chloro-2-methyl phenoxy) propionic acid; to the Committee on Ways and Means.

By Mr. OLVER:

H.R. 3857. A bill to permit the Administrator of the Environmental Protection Agency to enter into cooperative research and development agreements for environmental protection; to the Committee on Science, Space, and Technology.

By Ms. PRYCE of Ohio:

H.R. 3858. A bill to extend the suspension of duty on certain diamond tool and drill blanks, and for other purpose; to the Committee on Ways and Means.

By Mr. SCHUMER:

H.R. 3859. A bill to amend the Immigration and Nationality Act to provide for the complete use of visas available under the diversity transition program; to the Committee on the Judiciary.

By Mr. SMITH of Texas (for himself, Mr. ARMEY, Mr. BAKER of California, Mr. BARTON of Texas, Mr. BURTON of Indiana, Mr. CANADY, Mr. COLLINS of Georgia, Mr. CUNNINGHAM, Mr. DELAY, Mr. DOOLITTLE, Mr. FISH, Mr. GALLEGLY, Mr. GILMAN, Mr. GINGRICH, Mr. GOODLATTE, Mr. GOSS, Mr. GREENWOOD, Mr. HUNTER, Mr. SAM JOHNSON, Mr. KIM, Mr. KINGSTON, Mr. LEVY, Mr. LEWIS of Florida, Mr. MCCOLLUM, Mr. MCKEON, Mrs. MEYERS of Kansas, Mr. MILLER of Florida, Ms. MOLINARI, Mr. MOORHEAD, Mr. ROHRBACHER, Mr. ROYCE, Mr. SHAW, Mr. STEARNS, and Mr. SHAYS):

H.R. 3860. A bill to amend the Immigration and Nationality Act and other laws of the United States relating to border security, illegal immigration, alien eligibility for Federal financial benefits and services, criminal activity by aliens, alien smuggling, fraudulent document use by aliens, asylum, terrorist aliens, and for other purposes; jointly, to the Committees on the Judiciary; Ways and Means; Energy and Commerce; Banking, Finance and Urban Affairs; Foreign Affairs; and Government Operations.

By Mr. STARK:

H.R. 3861. A bill to amend the District of Columbia Self-Government and Governmental Reorganization Act to permit the District of Columbia to subject the income of the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the Student Loan Marketing

Association to taxation by the District of Columbia, to require the Federal National Mortgage Association to maintain its principal office in the District of Columbia, and to require the Mayor of the District of Columbia to submit a report to Congress on the economic impact of such entities on the District of Columbia; to the Committee on the District of Columbia.

By Mr. STUMP (for himself and Mr. CALLAHAN):

H.R. 3862. A bill to effect a moratorium on immigration by aliens other than refugees, priority workers, and the spouses and children of United States citizens; jointly, to the Committees on the Judiciary, Ways and Means, Agriculture, and Banking, Finance and Urban Affairs.

By Mr. THOMPSON:

H.R. 3863. A bill to designate the Post Office building located at 401 E. South Street in Jackson, Mississippi, as the "Medgar Wiley Evers Post Office"; to the Committee on Post Office and Civil Service.

By Mr. KLEIN:

H.J. Res. 322. Joint resolution to authorize the President to proclaim the last Friday of April 1994 as "National Arbor Day"; to the Committee on Post Office and Civil Service.

By Mr. RANGEL:

H.J. Res. 323. Joint resolution declaring May 19 a national holiday and day of prayer and remembrance honoring Malcolm X (Al Hajj Malik Al-Shabazz); to the Committee on Post Office and Civil Service.

By Mr. SARPALIUS (for himself and Mr. BREWSTER):

H.J. Res. 324. Joint resolution proposing an amendment to the Constitution of the United States to limit the number of years an individual may serve in certain positions in the Government of the United States, and for other purposes; to the Committee on the Judiciary.

By Ms. ROYBAL-ALLARD:

H. Con. Res. 205. Concurrent resolution expressing the sense of the Congress regarding the use of census block group data, and data from low or no population census tracts or blocks, in the designation of empowerment zones and enterprise communities; to the Committee on Ways and Means.

By Mr. GEPHARDT:

H. Con. Res. 206. Concurrent resolution providing for the adjournment of the House from Thursday, February 10, 1994, through Friday, February 18, 1994 to Tuesday, February 22, 1994 and an adjournment or recess of the Senate from Thursday, February 10, 1994 through Friday, February 18, 1994, to Tuesday, February 22, 1994; considered and agreed to.

By Mr. CONYERS:

H. Con. Res. 207. Concurrent resolution providing for placement of a statue honoring African-American recipients of the Congressional Medal of Honor in the Capitol; to the Committee on House Administration.

By Mr. BROOKS:

H. Res. 358. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on the Judiciary in the 2d session of the 103d Congress; to the Committee on House Administration.

By Mr. LAFALCE:

H. Res. 359. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Small Business in the 2d session of the 103d Congress; to the Committee on House Administration.

By Mrs. MEYERS of Kansas (for herself, Mr. COMBEST, Mr. BAKER of Louisiana, Mr. MACHTLEY, Mr. SAM JOHNSON, Mr. ZELIFF, Mr. COLLINS of Georgia, Mr. MCINNIS, Mr. HUFFINGTON, Mr. TALENT, Mr. KNOLLENBERG, Mr. KIM, Mr. MANZULLO, Mr. TORKILDSEN, and Mr. PORTMAN):

H. Res. 360. Resolution entitled, resolution of inquiry; jointly, to the Committees on Small Business the Judiciary, and Post Office and Civil Service.

By Mr. ROSE:

H. Res. 361. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on House Administration in the 2d session of the 103d Congress; to the Committee on House Administration.

19.40 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII.

Mr. PETRI introduced a bill (H.R. 3864) for the relief of Thomas McDermott, Sr.; which was referred to the Committee on Natural Resources.

19.41 ADDITIONAL SPONSORS

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

- H.R. 65: Mr. MCCOLLUM.
- H.R. 105: Ms. PRYCE of Ohio.
- H.R. 467: Mr. EVANS, Mr. MINETA, Mr. PARKER, Mr. KOPETSKI, and Mr. FOGLIETTA.
- H.R. 591: Mr. PORTMAN and Mr. GINGRICH.
- H.R. 784: Mr. BREWSTER.
- H.R. 794: Mr. RAHALL, Mr. SWIFT, Mr. OXLEY, and Mr. MCCREARY.
- H.R. 828: Mr. PARKER.
- H.R. 1079: Mr. LEVY.
- H.R. 1080: Mr. LEVY.
- H.R. 1081: Mr. LEVY.
- H.R. 1082: Mr. LEVY.
- H.R. 1083: Mr. LEVY.
- H.R. 1181: Mr. MCDADE.
- H.R. 1191: Mr. LEVY.
- H.R. 1231: Mr. MOAKLEY, Mr. GEJDENSON, Mr. RIDGE, and Mr. KLINK.
- H.R. 1277: Mrs. JOHNSON of Connecticut.
- H.R. 1349: Mr. HOKE and Mr. KINGSTON.
- H.R. 1391: Mr. ANDREWS of Maine and Mr. JOHNSTON of Florida.
- H.R. 1455: Mr. VALENTINE and Mr. CARDIN.
- H.R. 1596: Mr. MANN.
- H.R. 1718: Mr. BEILENSEN, Mr. BONIOR, Ms. BROWN of Florida, Mr. CONYERS, Mr. FILNER, Mr. FLAKE, Mr. FORD of Tennessee, Mr. GORDON, Mr. KASICH, Mr. LEWIS of Georgia, Mr. REYNOLDS, and Mr. SLATTERY.
- H.R. 1823: Mrs. SCHROEDER.
- H.R. 1980: Mr. EVANS.
- H.R. 2019: Mr. DELLUMS.
- H.R. 2043: Ms. VELAZQUEZ.
- H.R. 2070: Mr. FOGLIETTA.
- H.R. 2418: Mr. PORTMAN, Mr. GINGRICH, Mr. LEWIS of Georgia, and Mrs. JOHNSON of Connecticut.
- H.R. 2565: Mr. OBERSTAR and Mr. VIS-CLOSKY.
- H.R. 2566: Mr. OBERSTAR and Mr. VIS-CLOSKY.
- H.R. 2586: Mr. MURPHY and Mr. BEILENSEN.
- H.R. 2623: Mr. SARPALIUS.
- H.R. 2663: Mr. GEJDENSON and Mr. JOHNSON of South Dakota.
- H.R. 2671: Mr. GORDON.
- H.R. 2710: Mr. EVANS, Mr. BRYANT, Mr. KOPETSKI, Ms. DELAURO, Mr. LEWIS of Georgia, Mr. HUGHES, Mr. NEAL of Massachusetts, Mr. FRANK of Massachusetts, Mr. CONYERS, Mr. PETERSON of Minnesota, Mr. DELLUMS, Mr. MILLER of California, Mr. PENNY, and Mr. TRAFICANT.
- H.R. 2720: Mr. COOPER, Mr. MANN, and Ms. WOOLSEY.
- H.R. 2803: Mr. SLATTERY, Ms. PRYCE of Ohio, Mr. MCCLOSKEY, Mr. BORSKI, Mrs. UNSOELD, Mr. KREIDLER, and Mr. HUTCHINSON.
- H.R. 2872: Mr. ROYCE and Mr. FAWELL.
- H.R. 2873: Mr. RIDGE, Mr. ABERCROMBIE, Mr. DIXON, Mr. MANZULLO, Mr. FRANK of Massachusetts, Mr. MCDERMOTT, and Mr. WISE.

H.R. 2969: Mr. KENNEDY and Mr. KING.  
H.R. 3005: Mr. LEVY, Mr. ARCHER, Mr. ISTOOK, Mr. EMERSON, Mr. McMILLAN, Mr. KNOLLENBERG, Mr. KOLBE, Mr. LINDER, Mr. HASTERT, and Ms. PRYCE of Ohio.

H.R. 3023: Mr. HAMBURG, Mr. TORKILDSEN, Mr. JOHNSON of South Dakota, Mr. WAXMAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BONIOR, Mr. HORN, Mr. CALLAHAN, Mr. BOEHLERT, Mr. HAYES, and Mr. EVANS.  
H.R. 3086: Mr. PARKER and Mr. SHAYS.  
H.R. 3087: Mr. POMEROY, Mr. ROSE, and Mr. STUDDS.

H.R. 3102: Mr. BARRETT of Wisconsin.  
H.R. 3145: Mr. SPENCE, Mr. GILCHREST, and Mr. UPTON.  
H.R. 3146: Mr. POMBO.  
H.R. 3222: Mr. BISHOP.  
H.R. 3232: Mr. EMERSON.  
H.R. 3256: Mr. PARKER.  
H.R. 3288: Mr. LAFALCE.  
H.R. 3290: Mr. WISE, Ms. WATERS, Mr. ACKERMAN, Mr. ROMERO-BARCELO, and Mr. SANDERS.

H.R. 3293: Mrs. BENTLEY.  
H.R. 3306: Mr. HINCHEY.  
H.R. 3309: Mr. LANTOS and Mr. SABO.  
H.R. 3328: Ms. PRYCE of Ohio, Mr. HUTCHINSON, and Mr. BISHOP.  
H.R. 3360: Mr. BATEMAN, Mr. BARCIA of Michigan, Mr. PICKETT, Mr. GILCHREST, Mr. GILLMOR, and Mr. YATES.  
H.R. 3363: Mr. JOHNSTON of Florida.  
H.R. 3392: Mr. PENNY and Mr. KINGSTON.  
H.R. 3421: Mr. LEVY, Mr. ARCHER, Mr. ISTOOK, Mr. McMILLAN, Mr. KNOLLENBERG, Mr. HASTERT, and Ms. PRYCE of Ohio.

H.R. 3434: Mr. RANGEL.  
H.R. 3500: Mr. FISH.  
H.R. 3507: Mr. MINGE and Mr. TALENT.  
H.R. 3513: Mr. KREIDLER.  
H.R. 3523: Mr. BARTLETT of Maryland, Mr. CASTLE, Mrs. MORELLA, Mr. DEUTSCH, Mr. DOOLITTLE, Mr. LIGHTFOOT, Mr. GREENWOOD, Ms. DANNER, and Mrs. FOWLER.  
H.R. 3527: Mr. DELAURO.  
H.R. 3563: Mrs. FOWLER and Mr. CUNNINGHAM.

H.R. 3564: Mr. FOGLIETTA.  
H.R. 3569: Mrs. LLOYD and Mr. TRAFICANT.  
H.R. 3600: Mr. BISHOP.  
H.R. 3614: Mr. BEILENSEN and Mr. FOGLIETTA.

H.R. 3633: Mr. EWING, Mr. KYL, Mr. INHOFE, Mr. CALLAHAN, Mr. UPTON, Mr. KINGSTON, Mr. ZIMMER, Mr. SOLOMON, and Mr. BONILLA.  
H.R. 3660: Mr. EVANS, and Mr. STOKES.  
H.R. 3663: Mr. ANDREWS of Maine, Mr. REYNOLDS, and Mr. OLVER.  
H.R. 3695: Mr. ARCHER, Mr. McMILLAN, and Mr. KOLBE.

H.R. 3699: Ms. MCKINNEY, Mr. FIELDS of Louisiana, Mr. FLAKE, Mr. BLACKWELL, Mrs. COLLINS of Illinois, Mr. SCOTT, Mr. RANGEL, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WATERS, Mr. OWENS, Mrs. CLAYTON, Mr. WASHINGTON, Mr. PAYNE of New Jersey, Mr. RUSH, Mr. CLYBURN, Mr. WYNN, Mr. CONYERS, Mr. WATT, Mr. TUCKER, Mr. WHEAT, Mr. REYNOLDS, Ms. BROWN of Florida, Mr. HASTINGS, Mr. DIXON, Mr. FORD of Tennessee, and Ms. VELAZQUEZ.

H.R. 3725: Mr. DORNAN, Mr. BARRETT of Wisconsin, Mr. LEVY, Mr. TORKILDSEN, Mr. BARTLETT of Maryland, Mr. KIM, Mr. MANZULLO, Mr. LINDER, and Mr. COX.  
H.R. 3727: Mr. COX, Mr. GREENWOOD, Mr. FRANKS of Connecticut, Mr. PAXON, Mr. MICA, Mr. THOMAS of California, and Mr. PORTMAN.  
H.R. 3771: Mr. DEUTSCH and Mr. FOGLIETTA.  
H.R. 3808: Mr. BISHOP.  
H.R. 3814: Mr. LIVINGSTON, Mr. WELDON, Mr. MANN, Mr. GOSS, Mr. BATEMAN, and Mr. WALKER.

H.R. 3827: Mr. ABERCROMBIE, Mr. GENE GREEN of Texas, and Mrs. MORELLA.  
H.J. Res. 9: Mr. CANADY and Mr. HUTCHINSON.

H.J. Res. 22: Mr. ROBERTS and Mr. LINDER.  
H.J. Res. 129: Mr. LEVY.

H.J. Res. 131: Mr. GREENWOOD, Mr. DEUTSCH, and Mr. REED.

H.J. Res. 253: Mr. LIGHTFOOT.  
H.J. Res. 254: Mr. ANDREWS of New Jersey.  
H.J. Res. 278: Mr. FALCOMA, Mr. JOHNSON of South Dakota, Mr. BACCHUS of Florida, and Ms. DELAURO.

H.J. Res. 302: Mr. ANDREWS of New Jersey and Mr. HOCHBRUECKNER.  
H.J. Res. 310: Mr. SABO, Mr. LANCASTER, Mr. MARTINEZ, and Mrs. MORELLA.

H. Con. Res. 37: Mr. BARRETT of Wisconsin.  
H. Con. Res. 68: Mr. INGLIS of South Carolina.

H. Con. Res. 93: Mr. TORKILDSEN.  
H. Con. Res. 110: Mr. BARTLETT of Maryland and Mr. SKELTON.

H. Con. Res. 124: Mr. KILDEE, Mr. WILSON, and Mr. SAWYER.  
H. Con. Res. 147: Mr. SARPALIUS and Mr. ANDREWS of New Jersey.

H. Con. Res. 199: Mr. BACHUS of Florida, Mr. HANSEN, Mr. RAVENEL, Mr. HALL of Ohio, Mr. DEUTSCH, Ms. DELAURO, Ms. NORTON, Mr. GALLEGLY, Mr. KING, Mr. BARRETT of Wisconsin, Mr. LINDER, Mr. SISISKY, Mr. SOLOMON, Mr. GEJDENSON, Mr. McNULTY, Mr. GLICKMAN, Mr. MOAKLEY, Mr. KASICH, Mr. MARTINEZ, Mr. RANGEL, Mr. HORN, Mr. LEVY, Mr. ARCHER, and Mr. SHAYS.

H. Res. 238: Mr. SANTORUM, Ms. DUNN, Mr. COLLINS of Georgia, Mr. PENNY, Mr. INHOFE, Mr. LEVY, Mr. MICA, Mr. TALENT, Mr. COBLE, Mr. HUFFINGTON, and Mr. NUSSLE.

¶9.42 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. 2241: Mr. SHARP.  
H.R. 3325: Mr. WALSH.

FRIDAY, FEBRUARY 11, 1994 (10)

The House was called to order by the SPEAKER.

¶10.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, February 10, 1994.

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

¶10.2 COMMUNICATIONS

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

2568. A letter from the Under Secretary, Department of Defense, transmitting a report entitled, "Report on the Performance of Department of Defense Commercial Activities," pursuant to 10 U.S.C. 2461(c); to the Committee on Armed Services.

2569. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation entitled, "Head Start Act Amendments of 1994"; to the Committee on Education and Labor.

2570. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting notification of a revised system of records to implement section 815 of the 1993 National Defense Authorization Act, pursuant to 5 U.S.C. 552a(r); to the Committee on Government Operations.

2571. A letter from the Secretary of the Treasury, transmitting the Treasury forfeiture fund annual financial statements and supplemental information; to the Committee on Government Operations.

2572. A letter from the Acting Director of Communications and Legislative Affairs, U.S. Equal Employment Opportunity Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1993, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

2573. A letter from the Director, Office of Personnel Management, transmitting the 15th annual report on the Federal Equal Opportunity Recruitment Program, pursuant to 5 U.S.C. 7201; to the Committee on Post Office and Civil Service.

2574. A letter from the Secretary, Department of Commerce, transmitting the 1993 annual report of the Visiting Committee on Advanced Technology of the National Institute of Standards and Technology, pursuant to Public Law 100-418, section 5131(b) (102 Stat. 1443); to the Committee on Science, Space, and Technology.

¶10.3 MESSAGE FROM THE SENATE

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

H.R. 3617. An Act to amend the Everglades National Park Protection and Expansion Act of 1989, and for other purposes.

H. Con. Res. 206. Concurrent resolution providing for an adjournment of the House from Thursday, February 10, 1994, through Friday, February 18, 1994, to Tuesday, February 22, 1994 and an adjournment or recess of the Senate from Thursday, February 10, 1994, through Friday, February 18, 1994, to Tuesday, February 22, 1994.

¶10.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

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

HOUSE OF REPRESENTATIVES,  
*Washington, DC, February 11, 1994.*  
Hon. THOMAS S. FOLEY,  
*The Speaker, House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, the Clerk received at 9:30 p.m. on Thursday, February 10, 1994 the following message from the Secretary of the Senate: That the Senate passed with an amendment H.R. 3759 and requested a conference thereon.

In accordance with action taken by the House on Thursday, February 10, 1994, the Clerk has notified the Senate that the House disagreed to amendment of the Senate to H.R. 3759, and agreed to a conference thereon.

With great respect, I am  
Sincerely yours,  
DONNALD K. ANDERSON,  
*Clerk.*

¶10.5 ORDER OF BUSINESS—

CONSIDERATION OF THE CONFERENCE REPORT ON H.R. 3759

On motion of Mr. FAZIO, by unanimous consent,

*Ordered,* That it may be in order today for the House to consider the conference report on the bill (H.R. 3759) making emergency supplemental appropriations for the fiscal year ending September 30, 1994, and for other purposes; and all points of order against said conference report and its consider-