

H.J. Res. 316: Ms. ESHOO, Mr. LANTOS, Ms. DELAURO, Ms. MCKINNEY, Mr. DIXON, and Mr. DINGELL.

H.J. Res. 317: Mr. BOEHLERT, Mr. LAROCOCO, Mrs. MEEK of Florida, Mr. WALSH, Mr. THOMPSON, Mr. LIGHTFOOT, Mr. STOKES, Mr. ROWLAND, Mr. TOWNS, Mr. SPRATT, Mr. GONZALEZ, Mr. QUILLEN, Mr. ROMERO-BARCELO, Mr. SPENCE, Mr. KENNEDY, Mr. SANGMEISTER, Mr. NEAL of Massachusetts, Mr. FAZIO, Mr. OBERSTAR, Mr. LEACH, Mr. GILLMOR, Mr. PAYNE of New Jersey, Mr. FLAKE, Mr. JACOBS, Mr. OXLEY, Mr. SOLOMON, Mr. HUTCHINSON, Mr. YOUNG of Alaska, Mr. TRAFICANT, Mrs. MORELLA, Mr. PALLONE, Mr. HOCHBRUECKNER, Mr. KLECZKA, Mr. TANNER, Mr. WHEAT, Mr. TAYLOR of Mississippi, Mr. WHITTEN, Mr. TORRICELLI, Mr. BEVILL, Mr. PASTOR, Mr. LAUGHLIN, Mr. FROST, Mr. EVANS, Mr. SMITH of Oregon, Mr. ROSE, Mr. GLICKMAN, Mr. STENHOLM, Mr. MARTINEZ, Mr. HILLIARD, Mr. BARLOW, Mr. POMEROY, Ms. MCKINNEY, Mr. BAESLER, Mr. DOOLEY, Mr. APPELGATE, Mr. BREWSTER, Mr. BROWN of Ohio, Mr. CALLAHAN, Mr. CALVERT, Mr. CLEMENT, Mr. CRAMER, Mr. DE LUGO, Mr. COLEMAN, Mr. HUGHES, Mr. FARR, Mr. GALLEGLY, Mr. MCDERMOTT, Mr. HAYES, Mr. PARKER, Mr. KLINK, Mr. GEKAS, Mr. MCCLOSKEY, Mr. ORTON, Ms. KAPTUR, Mrs. MALONEY, Mr. NEAL of North Carolina, Mr. MCCRERY, Mr. MORAN, Mr. MCCOLLUM, Mr. MCDADE, Mr. PETERSON of Florida, Mr. KOPETSKI, Mrs. CLAYTON, Mr. JOHNSON of South Dakota, Mrs. THURMAN, Mr. LEHMAN, Mr. KASICH, Mr. PAXON, Mr. COBLE, Mr. KINGSTON, Mr. ROTH, Mr. WILSON, Mr. DURBIN, Mr. SKEEN, Mr. CRAPO, Mr. GUNDERSON, Mr. COOPER, Mr. DOOLITTLE, Mr. HASTERT, Mrs. MEYERS of Kansas, Mr. EWING, Ms. DANNER, Mr. BISHOP, Mr. COSTELLO, Mr. BROWDER, Mr. EDWARDS of Texas, Mr. CAMP, Mr. HOLDEN, Mr. VOLKMER, Mr. SARPALIUS, Mr. SLATTERY, Mr. MONTGOMERY, Mr. WOLF, Mr. COMBEST, Mr. FALCOMA, Mr. BEREUTER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MINGE, Mr. CHAPMAN, Mr. SMITH of Michigan, Ms. MOLINARI, Mr. POSHARD, Ms. BYRNE, Mr. HEFNER, Mr. CONYERS, Mr. LEWIS of California, Mr. CLYBURN, and Mr. DINGELL.

H.J. Res. 327: Mr. FROST, Mr. LIPINSKI, Mr. FALCOMA, Mr. SABO, Mr. MOLLOHAN, and Mr. HINCHEY.

H. Con. Res. 48: Mr. SISISKY and Mr. SOLOMON.

H. Con. Res. 147: Mr. SYNAR.

H. Con. Res. 188: Mr. JOHNSTON of Florida, Mr. RICHARDSON, Ms. MARGOLIES-MEZVINSKY, Ms. SLAUGHTER, Mr. SKAGGS, Mr. RAMSTAD, Mr. CLAY, Mr. HAMBURG, Mr. HOCHBRUECKNER, Mr. YATES, Mr. FRANK of Massachusetts, Ms. FURSE, Mr. LEVIN, Mr. SLATTERY, Mr. STUDDS, Mr. GILCHRIST, Mr. DEFazio, Mr. KOPETSKI, Mr. SHAYS, Mrs. SCHROEDER, Mr. KLECZKA, Mr. KILDEE, Mr. HUGHES, Mr. MORAN, Mr. FARR, Mr. MINGE, Mr. BILBRAY, Mr. SWIFT, Mr. EVANS, Mr. ANDREWS of Maine, Mr. LEWIS of Georgia, Mrs. MINK of Hawaii, Mr. CARDIN, Ms. PELOSI, Ms. SHEPHERD, Mr. BARCA of Wisconsin, Mrs. THURMAN, Mr. NADLER, Ms. WOOLSEY, Mr. BORSKI, and Mr. FISH.

H. Con. Res. 191: Mr. DARDEN and Mr. MACHTLEY.

H. Con. Res. 199: Mr. GALLO, Mr. STEARNS, Mr. ANDREWS of New Jersey, and Mr. HOCHBRUECKNER.

H. Con. Res. 212: Mr. FAWELL.

H. Res. 281: Mr. DE LA GARZA, Mr. GLICKMAN, Mr. STRICKLAND, and Mr. SANGMEISTER.

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

¶20.2 COMMUNICATIONS

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

2730. A letter from the Secretary of Defense, transmitting the annual report of the Reserve Forces Policy Board for fiscal year 1993, pursuant to 10 U.S.C. 113(c)(3); to the Committee on Armed Services.

2731. A letter from the Deputy Under Secretary of Defense (Environmental Security), transmitting a report that contains a plan for the termination of the operation of the Naval Air Station, Bermuda, pursuant to Public Law 103-160, section 311(b) (107 Stat. 1618); to the Committee on Armed Services.

2732. A letter from the Senior Deputy Comptroller for Administration, Comptroller of the Currency, transmitting the Comptroller of the Currency's report on compensation and benefits, pursuant to Public Law 101-73, section 1206 (103 Stat. 523); to the Committee on Banking, Finance and Urban Affairs.

2733. A letter from the Acting Director, Office of Thrift Supervision, transmitting the Office's 1994 compensation plan, pursuant to Public Law 101-73, section 1206 (103 Stat. 523); to the Committee on Banking, Finance and Urban Affairs.

2734. A letter from the Chairman, Federal Election Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1993, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2735. A letter from the President, Inter-American Foundation, transmitting a report of activities under the Freedom of Information Act for calendar year 1993, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2736. A letter from the General Counsel, Legal Services Corporation, transmitting a report of activities under the Freedom of Information Act for calendar year 1993, pursuant to 5 U.S.C. 552(e); to the Committee on Government Operations.

2737. A letter from the Chairman, National Labor Relations Board, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1993, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

2738. A letter from the Assistant Secretary for Policy, Management and Budget, U.S. Department of the Interior, transmitting a report of activities under the Freedom of Information Act for calendar year 1993, pursuant to 5 U.S.C. 552(e); to the Committee on Government Operations.

2739. A letter from the Director, U.S. Office of Personnel Management, transmitting a report of activities under the Freedom of Information Act for calendar year 1993, pursuant to 5 U.S.C. 552(e); to the Committee on Government Operations.

2740. A letter from the Deputy Associate Director for Compliance, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Natural Resources.

2741. A letter from the Chairman, Advisory Committee on Reactor Safeguards, Nuclear Regulatory Commission, transmitting a report on various issues of the Safety Research Program of the Nuclear Regulatory Commission, pursuant to 42 U.S.C. 2039; jointly, to the Committees on Energy and Commerce and Natural Resources.

2742. A letter from the Secretary of Defense, transmitting a revised report on proposed obligations for facilitating weapons destruction and nonproliferation in the

former Soviet Union, pursuant to Public Law 103-160, section 1206(a) (107 Stat. 1781); jointly, to the Committees on Foreign Affairs and Armed Services.

2743. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation entitled the "Regulatory Consolidation Act of 1994"; jointly, to the Committees on Banking, Finance and Urban Affairs; Energy and Commerce; the Judiciary; Post Office and Civil Service; and Government Operations.

¶20.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 313. An Act to amend the San Juan Basin Wilderness Protection Act of 1984 to designate additional lands as wilderness and to establish the Fossil Forest Research Natural Area, and for other purposes.

S. 476. An Act to reauthorize and amend the National Fish and Wildlife Foundation Establishment Act.

The message also announced that pursuant to Public Law 102-166, the Chair, on behalf of the majority leader of the Senate and the Speaker of the House of Representatives, appointed Mr. John Jenkins of Maine, as a member of the Glass Ceiling Commission, vice Marion O. Sandler, resigned.

¶20.4 AMERICA'S SCHOOLS

The SPEAKER pro tempore, Mr. TANNER, pursuant to House Resolution 366 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. 6) to extend for six years the authorizations of appropriations for the programs under the Elementary and Secondary Education Act of 1965, and for certain other purposes.

Mr. KLECZKA, Acting Chairman, assumed the chair; and after some time spent therein,

¶20.5 RECORDED VOTE

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

Beginning on page 372, strike line 20 and all that follows through line 22 on page 397 (and redesignate the subsequent parts accordingly).

It was decided in the

{	Yeas	203
	Nays	213

¶20.6 [Roll No. 43]

AYES—203

Allard	Boehner	Coppersmith
Archer	Bonilla	Costello
Armey	Browder	Cox
Bachus (AL)	Bunning	Cramer
Baker (CA)	Burton	Crapo
Baker (LA)	Buyer	Cunningham
Ballenger	Callahan	Deal
Barrett (NE)	Calvert	DeLay
Bartlett	Camp	Dickey
Barton	Canady	Doolittle
Bateman	Castle	Dornan
Bentley	Chapman	Dreier
Bereuter	Clinger	Duncan
Bevill	Coble	Dunn
Bilirakis	Collins (GA)	Ehlers
Bliley	Combest	Emerson
Blute	Condit	Everett
Boehler	Cooper	Ewing

WEDNESDAY, MARCH 9, 1994 (20)

¶20.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, March 8, 1994.

Fawell
Fields (TX)
Fingerhut
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gekas
Geren
Gilchrest
Gillmor
Gingrich
Glickman
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hancock
Hansen
Harman
Hastert
Hefley
Herger
Hoagland
Hobson
Hoekstra
Hoke
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Johnson (CT)
Johnson (SD)
Johnson, Sam
Kanjorski
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Lipinski
Livingston
Machtley
Mann
Manzullo
Mazzoli
McCandless
McCollum
McCrery
McDade
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Minge
Molinari
Montgomery
Moorhead
Morella
Myers
Nussle
Oxley
Packard
Parker
Paxon
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)
Petri
Pombo
Porter
Poshard
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rohrabacher
Roth
Roukema
Rowland
Royce
Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Thurman
Torkildsen
Upton
Valentine
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (FL)
Zeliff
Zimmer

NOES—213

Ackerman
Andrews (ME)
Andrews (NJ)
Applegate
Bacchus (FL)
Baesler
Barca
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Billbray
Bishop
Blackwell
Bonior
Boucher
Brewster
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Cantwell
Cardin
Carr
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coyne
Danner
Darden
de Lugo (VI)
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Durbin
Edwards (TX)
Engel
English
Eshoo
Evans
Faleomavaega (AS)
Farr
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilman
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hefner
Hilliard
Hinche
Hochbrueckner
Holden
Coyne
Danner
Darden
de Lugo (VI)
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Durbin
Klecza
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lehman
Levin
Lewis (GA)
Lloyd
Long
Lowey
Maloney
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
McCloskey
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Moran
Murphy
Murtha
Nadler
Neal (MA)
Neal (NC)
Norton (DC)
Oberstar
Obey
Olver

Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Pickett
Pickle
Pomeroy
Rahall
Rangel
Reed
Richardson
Roemer
Romero-Barcelo (PR)
Ros-Lehtinen
Rose
Rostenkowski
Swett
Roybal-Allard
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shepherd
Skaggs
Skelton
Slattery
Slaughter
Smith (IA)
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Syrnar
Tejeda
Thompson
Thornton
Torres
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt
Waxman
Wheat
Williams
Wilson
Wise
Wyden
Wynn
Yates
Young (AK)

NOT VOTING—22

Abercrombie
Andrews (TX)
Berman
Borski
Brooks
Crane
de la Garza
Dooley
Edwards (CA)
Gallo
Hastings
Hayes
Houghton
McCurdy
Natcher
Portman
Reynolds
Rush
Sundquist
Washington
Whitten
Woolsey

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

20.7 RECORDED VOTE

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

Beginning on page 404, strike line 22 and all that follows through line 18 on page 406 (and redesignate the subsequent parts accordingly).

It was decided in the Yeas 202
negative Nays 220

20.8 [Roll No. 44]
AYES—202

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Dunn
Ehlers
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gekas
Geren
Gilchrest
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hancock
Hansen
Harman
Hastert
Hefley
Herger
Hoagland
Hobson
Cox
Cramer
Crapo
Cunningham
Deal
DeLay
Dickey
Hutchinson
Hutto
Doolittle
Hyde
Inglis
Inhofe
Istook
Johnson (CT)
Johnson (SD)
Kanjorski
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Laughlin
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Lipinski
Livingston
Machtley
Mann
Manzullo
McCandless
McCollum
McCrery
McDade
McHugh
McInnis
McKeon
McMillan
Meyers
Michel
Miller (FL)
Minge

Molinari
Moorhead
Morella
Myers
Nussle
Oxley
Packard
Parker
Paxon
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)
Petri
Pombo
Porter
Poshard
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Roth
Roukema
Rowland
Royce
Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence

NOES—220

Abercrombie
Ackerman
Andrews (NJ)
Applegate
Bacchus (FL)
Baesler
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Bereuter
Berman
Bishop
Blackwell
Bonior
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coyle
Danner
Darden
de Lugo (VI)
DeFazio
Lloyd
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (TX)
Engel
English
Eshoo
Evans
Faleomavaega (AS)
Farr
Fazio
Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Glickman
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hayes
Hefner
Hilliard
Hinche
Hochbrueckner
Holden
Hoyer
Hughes
Inslee
Jacobs
Jefferson
Johnson (GA)
Johnson, E. B.
Johnston
Kaptur
Kennedy
Kennelly
Kildee
Klecza
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Lehman
Levin
Lewis (GA)
Lloyd
Long
Lowey
Maloney
Manton
Margolies-Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moran
Murphy
Murtha
Nadler
Neal (MA)
Neal (NC)
Norton (DC)
Oberstar
Obey
Olver
Oberstar
Obey
Olver
Ortiz
Rostenkowski
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius
Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shepherd
Sisisky
Skaggs
Slattery
Slaughter
Smith (IA)
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Syrnar
Tejeda
Thompson
Thornton
Torres
Torricelli
Towns
Traficant
Tucker
Underwood (GU)
Unsoeld
Velazquez
Vento
Visclosky
Waters
Watt
Waxman
Wheat
Williams
Wilson

Wise	Wyden	Yates
Woolsey	Wynn	Young (AK)

NOT VOTING—16

Andrews (ME)	Edwards (CA)	Sundquist
Andrews (TX)	Gallo	Volkmer
Borski	Hastings	Washington
Brooks	Natcher	Whitten
Crane	Portman	
de la Garza	Reynolds	

So the amendment was not agreed to.

After some further time,

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

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

§20.9 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.

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

§20.10 RECORDED VOTE

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

Amendment submitted by Mr. KILDEE:

In section 4205 of the Elementary and Secondary Education Act of 1965, as proposed to be inserted by the substitute, add at the end the following new subsection:

“(d) DRUG ABUSE RESISTANCE EDUCATION PROGRAMS.—A chief executive officer shall use not less than 10 percent of the funds allotted under subsection (a) for a fiscal year for grants to local educational agencies in consortium with entities which have experience in assisting school districts to provide instruction to students grades kindergarten through 6 to recognize and resist pressures that influence such students to use controlled substances, as defined in Schedules I and II of section 202 of the Controlled Substances Act the possession or distribution of which is unlawful under such Act, or beverage alcohol, such as Project Drug Abuse Resistance Education.”

Substitute amendment submitted by Mr. OWENS:

In section 101 of the bill, in section 4003 of the Elementary and Secondary Education Act of 1965 (as proposed to be added by such section 101), strike paragraph (2) of such section 4003, and insert the following:

“(2) States for grants to, and contracts with, community-based organizations and other public and private nonprofit agencies and organizations for programs of drug and violence prevention, early intervention, rehabilitation referral, and education;

In section 101 of the bill, in paragraph (1) of section 4004(a) of the Elementary and Secondary Education Act of 1965 (as proposed to be added by such section 101), strike the “and” at the end of such paragraph.

In section 101 of the bill, in paragraph (2) of section 4004(a) of the Elementary and Secondary Education Act of 1965 (as proposed to be added by such section 101), strike the period at the end of such paragraph and insert “; and”.

In section 101 of the bill, in subsection (a) of section 4004 of the Elementary and Secondary Education Act of 1965 (as proposed to be added by such section 101), add at the end of such subsection the following new paragraph:

“(3) for State grants under part C, \$100,000,000 for fiscal year 1995 and such sums as may be necessary for each of fiscal years 1996 through 1999.

In section 101 of the bill, in paragraph (1) of section 4105(c) of the Elementary and Secondary Education Act of 1965 (as proposed to be added by such section 101), strike “shall expend not less than 21 percent” and insert “may expend not less than 21 percent”.

In section 101 of the bill, after part B of title IV of the Elementary and Secondary Education Act of 1965 (as proposed to be added by such section 101), add the following new part (and make appropriate conforming amendments):

“PART C—GRANTS TO STATE GOVERNORS

“SEC. 4203. STATE ALLOTMENTS.

“(a) IN GENERAL.—The Secretary shall allot to the States the amount available for each fiscal year under section 4004(a)(3) on the basis of the following factors:

“(1) ½ of such amount shall be allotted among the States on the basis of the school-aged population of each State as compared to the total school-aged population of all the States.

“(2) ½ of such amount shall be allotted among the States on the basis of the amount each State received under sections 1124 and 1124A of this Act for the preceding year (or, with respect to fiscal year 1995, sections 1005 and 1006 of this Act, as in effect on the day before the date of the enactment of the Improving America’s Schools Act of 1994) as compared to the sum total of such amounts received by all the States.

“(b) MINIMUM ALLOTMENT.—For any fiscal year, a State shall be allotted an amount under this section which is equal to at least 1 percent of the total amount allotted to all the States under this section.

“(c) REALLOTMENT.—The Secretary may reallocate any amount of an allotment to a State under this section if the Secretary determines that such State will be unable to use such amount within two years of such allotment. Such reallocation shall be made on the same basis as allotments made under subsection (a).

“(d) STATE DEFINED.—For the purposes of this section, the term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

“SEC. 4204. STATE APPLICATIONS.

“(a) IN GENERAL.—In order to receive an allotment under section 4203(a) for any fiscal year, a State shall submit to the Secretary, at such time as the Secretary may require, an application that contains a comprehensive plan for the use of funds under section 4205 by the chief executive officer that includes—

“(1) a statement of the chief executive officer’s measurable goals and objectives for drug abuse and violence prevention and a description of the procedures to be used for assessing and publicly reporting progress toward meeting those goals and objectives;

“(2) a description of how the chief executive officer will coordinate activities under section 4205 with the State educational agency and other State agencies and organizations involved with drug and violence prevention efforts;

“(3) a description of how funds allotted under section 4203 will be used so as not to duplicate the efforts of the State educational agency and local educational agencies with regard to the provision of school-based prevention efforts and services;

“(4) a description of how the chief executive officer will award funds under section 4205 and a plan for monitoring the performance of, and providing technical assistance to, recipients of such funds; and

“(5) a description of the special initiatives that will be undertaken with the funds allot-

ted under section 4203 to assist those communities within the State which have the greatest need for drug and violence prevention assistance, as measured by objective factors which include—

“(A) high rates of alcohol or other drug abuse among youth;

“(B) high rates of victimization of youth by violence and crime;

“(C) high rates of arrests and convictions of youth for violent or drug- or alcohol-related crime;

“(D) the extent of illegal gang activity;

“(E) high rates of referrals of youth to drug and alcohol abuse treatment and rehabilitation programs;

“(F) high rates of referrals of youth to juvenile court;

“(G) high rates of expulsions and suspensions of students from schools; and

“(H) high rates of reported cases of child abuse and domestic violence;

“(6) a description of the special outreach efforts and other activities which will be undertaken to ensure the full participation of community-based organizations located in communities with high rates of poverty, as well as organizations which provide services to African-Americans, Hispanics, and other minorities; and

“(7) a description of how funds will be used to support community-wide comprehensive drug abuse and violence prevention planning.

“(b) PEER REVIEW.—The Secretary shall use a peer review process in reviewing State applications under this section.

“SEC. 4205. USE OF FUNDS.

“(a) IN GENERAL.—The amount allotted to a State under section 4203 for each fiscal year shall be used by the chief executive officer of such State for drug abuse and violence prevention programs and activities in accordance with this section.

“(b) STATE ADMINISTRATION.—A chief executive officer may use no more than 4 percent of the amount allotted under section 4203 for a fiscal year for the administrative costs incurred in carrying out the duties of such officer under this section.

“(c) PROGRAMS AUTHORIZED.—A chief executive officer shall use amounts allotted under section 4203 for a fiscal year for grants to, or contracts with, parent groups, community action and job training agencies, community-based organizations, and other public entities and private nonprofit organizations to support programs and activities such as—

“(1) developing and implementing comprehensive, community-based drug and violence prevention programs that link community resources with schools and integrate services involving education, vocational and job skills training, law enforcement, health, mental health, and other appropriate services;

“(2) planning and implementing drug and violence prevention activities that coordinate the efforts of community-based agencies with those of the local educational agency;

“(3) activities to protect students traveling to and from school;

“(4) developing and implementing strategies to prevent illegal gang activity;

“(5) coordinating and conducting community-wide violence and safety assessments and surveys;

“(6) programs and activities which address the needs of children and youth who are not normally served by the local educational agency, including preschoolers, dropouts, youth in juvenile detention facilities, and runaways or homeless children and youth;

“(7) disseminating information about drugs and violence prevention;

“(8) training parents, law enforcement officials, judicial officials, social service provid-

ers, health service providers and community leaders about drug abuse and violence prevention, education, early intervention, counseling, or rehabilitation referral;

“(9) before- and after-school recreational, instructional, cultural, and artistic programs in supervised community settings; and

“(10) evaluating programs and activities carried out under this section.

It was decided in the affirmative { Yeas 425 Nays 0

20.11 [Roll No. 45] AYES—425

- Abercrombie de Lugo (VI)
Ackerman Deal
Allard DeFazio
Andrews (ME) DeLauro
Andrews (NJ) DeLay
Applegate Dellums
Archer Derrick
Army Deutsch
Bacchus (FL) Diaz-Balart
Bachus (AL) Dickey
Baesler Dicks
Baker (CA) Dingell
Baker (LA) Dixon
Ballenger Dooley
Barca Doolittle
Barcia Dornan
Barlow Dreier
Barrett (NE) Duncan
Barrett (WI) Dunn
Bartlett Durbin
Barton Edwards (TX)
Bateman Ehlers
Becerra Emerson
Beilenson Engel
Bentley English
Bereuter Eshoo
Berman Evans
Bevill Everett
Billbray Ewing
Bilirakis Faleomavaega
Bishop (AS)
Blackwell Farr
Bliley Fawell
Blute Fazio
Boehlert Fields (LA)
Boehner Fields (TX)
Bonilla Filner
Bonior Fingerhut
Boucher Fish
Brewster Flake
Browder Foglietta
Brown (CA) Ford (MI)
Brown (FL) Ford (TN)
Brown (OH) Fowler
Bryant Frank (MA)
Bunning Franks (CT)
Burton Franks (NJ)
Buyer Frost
Byrne Furse
Callahan Gallegly
Calvert Gejdenson
Camp Gekas
Canady Gephardt
Cantwell Geren
Cardin Gibbons
Carr Gilchrist
Castle Gillmor
Chapman Gilman
Clay Gingrich
Clayton Glickman
Clement Gonzalez
Clinger Goodlatte
Clyburn Goodling
Coble Gordon
Coleman Goss
Collins (GA) Grams
Collins (IL) Grandy
Collins (MI) Green
Combust Greenwood
Condit Gunderson
Conyers Gutierrez
Cooper Hall (OH)
Coppersmith Hall (TX)
Costello Hamburg
Cox Hamilton
Coyne Hancock
Cramer Hansen
Crapo Harman
Cunningham Hastert
Danner Hayes
Darden Hefley
de la Garza Hefner

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

NOES—0 NOT VOTING—13

- Andrews (TX) Gallo
Borski Hastings
Brooks Natcher
Crane Portman
Edwards (CA) Reynolds

So the amendment to the substitute amendment was agreed to.

After some further time,

20.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the foregoing substitute amendment, as amended, submitted by Mr. OWENS for the following amendment submitted by Mr. BARRETT of Nebraska:

Amendment submitted by Mr. BARRETT of Nebraska:

—Page 413, strike line 14 and all that follows through line 17.

—Page 413, line 18, strike “(2)” and insert “(1)”.

—Page 414, line 6, strike “(3)” and insert “(2)”.

—Page 414, line 12, strike “(4)” and insert “(3)”.

—Page 414, line 18, strike “(5)” and insert “(4)”.

—Page 414, line 22, strike “(6)” and insert “(5)”.

—Page 415, line 1, strike “(7)” and insert “(6)”.

—Page 416, after line 4, insert the following:

“(c) GOVERNOR’S FUNDS.—A State’s application under this section shall also contain a comprehensive plan for the use of funds under section 4103A by the chief executive officer that includes—

“(1) a statement of the chief executive officer’s measurable goals and objectives for drug and violence prevention and a description of the procedures to be used for assessing and publicly reporting progress toward meeting those goals and objectives;

“(2) a description of how the chief executive officer will coordinate his or her activities under this part with the State educational agency and other State agencies and organizations involved with drug and violence prevention efforts;

“(3) a description of how funds reserved under section 4103A will be used so as not to duplicate the efforts of the State educational agency and local educational agencies with regard to the provision of school-based prevention efforts and services and how those funds will be used to serve populations not normally served by the State educational agency, such as school dropouts and youth in detention centers;

“(4) a description of how the chief executive officer will award funds under section 4103A and a plan for monitoring the performance of, and providing technical assistance to, recipients of such funds; and

“(5) a description of how funds will be used to support community-wide comprehensive drug and violence prevention planning.

—Page 416, line 24, strike “the total amount” and insert “an amount equal to 80 percent of the total amount”.

—Page 419, line 14, strike “(1)”.

—Page 419, strike line 18 and all that follows through line 21.

—Page 422, after line 21, insert the following:

SEC. 4103A. GOVERNOR’S PROGRAMS.

“(a) USE OF FUNDS.—(1) An amount equal to 20 percent of the total amount allocated to a State under section 4101 for each fiscal year shall be used by the chief executive officer of such State for drug and violence prevention programs and activities in accordance with this section.

“(2) A chief executive officer shall use not less than 10 percent of the 20 percent of the total amount described in paragraph (1) for each fiscal year for drug abuse resistance education programs in accordance with subsection (e).

“(3) A chief executive officer may use no more than five percent of the 20 percent of the total amount described in paragraph (1) for the administrative costs incurred in carrying out the duties of such officer under this section.

“(b) ADVISORY PANEL.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a chief executive officer shall establish an advisory panel in accordance with this subsection for the purpose of developing a plan for the use of funds reserved under subsection (a)(1).

“(B) EXCEPTION.—The chief executive officer of a State shall be exempt from the requirement under subparagraph (A) if such State, on or before January 1, 1994, has established an independent agency as described in section 4103(a)(2)(A).

“(2) PLAN.—The advisory panel established under paragraph (1) shall develop a plan under which—

“(A) existing drug and violence prevention programs, projects, and activities in the State (including activities of the State educational agency and local educational agencies and community-based organizations) that are determined by the panel to be suc-

cessful are continued, or, where appropriate, coordinated with new programs, projects, and activities established and carried out with funds reserved under subsection (a)(1); and

“(B) technical assistance and training is provided to local educational agencies, consortia of such agencies, and partnerships consisting of such agencies and community-based organizations, for drug and violence prevention, community outreach, and mobilization and coordination of alcohol, tobacco, and other drug prevention programming.

“(3) MEETINGS.—The advisory panel shall meet at least once every 2 years after the establishment of the plan described in paragraph (2) for the purpose of reviewing and evaluating the use of funds under this section.

“(4) MEMBERSHIP.—

“(A) IN GENERAL.—The advisory panel shall consist of not less than 9 members, but not more than 12 members, including the chief executive officer of the State (or the designee of such chief executive officer) and at least 1 individual appointed by such chief executive officer from each of the following categories:

“(i) Parents.

“(ii) Students.

“(iii) Chief state school officers (or their designees).

“(iv) School administrators or teachers.

“(v) Substance abuse prevention workers or administrators.

“(vi) Community-based providers.

“(viii) Law enforcement officers or district attorneys.

“(ix) Mayors, city councilpersons, or county commissioners.

“(B) POLITICAL AFFILIATION.—Not more than 1/2 of the members of the advisory panel may be of the same political party.

“(C) COMPENSATION.—Members of the advisory panel shall serve without pay.

“(5) ADMINISTRATIVE EXPENSES.—The administrative expenses of the advisory panel shall be paid for from the State administrative funds under subsection (a)(2)

“(c) PROGRAMS AUTHORIZED.—(1) A chief executive officer shall use funds reserved under subsection (a)(1) for grants to or contracts with parent groups, community action and job training agencies, community-based organizations, and other public entities and private nonprofit organizations. Such grants or contracts shall support programs and activities described in subsection (d) for children and youth who are not normally served by State or local educational agencies, for populations that need special services or additional resources (such as preschoolers, youth in juvenile detention facilities, runaway or homeless children and youth, and dropouts), or both.

“(2) Grants or contracts awarded under this subsection shall be subject to a peer review process.

“(d) AUTHORIZED ACTIVITIES.—Grants and contracts under subsection (c) shall be used for programs and activities such as—

“(1) disseminating information about drug and violence prevention;

“(2) training parents, law enforcement officials, judicial officials, social service providers, health service providers and community leaders about drug and violence prevention, education, early intervention, counseling, or rehabilitation referral;

“(3) developing and implementing comprehensive, community-based drug and violence prevention programs that link community resources with schools and integrate services involving education, vocational and job skills training, law enforcement, health, mental health, and other appropriate services;

“(4) planning and implementing drug and violence prevention activities that coordinate the efforts of State agencies with those of the State educational agency and its local educational agencies;

“(5) activities to protect students traveling to and from school;

“(6) developing and implementing strategies to prevent illegal gang activity;

“(7) coordinating and conducting community-wide violence and safety assessments and surveys; and

“(8) evaluating programs and activities under this section.

“(e) DRUG ABUSE RESISTANCE EDUCATION PROGRAMS.—(1) A chief executive officer shall use funds reserved under subsection (a)(2) for grants to local educational agencies in consortium with entities which have experience in assisting school districts to provide instruction to students grades kindergarten through 6 to recognize and resist pressures that influence such students to use controlled substances, as defined in Schedules I and II of section 202 of the Controlled Substances Act the possession or distribution of which is unlawful under such Act, or beverage alcohol, such as Project Drug Abuse Resistance Education, that meet the requirements of paragraph (2).

“(2) A local educational agency in consortium with an entity shall not be eligible for a grant under paragraph (1) unless such local educational agency in consortium with an entity will use assistance provided under such grant to provide or arrange for the provision of services that shall include—

“(A) drug abuse resistance education instruction for students grades kindergarten through 6 that is designed to teach students to recognize and resist pressures to experiment that influence such children to use controlled substances, as defined under paragraph (1), or beverage alcohol, including instruction in the following areas—

“(i) drug use and misuse;

“(ii) understanding the consequences of drug abuse;

“(iii) resistance techniques;

“(iv) assertive response styles;

“(v) managing stress without taking drugs;

“(vi) decisionmaking and risk taking;

“(vii) media influences on drug use;

“(viii) positive alternatives to drug abuse behavior;

“(ix) interpersonal and communication skills;

“(x) self-esteem building activities; and

“(xi) resistance to peer pressure and gang pressure;

“(B) provisions for parental involvement;

“(C) classroom instruction by uniformed law enforcement officials;

“(D) the use of positive student leaders to influence younger students not to use drugs;

“(E) an emphasis on activity-oriented techniques designed to encourage student-generated responses to problem-solving situations; and

“(F) the awarding of a certificate of achievement to each student who participates in a drug abuse resistance education program.

“(3) Amounts received under paragraph (1) by any local educational agency or entity shall be used only to supplement, not to supplant, the amount of Federal, State, and local funds expended for the support of projects of the type described in paragraph (2).

—Page 427, line 24, strike “under this part; and” and insert “under this part.”.

—Page 428, strike line 1 and all that follows through line 3.

—Page 431, strike line 18 and all that follows through line 15 on page 433.

—Page 433, line 16, strike “(d)” and insert “(c)”.

It was decided in the { Yeas 125 negative Nays 296

¶20.13 [Roll No. 46] AYES—125

Table listing names of representatives and their districts, including Abercrombie, Ackerman, Andrews (ME), Baesler, Barcia, Barlow, Becerra, Beilenson, Berman, Bishop, Blackwell, Bonior, Brown (OH), Byrne, Carr, Clay, Clyburn, Coleman, Collins (IL), Collins (MI), Conyers, Costello, Coyne, Danner, de Lugo (VI), Dellums, Derrick, Deutsch, Diaz-Balart, Dicks, Dingell, Dixon, Durbin, Engel, Eshoo, Evans, Faleomavaega (AS), Fields (LA), Filner, Flake, Foglietta, Ford (MI), Ford (TN), Frank (MA), Gejdenson, Gephardt, Gibbons, Gonzalez, Green, Gutierrez, Hamburg, Hilliard, Jefferson, Johnson, E. B., Johnston, Kennelly, Kildee, Lantos, Lewis (GA), Lowey, Mann, Manton, Markey, Martinez, McDermott, McKinney, Meehan, Meek, Menendez, Mfume, Miller (CA), Mineta, Mink, Moakley, Molinari, Mollohan, Moran, Murphy, Norton (DC), Oberstar, Obey, Olver, Owens, Payne (NJ), Pelosi, Pickett, Pickle, Poshard, Rahall, Rangel, Reed, Ros-Lehtinen, Rose, Roybal-Allard, Rush, Sabo, Sanders, Sangmeister, Sawyer, Schroeder, Schumer, Scott, Serrano, Smith (IA), Stark, Stokes, Strickland, Studds, Swift, Synar, Thompson, Torres, Towns, Tucker, Underwood (GU), Velazquez, Vento, Waters, Watt, Waxman, Wheat, Wise, Woolsey, Wynn, Yates

NOES—296

Table listing names of representatives and their districts, including Allard, Andrews (NJ), Applegate, Archer, Arney, Bacchus (FL), Bachus (AL), Baker (CA), Baker (LA), Ballenger, Barca, Barrett (NE), Barrett (WI), Bartlett, Barton, Bateman, Bentley, Bereuter, Bevill, Bilbray, Bilirakis, Bilely, Blute, Boehlert, Boehner, Bonilla, Boucher, Brewster, Browder, Brown (FL), Bryant, Bunning, Burton, Buyer, Callahan, Calvert, Camp, Canady, Cantwell, Cardin, Castle, Chapman, Clayton, Clement, Clinger, Coble, Collins (GA), Combest, Condit, Cooper, Coppersmith, Cox, Cramer, Crapo, Cunningham, Darden, de la Garza, Deal, DeFazio, DeLauro, DeLay, Dickey, Dooley, Doolittle, Dornan, Dreier, Duncan, Dunn, Edwards (TX), Ehlers, Emerson, English, Everett, Ewing, Farr, Fawell, Fazio, Fields (TX), Fingerhut, Fish, Fowler, Franks (CT), Franks (NJ), Frost, Furse, Gallegly, Gekas, Geren, Gilchrest, Gillmor, Gilman, Gingrich, Glickman, Goodlatte, Goodling, Gordon, Goss, Grams, Grandy, Greenwood, Gunderson, Hall (OH), Hall (TX), Hamilton, Hancock, Hansen, Harman, Hastert, Hayes, Hefley, Hefner, Herger, Hinchey, Hoagland, Hobson, Hochbrueckner, Hoekstra, Hoke, Holden, Horn, Houghton, Hoyer, Huffington, Hughes, Hunter, Hutchinson, Hutto, Hyde, Inglis, Inhofe, Inslee, Jacobs, Johnson (CT), Johnson (GA), Johnson (SD), Johnson, Sam, Kanjorski, Kaptur, Kasich, Kim, King, Kingston, Kleczka, Klein, Klink, Klug, Knollenberg, Kolbe, Kopetski, Kreidler

Kyl
LaFalce
Lambert
Lancaster
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Long
Machtley
Maloney
Manzullo
Margolies-
Mezvinsky
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McHale
McHugh
McInnis
McKeon
McMillan
McNulty
Meyers
Mica
Michel
Miller (FL)
Minge
Montgomery
Moorhead
Morella
Murtha
Myers
Nadler
Neal (MA)

Neal (NC)
Nussle
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Penny
Peterson (FL)
Peterson (MN)
Petri
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Rostenkowski
Roth
Roukema
Rowland
Royce
Santorum
Sarpalius
Saxton
Schaefer
Schenk
Schiff
Sensenbrenner
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky

Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Solomon
Spence
Spratt
Stearns
Stenholm
Stump
Stupak
Sweet
Talent
Tanner
Taufin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thornton
Thurman
Torkildsen
Torricelli
Traficant
Unsoeld
Upton
Valentine
Visklosky
Volkmer
Vucanovich
Walker
Walsh
Williams
Wilson
Wolf
Wyden
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—17

Andrews (TX) Gallo
Borski Hastings
Brooks Istook
Brown (CA) Kennedy
Crane Matsui
Edwards (CA) Natcher

Portman
Reynolds
Romero-Barcelo
(PR)
Sundquist
Washington

So the substitute amendment, as amended, was not agreed to.

20.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the foregoing amendment submitted by Mr. BARRETT of Nebraska.

It was decided in the affirmative	Yeas	418
	Nays	1

20.15 [Roll No. 47] AYES—418

Abercrombie
Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Applegate
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Beilenson
Bentley

Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Boucher
Brewster
Browder
Brown (FL)
Brown (OH)
Bryant
Bunting
Burton
Buyer
Byrne
Callahan
Calvert

Camp
Canady
Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combust
Condit
Conyers
Cooper
Coppersmith
Cox
Coyne
Cramer

Crapo
Cunningham
Danner
Darden
de la Garza
de Lugo (VI)
Deal
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (TX)
Ehlers
Emerson
Engel
English
Eshoo
Evans
Everett
Ewing
Faleomavaega
(AS)
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrist
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hancock
Hansen
Harman
Hastert
Hayes
Hefley
Hefner
Herger
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoke
Holden
Horn
Houghton
Hoyer
Huffington

Hughes
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Insee
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly
Kildee
Kim
King
Kingston
Klecza
Klein
Klink
Klug
Knollenberg
Kolbe
Kopetski
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Linder
Lipinski
Livingston
Lloyd
Lowey
Machtley
Maloney
Mann
Manton
Manzullo
Margolies-
Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McHugh
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinar
Mollohan
Montgomery
Moorhead
Moran
Morella

Murphy
Murtha
Myers
Nadler
Neal (MA)
Neal (NC)
Norton (DC)
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Poshard
Price (NC)
Pryce (OH)
Quillen
Kreidler
Rahall
Ramstad
Ravenel
Reed
Regula
Richardson
Laughlin
Roberts
Roemer
Rohrabacher
Romero-Barcelo
(PR)
Levy
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Rowland
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sangmeister
Santorum
Sarpalius
Sawyer
Saxton
Schaefer
Schenk
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Shevlin
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (IA)
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snow
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stump
Stupak
Swett
Synar

Talent
Tanner
Taufin
Hutton
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant

Tucker
Underwood (GU)
Unsoeld
Upton
Valentine
Velazquez
Vento
Visklosky
Volkmer
Vucanovich
Walker
Walsh
Waters
Watt
Waxman
Weldon

Wheat
Whitten
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—1

Owens

NOT VOTING—19

Andrews (TX) Gallo
Borski Hastings
Brooks Natcher
Brown (CA) Penny
Costello Pickle
Crane Portman
Edwards (CA) Rangel

Reynolds
Rogers
Sundquist
Swift
Washington

So the amendment was agreed to. After some further time,

20.16 CALL IN COMMITTEE

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

20.17 [Roll No. 48] ANSWERED "PRESENT"—413

Abercrombie
Ackerman
Allard
Andrews (ME)
Andrews (NJ)
Applegate
Archer
Armey
Bacchus (FL)
Bachus (AL)
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barca
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Blackwell
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunting
Burton
Buyer
Byrne
Callahan
Calvert
Canady

Cantwell
Cardin
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combust
Condit
Conyers
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crapo
Cunningham
Danner
Darden
de la Garza
de Lugo (VI)
Deal
DeFazio
DeLauro
DeLay
Dellums
Derrick
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Edwards (TX)
Emerson
Engel

English
Eshoo
Evans
Everett
Ewing
Faleomavaega
(AS)
Farr
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Fowler
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gekas
Gephardt
Geren
Gilchrist
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Grams
Grandy
Green
Greenwood
Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hancock
Hansen
Harman
Hastert
Hayes

Hefley McDermott Santorum
 Herger McHale Sarpalius
 Hilliard McHugh Sawyer
 Hinchey McInnis Saxton
 Hoagland McKeon Schaefer
 Hobson McKinney Schenk
 Hochbrueckner McMillan Schiff
 Hoekstra McNulty Schroeder
 Hoke Meehan Schumer
 Holden Meek Scott
 Horn Menendez Sensenbrenner
 Houghton Meyers Serrano
 Hoyer Mfume Sharp
 Huffington Mica Shaw
 Hughes Michel Shays
 Hunter Miller (CA) Shepherd
 Hutchinson Miller (FL) Shuster
 Hutto Mineta Sisisky
 Hyde Minge Skaggs
 Inglis Mink Skeen
 Inhofe Moakley Skelton
 Inslee Molinari Slattery
 Istook Mollohan Slaughter
 Jacobs Montgomery Smith (IA)
 Jefferson Moorhead Smith (MI)
 Johnson (CT) Moran Smith (NJ)
 Johnson (GA) Morella Smith (OR)
 Johnson (SD) Murphy Smith (TX)
 Johnson, E.B. Murtha Snowe
 Johnson, Sam Myers Solomon
 Johnston Nadler Spence
 Kanjorski Neal (MA) Spratt
 Kaptur Norton (DC) Stearns
 Kasich Nussle Stenholm
 Kennedy Oberstar Strickland
 Kennelly Obey Studts
 Kildee Olver Stump
 Kim Ortiz Stupak
 King Orton Swett
 Kingston Oxley Swift
 Kleczka Packard Synar
 Klein Pallone Talent
 Klink Parker Tanner
 Klug Pastor Tauzin
 Knollenberg Paxon Taylor (MS)
 Kolbe Payne (NJ) Taylor (NC)
 Kopetski Payne (VA) Tejada
 Kreidler Penny Thomas (CA)
 Kyl Peterson (FL) Thomas (WY)
 LaFalce Peterson (MN) Thompson
 Lambert Petri Thornton
 Lancaster Pickett Thurman
 Lantos Pickle Torkildsen
 LaRocco Pombo Torres
 Laughlin Pomeroy Torricelli
 Lazio Porter Towns
 Leach Poshard Traficant
 Lehman Price (NC) Tucker
 Levin Pryce (OH) Underwood (GU)
 Levy Quillen Unsoeld
 Lewis (CA) Quinn Upton
 Lewis (FL) Rahall Velazquez
 Lewis (GA) Ramstad Vento
 Lightfoot Rangel Visclosky
 Linder Ravenel Volkmer
 Lipinski Reed Vucanovich
 Livingston Regula Walker
 Long Richardson Walsh
 Lowey Ridge Waters
 Machtley Roberts Watt
 Maloney Roemer Waxman
 Mann Rogers Weldon
 Manton Rohrabacher Wheat
 Manzullo Romero-Barcelo Whitten
 Margolies- (PR) Wilson
 Mezvinsky Ros-Lehtinen Wise
 Markey Rostenkowski Wolf
 Martinez Roth Woolsey
 Matsui Roukema Wyden
 Mazzoli Rowland Wynn
 McCandless Roybal-Allard Yates
 McCloskey Royce Young (AK)
 McCollum Rush Young (FL)
 McCrery Sabo Zeliff
 McCurdy Sanders Zimmer
 McDade Sangmeister

Page 408, after line 12, insert the following paragraph (and redesignate succeeding paragraphs accordingly):

“(6) Every day approximately 3,000 children start smoking for the first time and 30 percent of all high school seniors are smokers. Half of all new smokers begin before the age of 14, 90 percent before the age of 21, and the average age of the first use of smokeless tobacco products is under the age of 10. Use of tobacco products has been linked to serious health problems. However, because the nicotine in tobacco is an addictive substance, many tobacco users find it difficult to stop using tobacco once they have started. Drug education and prevention programs that include tobacco have been effective in reducing teenage use of tobacco. Drug prevention programs for youth that address only controlled drugs send an erroneous message that the use of tobacco does not have adverse consequences. To be credible, messages opposing illegal drug use by youth should also address other harmful substances.”

Page 439, strike lines 1 through 17, and insert the following:

“(1) The term ‘drug and violence prevention’ means—

“(A) with respect to drugs, prevention, early intervention, rehabilitation referral, or education related to the illegal use of alcohol, the use of tobacco and the use of controlled, illegal, addictive, or harmful substances, including inhalants and anabolic steroids; and

“(B) with respect to violence, the promotion of school safety, such that students and school personnel are free from violent and disruptive acts, including sexual harassment, on school premises, going to and from school, and at school-sponsored activities, through the creation and maintenance of a school environment that is free of weapons and fosters individual responsibility and respect for the rights of others.”

It was decided in the affirmative	} Yeas 353	} Nays 70	} Answered present 1			

20.19 [Roll No. 49] AYES—353

Abercrombie Clay Durbin
 Ackerman Clement Edwards (TX)
 Andrews (ME) Ehlers
 Andrews (NJ) Coleman Engel
 Archer Collins (GA) English
 Bacchus (FL) Collins (IL) Eshoo
 Bachus (AL) Collins (MI) Evans
 Baker (CA) Combest Everett
 Barca Condit Ewing
 Barrett (NE) Conyers Faleomavaega
 Barrett (WI) Cooper (AS)
 Bartlett Coppersmith Farr
 Becerra Costello Fawell
 Beilenson Cox Fazio
 Bereuter Coyne Fields (LA)
 Berman Cramer Fields (TX)
 Bevill Cupo Filner
 Bilbray Cranpingham Fingerhut
 Bilirakis Darden Fish
 Bishop de la Garza Flake
 Blackwell de Lugo (VI) Foglietta
 Blute Deal Ford (MI)
 Boehlert DeFazio Ford (TN)
 Bonilla DeLauro Fowler
 Browder DeLay Frank (MA)
 Brown (CA) Dellums Franks (CT)
 Brown (OH) Derrick Franks (NJ)
 Bryant Deutsch Frost
 Burton Diaz-Balart Furse
 Buyer Dickey Gallegly
 Byrne Dicks Gejdenson
 Calvert Dixon Gephardt
 Camp Dooley Gibbons
 Canady Doolittle Gilchrist
 Cantwell Dornan Gillmor
 Cardin Dreier Gilman
 Castle Duncan Glickman
 Chapman Dunn Gonzalez

Goodling Margolies- Roukema
 Goss Mezvinsky Rowland
 Grams Markey Roybal-Allard
 Grandy Martinez Royce
 Greenwood Matsui Rush
 Gunderson Mazzoli Sabo
 Gutierrez McCandless Sanders
 Hall (OH) McCloskey Sangmeister
 Hall (TX) McCollum Santorum
 Hamburg McCrery Sarpalius
 Hamilton McCurdy Sawyer
 Hansen McDade Schenk
 Harman McDermott Schiff
 Hastert McHale Schroeder
 Hayes McHugh Schumer
 Hefley McInnis Sensenbrenner
 Herger McKeon Serrano
 Hinchey McKinney Sharp
 Hoagland McNulty Shaw
 Hobson Meehan Shays
 Hochbrueckner Menendez Shepherd
 Hoekstra Meyers Shuster
 Hoke Mfume Skaggs
 Holden Mica Skeen
 Horn Miller (CA) Skelton
 Hoyer Miller (FL) Slattery
 Huffington Mineta Slaughter
 Hughes Minge Smith (IA)
 Hutchinson Mink Smith (MI)
 Hutto Moakley Smith (NJ)
 Hyde Molinari Smith (TX)
 Inglis Montgomery Snowe
 Inhofe Moorhead Solomon
 Inslee Moran Stark
 Istook Morella Stearns
 Jacobs Murphy Stenholm
 Jefferson Murtha Stokes
 Johnson (CT) Myers Strickland
 Johnson (GA) Nadler Studts
 Johnson (SD) Neal (MA) Stupak
 Johnson, E. B. Norton (DC) Swett
 Johnston Nussle Swift
 Kaptur Oberstar Synar
 Kasich Obey Talent
 Kennedy Olver Tauzin
 Kennelly Ortiz Taylor (MS)
 Kildee Orton Tejada
 Kim Owens Thomas (CA)
 King Oxley Thomas (WY)
 Kleczka Packard Thornton
 Klein Pallone Thurman
 Klink Parker Torkildsen
 Klug Pastor Torres
 Knollenberg Payne (NJ) Torricelli
 Kolbe Pelosi Towns
 Kreidler Penny Traficant
 Kyl Peterson (FL) Tucker
 LaFalce Peterson (MN) Underwood (GU)
 Lambert Petri Unsoeld
 Lantos Pickle Upton
 LaRocco Pombo Velazquez
 Laughlin Pomeroy Vento
 Lazio Porter Visclosky
 Leach Poshard Volkmer
 Lehman Pryce (OH) Walsh
 Levin Quinn Waters
 Levy Rahall Waxman
 Lewis (CA) Ramstad Weldon
 Lewis (FL) Rangel Wheat
 Lewis (GA) Reed Whitten
 Lightfoot Regula Wilson
 Linder Richardson Wise
 Lipinski Ridge Wolf
 Livingston Roberts Woolsey
 Lloyd Roemer Wyden
 Long Rohrabacher Wynn
 Lowey Romero-Barcelo Yates
 Machtley (PR) Young (FL)
 Maloney Ros-Lehtinen Zeliff
 Mann Rostenkowski Zimmer
 Manzullo Roth

NOES—70

Allard Callahan Houghton
 Army Carr Hunter
 Baesler Clayton Johnson, Sam
 Baker (LA) Clyburn Kanjorski
 Ballenger Coble Kingston
 Barcia Danner Kopetski
 Barlow Dingell Lancaster
 Barton Emerson Manton
 Bateman Gekas McMillan
 Bentley Geren Meek
 Bliley Gingrich Mollohan
 Boehner Goodlatte Neal (NC)
 Bonior Gordon Paxon
 Boucher Green Payne (VA)
 Brewster Hancock Pickett
 Brown (FL) Hefner Price (NC)
 Bunning Hilliard Quillen

Thereupon, Mr. PRICE of North Carolina, Chairman, announced that 413 Members had been recorded, a quorum.
 The Committee resumed its business.

20.18 RECORDED VOTE

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

Ravenel	Smith (OR)	Vucanovich
Rogers	Spence	Walker
Rose	Spratt	Watt
Saxton	Stump	Williams
Schaefer	Tanner	Young (AK)
Scott	Taylor (NC)	
Sisisky	Thompson	

ANSWERED "PRESENT"—1

Applegate

NOT VOTING—14

Andrews (TX)	Gallo	Reynolds
Borski	Hastings	Sundquist
Brooks	Michel	Valentine
Crane	Natcher	Washington
Edwards (CA)	Portman	

So the amendment was agreed to.

After some further time,

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

When Mr. PRICE of North Carolina, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

120.20 PERMISSION TO FILE REPORT

On motion of Mr. MOAKLEY, by unanimous consent, the Committee on Rules was granted permission until midnight tonight to file a privileged report (Rept. No. 103-429) on the concurrent resolution (H. Con. Res. 218) setting forth the congressional budget for the United States Government for fiscal years 1995, 1996, 1997, 1998, and 1999.

120.21 HOUR OF MEETING

On motion of Mr. WISE, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 10 o'clock a.m. on Thursday, March 10, 1994.

120.22 TOY SAFETY

On motion of Mrs. COLLINS of Illinois, by unanimous consent, the bill (H.R. 965) to provide for toy safety and for other purposes; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Safety Protection Act".

TITLE I—TOY LABELING REQUIREMENTS
SEC. 101. REQUIREMENTS FOR LABELING CERTAIN TOYS AND GAMES.

(a) REQUIREMENT UNDER FEDERAL HAZARDOUS SUBSTANCES ACT.—The Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.) is amended by adding at the end the following new section:

"SEC. 24. REQUIREMENTS FOR LABELING CERTAIN TOYS AND GAMES.

"(a) TOYS OR GAMES FOR CHILDREN WHO ARE AT LEAST 3.—

"(1) REQUIREMENT.—The packaging of any toy or game intended for use by children who are at least 3 years old but not older than 6 years (or such other upper age limit as the Commission may determine, which may not be less than 5 years old), any descriptive material which accompanies such toy or game, and, in the case of bulk sales of such toy or game when unpackaged, any bin, container for retail display, or vending machine from which the unpackaged toy or game is dispensed shall bear or contain the cautionary

statement described in paragraph (2) if the toy or game—

"(A) is manufactured for sale, offered for sale, or distributed in commerce in the United States, and

"(B) includes a small part, as defined by the Commission.

"(2) LABEL.—The cautionary statement required by paragraph (1) for a toy or game shall be as follows:



" WARNING:

**CHOKING HAZARD—Small parts.
Not for children under 3 yrs.**

"(b) BALLOONS, SMALL BALLS, AND MARBLES.—

"(1) REQUIREMENT.—In the case of any latex balloon, any ball with a diameter of 1.75 inches or less intended for children 3 years of age or older, any marble intended for children 3 years of age or older, or any toy or game which contains such a balloon, ball, or marble, which is manufactured for sale, offered for sale, or distributed in commerce in the United States—

"(A) the packaging of such balloon, ball, marble, toy, or game,

"(B) any descriptive material which accompanies such balloon, ball, marble, toy, or game, and

"(C) in the case of bulk sales of any such product when unpackaged, any bin, container for retail display, or vending machine from which such unpackaged balloon, ball, marble, toy, or game is dispensed,

shall bear or contain the cautionary statement described in paragraph (2).

"(2) LABEL.—The cautionary statement required under paragraph (1) for a balloon, ball, marble, toy, or game shall be as follows:

"(A) BALLOONS.—In the case of balloons, or toys or games that contain latex balloons, the following cautionary statement applies:



" WARNING:

CHOKING HAZARD—Children under 8 yrs. can choke or suffocate on uninflated or broken balloons. Adult supervision required.

**Keep uninflated balloons from children.
Discard broken balloons at once.**

"(B) BALLS.—In the case of balls, the following cautionary statement applies:



" WARNING:

**CHOKING HAZARD—This toy is a small ball.
Not for children under 3 yrs.**

"(C) MARBLES.—In the case of marbles, the following cautionary statement applies:



" WARNING:

**CHOKING HAZARD—This toy is a marble.
Not for children under 3 yrs.**

"(D) TOYS AND GAMES.—In the case of toys or games containing balls, the following cautionary statement applies:



" WARNING:

**CHOKING HAZARD—Toy contains a small ball.
Not for children under 3 yrs.**

In the case of toys or games containing marbles, the following cautionary statement applies:



" WARNING:

**CHOKING HAZARD—Toy contains a marble.
Not for children under 3 yrs.**

"(c) GENERAL LABELING REQUIREMENTS.—

"(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), any cautionary statement required under subsection (a) or (b) shall be—

"(A) displayed in its entirety on the principal display panel of the product's package, and on any descriptive material which accompanies the product, and, in the case of bulk sales of such product when unpackaged, on the bin, container for retail display of the product, and any vending machine from which the unpackaged product is dispensed, and

"(B) displayed in the English language in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on such package, descriptive materials, bin, container, and vending machine, and in a manner consistent with part 1500 of title 16, Code of Federal Regulations (or successor regulations thereto).

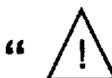
"(2) EXCEPTION FOR PRODUCTS MANUFACTURED OUTSIDE UNITED STATES.—In the case of a product manufactured outside the United States and directly shipped from the manufacturer to the consumer by United States mail or other delivery service, the accompanying material inside the package of the product may fail to bear the required statement if other accompanying material shipped with the product bears such statement.

"(3) SPECIAL RULES FOR CERTAIN PACKAGES.—(A) A cautionary statement required by subsection (a) or (b) may, in lieu of display on the principal display panel of the product's package, be displayed on another panel of the package if—

"(i) the package has a principal display panel of 15 square inches or less and the required statement is displayed in three or more languages; and

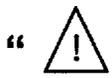
"(ii) the statement specified in subparagraph (B) is displayed on the principal display panel and is accompanied by an arrow or other indicator pointing toward the place on the package where the statement required by subsection (a) or (b) appears.

"(B)(i) In the case of a product to which subsection (a), subsection (b)(2)(B), subsection (b)(2)(C), or subsection (b)(2)(D) applies, the statement specified by this subparagraph is as follows:



" SAFETY WARNING

"(ii) In the case of a product to which subsection (b)(2)(A) applies, the statement specified by this subparagraph is as follows:



" WARNING—CHOKING HAZARD

"(d) TREATMENT AS MISBRANDED HAZARDOUS SUBSTANCE.—A balloon, ball, marble,

toy, or game, that is not in compliance with the requirements of this section shall be considered a misbranded hazardous substance under section 2(p)."

(b) OTHER SMALL BALLS.—A small ball—

(1) intended for children under the age of 3 years of age, and

(2) with a diameter of 1.75 inches or less, shall be considered a banned hazardous substance under section 2(q) of the Federal Hazardous Substances Act (15 U.S.C. 1261(q)).

(c) REGULATIONS.—The Consumer Product Safety Commission (hereinafter referred to as the "Commission") shall promulgate regulations, under section 553 of title 5, United States Code, for the implementation of this section and section 24 of the Federal Hazardous Substances Act by July 1, 1994, or the date that is 6 months after the date of enactment of this Act, whichever occurs first. Subsections (f) through (i) of section 3 of the Federal Hazardous Substances Act (15 U.S.C. 1262) shall not apply with respect to the issuances of regulations under this subsection.

(d) EFFECTIVE DATE; APPLICABILITY.—Subsections (a) and (b) shall take effect January 1, 1995, and section 24 of the Federal Hazardous Substances Act shall apply only to products entered into commerce on or after January 1, 1995.

(e) PREEMPTION.—

(1) IN GENERAL.—Subject to paragraph (2), a State or political subdivision of a State may not establish or enforce a requirement relating to cautionary labeling of small parts hazards or choking hazards in any toy, game, marble, small ball, or balloon intended or suitable for use by children unless such requirement is identical to a requirement established by amendments made by this section to the Federal Hazardous Substances Act or by regulations promulgated by the Commission.

(2) EXCEPTION.—A State or political subdivision of a State may, until January 1, 1995, enforce a requirement described in paragraph (1) if such requirement was in effect on October 2, 1993.

SEC. 102. REPORTING REQUIREMENTS.

(a) REPORTS TO CONSUMER PRODUCT SAFETY COMMISSION.—

(1) REQUIREMENT TO REPORT.—Each manufacturer, distributor, retailer, and importer of a marble, small ball, or latex balloon, or a toy or game that contains a marble, small ball, latex balloon, or other small part, shall report to the Commission any information obtained by such manufacturer, distributor, retailer, or importer which reasonably supports the conclusion that—

(A) an incident occurred in which a child (regardless of age) choked on such a marble, small ball, or latex balloon or on a marble, small ball, latex balloon, or other small part contained in such toy or game; and

(B) as a result of that incident the child died, suffered serious injury, ceased breathing for any length of time, or was treated by a medical professional.

(2) TREATMENT UNDER CPSA.—For purposes of section 19(a)(3) of the Consumer Product Safety Act (15 U.S.C. 2068(a)(3)), the requirement to report information under this subsection is deemed to be a requirement under such Act.

(3) EFFECT ON LIABILITY.—A report by a manufacturer, distributor, retailer, or importer under paragraph (1) shall not be interpreted, for any purpose, as an admission of liability or of the truth of the information contained in the report.

(b) CONFIDENTIALITY PROTECTIONS.—The confidentiality protections of section 6(b) of the Consumer Product Safety Act (15 U.S.C. 2055(b)) apply to any information reported to the Commission under subsection (a) of this section. For purposes of section 6(b)(5) of

such Act, information so reported shall be treated as information submitted pursuant to section 15(b) of such Act respecting a consumer product.

TITLE II—CHILDREN'S BICYCLE HELMET SAFETY

SEC. 201. SHORT TITLE.

This title may be cited as the "Children's Bicycle Helmet Safety Act of 1993".

SEC. 202. ESTABLISHMENT OF PROGRAM.

The Administrator of the National Highway Traffic Safety Administration may, in accordance with section 203, make grants to States and nonprofit organizations for programs that require or encourage individuals under the age of 16 to wear approved bicycle helmets. In making those grants, the Administrator shall allow grantees to use wide discretion in designing programs that effectively promote increased bicycle helmet use.

SEC. 203. PURPOSES FOR GRANTS.

A grant made under section 202 may be used by a grantee to—

(1) enforce a law that requires individuals under the age of 16 to wear approved bicycle helmets on their heads while riding on bicycles;

(2) assist individuals under the age of 16 to acquire approved bicycle helmets;

(3) develop and administer a program to educate individuals under the age of 16 and their families on the importance of wearing such helmets in order to improve bicycle safety; or

(4) carry out any combination of the activities described in paragraphs (1), (2), and (3).

SEC. 204. STANDARDS.

(a) IN GENERAL.—Bicycle helmets manufactured 9 months or more after the date of the enactment of this Act shall conform to—

(1) any interim standard described under subsection (b), pending the establishment of a final standard pursuant to subsection (c); and

(2) the final standard, once it has been established under subsection (c).

(b) INTERIM STANDARDS.—The interim standards are as follows:

(1) The American National Standards Institute standard designated as "Z90.4-1984".

(2) The Snell Memorial Foundation standard designated as "B-90".

(3) The American Society of Testing Materials standard designated as "F 1447".

(4) Any other standard that the Commission determines is appropriate.

(c) FINAL STANDARD.—Not later than 60 days after the date of the enactment of this Act, the Commission shall begin a proceeding under section 553 of title 5, United States Code, to—

(1) review the requirements of the interim standards set forth in subsection (a) and establish a final standard based on such requirements;

(2) include in the final standard a provision to protect against the risk of helmets coming off the heads of bicycle riders;

(3) include in the final standard provisions that address the risk of injury to children; and

(4) include additional provisions as appropriate.

Sections 7, 9, and 30(d) of the Consumer Product Safety Act (15 U.S.C. 2056, 2058, 2079(d)) shall not apply to the proceeding under this subsection and section 11 of such Act (15 U.S.C. 2060) shall not apply with respect to any standard issued under such proceeding. The final standard shall take effect 1 year from the date it is issued.

(d) FAILURE TO MEET STANDARDS.—

(1) FAILURE TO MEET INTERIM STANDARD.—Until the final standard takes effect, a bicycle helmet that does not conform to an interim standard as required under subsection

(a)(1) shall be considered in violation of a consumer product safety standard promulgated under the Consumer Product Safety Act.

(2) STATUS OF FINAL STANDARD.—The final standard developed under subsection (c) shall be considered a consumer product safety standard promulgated under the Consumer Product Safety Act.

SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

For the National Highway Traffic Safety Administration to carry out the grant program authorized by this title, there are authorized to be appropriated \$2,000,000 for fiscal year 1994, \$3,000,000 for fiscal year 1995, and \$4,000,000 for fiscal year 1996.

SEC. 206. DEFINITION.

In this title, the term "approved bicycle helmet" means a bicycle helmet that meets—

(1) any interim standard described in section 204(b), pending establishment of a final standard under section 204(c); and

(2) the final standard, once it is established under section 204(c).

TITLE III—BUCKET DROWNING PREVENTION

SEC. 301. LABELING STANDARD REQUIREMENTS.

On October 1, 1994, or 240 days after the date of the enactment of this title, whichever first occurs, there is established and effective a consumer product safety standard under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058), to eliminate or reduce the risk of injury or death resulting from infants falling into 4-gallon to 6-gallon buckets containing liquid. Such standard, when established, shall require straight sided or slightly tapered, open head containers with a capacity of more than 4 gallons and less than 6 gallons (referred to in this title as a "bucket"), to bear one warning label in English and Spanish. The label shall meet the following requirements:

(1) The label shall be permanent so that such label cannot be removed, torn or defaced without the aid of tools or solvents.

(2) The label shall be at least 7 inches in height, and 3½ inches in width, or any larger size as the labeler may choose.

(3) The label shall be centered on one side of the bucket just below the point where the handle is inserted.

(4) The label shall have a border or other form of contrast around its edges to delineate it from any other information on the bucket.

(5) The label shall bear (A) the signal word "WARNING" in both English and Spanish, in bold uppercase lettering, and (B) in upper and lower case lettering the words "Children Can Fall Into Bucket and Drown. Keep Children Away From Buckets With Even a Small Amount of Liquid.", with an equivalent Spanish translation in at least the same type size as English. The signal word panel shall be preceded by a safety alert symbol consisting of an exclamation mark in a triangle.

(6) The label shall be clear and conspicuous and in contrasting colors.

(7) The label shall include a picture of a child falling into a bucket containing liquid. An encircled slash symbol shall be superimposed over, and surround the pictorial. The picture shall be positioned between the signal word panel and the message panel.

SEC. 302. CERTAIN BUCKETS NOT AFFECTED.

The standard established by section 301 applies only to buckets manufactured or imported on or after the effective date of such standard, and buckets manufactured or imported before such effective date may be sold without the warning label required by section 301 even though such sales occur after that date. The Consumer Product Safety Commission, by rule, shall prohibit a manufacturer, filler, distributor, and retailer from

stockpiling buckets to which consumer product safety standards established by section 301 of this title would have applied but for the preceding sentence. For purposes of this section, the term "stockpiling" shall have the same meaning as that provided by section 9(g)(2) of the Consumer Product Safety Act.

SEC. 303. PROHIBITED ACTS.

(a) REMOVAL OF LABEL.—Once placed on a plastic bucket pursuant to the standard provided by section 301, it shall be a prohibited act under section 19 of the Consumer Product Safety Act for any person in the chain of distribution of the bucket to intentionally cover, obstruct, tear, deface or remove the label.

(b) CONSUMER PRODUCT SAFETY STANDARD.—The standard established by section 301 of this title shall be considered a consumer product safety standard established under the Consumer Product Safety Act.

SEC. 304. EXISTING LABELS.

Notwithstanding section 301, any bucket label in use on September 1, 1993, may, if such label is substantially in conformance with the requirements of paragraphs (3), (4), (5), and (6) of section 301, continue to be placed on buckets until 12 months after the date of the enactment of this title. Notwithstanding the preceding sentence, buckets subject to the provisions of this section must bear both an English and Spanish language label on and after the effective date of the standard established by section 301.

SEC. 305. AMENDMENTS.

Section 553 of title 5, United States Code, shall apply with respect to the Consumer Product Safety Commission's issuance of any amendments or changes to the bucket labeling standard established by section 301 of this title. Sections 7 and 9 of the Consumer Product Safety Act shall not apply to such amendments or changes.

SEC. 306. RESPONSIBILITY FOR LABELING.

(a) LABELING.—The standard established by section 301 requires the labeling of buckets covered by such standard to be the responsibility of the manufacturer of any such buckets, unless otherwise specified by contract between the manufacturer, and either the filler, distributor, or retailer of such buckets. Under no circumstances shall any such bucket enter the stream of commerce without such label.

(b) TIME FOR PLACING LABELS.—The required label must be on the bucket at the time it is sold or delivered to the end user of the bucket or its contents or, in the case of a bucket intended to be sold to the public in an empty state, at the time it is shipped to a retailer for sale to the public.

SEC. 307. PERFORMANCE STANDARD.

(a) PERFORMANCE STANDARD.—Within 30 days following the date of enactment of this title, the Consumer Product Safety Commission shall commence a proceeding under the Consumer Product Safety Act for the issuance of a performance standard for buckets to address the drowning hazard associated with this product. Such standard shall take effect at such time as may be prescribed by the Consumer Product Safety Commission, but in no event later than 15 months following the date of the enactment of this title. The Consumer Product Safety Commission shall consider any American Society for Testing and Materials voluntary performance standard in existence prior to such date of enactment.

(b) LABELING REQUIREMENTS.—The labeling requirements under section 101 shall not apply to buckets certified by the Consumer Product Safety Commission as meeting the performance standard in subsection (a).

SEC. 308. CONSULTATION.

To avoid duplicative and conflicting labeling, the Consumer Product Safety Commis-

sion shall complete a consultation with relevant Federal agencies within 30 days following the date of enactment of this Act.

SEC. 309. REQUIREMENT FOR COMMISSION STUDY.

(a) STUDY.—The Commission shall conduct a study to assess the frequency of deaths and injuries arising from drowning accidents in metal buckets, and the frequency and type of uses of 4-gallon to 6-gallon metal containers in the home, to determine whether special design and labeling standards are needed for such containers. The Commission shall report the results of the study to the Congress not later than one year after the date of enactment of this Act.

(b) EXEMPTION.—During the pendency of such study, metal containers which would otherwise be required to comply with the labeling requirements of section 301 are exempt from such requirements. Upon review of the results of the study, the Commission shall decide whether to continue this exemption, to require compliance by metal containers, or to consider further study in the future.

On motion of Mrs. COLLINS of Illinois, said Senate amendment was agreed to with the following amendment:

In lieu of the matter inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE.

This act may be cited as the "Child Safety Protection Act".

TITLE I—TOY LABELING REQUIREMENTS

SEC. 101. REQUIREMENTS FOR LABELING CERTAIN TOYS AND GAMES.

(a) REQUIREMENT UNDER FEDERAL HAZARDOUS SUBSTANCES ACT.—The Federal Hazardous Substances Act (15 U.S.C. 1261 et seq.) is amended by adding at the end the following new section:

"SEC. 24. REQUIREMENTS FOR LABELING CERTAIN TOY AND GAMES.

"(a) TOYS OR GAMES FOR CHILDREN WHO ARE AT LEAST 3.—

"(1) REQUIREMENT.—The packaging of any toy or game intended for used by children who are at least 3 years old but not older than 6 years (or such other upper age limit as the Commission may determine, which may not be less than 5 years old), any descriptive material which accompanies such toy or game, and, in the case of bulk sales of such toy or game when unpackaged, any bin, container for retail display, or vending machine from which the unpackaged toy or game is dispensed shall bear or contain the cautionary statement described in paragraph (2) if the toy or game—

"(A) is manufactured for sale, offered for sale, or distributed in commerce in the United States, and

"(B) includes a small part, as defined by the Commission.

"(2) LABEL.—The cautionary statement requirement by paragraph (1) for a toy or game shall be as follows:

	WARNING:
<p>CHOKING HAZARD—Small parts. <i>Not for children under 3 yrs.</i></p>	

"(b) BALLOONS, SMALL BALLS, AND MARBLES.—

"(1) REQUIREMENT.—In the case of any latex balloon, any ball with a diameter of 1.75 inches or less intended for children 3 years of age or older, any marble intended for children 3 years of age or older, or any toy or game which contains such a balloon, ball or marble, which is manufactured for

sale, offered for sale, or distributed in commerce in the United States—

"(A) the packaging of such balloon, ball, marble, toy, or game,

"(B) any descriptive material which accompanies such balloon, ball, marble, toy, or game, and

"(C) in the case of bulk sales of any such product when unpackaged, any bin, container for retail display, or vending machine from which such unpackaged balloon, ball, marble, toy, or game is dispensed.

shall bear or contain the cautionary statement described in paragraph (2).

"(2) LABEL.—The cautionary statement required under paragraph (1) for a balloon, ball, marble, toy, or game shall be as follows:

"(A) BALLOONS.—In the case of balloons, or toys or games that contain latex balloons, the following cautionary statement applies:

	WARNING:
<p>CHOKING HAZARD—Children under 8 yrs. can choke or suffocate on uninflated or broken balloons. <i>Adult supervision required.</i></p> <p>Keep uninflated balloons from children. <i>Discard broken balloons at once.</i></p>	

"(B) BALLS.—In the case of balls, the following cautionary statement applies:

	WARNING:
<p>CHOKING HAZARD—This toy is a small ball. <i>Not for children under 3 yrs.</i></p>	

"(C) MARBLES.—In the case of marbles, the following cautionary statement applies:

	WARNING:
<p>CHOKING HAZARD—This toy is a marble. <i>Not for children under 3 yrs.</i></p>	

"(D) TOYS AND GAMES.—In the case of toys or games containing balls, the following cautionary statement applies:

	WARNING:
<p>CHOKING HAZARD—This toy is a small ball. <i>Not for children under 3 yrs.</i></p>	

In the case of toys or games containing marbles, the following cautionary statement applies:

	WARNING:
<p>CHOKING HAZARD—Toy contains a small marble. <i>Not for children under 3 yrs.</i></p>	

"(c) GENERAL LABELING REQUIREMENTS.—

"(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), any cautionary statement required under subsection (a) or (b) shall be—

"(A) displayed in its entirety on the principal display panel of the product's package, and on any descriptive material which accompanies the product, and, in the case of bulk sales of such product when unpackaged, on the bin, container for retail display of the product, and any vending machine from

which the unpackaged product is dispensed, and

“(B) displayed in the English language in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on such package, descriptive materials, bin, container, and vending machine, and in a manner consistent with part 1500 of title 16, Code of Federal Regulations (or successor regulations thereto).

“(2) EXCEPTION FOR PRODUCTS MANUFACTURED OUTSIDE UNITED STATES.—In the case of a product manufactured outside the United States and directly shipped from the manufacturer to the consumer by United States mail or other delivery service, the accompanying material inside the package of the product may fail to bear the required statement if other accompanying material shipped with the product bears such statement.

“(3) SPECIAL RULES FOR CERTAIN PACKAGES.—(A) A cautionary statement required by subsection (a) or (b) may, in lieu of display on the principal display panel of the product's package, be displayed on another panel of the package if—

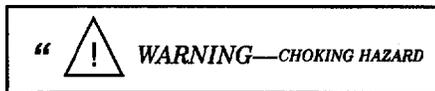
“(i) the package has a principal display panel of 15 square inches or less and the required statement is displayed in three or more languages; and

“(ii) the statement specified in subparagraph (B) is displayed on the principal display panel and is accompanied by an arrow or other indicator pointing toward a place on the package where the statement required by subsection (a) or (b) appears.

“(B)(i) In the case of a product to which subsection (a), subsection (b)(2)(B), subsection (b)(2)(C), or subsection (b)(2)(D) applies, the statement specified by this subparagraph is as follows:



“(ii) In the case of a product to which subsection (b)(2)(A) applies, the statement specified by this subparagraph is as follows:



“(d) TREATMENT AS MISBRANDED HAZARDOUS SUBSTANCE.—A balloon, ball, marble, toy, or game, that is not in compliance with the requirements of this section shall be considered a misbranded hazardous substance under section 2(p).”

(b) OTHER SMALL BALLS.—A small ball—

(1) intended for children under the age of 3 years of age, and

(2) with a diameter of 1.75 inches or less, shall be considered a banned hazardous substance under section 2(q) of the Federal Hazardous Substances Act (15 U.S.C. 1261(q)).

(c) REGULATIONS.—The Consumer Product Safety Commission (hereinafter referred to as the “Commission”) shall promulgate regulations, under section 553 of title 5, United States Code, for the implementation of this section and section 24 of the Federal Hazardous Substances Act by July 1, 1994, or the date that is 6 months after the date of enactment of this Act, whichever occurs first. Subsections (f) through (i) of section 3 of the Federal Hazardous Substances Act (15 U.S.C. 1262) shall not apply with respect to the issuance of regulations under this subsection.

(d) EFFECTIVE DATE; APPLICABILITY.—Subsections (a) and (b) shall take effect January 1, 1995, and section 24 of the Federal Hazardous Substances Act shall apply only to products entered into commerce on or after January 1, 1995.

(e) PREEMPTION.—

(1) IN GENERAL.—Subject to paragraph (2), a State or political subdivision of a State may not establish or enforce a requirement relating to cautionary labeling of small parts hazards or choking hazards in any toy, game, marble, small ball, or balloon intended or suitable for use by children unless such requirement is identical to a requirement established by amendments made by this section to the Federal Hazardous Substances Act or by regulations promulgated by the Commission.

(2) EXCEPTION.—A State or political subdivision of a State may, until January 1, 1995, enforce a requirement described in paragraph (1) if such requirement was in effect on October 2, 1993.

SEC. 102. REPORTING REQUIREMENTS.

(a) REPORTS TO CONSUMER PRODUCT SAFETY COMMISSION.—

(1) REQUIREMENT TO REPORT.—Each manufacturer, distributor, retailer, and importer of a marble, small ball, or latex balloon, or a toy or game that contains a marble, small ball, latex balloon, or other small part, shall report to the Commission any information obtained by such manufacturer, distributor, retailer, or importer which reasonably supports the conclusion that—

(A) an incident occurred in which a child (regardless of age) choked on such a marble, small ball, or latex balloon or on a marble, small ball, latex balloon, or other small part contained in such toy or game; and

(B) as a result of that incident the child died, suffered serious injury, ceased breathing for any length of time, or was treated by a medical professional.

(2) TREATMENT UNDER CPSA.—For purposes of section 19(a)(3) of the Consumer Product Safety Act (15 U.S.C. 2068(a)(3)), the requirement to report information under this subsection is deemed to be a requirement under such Act.

(3) EFFECT ON LIABILITY.—A report by a manufacturer, distributor, retailer, or importer under paragraph (1) shall not be interpreted, for any purpose, as an admission of liability or of the truth of the information contained in the report.

(b) CONFIDENTIALITY PROTECTIONS.—The confidentiality protections of section 6(b) of the Consumer Product Safety Act (15 U.S.C. 2055(b)) apply to any information reported to the Commission under subsection (a) of this section. For purposes of section 6(b)(5) of such Act, information so reported shall be treated as information submitted pursuant to section 15(b) of such Act respecting a consumer product.

TITLE II—CHILDREN'S BICYCLE HELMET SAFETY

SEC. 201. SHORT TITLE.

This title may be cited as the “Children's Bicycle Helmet Safety Act of 1993”.

SEC. 202. STANDARDS.

(a) IN GENERAL.—Bicycle helmets manufactured 9 months or more after the date of the enactment of this Act shall conform to—

(1) any interim standard described under subsection (b), pending the establishment of a final standard pursuant to subsection (c); and

(2) the final standard, once it has been established under subsection (c).

(b) INTERIM STANDARDS.—The interim standards are as follows:

(1) The American National Standards Institute standard designated as “Z90.4-1984”.

(2) The Snell Memorial Foundation standard designated as “B-90”.

(3) The American Society for Testing and Materials (ASTM) standard designated as “F 1447”.

(4) Any other standard that the Commission determines is appropriate.

(c) FINAL STANDARD.—Not later than 60 days after the date of the enactment of this

Act, the Commission shall begin a proceeding under section 553 of title 5, United States Code, to—

(1) review the requirements of the interim standards set forth in subsection (a) and establish a final standard based on such requirements;

(2) include in the final standard a provision to protect against the risk of helmets coming off the heads of bicycle riders;

(3) include in the final standard provisions that address the risk of injury to children; and

(4) include additional provisions as appropriate.

Sections 7, 9, and 30(d) of the Consumer Product Safety Act (15 U.S.C. 2056, 2058, 2079(d)) shall not apply to the proceeding under this subsection and section 11 of such Act (15 U.S.C. 2060) shall not apply with respect to any standard issued under such proceeding. The final standard shall take effect 1 year from the date it is issued.

(d) FAILURE TO MEET STANDARDS.—

(1) FAILURE TO MEET INTERIM STANDARD.—Until the final standard takes effect, a bicycle helmet that does not conform to an interim standard as required under subsection (a)(1) shall be considered in violation of a consumer product safety standard promulgated under the Consumer Product Safety Act.

(2) STATUS OF FINAL STANDARD.—The final standard developed under subsection (c) shall be considered a consumer product safety standard promulgated under the Consumer Product Safety Act.

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

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

¶20.23 SUBPOENA

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

CONGRESS OF THE UNITED STATES,
House of Representatives, March 7, 1994.

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

DEAR MR. SPEAKER: In accordance with House Rule 50, I respectfully notify you of my receipt of a witness subpoena from the Superior Court of Cobb County, Georgia.

After consultation with the General Counsel to the House, I have determined that compliance is not consistent with the privileges and precedents of the House.

Sincerely,

NEWT GINGRICH.

¶20.24 MESSAGE FROM THE PRESIDENT— EUROPEAN UNION NUCLEAR COOPERATION

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

To the Congress of the United States:

The United States has been engaged in nuclear cooperation with the European Community (now European Union) for many years. This cooperation was initiated under agreements that were concluded over three decades ago between the United States and the European Atomic Energy Community [EURATOM] and that extend until December 31, 1995. Since the inception of

this cooperation, EURATOM has adhered to all its obligations under those agreements.

The Nuclear Non-Proliferation Act of 1978 amended the Atomic Energy Act of 1954 to establish new nuclear export criteria, including a requirement that the United States have a right to consent to the reprocessing of fuel exported from the United States. Our present agreements for cooperation with EURATOM do not contain such a right. To avoid disrupting cooperation with EURATOM, a provision was included in the law to enable continued cooperation until March 10, 1980, if EURATOM agreed to negotiations concerning our cooperation agreements. EURATOM agreed in 1978 to such negotiations.

The law also provides that nuclear cooperation with EURATOM can be extended on an annual basis after March 10, 1980, upon determination by the President that failure to cooperate would be seriously prejudicial to the achievement of U.S. non-proliferation objectives or otherwise jeopardize the common defense and security, and after notification to the Congress. President Carter made such a determination 14 years ago and signed Executive Order No. 12193, permitting nuclear cooperation with EURATOM to continue until March 10, 1981. President Reagan made such determinations in 1981, 1982, 1983, 1984, 1985, 1986, 1987, and 1988, and signed Executive Orders Nos. 12295, 12351, 12409, 12463, 12506, 12554, 12587, and 12629 permitting nuclear cooperation to continue through March 10, 1989. President Bush made such determinations in 1989, 1990, 1991, and 1992, and signed Executive Orders Nos. 12670, 12706, 12753, and 12791 permitting nuclear cooperation to continue through March 10, 1993. Last year I signed Executive Order No. 12840 to extend cooperation for an additional year, until March 10, 1994.

In addition to numerous informal contacts, the United States has engaged in frequent talks with EURATOM regarding the renegotiation of the U.S.-EURATOM agreements for cooperation. Talks were conducted in November 1978, September 1979, April 1980, January 1982, November 1983, March 1984, May, September, and November 1985, April and July 1986, September 1987, September and November 1988, July and December 1989, February, April, October, and December 1990, and September 1991. Formal negotiations on a new agreement were held in April, September, and December 1992, and in March, July, and October 1993. They are expected to continue this year.

I believe that it is essential that cooperation between the United States and EURATOM continue, and likewise, that we work closely with our allies to counter the threat of proliferation of nuclear explosives. Not only would a disruption of nuclear cooperation with EURATOM eliminate any chance of progress in our talks with that organization related to our agreements, it

would also cause serious problems in our overall relationships. Accordingly, I have determined that failure to continue peaceful nuclear cooperation with EURATOM would be seriously prejudicial to the achievement of U.S. nonproliferation objectives and would jeopardize the common defense and security of the United States. I therefore intend to sign an Executive order to extend the waiver of the application of the relevant export criterion of the Atomic Energy Act for an additional 12 months from March 10, 1994.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *March 9, 1994.*

By unanimous consent, the message was referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 103-217).

¶20.25 SENATE BILL REFERRED

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

S. 313. An Act to amend the San Juan Basin Wilderness Protection Act of 1984 to designate additional lands as wilderness and to establish the Fossil Forest Research Natural Area, and for other purposes; to the Committee on Natural Resources.

¶20.26 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HOUGHTON, for March 8.

And then,

¶20.27 ADJOURNMENT

On motion of Mr. Solomon, pursuant to the special order heretofore agreed to, at 8 o'clock and 28 minutes p.m., the House adjourned until 10 o'clock a.m. on Thursday, March 10, 1994.

¶20.28 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DERRICK: Committee on Rules. House Resolution 384. Resolution providing for the consideration of H. Con. Res. 218, setting forth the congressional budget for the U.S. Government for fiscal years 1995, 1996, 1997, 1998, and 1999 (Rept. No. 103-429). Ordered to be printed.

¶20.29 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. TAYLOR of Mississippi:

H.R. 3984. A bill to designate the U.S. post office located at 212 Coleman Avenue in Waveland, MS, as the "John Longo, Jr. Post Office"; to the Committee on Post Office and Civil Service.

By Mr. CRANE:

H.R. 3985. A bill to amend the Federal Rules of Evidence with respect to the rule of privileges in civil cases; to the Committee on the Judiciary.

By Mr. FAWELL (for himself, Mr. ARCHER, Mr. BALLENGER, Mr. BARTLETT of Maryland, Mr. BOEHNER, Mr. BURTON of Indiana, Mr. COX, Mr. CRANE, Mr. CRAPO, Mr. DEFAZIO, Mr. DOO-

LITTLE, Mr. EHLERS, Mr. EWING, Mrs. FOWLER, Mr. GILCHREST, Mr. GOODLATTE, Mr. GOODLING, Mr. HANCOCK, Mr. HEFLEY, Mr. HERGER, Mr. HOEKSTRA, Mr. KING, Mr. MANZULLO, Mr. MILLER of Florida, Mr. NUSSLE, Mr. OXLEY, Mr. PAXON, Mr. PENNY, Mr. PETERSON of Minnesota, Mr. RAMSTAD, Mr. SENSENBRENNER, Mr. SMITH of Texas, Mr. STEARNS, and Mr. ZIMMER):

H.R. 3986. A bill to rescind unauthorized supplemental appropriations for fiscal year 1994, and for other purposes; to the Committee on Appropriations.

By Mr. FIELDS of Texas (for himself, Mr. STUDDS, and Mr. BEILENSON):

H.R. 3987. A bill to provide for conservation of rhinoceros and tigers; jointly, to the Committees on Merchant Marine and Fisheries and Ways and Means.

By Mr. RAHALL:

H.R. 3988. A bill to provide for the preservation and interpretation of certain lands and structures relating to the coal mining heritage of the State of West Virginia and the Nation; and for other purposes; to the Committee on Natural Resources.

By Mr. SHAYS (for himself and Mr. FRANK of Massachusetts):

H.R. 3989. A bill to reduce domestic and defense discretionary spending; jointly, to the Committees on Science, Space, and Technology; Armed Services; Energy and Commerce; and Natural Resources.

By Ms. SLAUGHTER (for herself, Mr. ABERCROMBIE, Ms. DELAURO, Mr. EVANS, Mr. FROST, Mr. HOCHBRUECKNER, Mr. KING, Mr. KLUG, Mrs. MALONEY, Mr. STUPAK, Mr. TOWNS, and Mr. ENGEL):

H.R. 3990. A bill to provide protection from sexual predators; to the Committee on the Judiciary.

By Mr. SOLOMON:

H.R. 3991. A bill to prohibit federally sponsored research pertaining to the legalization of drugs; to the Committee on Government Operations.

H.R. 3992. A bill to prohibit foreign assistance to Russia unless certain requirements relating to Russian intelligence activities, relations between Russia and certain neighboring countries, and the reform of the Russian economy are met; jointly, to the Committees on Foreign Affairs and Banking, Finance and Urban Affairs.

By Mr. RAMSTAD (for himself, Mr. KENNEDY, and Mr. BLILEY):

H.R. 3993. A bill to amend title 18, United States Code, with respect to the sexual exploitation of children; to the Committee on the Judiciary.

By Mr. MONTGOMERY:

H.J. Res. 332. Joint resolution designating July 27 of each year as the "National Korean War Veterans Armistice Day"; to the Committee on Post Office and Civil Service.

By Mr. JOHNSTON of Florida (for himself, Mr. WAXMAN, Mr. FROST, Mr. YATES, Mr. BERMAN, Mr. FRANK of Massachusetts, Mr. ENGEL, Mr. LEWIS of Georgia, Mr. SHAYS, Mr. FINGERHUT, Mr. BLACKWELL, Mr. SAXTON, Mr. EDWARDS of California, Mr. DEUTSCH, Mr. WYNN, Mr. PALLONE, Mr. HORN, Mr. PENNY, Mr. MARTINEZ, Mr. BACCHUS of Florida, Mrs. MEEK of Florida, Mr. CARDIN, Ms. CANTWELL, Ms. BROWN of Florida, Mr. PAYNE of New Jersey, Mr. GEJDENSON, Mr. PETERSON of Florida, Mr. WYDEN, Ms. KAPTUR, Mr. KLEIN, Mrs. THURMAN, Mr. ANDREWS of New Jersey, Mr. SYNAR, Mr. FALEOMAVAEGA, Mr. MARKEY, Mr. LEVY, Mr. LEACH, Mr. SABO, Mr. BORSKI, Mr. HASTINGS, and Mr. MENENDEZ):

H. Con. Res. 219. Concurrent resolution to support the Middle East peace process and

condemn all acts of terrorism aimed at derailing that process; to the Committee on Foreign Affairs.

By Ms. SNOWE (for herself and Mr. SCHIFF):

H. Con. Res. 220. Concurrent resolution expressing the sense of the Congress on the need for accurate guidelines for breast cancer screening for women ages 40-49; to the Committee on Energy and Commerce.

By Mr. SOLOMON:

H. Con. Res. 221. Concurrent resolution declaring the sense of Congress with respect to studies and research involving the legalization of drugs; to the Committee on Government Operations.

By Mr. BILIRAKIS:

H. Res. 382. Resolution providing for the consideration of the bill (H.R. 65) to amend title 10, United States Code, to permit retired members of the Armed Forces who have a service-connected disability to receive military retired pay concurrently with veterans' disability compensation; to the Committee on Rules.

By Mr. THOMAS of California (for himself, Mr. MICHEL, Mr. GINGRICH, Mr. ROBERTS, Mr. BARRETT of Nebraska, Mr. BOEHNER, and Ms. DUNN):

H. Res. 383. Resolution amending the Rules of the House of Representatives respecting committee staff; to the Committee on Rules.

¶20.30 MEMORIALS

Under clause 4 of the rule XXII, memorials were presented and referred as follows:

295. By the SPEAKER: Memorial of the House of Representatives of the State of Arizona, relative to the U.S. Air Force Armstrong Laboratory; to the Committee on Armed Services.

296. Also, memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to the war in Bosnia and Herzegovina; to the Committee on Foreign Affairs.

297. Also, memorial of the Senate of the State of Arizona, relative to the Santa Cruz River Basin; to the Committee on Foreign Affairs.

298. Also, memorial of the Senate of the State of Arizona, relative to erecting a statue or memorial honoring native American veterans; to the Committee on House Administration.

299. Also, memorial of the House of Representatives of the State of Arizona, relative to the Grand Canyon Protection Act of 1991; to the Committee on Natural Resources.

300. Also, memorial of the Senate of the State of Arizona, relative to tribal governments; to the Committee on Natural Resources.

301. Also, memorial of the Senate of the State of Arizona, relative to S. 433 and H.R. 918; to the Committee on Natural Resources.

302. Also, memorial of the House of Representatives of the State of Arizona, relative to the Cave Creek Canyon Protection Act of 1991; to the Committee on Natural Resources.

303. Also, memorial of the Legislative of the State of Nebraska, relative to the physical desecration of the flag of the United States; to the Committee on the Judiciary.

304. Also, memorial of the Senate of the State of Arizona, relative to north-south trade corridors and transportation infrastructure improvements; to the Committee on Public Works and Transportation.

305. Also, memorial of the House of Representatives of the State of Arizona, relative to north-south trade corridors, including the extension of Interstate 17; to the Committee on Public Works and Transportation.

306. Also, memorial of the House of Representatives of the State of Arizona, relative

to the Social Security Notch Adjustment Act; to the Committee on Ways and Means.

307. Also, memorial of the House of Representatives of the State of Arizona, relative to enacting an income tax deduction for medical insurance costs of self-employed individuals; to the Committee on Ways and Means.

308. Also, memorial of the Senate of the State of Arizona, relative to the Indian Health Service; jointly, to the Committees on Natural Resources and Energy and Commerce.

309. Also, memorial of the Senate of the State of Arizona, relative to the highway trust fund and the airport and airway trust fund; jointly, to the Committees on Public Works and Transportation and Government Operations.

¶20.31 ADDITIONAL SPONSORS

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

H.R. 65: Mr. SHAW and Mr. CLEMENT.

H.R. 71: Mr. GILMAN.

H.R. 87: Mr. THOMAS of Wyoming.

H.R. 302: Mr. GOODLATTE, Mr. HOBSON, and Mr. FORD of Michigan.

H.R. 303: Mr. BISHOP, Mr. SHAW, Ms. ROSELEHTINEN, and Mr. TEJEDA.

H.R. 306: Mr. BOEHNER.

H.R. 624: Mr. HERGER, Mr. PACKARD, Mr. HOAGLAND, Mr. SARPALIUS, and Mr. MANZULLO.

H.R. 773: Mr. KASICH.

H.R. 894: Mr. EMERSON.

H.R. 911: Mr. SARPALIUS and Mrs. MALONEY.

H.R. 1026: Mr. FRANKS of New Jersey.

H.R. 1275: Mr. KILDUE.

H.R. 1276: Mr. KNOLLENBERG and Mr. STEARNS.

H.R. 1286: Mr. BACHUS of Alabama, Mr. FINGERHUT, Mr. POMBO, Mr. COX, Mr. WHEAT, Mr. LAZIO, and Mr. BARTLETT of Maryland.

H.R. 1349: Mr. RIDGE.

H.R. 1417: Mrs. THURMAN.

H.R. 1487: Mr. FRANKS of New Jersey.

H.R. 1583: Mr. BILBRAY, Mr. GRAMS, Mr. CALVERT, and Mr. MILLER of Florida.

H.R. 1712: Mr. UPTON.

H.R. 1886: Mr. BARCA of Wisconsin.

H.R. 2012: Mr. SOLOMON and Mr. HOBSON.

H.R. 2210: Mr. TALENT.

H.R. 2227: Mr. OBERSTAR and Mr. LEVY.

H.R. 2417: Ms. FURSE.

H.R. 2420: Mr. WALSH.

H.R. 2460: Mr. CALLAHAN.

H.R. 2623: Mr. HUTTO, Mr. GREENWOOD, and Mr. DEFAZIO.

H.R. 2641: Ms. ESHOO.

H.R. 2710: Mr. WAXMAN, Mr. BERMAN, Mr. WISE, Mr. FOGLIETTA, Mr. JOHNSTON of Florida, Mr. SWETT, and Mr. KREIDLER.

H.R. 2727: Mr. WYNN and Mr. MCDERMOTT.

H.R. 2790: Mr. ACKERMAN.

H.R. 2882: Mr. DORNAN.

H.R. 2930: Mrs. CLAYTON, Mr. FLAKE, Mr. OWENS, Ms. MCKINNEY, Ms. VELAZQUEZ, Ms. NORTON, and Ms. WOOLSEY.

H.R. 2995: Mr. KNOLLENBERG.

H.R. 3017: Mr. LIPINSKI, Mr. DORNAN, Mr. ROBERTS, and Mr. GOODLING.

H.R. 3075: Mr. MENENDEZ, Mr. ROMERO-BARCELO, and Mr. ACKERMAN.

H.R. 3320: Mr. MORAN.

H.R. 3333: Mr. CRAPO.

H.R. 3347: Mr. NEAL of North Carolina.

H.R. 3392: Mr. JACOBS, Mr. ROYCE, Mr. INGALLIS of South Carolina, Mr. ISTOOK, Mr. BOEHNER, Mr. ROSE, and Mr. ORTON.

H.R. 3397: Mr. VALENTINE, Mr. MCCOLLUM, Mr. PENNY, and Mr. CALVERT.

H.R. 3465: Mr. MINGE.

H.R. 3534: Ms. FURSE and Mr. LAFALCE.

H.R. 3546: Mr. GILLMOR, Mr. GUNDERSON, Mr. MCDADE, and Mr. COLLINS of Georgia.

H.R. 3584: Mr. BARCA of Wisconsin, Mr. HUTTO, Mr. MCHUGH, Mr. MANN, Mr. MANZULLO, Mr. SARPALIUS, and Mr. TRAFICANT.

H.R. 3600: Mr. MARKEY.

H.R. 3630: Mr. GEJDENSON, Mr. BISHOP, Mr. FOGLIETTA, Mr. DORNAN, and Mr. REYNOLDS.

H.R. 3663: Mr. DIXON, Mr. MORAN, and Mr. FALEOMAVAEGA.

H.R. 3745: Mrs. KENNELLY, Mr. DE LUGO, and Mr. SMITH of Iowa.

H.R. 3846: Mr. REGULA, Mr. FRANK of Massachusetts, Mr. COX, Mr. FAWELL, Mr. BARRATT of Wisconsin, Mr. SHAYS, Mr. HYDE, Mr. KLINK, Mr. ZIMMER, Mr. ARCHER, Mr. PACKARD, Mr. KLUG, Mrs. ROUKEMA, Mr. KREIDLER, Mr. DORNAN, Mr. HANCOCK, Mr. CRAPO, Mr. SAXTON, Mrs. SCHROEDER, Mr. SHAW, Mr. KIM, Mr. PETRI, Mrs. MALONEY, Mr. MILLER of Florida, Mr. RAMSTAD, Mr. ROHRBACHER, Mr. FRANKS of New Jersey, Mrs. JOHNSON of Connecticut, and Mr. DEFAZIO.

H.R. 3863: Mr. STOKES, Mr. DELLUMS, Mr. LIPINSKI, Miss. COLLINS of Michigan, Mr. HILLIARD, Mr. TOWNS, Mr. MONTGOMERY, Mr. WILSON, and Mr. FROST.

H.R. 3871: Mr. WELDON, Mr. SAXTON, Mr. DORNAN, Mr. TORKILDSEN, Mr. FAWELL, Mr. MANZULLO, and Mr. SCHIFF.

H.R. 3872: Mr. LEVY, Ms. WOOLSEY, Mr. PETE Geren of Texas, Mr. LEWIS of Florida, and Mr. YOUNG of Alaska.

H.R. 3895: Mr. MCCOLLUM, Mr. PENNY, and Mr. GORDON.

H.R. 3900: Mr. BRYANT, Mr. DEFAZIO, Mr. FRANK of Massachusetts, Mr. FROST, Mr. FAZIO, Mr. SAWYER, Mr. SABO, and Mr. EDWARDS of California.

H.R. 3906: Ms. PELOSI.

H.R. 3925: Mr. REYNOLDS, Mr. MONTGOMERY, Mr. PASTOR, Mrs. BYRNE, Mr. MEEHAN, and Mr. FROST.

H.R. 3929: Mr. MCDADE, Mr. LEWIS of Florida, Mr. POSHARD, Mr. EMERSON, Mr. BUYER, Mr. MCHUGH, Mr. OXLEY, and Mr. KLECZKA.

H.R. 3930: Mr. BUYER and Mr. GALLEGLY.

H.R. 3951: Mr. PAXON, Mr. HAMILTON, Mr. BLILEY, Mr. ROBERTS, Mr. UPTON, Mr. COOPER, Mr. TANNER, and Mr. WOLF.

H.R. 3978: Mr. DOOLITTLE.

H.J. Res. 113: Mr. CRAPO.

H.J. Res. 253: Mr. WISE, Mr. COYNE, Mr. MEEHAN, Mr. MARKEY, Mrs. BENTLEY, Miss COLLINS of Michigan, Mr. DINGELL, and Mr. QUILLEN.

H.J. Res. 264: Mr. KLUG.

H.J. Res. 287: Mr. RIDGE, Mr. QUINN, Mr. HOCHBRUECKNER, Mr. BLUTE, Mr. KASICH, Mr. BEREUTER, Mr. FROST, Mr. KLECZKA, Mr. MURTHA, Mrs. MINK of Hawaii, Mr. FALEOMAVAEGA, Mrs. KENNELLY, Mr. LIPINSKI, Mr. BORSKI, Mr. BROWN of Ohio, Mr. MCDERMOTT, and Mr. HUGHES.

H.J. Res. 305: Mr. MARTINEZ, Mr. GONZALEZ, Mr. NEAL of North Carolina, Mr. MACHTLEY, Mr. BROWN of Ohio, and Mr. DIXON.

H.J. Res. 310: Mr. SCHUMER, Mr. SWETT, Ms. FURSE, Mr. SHAYS, Mr. NEAL of Massachusetts, Mr. BERMAN, Mr. MORAN, Mr. CLEMENT, Mr. MCCLOSKEY, Mr. JOHNSON of South Dakota, Mr. CONYERS, Mr. SKEEN, Mr. HYDE, Mr. MCDADE, Mr. DOOLITTLE, Mr. VOLKMER, Mr. THOMAS of California, Mr. PAXON, Mr. CRANE, Ms. DANNER, Mr. YATES, Mr. OWENS, Mr. OXLEY, Mr. BONIOR, Mr. VALENTINE, Ms. ROYBAL-ALLARD, Mr. YOUNG of Florida, Mr. UPTON, Mr. DELLUMS, Mr. HOBSON, Mrs. MEEK of Florida, Mr. NUSSLE, Mr. CONDIT, Mrs. VUCANOVICH, and Mr. MOORHEAD.

H.J. Res. 314: Mr. MURPHY, Mr. BACCHUS of Florida, Mr. CALLAHAN, Mr. DE LUGO, Mr. EVANS, and Mr. WELDON.

H.J. Res. 328: Mr. EVANS, Mr. CLAY, Mr. SOLOMON, and Mr. SAXTON.

H. Con. Res. 84: Mr. MYERS of Indiana, Mr. HUTTO, and Mrs. MORELLA.

H. Con. Res. 147: Mrs. SCHRODER and Mrs. UNSOELD.

H. Con. Res. 148: Mr. JOHNSON of South Dakota.

H. Con. Res. 166: Mr. CLYBURN and Mr. LINDER.

H. Res. 236: Mr. PACKARD, Mr. NEAL of North Carolina, Mr. ROGERS, Mr. GALLEGLY, Mr. MEEHAN, Mr. CRAMER, Mr. PAXON, and Mr. GILMAN.

H. Res. 365: Mr. SAXTON.

¶20.32 PETITIONS, ETC.

Under clause 1 of rule XXII,

77. The SPEAKER presented a petition of a Free Democratic Party [FDP], Republic of Liberia, relative to United States humanitarian assistance to Liberia; which was referred to the Committee on Foreign Affairs.

THURSDAY, MARCH 10, 1994 (21)

The House was called to order by the SPEAKER.

¶21.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, March 9, 1994.

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

¶21.2 COMMUNICATIONS

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

2744. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled "Review of the Department of Public and Assisted Housing's Response to Selected Audit Recommendations," pursuant to D.C. Code, section 47-117(d); to the Committee on the District of Columbia.

2745. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting a copy of Presidential Determination No. 94-15: Eligibility of Eritrea to be Furnished Defense Articles and Services Under the Foreign Assistance Act and the Arms Export Control Act, pursuant to 22 U.S.C. 2311(a) and 22 U.S.C. 2753(a)(1); to the Committee on Foreign Affairs.

2746. A letter from the Acting Chairman, Commodity Futures Trading Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1993, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2747. A letter from the Executive Director, Interstate Commission on the Potomac River Basin, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1993, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

2748. A letter from the Chairman, Cost Accounting Standards Board, Office of Federal Procurement Policy, transmitting the fourth annual report of the Cost Accounting Standards Board, pursuant to Public Law 100-679, section 5(a) (102 Stat. 4062); to the Committee on Government Operations.

2749. A letter from the Chairman, U.S. Nuclear Regulatory Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1993, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2750. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to amend the Immigration and Nationality Act to authorize appropriations for refugee and entrant assistance for fiscal years 1995 and 1996, pursuant to 31 U.S.C. 1110; to the Committee on the Judiciary.

2751. A letter from the Chairman, U.S. Merit Systems Protection Board, transmitting the 15th annual report on the activities of the Board during fiscal year 1993, pursuant to 5 U.S.C. 1206; to the Committee on Post Office and Civil Service.

2752. A letter from the Secretary, Department of Transportation, transmitting a report on State participation in the National Motor Vehicle Title Information System, pursuant to 15 U.S.C. 2043; jointly, to the Committees on the Judiciary and Energy and Commerce.

¶21.3 MESSAGE FROM THE SENATE

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

S. 1913. An Act to extend certain compliance dates for pesticide safety training and labeling requirements.

The message also announced that the Senate disagreed to the amendments of the House to the bill (S. 1284) "An Act to amend the Developmental Disabilities Assistance and Bill of Rights Act to expand or modify certain provisions relating to programs for individuals with developmental disabilities, Federal assistance for priority area activities for individuals with developmental disabilities, protection and advocacy of individual rights, university affiliated programs, and projects of national significance, and for other purposes," requested a conference with the House on the disagreeing votes of the two Houses thereon, and appointed Mr. KENNEDY, Mr. HARKIN, Mr. METZENBAUM, Mrs. KASSEBAUM, and Mr. DURENBERGER, to be the conferees on the part of the Senate.

¶21.4 PROVIDING FOR THE CONSIDERATION OF H. CON. RES. 218

Mr. DERRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 384):

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 concurrent resolution (H. Con. Res. 218) setting forth the congressional budget for the United States Government for the fiscal years 1995, 1996, 1997, 1998, and 1999. The first reading of the concurrent resolution shall be dispensed with. All points of order against the concurrent resolution and against its consideration are waived. Initial general debate shall be confined to the congressional budget and shall not exceed two hours (including one hour on the subject of economic goals and policies) equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget. After initial general debate, an additional period of general debate shall be confined to the subject of the amendment numbered 4 in the report of the Committee on Rules accompanying this resolution and shall not exceed one hour equally divided and controlled by Representative Kasich of Ohio and an opponent. After general debate on the subject of the amendment numbered 4, an additional period of general debate shall be confined to the subject of the amendment numbered 3 of the report of the Committee on Rules and shall not exceed one hour equally divided and controlled by Representative Mfume of Maryland and an oppo-

nent. After general debate on the subject of the amendment numbered 3, the concurrent resolution shall be considered for amendment under the five-minute rule and shall be considered as read. No amendment shall be in order except those printed in the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments printed in the report are waived. If more than one amendment in the nature of a substitute is adopted, only the last to be adopted shall be considered as finally adopted and reported to the House. After the conclusion of consideration of the concurrent resolution for amendment, and a final period of general debate, which shall not exceed ten minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, the Committee shall rise and report the concurrent resolution to the House with such amendment as may have been finally adopted. The previous question shall be considered as ordered on the concurrent resolution and amendments thereto to final adoption without intervening motion except amendments offered by the chairman of the Committee on the Budget pursuant to section 305(a)(5) of the Congressional Budget Act of 1974 to achieve mathematical consistency. The concurrent resolution shall not be subject to a demand for division of the question of its adoption.

When said resolution was considered.

After debate,

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

The question being put, viva voce,

Will the House agree to said resolution?

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

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

A quorum not being present,

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

When there appeared { Yeas 245
Nays 171

¶21.5 [Roll No. 50]
YEAS—245

Abercrombie	Byrne	Dingell
Ackerman	Cantwell	Dixon
Andrews (ME)	Cardin	Dooley
Applegate	Carr	Durbin
Bacchus (FL)	Chapman	Edwards (CA)
Baesler	Clay	Edwards (TX)
Barca	Clayton	Engel
Barcia	Clement	English
Barlow	Clyburn	Eshoo
Barrett (WI)	Coleman	Evans
Becerra	Collins (IL)	Farr
Beilenson	Collins (MI)	Fazio
Berman	Condit	Fields (LA)
Bevill	Cooper	Filner
Bilbray	Costello	Fingerhut
Bishop	Coyne	Flake
Blackwell	Cramer	Foglietta
Bonior	Danner	Ford (MI)
Borski	Darden	Ford (TN)
Boucher	de la Garza	Frank (MA)
Brewster	Deal	Frost
Browder	DeFazio	Furse
Brown (CA)	DeLauro	Gejdenson
Brown (FL)	Derrick	Gephardt
Brown (OH)	Deutsch	Geran
Bryant	Dicks	Gibbons