

Mr. ROGERS, Mr. MCKEON, Mr. GOODLING, Mr. QUILLEN, Mr. WELDON, Ms. PRYCE of Ohio, Mr. BARCIA of Michigan, Mr. BOEHNER, Mr. CLINGER, Mr. BILIRAKIS, Mr. DELAY, Mr. CUNNINGHAM, Mr. PACKARD, Ms. DUNN, Mr. WALKER, Mr. ZELIFF, Mr. HYDE, Mr. SUNDQUIST, Mr. COLLINS of Georgia, Mr. BOEHLERT, Mr. FINGERHUT, Mr. DORNAN, Mr. TUCKER, Mr. HALL of Texas, Mr. ROBERTS, Mr. HAYES, Mr. QUINN, Mr. BLILEY, Mr. EVERETT, Mr. FIELDS of Texas, Mr. YOUNG of Florida, Mr. SWETT, Mr. KINGSTON, Mr. BAKER of Louisiana, Mr. CALVERT, Mr. FLAKE, Mr. TORKILDSEN, Mr. MCCOLLUM, and Mr. UPTON.

H.R. 3523: Ms. PRYCE of Ohio and Mr. GRAMS.

H.R. 3561: Mr. EVANS, Mr. WYNN, Mrs. KENNELLY, and Mrs. CLAYTON.

H.R. 3611: Ms. ROYBAL-ALLARD.

H.R. 3633: Mr. FRANKS of Connecticut, Mr. SAM JOHNSON, Mr. LINDER, Mr. POMBO, Mr. RAMSTAD, and Mr. SAXTON.

H.R. 3658: Mr. TORRES and Mr. FILNER.

H.R. 3660: Mr. ROYCE.

H.R. 3663: Mr. WAXMAN.

H.R. 3739: Mr. HUTTO, Ms. SNOWE, Mr. HYDE, Mr. SENSENBRENNER, and Ms. MOLINARI.

H.R. 3761: Mr. BALLENGER, Mr. PORTMAN, Mr. ARCHER, Mr. ARMEY, Mr. HANCOCK, Mr. RAVENEL, Mr. STENHOLM, Mr. COX, Mr. APPLIGATE, Mr. HORN, Mr. RAMSTAD, Mr. INHOFE, Mr. GUTIERREZ, Mr. YOUNG of Alaska, Mr. TAYLOR of Mississippi, Mr. HEFLEY, Mr. DUNCAN, Mr. ORTIZ, Mr. MICA, Mr. ROHRABACHER, Mr. SAM JOHNSON, Mr. GINGRICH, Mr. HUNTER, Mr. SAXTON, Mr. HOKE, Mr. ROGERS, Mr. MCKEON, Mr. GOODLING, Mr. QUILLEN, Mr. WELDON, Ms. PRYCE of Ohio, Mr. BARCIA of Michigan, Mr. BOEHNER, Mr. CLINGER, Mr. BILIRAKIS, Mr. DELAY, Mr. CUNNINGHAM, Mr. PACKARD, Ms. DUNN, Mr. WALKER, Mr. ZELIFF, Mr. HYDE, Mr. SUNDQUIST, Mr. COLLINS of Georgia, Mr. BOEHLERT, Mr. FINGERHUT, Mr. DORNAN, Mr. TUCKER, Mr. HALL of Texas, Mr. ROBERTS, Mr. HAYES, Mr. QUINN, Mr. BLILEY, Mr. EVERETT, Mr. FIELDS of Texas, Mr. YOUNG of Florida, Mr. SWETT, Mr. KINGSTON, Mr. LEVY, Mr. BAKER of Louisiana, Mr. CALVERT, Mr. FLAKE, Mr. TORKILDSEN, Mr. MCCOLLUM, and Mr. UPTON.

H.R. 3820: Mr. HORN, Mr. HOAGLAND, Mr. MANZULLO, Mr. DOOLITTLE, Mr. SKELTON, Mr. CAMP, Mr. FRANKS of New Jersey, Mr. MCCRERY, Ms. PRYCE of Ohio, Mr. SMITH of Oregon, Mr. PORTER, Mr. WALKER, Mrs. LLOYD, Mrs. THURMAN, Mr. HINCHEY, Mr. CANADY, Mrs. FOWLER, Mr. GILMAN, Mrs. JOHNSON of Connecticut, Mr. LEWIS of California, Ms. ROS-LEHTINEN, Mr. SHAW, Mr. SHAYS, and Mr. GOSS.

H.R. 3875: Mr. ORTON, Mr. KNOLLENBERG, Mr. SKELTON, Mr. TRAFICANT, and Mr. PETE GEREN of Texas.

H.R. 3939: Mr. FIELDS of Louisiana, Mr. SMITH of New Jersey, Mr. PAXON, Mr. TOWNS, Mr. BOEHLERT, Mr. RICHARDSON, Mr. HUGHES, Mr. MANTON, and Mr. BAKER of Louisiana.

H.R. 3951: Mr. INHOFE, Mrs. VUCANOVICH, Mr. MCCURDY, Mr. ZELIFF, Mr. BUYER, Mr. JOHNSON of South Dakota, and Mr. LEHMAN.

H.R. 4036: Mr. ZELIFF.

H.R. 4095: Mrs. MEYERS of Kansas, Mr. EWING, Mr. SUNDQUIST, Mr. TALENT, and Mr. HANSEN.

H.R. 4135: Mr. APPLIGATE, Mr. COYNE, Mr. BOEHLERT, Ms. MARGOLIES-MEZVINSKY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FRANK of Massachusetts, Mr. MARKEY, Mr. STOKES, Mr. MOLLOHAN, Mrs. MEEK of Florida, Mr. MAZZOLI, Mr. SMITH of Oregon, Mr. GONZALEZ, Mr. SOLOMON, Mr. MCHUGH, and Mr. SMITH of Texas.

H.R. 4143: Mr. EVANS, Mr. GENE GREEN of Texas, Mr. CLYBURN, Mr. HINCHEY, Mr. RANGEL, Mr. WASHINGTON, Mr. SERRANO, and Ms. COLLINS of Michigan.

H.R. 4159: Mr. LEWIS of Georgia, Mrs. MEEK of Florida, Mr. CLYBURN, Mr. DELLUMS, Ms.

VELAZQUEZ, Mr. FILNER, Mr. CLAY, Mr. WATT, Mr. EVANS, Mr. FROST, Mr. ENGEL, Mr. SERRANO, Mr. HILLIARD, and Mr. RAHALL.

H.R. 4271: Mr. MEEHAN, and Mr. TOWNS.

H.R. 4306: Mr. MCHALE, Mr. HUGHES, Mr. BEILENSEN, Ms. ESHOO, and Mr. SANDERS.

H.R. 4321: Mr. SABO, Mr. BOUCHER, and Mr. FURSE.

H.R. 4350: Mr. GRAMS.

H.R. 4356: Mr. WELDON.

H.R. 4382: Ms. DELAURO.

H.R. 4403: Mr. HANCOCK and Mr. HUTCHINSON.

H.J. Res. 1: Ms. FURSE, Mrs. MEEK of Florida, Mr. CARR, and Mr. ABERCROMBIE.

H.J. Res. 90: Mr. LIVINGSTON and Mr. SOLOMON.

H.J. Res. 209: Ms. FURSE, Mr. WILSON, Mr. BERMAN, Mr. FALEOMAVAEGA, Mr. DICKEY, Mr. TAYLOR of North Carolina, Mr. SLATTERY, Mr. SWETT, Mr. THOMAS of California, Mr. MILLER of California, Mr. WYDEN, and Mr. COPPERSMITH.

H.J. Res. 233: Mr. ANDREWS of New Jersey, Mr. BOEHLERT, Mr. GREENWOOD, and Mr. COBLE.

H.J. Res. 315: Mrs. LLOYD and Mr. VALENTINE.

H.R. Res. 320: Mr. McNULTY.

H.J. Res. 343: Mr. MARTINEZ, Mr. EHLERS, Mr. MCCOLLUM, Mr. HOCHBRUECKNER, Mr. ANDREWS of New Jersey, and Mr. MANN.

H.J. Res. 356: Mr. JACOBS, Ms. FURSE, Mr. FARR, Mr. BONIOR, and Mr. GUTIERREZ.

H.J. Res. 359: Mr. SLATTERY, Mr. SAXTON, Mr. MCDADE, Mrs. MEYERS of Kansas, Mr. FARR, Ms. VELAZQUEZ, Mr. BLUTE, Mr. LANTOS, Mr. HILLIARD, and Mr. WALSH.

H.J. Res. 364: Mrs. MEEK of Florida, Mr. CLEMENT, Mr. STOKES, Mr. FLAKE, Mr. SAM JOHNSON, and Mr. LEWIS of Georgia.

H. Con. Res. 3: Mr. CALVERT and Mr. BLUTE.

H. Con. Res. 148: Mr. SCHIFF, Mr. WALKER, and Mr. LEWIS of California.

H. Con. Res. 215: Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ANDREWS of New Jersey, Mr. ANDREWS of Maine, Mr. APPLIGATE, Mr. BAESLER, Mr. BALLENGER, Mr. BARCA of Wisconsin, Mr. BARRETT of Wisconsin, Mr. BECERRA, Mr. BEILENSEN, Mrs. BENTLEY, Mr. BERMAN, Mr. BEVILL, Mr. BILBRAY, Mr. BISHOP, Mr. BLACKWELL, Mr. BONIOR, Mr. BROOKS, Mr. BROWDER, Ms. BROWN of Florida, Mr. BROWN of California, Mr. BROWN of Ohio, Mr. BRYANT, Mr. BURTON of Indiana, Mrs. BYRNE, Ms. CANTWELL, Mr. CARDIN, Mr. CLAY, Mr. CLEMENT, Mr. CLYBURN, Mr. COBLE, Mr. COLEMAN, Ms. COLLINS of Michigan, Mr. CONDIT, Mr. CONYERS, Mr. COOPER, Mr. COPPERSMITH, Mr. COSTELLO, Mr. COX, Mr. COYNE, Mr. CRANE, Mr. DARDEN, Mr. DEFAZIO, Mr. DE LA GARZA, Ms. DELAURO, Mr. DELLUMS, Mr. DE LUGO, Mr. DEUTSCH, Mr. DIAZ-BALART, Mr. DICKEY, Mr. DICKS, Mr. DIXON, Mr. DOOLEY, Mr. DOOLITTLE, Mr. DORNAN, Mr. DREIER, Mr. DURBIN, Mr. EDWARDS of Texas, Mr. EDWARDS of California, Mr. EMERSON, Mr. ENGEL, Mr. EVANS, Mr. FARR, Mr. FAZIO, Mr. FIELDS of Louisiana, Mr. FINGERHUT, Mr. FLAKE, Mr. FOGLIETTA, Mr. FORD of Tennessee, Mr. FORD of Michigan, Mr. FRANK of Massachusetts, Mr. FRANKS of Connecticut, Mr. FROST, Ms. FURSE, Mr. GALLEGLY, Mr. GEJENSON, Mr. GEPHARDT, Mr. PETE GEREN of Texas, Mr. GIBBONS, Mr. GILMAN, Mr. GOODLING, Mr. GENE GREEN of Texas, Mr. GUNDERSON, Mr. GUTIERREZ, Mr. HALL of Ohio, Mr. HAMBURG, Mr. HANSEN, Mr. HASTINGS, Mr. HAYES, Mr. HEFNER, Mr. HOCHBRUECKNER, Mr. HOLDEN, Mr. HORN, Mr. HOUGHTON, Mr. HOYER, Mr. HUNTER, Mr. HUTTO, Mr. HYDE, Mr. INSLEE, Mr. JACOBS, Mr. JEFFERSON, Mr. JOHNSON of South Dakota, Mr. JOHNSTON of Florida, Mr. KANJORSKI, Ms. KAPTUR, Mr. KASICH, Mr. KENNEDY, Mrs. KENNELLY, Mr. KILDEE, Mr. KIM, Mr. KLEIN, Mr. KLINK, Mr. KOPETSKI, Mr. LAFALCE, Mr. LANCASTER, Mr. LANTOS, Mr.

LAROCO, Mr. LAUGHLIN, Mr. LEHMAN, Mr. LEVY, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mr. LIVINGSTON, Mrs. LLOYD, Ms. LOWEY, Mr. MCCLOSKEY, Mr. MCDADE, Mr. MCDERMOTT, Mr. MCKEON, Ms. MCKINNEY, Mr. McNULTY, Mr. MANTON, Mr. MARTINEZ, Mr. MATSUI, Mr. MAZZOLI, Mrs. MEEK of Florida, Mr. MENENDEZ, Mr. MILLER of California, Mr. MINETA, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mr. MONTGOMERY, Mr. MORAN, Mr. MURPHY, Mr. MURTHA, Mr. MYERS of Indiana, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBERSTAR, Mr. ORTIZ, Mr. ORTON, Mr. OWENS, Mr. PACKARD, Mr. PALLONE, Mr. PARKER, Mr. PASTOR, Mr. PAYNE of New Jersey, Mr. PAYNE of Virginia, Ms. PELOSI, Mr. PETERSON of Minnesota, Mr. PETERSON of Florida, Mr. PICKLE, Mr. POSHARD, Mr. PRICE of North Carolina, Mr. QUILLEN, Mr. RAHALL, Mr. RANGEL, Mr. RAVENEL, Mr. REED, Mr. REGULA, Mr. REYNOLDS, Mr. RICHARDSON, Mr. ROEMER, Mr. ROHRABACHER, Mr. ROMERO-BARCELO, Mr. ROSE, Mr. ROWLAND, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABO, Mr. SANGMEISTER, Mr. SARPALIUS, Mr. SCHUMER, Mr. SCOTT, Ms. SHEPHERD, Mr. SMITH of Oregon, Ms. SNOWE, Mr. SOLOMON, Mr. SPENCE, Mr. SPRATT, Mr. STARK, Mr. STOKES, Mr. SWETT, Mr. SWIFT, Mr. SYNAR, Mr. TANNER, Mr. TAUZIN, Mr. TAYLOR of Mississippi, Mr. TEJEDA, Mr. TORRES, Mr. TORRICELLI, Mr. TOWNS, Mr. TRAFICANT, Mr. TUCKER, Mr. UNDERWOOD, Mrs. UNSOELD, Mr. VALENTINE, Ms. VELAZQUEZ, Mr. VENTO, Mr. VOLKMER, Mrs. VUCANOVICH, Ms. WATERS, Mr. WATT, Mr. WAXMAN, Mr. WELDON, Mr. WHEAT, Mr. WHITTEN, Mr. WOLF, Ms. WOOLSEY, Mr. WYNN, Mr. YOUNG of Florida, and Mr. YOUNG of Alaska.

H. Res. 255: Mr. MCKEON, Mr. MCCRERY, and Mrs. CLAYTON.

51.29 PETITIONS, ETC.

Under clause 1 of rule XXII,

94. The SPEAKER: presented a petition of the Council of New York City, NY, relative to discrimination against women; which was referred to the Committee on Foreign Affairs.

51.30 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 3222: Mr. MILLER of Florida.

THURSDAY, MAY 19, 1994 (52)

The House was called to order by the SPEAKER.

52.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, May 18, 1994.

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

52.2 COMMUNICATIONS

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

3211. A letter from the Assistant Administrator, Environmental Protection Agency, transmitting a report regarding the latest date available in the Toxics Release Inventory; to the Committee on Energy and Commerce.

3212. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting a copy of Presidential Determination No. 94-23, authorizing for furnishing of assistance

from the Emergency Refugee and Migration Assistance Fund to meet the urgent needs of Rwanda and Burundi refugees, returnees, displaced persons, and conflict victims, pursuant to 22 U.S.C. 2601(c)(3); to the Committee on Foreign Affairs.

3213. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on special nuclear materials in the Commonwealth of Independent States, pursuant to 22 U.S.C. 5860; to the Committee on Foreign Affairs.

3214. A letter from the Director, Ballistic Missile Defense Organization, Department of Defense, transmitting a copy of Presidential Determination 94-24 certifying that the representatives of the member nations of NATO and Japan, Israel, and South Korea were formally presented with a proposal concerning coordination of U.S. theater missile defense programs with TMD programs of our friends and allies, pursuant to Public Law 103-160, section 242; to the Committee on Foreign Affairs.

¶52.3 RECESS—9:32 A.M.

The SPEAKER, pursuant to the special order agreed to on May 12, 1994, declared the House in recess at 9 o'clock and 32 minutes a.m., until 11 o'clock a.m.

¶52.4 AFTER RECESS—11:05 A.M.

The SPEAKER pro tempore, Mr. VIS-CLOSKY, called the House to order.

¶52.5 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. 1485. An Act to extend certain satellite carrier compulsory licenses, and for other purposes.

The message also announced that the Senate agreed to the amendments of the House to the resolution (S.J. Res. 168) "Joint Resolution designating May 11, 1994, as 'Vietnam Human Rights Day'."

¶52.6 PROCEEDINGS DURING RECESS

On motion of Mr. WISE, by unanimous consent, the proceedings had during the recess to receive former Members were ordered to be printed in the Record.

¶52.7 SUBMISSION OF CONFERENCE REPORT—S. 24

Mr. BROOKS submitted a conference report (Rept. No. 103-511) on the bill of the Senate (S. 24) to reauthorize the Independent Counsel Law for an additional 5 years, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶52.8 PROVIDING FOR THE CONSIDERATION OF H.R. 2108

Ms. SLAUGHTER, by direction of the Committee on Rules, called up the following resolution (H. Res. 428):

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2108) to make improvements in the Black Lung Benefits Act. The first reading of the bill shall be dis-

pensed with. Points of order against consideration of the bill for failure to comply with section 401(b)(1) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor. After general debate the bill shall be considered for amendment under the five-minute rule for a period not to exceed three hours (excluding time consumed by recorded votes and proceedings incidental thereto). It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 4415. The amendment in the nature of a substitute shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

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

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

¶52.9 BLACK LUNG BENEFITS

The SPEAKER pro tempore, Mr. RA-HALL, pursuant to House Resolution 428 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2108) to make improvements in the Black Lung Benefits Act.

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

¶52.10 RECORDED VOTE

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

Page 11, beginning in line 22, strike "subsection (b)" and insert "subsections (b) and (c)" and on page 12 add after line 6 the following:

(c) BLACK LUNG DISABILITY TRUST FUND.—The amendments made by this Act shall not take effect unless the total indebtedness of the Black Lung Disability Trust Fund is less than \$600,000,000.

It was decided in the { Yeas ..... 189  
negative ..... } Nays ..... 234

¶52.11 [Roll No. 181] AYES—189

Allard	Baker (LA)	Bateman
Archer	Barrett (NE)	Bentley
Armey	Bartlett	Bereuter
Baker (CA)	Barton	Bliley

Blute	Hobson	Paxon
Boehlert	Hoekstra	Payne (VA)
Boehner	Hoke	Penny
Bonilla	Horn	Peterson (FL)
Brewster	Houghton	Peterson (MN)
Burton	Huffington	Petri
Buyer	Hutchinson	Pickett
Callahan	Hutto	Pombo
Calvert	Hyde	Pomeroy
Camp	Inglis	Porter
Canady	Inhofe	Portman
Castle	Istook	Pryce (OH)
Clinger	Johnson (CT)	Ramstad
Coble	Johnson (GA)	Ravenel
Collins (GA)	Johnson, Sam	Regula
Combest	Kasich	Ridge
Condit	Kim	Roberts
Cooper	King	Rohrabacher
Crane	Kingston	Ros-Lehtinen
Crapo	Klug	Roth
Cunningham	Knollenberg	Roukema
Deal	Kolbe	Rowland
DeLay	Kyl	Royce
Dickey	Lambert	Saxton
Dooley	Laughlin	Schaefer
Doolittle	Lazio	Schiff
Dorman	Leach	Sensenbrenner
Dreier	Levy	Shaw
Duncan	Lewis (CA)	Shays
Dunn	Lewis (FL)	Shuster
Edwards (TX)	Lightfoot	Sisisky
Ehlers	Linder	Skeen
Ewing	Livingston	Smith (MI)
Fawell	Lucas	Smith (OR)
Fields (TX)	Machtley	Smith (TX)
Fowler	Mann	Snowe
Franks (CT)	Manzullo	Solomon
Franks (NJ)	Margolies-	Spence
Gallegly	Mezvrinsky	Stearns
Gallo	McCandless	Stenholm
Gekas	McCollum	Stump
Geren	McCrery	Sweet
Gilchrest	McCurdy	Talent
Gillmor	McHugh	Tauzin
Gilman	McKeon	Taylor (MS)
Gingrich	McMillan	Taylor (NC)
Goodlatte	Meehan	Thomas (CA)
Goss	Meyers	Thomas (WY)
Grams	Mica	Upton
Greenwood	Michel	Valentine
Gunderson	Miller (FL)	Vucanovich
Hall (TX)	Minge	Walker
Hancock	Molinari	Walsh
Hansen	Montgomery	Weldon
Harman	Moorhead	Wolf
Hastert	Morella	Young (FL)
Hayes	Nussle	Zeliff
Hefley	Orton	Zimmer
Herger	Oxley	
Hoagland	Packard	

NOES—234

Abercrombie	Clement	Frost
Ackerman	Clyburn	Furse
Andrews (ME)	Coleman	Gejdenson
Andrews (NJ)	Collins (IL)	Gephardt
Andrews (TX)	Conyers	Gibbons
Applegate	Coppersmith	Glickman
Bacchus (FL)	Costello	Gonzalez
Bacchus (AL)	Coyne	Goodling
Baesler	Cramer	Gordon
Barca	Danner	Green
Barcia	Darden	Gutierrez
Barlow	de la Garza	Hall (OH)
Barrett (WI)	de Lugo (VI)	Hamburg
Becerra	DeFazio	Hamilton
Beilenson	DeLauro	Hastings
Berman	Dellums	Hilliard
Bevill	Derrick	Hinches
Bilbray	Deutsch	Hochbrueckner
Bilirakis	Diaz-Balart	Holden
Bishop	Dicks	Hoyer
Blackwell	Dingell	Hughes
Bonior	Durbin	Hunter
Borski	Edwards (CA)	Inlee
Boucher	Engel	Jacobs
Brooks	English	Jefferson
Browder	Eshoo	Johnson (SD)
Brown (CA)	Evans	Johnson, E.B.
Brown (FL)	Everett	Johnston
Brown (OH)	Farr	Kanjorski
Bryant	Fazio	Kaptur
Bunning	Fields (LA)	Kennelly
Byrne	Filner	Kildee
Cantwell	Fingerhut	Klecza
Cardin	Flake	Klein
Carr	Foglietta	Klink
Chapman	Ford (MI)	Kopetski
Clay	Ford (TN)	Kreidler
Clayton	Frank (MA)	LaFalce

Lancaster Ortiz Smith (IA)
Lantos Owens Smith (NJ)
LaRocco Pallone Spratt
Lehman Pastor Stark
Levin Payne (NJ) Stokes
Lewis (GA) Pelosi Strickland
Lipinski Pickle Studds
Lloyd Poshard Stupak
Long Price (NC) Sundquist
Lowey Quillen Swift
Maloney Quinn Synar
Mantone Rahall Tanner
Markey Rangel Tejada
Martinez Reed Thompson
Matsui Reynolds Thornton
Mazzoli Richardson Thurman
McCloskey Roemer Torres
McDade Rogers Torricelli
McDermott Romero-Barcelo
McHale (PR) Trafficant
McInnis Rose Tucker
McKinney Rostenkowski Underwood (GU)
McNulty Roybal-Allard Unsoeld
Meek Rush Velazquez
Menendez Sabo Vento
Mfume Sanders Visclosky
Miller (CA) Sangmeister Volkmer
Mineta Santorum Waters
Mink Sarpalius Watt
Moakley Sawyer Waxman
Mollohan Schenk Wheat
Moran Schroeder Whitten
Murphy Schumer Williams
Murtha Scott Wise
Myers Serrano Woolsey
Nadler Sharp Wyden
Neal (MA) Shepherd Wynn
Norton (DC) Skaggs Yates
Oberstar Skelton Young (AK)
Obey Slattery
Olver Slaughter

NOT VOTING—15

Ballengier Faleomavaega Neal (NC)
Collins (MI) (AS) Parker
Cox Fish Torkildsen
Dixon Grandy Washington
Emerson Hefner Wilson
Kennedy

So the amendment was not agreed to.
After some further time,
The Committee rose informally to receive a message from the Senate.
The SPEAKER pro tempore, Mr. RA-HALL, assumed the Chair.

52.12 FURTHER MESSAGE FROM THE SENATE

A further 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. 2087. An Act to extend the time period for compliance with the Nutrition Labeling and Education Act of 1990 for certain food products packaged prior to August 8, 1994.

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

52.13 RECORDED VOTE

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

Strike section 3, redesignate sections 4 through 11 as sections 3 through 10, and on page 12, line 1, strike "6" each place it appears and insert "5".

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

52.14 [Roll No. 182] AYES—181

Allard Baker (LA) Bateman
Archer Ballenger Bereuter
Armey Barrett (NE) Bilirakis
Bachus (AL) Bartlett Bliley
Baker (CA) Barton Blute

Boehner Herger Petri
Bonilla Hoke Pickett
Brewster Horn Pomo
Bunning Houghton Porter
Burton Huffington Portman
Buyer Hughes Pryce (OH)
Callahan Hunter Quillen
Calvert Hutchinson Ramstad
Camp Hutto Ravenel
Canady Hyde Regula
Castle Inglis Ridge
Chapman Inhofe Roberts
Clinger Istook Rohrabacher
Coble Jacobs Ros-Lehtinen
Collins (GA) Johnson (CT) Roth
Combust Johnson (GA) Roukema
Crane Johnson, Sam Rowland
Crapo Kim Royce
Cunningham King Santorum
Deal Kingston Saxton
DeLay Klug Schaefer
Dickey Knollenberg Schiff
Dooley Kolbe Schumer
Doolittle Kyl Sensenbrenner
Dornan Laughlin Shaw
Drier Lazio Shays
Duncan Leach Shuster
Dunn Levy Skeen
Ehlers Lewis (CA) Smith (MI)
Everett Lewis (FL) Smith (OR)
Ewing Lightfoot Smith (TX)
Fawell Linder Snowe
Fields (TX) Livingston Solomon
Fowler Lucas Spence
Franks (CT) Machtley Stearns
Franks (NJ) Manzullo Stenholm
Gallegly McCandless Stump
Gallo McCollum Sundquist
Gekas McCreery Talent
Geren McHugh Tauzin
Gilchrest McInnis Taylor (MS)
Gillmor McKeon Taylor (NC)
Gingrich McMillan Thomas (CA)
Goodlatte Meehan Thomas (WY)
Goss Meyers Upton
Grams Mica Valentine
Greenwood Miller (FL) Valentine
Gunderson Molinari Vucanovich
Hall (TX) Montgomery Walker
Hamilton Moorhead Walsh
Hancock Nussle Weldon
Hansen Orton Wolf
Harman Oxley Young (FL)
Hastert Packard Zeliff
Hayes Paxon Zimmer
Hefley Penny

NOES—238

Abercrombie Cooper Gordon
Ackerman Coppersmith Green
Andrews (ME) Costello Gutierrez
Andrews (NJ) Coyne Hall (OH)
Andrews (TX) Cramer Hamburg
Applegate Danner Hastings
Bacchus (FL) Darden Hefner
Baesler de la Garza Hilliard
Barca de Lugo (VI) Hinchey
Barcia DeFazio Hoagland
Barlow DeLauro Hobson
Barrett (WI) Dellums Hochbrueckner
Becerra Derrick Hoekstra
Beilenson Deutsch Holden
Bentley Diaz-Balart Hoyer
Berman Dicks Inslee
Bevill Dingell Jefferson
Bilbray Durbin Johnson (SD)
Bishop Edwards (CA) Johnson, E.B.
Blackwell Edwards (TX) Johnston
Boehlert Engel Kanjorski
Bonior English Kaptur
Borski Eshoo Kasich
Boucher Evans Kennedy
Brooks Farr Kennelly
Broder Fazio Kildee
Brown (FL) Fields (LA) Kleczka
Brown (OH) Filner Klein
Bryant Fingerhut Klink
Byrne Fish Kopetski
Cantwell Flake Kreidler
Cardin Foglietta LaFalce
Carr Ford (TN) Lambert
Clay Frank (MA) Lancaster
Clayton Frost Lantos
Clement Furse LaRocco
Clyburn Gejdenson Lehman
Coleman Gephardt Levin
Collins (IL) Gibbons Lewis (GA)
Collins (MI) Gilman Lipinski
Condit Glickman Lloyd
Conyers Gonzalez Long

Lowey Pastor Smith (NJ)
Maloney Payne (NJ) Spratt
Mann Payne (VA) Stark
Manton Peterson (FL) Strickland
Margolies-Peterson (MN) Studds
Mezvinsky Pickle Stupak
Markey Pomeroy Sweett
Martinez Poshard Swift
Matsui Hutto Synar
Mazzoli Quinn Tanner
McCloskey Rahall Tejada
McCurdy Rangel Thompson
McDade Reed Thornton
McHale Reynolds Thurman
McKinney Richardson Torres
McNulty Roemer Torricelli
Meek Rogers Towns
Menendez Rose Trafficant
Mfume Rostenkowski Tucker
Miller (CA) Roybal-Allard Underwood (GU)
Mineta Rush Unsoeld
Minge Sabo Velazquez
Mink Sanders Vento
Moakley Sangmeister Visclosky
Mollohan Sarpalius Volkmer
Moran Sawyer Waters
Morella Schenk Watt
Murphy Schroeder Waxman
Murtha Scott Wheat
Myers Serrano Whitten
Neal (MA) Sharp Wilson
Norton (DC) Shepherd Wise
Oberstar Sisisky Woolsey
Obey Skaggs Wyden
Olver Skelton Wynn
Ortiz Slattery Yates
Owens Slaughter Young (AK)
Pallone Smith (IA)

NOT VOTING—19

Brown (CA) Goodling Pelosi
Cox Grandy Romero-Barcelo
Dixon McDermott (PR)
Emerson Michel Stokes
Faleomavaega Nadler Torkildsen
Ford (MI) Parker Neal (NC) Washington
Williams

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

52.15 RECORDED VOTE

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

Strike section 6 and on page 11, line 22, strike "(a) General Rule.—" and on page 12 strike lines 1 through 6.

It was decided in the Yeas ..... 176
negative ..... Nays ..... 250

52.16 [Roll No. 183] AYES—176

Allard Crane Gunderson
Archer Crapo Hall (TX)
Armey Cunningham Hancock
Baker (CA) Deal Hansen
Baker (LA) DeLay Hastert
Ballenger Dickey Hefley
Barrett (NE) Doolittle Herger
Bartlett Dornan Hoberon
Barton Dreier Hoekstra
Bateman Duncan Hoke
Bentley Dunn Horn
Bereuter Edwards (TX) Houghton
Bilirakis Ehlers Huffington
Bliley Ewing Hunter
Blute Fawell Hutchinson
Boehlert Fields (TX) Hutto
Boehner Fish Hyde
Bonilla Fowler Inglis
Brewster Franks (CT) Inhofe
Brooks Franks (NJ) Istook
Bunning Gallegly Johnson (CT)
Burton Gallo Johnson, Sam
Buyer Gekas Kasich
Callahan Geren Kim
Calvert Lancaster King
Camp Gillmor Kingston
Canady Gingrich Klug
Candice Castle Knollenberg
Coble Gooding Kolbe
Collins (GA) Goss Kyl
Combust Grams Laughlin
Cox Greenwood Leach

Levy  
Lewis (CA)  
Lewis (FL)  
Lightfoot  
Linder  
Livingston  
Lucas  
Machtley  
Manzullo  
McCandless  
McCollum  
McCrery  
McHugh  
McInnis  
McKeon  
McMillan  
Meyers  
Mica  
Michel  
Miller (FL)  
Molinari  
Moorhead  
Myers  
Nussle  
Oxley  
Packard  
Paxon

Penny  
Rohrabacher  
Ros-Lehtinen  
Roukema  
Rowland  
Royce  
Santorum  
Saxton  
Schaefer  
Schiff  
Sensenbrenner  
Shaw  
Shays  
Shuster  
Skeen  
Smith (MI)

Smith (NJ)  
Smith (OR)  
Smith (TX)  
Snowe  
Solomon  
Spence  
Stearns  
Stenholm  
Stump  
Sundquist  
Talent  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Thomas (CA)  
Thomas (WY)  
Upton  
Valentine  
Walker  
Walsh  
Weldon  
Wolf  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

NOES—250

Abercrombie  
Ackerman  
Andrews (ME)  
Andrews (NJ)  
Andrews (TX)  
Applegate  
Bacchus (FL)  
Bachus (AL)  
Baesler  
Barca  
Barcia  
Barlow  
Barrett (WI)  
Becerra  
Beilenson  
Berman  
Bevill  
Bilbray  
Bishop  
Blackwell  
Bonior  
Borski  
Boucher  
Browder  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Bryant  
Byrne  
Cantwell  
Cardin  
Carr  
Chapman  
Clay  
Clayton  
Clement  
Clinger  
Clyburn  
Coleman  
Collins (IL)  
Collins (MI)  
Condit  
Conyers  
Cooper  
Coppersmith  
Costello  
Coyne  
Cramer  
Danner  
Darden  
de la Garza  
de Lugo (VI)  
DeFazio  
DeLauro  
Dellums  
Derrick  
Deutsch  
Diaz-Balart  
Dicks  
Dingell  
Dooley  
Durbin  
Edwards (CA)  
Engel  
English  
Eshoo  
Evans  
Everett  
Farr  
Fazio  
Fields (LA)

Filner  
Fingerhut  
Flake  
Foglietta  
Ford (MI)  
Ford (TN)  
Frank (MA)  
Frost  
Furse  
Gejdenson  
Gephardt  
Gibbons  
Gilman  
Glickman  
Gonzalez  
Gordon  
Green  
Gutierrez  
Hall (OH)  
Hamburg  
Hamilton  
Harman  
Hastings  
Hayes  
Hefner  
Hilliard  
Hinchev  
Hoagland  
Hochbrueckner  
Holden  
Hoyer  
Hughes  
Inslee  
Jacobs  
Jefferson  
Johnson (GA)  
Johnson (SD)  
Johnson, E. B.  
Johnston  
Kanjorski  
Kaptur  
Kennedy  
Kennelly  
Kildee  
Klecicka  
Klein  
Klink  
Kopetski  
Kreidler  
LaFalce  
Lambert  
Lancaster  
Lantos  
LaRocco  
Lazio  
Lehman  
Levin  
Lewis (GA)  
Lipinski  
Lloyd  
Long  
Lowey  
Maloney  
Mann  
Manton  
Margolies-  
Mezvinsky  
Markey  
Martinez  
Matsui  
Mazzoli

McCloskey  
McCurdy  
McDade  
McDermott  
McHale  
McKinney  
McNulty  
McNehan  
Meek  
Menendez  
Mfume  
Miller (CA)  
Mineta  
Minge  
Mink  
Moakley  
Mollohan  
Montgomery  
Moran  
Morella  
Murphy  
Murtha  
Neal (MA)  
Norton (DC)  
Oberstar  
Obey  
Olver  
Ortiz  
Orton  
Owens  
Pallone  
Pastor  
Payne (NJ)  
Payne (VA)  
Peterson (FL)  
Peterson (MN)  
Pickett  
Pickle  
Pomeroy  
Poshard  
Price (NC)  
Quinn  
Rahall  
Rangel  
Reed  
Regula  
Reynolds  
Richardson  
Roemer  
Rogers  
Rose  
Rostenkowski  
Roybal-Allard  
Rush  
Sabo  
Sanders  
Sangmeister  
Sarpaluis  
Sawyer  
Schenk  
Schroeder  
Schumer  
Scott  
Serrano  
Sharp  
Shepherd  
Sisisky  
Skaggs  
Skelton  
Slattery  
Slaughter

Smith (IA)  
Spratt  
Stark  
Stokes  
Strickland  
Studds  
Stupak  
Sweet  
Swift  
Synar  
Tanner  
Tejeda  
Thompson

Thornton  
Thurman  
Torres  
Torrice  
Towns  
Traficant  
Tucker  
Underwood (GU)  
Unsoeld  
Velazquez  
Vento  
Visclosky  
Volkmer

Waters  
Watt  
Waxman  
Wheat  
Whitten  
Williams  
Wilson  
Wise  
Woolsey  
Wyden  
Wynn  
Yates

NOT VOTING—12

Dixon  
Emerson  
Faleonavaega (AS)  
Grandy

Nadler  
Neal (NC)  
Parker  
Pelosi

Romero-Barceló (PR)  
Torkildsen  
Vucanovich  
Washington

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

52.17 RECORDED VOTE

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

Add at the end of the bill the following:

SEC. 11. STUDY.

(a) IN GENERAL.—The Federal Black Lung Advisory Committee, established under subsection (d) and referred to in this section as the “committee”, shall—

(1) examine State workers’ compensation laws to determine the effectiveness of the laws in providing benefits on the amount of disability or death due to pneumoconiosis, and

(2) evaluate the information collected in conducting the examination under paragraph (1).

(b) CONSIDERATIONS.—In carrying out subsection (a), the committee shall consider—

(1) whether a State’s law providing monthly benefits for total disability or death due to a coal miner’s pneumoconiosis in an amount that is comparable to or that exceeds the amounts payable under the Federal black lung program under part C of the Black Lung Benefits Act,

(2) whether the State law provides adequate coverage for health care needs generated by a coal miner’s pneumoconiosis,

(3) whether a State’s law precludes awards by virtue of periods of limitation or other provisions that unreasonably restrict the filing of claims or awards for a coal miner’s pneumoconiosis,

(4) whether the medical or legal criteria for determining entitlement in a State are fair and reasonable, and

(5) whether a State workers’ compensation system facilitates reasonably prompt awards or settlements.

(c) REPORT.—The committee shall transmit to the Secretary of Labor, not later than 12 months after its establishment, a final report containing a detailed statement of its findings, conclusions, and recommendations under subsection (a).

(d) COMMITTEE ESTABLISHMENT.—The Secretary of Labor shall establish the Federal Black Lung Advisory Committee with 9 members. The Chairman of the committee and a majority of the members of the committee shall be appointed by the Secretary from individuals who have no economic interests in the coal mining industry and who are not officers, directors, employees, or representatives of groups organized to assist claimants in the processing of their claims under the Federal black lung program under part C of the Black Lung Benefits Act. Of the 9 members, 2 shall be representatives of labor and 2 shall be representatives of coal mine operators. 5 members of the committee shall constitute a quorum for the purpose of

doing business. Members of the committee who are not officers or employees of a Federal, State, or local government shall be, for each day (including traveltime) during which they are performing committee business, entitled to receive compensation at a rate fixed by the Secretary but not in excess of the daily rate in effect for grade GS-18 under section 5332 of title 5, United States Code, and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses.

It was decided in the  
 negative .....  
 Yeas ..... 162  
 Nays ..... 265

52.18 [Roll No. 184] AYES—162

Allard  
Archer  
Armey  
Baker (CA)  
Baker (LA)  
Balleger  
Barrett (NE)  
Bartlett  
Barton  
Bateman  
Bereuter  
Billirakis  
Billey  
Blute  
Boehlert  
Boehner  
Bonilla  
Bunning  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Canady  
Castle  
Clinger  
Coble  
Collins (GA)  
Combust  
Cox  
Crane  
Cunningham  
DeLay  
Dickey  
Doolittle  
Dornan  
Dreier  
Duncan  
Dunn  
Ehlers  
Everett  
Ewing  
Fawell  
Fields (TX)  
Fingerhut  
Fish  
Fowler  
Franks (CT)  
Franks (NJ)  
Gallegly  
Gallo  
Gekas  
Gilchrist  
Gingrich

Goodlatte  
Goodling  
Goss  
Grams  
Greenwood  
Gunderson  
Hancock  
Hansen  
Hastert  
Hefley  
Herger  
Hobson  
Hoekstra  
Horn  
Houghton  
Huffington  
Hunter  
Hutchinson  
Hyde  
Inglis  
Inhofe  
Johnson (CT)  
Johnson, Sam  
Kasich  
Kim  
King  
Kingston  
Klug  
Knollenberg  
Kolbe  
Kyl  
Lazio  
Leach  
Levy  
Lewis (CA)  
Lewis (FL)  
Lightfoot  
Linder  
Livingston  
Lucas  
Manzullo  
McCandless  
McCollum  
McCrery  
McHugh  
McInnis  
McKeon  
McMillan  
Meyers  
Mica  
Michel  
Miller (FL)  
Molinari  
Moorhead

Morella  
Nussle  
Oxley  
Packard  
Paxon  
Penny  
Petri  
Pombo  
Porter  
Portman  
Pryce (OH)  
Quillen  
Ramstad  
Ravenel  
Regula  
Roberts  
Rohrabacher  
Ros-Lehtinen  
Roth  
Roukema  
Royce  
Saxton  
Schaefer  
Schiff  
Sensenbrenner  
Shaw  
Shays  
Shuster  
Skeen  
Smith (MI)  
Smith (NJ)  
Smith (OR)  
Smith (TX)  
Snowe  
Solomon  
Spence  
Stearns  
Stump  
Sundquist  
Talent  
Taylor (NC)  
Thomas (CA)  
Thomas (WY)  
Torkildsen  
Upton  
Vucanovich  
Walker  
Walsh  
Weldon  
Wolf  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

NOES—265

Abercrombie  
Ackerman  
Andrews (ME)  
Andrews (NJ)  
Andrews (TX)  
Applegate  
Bacchus (FL)  
Bachus (AL)  
Baesler  
Barca  
Barcia  
Barlow  
Barrett (WI)  
Becerra  
Beilenson  
Bentley  
Berman  
Bevill  
Bilbray  
Bishop  
Bonior  
Borski  
Boucher  
Brewster

Brooks  
Browder  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Bryant  
Byrne  
Cantwell  
Cardin  
Carr  
Chapman  
Clay  
Clayton  
Clement  
Clyburn  
Coleman  
Collins (IL)  
Collins (MI)  
Condit  
Conyers  
Cooper  
Coppersmith  
Costello  
Coyne

Cramer  
Crapo  
Danner  
Darden  
de la Garza  
de Lugo (VI)  
Deal  
DeFazio  
DeLauro  
Dellums  
Derrick  
Deutsch  
Diaz-Balart  
Dicks  
Dingell  
Dooley  
Durbin  
Edwards (CA)  
Edwards (TX)  
Engel  
English  
Eshoo  
Evans  
Farr

Fazio Long Rostenkowski  
 Fields (LA) Lowey Rowland  
 Filner Machtley Roybal-Allard  
 Flake Maloney Rush  
 Foglietta Mann Sabo  
 Ford (MI) Manton Sanders  
 Ford (TN) Margolis- Sangmeister  
 Frank (MA) Mezvinsky Santorum  
 Frost Markey Sarpalius  
 Furse Martinez Sawyer  
 Gejdenson Matsui Schenk  
 Gephardt Mazzoli Schroeder  
 Geren McCloskey Schumer  
 Gillmor McCurdy Scott  
 Gilman McDade Serrano  
 Gonzalez McDermott Sharp  
 Gordon McKinney Shepherd  
 Green McNulty Skaggs  
 Gutierrez Meehan Skelton  
 Hall (OH) Meek Slattery  
 Hall (TX) Menendez Slaughter  
 Hamburg Mfume Smith (IA)  
 Hamilton Miller (CA) Spratt  
 Harman Mineta Stark  
 Hastings Minge Stenholm  
 Hayes Mink Strickland  
 Hefner Moakley Studds  
 Hilliard Mollohan Stupak  
 Hinchey Montgomery Swett  
 Hoagland Moran Swift  
 Hochbrueckner Murphy Synar  
 Hoke Murtha Tanner  
 Holden Myers Tauzin  
 Hoyer Neal (MA) Taylor (MS)  
 Hughes Norton (DC) Tejeda  
 Hutto Oberstar Thompson  
 Inslee Obey Thornton  
 Istook Olver Thurman  
 Jacobs Ortiz Torres  
 Jefferson Orton Torricelli  
 Johnson (GA) Owens Towns  
 Johnson (SD) Pallone Traficant  
 Johnson, E. B. Pastor Tucker  
 Johnston Payne (NJ) Underwood (GU)  
 Kanjorski Payne (VA) Unsoeld  
 Kaptur Pelosi Valentine  
 Kennedy Peterson (FL) Velazquez  
 Kennelly Peterson (MN) Vento  
 Kildee Pickett Visclosky  
 Kleczka Pickle Volkmer  
 Klein Pomeroy Waters  
 Klink Poshard Watt  
 Kopetski Price (NC) Waxman  
 Kreidler Quinn Wheat  
 LaFalce Rahall Whitten  
 Lambert Rangel Williams  
 Lancaster Reed Wilson  
 Lantos Reynolds Wise  
 LaRocco Richardson Woolsey  
 Laughlin Ridge Wyden  
 Lehman Roemer Wynn  
 Levin Rogers Yates  
 Lewis (GA) Romero-Barcelo  
 Lipinski (PR)  
 Lloyd Rose

NOT VOTING—11

Blackwell Gibbons Stokes  
 Dixon Grandy Washington  
 Emerson Nadler  
 Faleomavaega Neal (NC)  
 (AS) Parker

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

52.19 RECORDED VOTE

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

Strike section 8 and redesignate sections 9, 10, and 11 as sections 8, 9, and 10, respectively.

It was decided in the	<table border="0"> <tr> <td>Yeas .....</td> <td>166</td> </tr> <tr> <td>negative .....</td> <td>258</td> </tr> </table>	Yeas .....	166	negative .....	258
Yeas .....		166			
negative .....	258				

52.20 [Roll No. 185] AYES—166

Allard	Ballenger	Bilirakis
Archer	Barrett (NE)	Bliley
Armey	Bartlett	Blute
Bachus (AL)	Barton	Boehner
Baker (CA)	Bateman	Bonilla
Baker (LA)	Bereuter	Bunning

Burton  
 Buyer  
 Callahan  
 Calvert  
 Camp  
 Canady  
 Castle  
 Clinger  
 Coble  
 Collins (GA)  
 Combest  
 Cox  
 Crane  
 Crapo  
 Cunningham  
 Deal  
 DeLay  
 Dickey  
 Doolittle  
 Dornan  
 Dreier  
 Duncan  
 Dunn  
 Ehlers  
 Everett  
 Minge  
 Fawell  
 Fields (TX)  
 Fish  
 Fowler  
 Franks (CT)  
 Franks (NJ)  
 Gallegly  
 Gallo  
 Gekas  
 Geren  
 Gilchrest  
 Gillmor  
 Gingrich  
 Goodlatte  
 Goss  
 Grams  
 Greenwood  
 Gunderson  
 Hancock  
 Hansen  
 Hastert  
 Hefley  
 Hergert  
 Hobson

Hoekstra  
 Hoke  
 Horn  
 Houghton  
 Huffington  
 Hunter  
 Hutchinson  
 Hyde  
 Inglis  
 Inhofe  
 Istook  
 Johnson (CT)  
 Johnson, Sam  
 Kasich  
 Kim  
 King  
 Kingston  
 Klug  
 Knollenberg  
 Kolbe  
 Kyl  
 Lazio  
 Leach  
 Levy  
 Lewis (CA)  
 Lightfoot  
 Linder  
 Livingston  
 Lucas  
 Machtley  
 Mann  
 Manzullo  
 Margolies-  
 Mezvinsky  
 McCandless  
 McCollum  
 McCrery  
 McHugh  
 McInnis  
 McKeon  
 Meyers  
 Mica  
 Michel  
 Miller (FL)  
 Molinari  
 Wolf  
 Moorhead  
 Morella  
 Nussle  
 Orton  
 Oxley

Packard  
 Paxon  
 Penny  
 Petri  
 Pombo  
 Porter  
 Portman  
 Pryce (OH)  
 Quinn  
 Ramstad  
 Ravenel  
 Ridge  
 Roberts  
 Rohrabacher  
 Roth  
 Roukema  
 Royce  
 Santorum  
 Saxton  
 Schaefer  
 Schiff  
 Sensenbrenner  
 Shaw  
 Shays  
 Shuster  
 Skeen  
 Smith (OR)  
 Smith (TX)  
 Snowe  
 Solomon  
 Spence  
 Stearns  
 Stenholm  
 Stump  
 Talent  
 Taylor (NC)  
 Thomas (WY)  
 Torkildsen  
 Upton  
 Valentine  
 Vucanovich  
 Walker  
 Walsh  
 Weldon  
 Wolf  
 Young (AK)  
 Young (FL)  
 Zeliff  
 Zimmer

NOES—258

Abercrombie  
 Ackerman  
 Andrews (ME)  
 Andrews (NJ)  
 Andrews (TX)  
 Applegate  
 Bacchus (FL)  
 Baesler  
 Barca  
 Barcia  
 Barlow  
 Barrett (WI)  
 Becerra  
 Beilenson  
 Bentley  
 Berman  
 Bevil  
 Bilbray  
 Bishop  
 Blackwell  
 Boehlert  
 Bonior  
 Borski  
 Boucher  
 Brewster  
 Brooks  
 Browder  
 Brown (CA)  
 Brown (FL)  
 Brown (OH)  
 Bryant  
 Byrne  
 Cantwell  
 Cardin  
 Chapman  
 Clay  
 Clayton  
 Clement  
 Clyburn  
 Coleman  
 Collins (IL)  
 Collins (MI)  
 Condit  
 Conyers  
 Cooper  
 Coppersmith  
 Costello

Coyne  
 Cramer  
 Danner  
 Darden  
 de la Garza  
 de Lugo (VI)  
 DeFazio  
 DeLauro  
 Dellums  
 Derrick  
 Deutsch  
 Diaz-Balart  
 Dicks  
 Dingell  
 Dooley  
 Durbin  
 Edwards (CA)  
 Edwards (TX)  
 Engel  
 English  
 Eshoo  
 Evans  
 Farr  
 Fazio  
 Fields (LA)  
 Filner  
 Fingerhut  
 Flake  
 Foglietta  
 Ford (MI)  
 Ford (TN)  
 Ford (MA)  
 Frost  
 Furse  
 Gejdenson  
 Gephardt  
 Gibbons  
 Gilman  
 Glickman  
 Gonzalez  
 Goodling  
 Goodling  
 Gordon  
 Green  
 Gutierrez  
 Hall (OH)  
 Hall (TX)  
 Hamburg  
 Hamilton

Harman  
 Hastings  
 Hayes  
 Hefner  
 Hilliard  
 Hinchey  
 Hoagland  
 Hochbrueckner  
 Holden  
 Hoyer  
 Hughes  
 Inslee  
 Jacobs  
 Jefferson  
 Johnson (GA)  
 Johnson (SD)  
 Johnson, E. B.  
 Johnston  
 Kanjorski  
 Kaptur  
 Kennedy  
 Kennelly  
 Kildee  
 Kleczka  
 Klein  
 Klink  
 Kopetski  
 Kreidler  
 LaFalce  
 Lambert  
 Lancaster  
 Lantos  
 LaRocco  
 Laughlin  
 Lehman  
 Levin  
 Lewis (GA)  
 Lipinski  
 Lloyd  
 Long  
 Lowey  
 Maloney  
 Manton  
 Martinez  
 Matsui  
 Mazzoli  
 McCloskey  
 McCurdy

McDade  
 McDermott  
 McHale  
 McKinney  
 McNulty  
 Meehan  
 Meek  
 Menendez  
 Mfume  
 Miller (CA)  
 Mineta  
 Minge  
 Mink  
 Moakley  
 Mollohan  
 Montgomery  
 Moran  
 Murphy  
 Murtha  
 Myers  
 Neal (MA)  
 Norton (DC)  
 Oberstar  
 Obey  
 Olver  
 Ortiz  
 Owens  
 Pallone  
 Pastor  
 Payne (NJ)  
 Payne (VA)  
 Pelosi  
 Peterson (FL)  
 Peterson (MN)  
 Pickett  
 Pickle  
 Pomeroy  
 Poshard  
 Price (NC)

Quillen  
 Rahall  
 Rangel  
 Reed  
 Regula  
 Reynolds  
 Richardson  
 Roemer  
 Rogers  
 Romero-Barcelo  
 (PR)  
 Ros-Lehtinen  
 Rose  
 Rostenkowski  
 Rowland  
 Roybal-Allard  
 Rush  
 Sabo  
 Sanders  
 Sangmeister  
 Sarpalius  
 Sawyer  
 Schenk  
 Schroeder  
 Schumer  
 Scott  
 Serrano  
 Sharp  
 Shepherd  
 Sisisky  
 Skaggs  
 Skelton  
 Slattery  
 Slaughter  
 Smith (IA)  
 Smith (MI)  
 Smith (NJ)  
 Stark

Stokes  
 Strickland  
 Studds  
 Stupak  
 Sundquist  
 Swett  
 Swift  
 Synar  
 Tanner  
 Tauzin  
 Taylor (MS)  
 Tejeda  
 Thompson  
 Thornton  
 Thurman  
 Torricelli  
 Towns  
 Traficant  
 Tucker  
 Underwood (GU)  
 Unsoeld  
 Velazquez  
 Vento  
 Visclosky  
 Volkmer  
 Waters  
 Watt  
 Waxman  
 Wheat  
 Whitten  
 Williams  
 Wilson  
 Wise  
 Woolsey  
 Wyden  
 Wynn  
 Yates

NOT VOTING—14

Dixon	Hutto	Neal (NC)
Emerson	Lewis (FL)	Parker
Faleomavaega	Markley	Thomas (CA)
(AS)	McMillan	Torres
Grandy	Nadler	Washington

So the amendment was not agreed to. The SPEAKER pro tempore, Mr. DE LA GARZA, assumed the Chair.

When Mr. WISE, Chairman, pursuant to House Resolution 428, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

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

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; REFERENCE

(a) SHORT TITLE.—This Act may be cited as the "Black Lung Benefits Restoration Act of 1994".

(b) REFERENCE.—Whenever in this Act (other than section 9(a)(1)) an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Black Lung Benefits Act.

SEC. 2. BENEFIT OVERPAYMENT.

Part C is amended by adding at the end the following:

"SEC. 436 (a) The repayment of benefits paid on a claim filed under this part before the final adjudication of the claim shall not be required if the claim was finally denied, unless fraud or deception was used to procure the payment of such benefits.

"(b) The trust fund shall refund any payments made to it as a reimbursement of benefits paid on a claim filed under this part before the final adjudication of the claim, unless fraud or deception was used to procure the payment of such benefits.

"(c) The trust fund shall reimburse an operator for any benefits paid on a claim filed under this part before the final adjudication of the claim if the claim was finally denied.

“(d) If on a claim for benefits filed under this part—

“(1) the Secretary makes an initial determination—

“(A) of eligibility, or

“(B) that particular medical benefits are payable, or

“(2) an award of benefits is made, the operator found to be the responsible operator under section 422(h) shall, within 30 days of the date of such determination or award, commence the payment of monthly benefits accruing thereafter and of medical benefits that have been found payable. If an operator fails to timely make any payment required by an initial determination or by an award, such determination or award shall be considered final as of the date of its issuance.”

### SEC. 3. EVIDENCE.

Section 422 (30 U.S.C. 932) is amended by adding at the end the following:

“(m)(1)(A) During the course of all proceedings on a claim for benefits under this part, the results of not more than 3 medical examinations offered by the claimant may be received as evidence to support eligibility for benefits.

“(B) During the course of all proceedings on a claim for benefits under this part, the responsible operator and the trust fund—

“(i) may each require, at no expense to the claimant, not more than one medical examination of the miner, and

“(ii) may not each offer as evidence the results of more than one medical examination of the miner.

“(C) An administrative law judge may require the miner to submit to a medical examination by a physician assigned by the District Director if the administrative law judge determines that, at any time, there is good cause for requiring such examination. For purposes of this subparagraph, good cause shall exist only when the administrative law judge is unable to determine from existing evidence whether the claimant is entitled to benefits.

“(D) The complete pulmonary evaluation provided each miner under section 413(b) and any consultative evaluation developed by the District Director shall be received into evidence notwithstanding subparagraph (A) or (B).

“(E) Any record of—

“(i) hospitalization for a pulmonary or related disease,

“(ii) medical treatment for a pulmonary or related disease, and

“(iii) a biopsy or an autopsy, may be received into evidence notwithstanding subparagraph (A) or (B).

“(2) In addition to the medical examinations authorized by paragraph (1), each party may submit one interpretive medical opinion (whether presented as documentary evidence or in oral testimony) reviewing each clinical study or physical examination (including a consultative reading of a chest roentgenogram, an evaluation of a blood gas study, and an evaluation of a pulmonary function study) derived from any medical examination or contained in a record referred to in paragraph (1)(E).

“(3) A request for modification of a denied claim under section 22 of the Longshore and Harbor Workers' Compensation Act, as made applicable to this Act by subsection (a) of this section, shall be considered as if it were a new claim for the purpose of applying the limitations prescribed by paragraphs (1) and (2).

“(4) The opinion of a miner's treating physician, if offered in accordance with paragraph (1)(A), shall be given substantial weight over the opinion of other physicians in determining the claimant's eligibility for benefits if the treating physician is board-

certified in a specialty relevant to the diagnosis of total disability or death due to pneumoconiosis.

“(5) For purposes of this subsection, a medical examination consists of a physical examination and all appropriate clinical studies (not including a biopsy or an autopsy) related to the diagnosis of total disability or death due to pneumoconiosis.”

### SEC. 4. SURVIVOR BENEFITS.

(a) DEATH.—Section 422 (30 U.S.C. 932), as amended by section 3, is amended by adding at the end the following:

“(n) If an eligible survivor files a claim for benefits under this part and if the miner—

“(1) was receiving benefits for pneumoconiosis pursuant to a final adjudication under this part, or

“(2) was totally disabled by pneumoconiosis at the time of the miner's death, the miner's death shall be considered to have occurred as a result of the pneumoconiosis.”

(b) RULES FOR WIDOWS AND WIDOWERS.—Section 422 (30 U.S.C. 932), as amended by subsection (a), is amended by adding at the end the following:

“(o)(1) A widow or widower of a miner who was married to the miner for less than 9 months at any time preceding the miner's death is not qualified to receive survivor benefits under this part unless the widow or widower was the natural or adoptive parent of the miner's child.

“(2) The widow or widower of a miner is disqualified to receive survivor benefits under this part if the widow or widower remarries before attaining the age of 50.

“(3) A widow or widower may not receive an augmentation in survivor benefits on any basis arising out of a remarriage of the widow or widower.”

### SEC. 5. RESPONSIBLE OPERATOR.

Section 422(h) (30 U.S.C. 932(h)) is amended by inserting “(1)” after “(h)” and by adding at the end the following:

“(2)(A) Prior to issuing an initial determination of eligibility, the Secretary shall, after investigation, notice, and a hearing as provided in section 19 of the Longshore and Harbor Workers' Compensation Act, as made applicable to this Act by subsection (a) of this section, determine whether any operator meets the Secretary's criteria for liability as a responsible operator under this Act. If a hearing is timely requested on the liability issue, the decision of the administrative law judge conducting the hearing shall be issued not later than 120 days after such request and shall not be subject to further appellate review.

“(B) If the administrative law judge determines that an operator's request for a hearing on the liability issue was made without reasonable grounds, the administrative law judge may assess the operator for the costs of the proceeding (not to exceed \$750).”

### SEC. 6. ATTORNEY FEES.

Section 422 (30 U.S.C. 932), as amended by section 4(b), is amended by adding at the end the following:

“(p)(1) If in any administrative or judicial proceeding on a claim for benefits a determination is made that a claimant is entitled to such benefits, the claimant shall be entitled to receive all reasonable costs and expenses (including expert witness and attorney's fees) incurred by the claimant in such proceeding and in any other administrative or judicial proceeding on such claim occurring before such proceeding.

“(2) In the case of a proceeding held with respect to such claim—

“(A) the person or Board which made the determination that the claimant is entitled to benefits in an administrative proceeding and any other person or Board which made a prior determination in an administrative proceeding on such claim, or

“(B) the court in the case of a judicial proceeding, shall determine the amount of all costs and expenses (including expert witness and attorney's fees) incurred by the claimant in connection with any such proceeding and shall assess the operator responsible to the claimant for such costs and expenses which are reasonable or if there is not an operator responsible to the claimant, shall assess the fund for such costs and expenses.

“(3) The determination of such costs and expenses shall be made within 60 days of the date the claimant submits a petition for the payment of such costs and expenses to a person, the Board, or court which made a determination on the claimant's claim. The person, Board, or court receiving such petition shall take such action as may be necessary to assure that such costs and expenses are paid within 45 days of the date of the determination of such costs and expenses unless a motion to reconsider—

“(A) the amount of such costs and expenses, or

“(B) the person liable for the payment of such amount, is pending.

“(4) If an operator pays costs and expenses assessed under paragraph (1) and if the claimant for whom such costs and expenses were paid is determined in a later proceeding not to be eligible for benefits under this part, the fund shall pay the operator the amount paid for such costs and expenses.

“(5) Section 28(e) of the Longshore and Harbor Workers' Compensation Act shall apply with respect to any person who receives costs and expenses which are paid under this subsection on account of services rendered a claimant.”

### SEC. 7. ADMINISTRATION.

(a) APPEALS TO THE BENEFITS REVIEW BOARD.—No appeal of an order in a proceeding under the Black Lung Benefits Act may be made by a claimant or respondent to the Benefits Review Board unless such order has been made by an administrative law judge.

(b) ACQUIESCENCE.—The Secretary of Labor may not delegate to the Benefits Review Board the authority to refuse to acquiesce in a decision of a Federal court.

### SEC. 8. REFILEING.

Any claim filed under the Black Lung Benefits Act after January 1, 1982, but before the effective date of this Act prescribed by section 11(a), may be refiled under such Act after such effective date for a de novo review on the merits.

### SEC. 9. DEFINITIONS.

(a) COKE OVENS.—

(1) FEDERAL MINE SAFETY AND HEALTH ACT OF 1977.—Section 3 of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 802) is amended—

(A) in paragraph (d), by inserting before the semicolon the following: “or who operates a coke oven or any machine shop or other operation reasonably related to the coke oven”;

(B) in paragraph (g), by inserting before the semicolon the following: “or working at a coke oven or in any other operation reasonably related to the operation of a coke oven”;

(C) in paragraph (h)(2), by inserting before the semicolon the following: “and includes a coke oven and any operation, structure, or area of land reasonably related to the operation of a coke oven”.

(2) BLACK LUNG BENEFITS ACT.—The first sentence of section 402(d) (30 U.S.C. 902(d)) is amended by inserting before the period the following: “or who works or has worked at a coke oven or in any other operation reasonably related to the operation of a coke oven”.

(b) PNEUMOCONIOSIS.—Section 402(b) (30 U.S.C. 902(b)) is amended—

(1) by adding after "sequelae" the following: "which disease or sequelae is restrictive or obstructive or both", and

(2) by striking out "coal mine" and inserting in lieu thereof "coal mine or coke oven".

**SEC. 10. EFFECTIVE DATES.**

(a) GENERAL RULE.—Except as provided in subsections (b) and (c), this Act and the amendments made by this Act shall take effect October 1, 1994.

(b) SECTION 5.—The amendment made by section 5 shall apply only with respect to claims which are filed for the first time after October 1, 1994, and shall not apply with respect to any claim which is filed before such date and which is refiled under section 8 of this Act after such date.

(c) COSTS OFFSET.—The amendments made by this Act shall not take effect unless the costs of the amendments are fully offset in each fiscal year through fiscal year 1999 by changes to the Black Lung Benefits Program.

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

Mr. FAWELL moved to recommit the bill to the Committee on Education and Labor.

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

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

The SPEAKER pro tempore, Mr. DE LA GARZA, announced that the nays had it.

So the motion to recommit was not agreed to.

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

The SPEAKER pro tempore, Mr. DE LA GARZA, announced that the yeas had it.

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

The vote was taken by electronic device.

It was decided in the affirmative .....  

{	Yeas .....	252
	Nays .....	166

52.21 [Roll No. 186]  
AYES—252

Abercrombie	Brown (OH)	Dicks
Ackerman	Bryant	Dingell
Andrews (ME)	Byrne	Durbin
Andrews (NJ)	Cantwell	Edwards (CA)
Andrews (TX)	Cardin	Edwards (TX)
Applegate	Carr	Engel
Bacchus (FL)	Chapman	English
Bacchus (AL)	Clay	Eshoo
Baesler	Clayton	Evans
Barca	Clement	Farr
Barcia	Clinger	Fazio
Barlow	Clyburn	Fields (LA)
Barrett (WI)	Coleman	Filner
Becerra	Collins (IL)	Fingerhut
Beilenson	Collins (MI)	Fish
Bentley	Condit	Flake
Berman	Conyers	Foglietta
Bevill	Cooper	Ford (MI)
Bilbray	Coppersmith	Ford (TN)
Bishop	Costello	Frank (MA)
Blackwell	Coyne	Frost
Blute	Cramer	Furse
Boehlert	Danner	Gejdenson
Bonior	Darden	Gephardt
Borski	de la Garza	Gibbons
Boucher	DeFazio	Gilman
Brewster	DeLauro	Glickman
Brooks	Dellums	Gonzalez
Browder	Derrick	Gordon
Brown (CA)	Deutsch	Green
Brown (FL)	Diaz-Balart	Gutierrez

Hall (OH)	McHugh	Sawyer
Hamburg	McKinney	Schenk
Hamilton	McNulty	Schroeder
Harman	Meehan	Schumer
Hastings	Meek	Schumer
Hefner	Menendez	Scott
Hilliard	Mfume	Serrano
Hinchey	Miller (CA)	Sharp
Hoagland	Mineta	Shepherd
Hochbrueckner	Mink	Sisisky
Holden	Moakley	Skaggs
Hoyer	Mollohan	Skelton
Hughes	Moran	Slaughter
Inslie	Morella	Smith (IA)
Jacobs	Murphy	Smith (NJ)
Jefferson	Murtha	Spratt
Johnson (GA)	Myers	Stark
Johnson (SD)	Neal (MA)	Stokes
Johnson, E. B.	Oberstar	Strickland
Johnston	Obey	Studds
Kanjorski	Olver	Stupak
Kaptur	Ortiz	Sundquist
Kennedy	Owens	Swett
Kennelly	Pallone	Swift
Kildee	Pastor	Synar
Kleczka	Payne (NJ)	Tanner
Klein	Pelosi	Tejeda
Klink	Peterson (FL)	Thompson
Kopetski	Peterson (MN)	Thornton
Kreidler	Pickle	Thurman
LaFalce	Porter	Torricelli
Lancaster	Poshard	Towns
Lantos	Price (NC)	Traficant
LaRocco	Quillen	Tucker
Laughlin	Quinn	Unsoeld
Lehman	Rahall	Velazquez
Levin	Rangel	Vento
Lewis (GA)	Reed	Visclosky
Lipinski	Reynolds	Volkmer
Lloyd	Richardson	Walsh
Long	Ridge	Waters
Lowey	Roemer	Watt
Maloney	Rogers	Waxman
Mann	Ros-Lehtinen	Wheat
Manton	Rose	Whitten
Margolies-	Rostenkowski	Williams
Mezvinsky	Rowland	Wilson
Martinez	Roybal-Allard	Wise
Matsui	Rush	Woolsey
Mazzoli	Sabo	Wyden
McCloskey	Sanders	Wynn
McDade	Sangmeister	Yates
McDermott	Santorum	Young (AK)
McHale	Sarpalius	

NOES—166

Allard	Fowler	Kyl
Archer	Franks (CT)	Lambert
Armey	Franks (NJ)	Lazio
Baker (CA)	Galleghy	Leach
Baker (LA)	Gallo	Levy
Ballenger	Gekas	Lewis (CA)
Barrett (NE)	Geren	Lightfoot
Bartlett	Gilchrest	Linder
Barton	Gillmor	Lucas
Bateman	Gingrich	Machtley
Bereuter	Goodlatte	Manzullo
Bilirakis	Goodling	McCandless
Bileyle	Goss	McCollum
Boehner	Grams	McCrery
Bonilla	Greenwood	McCurdy
Bunning	Gunderson	McInnis
Burton	Hall (TX)	McKeon
Buyer	Hancock	McMillan
Callahan	Hansen	Meyers
Calvert	Hastert	Mica
Camp	Hayes	Michel
Canady	Hefley	Miller (FL)
Castle	Herger	Minge
Coble	Hobson	Molinari
Collins (GA)	Hoekstra	Montgomery
Combest	Horn	Moorhead
Cox	Houghton	Nussle
Crane	Huffington	Orton
Crapo	Hunter	Oxley
Cunningham	Hutchinson	Packard
Deal	Hutto	Paxon
DeLay	Hyde	Payne (VA)
Dickkey	Inglis	Penny
Dooley	Inhofe	Petri
Doollittle	Istook	Pickett
Dornan	Johnson (CT)	Pombo
Dreier	Johnson, Sam	Portman
Duncan	Kasich	Pryce (OH)
Dunn	Kim	Ramstad
Ehlers	King	Ravenel
Everett	Kingston	Regula
Ewing	Klug	Roberts
Fawell	Knollenberg	Rohrabacher
Fields (TX)	Kolbe	Roth

Roukema	Smith (TX)	Torkildsen
Royce	Snowe	Upton
Saxton	Solomon	Valentine
Schaefer	Spence	Vucanovich
Schiff	Stearns	Walker
Sensenbrenner	Stenholm	Weldon
Shaw	Stump	Wolf
Shays	Talent	Young (FL)
Shuster	Tauzin	Zeliff
Skeen	Taylor (MS)	Zimmer
Smith (MI)	Taylor (NC)	
Smith (OR)	Thomas (WY)	

NOT VOTING—15

Dixon	Livingston	Pomeroy
Emerson	Markey	Slattery
Grandy	Nadler	Thomas (CA)
Hoke	Neal (NC)	Torres
Lewis (FL)	Parker	Washington

So the bill was passed.

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

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

52.22 DOD APPROPRIATIONS

Mr. HEFNER submitted a privileged report (Rept. No. 103-516) on the bill (H.R. 4453) making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes.

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

Mrs. VUCANOVICH reserved all points of order against said bill.

52.23 LEGISLATIVE BRANCH APPROPRIATIONS

Mr. HEFNER submitted a privileged report (Rept. No. 103-517) on the bill (H.R. 4454) making appropriations for the Legislative Branch for the fiscal year ending September 30, 1995, and for other purposes.

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

Mr. YOUNG of Florida reserved all points of order against said bill.

52.24 NUTRITION LABELING AND EDUCATION

On motion of Mr. WAXMAN, by unanimous consent, the bill of the Senate (S. 2087) to extend the time period for compliance with the Nutrition Labeling and Education Act of 1990 for certain food products packaged prior to August 18, 1994; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

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

Ordered, That the Clerk notify the Senate thereof.

52.25 DOD AUTHORIZATION

The SPEAKER pro tempore, Mr. DE LA GARZA, pursuant to House Resolution 429 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. 4301) to authorize appropriations for fiscal year 1995 for mili-

tary activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1995, and for other purposes.

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

52.26 RECORDED VOTE

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

At the end of title X (page 277, after line 2), insert the following new section:

SEC. 1038. REDUCTION OF UNITED STATES MILITARY FORCES IN EUROPE.

(a) END STRENGTH REDUCTIONS FOR MILITARY PERSONNEL IN EUROPE.—Notwithstanding section 1002(c)(1) of the National Defense Authorization Act, 1985 (22 U.S.C. 1928 note), but subject to subsection (d), for each of fiscal years 1996, 1997, 1998, and 1999, the Secretary of Defense shall reduce the end strength level of members of the Armed Forces of the United States assigned to permanent duty ashore in European member nations of the North Atlantic Treaty Organization in accordance with subsection (b).

(b) REDUCTION FORMULA.—

(1) APPLICATION OF FORMULA.—For each percentage point that the allied contribution level determined under paragraph (2) is below the goal specified in subsection (c) as of the end of a fiscal year, the Secretary of Defense shall reduce the end strength level of members of the Armed Forces of the United States assigned to permanent duty ashore in European member nations of NATO by 1,000 for the next fiscal year. The reduction shall be made from the end strength level in effect, pursuant to section 1002(c)(1) of the National Defense Authorization Act, 1985 (22 U.S.C. 1928 note), and subsection (a) of this section (if applicable), for the fiscal year in which the allied contribution level is below the goal specified in subsection (c).

(2) ALLIED CONTRIBUTION LEVEL.—To determine the allied contribution level with respect to a fiscal year, the Secretary of Defense shall calculate the aggregate amount of nonpersonnel costs for United States military installations in European member nations of NATO that are assumed during that fiscal year by such nations, except that the Secretary may consider only those cash and in-kind contributions by such nations that replace expenditures that would otherwise be made by the Secretary using funds appropriated or otherwise made available in defense appropriations Acts.

(c) ANNUAL GOALS FOR FORCE REDUCTION.—In continuing efforts to enter into revised host-nation agreements as described in section 1301(e) of National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2545) and section 1401(c) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 107 Stat. 1824), the President is urged to seek to have European member nations of NATO assume an increased share of the nonpersonnel costs of United States military installations in those nations in accordance with the following timetable:

(1) By September 30, 1995, 18.75 percent of such costs should be assumed by those nations.

(2) By September 30, 1996, 37.5 percent of such costs should be assumed by those nations.

(3) By September 30, 1997, 56.25 percent of such costs should be assumed by those nations.

(4) By September 30, 1998, 75 percent of such costs should be assumed by those nations.

(d) EXCEPTIONS.—

(1) MINIMUM END STRENGTH AUTHORITY.—Notwithstanding reductions required pursuant to subsection (a), the Secretary of Defense may maintain an end strength of at least 25,000 members of the Armed Forces of the United States assigned to permanent duty ashore in European member nations of NATO.

(2) WAIVER AUTHORITY.—The President may waive operation of this section if the President declares an emergency and immediately informs the Congress of the waiver and the reasons for the waiver.

(e) ALLOCATION OF FORCE REDUCTIONS.—To the extent that there is a reduction in end strength level for any of the Armed Forces in European member nations of NATO in a fiscal year pursuant to subsection (a)—

(1) half of the reduction shall be used to make a corresponding reduction in the authorized end strength level for active duty personnel for such Armed Force for that fiscal year; and

(2) half of the reduction shall be used to make a corresponding increase in permanent assignments or deployments of forces in the United States or other nations (other than European member nations of NATO) for each such Armed Force for that fiscal year, as determined by the Secretary of Defense.

(f) NONPERSONNEL COSTS DEFINED.—For purposes of this section, the term "nonpersonnel costs", with respect to United States military installations in European member nations of NATO, means costs for those installations other than costs paid from military personnel accounts.

It was decided in the } Yeas ..... 268  
affirmative ..... } Nays ..... 144

52.27

[Roll No. 187]

AYES—268

- |              |              |                |
|--------------|--------------|----------------|
| Abercrombie  | Danner       | Hamburg        |
| Ackerman     | de la Garza  | Hancock        |
| Allard       | de Lugo (VI) | Hayes          |
| Andrews (ME) | Deal         | Hefner         |
| Andrews (NJ) | DeFazio      | Heger          |
| Andrews (TX) | DeLauro      | Hilliard       |
| Applegate    | Dellums      | Hinchey        |
| Bachus (AL)  | Derrick      | Hoagland       |
| Barca        | Deutsch      | Hobson         |
| Barcia       | Dooley       | Hochbrueckner  |
| Barrett (WI) | Doolittle    | Hoekstra       |
| Becerra      | Dreier       | Hoke           |
| Beilenson    | Duncan       | Holden         |
| Bentley      | Durbin       | Horn           |
| Berman       | Edwards (CA) | Hoyer          |
| Bilirakis    | Ehlers       | Hughes         |
| Blackwell    | Engel        | Hutchinson     |
| Blute        | English      | Inslie         |
| Boehlert     | Eshoo        | Istook         |
| Boehner      | Evans        | Jacobs         |
| Bonior       | Ewing        | Jefferson      |
| Borski       | Farr         | Johnson (CT)   |
| Boucher      | Fawell       | Johnson (SD)   |
| Brewster     | Fazio        | Johnson, E. B. |
| Brooks       | Fields (LA)  | Johnston       |
| Brown (CA)   | Filner       | Kaptur         |
| Brown (FL)   | Fingerhut    | Kasich         |
| Brown (OH)   | Fish         | Kennedy        |
| Bryant       | Flake        | Kennelly       |
| Byrne        | Foglietta    | Kildee         |
| Callahan     | Ford (MI)    | Kim            |
| Calvert      | Ford (TN)    | Kleczka        |
| Camp         | Frank (MA)   | Klein          |
| Cantwell     | Franks (NJ)  | Klink          |
| Carr         | Frost        | Klug           |
| Chapman      | Furse        | Kopetski       |
| Clayton      | Gallegly     | Kreidler       |
| Clement      | Gejdenson    | Lambert        |
| Coble        | Gekas        | Lantos         |
| Coleman      | Gephardt     | LaRocco        |
| Collins (IL) | Gilchrest    | Laughlin       |
| Collins (MI) | Gillmor      | Leach          |
| Condit       | Glickman     | Lehman         |
| Conyers      | Goodlatte    | Lewis (GA)     |
| Cooper       | Goodling     | Lightfoot      |
| Costello     | Gordon       | Lipinski       |
| Coyne        | Green        | Long           |
| Crane        | Gutierrez    | Lowey          |
| Crapo        | Hall (OH)    | Machtley       |
| Cunningham   | Hall (TX)    | Maloney        |

- |               |               |             |
|---------------|---------------|-------------|
| Manton        | Pombo         | Smith (NJ)  |
| Manzullo      | Pomeroy       | Snowe       |
| Margolies-    | Portman       | Spratt      |
| Mezvirny      | Poshard       | Stark       |
| Martinez      | Pryce (OH)    | Stokes      |
| McCandless    | Quinn         | Strickland  |
| McCloskey     | Rahall        | Studds      |
| McDermott     | Ramstad       | Stupak      |
| McInnis       | Rangel        | Sweet       |
| McKinney      | Ravenel       | Synar       |
| McNulty       | Reed          | Tauzin      |
| Meehan        | Regula        | Taylor (NC) |
| Meek          | Reynolds      | Thomas (WY) |
| Menendez      | Ridge         | Thompson    |
| Meyers        | Roemer        | Thornton    |
| Mfume         | Rogers        | Thurman     |
| Mica          | Rohrabacher   | Torricelli  |
| Miller (CA)   | Rose          | Towns       |
| Miller (FL)   | Rostenkowski  | Traficant   |
| Mineta        | Roth          | Tucker      |
| Minge         | Roukema       | Unsoeld     |
| Mink          | Roybal-Allard | Upton       |
| Moakley       | Royce         | Valentine   |
| Morella       | Rush          | Velazquez   |
| Neal (MA)     | Sabo          | Vento       |
| Norton (DC)   | Sanders       | Volkmer     |
| Nussle        | Sangmeister   | Waters      |
| Oberstar      | Sawyer        | Watt        |
| Obey          | Schaefer      | Waxman      |
| Olver         | Schenk        | Wheat       |
| Orton         | Schiff        | Williams    |
| Owens         | Schroeder     | Wise        |
| Pallone       | Schumer       | Woolsey     |
| Pastor        | Sensenbrenner | Wyden       |
| Payne (NJ)    | Serrano       | Wynn        |
| Pelosi        | Sharp         | Yates       |
| Penny         | Shaw          | Young (AK)  |
| Peterson (MN) | Shays         | Young (FL)  |
| Petri         | Shepherd      | Zimmer      |
| Pickle        | Slaughter     |             |

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- |              |              |                |
|--------------|--------------|----------------|
| Archer       | Gonzalez     | Murphy         |
| Armey        | Goss         | Murtha         |
| Bacchus (FL) | Grams        | Myers          |
| Baessler     | Greenwood    | Ortiz          |
| Baker (CA)   | Gunderson    | Oxley          |
| Baker (LA)   | Hamilton     | Packard        |
| Ballenger    | Hansen       | Paxon          |
| Barrett (NE) | Hastert      | Payne (VA)     |
| Bartlett     | Hastings     | Peterson (FL)  |
| Barton       | Hefley       | Pickett        |
| Bateman      | Houghton     | Porter         |
| Bereuter     | Huffington   | Price (NC)     |
| Bevill       | Hunter       | Quillen        |
| Bilbray      | Hutto        | Richardson     |
| Bishop       | Hyde         | Roberts        |
| Bliley       | Inglis       | Ros-Lehtinen   |
| Bonilla      | Inhofe       | Rowland        |
| Browder      | Johnson (GA) | Sarpalius      |
| Bunning      | Johnson, Sam | Saxton         |
| Burton       | Kanjorski    | Scott          |
| Buyer        | King         | Shuster        |
| Canady       | Kingston     | Sisisky        |
| Castle       | Knollenberg  | Skaggs         |
| Clinger      | Kolbe        | Skeen          |
| Clyburn      | Kyl          | Skelton        |
| Collins (GA) | LaFalce      | Smith (MI)     |
| Combest      | Lancaster    | Smith (OR)     |
| Coppersmith  | Lazio        | Smith (TX)     |
| Cox          | Levin        | Solomon        |
| Cramer       | Levy         | Spence         |
| Darden       | Lewis (CA)   | Stearns        |
| DeLay        | Linder       | Stenholm       |
| Diaz-Balart  | Lloyd        | Stump          |
| Dickey       | Lucas        | Sundquist      |
| Dicks        | Mann         | Swift          |
| Dingell      | Mazzoli      | Talent         |
| Dornan       | McCrery      | Tanner         |
| Dunn         | McDade       | Taylor (MS)    |
| Edwards (TX) | McHale       | Tejeda         |
| Everett      | McHugh       | Torkildsen     |
| Fields (TX)  | McKeon       | Underwood (GU) |
| Fowler       | McMillan     | Visclosky      |
| Franks (CT)  | Michel       | Vucanovich     |
| Gallo        | Molinari     | Walker         |
| Geren        | Mollohan     | Walsh          |
| Gibbons      | Montgomery   | Weldon         |
| Gilman       | Moorhead     | Wolf           |
| Gingrich     | Moran        | Zeliff         |

NOT VOTING—26

- |                   |            |                |
|-------------------|------------|----------------|
| Barlow            | Harman     | Neal (NC)      |
| Cardin            | Lewis (FL) | Parker         |
| Clay              | Livingston | Romero-Barcelo |
| Dixon             | Markey     | (PR)           |
| Emerson           | Matsui     | Santorum       |
| Faleomavaega (AS) | McCollum   | Slattery       |
| Grandy            | McCurdy    |                |
|                   | Nadler     |                |

Smith (IA) Torres Whitten  
Thomas (CA) Washington Wilson

So the amendment was agreed to. After some further time, The SPEAKER pro tempore, Mr. COPPERSMITH, assumed the Chair. When Mr. DURBIN, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

52.28 COMMITTEE RESIGNATION—  
MAJORITY

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

HOUSE OF REPRESENTATIVES,  
Washington, DC, February 10, 1994.

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

DEAR MR. SPEAKER: I hereby submit my temporary resignation as a Member of the Committee on Science, Space, and Technology in order to serve on the Committee on the Budget. It is my understanding that my seniority status on the Committee on Science, Space, and Technology will be protected during my tenure on the Budget Committee.

Sincerely,

LYNN C. WOOLSEY.

By unanimous consent, the resignation were accepted.

52.29 COMMITTEE RESIGNATION—  
MAJORITY

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

HOUSE OF REPRESENTATIVES,  
Washington, DC, May 12, 1994.

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

DEAR MR. SPEAKER: I hereby submit my temporary resignation as a member of the Committee on Science, Space and Technology in order that I may serve on the Committee on the Budget. It is my understanding that my seniority status on the Committee on Science, Space and Technology will be protected during my tenure on the Budget Committee.

Sincerely,

GLEN BROWDER.

By unanimous consent, the resignation was accepted.

52.30 COMMITTEES MEMBERSHIP—  
MAJORITY

The SPEAKER pro tempore, Mr. COPPERSMITH, by unanimous consent, announced that the Democratic membership of the Committee on Agriculture, the Committee on Merchant Marine and Fisheries, the Committee on Natural Resources and the Committee on Science, Space, and Technology, was revised as follows:

COMMITTEE ON AGRICULTURE

E de la Garza, TX, Chairman.  
George E. Brown, Jr., CA.  
Charlie Rose, NC.  
Dan Glickman, KS.  
Charles W. Stenholm, TX.  
Harold L. Volkmer, MO.  
Timothy J. Penny, MN.  
Tim Johnson, SD.  
Bill Sarpalius, TX.

Jill L. Long, IN.  
Gary A. Condit, CA.  
Collin C. Peterson, MN.  
Calvin M. Dooley, CA.  
Eva M. Clayton, NC.  
David Minge, MN.  
Earl F. Hillard, AL.  
Jay Inslee, WA.  
Thomas J. Barlow, III, KY.  
Earl Pomeroy, ND.  
Tim Holden, PA.  
Cynthia A. McKinney, GA.  
Scotty Baesler, KY.  
Karen L. Thurman, FL.  
Sanford D. Bishop, Jr., GA.  
Bennie G. Thompson, MS.  
Sam Farr, CA.  
Pat Williams, MT.  
Blanche M. Lambert, AR.  
COMMITTEE ON MERCHANT MARINE AND FISHERIES

Gerry E. Studds, MA, Chairman.  
William J. Hughes, NJ.  
Earl Hutto, FL.  
W.J. (Billy) Tauzin, LA.  
William O. Lipinski, IL.  
Solomon P. Ortiz, TX.  
Thomas J. Manton, NY.  
Owen B. Pickett, VA.  
George J. Hochbrueckner, NY.  
Frank Pallone, Jr., NJ.  
Greg Laughlin, TX.  
Jolene Unsoeld, WA.  
Gene Taylor, MS.  
Jack Reed, RI.

H. Martin Lancaster, NC.  
Thomas H. Andrews, ME.  
Elizabeth Furse, OR.  
Lynn Schenk, CA.  
Gene Green, TX.  
Alcee L. Hastings, FL.  
Dan Hamburg, CA.  
Blanche M. Lambert, AR.  
Anna G. Eshoo, CA.  
Thomas J. Barlow III, KY.  
Bart Stupak, MI.  
Bennie G. Thompson, MS.  
Maria Cantwell, WA.  
Peter Duetsch, FL.  
Gary L. Ackerman, NY.

COMMITTEE ON NATURAL RESOURCES

George Miller, CA, Chairman.  
Philip R. Sharp, IN.  
Edward J. Markey, MA.  
Austin, J. Murphy, PA.  
Nick J. Rahall II, WV  
Bruce F. Vento, MN.  
Pat Williams, MT.  
Ron De Lugo, VI.  
Sam Gejdenson, CT.  
Richard H. Lehman, CA.  
Bill Richardson, NM.  
Peter A. DeFazio, OR.  
Eni F.H. Faleomavaega, AS.  
Tim Johnson, SD.  
Larry LaRocco, ID.  
Neil Abercrombie, HI.  
Calvin M. Dooley, CA.  
Carlos A. Romero-Barceló, PR.  
Karan English, AZ.  
Karen Shepherd, UT.  
Nathan Deal, GA.  
Maurice D. Hinchey, NY.  
Robert A. Underwood, GU.  
Sam Farr, CA.  
Lane Evans, IL.  
Patsy T. Mink, HI.  
Thomas J. Barlow III, KY.  
Thomas M. Barrett, WI.

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

George E. Brown, Jr., CA, Chairman.  
Marilyn Lloyd, TN.  
Dan Glickman, KS.  
Harold L. Volkmer, MO.  
Ralph M. Hall, TX.  
Dave McCurdy, OK.

Tim Valentine, NC.  
Robert G. Torricelli, NJ.  
Rick Boucher, VA.  
James A. Traficant, Jr., OH.  
James A. Hayes, LA.  
John S. Tanner, TN.  
Pete Geren, TX.  
Jim Bacchus, FL.  
Tim Roemer, IN.  
Robert E. (Bud) Cramer, Jr., AL.  
Dick Swett, NH.  
James A. Barcia, MI.  
Herb Klein, NJ.  
Eric Fingerhut, OH.  
Paul McHale, PA.  
Jane Harman, CA.  
Don Johnson, CA.  
Sam Coppersmith, AZ.  
Anna G. Eshoo, CA.  
Jay Inslee, WA.  
Eddie Bernice Johnson, TX.  
David Minge, MN.  
Peter W. Barca, WI.  
Nathan Deal, GA.  
Robert C. Scott, VA.  
Xavier Becerra, CA.  
Bobby L. Rush, IL.

52.31 ENROLLED BILL SIGNED

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

H.R. 2139. An Act to authorize appropriations for the National Historical Publications and Records Commission for fiscal years 1994, 1995, 1996, and 1997.

52.32 SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

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

S. 2024. An Act to provide temporary obligational authority for the airport improvement program and to provide for certain airport fees to be maintained at existing levels for up to 60 days, and for other purposes.

S.J. Res. 168. Joint resolution designating May 11, 1994 as "Vietnam Human Rights Day."

52.33 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. COX, until 3 p.m. today;  
To Mr. TORKILDSEN, until 4 p.m. today;

To Mr. FALEOMAVAEGA, for today and May 20;

To Mr. NADLER, after 2 p.m. today; and

To Mr. NEAL of North Carolina, for today and May 20.

And then,

52.34 ADJOURNMENT

On motion of Mr. MENENDEZ, at 8 o'clock and 21 minutes p.m., the House adjourned.

52.35 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. BROWN of California: Committee on Science, Space, and Technology. H.R. 1432. A

bill to establish missions for Department of Energy research and development laboratories, provide for the evaluation of laboratory effectiveness in accomplishing such missions, and reorganize and consolidate Department of Energy technology transfer activities, and for other purposes; with an amendment (Rept. No. 103-484 Pt. 2) Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee of Conference. Conference report on S. 24, an act to reauthorize the Independent Counsel Law for an additional 5 years, and for other purposes (Rept. No. 103-511). Ordered to be printed.

Mr. MINETA: Committee on Public Works and Transportation. H.R. 1638. A bill to amend the Excellence in Mathematics, Science, and Engineering Education Act of 1990 to establish the National Academy of Science, Space, and Technology at State universities, to expand the scholarship program associated with such academy, to direct the Administrator of General Services to construct a public building to provide space for the headquarters of such academy, and for other purposes; with an amendment (Rept. No. 103-512, Pt. 1). Ordered to be printed.

Mr. MINETA: Committee on Public Works and Transportation. H.R. 3724. A bill to designate the U.S. courthouse located in Bridgeport, CT, as the "Brien McMahon Federal Building" (Rept. No. 103-513). Referred to the House Calendar.

Mr. MINETA: Committee on Public Works and Transportation. H.R. 3840. A bill to designate the Federal building and U.S. courthouse located at 100 East Houston Street in Marshall, TX, as the "Sam B. Hall, Jr. Federal Building and United States Courthouse" (Rept. No. 103-514). Referred to the House Calendar.

Mr. MINETA: Committee on Public Works and Transportation. House Concurrent Resolution 238. Resolution authorizing the use of the Capitol grounds for the Greater Washington Soap Box Derby (Rept. No. 103-515). Referred to the House Calendar.

Mr. HEFNER: Committee on Appropriations. H.R. 4453. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes (Rept. No. 103-516). Referred to the Committee of the Whole House on the State of the Union.

Mr. FAZIO: Committee on Appropriations. H.R. 4454. A bill making appropriations for the legislative branch for the fiscal year ending September 30, 1995, and for other purposes (Rept. No. 103-517). Referred to the Committee of the Whole House on the State of the Union.

Mr. MINETA: Committee on Public Works and Transportation. H.R. 4385. A bill to amend title 23, United States Code, to designate the National Highway System, and for other purposes; with an amendment (Rept. No. 103-519). Referred to the Committee of the Whole House on the State of the Union.

Mr. MONTGOMERY: Committee on Veterans' Affairs. H.R. 4425. A bill to authorize major medical facility construction projects for the Department of Veterans Affairs for fiscal year 1995, to revise and improve veterans' health programs, and for other purposes (Rept. No. 103-518). Referred to the Committee of the Whole House on the State of the Union.

#### 152.36 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. HEFNER:

H.R. 4453. A bill making appropriations for military construction for the Department of

Defense for the fiscal year ending September 30, 1995, and for other purposes.

By Mr. FAZIO:

H.R. 4454. A bill making appropriations for the legislative branch for the fiscal year ending September 30, 1995, and for other purposes.

By Mr. BEREUTER:

H.R. 4455. A bill to authorize the Export-Import Bank of the United States to provide financing for the export of nonlethal defense articles and defense services the primary end use of which will be for civilian purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. JEFFERSON:

H.R. 4456. A bill to amend title 10, United States Code, to give a priority to the States for the transfer of nonlethal excess supplies of the Department of Defense; to the Committee on Armed Services.

By Mr. SAM JOHNSON:

H.R. 4457. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to provide special look-back treatment for emergency appropriations, and for other purposes; jointly, to the Committees on Government Operations and Rules.

By Mr. KOLBE (for himself, Mr. KOPETSKI, Mr. DREIER, Mr. LIVINGSTON, Mr. HYDE, Mrs. JOHNSON of Connecticut, Mr. GILCREST, Mr. MCCRERY, Mr. EHLERS, Mr. HORN, and Mr. PORTMAN):

H.R. 4458. A bill to promote United States industry and technology in competition with Japan; to the Committee on Foreign Affairs.

By Mr. MCNULTY:

H.R. 4459. A bill to provide for retroactive award of the Navy Combat Action Ribbon based upon participation in ground or surface combat as a member of the Navy or Marine Corps during the period between July 4, 1943, and March 1, 1961; to the Committee on Armed Services.

By Mr. MINETA (for himself and Mr. APPLIGATE). (Both by request):

H.R. 4460. A bill to provide for conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. OWENS (for himself, Mr. WILLIAMS, and Mr. MARTINEZ):

H.R. 4461. A bill to provide grants to partnerships to encourage work force diversity in order to improve the working conditions of all individuals in the United States and to help organizations compete more effectively both domestically and internationally, and for other purposes; to the Committee on Education and Labor.

By Mr. RICHARDSON (for himself and Mr. THOMAS of Wyoming):

H.R. 4462. A bill to provide for administrative procedures to extend Federal recognition to certain Indian groups, and for other purposes; to the Committee on Natural Resources.

By Mr. STUDDS:

H.R. 4463. A bill to provide for studies in order to establish a basis for evaluating the impact of health care reform; jointly, to the Committees on Energy and Commerce and Ways and Means.

#### 152.37 ADDITIONAL SPONSORS

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

H.R. 65: Ms. DANNER and Mr. LIGHTFOOT.

H.R. 408: Mr. BILIRAKIS.

H.R. 417: Mr. THOMAS of Wyoming.

H.R. 488: Mr. PETE GEREN of Texas and Mr. FROST.

H.R. 885: Mr. KINGSTON.

H.R. 896: Ms. MOLINARI.

H.R. 1314: Mr. ZELIFF.

H.R. 1487: Mr. BACHUS of Alabama.

H.R. 1493: Mr. SHAYS.

H.R. 1606: Mr. SHAYS.

H.R. 1671: Mr. MORAN and Mr. KYL.

H.R. 1736: Mr. STUPAK and Mr. INGLIS of South Carolina.

H.R. 1843: Mr. KIM.

H.R. 1945: Mr. SANDERS, Mr. BARCA of Wisconsin, Mr. GLICKMAN, and Mr. COBLE.

H.R. 2292: Mr. HOLDEN and Mr. BACCHUS of Florida.

H.R. 2394: Mr. ABERCROMBIE and Mr. HILLIARD.

H.R. 2395: Mr. ABERCROMBIE and Mr. HILLIARD.

H.R. 2623: Mr. NEAL of Massachusetts, Mr. KLINK, Mr. ISTOOK, Mr. ROYCE, and Mr. DELUMS.

H.R. 2649: Mr. GEJDENSON.

H.R. 2736: Ms. ROYBAL-ALLARD.

H.R. 2741: Ms. SLAUGHTER.

H.R. 3173: Mr. RIDGE, Mr. GINGRICH, Mrs. MEYERS of Kansas, and Mr. CRANE.

H.R. 3396: Mr. ZELIFF.

H.R. 3439: Mr. ZELIFF.

H.R. 3440: Mr. WILSON and Mr. WAXMAN.

H.R. 3486: Mr. SANTORUM, Mr. QUILLEN, Mr. ROYCE, Mr. SCHAEFER, Mr. LIVINGSTON, and Mr. FROST.

H.R. 3519: Mr. EMERSON and Mr. MARTINEZ.

H.R. 3671: Mr. ACKERMAN and Ms. VELAZQUEZ.

H.R. 3738: Ms. ROYBAL-ALLARD and Mr. KILDEE.

H.R. 3797: Mr. INGLIS of South Carolina and Mr. SMITH of Texas.

H.R. 3820: Mr. SHUSTER, Mr. BLILEY, Mrs. MORELLA, Mr. RICHARDSON, Mr. FRANKS of Connecticut, Mr. GALLEGLY, Mr. GUNDERSON, Mr. KYL, Mr. MCKEON, Mr. SMITH of New Jersey, Mr. UPTON, Mr. WOLF, Mr. TRAFICANT, and Mr. CLYBURN.

H.R. 3897: Mr. SCHUMER, Mr. FARR, Mr. MILLER of California, Mr. EDWARDS of California, Ms. WOOLSEY, and Mr. LIPINSKI.

H.R. 3970: Mr. RANGEL, Mr. SUNDQUIST, and Mr. MATSUI.

H.R. 4047: Mr. LIPINSKI, Mr. RUSH, Mr. SANGMEISTER, and Mr. YATES.

H.R. 4050: Ms. MCKINNEY.

H.R. 4051: Mr. DELLUMS, Mr. TRAFICANT, and Ms. ESHOO.

H.R. 4057: Mr. WALSH, Mr. FAWELL, Mr. HOEKSTRA, Ms. MOLINARI, Mr. ARMEY, Mr. ROWLAND, Mr. DEAL, Mr. HAYES, Mr. MCCURDY, Mr. MONTGOMERY, and Mr. STUMP.

H.R. 4064: Mr. GEJDENSON.

H.R. 4065: Mr. GEJDENSON.

H.R. 4074: Mr. STUMP, Mr. LIPINSKI, Mr. MANTON, Mr. DIXON, Mr. BONIOR, and Mrs. MEYERS of Kansas.

H.R. 4095: Mr. DOOLITTLE, Mr. PAXON, and Mr. CANADY.

H.R. 4189: Mr. CAMP, Mr. SANTORUM, and Mr. OXLEY.

H.R. 4198: Mr. BARTON of Texas.

H.R. 4251: Mr. MURTHA and Mr. EVANS.

H.R. 4258: Mr. FINGERHUT.

H.R. 4260: Mr. ANDREWS of New Jersey, Mr. NADLER, and Mr. LEWIS of Georgia.

H.R. 4314: Mr. FROST, Mr. OLVER, Mrs. UNSOELD, Mr. RICHARDSON, Mr. EDWARDS of California, and Mr. WILLIAMS.

H.R. 4317: Mr. RANGEL.

H.R. 4318: Mrs. CLAYTON.

H.R. 4345: Mr. FINGERHUT and Mr. BACHUS of Alabama.

H.R. 4349: Mr. EDWARDS of California, Mr. OLVER, Ms. WOOLSEY, Mr. WAXMAN, and Mr. MILLER of California.

H.R. 4358: Mr. MICHEL, Mr. GILMAN, Mr. HANSEN, Mr. WILSON, Mr. STUMP, and Mrs. MEYERS of Kansas.

H.R. 4365: Mr. TALENT and Mr. CANADY.

H.R. 4000: Mr. POSHARD and Mr. ROMERO-BARCELO.

H.R. 4419: Ms. MOLINARI.  
 H.R. 4425: Mr. MONTGOMERY, Mr. STUMP, Mr. HEFNER, Mr. RICHARDSON, Mr. STENHOLM, Mr. PAYNE of Virginia, and Mr. PARKER.  
 H.J. Res. 44: Mr. ROTH.  
 H.J. Res. 209: Mr. McCLOSKEY, Mr. TAUZIN, Mr. JOHNSON of South Dakota, Ms. MOLINARI, Mr. DARDEN, Mr. YOUNG of Alaska, Mr. AP- PLEGATE, Mr. HALL of Texas, Ms. SLAUGHTER, Mr. BARTLETT of Maryland, and Mr. HOEK- STRA.  
 H.J. Res. 287: Mr. McNULTY, Mr. SABO, Mr. VENTO, Mr. SAWYER, Mr. TALENT, Mr. FOGLETTA, Mr. VISLOSKEY, Mr. LEVIN, Mr. KLINK, Mr. LEWIS of Florida, Mr. KANJORSKI, and Mrs. THURMAN.  
 H.J. Res. 315: Ms. KAPTUR, Ms. PRYCE of Ohio, and Mr. MARTINEZ.  
 H.J. Res. 318: Mr. PETE GEREN of Texas, Ms. NORTON, Mr. GENE GREEN of Texas, Mr. MYERS of Indiana, Mr. DINGELL, Mr. AN- DREWS of Texas, Mr. CALVERT, Ms. PRYCE of Ohio, Mr. ENGEL, and Mr. ROWLAND.  
 H.J. Res. 347: Mr. LIPINSKI, Mr. PETE GEREN of Texas, Mrs. MEEK of Florida, Mr. SAXTON, Mr. KLEIN, Mrs. BYRNE, Mr. SOLO- MON, Mr. LEWIS of California, Mr. SMITH of Texas, and Ms. MOLINARI.  
 H.J. Res. 356: Mr. MARTINEZ, Mr. DELLUMS, Mr. CONYERS, and Mr. HILLIARD.  
 H. Con. Res. 152: Mrs. MEYERS of Kansas.  
 H. Con. Res. 166: Mr. PORTMAN and Mr. BAKER of Louisiana.  
 H. Con. Res. 210: Mr. BARTLETT of Mary- land.  
 H. Con. Res. 223: Mr. LEVIN, Mr. GUTIERREZ, Mr. BILBRAY, Mr. HINCHEY, Mr. HOCH- BRUECKNER, and Mr. HILLIARD.  
 H. Con. Res. 227: Mr. DOOLITTLE.  
 H. Con. Res. 245: Mr. DREIER, Mr. MCKEON, Mr. BACHUS of Alabama, Mr. TORKILDSEN, Mr. SOLOMON, Mr. BONILLA, Mr. POMBO, Mr. KIM, Mr. EWING, Mr. MILLER of Florida, Mr. FILNER, Mr. BLUTE, and Mr. LIPINSKI.  
 H. Res. 234: Mr. FLAKE.  
 H. Res. 291: Mr. STUMP and Mr. COX.  
 H. Res. 368: Mr. FLAKE, Mr. PORTMAN, Mr. FORD of Tennessee, and Mr. HILLIARD.  
 H. Res. 381: Mr. HASTERT.  
 H. Res. 424: Mr. GREENWOOD, Mr. CALVERT, Mr. ROWLAND, and Mr. SMITH of New Jersey.

**FRIDAY, MAY 20, 1994 (53)**

The House was called to order by the SPEAKER.

**53.1 APPROVAL OF THE JOURNAL**

The SPEAKER announced he had ex- amined and approved the Journal of the proceedings of Thursday, May 19, 1994.

Pursuant to clause 1, rule I, the Jour- nal was approved.

**53.2 COMMUNICATIONS**

Executive and other communica- tions, pursuant to clause 2, rule XXIV, were referred as follows:

3215. A letter from the Deputy Under Sec- retary (Environmental Security), Depart- ment of Defense, transmitting a report on the Environmental Compliance for the De- partment for fiscal years 1995 through 1999, pursuant to 10 U.S.C. 2706(b); to the Com- mittee on Armed Services.

3216. A letter from the Secretary of En- ergy, transmitting a report concerning the Defense Nuclear Facilities Safety Board Rec- ommendation 93-6; to the Committee on Armed Services.

3217. A communication from the President of the United States, transmitting his deter- mination that it is essential to our national security to continue draft registration and the Selective Service System; to the Com- mittee on Armed Services.

3218. A letter from the Secretary, Depart- ment of Energy, transmitting the final re- port of the Insular Area Energy Vulner- ability Study, pursuant to Public Law 102- 486, section 1406(a) (106 Stat. 2995); to the Committee on Energy and Commerce.

3219. A letter from the Secretary of Health and Human Services, transmitting a report on the appropriate Federal role in assuring access by medical students, residents, and practicing physicians to adequate training in nutrition, pursuant to Public Law 101-445, section 302; to the Committee on Energy and Commerce.

3220. A letter from the Attorney General, transmitting the 1993 Annual Report for the Federal Prison Industries, Inc., pursuant to 31 U.S.C. 9106(A); to the Committee on Gov- ernment Operations.

3221. A letter from the Privacy Officer, Interstate Commerce Commission, transmit- ting 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.

3222. A letter from the Administrator, Gen- eral Services Administration, transmitting informational copies of various lease prospectuses, pursuant to 40 U.S.C. 606(a); to the Committee on Public Works and Trans- portation.

3223. A letter from the Secretary of Trans- portation, transmitting a draft of proposed legislation to amend section 13 of the act of May 14, 1954, Public Law 358 (33 U.S.C. 988A) as amended by section 805(a)(4) of title XIV of the Water Resources Act of 1986, Public Law 99-662 (100 Stat. 4372) to waive collection of charges or tolls by the Saint Lawrence Seaway Development Corporation; to the Committee on Public Works and Transpor- tation.

3224. A letter from the Secretary of Veter- ans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to make discretionary the financial re- porting requirements applicable to recipi- ents of certain need-based benefits; to the Committee on Veterans' Affairs.

3225. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a re- port on the nondisclosure of safeguards in- formation for the quarter ending March 31, 1994, pursuant to 42 U.S.C. 2167(e); jointly, to the Committees on Energy and Commerce and Natural Resources.

3226. A letter from the Secretary of En- ergy, transmitting a comprehensive report on the Clean Coal Technology Program en- titled "Coal Diesel Combined-Cycle Project," pursuant to Public Law 102-154; jointly, to the Committees on Energy and Commerce; Science, Space, and Technology; and App-ropriations.

3227. A letter from the Secretary of De- fense, transmitting the Semi-Annual Report on Program Activities for Facilitation of Weapons Destruction and Non-proliferation in the Former Soviet Union, pursuant to Public Law 103-160, section 1207 and Public Law 103-139; jointly, to the Committees on Foreign Affairs, Armed Services, and App-ropriations.

**53.3 ORDER OF BUSINESS—**

**CONSIDERATION OF AMENDMENTS—  
H.R. 4301**

On motion of Mr. DELLUMS, by unanimous consent,

*Ordered*, That during further consid- eration of the bill (H.R. 4301) to author- ize appropriations for fiscal year 1995 for military activities of the Depart- ment of Defense, to prescribe military personnel strengths for fiscal year 1995, and for other purposes, in the Commit- tee of the Whole on the state of the

Union the debate time for amendments numbered 16, 17, and 18, printed in part 1 of House Report 103-509, is increased for each amendment from 10 minutes, as provided by section 2 of House Reso- lution 429, to 20 minutes to be equally divided and controlled by the pro- ponent of each amendment and a Mem- ber opposed.

**53.4 DOD AUTHORIZATION**

The SPEAKER pro tempore, Mr. BILBRAY, pursuant to House Resolu- tion 429 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. 4301) to authorize approp- riations for fiscal year 1995 for mili- tary activities of the Department of Defense, to prescribe military person- nel strengths for fiscal year 1995, and for other purposes.

Mr. RAHALL, Acting Chairman, as- sumed the chair; and after some time spent therein,

**53.5 RECORDED VOTE**

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

Page 19, line 4, insert "(a) LIMITATION.—" before "The Secretary of the Navy may not".

Page 19, after line 6, insert the following:

(b) WAIVER AUTHORITY.—If the Secretary of Defense determines that adherence to the prohibition in subsection (a) would result in a significant national security risk to the United States, the Secretary may waive that prohibition. Such a waiver may not take effect until the Secretary submits to Congress a certification of that determination and of the reasons for that determination.

It was decided in the } Yeas ..... 226  
 affirmative ..... } Nays ..... 169

**53.6 [Roll No. 188]  
AYES—226**

Allard	Combest	Gonzalez
Applegate	Cooper	Goodling
Archer	Costello	Goss
Army	Cox	Greenwood
Bachus (AL)	Cramer	Gunderson
Baessler	Crapo	Hall (TX)
Baker (LA)	Cunningham	Hamilton
Barrett (NE)	Darden	Hansen
Bartlett	de la Garza	Harman
Barton	de Lugo (VI)	Hastert
Bateman	Deal	Hayes
Bentley	DeLay	Hefley
Bereuter	Diaz-Balart	Hefner
Bevill	Dickey	Hilliard
Bilirakis	Dicks	Hoagland
Bishop	Doolittle	Hobson
Bliley	Dornan	Hochbrueckner
Blute	Dreier	Hoekstra
Boehner	Dunn	Hoke
Bonilla	Ehlers	Horn
Borski	Everett	Houghton
Brewster	Ewing	Hoyer
Browder	Fawell	Huffington
Burton	Fields (TX)	Hunter
Buyer	Fish	Hutchinson
Callahan	Fowler	Hutto
Calvert	Franks (CT)	Hyde
Camp	Frost	Inglis
Canady	Galleghy	Inhofe
Cantwell	Gallo	Insee
Carr	Gejdenson	Istook
Castle	Gekas	Johnson (GA)
Chapman	Geren	Johnson, E. B.
Clement	Gibbons	Johnson, Sam
Clinger	Gilchrest	Kaptur
Clyburn	Gillmor	Kasich
Coble	Gilman	Kennelly
Coleman	Gingrich	Kim
Collins (GA)	Glickman	King