

Crapo  
Creameans  
Cubin  
Cummings  
Cunningham  
Davis  
de la Garza  
Deal  
DeFazio  
DeLauro  
DeLay  
Dellums  
Deutsch  
Diaz-Balart  
Dickey  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doolittle  
Dornan  
Doyle  
Dreier  
Duncan  
Dunn  
Durbin  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Engel  
English  
Ensign  
Eshoo  
Evans  
Everett  
Farr  
Fattah  
Fawell  
Fazio  
Fields (LA)  
Fields (TX)  
Filner  
Flake  
Flanagan  
Foglietta  
Foley  
Forbes  
Ford  
Fowler  
Fox  
Frank (MA)  
Franks (CT)  
Franks (NJ)  
Frelinghuysen  
Frisa  
Frost  
Funderburk  
Furse  
Gallegly  
Ganske  
Gejdenson  
Gekas  
Gephardt  
Geren  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Gonzalez  
Goodlatte  
Goodling  
Gordon  
Graham  
Green (TX)  
Greene (UT)  
Greenwood  
Gunderson  
Gutierrez  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hamilton  
Hancock  
Hansen  
Harman  
Hastert  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hefner  
Heineman  
Herger  
Hilleary  
Hillhard  
Hinchev  
Hobson

Hoekstra  
Hoke  
Holden  
Horn  
Hostettler  
Houghton  
Hoyer  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jacobs  
Jefferson  
Johnson (CT)  
Johnson (SD)  
Johnson, E. B.  
Johnson, Sam  
Johnston  
Jones  
Kanjorski  
Kasich  
Kelly  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kim  
King  
Kingston  
Kleczka  
Klink  
Klug  
Knollenberg  
Kolbe  
LaFalce  
LaHood  
Lantos  
Largent  
Latham  
LaTourette  
Laughlin  
Lazio  
Leach  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Lightfoot  
Lincoln  
Linder  
Lipinski  
Livingston  
LoBiondo  
Lofgren  
Longley  
Lowe  
Lucas  
Luther  
Maloney  
Manton  
Manzullo  
Markey  
Martinez  
Martini  
Mascara  
Matsui  
McCollum  
McCreery  
McDade  
McDermott  
McHale  
McHugh  
McInnis  
McIntosh  
McKeon  
McKinney  
Meehan  
Meek  
Menendez  
Metcalf  
Meyers  
Mica  
Millender-  
McDonald  
Miller (CA)  
Miller (FL)  
Minge  
Mink  
Moakley  
Mollohan  
Montgomery  
Moorhead  
Moran  
Morella  
Murtha  
Myrick

Nadler  
Neal  
Nethercutt  
Neumann  
Ney  
Norwood  
Nussle  
Oberstar  
Obey  
Olver  
Orton  
Owens  
Oxley  
Packard  
Pallone  
Parker  
Pastor  
Paxon  
Payne (NJ)  
Payne (VA)  
Pelosi  
Peterson (FL)  
Peterson (MN)  
Petri  
Pickett  
Pombo  
Pomeroy  
Porter  
Portman  
Poshard  
Pryce  
Quillen  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Reed  
Regula  
Richardson  
Riggs  
Rivers  
Roberts  
Roemer  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rose  
Roth  
Roukema  
Roybal-Allard  
Royce  
Rush  
Sabo  
Salmon  
Sanders  
Sanford  
Sawyer  
Saxton  
Scarborough  
Schaefer  
Schiff  
Schroeder  
Schumer  
Scott  
Seastrand  
Sensenbrenner  
Serrano  
Shadegg  
Shaw  
Shays  
Shuster  
Sisisky  
Skaggs  
Skeen  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Solomon  
Souder  
Spence  
Spratt  
Stark  
Stearns  
Stenholm  
Stockman  
Stokes  
Studds  
Stump  
Stupak  
Talent  
Tanner  
Tate  
Tauzin  
Taylor (MS)  
Taylor (NC)

Tejeda  
Thomas  
Thompson  
Thornberry  
Thornton  
Thurman  
Tiahrt  
Torkildsen  
Torres  
Torrice  
Towns  
Traficant  
Upton  
Velazquez  
Vento

Visclosky  
Volkmer  
Vucanovich  
Walker  
Walsh  
Wamp  
Ward  
Waters  
Watt (NC)  
Watts (OK)  
Waxman  
Weldon (FL)  
Weldon (PA)  
Weller  
White

Whitfield  
Wicker  
Williams  
Wilson  
Wise  
Wolf  
Woolsey  
Wynn  
Yates  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

It was decided in the negative { Yeas ..... 197  
Nays ..... 224

50.15 [Roll No. 143]  
AYES—197

Abercrombie  
Ackerman  
Andrews  
Baesler  
Baldacci  
Barcia  
Barrett (WI)  
Becerra  
Beilenson  
Bentsen  
Bevill  
Billirakis  
Bishop  
Bonior  
Borski  
Boucher  
Browder  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Cardin  
Chapman  
Clayton  
Clement  
Clyburn  
Coburn  
Coleman  
Collins (IL)  
Collins (MI)  
Condit  
Conyers  
Costello  
Coyne  
Cramer  
Cummings  
Danner  
DeFazio  
DeLauro  
Dellums  
Deutsch  
Diaz-Balart  
Dicks  
Dingell  
Dixon  
Doggett  
Doyle  
Durbin  
Edwards  
Engel  
English  
Eshoo  
Evans  
Farr  
Fattah  
Fazio  
Fields (LA)  
Fields (TX)  
Filner  
Flake  
Foglietta  
Forbes  
Ford  
Frank (MA)  
Frisa  
Frost  
Furse  
Gejdenson  
Gephardt

Gibbons  
Gilman  
Gonzalez  
Gordon  
Green (TX)  
Gutierrez  
Hall (OH)  
Hamilton  
Harman  
Hastings (FL)  
Hefner  
Hilliard  
Hinchev  
Holden  
Hoyer  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jacobs  
Jefferson  
Johnson (SD)  
Johnson, E. B.  
Johnston  
Kanjorski  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
King  
Kleczka  
Klink  
LaFalce  
Lantos  
Levin  
Lewis (GA)  
Lipinski  
Lofgren  
Lowe  
Luther  
Maloney  
Manton  
Markey  
Mascara  
Matsui  
McCarthy  
McDade  
McDermott  
McHale  
McKinney  
McNulty  
Meehan  
Meek  
Menendez  
Metcalf  
Millender-  
McDonald  
Miller (CA)  
Minge  
Mink  
Moakley  
Mollohan  
Moran  
Murtha  
Nadler  
Neal  
Oberstar  
Obey

NOES—224  
Allard  
Archer  
Armey  
Bachus  
Baker (CA)  
Baker (LA)  
Ballenger  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bass  
Bateman  
Bereuter  
Billbray  
Bliley  
Blute  
Boehlert  
Boehner  
Bono  
Brewster  
Brownback  
Bryant (TN)  
Bunn  
Bunning

Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Castle  
Chabot  
Chambliss  
Chenoweth  
Christensen  
Chrysler  
Clinger  
Coble  
Collins (GA)  
Combest  
Cooley  
Cox  
Crane  
Crapo  
Creameans  
Cubin  
Cunningham

Davis  
de la Garza  
Deal  
DeLay  
Dickey  
Dooley  
Doolittle  
Dornan  
Dreier  
Duncan  
Dunn  
Ehlers  
Ehrlich  
Emerson  
Ensign  
Everett  
Ewing  
Fawell  
Fields (TX)  
Flanagan  
Foley  
Fowler  
Fox  
Franks (CT)  
Franks (NJ)

Frelinghuysen	Laughlin	Ros-Lehtinen
Funderburk	Lazio	Roth
Galleghy	Leach	Roukema
Ganske	Lewis (CA)	Royce
Gekas	Lewis (KY)	Salmon
Geran	Lightfoot	Sanford
Gilcrest	Lincoln	Scarborough
Gillmor	Linder	Schaefer
Goodlatte	Livingston	Seastrand
Goodling	LoBiondo	Sensenbrenner
Graham	Longley	Shadegg
Greene (UT)	Lucas	Shaw
Greenwood	Manzullo	Shuster
Gunderson	Martinez	Skeen
Gutknecht	Martini	Smith (MI)
Hall (TX)	McCollum	Smith (TX)
Hancock	McCrery	Smith (WA)
Hansen	McHugh	Souder
Hastert	McInnis	Spence
Hastings (WA)	McIntosh	Stearns
Hayes	McKeon	Stenholm
Hayworth	Meyers	Stockman
Hefley	Mica	Stump
Heineman	Miller (FL)	Talent
Hergert	Montgomery	Tate
Hilleary	Moorhead	Tauzin
Hobson	Morella	Taylor (MS)
Hoekstra	Myrick	Taylor (NC)
Hoke	Nethercutt	Thomas
Horn	Neumann	Thornberry
Hostettler	Ney	Tiahrt
Houghton	Norwood	Torkildsen
Hunter	Nussle	Upton
Hutchinson	Oxley	Vucanovich
Hyde	Packard	Walker
Inglis	Parker	Walsh
Istook	Paxon	Wamp
Johnson (CT)	Petri	Watts (OK)
Johnson, Sam	Pombo	Weldon (FL)
Jones	Porter	Weldon (PA)
Kasich	Portman	Weller
Kelly	Pryce	White
Kim	Quillen	Whitfield
Kingston	Radanovich	Wicker
Klug	Ramstad	Wolf
Knollenberg	Regula	Young (AK)
Kolbe	Riggs	Young (FL)
LaHood	Roberts	Zeliff
Latham	Rogers	Zimmer
LaTourette	Rohrabacher	

NOT VOTING—12

Berman	Goss	Myers
Bonilla	Kaptur	Solomon
Bryant (TX)	Largent	Torricelli
Clay	Molinari	Waxman

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

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

When Mr. REGULA, Chairman, pursuant to House Resolution 419, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

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

Page 3, line 3, strike "rates;" and insert "rates, charges, classifications, rules, and practices;"

Page 3, line 19, strike "or" and insert "and".

Page 10, line 17, strike the closing quotation marks and the final period.

Page 10, after line 17, insert the following:

"(4) The requirements and prohibitions concerning contracting by conferences contained in sections 5(b) (9) and (10) of this Act shall also apply to any agreement among one or more ocean common carriers that is filed under section 5(a) of this Act."

Page 10, line 23, strike "(4)" and insert "(5)".

Page 14, after line 19, insert the following: (A) by striking subsection (c)(1) and inserting the following:

"(1) boycott, take any concerted action resulting in an unreasonable refusal to deal, or implement a policy or practice that results in an unreasonable refusal to deal;"

Page 14, line 20, strike "(A)" and insert "(B)".

Page 14, line 23, strike "(B)" and insert "(C)".

Page 14, line 25, insert "and" at the end.

Page 15, line 3, strike "; and" and insert a period.

Page 15, strike lines 4 through 9.

Page 19, strike lines 4 through 25 and insert the following:

(1) by striking subsections (a) and inserting the following:

"(a) LICENSE.—No person in the United States may act as an ocean freight forwarder unless that person holds a license issued by the Commission. The Commission shall issue a forwarder's license to any person that the Commission determines to be qualified by experience and character to render forwarding services."

(2) by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively;

(3) by inserting after subsection (a) the following:

"(b) FINANCIAL RESPONSIBILITY.—

"(1) No person may act as an ocean freight forwarder unless that person furnishes a bond, proof of insurance, or other surety in a form and amount determined by the Commission to insure financial responsibility that is issued by a surety company found acceptable by the Secretary of the Treasury.

"(2) A bond, insurance, or other surety obtained pursuant to this section shall be available to pay any judgment for damages against an ocean freight forwarder arising from its transportation-related activities under this Act or order for reparation issued pursuant to section 11 or 14 of this Act.

"(3) An ocean freight forwarder not domiciled in the United States shall designate a resident agent in the United States for receipt of service of judicial and administrative process, including subpoenas."

(4) in subsection (c), as redesignated by paragraph (2) of this section, by striking "a bond in accordance with subsection (a)(2)" and inserting "a bond, proof of insurance, or other surety in accordance with subsection (b)(1)"; and

(5) in subsection (e), as redesignated by paragraph (2) of this section—

(A) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3); and

(B) by adding at the end the following:

"(4) No conference or group of 2 or more ocean common carriers in the foreign commerce of the United States that is authorized to agree upon the level of compensation paid to an ocean freight forwarder, as defined in section 3(18)(A) of this Act, may—

"(A) deny to any member of the conference or group the right, upon notice of not more than 3 business days, to take independent action on any level of compensation paid to an ocean freight forwarder; or

"(B) agree to limit the payment of compensation to an ocean freight forwarder, as defined in section 3(18)(A) of this Act, to less than 1.25 percent of the aggregate of all rates and charges which are applicable under a common schedule of transportation rates provided under section 8(a) of this Act, and which are assessed against the cargo on which the forwarding services are provided."

Page 24, line 15, strike "United States carriers" and insert "one or more ocean common carriers".

Page 24, strike lines 19 through 24 and insert the following:

"(h)(1) The Secretary shall issue regulations by June 1, 1997, that prescribe procedures and requirements governing the submission of price and other information necessary to enable the Secretary to determine under subsection (g) whether prices charged by carriers are unfair, predatory, or anti-competitive.

"(2)(A) If information provided to the Secretary under this subsection does not result in a finding by the Secretary of a violation of this section or enforcement action by the Secretary, the information may not be made public and shall be exempt from disclosure under section 552 of title 5, United States Code, except for purposes of an administrative or judicial action or proceeding.

"(B) This paragraph does not prohibit disclosure to either House of the Congress or to a duly authorized committee or subcommittee of the Congress."

Page 25, after line 10, insert the following: "SEC. 203. REPORT BY THE SECRETARY.

"The Secretary shall report to the Congress by January 1, 1998, and annually thereafter, on—

"(1) actions taken by the Secretary under the Foreign Shipping Practices Act of 1988 (46 App. U.S.C. 1710a) and section 9 of the Shipping Act of 1984 (46 U.S.C. App. 1708); and

"(2) the effect on United States maritime employment of laws, rules, regulations, policies, or practice of foreign governments, and any practices of foreign carriers or other persons providing maritime or maritime-related services in a foreign country, that adversely affect the operations of United States carriers in United States oceanborne trade."

Page 25, strike line 14 and all that follows through line 4 on page 26 and insert the following:

SEC. 301. AGENCY TERMINATION.

(a) IN GENERAL.—On September 30, 1997, the Federal Maritime Commission shall terminate and all remaining functions, powers, and duties of the Federal Maritime Commission shall be transferred to the Secretary of Transportation.

(b) AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 1997.—There is authorized to be appropriated to the Federal Maritime Commission, \$19,000,000 for fiscal year 1997.

At the end of the bill, add the following new title:

TITLE IV—MISCELLANEOUS PROVISIONS  
SEC. 401. TRANSFER OF CERTAIN OBSOLETE TUGBOATS OF THE NAVY.

(a) REQUIREMENT TO TRANSFER VESSELS.—The Secretary of the Navy shall transfer the six obsolete tugboats of the Navy specified in subsection (b) to the Northeast Wisconsin Railroad Transportation Commission, an instrumentality of the State of Wisconsin. Such transfers shall be made as expeditiously as practicable upon completion of any necessary environmental compliance agreements.

(b) VESSELS COVERED.—The requirement in subsection (a) applies to the six decommissioned Cherokee class tugboats, listed as of the date of the enactment of this Act as being surplus to the Navy, that are designated as ATF-105, ATF-110, ATF-149, ATF-158, ATF-159, and ATF-160.

(c) TERMS AND CONDITIONS.—The Secretary may require such terms and conditions in connection with the transfers required by this section as the Secretary considers appropriate.

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

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

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

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

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 239  
Nays ..... 182

50.16

[Roll No. 144]

YEAS—239

Allard	Fox	Moorhead
Archer	Franks (CT)	Morella
Armey	Franks (NJ)	Murtha
Bachus	Frelinghuysen	Myrick
Baker (CA)	Funderburk	Nethercutt
Baker (LA)	Gallegly	Neumann
Ballenger	Ganske	Ney
Barr	Gekas	Norwood
Barrett (NE)	Geran	Nussle
Bartlett	Gilchrest	Orton
Barton	Gillmor	Oxley
Bass	Goodlatte	Packard
Bateman	Goodling	Parker
Bereuter	Greene (UT)	Paxon
Bevill	Greenwood	Petri
Bilbray	Gunderson	Pombo
Bilirakis	Gutknecht	Porter
Bliley	Hall (TX)	Portman
Blute	Hancock	Pryce
Boehlert	Hansen	Quillen
Boehner	Hastert	Radanovich
Bono	Hastings (WA)	Ramstad
Boucher	Hayes	Regula
Brewster	Hayworth	Riggs
Browder	Hefley	Roberts
Brownback	Heineman	Rohrabacher
Bryant (TN)	Herger	Ros-Lehtinen
Bunn	Hilleary	Roth
Bunning	Hobson	Roukema
Burr	Hoekstra	Royce
Burton	Hoke	Salmon
Buyer	Horn	Sanford
Callahan	Hostettler	Saxton
Calvert	Houghton	Scarborough
Camp	Hunter	Schaefer
Campbell	Hutchinson	Seastrand
Canady	Hyde	Sensenbrenner
Castle	Inglis	Shadegg
Chabot	Istook	Shaw
Chambliss	Johnson (CT)	Shays
Christensen	Johnson, Sam	Shuster
Chrysler	Jones	Skeen
Clement	Kasich	Smith (MI)
Clinger	Kelly	Smith (NJ)
Coble	Kim	Smith (TX)
Coburn	King	Solomon
Collins (GA)	Klug	Souder
Combest	Knollenberg	Spence
Condit	Kolbe	Stearns
Cooley	LaHood	Stenholm
Cox	Largent	Stockman
Cramer	Latham	Stump
Crane	LaTourette	Talent
Crapo	Laughlin	Tanner
Creameans	Lazio	Tate
Cubin	Leach	Tauzin
Cunningham	Lewis (CA)	Taylor (MS)
Davis	Lewis (KY)	Taylor (NC)
de la Garza	Lightfoot	Thomas
Deal	Lincoln	Thornberry
DeLay	Linder	Tiahrt
Diaz-Balart	Livingston	Torkildsen
Dickey	LoBiondo	Upton
Dooley	Longley	Vucanovich
Doolittle	Lucas	Walker
Dornan	Manzullo	Walsh
Dreier	Martinez	Wamp
Duncan	Martini	Watts (OK)
Dunn	McCollum	Weldon (FL)
Ehlers	McCrery	Weldon (PA)
Ehrlich	McDade	Weller
Emerson	McHugh	White
Ensign	McInnis	Whitfield
Everett	McIntosh	Wicker
Ewing	McKeon	Wolf
Fawell	Meyers	Young (AK)
Fields (TX)	Mica	Young (FL)
Flanagan	Miller (FL)	Zeliff
Foley	Minge	Zimmer
Fowler	Montgomery	

NAYS—182

Abercrombie	Borski	Costello
Ackerman	Brown (CA)	Coyne
Andrews	Brown (FL)	Cummings
Baesler	Brown (OH)	Danner
Baldacci	Cardin	DeFazio
Barcia	Chapman	DeLauro
Barrett (WI)	Clayton	Dellums
Becerra	Clyburn	Deutsch
Beilenson	Coleman	Dicks
Bentsen	Collins (IL)	Dingell
Bishop	Collins (MI)	Dixon
Bonior	Conyers	Doggett

Doyle	Kingston	Rahall
Durbin	Kleccka	Rangel
Edwards	Klink	Reed
Engel	LaFalce	Richardson
English	Lantos	Rivers
Eshoo	Levin	Roemer
Evans	Lewis (GA)	Rose
Farr	Lipinski	Roybal-Allard
Fattah	Lofgren	Rush
Fazio	Lowey	Sabo
Fields (LA)	Luther	Sanders
Filner	Maloney	Sawyer
Flake	Manton	Schiff
Foglietta	Markey	Schroeder
Forbes	Mascara	Schumer
Ford	Matsui	Scott
Frank (MA)	McCarthy	Serrano
Frisa	McDermott	Sisisky
Frost	McHale	Skaggs
Furse	McKinney	Skelton
Gejdenson	McNulty	Slaughter
Gephardt	Meehan	Smith (WA)
Gibbons	Meek	Spratt
Gilman	Menendez	Stark
Gonzalez	Metcalfe	Stokes
Gordon	Millender-	Studds
Green (TX)	McDonald	Stupak
Gutierrez	Miller (CA)	Tejeda
Hall (OH)	Mink	Thompson
Hamilton	Moakley	Thornton
Harman	Mollohan	Thurman
Hastings (FL)	Moran	Torres
Hefner	Nadler	Towns
Hilliard	Neal	Trafigant
Hinchey	Oberstar	Velazquez
Holden	Obey	Vento
Hoyer	Olver	Visclosky
Jackson (IL)	Ortiz	Volkmer
Jackson-Lee	Owens	Ward
(TX)	Pallone	Waters
Jacobs	Pastor	Watt (NC)
Jefferson	Payne (NJ)	Waxman
Johnson (SD)	Payne (VA)	Williams
Johnson, E. B.	Pelosi	Wilson
Johnston	Peterson (FL)	Wise
Kanjorski	Peterson (MN)	Woolsey
Kennedy (MA)	Pickett	Wynn
Kennedy (RI)	Pomeroy	Yates
Kennelly	Poshard	
Kildee	Quinn	

NOT VOTING—12

Berman	Clay	Molinari
Bonilla	Goss	Myers
Bryant (TX)	Graham	Rogers
Chenoweth	Kaptur	Torricelli

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.

50.17 ORDER OF BUSINESS—  
CONSIDERATION OF CONFERENCE  
REPORT TO ACCOMPANY S. 641

On motion of Mr. BILIRAKIS, by unanimous consent,  
*Ordered*, That it shall now be in order to consider immediately the conference report to accompany the bill of the Senate (S. 641) to reauthorize the Ryan White CARE Act of 1990, and for other purposes; that all points of order against the conference report and against its consideration be waived; and that the conference report be considered as read.

50.18 RYAN WHITE CARE  
REAUTHORIZATION

Mr. BILIRAKIS, pursuant to the foregoing order, called up the following conference report (Rept. No. 104-545):  
The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 641), to reauthorize the Ryan White CARE Act of 1990, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

**SECTION 1. SHORT TITLE.**  
This Act may be cited as the "Ryan White CARE Act Amendments of 1996".

**SEC. 2. REFERENCES.**  
Whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Public Health Service Act (42 U.S.C. 201 et seq.).

**SEC. 3. GENERAL AMENDMENTS.**  
(a) PROGRAM OF GRANTS.—  
(1) NUMBER OF CASES.—Section 2601(a) (42 U.S.C. 300ff-11) is amended—  
(A) by striking "subject to subsection (b)" and inserting "subject to subsections (b) through (d)"; and

(B) by striking "metropolitan area" and all that follows and inserting the following: "metropolitan area for which there has been reported to the Director of the Centers for Disease Control and Prevention a cumulative total of more than 2,000 cases of acquired immune deficiency syndrome for the most recent period of 5 calendar years for which such data are available.".

(2) OTHER PROVISIONS REGARDING ELIGIBILITY.—Section 2601 (42 U.S.C. 300ff-11) is amended by adding at the end thereof the following new subsections:

"(c) REQUIREMENTS REGARDING POPULATION.—

"(1) NUMBER OF INDIVIDUALS.—  
"(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary may not make a grant under this section for a metropolitan area unless the area has a population of 500,000 or more individuals.  
"(B) LIMITATION.—Subparagraph (A) does not apply to any metropolitan area that was an eligible area under this part for fiscal year 1995 or any prior fiscal year.

"(2) GEOGRAPHIC BOUNDARIES.—For purposes of eligibility under this part, the boundaries of each metropolitan area are the boundaries that were in effect for the area for fiscal year 1994.  
"(d) CONTINUED STATUS AS ELIGIBLE AREA.—Notwithstanding any other provision of this section, a metropolitan area that was an eligible area under this part for fiscal year 1996 is an eligible area for fiscal year 1997 and each subsequent fiscal year.".

(3) CONFORMING AMENDMENT REGARDING DEFINITION OF ELIGIBLE AREA.—Section 2607(1) (42 U.S.C. 300ff-17(1)) is amended by striking "The term" and all that follows and inserting the following: "The term 'eligible area' means a metropolitan area meeting the requirements of section 2601 that are applicable to the area.".

(b) EMERGENCY RELIEF FOR AREAS WITH SUBSTANTIAL NEED FOR SERVICES.—

(1) HIV HEALTH SERVICES PLANNING COUNCIL.—Subsection (b) of section 2602 (42 U.S.C. 300ff-12(b)) is amended—

(A) in paragraph (1)—  
(i) by striking "include" and all that follows through the end thereof, and inserting "reflect in its composition the demographics of the epidemic in the eligible area involved, with particular consideration given to disproportionately affected and historically underserved groups and subpopulations."; and

(ii) by adding at the end thereof the following new sentences: "Nominations for membership on the council shall be identified through an open process and candidates shall be selected based on locally delineated and publicized criteria. Such criteria shall include a conflict-of-interest standard that is in accordance with paragraph (5).";