

**SEC. 10. PROHIBITION ON PROMOTION OF CERTAIN ACTIVITIES.**

Part D of title XXVI of the Public Health Service Act (42 U.S.C. 300ff-71) as amended by section 6, is further amended by adding at the end thereof the following new section:

**“SEC. 2678. PROHIBITION ON PROMOTION OF CERTAIN ACTIVITIES.**

“None of the funds authorized under this title shall be used to fund AIDS programs, or to develop materials, designed to promote or encourage, directly, intravenous drug use or sexual activity, whether homosexual or heterosexual. Funds authorized under this title may be used to provide medical treatment and support services for individuals with HIV.”.

**SEC. 11. LIMITATION ON APPROPRIATIONS.**

Notwithstanding any other provision of law, the total amounts of Federal funds expended in any fiscal year for AIDS and HIV activities may not exceed the total amounts expended in such fiscal year for activities related to cancer.

**SEC. 12. ADDITIONAL PROVISIONS.**

(a) **DEFINITIONS.**—Section 2676(4) (42 U.S.C. 300ff-76(4)) is amended by inserting “funeral-service practitioners,” after “emergency medical technicians.”.

(b) **MISCELLANEOUS AMENDMENT.**—Section 1201(a) (42 U.S.C. 300d(a)) is amended in the matter preceding paragraph (1) by striking “The Secretary,” and all that follows through “shall,” and inserting “The Secretary shall.”.

(c) **TECHNICAL CORRECTIONS.**—Title XXVI (42 U.S.C. 300ff-11 et seq.) is amended—

(1) in section 2601(a), by inserting “section” before “2604”;

(2) in section 2603(b)(4)(B), by striking “an expedited grants” and inserting “an expedited grant”;

(3) in section 2617(b)(3)(B)(iv), by inserting “section” before “2615”;

(4) in section 2647—  
(A) in subsection (a)(1), by inserting “to” before “HIV”;

(B) in subsection (c), by striking “section 2601” and inserting “section 2641”; and

(C) in subsection (d)—  
(i) in the matter preceding paragraph (1), by striking “section 2601” and inserting “section 2641”; and

(ii) in paragraph (1), by striking “has in place” and inserting “will have in place”;

(5) in section 2648—  
(A) by converting the heading for the section to boldface type; and

(B) by redesignating the second subsection (g) as subsection (h);

(6) in section 2649—  
(A) in subsection (b)(1), by striking “subsection (a) of”; and

(B) in subsection (c)(1), by striking “this subsection” and inserting “subsection”;

(7) in section 2651—  
(A) in subsection (b)(3)(B), by striking “facility” and inserting “facilities”; and

(B) in subsection (c), by striking “exist” and inserting “exists”;

(8) in section 2676—  
(A) in paragraph (2), by striking “section” and all that follows through “by the” and inserting “section 2686 by the”; and

(B) in paragraph (10), by striking “673(a)” and inserting “673(2)”;

(9) in part E, by converting the headings for subparts I and II to Roman typeface; and

(10) in section 2684(b), in the matter preceding paragraph (1), by striking “section 2682(d)(2)” and inserting “section 2683(d)(2)”.

**SEC. 13. EFFECTIVE DATE.**

(a) **IN GENERAL.**—Except as provided in subsection (b), this Act, and the amendments made by this Act, shall become effective on October 1, 1996.

(b) **EXCEPTION.**—The amendments made by sections 3(a), 5, 6, and 7 of this Act to sec-

tions 2601(c), 2601(d), 2603(a), 2618(b), 2626, 2677, and 2691 of the Public Health Service Act, shall become effective on the date of enactment of this Act.

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill, and agree to the same.

TOM BLILEY,  
MICHAEL BILIRAKIS,  
TOM COBURN,  
HENRY A. WAXMAN,  
GERRY STUDDS,

*Managers on the Part of the House.*

NANCY LANDON  
KASSEBAUM,  
JIM JEFFORDS,  
BILL FRIST,  
EDWARD M. KENNEDY,  
CHRISTOPHER J. DODD,

*Managers on the Part of the Senate.*

When said conference report was considered.

After debate,

On motion of Mr. BILIRAKIS, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, *viva voce*,

Will the House agree to said conference report?

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

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

A quorum not being present,

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

When there appeared { Yeas ..... 402  
Nays ..... 4

¶50.19

[Roll No. 145]

YEAS—402

Abercrombie  
Ackerman  
Allard  
Andrews  
Archer  
Armey  
Bachus  
Baesler  
Baker (CA)  
Baker (LA)  
Baldacci  
Barcia  
Barr  
Barrett (NE)  
Barrett (WI)  
Bartlett  
Bass  
Bateman  
Becerra  
Bentsen  
Bereuter  
Bevill  
Bilbray  
Bilirakis  
Bishop  
Blute  
Boehler  
Boehner  
Bonior  
Bono  
Borski  
Brewster  
Browder  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Brownback  
Bryant (TN)  
Bunn  
Bunning  
Burr  
Burton  
Buyer  
Callahan

Calvert  
Camp  
Campbell  
Canady  
Cardin  
Castle  
Chabot  
Chambliss  
Chapman  
Chenoweth  
Christensen  
Chrysler  
Clayton  
Clement  
Clinger  
Clyburn  
Coble  
Coburn  
Coleman  
Collins (GA)  
Collins (IL)  
Collins (MI)  
Combest  
Condit  
Conyers  
Cooley  
Costello  
Cox  
Coyne  
Cramer  
Crane  
Crapo  
Creameans  
Cubin  
Cummings  
Cunningham  
Danner  
Davis  
Deal  
DeFazio  
DeLauro  
DeLay  
Dellums  
Deutsch

Diaz-Balart  
Dickey  
Dixon  
Doggett  
Dooley  
Doolittle  
Dornan  
Doyle  
Dreier  
Duncan  
Dunn  
Durbin  
Edwards  
Ehlers  
Ehrlich  
Emerson  
English  
Ensign  
Eshoo  
Evans  
Everett  
Ewing  
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  
Furse

Gallegly  
Ganske  
Gejdenson  
Gekas  
Gephardt  
Geren  
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)  
Hayworth  
Hefley  
Hefner  
Heineman  
Herger  
Hilleary  
Hilliard  
Hinchey  
Hoekstra  
Hoke  
Holden  
Horn  
Hostettler  
Hoyer  
Hunter  
Hutchinson  
Hyde  
Inglis  
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  
Dreier  
Kim  
King  
Kingston  
Klecza  
Klink  
Klug  
Knollenberg  
Kolbe  
LaFalce  
LaHood  
Lantos  
Largent  
Latham  
LaTourette  
Laughlin  
Lazio  
Leach  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Lightfoot  
Lincoln  
Linder  
Lipinski  
LoBiondo

Lofgren  
Longley  
Lowey  
Lucas  
Luther  
Maloney  
Manton  
Manzullo  
Markey  
Martinez  
Martini  
Mascara  
Matsui  
McCarthy  
McCollum  
McCrery  
McDermott  
McHale  
McHugh  
McInnis  
McIntosh  
McKeon  
McKinney  
McNulty  
Meehan  
Meek  
Menendez  
Metcalfe  
Meyers  
Mica  
Millender-  
McDonald  
Miller (CA)  
Minge  
Mink  
Moakley  
Mollohan  
Montgomery  
Moorhead  
Moran  
Morella  
Murtha  
Myers  
Myrick  
Nadler  
Neal  
Nethercutt  
Neumann  
Ney  
Norwood  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Orton  
Owens  
Oxley  
Packard  
Pallone  
Parker  
Pastor  
Paxon  
Payne (NJ)  
Payne (VA)  
Pelosi  
Peterson (FL)  
Peterson (MN)  
Petri  
Pickett  
Pombo  
Pomeroy  
Porter  
Portman  
Poshard  
Lantos  
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  
Schaefer  
Schiff  
Schroeder  
Schumer  
Scott  
Seastrand  
Sensenbrenner  
Serrano  
Shadegg  
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  
Stupak  
Talent  
Tanner  
Tate  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Tejeda  
Thomas  
Thompson  
Thornberry  
Thornton  
Thurman  
Tiahrt  
Torkildsen  
Torres  
Towns  
Traficant  
Upton  
Velazquez  
Vento  
Visclosky  
Volkmer  
Vucanovich  
Walker  
Walsh  
Wamp  
Ward  
Waters  
Watt (NC)  
Watts (OK)  
Waxman  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Williams  
Wise  
Wolf  
Woolsey  
Wynn  
Yates  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

NAYS—4  
Scarborough  
Stump  
NOT VOTING—27  
Berman  
Bliley  
Bonilla  
Boucher  
Bryant (TX)  
Clay

de la Garza	Hayes	Miller (FL)
Dicks	Hobson	Molinari
Dingell	Houghton	Shaw
Engel	Kaptur	Torricelli
Gibbons	Livingston	Weldon (FL)
Goss	McDade	Wilson

So the conference report was agreed to.

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

*Ordered*, That the Clerk notify the Senate thereof.

¶50.20 ADJOURNMENT OVER

On motion of Mr. DELAY, by unanimous consent,

*Ordered*, That when the House adjourns on Thursday, May 2, 1996, it adjourn to meet on Monday, May 6, 1996, at 2:00 o'clock p.m.

¶50.21 HOUR OF MEETING

On motion of Mr. DELAY, by unanimous consent,

*Ordered*, That when the House adjourns on Monday, May 6, 1996, it adjourn to meet on Tuesday, May 7, 1996, at 12:30 p.m. for "morning hour" debates.

¶50.22 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. DELAY, by unanimous consent,

*Ordered*, That business in order for consideration on Wednesday, May 8, 1996, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

¶50.23 COMMITTEE RESIGNATION—MINORITY

The SPEAKER pro tempore, Mr. TAYLOR of North Carolina, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, April 25, 1996.*

Hon. NEWT GINGRICH,  
*Speaker, U.S. House of Representatives, The Capitol, Washington, DC.*

DEAR MR. SPEAKER: I hereby resign from the Committee on the Budget.  
Sincerely,

HARRY JOHNSTON.

By unanimous consent, the resignation was accepted.

¶50.24 ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Oversight, 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. 2024. An Act to phase out the use of mercury in batteries and provide for the efficient and cost-effective collection and recycling or proper disposal of used nickel cadmium batteries, small sealed lead-acid batteries, and certain other batteries, and for other purposes.

¶50.25 SENATE ENROLLED JOINT RESOLUTIONS SIGNED

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

S.J. 53. A joint resolution making corrections to Public Law 104-134.

¶50.26 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Ms. KAPTUR, for April 30 and balance of the week;

To Mr. MYERS, for today after 12:30 p.m.; and

To Mr. GOSS, for today after 1:00 p.m.

And then,

¶50.27 ADJOURNMENT

On motion of Mr. RADANOVICH, at 11 o'clock and 16 minutes p.m., the House adjourned.

¶50.28 OATH OF OFFICE, MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely; without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

Has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Members of the 104th Congress, pursuant to the provisions of 2 U.S.C. 2b:

JUANITA MILLENDER-MCDONALD, 37th District, California.

ELIJAH E. CUMMINGS, Seventh District, Maryland.

¶50.29 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. HYDE: Committee on the Judiciary. H.R. 2974. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to provide enhanced penalties for crimes against elderly and child victims; with an amendment (Rept. No. 104-548). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCCOLLUM: Committee on the Judiciary. H.R. 3120. A bill to amend title 18, United States Code, with respect to witness retaliation, witness tampering and jury tampering; with an amendment (Rept. No. 104-549). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALKER: Committee on Science. H.R. 3322. A bill to authorize appropriations for fiscal year 1997 for civilian science activities of the Federal Government, and for other purposes (Rept. No. 104-550 Pt. 1). Ordered to be printed.

¶50.30 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follow:

By Mr. RAHALL (for himself, Mr. OBERSTAR, and Mr. GIBBONS):

H.R. 3372. A bill to provide for the recoupment to the highway trust fund of that portion of Federal motor fuel taxes being deposited into the general fund; to the Committee on Ways and Means.

By Mr. EVERETT (for himself, Mr. EVANS, Mr. STUMP, and Mr. MONTGOMERY):

H.R. 3373. A bill to amend title 38, United States Code, to improve certain veterans' benefits programs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BENTSEN:

H.R. 3374. A bill to amend title XVIII of the Social Security Act to provide annual and other opportunities for individuals enrolled under a Medicare-select policy to change to a medigap policy without prejudice; to the Committee on Commerce.

By Mr. ROYCE:

H.R. 3375. A bill to amend the Internal Revenue Code of 1986 to repeal the 1993 increase in motor fuels tax, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Commerce, National Security, Government Reform and Oversight, Rules, and Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STUMP (for himself, Mr. MONTGOMERY, Mr. HUTCHINSON, and Mr. EDWARDS):

H.R. 3376. A bill to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal year 1997, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. COOLEY (for himself and Mr. DEFazio):

H.R. 3377. A bill to amend the Federal Land Policy and Management Act of 1976 to provide for determining tort liability of holders of rights-of-way over Federal lands under the ordinary rules of negligence and to clarify the exemption from right-of-way rental fees for certain rural electric and telephone facilities; to the Committee on Resources.

By Mr. YOUNG of Alaska:

H.R. 3378. A bill to amend the Indian Health Care Improvement Act to extend the demonstration program for direct billing of Medicare, Medicaid, and other third party payors; to the Committee on Resources, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONDIT:

H.R. 3379. A bill to amend chapter 11 of title 31, United States Code, to require that each President's budget submission to Congress include a detailed plan to achieve a balanced Federal budget, and for other purposes; to the Committee on Government Reform and Oversight, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEAL of Georgia:

H.R. 3380. A bill to authorize substitution for drawback purposes of certain types of fibers and yarns for use in the manufacture of carpets and rugs; to the Committee on Ways and Means.