

“(5) is recognized for excellence in marine resources development and science.

“(b) REGULATIONS AND GUIDELINES.—

“(1) IN GENERAL.—The Secretary shall by regulation prescribe the qualifications required to be met under subsection (a) (4).

“(2) MERIT REVIEW.—Within 6 months after the date of enactment of the National Sea Grant College Program Reauthorization Act of 1997, the Secretary, after consultation with the sea grant institutions, shall establish guidelines for the conduct of merit review by the sea grant institutions of project proposals for grants and contracts to be awarded under section 205. The guidelines shall, at a minimum, provide for peer review of all research projects and require standardized documentation of all peer review.

“(c) SUSPENSION OR TERMINATION OF DESIGNATION.—The Secretary may, for cause and after an opportunity for hearing, suspend or terminate any designation under subsection (a).”.

SEC. 9. AUTHORIZATIONS OF APPROPRIATIONS.

(a) GRANTS, CONTRACTS, AND FELLOWSHIPS.—Section 212(a) (33 U.S.C. 1131(a)) is amended to read as follows:

“(a) AUTHORIZATION.—

“(1) IN GENERAL.—There is authorized to be appropriated to carry out this Act—

“(A) \$55,300,000 for fiscal year 1998;

“(B) \$56,400,000 for fiscal year 1999; and

“(C) \$57,500,000 for fiscal year 2000.

“(2) ZEBRA MUSSEL AND OYSTER RESEARCH.—Of the amount authorized for a fiscal year under paragraph (1)—

“(A) up to \$2,800,000 of the amount may be made available as provided in section 1301(b)(4)(A) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4741(b)(4)(A)) for competitive grants for university research on the zebra mussel; and

“(B) up to \$3,000,000 of the amount may be made available for competitive grants for university research on oyster diseases and oyster-related human health risks.”.

(b) ADMINISTRATION.—Section 212(b) (33 U.S.C. 1131(b)) is amended—

(1) by striking so much as precedes paragraph (2) and inserting the following:

“(b) ADMINISTRATION.—

“(1) LIMITATION.—Of the amount appropriated for each fiscal year under subsection (a), an amount, not exceeding 5 percent of the lesser of the amount authorized under subsection (a) for the fiscal year or the amount appropriated under subsection (a) for the fiscal year, may be used for the administration of this Act, including section 209, by the National Sea Grant Office and the Administration.”;

(2) in paragraph (2)—

(A) by striking “subsections (a) and (c)” and inserting “subsection (a)”;

(B) by striking “(2)” and inserting “(2) LIMITATION ON USE OF OTHER AMOUNTS.—”;

(3) by moving paragraph (2) 2 ems to the right, so that the left margin of paragraph (2) is aligned with the left margin of paragraph (1), as amended by paragraph (1) of this subsection.

(c) REPEAL.—Section 212 (33 U.S.C. 1131) is amended by repealing subsection (c) and redesignating subsections (d) and (e) in order as subsections (c) and (d).

(d) PROHIBITION ON LOBBYING; NOTICE OF REPROGRAMMING OR REORGANIZATION.—Section 212 (33 U.S.C. 1131), as amended by subsection (c) of this section, is further amended by adding at the end the following:

“(e) PROHIBITION OF LOBBYING ACTIVITIES.—None of the funds authorized by this section shall be available for any activity whose purpose is to influence legislation pending before the Congress, except that this subsection shall not prevent officers or employ-

ees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

“(f) NOTICE OF REPROGRAMMING.—If any funds authorized by this section are subject to a reprogramming action that requires notice to be provided to the Appropriations Committees of the House of Representatives and the Senate, notice of such action shall concurrently be provided to the Committees on Science and Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

“(g) NOTICE OF REORGANIZATION.—The Secretary shall provide notice to the Committees on Science, Resources, and Appropriations of the House of Representatives, and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate, not later than 15 days before any major reorganization of any program, project, or activity of the National Sea Grant College Program.”.

SEC. 10. CLERICAL, CONFORMING, AND TECHNICAL AMENDMENTS.

(a) CLERICAL AMENDMENTS.—

(1) Section 203(3) (33 U.S.C. 1122(3)) is amended by striking “the term” and inserting “The term”.

(2) Section 203(6) (33 U.S.C. 1122(6)) is amended by moving subparagraph (F) 2 ems to the right, so that the left margin of subparagraph (F) is aligned with the left margin of subparagraph (E).

(3) The heading for section 204 (33 U.S.C. 1124) is amended to read as follows:

“**SEC. 204. NATIONAL SEA GRANT COLLEGE PROGRAM.**”.

(4) Section 209 (33 U.S.C. 1128) is amended by striking all of the matter that follows the first full sentence through “shall advise”, and inserting “(b) DUTIES.—The panel shall advise”.

(5) Section 205(b)(3) (33 U.S.C. 1124(b)(3)) is amended by striking “or section 206”.

(6) Section 204(d)(1) (33 U.S.C. 1123(d)(1)) is amended—

(A) by striking “five positions” and inserting “one position”; and

(B) by striking “the maximum rate for GS-18 of the General Schedule under section 5332” and inserting “a rate established by the Secretary, not to exceed the maximum daily rate payable under section 5376”.

(b) CONFORMING AMENDMENTS.—

(1) Section 204(b)(2) (33 U.S.C. 1123(b)(2)) is amended by striking “maximum rate for GS-18” and all that follows through the end of the sentence and inserting “maximum rate payable under section 5376 of title 5, United States Code.”.

(2) Section 209 (33 U.S.C. 1128) is amended—

(A) in subsection (b)(3) by striking “colleges and sea grant regional consortia” and inserting “institutions”; and

(B) in subsection (c)(1) in the last sentence in clause (A) by striking “college, sea grant regional consortium,” and inserting “institution”.

(c) TECHNICAL AMENDMENT.—Section 209(c)(5)(A) (33 U.S.C. 1128(c)(5)(A)) is amended by striking “the daily rate for GS-18 of the General Schedule under section 5332 of title 5, United States Code” and inserting “a rate established by the Secretary, not to exceed the maximum daily rate payable under section 5376 of title 5, United States Code”.

SEC. 11. BUY AMERICAN.

(a) COMPLIANCE WITH BUY AMERICAN ACT.—No funds appropriated pursuant to section 212(a), as amended by this Act, may be expended by an entity unless the entity agrees that in expending the assistance the entity

will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the “Buy American Act”).

(b) SENSE OF CONGRESS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under section 212(a), as amended by this Act, it is the sense of Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(c) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under section 212(a), as amended by this Act, the Secretary of Commerce shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

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. PEASE, announced that the yeas had it.

Mr. SAXTON 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	422
	{ Nays	3

¶167.5

[Roll No. 208]

YEAS—422

Abercrombie	Canady	Dreier
Ackerman	Cannon	Duncan
Aderholt	Capps	Dunn
Allen	Cardin	Edwards
Archer	Carson	Ehlers
Armey	Castle	Ehrlich
Bachus	Chabot	Emerson
Baesler	Chambliss	Engel
Baker	Chenoweth	English
Baldacci	Christensen	Ensign
Ballenger	Clay	Eshoo
Barcia	Clayton	Etheridge
Barr	Clement	Evans
Barrett (NE)	Clyburn	Everett
Barrett (WI)	Coble	Ewing
Bartlett	Coburn	Farr
Bass	Collins	Fattah
Bateman	Combest	Fawell
Becerra	Condit	Fazio
Bentsen	Conyers	Filner
Bereuter	Cook	Flake
Berman	Cooksey	Foglietta
Berry	Costello	Foley
Bilbray	Cox	Forbes
Bilirakis	Coyne	Ford
Bishop	Cramer	Fowler
Blagojevich	Crane	Fox
Bliley	Crapo	Frank (MA)
Blumenauer	Cubin	Franks (NJ)
Blunt	Cummings	Frelinghuysen
Boehlert	Cunningham	Frost
Boehner	Danner	Furse
Bonilla	Davis (FL)	Galleghy
Bonior	Davis (IL)	Ganske
Bono	Davis (VA)	Gejdenson
Borski	Deal	Gekas
Boswell	DeFazio	Gephardt
Boucher	DeGette	Gibbons
Boyd	Delahunt	Gilchrest
Brady	DeLauro	Gillmor
Brown (CA)	DeLay	Gilman
Brown (FL)	Dellums	Gonzalez
Brown (OH)	Deutsch	Goode
Bryant	Diaz-Balart	Goodlatte
Bunning	Dickey	Goodling
Burr	Dicks	Gordon
Burton	Dingell	Goss
Buyer	Dixon	Graham
Callahan	Doggett	Granger
Calvert	Dooley	Green
Camp	Doolittle	Greenwood
Campbell	Doyle	Gutierrez

Gutknecht	McCollum	Sabo
Hall (OH)	McCrery	Salmon
Hall (TX)	McDade	Sanchez
Hamilton	McDermott	Sanders
Hansen	McGovern	Sandlin
Harman	McHale	Sanford
Hastert	McHugh	Sawyer
Hastings (FL)	McInnis	Saxton
Hastings (WA)	McIntosh	Scarborough
Hayworth	McIntyre	Schaefer, Dan
Hefner	McKeon	Schaffer, Bob
Herger	McKinney	Schumer
Hill	McNulty	Scott
Hilleary	Meehan	Sensenbrenner
Hilliard	Meek	Serrano
Hinchey	Menendez	Sessions
Hinojosa	Metcalf	Shadegg
Hobson	Mica	Shaw
Hoekstra	Millender-	Shays
Holden	McDonald	Sherman
Hooley	Miller (FL)	Shimkus
Horn	Minge	Shuster
Hostettler	Mink	Sisisky
Houghton	Moakley	Skaggs
Hoyer	Molinari	Skeen
Hulshof	Mollohan	Skelton
Hunter	Moran (KS)	Slaughter
Hutchinson	Moran (VA)	Smith (OR)
Hyde	Morella	Smith (TX)
Inglis	Murtha	Smith, Adam
Istook	Myrick	Smith, Linda
Jackson (IL)	Nadler	Snowbarger
Jackson-Lee	Neal	Snyder
(TX)	Nethercutt	Solomon
Jefferson	Neumann	Souder
Jenkins	Ney	Spence
John	Northup	Spratt
Johnson (CT)	Norwood	Stabenow
Johnson (WI)	Nussle	Stark
Johnson, E. B.	Oberstar	Stearns
Johnson, Sam	Obey	Stenholm
Jones	Olver	Stokes
Kanjorski	Ortiz	Strickland
Kaptur	Owens	Stump
Kasich	Oxley	Stupak
Kelly	Packard	Sununu
Kennedy (MA)	Pallone	Talent
Kennedy (RI)	Pappas	Tanner
Kennelly	Parker	Tauscher
Kildee	Pascarell	Tauzin
Kilpatrick	Pastor	Taylor (NC)
Kim	Paxon	Thomas
Kind (WI)	Payne	Thompson
King (NY)	Pease	Thornberry
Kingston	Pelosi	Thune
Klecza	Peterson (MN)	Thurman
Klink	Peterson (PA)	Tiahrt
Klug	Petri	Tierney
Knollenberg	Pickering	Torres
Kolbe	Pickett	Towns
Kucinich	Pitts	Trafficant
LaFalce	Pomeroy	Turner
LaHood	Porter	Upton
Lampson	Portman	Velazquez
Lantos	Poshard	Vento
Latham	Price (NC)	Visclosky
LaTourette	Pryce (OH)	Walsh
Lazio	Quinn	Wamp
Leach	Radanovich	Waters
Levin	Rahall	Watkins
Lewis (CA)	Ramstad	Watt (NC)
Lewis (GA)	Rangel	Watts (OK)
Lewis (KY)	Redmond	Waxman
Linder	Regula	Weldon (FL)
Livingston	Reyes	Weldon (PA)
LoBiondo	Riggs	Weller
Lofgren	Riley	Wexler
Lowe	Rivers	Weygand
Lucas	Rodriguez	White
Luther	Roemer	Whitfield
Maloney (CT)	Rogan	Wicker
Maloney (NY)	Rogers	Wise
Manton	Rohrabacher	Wolf
Manzullo	Ros-Lehtinen	Woolsey
Markey	Rothman	Wynn
Martinez	Roukema	Yates
Mascara	Royal-Allard	Young (AK)
Matsui	Royce	Young (FL)
McCarthy (MO)	Rush	
McCarthy (NY)	Ryun	

NAYS—3

Hefley Paul Taylor (MS)

NOT VOTING—9

Andrews	Lipinski	Schiff
Barton	Miller (CA)	Smith (MI)
Largent	Pombo	Smith (NJ)

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.

67.6 UNFINISHED BUSINESS—APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. PEASE, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, June 17, 1997.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

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

Mr. GUTKNECHT demanded a recorded vote on agreeing to the Chair's approval of the Journal, 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	366
	{ Nays	50

67.7 [Roll No. 209] AYES—366

Ackerman	Coble	Furse
Aderholt	Collins	Gallegly
Allen	Combest	Ganske
Archer	Condit	Gejdenson
Bachus	Conyers	Gilchrest
Baessler	Cook	Gillmor
Baker	Cooksey	Gilman
Baldacci	Costello	Gonzalez
Ballenger	Cox	Goode
Barcia	Coyne	Goodlatte
Barr	Cramer	Goodling
Barrett (NE)	Crane	Goss
Barrett (WI)	Crapo	Graham
Bartlett	Cubin	Granger
Bass	Cummings	Green
Bateman	Cunningham	Greenwood
Becerra	Danner	Gutierrez
Bentsen	Davis (FL)	Gutknecht
Bereuter	Davis (VA)	Hall (OH)
Berman	Deal	Hall (TX)
Berry	DeGette	Hamilton
Bilbray	Delahunt	Hansen
Bilirakis	DeLauro	Harman
Bishop	DeLay	Hastert
Blagojevich	Dellums	Hastings (WA)
Biley	Deutsch	Hayworth
Blumenauer	Diaz-Balart	Hefner
Blunt	Dickey	Herger
Boehlert	Dicks	Hinchey
Boehner	Dingell	Hinojosa
Bonilla	Dixon	Hobson
Bonior	Doggett	Hoekstra
Bono	Dooley	Holden
Boswell	Doolittle	Hooley
Boucher	Doyle	Horn
Boyd	Dreier	Hostettler
Brady	Dunn	Houghton
Brown (FL)	Dunn	Hoyer
Bryant	Edwards	Hunter
Bunning	Ehlers	Hutchinson
Burton	Ehrlich	Hyde
Buyer	Emerson	Inglis
Callahan	Engel	Istook
Calvert	Eshoo	Jackson (IL)
Camp	Evans	Jackson-Lee
Campbell	Everett	(TX)
Canady	Ewing	Jefferson
Cannon	Farr	Jenkins
Capps	Fattah	John
Cardin	Flake	Johnson (CT)
Carson	Foglietta	Johnson (WI)
Castle	Foley	Johnson, E. B.
Chabot	Forbes	Johnson, Sam
Chambliss	Ford	Jones
Christensen	Fowler	Kanjorski
Clayton	Frank (MA)	Kaptur
Clement	Franks (NJ)	Kasich
Clyburn	Frelinghuysen	Kennedy (MA)

Kennedy (RI)	Neal	Serrano
Kennelly	Nethercutt	Sessions
Kildee	Neumann	Shadegg
Kilpatrick	Northup	Shaw
Kim	Norwood	Shays
Kind (WI)	Nussle	Sherman
King (NY)	Obey	Shimkus
Kingston	Olver	Shuster
Klecza	Ortiz	Sisisky
Klink	Owens	Skaggs
Klug	Oxley	Skeen
Knollenberg	Packard	Skelton
Kolbe	Pallone	Slaughter
LaFalce	Pappas	Smith (MI)
LaHood	Parker	Smith (OR)
Lampson	Pastor	Smith (TX)
Lantos	Paul	Smith, Adam
Latham	Paxon	Snowbarger
LaTourette	Payne	Snyder
Lazio	Pease	Souder
Leach	Pelosi	Spence
Levin	Peterson (MN)	Spratt
Lewis (KY)	Peterson (PA)	Stabenow
Linder	Petri	Stark
Livingston	Pickering	Stenholm
Lofgren	Pitts	Stokes
Lowe	Pomeroy	Strickland
Luther	Porter	Stump
Maloney (CT)	Portman	Talent
Manton	Price (NC)	Tanner
Manzullo	Pryce (OH)	Tauscher
Markey	Quinn	Tauzin
Martinez	Radanovich	Taylor (NC)
Mascara	Rahall	Thomas
Matsui	Rangel	Thornberry
McCarthy (MO)	Redmond	Thune
McCarthy (NY)	Regula	Thurman
McCollum	Reyes	Tierney
McCrery	Riggs	Torres
McDade	Riley	Towns
McGovern	Rivers	Trafficant
McHale	Rodriguez	Turner
McHugh	Roemer	Upton
McInnis	Rogan	Velazquez
McIntosh	Rogers	Vento
McIntyre	Rohrabacher	Visclosky
McKeon	Ros-Lehtinen	Watkins
McKinney	Rothman	Watt (NC)
Meehan	Roukema	Watts (OK)
Meek	Royal-Allard	Waxman
Menendez	Royce	Weldon (FL)
Mica	Rush	Weldon (PA)
Millender-	Ryun	Wexler
McDonald	Salmon	Weygand
Miller (FL)	Sanchez	White
Minge	Sanders	Whitfield
Mink	Sandlin	Wicker
Moakley	Sanford	Wise
Molinari	Sawyer	Wolf
Mollohan	Saxton	Woolsey
Moran (KS)	Scarborough	Wynn
Moran (VA)	Schaefer, Dan	Yates
Morella	Schumer	Young (AK)
Myrick	Scott	Young (FL)
Nadler	Sensenbrenner	

NOES—50

Abercrombie	Gibbons	Pickett
Borski	Hastings (FL)	Poshard
Brown (CA)	Hefley	Ramstad
Brown (OH)	Hilleary	Sabo
Chenoweth	Hilliard	Schaffer, Bob
Clay	Hulshof	Smith, Linda
Coburn	Kelly	Solomon
Davis (IL)	Kucinich	Stearns
DeFazio	Lewis (GA)	Stupak
English	LoBiondo	Sununu
Horn	Maloney (NY)	Taylor (MS)
Ensign	McDermott	Thompson
Etheridge	McNulty	Tiahrt
Fazio	Metcalf	Wamp
Filner	Ney	Waters
Fox	Oberstar	Weller
Frost	Pascarell	
Gephardt		

NOT VOTING—18

Andrews	Gordon	Miller (CA)
Armey	Hill	Murtha
Barton	Largent	Pombo
Burr	Lewis (CA)	Schiff
Fawell	Lipinski	Smith (NJ)
Gekas	Lucas	Walsh

So the Journal was approved.

67.8 RECESS—5:43 P.M.

The SPEAKER pro tempore, Mr. CHRISTENSEN, pursuant to clause 12 of rule I, declared the House in recess