

(1) the expenditures of the potential contractor (other than an individual person) for activities described in subsection (a) for any one of the previous five Federal fiscal years (excluding any fiscal year before 1996) exceeded the sum of—

(A) the first \$20,000,000 of the difference between the potential contractor's total expenditures made in the fiscal year and the total amount of Federal contracts and grants it was awarded in that fiscal year, multiplied by .05; and

(B) the remainder of the difference calculated in subparagraph (A), multiplied, by .01;

(2) the potential contractor has used funds from any Federal contract to purchase or secure any goods or services (including dues and membership fees) from any other individual, entity, or organization whose expenditures for activities described in subsection (a) for fiscal year 1995 exceeded 15 percent of its total expenditures for that Federal fiscal year; or

(3) the potential contractor has used funds from any Federal contract for a purpose (other than to purchase or secure goods or services) that was not specifically permitted by Congress in the law authorizing the contract.

(c) EXCEPTIONS.—The activities described in subsection (a) do not include any activity when it is made known to the Federal official having authority to obligate or expend such funds that the activity is any of the following:

(1) Making available the results of non-partisan analysis, study, research, or debate.

(2) Providing technical advice or assistance (where such advice would otherwise constitute the influencing of legislation or agency action) to a government body or to a committee or other subdivision thereof in response to a written request by such body or subdivision, as the case may be.

(3) Communications between a contractor and its employees with respect to legislation, proposed legislation, agency action, or proposed agency action of direct interest to the contractor and such employees, other than communications described in subparagraph (C).

(4) Any communication with a governmental official or employee, other than—

(A) a communication with a member or employee of a legislative body or agency (where such communication would otherwise constitute the influencing of legislation or agency action); or

(B) a communication the principal purpose of which is to influence legislation or agency action.

(5) Official communication by employees of State or local governments, or by organizations whose membership consists exclusively of State or local governments.

Mr. SKAGGS (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SKAGGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 238, not voting 14, as follows:

[Roll No. 645]

AYES—182

Abercrombie
Ackerman
Barcia
Barrett (WI)
Becerra
Beilenson
Bilbray
Bilirakis
Blute
Borski
Boucher
Brewster
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Burr
Camp
Castle
Chabot
Chenoweth
Christensen
Clay
Clement
Coble
Coburn
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Costello
Coyne
Creameans
Cubin
Danner
Dellums
Dickey
Doggett
Doyle
Duncan
Dunn
Durbin
Ehlers
Engel
English
Ensign
Evans
Farr
Fattah
Fawell
Fields (LA)
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fox
Frank (MA)
Franks (NJ)

Frisa
Furse
Ganske
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Goodling
Gordon
Goss
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hastert
Heineman
Hilleary
Hinchev
Hoekstra
Holden
Hutchinson
Jacobs
Johnston
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kildee
Klecza
Klink
Klug
Kolbe
LaFalce
Lantos
Largent
Latham
Lazio
Leach
Lewis (GA)
Lincoln
Lipinski
LoBiondo
Longley
Lowe
Luther
Manton
Manzullo
Markey
Martini
Mascara
McCarthy
McDermott
Meehan
Metcalf
Meyers
Mfume
Miller (FL)
Mink
Molinari

NOES—238

Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Bevill
Bliley
Boehlert
Boehner
Bonilla
Bonior
Bono
Browder
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burton
Buyer

Callahan
Calvert
Canady
Cardin
Chambliss
Chapman
Chrysler
Clayton
Clinger
Clyburn
Coleman
Collins (GA)
Cooley
Cox
Cramer
Crane
Crapo
Cunningham
Davis
de la Garza
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dicks
Dixon
Dooley
Doolittle
Dornan
Dreier
Edwards
Ehrlich

Nethercutt
Neumann
Ney
Oberstar
Obey
Olver
Orton
Owens
Payne (NJ)
Pelosi
Petri
Porter
Poshard
Pryce
Rahall
Ramstad
Rangel
Reed
Regula
Riggs
Rohrabacher
Roukema
Roybal-Allard
Royce
Rush
Salmon
Sanders
Sanford
Scarborough
Schroeder
Schumer
Seastrand
Sensenbrenner
Shaw
Shays
Slaughter
Smith (WA)
Stark
Stockman
Stokes
Studds
Stupak
Tate
Thornton
Thurman
Lowe
Traficant
Upton
Velazquez
Vento
Volkmer
Waters
Weldon (FL)
Weller
Whitfield
Wise
Woolsey
Wyden
Wynn
Zeliff
Zimmer

Hobson
Hoke
Horn
Hostettler
Houghton
Hoyer
Hunter
Hyde
Inglis
Istook
Jackson-Lee
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E.B.
Johnson, Sam
Jones
Kaptur
Kennedy (RI)
Kennelly
Kim
King
Kingston
Knollenberg
LaHood
LaTourette
Laughlin
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Schroeder
Lofgren
Lucas
Martinez
Matsui
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meek

Menendez
Mica
Miller (CA)
Mineta
Minge
Mollohan
Montgomery
Moorhead
Moran
Murtha
Myers
Myrick
Nadler
Neal
Norwood
Nussle
Ortiz
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Pickett
Pombo
Pomeroy
Portman
Quillen
Quinn
Richardson
Rivers
Roemer
Rogers
Ros-Lehtinen
Rose
Roth
Sabo
Sawyer
Saxton
Schaefer
Schiff
Scott
Serrano
Shadegg

Shuster
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stump
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Tiahrt
Torkildsen
Torres
Torricelli
Viscosky
Vucanovich
Walker
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Waxman
Weldon (PA)
White
Wicker
Williams
Wilson
Wolf
Yates
Young (AK)
Young (FL)

NOT VOTING—14

Bishop
DeFazio
Dingell
Maloney
McKinney

Moakley
Morella
Radanovich
Reynolds
Roberts

Sisisky
Towns
Tucker
Waldboltz

□ 1824

Mr. YATES and Mr. TORRES changed their vote from "aye" to "no." Messrs. HUTCHINSON, WELLER, FOX of Pennsylvania, HASTERT, BILBRAY, CHRISTENSEN, WHITFIELD, GOSS, CREMEANS, ORTON, HILLEARY, HEINEMAN, FRISA, GILLMOR, SALMON, BLUTE, LARGENT, and ENGLISH of Pennsylvania changed their vote from "no" to "aye."

So the amendment was rejected. The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. DEFAZIO. Mr. Speaker, I missed rollcall 645. I was unavoidably detained, and had I been present, I would have voted "aye."

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. OBEY. Yes, I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommend.

The Clerk read as follows:

Mr. OBEY moves that the bill H.R. 2126 be recommitted to the Committee on Appropriations with instruction to report the bill back to the House forthwith, with the following amendment:

On page 77, line 8, strike "\$250,000" and insert "\$200,000".

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] is recognized for 5 minutes.

Mr. OBEY. Mr. Speaker, section 8077 of this bill reads as follows:

None of the funds provided in this Act may be obligated for payment on new contracts on which allowable costs charged to the government include payments for individual compensation at a rate in excess of \$250,000 per year.

This recommittal motion simply reduces that \$250,000 salary level to \$200,000. In essence what it says is that if any defense contractor wants to pay any individual a salary in excess of that paid to the President of the United States, they cannot do it with taxpayer funds through contracting, they have to do it out of their own corporate profits.

When you take a look at the total compensation provided to the CEO's of some of these corporations, you see one being paid \$7,287,000, one being paid \$5,827,000, another \$3,596,000, another \$3,538,000, and so on and so forth.

I would simply ask one question. Who do these people think they are, that they think that they are entitled to be compensated at a rate higher than the level of the President of the United States?

It seems to me that if we are asked to buy downsizing of the military budget, if we are asked to buy downsizing of corporations in general, we ought to also be taking a look at downsizing these outrageously high salaries paid to these corporate executives.

All this does is say that you cannot compensate any of these corporations for any salary in excess of the salary paid to the President of the United States.

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Speaker, I would like to say to the gentleman that we are very aware of this issue and it makes a minor change. We are proposed to accept the gentleman's motion to recommit.

Mr. OBEY. I thank the gentleman.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was agreed to.

□ 1830

Mr. YOUNG of Florida. Mr. Speaker, pursuant to the instruction of the

House, I report the bill H.R. 2126 back to the House with an amendment.

The SPEAKER pro tempore (Mr. LAHOOD). The Clerk will report the amendment.

The Clerk read as follows:

Amendment: by Mr. YOUNG of Florida on page 77, line 8, strike "\$250,000" and insert "\$200,000".

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 7, rule XV, the yeas and nays are ordered.

The vote was taken by electronic device and there were—yeas 294, nays 125, not voting 15, as follows:

[Roll No.646]

YEAS—294

Abercrombie	Diaz-Balart	Hoke
Allard	Dickey	Holden
Archer	Dicks	Horn
Army	Dixon	Hostettler
Bachus	Dooley	Houghton
Baesler	Doolittle	Hoyer
Baker (CA)	Dornan	Hunter
Baker (LA)	Dreier	Hutchinson
Ballenger	Duncan	Hyde
Barcia	Edwards	Inglis
Barr	Ehrlich	Istook
Barrett (NE)	Emerson	Jacobs
Bartlett	English	Johnson (CT)
Barton	Ensign	Johnson, E. B.
Bass	Eshoo	Johnson, Sam
Bateman	Everett	Jones
Bentsen	Ewing	Kaptur
Bereuter	Farr	Kasich
Bevill	Fawell	Kelly
Bilbray	Fazio	Kennedy (MA)
Bilirakis	Fields (TX)	Kennedy (RI)
Bliley	Flanagan	Kennelly
Blute	Foley	Kildee
Boehlert	Forbes	Kim
Boehner	Ford	King
Bonilla	Fowler	Kingston
Bono	Fox	Klink
Boucher	Franks (CT)	Knollenberg
Brewster	Frelinghuysen	Kolbe
Browder	Frisa	LaHood
Brownback	Frost	Largent
Bryant (TN)	Funderburk	Latham
Bunn	Gallegly	LaTourette
Bunning	Gedensson	Laughlin
Burr	Gekas	Lazio
Burton	Gephardt	Leach
Buyer	Geren	Lewis (CA)
Callahan	Gibbons	Lewis (KY)
Calvert	Gilchrest	Lightfoot
Canady	Gillmor	Linder
Castle	Gilman	Lipinski
Chabot	Gonzalez	Livingston
Chambliss	Goodlatte	LoBiondo
Chapman	Goss	Longley
Christensen	Graham	Lucas
Chrysler	Green	Manton
Clement	Greenwood	Manzullo
Clinger	Gunderson	Matsui
Clyburn	Gutknecht	McCollum
Coble	Hall (OH)	McCrery
Coburn	Hall (TX)	McDade
Coleman	Hamilton	McHale
Collins (GA)	Hancock	McHugh
Combest	Hansen	McInnis
Condit	Harman	McIntosh
Cox	Hastert	McKeon
Cramer	Hastings (FL)	McNulty
Crane	Hastings (WA)	Meek
Creameans	Hayes	Metcalf
Cubin	Hayworth	Meyers
Cunningham	Hefley	Mica
Davis	Hefner	Miller (FL)
de la Garza	Heineman	Mineta
Deal	Herger	Mink
DeLauro	Hilleary	Molinari
DeLay	Hobson	Mollohan

Montgomery
Moorhead
Moran
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (FL)
Pickett
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Regula
Richardson
Roberts
Rogers
Rohrabacher

Ros-Lehtinen
Rose
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Scott
Seastrand
Shadegg
Shaw
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin

Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Traficant
Visclosky
Vucanovich
Walker
Walsh
Wamp
Ward
Waters
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff

NAYS—125

Ackerman	Ganske	Peterson (MN)
Andrews	Gordon	Petri
Baldacci	Gutierrez	Poshard
Barrett (WI)	Hilliard	Rahall
Beilenson	Hinchey	Ramstad
Berman	Hoekstra	Rangel
Bonior	Jackson-Lee	Reed
Borski	Johnson (SD)	Riggs
Brown (CA)	Johnston	Rivers
Brown (FL)	Kanjorski	Roemer
Brown (OH)	Klecaska	Roth
Bryant (TX)	Klug	Roukema
Camp	LaFalce	Roybal-Allard
Cardin	Lantos	Rush
Chenoweth	Levin	Sabo
Clay	Lewis (GA)	Sanders
Clayton	Lincoln	Sawyer
Collins (IL)	Lofgren	Schroeder
Collins (MI)	Lowey	Schumer
Conyers	Luther	Sensenbrenner
Cooley	Markey	Serrano
Costello	Martinez	Shays
Coyne	Martini	Skaggs
Crapo	Mascara	Slaughter
Danner	McCarthy	Stark
DeFazio	McDermott	Stokes
Dellums	Meehan	Studds
Deutsch	Menendez	Stupak
Doggett	Mfume	Torrice
Doyle	Miller (CA)	Upton
Durbin	Minge	Velazquez
Ehlers	Nadler	Vento
Engel	Neal	Volkmer
Evans	Oberstar	Watt (NC)
Fattah	Obey	Waxman
Fields (LA)	Olver	Williams
Filner	Orton	Wise
Flake	Owens	Woolsey
Foglietta	Pallone	Wyden
Frank (MA)	Pastor	Yates
Franks (NJ)	Payne (NJ)	Zimmer
Furse	Pelosi	

NOT VOTING—15

Becerra	Jefferson	Reynolds
Bishop	Maloney	Sisisky
Dingell	McKinney	Towns
Dunn	Moakley	Tucker
Goodling	Morella	Waldholtz

□ 1847

Clerk announced the following pair on this vote:

Mrs. Waldholtz for, with Mrs. Maloney against.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.