

Visclosky  
Waters  
Watt (NC)

Waxman  
Wexler  
Weygand

Woolsey  
Wynn  
Yates

## NAYS—208

Aderholt  
Archer  
Army  
Bachus  
Baker  
Ballenger  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bass  
Bateman  
Bereuter  
Billbray  
Billrakis  
Bliley  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bono  
Brady  
Bryant  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Cannon  
Castle  
Chambliss  
Christensen  
Coble  
Collins  
Combest  
Cook  
Cooksey  
Cox  
Crane  
Crapo  
Cubin  
Cunningham  
Davis (VA)  
Deal  
DeLay  
Diaz-Balart  
Dickey  
Doolittle  
Dreier  
Duncan  
Dunn  
Ehlers  
Ehrlich  
Emerson  
English  
Everett  
Ewing  
Fawell  
Foley  
Forbes  
Fowler  
Fox  
Franks (NJ)  
Frelinghuysen  
Ganske  
Gekas

## NOT VOTING—23

Berman  
Capps  
Dixon  
Engel  
Ensign  
Furse  
Gallegly  
Gonzalez

Hall (OH)  
Hinchey  
Istook  
Lantos  
McCollum  
McInnis  
Payne  
Rohrabacher

Pappas  
Parker  
Paul  
Paxon  
Pease  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Pombo  
Porter  
Portman  
Pryce (OH)  
Quinn  
Radanovich  
Ramstad  
Redmond  
Regula  
Riggs  
Riley  
Rogan  
Rogers  
Ros-Lehtinen  
Royce  
Ryun  
Salmon  
Sanford  
Saxton  
Scarborough  
Schaefer, Dan  
Schaffer, Bob  
Sensenbrenner  
Sessions  
Shadegg  
Shaw  
Shays  
Shimkus  
Shuster  
Skeen  
Smith (NJ)  
Smith (OR)  
Smith (TX)  
Snowbarger  
Solomon  
Soudler  
Spence  
Stump  
Sununu  
Talent  
Lucas  
Thomas  
Thornberry  
Thune  
Tiahrt  
Walsh  
Wamp  
Watkins  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Wolf  
Young (AK)  
Young (FL)

## PERSONAL EXPLANATION

Mr. ENSIGN. Mr. Speaker, on rollcall No. 352, severe thunderstorms caused my plane to arrive late. Had I been present, I would have voted "no."

The SPEAKER pro tempore (Mr. SNOWBARGER). Without objection, the Chair appoints the following conferees: Messrs. WALSH, YOUNG of Florida, CUNNINGHAM, WAMP, LATHAM, LIVINGSTON, SERRANO, FAZIO of California, OBEY, and Ms. KAPTUR.

There was no objection.

## GENERAL LEAVE

Mr. WALSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill (H.R. 2209) making appropriations for the legislative branch for the fiscal year ending September 30, 1998, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

APPOINTMENT OF CONFEREES ON  
H.R. 2160, AGRICULTURE, RURAL  
DEVELOPMENT, FOOD AND DRUG  
ADMINISTRATION, AND RELATED  
AGENCIES APPROPRIATIONS  
ACT, 1998

Mr. SKEEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2160) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1998, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico [Mr. SKEEN]?  
There was no objection.

MOTION TO INSTRUCT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Speaker, I offer a motion to instruct.

The Clerk read as follows:

Ms. KAPTUR moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill H.R. 2160, be instructed to recede to the Senate regarding funding levels provided under the Food and Drug Administration for the program to prevent the use of tobacco products by minors.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Ohio [Ms. KAPTUR], and the gentleman from New Mexico [Mr. SKEEN] will each be recognized for 30 minutes.

The Chair recognizes the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Speaker, I yield myself such time as I may consume.

(Ms. KAPTUR asked and was given permission to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, the motion I offer today instructs the conferees on the fiscal year 1998 Agriculture Appropriations Act to agree to the higher funding levels provided by the Senate for the Food and Drug Administration's Youth Tobacco Initiative.

Just this morning, Mr. Speaker, the Senate agreed to provide \$34 million, which was the full budget request, for the Food and Drug Administration Program to assist our States in enforcement and outreach efforts related to rules to prevent children, our children, from purchasing tobacco as minors.

The House bill included \$24 million for this important program, and originally the Senate had only provided \$4.9 million. But this morning, in an act of great wisdom, the Senate, on an amendment that was voiced after substantial approval was given and a motion to table defeated, voted in the Senate to raise the level to \$34 million, which was the full budget request.

Mr. Speaker, our bill here in the House included \$24 million for this important program. Our motion would simply instruct our House conferees to agree to the funding levels for the Food and Drug Administration provided by the Senate, therefore, fully funding this important initiative to protect our Nation's children.

Mr. Speaker, I do not need to point out, I suppose, that nearly 90 percent of adult smokers in our country began doing so before the age of 18. In fact, at current rates, more than 5 million children under age 18 who are alive today will be killed by smoking-related diseases. So we are talking about the lives of millions of our children.

We know that every year more than \$1 billion in tobacco products are illegally sold to minors. I underline "illegally" sold to minors in this country. And as much as \$50 billion is spent every year in our country on smoking-related medical care.

Providing \$34 million, \$10 million more than in the House agreement but meeting the full budget request, will help our States set up enforcement programs and educate retailers and the public on the new Food and Drug Administration youth tobacco rules. It seems to me this is the least we can do to protect our country's future and our children.

I urge my colleagues to support this motion, and I reserve the balance of my time.

Mr. SKEEN. Mr. Speaker, with all due respect to the gentlewoman from Ohio [Ms. KAPTUR], I concur that this is a very important issue for all of us. I share the gentlewoman's concern, but we have many differences in these two bills, and I strongly believe that the House should not, should not be instructing its conferees to accept a Senate position on any issue before the conference has even begun.

Mr. Speaker, I reserve the balance of my time.

□ 1727

Mr. Livingston changed his vote from "yea" to "nay."

Mrs. CHENOWETH and Messrs. CLAY, STOKES, DINGELL, and UPTON changed their vote from "nay" to "yea."

So the motion was rejected.

The result of the vote was announced as above recorded.