

[Roll No. 432]

YEAS—309

Abercrombie Ford McKinney
Ackerman Fowler McNulty
Aderholt Frank (MA) Meehan
Allen Franks (NJ) Meek
Andrews Frelinghuysen Menendez
Archer Frost Metcalf
Bachus Furse Mica
Baesler Gallegly Millender-
Baker Ganske McDonald
Baldacci Gekas Miller (FL)
Ballenger Gephardt Mink
Barrett (NE) Gilchrest Moakley
Bartlett Gillmor Molohan
Bass Gilman Moran (VA)
Bateman Goodlatte Morella
Bentsen Gordon Murtha
Bereuter Goss Nadler
Berman Granger Neal
Billbray Greenwood Nethercutt
Bishop Gutknecht Ney
Blagojevich Hall (OH) Northup
Bliley Hamilton Norwood
Blumenauer Hansen Oberstar
Boehlert Hastert Obey
Boehner Hefner Olver
Bonior Herger Ortiz
Bono Hilliard Owens
Borski Hinchey Oxley
Boswell Hinojosa Packard
Boucher Hobson Pallone
Boyd Hoekstra Pappas
Brown (CA) Holden Pascrell
Brown (FL) Horn Pastor
Brown (OH) Houghton Paxon
Burton Hoyer Payne
Buyer Hyde Pelosi
Callahan Istook Peterson (PA)
Calvert Jackson (IL) Petri
Camp Jackson-Lee Pickering
Campbell (TX) Pickett
Canady Jefferson Pombo
Cannon Jenkins Pomeroy
Capps John Porter
Cardin Johnson (CT) Price (NC)
Castle Johnson (WI) Pryce (OH)
Chambliss Johnson, Sam Quinn
Christensen Kanjorski Rahall
Clay Kaptur Rangel
Clayton Kelly Redmond
Collins Kennedy (MA) Regula
Combust Kennedy (RI) Reyes
Cook Kennelly Riggs
Cooksey Kildee Rivers
Coyne Kilpatrick
Cramer Kim Rodriguez
Crane King (NY) Rogan
Crapo Kingston Rogers
Cubin Kleczka Rohrabacher
Cummings Klink Ros-Lehtinen
Cunningham Klug Rothman
Danner Knollenberg Roybal-Allard
Davis (FL) Kolbe Ryan
Davis (VA) LaFalce Sabo
Deal LaHood Sanchez
DeGette Lantos Sanders
Delahunt Latham Sandlin
DeLauro LaTourette Sawyer
DeLay Lazio Saxton
Dellums Leach Scott
Diaz-Balart Levin Serrano
Dickey Lewis (CA) Sessions
Dicks Lewis (GA) Shaw
Dingell Linder Shuster
Dixon Lipinski Sisisky
Dooley Livingston Skaggs
Doolittle Lowey Skeen
Doyle Lucas Smith (NJ)
Dreier Maloney (NY) Smith (TX)
Duncan Manton Smith, Adam
Dunn Manzullo Snowbarger
Edwards Markey Snyder
Ehlers Martinez Solomon
Ehrlich Mascara Spence
Engel Matsui Stokes
English McCarthy (MO) Sununu
Etheridge McCarthy (NY) Talent
Evans McCollum Tanner
Everett McCrery Tauzin
Ewing McDade Taylor (NC)
Farr McDermott Thomas
Fattah McGovern Thornberry
Fawell McHugh Thune
Fazio McClinnis Tiahrt
Filner McIntosh Tierney
Foley McIntyre Torres
Forbes McKeon Towns

Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)

Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Whitfield
Wicker

Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NAYS—106

Barcia
Barr
Barrett (WI)
Barton
Becerra
Berry
Bilirakis
Blunt
Brady
Bryant
Bunning
Burr
Carson
Chabot
Chenoweth
Clement
Clyburn
Coburn
Condit
Conyers
Costello
Cox
Davis (IL)
DeFazio
Deutsch
Doggett
Ensign
Eshoo
Fox
Gedjenson
Gibbons
Goode
Goodling
Green
Gutierrez
Hall (TX)

Harman
Hastings (WA)
Hayworth
Hefley
Hill
Hilleary
Hooley
Hostettler
Hulshof
Hutchinson
Johnson, E. B.
Jones
Kind (WI)
Kucinich
Lampson
Largent
Lewis (KY)
LoBiondo
Lofgren
Luther
Maloney (CT)
McHale
Miller (CA)
Minge
Moran (KS)
Myrick
Neumann
Nussle
Paul
Pease
Poshard
Radanovich
Ramstad
Riley
Roemer
Roukema

Royce
Rush
Salmon
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Shadegg
Shays
Sherman
Shimkus
Skelton
Slaughter
Smith (MI)
Smith, Linda
Souder
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Tauscher
Taylor (MS)
Thompson
Thurman
Trafigant
Turner
Watkins
Watts (OK)
Weller

NOT VOTING—18

Armedy
Bonilla
Coble
Emerson
Flake
Foglietta

Gonzalez
Graham
Hastings (FL)
Hunter
Inglis
Kasich

Parker
Peterson (MN)
Portman
Schiff
Smith (OR)
Spratt

□ 1341

Ms. SLAUGHTER, Mrs. MYRICK, Mrs. TAUSCHER, and Messrs. BRYANT, DAVIS of Illinois, RILEY, SKELTON, GIBBONS, and HILLEARY, Ms. EDDY BERNICE JOHNSON of Texas, Ms. ESHOO, and Messrs. COX of California, BARR of Georgia, LAMPSON, SMITH of Michigan, FOX of Pennsylvania, CLEMENT, and HAYWORTH changed their vote from "yea" to "nay."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO ADJOURN

Mr. TIERNEY. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion to adjourn offered by the gentleman from Massachusetts [Mr. TIERNEY].

The question was taken; and the Speaker announced that the noes appeared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 82, noes 325, not voting 26, as follows:

[Roll No. 433]

AYES—82

Ackerman
Allen
Andrews
Barrett (WI)
Bartlett
Becerra
Berry
Blumenauer
Bonior
Borski
Brown (OH)
Cardin
Clay
Clyburn
Conyers
Coyne
Davis (FL)
DeFazio
Delahunt
DeLauro
Deutsch
Doggett
Eshoo
Evans
Farr
Fattah
Fazio
Filner

Ford
Frank (MA)
Furse
Gejdenson
Gephardt
Harman
Hefner
Hostettler
Jefferson
Johnson (WI)
Johnson, E. B.
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kilpatrick
Kind (WI)
Lampson
Levin
Lewis (GA)
Lowey
Maloney (NY)
McDermott
McGovern
McNulty
Meehan
Miller (CA)
Mink

Moakley
Myrick
Nadler
Neal
Obey
Olver
Pallone
Pascrell
Pelosi
Rodriguez
Sawyer
Scott
Slaughter
Stark
Strickland
Stupak
Tauscher
Thompson
Tierney
Torres
Towns
Visclosky
Waters
Waxman
Woolsey
Yates

NOES—325

Abercrombie
Aderholt
Archer
Armey
Bachus
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barton
Bass
Bateman
Bentsen
Bereuter
Billbray
Bilirakis
Bishop
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bono
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Coble
Coburn
Collins
Combust
Condit
Cook
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cummings

Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
Dellums
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Etheridge
Kim
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary

Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Inglis
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kildee
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Manton
Manzullo
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade

McHale	Portman	Smith (MI)
McHugh	Poshard	Smith (NJ)
McInnis	Price (NC)	Smith (OR)
McIntosh	Pryce (OH)	Smith (TX)
McIntyre	Quinn	Smith, Adam
McKeon	Radanovich	Smith, Linda
McKinney	Rahall	Snowbarger
Meek	Ramstad	Snyder
Menendez	Rangel	Solomon
Metcalf	Redmond	Souder
Mica	Regula	Spence
Millender-	Reyes	Spratt
McDonald	Riggs	Stabenow
Miller (FL)	Riley	Stearns
Minge	Rivers	Stenholm
Mollohan	Roemer	Stokes
Moran (KS)	Rogan	Stump
Moran (VA)	Rogers	Sununu
Morella	Rohrabacher	Talent
Murtha	Ros-Lehtinen	Tanner
Nethercutt	Rothman	Tauzin
Neumann	Roybal-Allard	Taylor (MS)
Ney	Royce	Thomas
Northup	Rush	Thornberry
Norwood	Ryun	Thune
Nussle	Salmon	Thurman
Oberstar	Sanchez	Tiahrt
Ortiz	Sandlin	Trafficant
Owens	Sanford	Turner
Oxley	Saxton	Upton
Packard	Scarborough	Velazquez
Pappas	Schaefer, Dan	Walsh
Parker	Schaffer, Bob	Wamp
Pastor	Schumer	Watkins
Paul	Sensenbrenner	Watt (NC)
Paxon	Serrano	Watts (OK)
Payne	Sessions	Weldon (FL)
Pease	Shadegg	Weller
Peterson (MN)	Shaw	Weygand
Peterson (PA)	Shays	White
Petri	Sherman	Whitfield
Pickering	Shimkus	Wicker
Pickett	Shuster	Wise
Pitts	Sisisky	Wolf
Pombo	Skaggs	Wynn
Pomeroy	Skeen	Young (AK)
Porter	Skelton	Young (FL)

NOT VOTING—26

Baesler	Gekas	Roukema
Berman	Gonzalez	Sabo
Bonilla	Greenwood	Sanders
Burr	Gutierrez	Schiff
Buyer	Hastings (FL)	Taylor (NC)
Cooksey	Hunter	Vento
Flake	Hyde	Weldon (PA)
Foglietta	Markey	Wexler
Frost	Martinez	

□ 1402

Mr. THUNE and Ms. HOOLEY of Oregon changed their vote from "aye" to "no."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 2267, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 239 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 239

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2267) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending

September 30, 1998, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 or 6 of rule XXI are waived. Before consideration of any other amendment it shall be in order to consider the amendment numbered 1 in part 2 of the report of the Committee on Rules, if offered by the Member designated in the report, which may amend portions of the bill not yet read for amendment. The amendments printed in part 2 of the report of the Committee on Rules may be offered only by a Member designated in the report and, except for the amendment numbered 1, may be offered only at the appropriate point in the reading of the bill. The amendments in part 2 of the report of the Committee on Rules shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendment numbered 2 in part 2 of the report of the Committee on Rules are waived. Points of order against the amendments numbered 1 and 3 in part 2 of the report of the Committee on Rules for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from California [Mr. DREIER] is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my very good friend, the gentleman from Dayton, OH [Mr. HALL], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. DREIER asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. DREIER. Mr. Speaker, this rule makes in order H.R. 2267, the Departments of Commerce, Justice and State, and related agencies appropriations bill for fiscal year 1998 under an open rule. It waives all points of order against provisions of the bill as amended by this rule, containing unauthorized appropriations or constituting legislation in appropriations bills.

The rule self-executes the adoption of an amendment contained in the Committee on Rules report providing for judicial review of census sampling. It also makes in order three additional amendments contained in the report and provides the appropriate waivers. The rule also contains the standard procedures for priority recognition of amendments and the rolling of votes on amendments, as the reading clerk has outlined.

Mr. Speaker, this is a very reasonable rule that allows the House to work its will on a number of very contentious issues. It provides several options for dealing with the issue of reimbursing individuals paid by the Clerk of the House for legal expenses in conjunction with an unjustified Department of Justice prosecution.

It provides for the consideration of compromise language in the form of an amendment by the gentleman from Indiana [Mr. BURTON], the chairman of the Committee on Government Reform and Oversight, dealing with the Legal Services Corporation.

The rule also provides for a Mollohan-Shays alternative on funding for Census 2000 and the use of funds for activities related to sampling.

At the request of the minority, the Committee on Rules increased the debate time on that amendment from 30 minutes to 80 minutes.

Mr. Speaker, we have every right to be concerned about the Census Bureau's proposal to use statistical sampling to determine our Nation's population, especially since our U.S. Constitution very specifically states actual enumeration should take place. Statistical sampling is fraught with the potential for abuse.

One can only imagine how an administration policy which has actually led to the registration of noncitizens with criminal records to vote could also potentially lead to the abuse of statistical sampling.

I would like to commend the gentleman from Kentucky [Mr. ROGERS], the chairman, for his tremendous effort in putting together a bill that reflects our Nation's values and priorities. It provides additional funding for State and local law enforcement, juvenile crime control, State prison grants and drug enforcement, including efforts to stop drug trafficking across our borders.

The bill recognizes the ongoing financial burden that States bear for incarceration of illegal aliens. States such