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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mrs. EMERSON].

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 25, 1997.

I hereby designate the Honorable JO ANN EMERSON to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Reverend J.A. Panuska, S.J., president, University of Scranton, Scranton, PA, offered the following prayer:

Let us pray.

From ''Pied Beauty'' by the Jesuit poet Gerard Manley Hopkins.

Glory be to God for dappled things—
All things counter, original, spare, strange;
Whatever is fickle, freckled, (who knows how?)
With swift, slow, sweet, sour; adazzle, dim;
He fathers-forth whose beauty is past change: Praise him.

We praise You God for life in all its dazzling varieties. We thank You for gifts, basic yet beautiful: for love, for faith, for truth, and for dreaming. We ask Your blessing on this great Nation, on every nation, and on those who lead them. May we remember in our gladness those who suffer. May we share our prosperity with those in need. And may we seek justice and peace in our hearts and in our world. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. MCNULTY. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Chair's approval of the Journal.

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

Mr. MCNULTY. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Arkansas [Mr. HUTCHINSON] come forward and lead the House in the Pledge of Allegiance.

Mr. HUTCHINSON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 2248. An act to authorize the President to award a gold medal on behalf of the Congress to Ecumenical Patriarch Bartholomew in recognition of his outstanding and enduring contributions toward religious understanding and peace, and for other purposes; and

H.R. 2443. An act to designate the Federal building located at 601 Fourth Street, NW., in the District of Columbia, as the ''Federal Bureau of Investigation, Washington Field Office Memorial Building'', in honor of William H. Christian, Jr., Martha Dixon Martinez, Michael J. Miller, Anthony Palmisano, and Edwin R. Woodriffe.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2209) ''An Act making appropriations for the Legislative Branch for the fiscal year ending September 30, 1998, and for other purposes.''

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 542. An act to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel FAR HORIZONS;

S. 662. An act to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel VORTICE;

S. 830. An act to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the regulation of food, drugs, devices, and biological products, and for other purposes; and

S. 880. An act to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel DUSKEN IV.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will recognize fifteen 1-minute speeches from each side after the gentleman from Pennsylvania [Mr. MCDADE].

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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WELCOMING THE REVEREND J.A. PANUSKA TO THE HOUSE OF REPRESENTATIVES

(Mr. MCDADE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCDADE. Madam Speaker and my colleagues, I am privileged to welcome to this Chamber the Reverend J.A. Panuska, and I want to thank him for his very inspirational words during this morning's opening prayer.

Father Panuska is one of the most distinguished citizens of our Nation, serving as the president of the University of Scranton in Scranton, PA, and I am proud to call him friend. We in northeastern Pennsylvania have been blessed to have him as a neighbor in our community.

Thousands of students, faculty, and local citizens' lives have been enriched both by Father Panuska's guidance and by the many deeds he has accomplished, all with great excellence. He is an extraordinary man who is well respected in the local community, the academic community, and the spiritual community.

Founded in 1888, the university he presides over, the University of Scranton, is recognized nationally for the quality of its educational programs and for the remarkable record of its graduates receiving Fulbright scholarships. Under Father Panuska's leadership, the university has been ranked consistently among the top comprehensive institutions in the Northeastern and Middle Atlantic States, and although much of his time has been spent on his favorite discipline, cryobiology, administrative duties, and many other responsibilities, Father Panuska's true interest has always been the students he presides over.

In 1998, Father Panuska will conclude his 16-year tenure as president of the University of Scranton and will celebrate the 50th year of his entrance into the Society of Jesus. With all of my colleagues, I know we want to congratulate him on his service, to thank him for his friendship, and to wish him the best of luck in his new endeavors.

MOTION TO ADJOURN

Mrs. MINK of Hawaii. Madam Speaker, I have a privileged motion at the desk.

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

The Clerk read as follows:

Mrs. MINK of Hawaii moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentlewoman from Hawaii [Mrs. MINK].

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

Mrs. MINK of Hawaii. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 71, nays 337, not voting 25, as follows:

[Roll No. 438]

YEAS—71

Allen
Barrett (WI)
Becerra
Berry
Bonior
Borski
Brown (CA)
Brown (OH)
Conyers
Davis (FL)
DeFazio
Delahunt
DeLauro
Deutsch
Doggett
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Frank (MA)
Furse
Gephardt
Gutierrez
Harman
Hinchey
Hostettler
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Kaptur
Kennelly
Kilpatrick
Kind (WI)
Largent
Levin
Lewis (GA)
Lowey
Markey
Martinez
McCarthy (MO)
McDermott
McNulty
Miller (CA)
Mink
Obey
Olver
Pallone
Pastor
Pelosi
Pomeroy
Rangel
Salmon
Sawyer
Scarborough
Shadegg
Slaughter
Stabenow
Stupak
Tauscher
Tierney
Torres
Towns
Velazquez
Vento
Waters
Waxman
Woolsey
Yates

NAYS—337

Abercrombie
Ackerman
Aderholt
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bono
Boswell
Boucher
Boyd
Brady
Brown (FL)
Bryant
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crapo
Cubin
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Etheridge
Everett
Ewing
Fawell
Flake
Foley
Forbes
Ford
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Houghton
Hulshof
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Jones
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Owens
Oxley
Packard
Pappas
Parker
Pascrell
Paul
Paxon
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sanford
Saxton
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn
Young (FL)

NOT VOTING—25

Andrews
Archer
Bonilla
Burton
Coyne
Crane
Cummings
Dellums
Dixon
Foglietta
Gibbons
Gonzalez
Greenwood
Hastings (FL)
Hunter
Johnson, Sam
Manton
McInnis
Nadler
Reyes
Rogan
Schiff
Schumer
Solomon
Young (AK)

□ 1026

Messrs. MORAN of Virginia, DUNCAN, MINGE, and LUTHER changed their vote from ''yea'' to ''nay.''

Mr. BROWN of California and Mr. PASTOR changed their vote from ''nay'' to ''yea.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

THE JOURNAL

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to clause 5 of rule I, the pending business is the question of the Speaker's approval of the Journal of the last day's proceedings.

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

RECORDED VOTE

Ms. JACKSON-LEE of Texas. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 331, noes 78, not voting, 24, as follows:

[Roll No. 439]

AYES—331

Ackerman
Aderholt
Allen
Andrews
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bono
Boswell
Boucher
Boyd
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chambliss
Clement
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Coyne
Crapo
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeGette
Delahunt
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fawell
Flake
Foley
Forbes
Ford
Fowler
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefner
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McIntyre
McKeon
McKinney
Meehan
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (PA)
Petri
Pitts
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Redmond
Regula
Reyes
Riggs
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sanchez
Sanders
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snyder
Solomon
Spence
Spratt
Stabenow
Stark
Stenholm
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Tierney
Torres
Traficant
Turner
Upton
Velazquez
Walsh
Watkins
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (FL)

NOES—78

Abercrombie
Becerra
Bonior
Borski
Brady
Brown (CA)
Chabot
Christensen
Clay
Clayton
Clyburn
Costello
Cramer
DeFazio
DeLauro
Doggett
English
Ensign
Everett
Fazio
Filner
Fox
Gejdenson
Gephardt
Green
Gutierrez
Gutknecht
Hefley
Hill
Hilleary
Hinchey
Kelly
Kilpatrick
Kingston
Kucinich
Lewis (GA)
LoBiondo
Maloney (NY)
Manzullo
McDermott
McGovern
McNulty
Meek
Miller (CA)
Moran (KS)
Oberstar
Pallone
Pickering
Pickett
Pombo
Pomeroy
Poshard
Ramstad
Riley
Sabo
Salmon
Sawyer
Schaffer, Bob
Sessions
Shadegg
Smith, Linda
Snowbarger
Souder
Stearns
Stokes
Strickland
Stupak
Taylor (MS)
Thompson
Thune
Thurman
Towns
Vento
Visclosky
Wamp
Waters
Watts (OK)
Weller

NOT VOTING—24

Archer
Bonilla
Chenoweth
Cox
Crane
Cubin
Cummings
Davis (FL)
Dixon
Foglietta
Gibbons
Gonzalez
Hastings (FL)
Herger
Hilliard
Houghton
Manton
McInnis
McIntosh
Peterson (MN)
Rogan
Schiff
Schumer
Young (AK)

□ 1043

Mr. NEAL of Massachusetts changed his vote from ''no'' to ''aye.''

So the Journal was approved.

The result of the vote was announced as above recorded.

□ 1045

WHITE HOUSE THREATENS TO KEEP CONGRESS IN SESSION

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Madam Speaker, the White House has threatened to keep the Congress in session until it brings up legislation to reform the current campaign laws. Well, that is fine with me. It will give both the House and Senate more time to examine in detail every campaign law that this administration broke during the last election.

There are laws on the books against soliciting campaign funds from Federal property. There are laws on the books that prohibit campaign contributions from foreign services, especially the Communist Chinese. There are laws on the books that prohibit campaign events from occurring at Buddhist temples. These are just some of the abuses that we have already found in the Clinton-Gore reelection campaign.

The President can keep us in session as long as he wants. It will give us much more time to examine in detail the emerging Clinton-Gore campaign scandal.

RALPH ELLISON'S ''INVISIBLE MAN''

(Mr. SAWYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAWYER. Madam Speaker, today is the 40th anniversary of Little Rock, AR. It is also the 45th anniversary year of the publication of a novel that changed America, Ralph Ellison's ''Invisible Man.''

The central conceit in that compelling piece of literature was the invisibility of African-Americans in American society. It began, ''I am an invisible man. I am invisible, understand, simply because people refuse to see me.''

Five years later, Central High School was on every television in America and millions of Americans were invisible no more. Today, it is a deep irony that if we fail to conduct the most complete census we are capable of, we will make millions of Americans of a color disappear from the public rolls of the Nation.

At the same time, in Orange County, in an attempt to change the outcome of an election, a former Member of this House is trying to manufacture people of color to suggest a fraud, manufacture people of color out of thin air.

JENNIFER DAVIS IMPRISONED IN PERU

(Mr. EWING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EWING. Madam Speaker, September 25, 1996, 1 year ago, Jennifer Davis was in Peru. She was arrested on drug charges. She has admitted her guilt and has cooperated with authorities. For this, she has been put in an inhumane prison, has never received her rights under Peruvian law. While she has been there for 1 year, a Russian arrested is in and out in 6 months; a policeman that she put the finger on is in and out in 6 months.

This Peruvian Government has refused to consider the sense-of-Congress resolutions passed in both Houses to extend our human rights to this young lady and 24 other Americans. It is time to do something about it.

ACT NOW ON CAMPAIGN FINANCE REFORM

(Mr. DOGGETT asked and was given permission to address the House for 1 minute.)

Mr. DOGGETT. Madam Speaker, with daily speeches, repeated requests for recorded votes, motions to adjourn, and objections, we are attempting to convince the Republican leadership that it is less trouble to schedule a vote on campaign finance reform than to not schedule one. With a motion to adjourn, we are saying adjourn the special interests that corrupt the political process. With a motion to approve the Journal, we are saying approve a Journal that reflects real campaign finance reform.

The announcement of the gentleman from Texas [Mr. ARMEY] yesterday that in response to these Democratic procedural moves he would schedule something sometime on this issue I suppose is a step forward. It has taken 9 months, but we finally appear to have moved the Republican leadership from ''definitely no'' to ''maybe sometime on something.''

House Republicans should now give us a specific time and should work out the terms of debate. Only then will we have a true ''yes'' to real campaign finance reform. To clean up the campaigns for 1998, we must act now.

DOES ANYONE HAVE ANY ANSWERS?

(Mr. BALLENGER asked and was given permission to address the House for 1 minute.)

Mr. BALLENGER. Madam Speaker, I have been following these accusations of campaign finance scandals and reform and outrageous political corruption with great interest. But I must admit, I am having an awfully hard time keeping up.

My Democrat friends insist that it is just political and that there is really nothing to them. Since my good friends on the liberal side of the aisle have such a sterling reputation for fairness and their own ironclad commitment to nonpartisanship, I would like them to clear up a few questions I have, questions I am sure they are just as eager to have answered as I am.

So, who did hire Craig Livingston at the White House? You know, the former bouncer put in charge of security at the White House and who somehow ended up with 900 FBI files on us Republicans?

Another question I have is, what is the difference between a fund-raiser and a finance-related event? I would like to know so that I too can get around the same laws which restrict such activities.

Why did John Huang hide for several days from a Federal judge in order to keep embarrassing fund-raising revelations quiet until after the 1996 election?

Does anyone have those answers?

MAJORITY LEADER ANNOUNCES CONSIDERATION SOMETIME THIS YEAR OF CAMPAIGN FINANCE REFORM

(Mr. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Madam Speaker, the House of Representatives must be allowed to debate and vote on substantive bipartisan campaign finance reform. The question is, will the Republican leadership allow this to happen?

The press is reporting today that the gentleman from Texas [Mr. ARMEY], majority leader, has said that there will be consideration sometime this year. I am encouraged by these comments. The time has come now for the majority leader and the minority leader to sit down and work out the terms of these debates, just as the majority leader and the minority leader in the Senate sat down and discussed how debate will be conducted later this year.

When that is done, the House can go back to business as usual and the country can receive the debate that it is entitled to. I encourage the majority leader to sit down with the minority leader and work out the terms of a bipartisan debate and legislation on campaign finance reform.

CAMPAIGN FUND-RAISING INVESTIGATIONS

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Madam Speaker, liberals are calling congressional investigations in the White House fund-raising scandals and political corruption a partisan witch hunt. Does anyone take this accusation seriously?

The fact is, the only thing we are hunting for are the 6 foreign nationals that fled the country, the 10 foreign witnesses refusing interviews by the Thompson Committee and the 31 witnesses who have pled the fifth amendment.

The same administration that claims to be cooperating fully with investigators has got a list of noncooperating witnesses that grows daily. They have a very strange notion of cooperation indeed.

I am beginning to think that the liberal idea of campaign finance reform is to pass a law that says these crimes should not be investigated, political corruption should go unpunished, and lawbreaking should be overlooked if it involves foreigners of any kind, especially if those foreigners are from Communist countries.

One wonders if the 50 fugitive friends of Bill are what the President had in mind when he pledged to have the most ethical administration in history.

THE IRS IS BEING PICKED ON

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Madam Speaker, former IRS commissioner said, ''Congressman Traficant for years has worked to turn the American people against the IRS.'' He said, ''It is unfair, and the IRS is not a two-headed monster.''

The IRS is being picked on. How about a pity party. Do I hear violins? Let us tell it like it is. If the IRS is not a two-headed monster, why are American citizens literally wearing bags over their heads afraid to death to tell the Government how they feel about the IRS? The truth is, the American people know the IRS, the Congress knows the IRS, and the IRS knows the IRS.

I want to say one last thing. I am going to advise IRS spokespeople to stop mentioning my name on national television. I yield back the balance of their abuses.

ELIMINATE IRS CODE

(Mr. BLUNT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUNT. Madam Speaker, as I was walking out of the revolving door here yesterday after what I think was our fourth vote to adjourn, I was reminded of that Bill Murray movie ''Groundhog Day.'' Here we are again, right back in the same day, voting to adjourn, voting on the Journal, voting on the Suspension Calendar, and not doing the business of the American people.

Yesterday, we also announced an effort to abolish the IRS Code, I say to the gentleman from Ohio [Mr. TRAFICANT], by December 31, 2000, abolish the Code, end the IRS as we know it, end those abuses, end the constant harassment of Americans by an agency that is out of control.

The Declaration of Independence has 1,300 words. The Bible has 73,000 words. The IRS code has 2.8 million words. It needs to be eliminated.

LORETTA SANCHEZ IS HERE TO STAY

(Mr. SERRANO asked and was given permission to address the House for 1 minute.)

Mr. SERRANO. Madam Speaker, let me see if I get this straight. The gentlewoman from California [Ms. SANCHEZ] wins an election in California, she is certified by a Republican Secretary of State, she comes to the House and takes her seat, and she begins to do her district's work. Then all of a sudden Republicans launch an unprecedented attack not only on the Hispanic voters in her district, but on Hispanic voters throughout the Nation.

This is the same party that is telling us that they want to bring Hispanics into their party and invite them in. Well, they must have hired the same consultant to do this advice that told them to close down the Government a couple years ago.

I suggest they are getting ripped off. Let the gentlewoman from California

[Ms. SANCHEZ] go. Stop harassing Hispanic voters. She is here, and she is going to stay.

EPA NEW CLEAN AIR STANDARDS

(Mr. TIAHRT asked and was given permission to address the House for 1 minute.)

Mr. TIAHRT. Madam Speaker, well, it is lawyers over lunch buckets once again for EPA and this administration. Secretary Browner and the EPA have proposed new clean air standards so complicated and so cumbersome that they will employ many more lawyers and lay off working men and women.

Where is the scientific data that supports this need for these choking regulations? We have not seen the data. If it exists, it must be hidden under the mountain of draft proposed regulations.

History tells us that new regulations also drive up the cost of transportation, the cost of the production of goods, and in the trade world of NAFTA and GATT, that will cost working men and women their jobs. This loss of jobs is simply a natural product of an economy that has more government bureaucrats than manufacturing workers. Too much regulation, not enough work.

It is somewhat like EPA's Superfund, badly in need of reform, which spends over half of its budget on lawyers instead of cleaning up the mess. The new clean air standards will enrich the lawyers at the cost of working men and women.

Yes, Madam Speaker, it is lawyers over lunch buckets for the EPA and this administration.

MOVE FORWARD ON CAMPAIGN FINANCE REFORM

(Ms. MCCARTHY of Missouri asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MCCARTHY of Missouri. Madam Speaker, as one who has worked tirelessly for fiscal responsibility in a bipartisan effort to balance the budget and bring taxpayer relief, I am outraged by the millions of tax dollars being spent investigating past campaigns, while no House action is allowed on reforming the campaign fiance system for the future.

Why are Republican leaders in the House continuing to look backward, indeed, closing their eyes to what is so obviously a priority with the citizens of this Nation?

In my district they want us to move forward, reform a system that is in dire need of change. Our President is ready. Congressional Democrats on both sides of the aisle, both sides of the rotunda are ready, as well of even some Senate Republicans are calling for reform.

Madam Speaker, I urge the House Republican leadership to get on board with a bipartisan, bicameral effort to fix this system.

□ 1100

IMAGES OF PROGRESS

(Mr. HUTCHINSON asked and was given permission to address the House for 1 minute.)

Mr. HUTCHINSON. Madam Speaker, for many people across this country, Little Rock's Central High School brings a searing image to mind when 1,000 armed men were forced to escort nine African-American children through the doors of the high school. It is an image in this Nation's past, one of hostility, fear, and resistance to change.

However, Madam Speaker, I would suggest that other images survive, too, images of courage, hope, and perseverence; the image of the young Elizabeth Eckford, an image of personal strength and character. I am also inspired by the courage of those students who stood firm in support of their new classmates. As Melba Patillo, another of the students seeking entrance to Central High School said, ''Each time as I was about to give up exhausted from the jeers and insulting remarks, some kind face would come up and say: 'I want you here.' ''

Madam Speaker, we have not eliminated intolerance in our country, but this weekend, marking the 40th anniversary of the Central High conflict, individuals who once confronted one another during those angry days will come together. Even as I speak, buses filled with a new generation of Freedom Riders from the University of Arkansas are arriving in Little Rock to help shape the united future for our Nation. Madam Speaker, these images all of them should be remembered. They are images of progress.

CELEBRATING 40TH ANNIVERSARY OF LITTLE ROCK NINE

(Mr. SNYDER asked and was given permission to address the House for 1 minute.)

Mr. SNYDER. Madam Speaker, I join my colleagues from Arkansas in celebrating today the 40th anniversary of nine black students entering Central High School. The President is there today to walk in the school with the Little Rock Nine. Who can forget this unforgettable picture of courage on the part of one 15-year-old and racism on the face of the other.

Today it is a celebration of heroes. Elizabeth Eckford, Ernest Green, Minnijean Brown Trickey, Terrence Roberts, Jefferson Thomas, Carlotta Walls Lanier, Gloria Ray Karlmark, Melba Pattillo Beals, Thelma Mothershed Wair. We learned from their courage in the past. Today we learn from their wisdom.

This is a picture taken just this week of these same two 15-year-old girls. Forty years ago we learned from their courage. Today we learn of the ability to forgive and move on and learn from the mistakes of the past.

SAVE AMERICA, STOP LAWSUIT ABUSE

(Mr. BARTLETT of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Madam Speaker, I commend the Members of the Western Maryland Citizens Against Lawsuit Abuse [WMCALA] for joining thousands of Marylanders in declaring this week of September 21 through September 28 Lawsuit Abuse Awareness Week.

This group points out that we all pay for outrageous punitive damages and settlements from excessive and frivolous lawsuits. They note that this results in higher prices on goods and services, higher prices for medical care and equipment, loss of safety improvements or product innovations for fear of lawsuits, jobs lost, and businesses forced to close to pay judgments.

Congress passed comprehensive legal reform and product liability reform. President Clinton vetoed both. We are all paying a heavy price for the $2.5 million in contributions from trial lawyers to President Clinton's 1996 campaign. We commend Western Maryland Citizens Against Lawsuit Abuse.

WORKING TOGETHER ON 40TH ANNIVERSARY OF LITTLE ROCK HIGH SCHOOL CRISIS

(Mr. BERRY asked and was given permission to address the House for 1 minute.)

Mr. BERRY. Madam Speaker, it is fitting that we rise today to commemorate the 40th anniversary of the Little Rock high school crisis. I remember that time well. I was in high school myself at that time. There was much unfairness, and there was much courage.

I believe that the world has changed a lot since that terrible time. Today just about every student who would like to has the opportunity to get a college education. Because of recent actions of the Congress, we will be able to even help more of the young people that want to achieve their goals.

But we look back on the year 1957 with much sadness. We also face the future with much hope. Today we celebrate how far we have come. We also recognize how far we yet have to go. Most of all, we remember the lesson that it has taught us. We all do better when we work together.

CALL FOR MORE TAX RELIEF

(Mr. KNOLLENBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KNOLLENBERG. Madam Speaker, what a difference 4 years makes. In 1993 President Clinton and a Democrat Congress rammed through a budget that contained the largest tax increases in the history of this country

and $200 billion deficits as far as the eye could see.

With a determination to save the American dream for the next generation, the Republican Congress turned the tax-and-spend culture of Washington upside down and produced a balanced budget with tax cuts for the American people. Now that the Federal Government's financial house is finally in order, the big question facing Congress, and the President, by the way, is what is next? With the average family still paying more in taxes than they do for the basic necessities, the obvious answer is, an across-the-board tax cut for everybody.

As we move from the era of big budgets and budget deficits to budget surpluses, some in this town will argue that we can afford to spend more money on more Washington programs. This is the mindset that created the problem in the first place. For our children's sake, it should be rejected. I urge, Madam Speaker, to continue fighting for more tax relief for the American people.

THE LITTLE ROCK NINE: A RIGHTFUL PLACE IN HISTORY

(Mr. LEWIS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Georgia. Madam Speaker, 40 years ago nine black students came to the doors of Central High School in Little Rock, AR, and demanded a seat in a classroom where they were denied welcome. They were entitled to be there by law, but they could not be there because an angry, hateful mob and Arkansas State troopers turned them away. The Little Rock Nine did nothing wrong. They were denied an education. They were turned away by hatred and bigotry. They were turned away because they were black.

Three weeks later, on September 25, President Eisenhower ordered Federal troops to escort the Little Rock Nine into Central High School. In doing so, the Little Rock Nine rocked not just a city, they rocked the Nation. As giants in our Nation's struggle for civil rights, the Little Rock Nine have earned their rightful place in history.

So today, Madam Speaker, we mark the 40th anniversary of the desegregation of Central High School. Because of their action, we have witnessed a nonviolent revolution in America. Our country is a better country, a better place, and we are better people because of them.

LEGAL ISSUES IN DISPUTED CALIFORNIA ELECTION

(Mr. MENENDEZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MENENDEZ. Madam Speaker, the Republican majority on the Committee on House Oversight seems to be willing to go to any length to overturn the election of Congresswoman LORETTA SANCHEZ. The committee majority is in the process of sharing the Immigration and Naturalization Service records of hundreds of thousands of Orange County residents with the California Secretary of State. These records contain personal information on law-abiding U.S. citizens, many of them targeted by committee investigators simply because they have Hispanic surnames or because they reside in certain neighborhoods, and that is an outrage.

Everyone in this House must be concerned if the majority is simply acting as a conduit to circumvent Federal privacy protections. We need to be concerned with the legal issues that are involved for every American in this country, and if Hispanic-Americans have to believe that, in fact, simply because of their Hispanic surname, like I who was born in the United States, will be on some list, that that is the reason that they are going to be able to introduce and get into their privacy records, that has no end, and that cannot be tolerated by this Congress.

AGAINST H.R. 1270, NUCLEAR WASTE POLICY ACT

(Mr. ENSIGN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ENSIGN. Madam Speaker, I rise today in opposition of the Nuclear Waste Policy Act of 1997. Rarely in America do environmental groups, do private property rights groups and the people who truly believe in States rights ever join together to oppose something or to support something. But in this case, Madam Speaker, they all join together to oppose the Nuclear Waste Policy Act of 1997. The reason is because from an environmental standpoint, there are safety reasons.

During the transport of nuclear waste across 43 States, there are transportation safety reasons that environmental groups oppose this for. Private property rights oppose it because it devalues private property values as nuclear waste is transported past those private profits. And States rights people are against it because this is one State having nuclear waste shoved down its throat against its will. This is against the U.S. Constitution.

PASS MEANINGFUL CAMPAIGN FINANCE REFORM

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Madam Speaker, we have heard from the White House, we have heard from the Senate, and we have heard from the American people loud and clear. It is time to move forward and pass meaningful campaign finance reform. Now we are hearing that the majority leader might do something sometime. When is this House going to be ready? When will the leadership of this House be prepared to clean up the campaign finance mess we have in this country?

This House, the people's House, should be the loudest voice in the chorus. We must put a stop to big money special interests flooding the halls of our Government. It is time, Madam Speaker, for the Republican leadership to join with us to tell the American people that the buck stops here.

WORKING FOR RACIAL HARMONY

(Mr. DICKEY asked and was given permission to address the House for 1 minute.)

Mr. DICKEY. Madam Speaker, in September 1957, I was a 17-year-old freshman living in Pine Bluff, AR, and I was traveling through Little Rock to get to my school in Conway. I had no idea what was actually going on. I am here to tell my colleagues that I also went last week to Little Rock, AR, to a reconciliation rally and saw 13,000 kids and the rest of the State working to bring ourselves together because of what happened at Little Rock Central.

That rally made me think of Wiley Branton, who is a lawyer for my city, who carefully saw that I was indifferent to this and carefully told me the story of what it was like. He was in the middle of those heated exchanges, in the middle of that history-making event.

I want to thank Wiley Branton, I want to thank my colleague JOHN LEWIS, for the service that they have given before and to thank them also and all of the people who knew me and knew how indifferent I was then for the toleration they had for me and forgiving me for my indifference. I want to do all I can to bring racial harmony to Little Rock, AR, to our State and to our Nation.

ANTIPERSONNEL LANDMINES

(Mr. CAPPS asked and was given permission to address the House for 1 minute.)

Mr. CAPPS. Madam Speaker, I rise today in great dismay over the President's decision not to sign the Ottawa treaty banning antipersonnel land mines. The administration's position defies reason. The only way that the United States can show leadership on this issue is to sign the comprehensive ban treaty on these deadly devices. One hundred nations courageously have changed their policy, but U.S. lawyers have simply changed the definition of a landmine.

But a landmine by any other name is still a landmine, and landmines are immoral. People around the globe have come together to say, no more. No more killing, no more maiming, no more maiming of innocents. No more fear of leaving one's home to find food. No more social and economic dislocation to the world's neediest countries. I

ask the President to sign the treaty to ban the antipersonnel landmines.

□ 1115

WHAT ARE A MINORITY OF DEMOCRATS TRYING TO STOP?

(Mr. HORN asked and was given permission to address the House for 1 minute.)

Mr. HORN. Madam Speaker, I have answered to these rollcalls on adjournment a dozen or more times in the last few weeks. It is an attempt by a determined minority on the other side. They are not the majority. The majority of Democrats have voted against these motions to adjourn, but 66 or so people, including the Democratic leader, have voted for these nuisance motions, and those other motions they can make under the House rules. What are they trying to stop?

They are trying to stop the appropriations process which needs time on the floor to meet the October 1 beginning of the new fiscal year. They are also trying to stop the 1996 campaign finance investigation process.

Yesterday, the Committee on Government Reform and Oversight was in a meeting all day, 10 o'clock to 6 o'clock. Serious deliberations were interrupted by numerous nuisance votes to adjourn.

Some people just want us to go home. They do not want the investigation to continue. We have 58 witnesses that are unavailable that we are trying to depose, and within the 58, 11 have left the country; 11 foreigners have refused to be interviewed by the police agencies in their country to give us evidence; 36 of the 58 have pled the fifth amendment and refused to testify.

It is time the Democratic minority get to work and quit the nuisance motions. That is what the American people want—whether they are Democrats, Independents, or Republicans.

CONGRESS MUST HANDLE THE MOST IMPORTANT ISSUE CONCERNING ELECTIVE DEMOCRACY

(Mrs. MINK of Hawaii asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MINK of Hawaii. Madam Speaker, this morning I offered the motion to adjourn. I offered the motion to adjourn because I do not believe this House has the right to sit in session unless we handle the most important issue concerning the elective democracy in this country, and that is how we raise money.

All of us go out and tell our constituents we need money in order to finance our campaigns. We tell our constituents that we are governed by laws that say we cannot collect more than $1,000 for every election, and the PAC's live under similar restrictions of $5,000 for every election. And yet night after night we read about these people who contribute $100,000, $200,000, half a million dollars to our party committees.

Who can fix it? It is only the Congress that can fix it, and we should not be in session unless we handle this. I call upon the leadership to schedule this item, and when they do, there will no longer be motions to adjourn.

SCHOOL CHOICE GAINING SUPPORT AMONG MINORITIES

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Madam Speaker, the Secretary of Education believes giving low income parents the ability to send their children to a better and safer school is, ''a simplistic world view and dead wrong.'' But recent polls show that school choice is gaining support in America, especially among minorities. A recent study shows that 57 percent of African-Americans and 65 percent of Hispanics support school choice. I am surprised the administration is coming out against such a commonsense idea. Secretary Riley made it clear that low income families will not be helped by this administration.

Now let me make it clear that we in Congress will continue to push for school choice. See, we do not believe the President should be the only person in public housing with the opportunity to send his child to a better school.

BIPARTISAN TASK FORCE TAKING THE BOLD STEP OF BANNING SOFT MONEY

(Mr. PASCRELL asked and was given permission to address the House for 1 minute.)

Mr. PASCRELL. Madam Speaker, the efforts of the bipartisan task force have given us a very real chance for meaningful campaign finance reform. I am committed to seeing that this opportunity is not lost. It is incumbent upon this Congress that we honestly address the many flaws in the current system by which we finance our campaigns. Whether we want to admit it or not, the fact is that our campaign finance system is jeopardizing our credibility. We should not fool ourselves into believing that the problem is only the illegal activities that occur during campaigns. Quite to the contrary, the real problems stem from what is allowed under the law.

Madam Speaker, our bill takes the bold and important step of banning soft money. In the last election cycle we witnessed an explosion in the amount of soft money. Democrats and Republicans combined to raise more than $260 million, and by 2000 it will be a billion dollars.

PRESIDENT THREATENS TO CALL US INTO SESSION TO INVESTIGATE CAMPAIGN FINANCE REFORM

(Mr. SOUDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SOUDER. Madam Speaker, it is actually hilarious to listen to the President threaten to call us into session to investigate campaign finance reform. Maybe for 1 day we can investigate his friends who are in jail, 1 day we can investigate his friends who have been released from jail, 1 day to investigate his friends who are indicted and maybe soon heading to jail, 2 days to investigate his friends who received immunity, one for partial and 1 for people who have received full immunity, 2 days for his friends who are pleading the fifth and unwilling to testify, and 3 days for his friends who have given him money and are now escaped overseas, and we could actually break this down by continent, or maybe if we have a few extra days, we can look into the impeachment resolution of the gentleman from Georgia [Mr. BARR].

What a joke. Did he think of this when he was raising the million dollars in San Francisco the other day? Before or after? I think it is a mockery of this process for this President to propose that we should be looking at campaign finance reform. He is the one with the problem.

WHERE IS OUR VOTE ON CAMPAIGN FINANCE REFORM?

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous material.)

Ms. DELAURO. Madam Speaker, yesterday the majority leader stated that it is his ''expectation that we will finally consider campaign finance reform,'' this fall. I have a message for my colleague from Texas. As of this past Monday, September 22, it is already fall.

The American people have waited too long. They know the system is broken, and they want it fixed. The people lose faith day by day in our political system.

Example: Tobacco industry gets $50 billion in a tax break; tobacco industry, single biggest contributor to the Republican Party in the last election. I do not know any working family in this country that got a $50 billion tax break. The American people understand this.

The other body, in fact, has scheduled the vote; the President wants to pass a bill. I ask the Speaker of this House, where is our vote? And, yes, my colleagues, every single day the minority will use the tool available to them, calling for motions to adjourn, until they bring up campaign finance reform. The American people deserve it.

MOTION TO ADJOURN

Ms. WOOLSEY. Madam Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion to adjourn offered by the gentlewoman from California [Ms. WOOLSEY].

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

Ms. WOOLSEY. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 82, nays 334, not voting 17, as follows:

[Roll No. 440]

YEAS—82

Abercrombie
Ackerman
Allen
Andrews
Barrett (WI)
Becerra
Berry
Bonior
Borski
Brown (OH)
Clyburn
Conyers
Coyne
Davis (FL)
Davis (IL)
DeFazio
Delahunt
DeLauro
Deutsch
Doggett
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Gejdenson
Gephardt
Harman
Hilleary
Hostettler
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (WI)
Johnson, E. B.
Kaptur
Kennelly
Kilpatrick
Kind (WI)
Levin
Lewis (GA)
Lowey
Markey
Martinez
McCarthy (MO)
McDermott
McGovern
McNulty
Miller (CA)
Mink
Myrick
Obey
Olver
Owens
Pallone
Pastor
Payne
Pelosi
Pomeroy
Rangel
Rodriguez
Salmon
Sawyer
Scarborough
Shadegg
Solomon
Strickland
Stupak
Tauscher
Tierney
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Waxman
Woolsey

NAYS—334

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bono
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (VA)
Deal
DeGette
DeLay
Dellums
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Etheridge
Everett
Ewing
Fawell
Flake
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McIntosh
McIntyre
McKeon
McKinney
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Packard
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Sanchez
Sandlin
Sanford
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—17

Bonilla
Clement
Cox
Edwards
Foglietta
Gibbons
Gonzalez
Hastings (FL)
Hefner
Hinchey
Largent
McInnis
Oxley
Rogan
Sanders
Schiff
Weldon (FL)

☐ 1143

Mr. PEASE and Mr. MCINTOSH changed their vote from ''yea'' to ''nay.''

Mr. RODRIQUEZ changed his vote from ''nay'' to ''yea.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

CONFERENCE REPORT ON H.R. 2266, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1998

Mr. GOSS. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 242 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 242

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2266) making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Florida [Mr. GOSS] is recognized for 1 hour.

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

Mr. GOSS. Madam Speaker, for the purposes of debate only, I yield the customary 30 minutes to the distinguished gentleman from Texas [Mr. FROST], pending which I yield myself such time as I may consume. During consideration of this resolution, Madam Speaker, all time yielded is for the purpose of debate only on this subject.

Madam Speaker, House Resolution 242 is a very straightforward rule that allows the House to consider the conference report on H.R. 2266 for fiscal year 1998 Department of Defense Appropriations Act. As is customary for this type of legislation, the rule waives all points of order against the conference report and against its consideration. The rule further provides that the conference report shall be considered as read.

Madam Speaker, the chairman and the ranking member of the Subcommittee on National Security, the gentleman from Florida [Mr. YOUNG] and the gentleman from Pennsylvania [Mr. MURTHA], have done outstanding work in bringing forward this legislation. In our Committee on Rules meeting last evening, they received accolades for all of their efforts that went into crafting this extraordinarily important bill, accolades that came from all Members that were heartfelt and well-deserved.

In ensuring that we adequately fund all the necessary elements of our national defense, the gentleman from Florida [Mr. YOUNG] and the gentleman from Pennsylvania [Mr. MURTHA] have worked together in a spirit of bipartisan cooperation that is most fitting for an issue that I believe should always transcend partisan differences, and that is, of course, our national defense. The readiness and morale of our troops, the technical superiority of our equipment, and the integrity of the information that is provided to our warfighters and our policymakers, these are matters that are too important to be sidetracked by political mischief.

As chairman of the House Permanent Select Committee on Intelligence, I have had the great good fortune to work closely with the defense appropriators, moving through the tandem authorization and appropriations dance carefully and deliberately, step by step, to make sure our national intelligence needs are fully met.

I believe the final product the House will consider today, demonstrates that Congress can and will exercise prudent oversight, working in partnership with the Commander in Chief, to protect American lives and interests both at home and abroad. We are clearly showing that we can fulfill this vital obligation within the constraints of a balanced-budget framework.

Everyone knows that there were tough issues to be resolved in this legislation, not just among our House colleagues, but with the other body and the administration as well, among them some big policy questions. Of course, the bill before us today is the product of tough negotiations and some clear compromises from all sides on specific programs and language. That is the way it always has been and always will be. That is why we are here. But this bill says to our friends and our enemies around the world that we will not compromise our core commitment to providing for the best possible national defense for the United States of America and its people. That is the message we must continue to send, and it will be heard.

I hope my colleagues will join me in supporting this rule, which I believe is noncontroversial, and this legislation which is critical to the well-being of our Nation.

Madam Speaker, I reserve the balance of my time.

Mr. FROST. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of this rule and the conference report. The conference report provides the funds for our national security, the funds to defend our borders and our way of life, and the funds to ensure that the United States remains the world's leader in military might.

This conference report lives up to the commitment that this Congress made when we passed the balanced budget this summer, but it also realistically faces and addresses the needs of each of the branches of our armed services. This conference report does not provide for every need, but it certainly addresses priorities and accordingly deserves the support of every Member of this body.

Madam Speaker, this conference agreement continues the Congress' commitment to ensuring that our fighting forces are equipped with the best. This commitment assures, as best we can, that should our Nation become embroiled in a military engagement, our Armed Forces can fight and win with the least number of American casualties as is possible. But more important, Madam Speaker, our Armed Forces represent the best trained and best equipped military in the world, which will make our enemies think twice before provoking a confrontation.

As General Shalikashvili said yesterday in his speech to the National Press Club, ''An ounce of prevention is worth more than a pound of cure.'' This bill provides our military with far more than an ounce of prevention, and hopefully we will not have to test the cure.

This bill ensures that our fighting forces now and in the future will be equipped to fight and win. The conference agreement provides for $2 billion to continue the development of the F–22 fighter, the next generation fighter aircraft for the Air Force. The B–2 bomber funding level has been cut by $176 million from the House-passed amount, but the $331 million in the conference agreement still includes funds which may be used for the procurement of long-lead-term components to restart the B–2 production line. In addition, Madam Speaker, the conference agreement includes $627 million for the procurement in fiscal year 1998 of seven new B–22 Osprey tiltrotor aircraft for the Marine Corps, and an additional $62.1 million for advanced procurement of seven more aircraft in fiscal year 1999.

Madam Speaker, this conference agreement totals $247.7 billion in budget authority and is consistent with the overall fiscal year 1998 defense spending totals agreed to by the President and the Congress in the 1997 budget agreement. I commend the conferees for bringing a good product back to the House and urge passage of this important appropriations bill.

Madam Speaker, I urge adoption of the conference report and I yield back the balance of my time.

Mr. GOSS. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

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

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

Mr. FRANK of Massachusetts. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 419, nays 3, not voting 11, as follows:

[Roll No. 441]

YEAS—419

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E.B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes

Riggs	Shuster	Thune
Riley	Sisisky	Thurman
Rivers	Skaggs	Tiahrt
Rodriguez	Skeen	Tierney
Roemer	Skelton	Torres
Rogers	Slaughter	Towns
Rohrabacher	Smith (MI)	Traficant
Ros-Lehtinen	Smith (NJ)	Turner
Rothman	Smith (OR)	Upton
Roukema	Smith (TX)	Velazquez
Roybal-Allard	Smith, Adam	Vento
Royce	Smith, Linda	Visclosky
Rush	Snowbarger	Walsh
Ryun	Snyder	Wamp
Sabo	Solomon	Waters
Salmon	Souder	Watkins
Sanchez	Spence	Watt (NC)
Sanders	Spratt	Watts (OK)
Sandlin	Stabenow	Waxman
Sanford	Stark	Weldon (FL)
Sawyer	Stearns	Weller
Saxton	Stenholm	Wexler
Scarborough	Stokes	Weygand
Schaefer, Dan	Strickland	White
Schaffer, Bob	Stump	Whitfield
Schumer	Stupak	Wicker
Scott	Sununu	Wise
Sensenbrenner	Talent	Wolf
Serrano	Tanner	Woolsey
Sessions	Tauscher	Wynn
Shadegg	Taylor (MS)	Yates
Shaw	Taylor (NC)	Young (AK)
Shays	Thomas	Young (FL)
Sherman	Thompson	
Shimkus	Thornberry	

NAYS—3

Manton	Ortiz	Weldon (PA)

NOT VOTING—11

Bonilla	Gonzalez	Rogan
DeGette	Hastings (FL)	Schiff
Foglietta	Linder	Tauzin
Gibbons	McInnis	

□ 1212

Messrs. SHADEGG, VENTO, PITTS, JACKSON of Illinois, and Ms. PRYCE of Ohio changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. YOUNG of Florida. Madam Speaker, pursuant to House Resolution 242, I call up the conference report on the bill (H.R. 2266) making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes.

The Clerk read the title of the bill.

□ 1215

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to House Resolution 242, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of Tuesday, September 23, 1997, at page H7656.)

The SPEAKER pro tempore (Mrs. EMERSON). The gentleman from Florida [Mr. YOUNG] and the gentleman from Pennsylvania [Mr. MURTHA] each will control 30 minutes.

Mr. FRANK of Massachusetts. Madam Speaker, is the gentleman from Pennsylvania [Mr. MURTHA] opposed to the bill?

The SPEAKER pro tempore. Is the gentleman from Pennsylvania [Mr. MURTHA] opposed to the conference report?

Mr. MURTHA. Madam Speaker, I support it slightly.

Mr. FRANK of Massachusetts. Madam Speaker, I claim 20 minutes in opposition.

The SPEAKER pro tempore. The gentleman from Florida [Mr. YOUNG], the gentleman from Pennsylvania [Mr. MURTHA], and the gentleman from Massachusetts [Mr. FRANK] each will control 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. YOUNG].

GENERAL LEAVE

Mr. YOUNG of Florida. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report to accompany H.R. 2266 and that I may include tabular and extraneous material.

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

There was no objection.

Mr. YOUNG of Florida. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I would just like to point out that this has been a rather grueling task to get us to the point where we are today. And with the strong cooperation of the members of the subcommittee on our side, on the Republican side, and on the Democratic side led by the gentleman from Pennsylvania [Mr. MURTHA], the tremendous work of our staff with the principal staffer director Kevin Roper and the staff that worked with him, as well as Greg Dahlberg, who is the principal staffer of the gentleman from Pennsylvania [Mr. MURTHA], we have put together what I think is an excellent defense bill, with one major problem.

The major problem is there are so many other items that we ought to be considering and providing for in this bill that we do not because the 602(b) allocations were not adequate to fund the necessary things that we felt were important to our Nation's security and also to the welfare and the care of those who serve in uniform.

But because of the strong work done by all of those folks involved, we have a good bill. It provides the prioritized requirements of the Defense Department for all of the services. It makes a very strong statement on providing what is needed for quality of life for those who wear the uniform in defense of our Nation.

Without going into a lot of detail, the bill is pretty much like it was when it passed the House before, with the exception that by the time we got to conference, our 602 allocation was reduced, so we had to reduce the number in the bill by over $600 million.

Now, despite all of that, we came to conference nearly $9 billion apart on specific items. Because of the very good cooperation with our counterparts, and I want to specifically mention Senator STEVENS and Senator INOUYE and the Members on the Senate side, we have crafted a conference report that is, in my opinion, one of the best we have presented to the House.

At this point I would like to insert a summary of the conference agreement for the RECORD.

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 1998 (H.R. 2266)

	FY 1997 Enacted 3/	FY 1998 Estimate 2/	House	Senate	Conference	Conference compared with enacted
TITLE I						
MILITARY PERSONNEL						
Military Personnel, Army	20,633,998,000	20,492,257,000	20,445,381,000	20,426,457,000	20,452,057,000	-181,941,000
Military Personnel, Navy	16,986,976,000	16,501,118,000	16,504,911,000	16,508,218,000	16,493,518,000	-493,458,000
Military Personnel, Marine Corps	6,111,728,000	6,147,599,000	6,141,635,000	6,148,899,000	6,137,899,000	+26,171,000
Military Personnel, Air Force	17,069,490,000	17,154,556,000	17,044,874,000	17,206,056,000	17,102,120,000	+32,630,000
Reserve Personnel, Army	2,073,479,000	2,024,446,000	2,045,615,000	2,037,046,000	2,032,046,000	-41,433,000
Reserve Personnel, Navy	1,405,606,000	1,375,401,000	1,377,249,000	1,374,901,000	1,376,601,000	-29,005,000
Reserve Personnel, Marine Corps	388,643,000	381,070,000	391,953,000	384,770,000	391,770,000	+3,127,000
Reserve Personnel, Air Force	783,697,000	814,936,000	814,772,000	815,745,000	815,915,000	+32,218,000
National Guard Personnel, Army	3,266,393,000	3,200,667,000	3,245,387,000	3,446,867,000	3,333,867,000	+67,474,000
National Guard Personnel, Air Force	1,296,490,000	1,319,712,000	1,331,417,000	1,334,712,000	1,334,712,000	+38,222,000
Total, title I, Military Personnel	70,016,500,000	69,411,762,000	69,343,194,000	69,683,671,000	69,470,505,000	-545,995,000
TITLE II						
OPERATION AND MAINTENANCE						
Operation and Maintenance, Army	17,519,340,000	17,049,484,000	17,078,218,000	16,913,473,000	16,754,306,000	-765,034,000
(By transfer - National Defense Stockpile)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	.....
Operation and Maintenance, Navy	20,061,961,000	21,508,130,000	21,779,365,000	21,576,419,000	21,617,766,000	+1,555,805,000
(By transfer - National Defense Stockpile)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	.....
Operation and Maintenance, Marine Corps	2,254,119,000	2,301,345,000	2,598,032,000	2,328,535,000	2,372,635,000	+118,516,000
Operation and Maintenance, Air Force	17,263,193,000	18,817,785,000	18,740,167,000	18,592,385,000	18,492,883,000	+1,229,690,000
(By transfer - National Defense Stockpile)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	.....
Operation and Maintenance, Defense-Wide	10,044,200,000	10,390,938,000	10,053,956,000	10,399,638,000	10,369,740,000	+325,540,000
Operation and Maintenance, Army Reserve	1,119,436,000	1,192,891,000	1,207,891,000	1,212,891,000	1,207,891,000	+88,455,000
Operation and Maintenance, Navy Reserve	886,027,000	834,711,000	924,711,000	834,211,000	921,711,000	+35,684,000
Operation and Maintenance, Marine Corps Reserve	109,667,000	110,366,000	119,266,000	110,366,000	116,366,000	+6,699,000
Operation and Maintenance, Air Force Reserve	1,496,553,000	1,624,420,000	1,635,250,000	1,631,200,000	1,632,030,000	+135,477,000
Operation and Maintenance, Army National Guard	2,254,477,000	2,258,932,000	2,313,632,000	2,449,932,000	2,419,632,000	+165,155,000
Operation and Maintenance, Air National Guard	2,716,379,000	2,991,219,000	2,995,719,000	3,010,282,000	3,013,282,000	+296,903,000
Overseas Contingency Operations Transfer Fund	1,140,157,000	1,467,500,000	1,855,400,000	1,889,000,000	1,884,000,000	+743,843,000
United States Court of Appeals for the Armed Forces	6,797,000	6,952,000	6,952,000	6,952,000	6,952,000	+155,000
Environmental Restoration, Army	339,109,000	377,337,000	377,337,000	375,337,000	375,337,000	+36,228,000
Environmental Restoration, Navy	287,788,000	277,500,000	277,500,000	275,500,000	275,500,000	-12,288,000
Environmental Restoration, Air Force	394,010,000	378,900,000	378,900,000	376,900,000	376,900,000	-17,110,000
Environmental Restoration, Defense-Wide	36,722,000	27,900,000	27,900,000	26,900,000	26,900,000	-9,822,000
Environmental Restoration, Formerly Used Defense Sites	256,387,000	202,300,000	202,300,000	242,300,000	242,300,000	-14,087,000
Overseas Humanitarian, Disaster, and Civic Aid	49,000,000	80,130,000	55,557,000	40,130,000	47,130,000	-1,870,000
Former Soviet Union Threat Reduction	327,900,000	382,200,000	284,700,000	382,200,000	382,200,000	+54,300,000
Quality of Life Enhancements, Defense	600,000,000	.....	.....	100,000,000	360,000,000	-240,000,000
Total, title II, Operation and maintenance	79,163,222,000	82,280,940,000	82,912,753,000	82,774,551,000	82,895,461,000	+3,732,239,000
(By transfer)	(150,000,000)	(150,000,000)	(150,000,000)	(150,000,000)	(150,000,000)	.....
TITLE III						
PROCUREMENT						
Aircraft Procurement, Army	1,348,434,000	1,029,459,000	1,541,217,000	1,356,959,000	1,346,317,000	-2,117,000
(By transfer - National Defense Stockpile)	.....	(133,000,000)	.....	.....	.....	.....
Missile Procurement, Army	1,041,867,000	1,178,151,000	771,942,000	1,173,081,000	762,409,000	-279,458,000
Procurement of Weapons and Tracked Combat Vehicles, Army	1,470,286,000	1,065,707,000	1,332,907,000	1,156,506,000	1,298,707,000	-171,579,000
Procurement of Ammunition, Army	1,127,149,000	890,902,000	1,062,802,000	1,042,602,000	1,037,202,000	-89,947,000
Other Procurement, Army	3,172,485,000	2,455,030,000	2,502,886,000	2,783,735,000	2,679,130,000	-493,355,000
Aircraft Procurement, Navy	7,027,010,000	5,951,965,000	6,753,465,000	6,312,937,000	6,535,444,000	-491,566,000
(By transfer - National Defense Stockpile)	.....	(134,000,000)	.....	.....	.....	.....
Weapons Procurement, Navy	1,389,913,000	1,136,293,000	1,175,393,000	1,138,393,000	1,102,193,000	-287,720,000
Procurement of Ammunition, Navy and Marine Corps	289,695,000	336,797,000	423,797,000	344,797,000	397,547,000	+107,852,000
Shipbuilding and Conversion, Navy	5,613,665,000	7,438,158,000	7,628,158,000	8,510,458,000	8,235,591,000	+2,621,926,000
Other Procurement, Navy	3,067,944,000	2,825,500,000	3,084,485,000	2,832,800,000	3,144,205,000	+76,261,000
Procurement, Marine Corps	569,073,000	374,306,000	491,198,000	440,106,000	482,398,000	-86,675,000
Aircraft Procurement, Air Force	6,404,980,000	5,684,847,000	6,386,479,000	6,390,847,000	6,480,983,000	+76,003,000
(By transfer - National Defense Stockpile)	.....	(133,000,000)	.....	.....	.....	.....
Missile Procurement, Air Force	2,297,145,000	2,557,741,000	2,320,741,000	2,411,741,000	2,394,202,000	+97,057,000
Procurement of Ammunition, Air Force	293,153,000	403,984,000	414,884,000	400,984,000	398,534,000	+105,381,000
Other Procurement, Air Force	5,944,680,000	6,561,253,000	6,588,939,000	6,653,053,000	6,592,909,000	+648,229,000
Procurement, Defense-Wide	1,978,005,000	1,695,085,000	2,186,669,000	1,753,285,000	2,106,444,000	+128,439,000
National Guard and Reserve Equipment	780,000,000	.....	850,000,000	653,000,000	653,000,000	-127,000,000
Total, title III, Procurement	43,815,484,000	41,585,178,000	45,515,962,000	45,355,284,000	45,647,215,000	+1,831,731,000
(By transfer)	.....	(400,000,000)	.....	.....	.....	.....

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 1998 (H.R. 2266) — continued

	FY 1997 Enacted 3/	FY 1998 Estimate 2/	House	Senate	Conference	Conference compared with enacted
TITLE IV						
RESEARCH, DEVELOPMENT, TEST AND EVALUATION						
Research, Development, Test and Evaluation, Army	5,062,763,000	4,510,843,000	4,686,427,000	4,984,083,000	5,156,507,000	+93,744,000
Research, Development, Test and Evaluation, Navy	8,208,946,000	7,611,022,000	7,907,837,000	7,532,846,000	8,115,686,000	-93,260,000
Research, Development, Test and Evaluation, Air Force	14,499,606,000	14,451,379,000	14,313,456,000	14,127,873,000	14,507,804,000	+8,198,000
Research, Development, Test and Evaluation, Defense-Wide	9,362,800,000	9,069,680,000	9,509,337,000	9,608,689,000	9,821,760,000	+458,960,000
Developmental Test and Evaluation, Defense	282,038,000	268,183,000	268,183,000	251,183,000	258,183,000	-23,855,000
Operational Test and Evaluation, Defense	24,968,000	23,384,000	32,684,000	31,384,000	31,384,000	+6,416,000
Total, title IV, Research, Development, Test and Evaluation	37,441,121,000	35,934,491,000	36,717,924,000	36,536,058,000	37,891,324,000	+450,203,000
TITLE V						
REVOLVING AND MANAGEMENT FUNDS						
DBOF/Defense Working Capital Funds	947,900,000	33,400,000	971,952,000	871,952,000	971,952,000	+24,052,000
Military Commissary Fund, Defense		938,552,000				
National Defense Sealift Fund:						
Ready Reserve Force	266,000,000	302,000,000	302,000,000	278,000,000	302,000,000	+36,000,000
Acquisition	1,162,002,000	889,426,000	897,926,000	238,126,000	772,948,000	-389,054,000
Total	1,428,002,000	1,191,426,000	1,199,926,000	516,126,000	1,074,948,000	-353,054,000
Total, title V, Revolving and Management Funds	2,375,902,000	2,163,378,000	2,171,878,000	1,388,078,000	2,046,900,000	-329,002,000
TITLE VI						
OTHER DEPARTMENT OF DEFENSE PROGRAMS						
Defense Health Program:						
Operation and maintenance	9,937,838,000	10,027,582,000	10,035,682,000	10,043,607,000	10,095,007,000	+157,169,000
Procurement	269,470,000	274,068,000	274,068,000	274,068,000	274,068,000	+4,598,000
Total, Defense Health Program	10,207,308,000	10,301,650,000	10,309,750,000	10,317,675,000	10,369,075,000	+161,767,000
Chemical Agents and Munitions Destruction, Defense: 1/						
Operation and maintenance	478,947,000	472,200,000	472,200,000	467,200,000	462,200,000	-16,747,000
Procurement	191,200,000	82,200,000	67,200,000	77,200,000	72,200,000	-119,000,000
Research, development, test, and evaluation	88,300,000	66,300,000	56,300,000	70,300,000	66,300,000	-22,000,000
Economic assumptions				-5,000,000		
Total, Chemical Agents	758,447,000	620,700,000	595,700,000	609,700,000	600,700,000	-157,747,000
Drug Interdiction and Counter-Drug Activities, Defense	807,800,000	652,582,000	713,082,000	691,482,000	712,882,000	-94,918,000
Office of the Inspector General	139,157,000	138,380,000	142,980,000	135,380,000	138,380,000	-777,000
Total, title VI, Other Department of Defense Programs	11,912,712,000	11,713,312,000	11,761,512,000	11,754,237,000	11,821,037,000	-91,675,000
TITLE VII						
RELATED AGENCIES						
Central Intelligence Agency Retirement and Disability System Fund	196,400,000	196,900,000	196,900,000	196,900,000	196,900,000	+500,000
Intelligence Community Management Account	129,164,000	122,580,000	125,580,000	122,580,000	121,080,000	-8,084,000
Transfer to Dept of Justice	(27,000,000)	(27,000,000)	(27,000,000)		(27,000,000)	
Payment to Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Fund	10,000,000	10,000,000	10,000,000	35,000,000	35,000,000	+25,000,000
National Security Education Trust Fund	5,100,000	2,000,000	2,000,000	2,000,000	2,000,000	-3,100,000
Total, title VII, Related agencies	340,664,000	331,480,000	334,480,000	356,480,000	354,980,000	+14,316,000
TITLE VIII						
GENERAL PROVISIONS						
Additional transfer authority (sec. 8005)	(2,000,000,000)	(2,500,000,000)	(2,000,000,000)	(2,000,000,000)	(2,000,000,000)	
Indian Financing Act incentives (sec. 8024)				8,000,000	8,000,000	+8,000,000
Disposal & lease of DOD real property (sec. 8044)	26,565,000	64,000,000	64,000,000	64,000,000	64,000,000	+37,435,000
Overseas Military Fac Investment Recovery (sec. 8049)	1,000,000	30,000,000	30,000,000	30,000,000	30,000,000	+29,000,000
National Science Center, Army (sec. 8057)	120,000					-120,000
Export loan guarantee PGM (sec. 8081)	1,000,000	1,000,000		1,000,000	1,000,000	
Rescissions (sec. 8064)	-137,108,000		-160,100,000	-94,700,000	-176,100,000	-38,992,000
Coast Guard transfer	300,000,000			300,000,000		-300,000,000
Navy/Air Force flying hour offset				-600,000,000		
Flying Hour/readiness offset (sec. 8043)					-1,253,000,000	-1,253,000,000
Excess funded carryover	-150,000,000					+150,000,000
RDT&E general reduction	-680,552,000					+680,552,000
Air Force DBOF pass through	-194,500,000					+194,500,000
FFRDC's/consultants (sec. 8035)	-154,572,000		-141,300,000	-71,800,000	-71,800,000	+82,772,000
Advisory and assistance services (sec. 8041)				-300,000,000	-300,000,000	-300,000,000
Weapons of Mass Destruction	100,000,000					-100,000,000

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 1998 (H.R. 2266) — continued

	FY 1997 Enacted 3/	FY 1998 Estimate 2/	House	Senate	Conference	Conference compared with enacted
Anti-terrorism, counter-terrorism, and security enhancement activities:						
Emergency funding, FY 1997	230,680,000					-230,680,000
General reduction	-230,680,000					+230,680,000
RDT&E, Def-Wide dual-use program	100,000,000	2,000,000	2,000,000		2,000,000	-98,000,000
Fisher Houses (sec. 8100)		1,000,000	1,000,000		1,000,000	+1,000,000
Travel Cards (sec. 8101)		5,000,000	5,000,000		5,000,000	+5,000,000
Warranties (sec. 8106)			-50,000,000		-75,000,000	-75,000,000
Excess Inventory (sec. 8105)			-100,000,000		-100,000,000	-100,000,000
Shared Cleanup Costs			-73,000,000			
National Missile Defense Offset (sec. 8048)					-474,000,000	-474,000,000
Intrepid (sec. 8097)					13,000,000	+13,000,000
Expiring Balances (sec. 8127)					-100,000,000	-100,000,000
National Security Strategy Study Group (sec. 8130)					3,000,000	+3,000,000
Lexington Bluegrass (sec. 8128)					4,000,000	+4,000,000
Total, title VIII	-788,047,000	103,000,000	-422,400,000	-663,500,000	-2,418,900,000	-1,630,853,000
Effect of P.L. 105-18:						
Rescissions, FY93 - FY96	-464,102,000					+464,102,000
Rescissions, FY 1997	-1,270,050,000					+1,270,050,000
Emergency funding	1,846,200,000					-1,846,200,000
Non-emergency funding	76,800,000					-76,800,000
Net total effect of P.L. 105-18	188,848,000					-188,848,000
Grand total	244,466,406,000	243,523,541,000	248,335,303,000	247,184,859,000	247,708,522,000	+3,242,116,000
(By transfer)	(177,000,000)	(577,000,000)	(177,000,000)	(150,000,000)	(177,000,000)	
BUDGET SCOREKEEPING ADJUSTMENTS						
Adjustment for unapprop'd balance transfer (Stockpile)	150,000,000	550,000,000	150,000,000	150,000,000	150,000,000	
Stockpile collections (unappropriated)	-150,000,000	-150,000,000	-150,000,000	-150,000,000	-150,000,000	
Emergency funding for anti-terrorism	-230,680,000					+230,680,000
Emergency funding (P.L. 105-18)	-1,846,000,000					+1,846,000,000
Total adjustments	-2,076,680,000	400,000,000				+2,076,680,000
RECAPITULATION						
Title I - Military Personnel	70,016,500,000	69,411,762,000	69,343,194,000	69,683,671,000	69,470,505,000	-545,995,000
Title II - Operation and Maintenance	79,163,222,000	82,280,940,000	82,912,753,000	82,774,551,000	82,895,461,000	+3,732,239,000
(By transfer)	(150,000,000)	(150,000,000)	(150,000,000)	(150,000,000)	(150,000,000)	
Title III - Procurement	43,815,484,000	41,585,178,000	45,515,962,000	45,355,284,000	45,647,215,000	+1,831,731,000
(By transfer)		(400,000,000)				
Title IV - Research, Development, Test and Evaluation	37,441,121,000	35,934,491,000	36,717,924,000	36,536,058,000	37,891,324,000	+450,203,000
Title V - Revolving and Management Funds	2,375,902,000	2,163,378,000	2,171,878,000	1,388,078,000	2,046,900,000	-329,002,000
Title VI - Other Department of Defense Programs	11,912,712,000	11,713,312,000	11,761,512,000	11,754,237,000	11,821,037,000	-91,675,000
Title VII - Related agencies	340,664,000	331,480,000	334,480,000	356,480,000	354,980,000	+14,316,000
Title VIII - General provisions	-788,047,000	103,000,000	-422,400,000	-663,500,000	-2,418,900,000	-1,630,853,000
(Additional transfer authority)	(2,000,000,000)	(2,500,000,000)	(2,000,000,000)	(2,000,000,000)	(2,000,000,000)	
Net effect of P.L. 105-18	188,848,000					-188,848,000
Total, Department of Defense	244,466,406,000	243,523,541,000	248,335,303,000	247,184,859,000	247,708,522,000	+3,242,116,000
Scorekeeping adjustments	-2,076,680,000	400,000,000				+2,076,680,000
Grand total	242,389,726,000	243,923,541,000	248,335,303,000	247,184,859,000	247,708,522,000	+5,318,796,000
Allocation recap (sec. 302b):						
Mandatory	196,400,000	196,900,000	196,900,000	196,900,000	196,900,000	+500,000
Discretionary:						
Non-defense		27,000,000	27,000,000		27,000,000	+27,000,000
Defense	242,193,326,000	243,699,641,000	248,111,403,000	246,987,959,000	247,484,622,000	+5,291,296,000
Emergency funding (P.L. 105-18)	-1,846,000,000					+1,846,000,000
Total Defense	242,193,326,000	243,699,641,000	248,111,403,000	246,987,959,000	247,484,622,000	+5,291,296,000
Total discretionary	242,193,326,000	243,726,641,000	248,138,403,000	246,987,959,000	247,511,622,000	+5,318,296,000
Grand total	242,389,726,000	243,923,541,000	248,335,303,000	247,184,859,000	247,708,522,000	+5,318,796,000

1/ Included in Budget under Procurement title.

2/ FY 1998 budget request reflects a budget amendment to cover a shortfall in the DHP, as follows: Military Personnel -$62,000,000; O&M -$199,000,000 and Defense Health Program +$261,000,000.

3/ FY 1997 enacted reflects new budget authority of $1,923,000,000 and rescissions of $1,734,152,000, as enacted in P.L. 105-18.

Mr. DICKS. Madam Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Washington.

Mr. DICKS. Madam Speaker, I would like to engage the gentleman from Florida [Mr. YOUNG], the chairman of the committee, in a colloquy on a matter of great concern to me.

This conference report reduces the budget request for operating the Defense Airborne Reconnaissance Office, or DARO, by about $14 million. In taking this action, it is my understanding that the conferees were silent regarding changes in the subordination, mission, size, and structure of this office. As I understand it, these matters relating to DARO will be addressed in the defense authorization conference, which has not yet concluded.

Is this the understanding of the gentleman from Florida [Mr. YOUNG], the distinguished chairman?

Mr. YOUNG of Florida. Madam Speaker, reclaiming my time, I would say to the gentleman from Washington [Mr. DICKS] that that is correct. That is my understanding and that is my intent.

Mr. DICKS. Madam Speaker, if the gentleman would continue to yield, I would also then like to ask my colleague whether it is his view that, should the Secretary of Defense choose to seek approval for a reprogramming action for any or all of this $14 million, the committee would be willing to consider such a request, depending, of course, on the outcome of the authorization conference?

Mr. YOUNG of Florida. Madam Speaker, reclaiming my time, again I would say to my colleague, if the Secretary decides that this is a high priority item, I definitely would consider a request for reprogramming under our usual procedures.

Mr. SISISKY. Madam Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Virginia.

Mr. SISISKY. Madam Speaker, I would like to engage the gentleman from Florida [Mr. YOUNG], chairman of the committee, in a matter that is of concern to me.

I understand there is report language in this bill which requires the Navy to report back to the Congress on the impact pilot program now being conducted at Pearl Harbor Naval Shipyard. I would simply ask the chairman to clarify the intent of this language. Is the language in fact directed solely at Pearl Harbor Naval Shipyard?

Mr. YOUNG of Florida. Madam Speaker, reclaiming my time, I would respond to the question of the gentleman from Virginia [Mr. SISISKY] by saying yes and say to him that this language addresses only the notion of combining a Fleet Intermediate Maintenance Facility with a naval shipyard at Pearl Harbor Naval Shipyard. This language is not intended to, in any way, impact ongoing regional maintenance activities at any other shipyard.

Mr. BOEHLERT. Madam Speaker, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from New York.

Mr. BOEHLERT. Mr. Chairman, in section 8123 of the conference report, the Secretary of Defense is given the authority to waive Buy American restrictions under certain conditions. I am very concerned about the potential economic impact that would result if the Secretary uses this authority in the area of specialty metals.

To avoid any negative impact, I believe the Secretary should not waive the Buy American restrictions for products classified under the headings of 8211 through 8215 in the Harmonized Tariff Schedule.

Mr. YOUNG of Florida. Madam Speaker, reclaiming my time, I agree with the gentleman from New York [Mr. BOEHLERT]. The committee would be gravely concerned if the Secretary waived Buy American provisions for those products. And I would say to the gentleman that we believe that the conference report actually strengthens the Buy American situation as it exists today.

Mr. BOEHLERT. Madam Speaker, if the gentleman from Florida [Mr. YOUNG] would continue to yield, I appreciate his attention to this vital concern.

Mr. YOUNG of Florida. Madam Speaker, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I believe the conference committee did, given what it had to work with, a very good job. I was particularly pleased that they have adopted language which will enable the President to refuse to go ahead with any new B–2 bombers. I assume, given the President's strong position on this and the Pentagon's opposition to new B–2 bombers, that he will in fact use this authority and we will not be further committing to the construction of new B–2 bombers.

But there is still a fundamental problem with the bill. I want to talk about two of them. First, it continues to spend too much money. Roughly 50 percent of the discretionary spending allowed to the Federal Government under the recently signed budget deal will be consumed by the military and related intelligence functions. Every other function of the Government, environment, public safety here at home, transportation, they are all going to suffer increasingly from inadequate funding.

I am a supporter of the efforts of the gentleman from Pennsylvania [Mr. SHUSTER], who chairs the Committee on Transportation and Infrastructure, to get more funding for highway and transit funds. I believe we have a very serious problem here which could be alleviated in part by increased funding.

I think we would better serve the true security needs of the American people by diverting some of the funds that now go for national security in the strictly military sense to improving our security here through improving our infrastructure.

There are a number of things in the bill that I would object to. But I want to talk about one particular area where we are spending tens of billions, wholly unnecessarily, and not because of any national security need of the United States, properly understood.

This bill, not through the fault necessarily of the Members here, but because this administration, as every one before it, has acquiesced in a policy of allowing our Western European allies and some of our Asian allies to take a free ride on the U.S. Government.

Let me give an example. We are about, once again, to get into a debate about pulling out of Bosnia. I voted to have the American troops withdraw from Bosnia. I voted to have American troops withdrawn in December. I think we should be proud of the intervention that we made that stopped a serious loss of life, and I think they have made some progress towards improvement, although I am not hopeful that we will ultimately get where we should be.

But there are two separate questions that are being treated as one. First, should there be a continued presentation of military forces in Bosnia to try to enforce basic human rights? And second, must the United States be a part of it?

The United States, without any help from our European allies, stands in South Korea along with the South Koreans, as we have to these days, to deter and, hopefully it will not happen, but if necessary, to repel an attack from North Korea.

The United States takes the leading military role with very little help from our European allies in trying to enforce peace in the Middle East, confronting the Iraqi and Iranian regimes. The United States, of course, takes the leading role in our own hemisphere, in Haiti and elsewhere.

Mr. Speaker, is it never Europe's turn? Is there never a time when we can ask our Western European allies to carry on without us? And I know what they are now saying. They are saying that there will not be a European military presence in Bosnia unless the United States is a part of it.

I think we should do our part, and I think it is important to be there. But I do not understand why our wealthy European allies cannot take on their share of the burden. And I say this for this reason: If we look at military expenditures as a percentage of gross domestic product, as a percentage of Government expenditures, the U.S. percentage dwarfs our European allies.

I believe, by the way, that the problem is not that they spend too little but that we spend too much. I am not asking them to get up to our level. I am saying that a situation in which they pressure us to spend excessively is a mistake. I do believe with regard to

the Bosnian situation that it is fair for us to ask Germany, Italy, France, England, and the Scandinavian countries and the Benelux countries and others to do this. I do not understand why they are not capable without us of dealing with Western Europe.

We have the obligation in the Middle East. We have the obligation in Haiti. We have the obligation in South Korea. I support our involvement in all those areas. But I do not understand why we allow it to be so one-sided.

And it is not simply Bosnia that is the problem. The Bosnian situation, if that were the only one, it would not cause such a great problem. The problem is this: We continue to spend tens of billions of dollars for the military defense of Western Europe. We cannot know exactly how much because they will not tell us.

That is wasted money. It is spent for very brave people. It is spent for very good equipment. The problem is not the people and equipment. The problem is there is no necessity. The only reason we are militarily committed to the defense of Western Europe is cultural lack.

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There was a serious threat 50 years ago to European countries from a totalitarian aggressive regime, and they were poor and not able to defend themselves. That threat has disappeared. They are now wealthy. And we continue to spend. I cite the Bosnian thing only because it is an example of the mindset that Europe cannot defend itself.

As I said, I am not asking for a considerable expenditure increase in Europe. I am saying that the Europeans should understand, and we ought to take the lead in cutting back substantially on the American military presence in Western Europe which serves no purpose from the standpoint of defense.

If we are talking about the need for bases which can go forward into other areas, then let us do it on that score. But that is not what has happened. What has happened is that we continue to plan for a defense of Western Europe militarily, and what we really ought to have is an essay contest, Madam Speaker. Let us have an essay contest and give a prize to anybody who can identify that threat to Western Europe that we are spending tens of billions of dollars to deter, because that is what is happening, and we are doing it at the cost here of important programs.

If you live in Western Europe and you lose your job, you do not have to worry about losing your health care. In fact, some people believe that Western Europe is not doing enough to allow for some instability in jobs. But one thing we know is if people lose their jobs in Western Europe, they will not lose their health care. If you lose your job in America, you probably lose your health care, particularly if you are in the manufacturing area. Why can the Europeans afford to do so much more with health care than we can? Because we are defending them militarily against a nonexistent threat.

So I want to be clear. I am not insisting that they do more, I am insisting that they take responsibility for their own defense. Indeed, I think nothing we could do would more graphically improve the sense of security in Western Europe than to tell them that they were in charge of their own defense, because I guarantee you that if we told the Western Europeans they were in charge of their own military defense, they would suddenly feel a lot safer than they do today. As long as the American taxpayer is going to pay for their defense, they are very insecure, and they tell us we need to be there. If they were told that they were in charge of their own defense, I think they would acknowledge the fact that they are not threatened, and they could maintain a reasonable level.

Let me make a connection, Madam Speaker. We are debating here the question of fast track. We are debating the question of international trade. One of the reasons you have so much resistance on the part of American workers, which I share, to further international trade is that we now leave them unprotected if they happen to be the losers when international trade goes forward. And there will be winners and losers. I believe there will probably be more winners than losers, but there will be losers. We have a social and economic system now that leaves the losers unprotected. Increase the social safety net for those who will be the losers in the transitional impact in international trade, and you cut back their resistance.

When John Kennedy launched the Alliance for Progress, he looked back to Franklin Roosevelt's good neighbor policy in Latin America, and he said, talking about how Roosevelt had pioneered internationalism economically, Franklin Roosevelt could be a good neighbor abroad because he was a good neighbor at home.

Those who want America to be more forthcoming internationally in the economic area have to understand that part of that resistance comes from American workers who feel they will not be fairly treated in the transition. One way to do that is to stop committing tens of billions of dollars, as this bill continues to do, for the military defense of our wealthy allies in Western Europe against a nonexistent threat. I would hope that we would change this policy, we would tell our Western European allies that yes, we think the Bosnian thing is important, and we have taken a major role, and American air and sea power would remain available if it had to be called in, but the ground presence in Bosnia ought to be the Western European ground presence.

There is no rational argument why those countries, together having hundreds of millions of people, having the economy they have, could not do that work. That would be a first step in our making substantial reductions in our military expenditures, leaving no vital interest unprotected, putting ourselves at no military disadvantage, but simply adapting to the current reality that our wealthy Western European allies face no threat that they cannot handle themselves, and certainly nothing that justifies the tens of billions of dollars of continued expenditures of American money that comes out of other important programs, or out of deficit reduction, or out of tax reduction. Members would have the choice how to deal with it. For that reason, Madam Speaker, I will oppose this conference report.

Madam Speaker, I reserve the balance of my time.

Mr. YOUNG of Florida. Madam Speaker, I yield 2 minutes to the gentleman from California [Mr. CUNNINGHAM] a member of the subcommittee.

Mr. CUNNINGHAM. Madam Speaker, it is amazing for those that talk about the defense budget is too much, that have never served in the armed services and seen hostility or even seen the odd end of a weapon, but yet we ask our men and women to do that every single day. Too much, but our budget is less than it was in 1930.

I agree with the gentleman from Massachusetts. Bosnia, by the time we pull out in June, is going to cost the United States $12 billion. Does it come out of the social programs? No. It comes out of the already limited budget that we have before you today.

I was asked why do we have aircraft that are crashing all over the United States? Listen to this. Air Force; high operational tempo; keeping aging planes going with a lack of maintenance, shrinking budgets; recent series of aircraft accidents according to Air Force officials. We are asking our men and women to fly these machines with one-half the flying time that they should. The maintenance on the aircraft is not being done. Yet we do not have the dollars in here to put into it because the dollars that we do have comes out to pay for Bosnia and other contingencies.

In Haiti, Aristide is still there. Aideed's son is in Somalia. That costs billions of dollars; not out of social programs, but defense.

Our committee has done a good job, but when people sit back and say that we are spending too much on defense, I would ask you to take a look at what our kids are doing. We have not bought a new Air Force fighter in 25 years. The SU–27, the SU–35 and the SU–37, the Russian airplane, outclasses, outperforms our F–14 and our F–15. The AA–12 and the AA–10 missile that the Russians have outclasses our best AMRAAM missile, but yet the cold war is over. And they are shipping them to China and every country that is a potential threat to our men and women. Are we spending enough, Madam Speaker? Absolutely not.

Mr. FRANK of Massachusetts. Madam Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. CONYERS].

(Mr. CONYERS asked and was given permission to revise and extend his remarks.)

Mr. CONYERS. Madam Speaker, I would like to commend the leaders of the Committee on National Security. It looks like the B–2, which I was going to spend a lot more of my attention than is now going to be necessary, is moving toward its well-deserved fate, and all of you have had something to do with it. I still have problems with this two-war strategy that now fuels a $250 billion military piece. I think that is a little too much. The *Seawolf* submarine, the nuclear submarine, when I was the chairman, we were holding hearings on the *Seawolf* submarine. Star Wars has been reconfigured at least a half a dozen times. They throw it out, reinvent it, and come up with some more stuff. There are too many F–22s. In other words, there is way too much, $247 billion worth, in this kind of global situation that we find ourselves in.

Madam Speaker, it is too much dough. We have got to cut it down. We have got to reduce it. I hope that you who lead this committee will continue to give that at least if not your undivided attention, more of your attention. I thank the gentleman for yielding me this time.

Mr. MURTHA. Madam Speaker, I yield back the balance of my time.

Mr. FRANK of Massachusetts. Madam Speaker, I yield back the balance of my time.

Mr. YOUNG of Florida. Madam Speaker, I yield myself such time as I may consume only to say again that this is a good bill. It meets most of the needs of the Department of Defense and those who serve in the uniform.

Again, I want to express my appreciation to the gentleman from Pennsylvania [Mr. MURTHA] for the tremendous support and cooperation that we gave each other and all the members of the subcommittee, Mr. MCDADE, Mr. LEWIS, Mr. SKEEN, Mr. HOBSON, Mr. BONILLA, Mr. NETHERCUTT, Mr. ISTOOK, Mr. CUNNINGHAM, Mr. DICKS, Mr. HEFNER, Mr. SABO, Mr. DIXON, and Mr. VISCLOSKY. I want to also compliment the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Wisconsin [Mr. OBEY] for having helped us through some difficult times when some major decisions had to be made.

Mrs. MALONEY of New York. Madam Speaker, I rise today to declare my pride at the inclusion of $160 million for breast cancer-related research in the fiscal year 1998 Defense appropriations bill. This figure represents a significant 42-percent increase over last year's appropriation. Breast cancer research has long been an important priority of mine, as well as of my colleagues in the Congressional Caucus for Women's Issues. I am pleased our voices are being heard.

The Department of Defense's peer-reviewed breast cancer research program is well known, both for its vital work in fighting this disease and its innovative and efficient use of resources. In fact, over 90 percent of program funds go directly to research grants.

The emphasis on research is crucial, for while there have been several significant advances we still know relatively little about preventing breast cancer, and treatment options are few. Unfortunately, American women still face a one in eight chance of developing breast cancer during their lifetime. With nearly 200,000 cases diagnosed last year, breast cancer is the most common form of cancer among women. In fact, it accounts for one of every three cancer diagnoses among women.

In order to make the most of recent discoveries, and to improve the lives of future generations of women, we need measures like this that invest in breast cancer research. I am also happy to note that this bill has increased funding for HIV and prostate cancer research as well.

I was especially pleased earlier this year when this Congress included my bill, the Breast Cancer Early Detection Act of 1997, in the Balanced Budget Agreement. Prior to passage of this measure, annual mammograms were covered for Medicare-eligible women between ages 50 and 65. However, after age 65 Medicare only allowed for a mammogram every other year.

This policy ran counter to the research, which has found that 80 percent of all cancer occurs in women over 50. My bipartisan bill ensured that Medicare provided coverage for annual mammograms for all women.

I applaud Congress on these wise investments. They provide hope to American women and their families, and will provide the ultimate return: saving women's lives.

Mr. HILLEARY. Madam Speaker, I rise in support of this conference report. I want to thank the distinguished chairman of the National Security Subcommittee on Appropriations for his hard work during the negotiations to fight for the House's position on Bosnia.

Since November 1995, we have seen the administration break promise after promise and kick the can down the road, on a definite U.S. troop withdrawal date.

The first mission was IFOR—the implementation force; currently it is SFOR—the stabilization force; next to come is DFOR—the deterrence force.

Why just yesterday, Secretary of State Albright said "We do have a long-term interest in Bosnia—strategic as well as humanitarian."

What is next Madam Speaker, EFOR—the eternal force?

This past June, the House spoke clearly and overwhelmingly to hold the President to his June 1998 exit date—the third such date he has told the American people he would bring our troops home.

I realize the Senate did not want to take any substantive action on this important U.S. military operation.

However, I am pleased that some language was incorporated into this bill, although, it is not as strong as I would have liked.

Madam Speaker, Congress needs to regain control of the situation, and I think we come one step closer with the language included in this bill. I hope we haven't given the President too much wiggle room.

It cuts off funds for the Bosnia mission in June 1998, and forces the President to consult, certify, and provide a separate spending vehicle to Congress to extend the mission past the withdrawal deadline.

I hope my colleagues on both sides of the aisle will join me in supporting this important Bosnia language.

Mr. COMBEST. Madam Speaker, I would like to thank the distinguished chairman and the members of the committee for appropriating $2 million for risk-based research on the effect of toxic chemicals on human health and the environment. This funding is intended for the use by the Institute for Environmental and Human Health, which is located at Reese Air Force Base in my district. The institute was created and implemented by Texas Tech University, which has entered into a cooperative agreement with Brooks Air Force Base to provide multidisciplinary environmental research, education, public outreach, and risk assessment.

The primary focus of this institute will be the integration of environmental impact assessment and human health in the context of science-based risk assessment. The institute will provide a critical resource for the Department of Defense as it grapples with significant environmental problems at bases nationwide and abroad. The institute will enable the Department to fulfill several of its stated environmental research and risk assessment needs and goals.

In addition, the location of the institute at Reese Air Force base will play a critical role in the redevelopment of Reese Air Force Base and the economic development of the surrounding region. The $2 million appropriation will enable Texas Tech to leverage an additional $4 million in State funds which will be used to address the myriad of environmental concerns in west Texas and throughout the Nation.

Madam Speaker, the support of the committee is appreciated. We look forward to working in cooperation with the Department of Defense to achieve significant environmental research and assessment goals.

Mr. YOUNG of Florida. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. EMERSON). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

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

The vote was taken by electronic device, and there were— yeas 356, nays 65, not voting 12, as follows:

[Roll No. 442]

YEAS—356

Abercrombie	Bateman	Brady
Ackerman	Bentsen	Brown (FL)
Aderholt	Bereuter	Bryant
Allen	Berman	Bunning
Andrews	Bilbray	Burr
Archer	Bilirakis	Burton
Armey	Bishop	Buyer
Bachus	Blagojevich	Callahan
Baesler	Bliley	Calvert
Baker	Blunt	Camp
Baldacci	Boehlert	Canady
Ballenger	Boehner	Cannon
Barcia	Bonior	Capps
Barr	Bono	Cardin
Barrett (NE)	Borski	Carson
Bartlett	Boswell	Castle
Barton	Boucher	Chabot
Bass	Boyd	Chambliss

Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Ensign
Etheridge
Evans
Everett
Ewing
Fawell
Fazio
Flake
Foley
Forbes
Ford
Fowler
Fox
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hobson
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
Lucas
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McIntosh
McIntyre
McKeon
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (FL)
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Olver
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Redmond
Regula
Reyes
Riley
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Ryun
Sabo
Salmon
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Serrano
Sessions
Shadegg
Shaw
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Upton
Velazquez
Visclosky
Walsh
Wamp
Waters
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—65

Barrett (WI)
Becerra
Berry
Blumenauer
Brown (CA)
Brown (OH)
Campbell
Chenoweth
Conyers
Davis (IL)
DeFazio
DeGette
Delahunt
Dellums
Doggett
Ehlers
Eshoo
Farr
Fattah
Filner
Frank (MA)
Franks (NJ)
Furse
Ganske
Gutierrez
Hinchey
Hoekstra
Hooley
Jackson (IL)
Kennedy (MA)
Kind (WI)
Klug
Kucinich
LoBiondo
Lofgren
Lowey
Luther
McDermott
McGovern
McKinney
McNulty
Miller (CA)
Minge
Morella
Nadler
Oberstar
Obey
Paul
Payne
Ramstad
Riggs
Rivers
Roukema
Royce
Rush
Sanders
Sanford
Sensenbrenner
Shays
Stark
Torres
Vento
Watt (NC)
Woolsey
Yates

NOT VOTING—12

Bonilla
Foglietta
Gibbons
Gonzalez
Hastings (FL)
Hinojosa
Largent
McInnis
Owens
Rogan
Schiff
Solomon

□ 1303

Messrs. RUSH, HINCHEY and BLUMENAUER, changed their vote from ''yea'' to ''nay.''

Ms. SANCHEZ and Mr. PETERSON of Minnesota changed their vote from ''nay'' to ''yea.''

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.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER. Pursuant to House Resolution 239 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2267.

□ 1305

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further 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, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose on Wednesday, September 24, 1997, the bill was open for amendment from page 38, line 12, through page 38, line 25.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 239, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 1 printed in part II of the Committee on Rules report offered by the gentleman from Illinois [Mr. HYDE]; amendment No. 53 offered by the gentleman from Virginia [Mr. SCOTT]; amendment No. 55 offered by the gentlewoman from California [Ms. WATERS]; amendment No. 35 offered by the gentleman from Oklahoma [Mr. COBURN]; and amendment No. 32 offered by the gentlewoman from the District of Columbia [Ms. NORTON].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. HYDE

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois [Mr. HYDE] on which further proceedings were postponed and on which the ayes prevailed by a voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HYDE:

Page 116, strike line 16 and all that follows through line 2 on page 117 and insert the following:

SEC. 616. ATTORNEYS FEES AND OTHER COSTS IN CERTAIN CRIMINAL CASES.

During fiscal year 1997 and in any fiscal year thereafter, the court, in any criminal case pending on or after the date of the enactment of this Act, shall award, and the United States shall pay, to a prevailing party, other than the United States, a reasonable attorney's fee and other litigation costs, unless the court finds that the position of the United States was substantially justified or that other special circumstances make an award unjust. Such awards shall be granted pursuant to the procedures and limitations provided for an award under section 2412 of title 28, United States Code. Fees and other expenses awarded under this provision to a party shall be paid by the agency over which the party prevails from any funds made available to the agency by appropriation. No new appropriations shall be made as a result of this provision.

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 340, noes 84, not voting 9, as follows:

[Roll No. 443]

AYES—340

Abercrombie
Ackerman
Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Becerra
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clayton
Clement
Clyburn
Coble
Coburn
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (IL)

Davis (VA)
Deal
DeFazio
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kildee
Kilpatrick
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Mascara
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McIntosh
McIntyre
McKeon
Meehan
Meek
Metcalf
Mica
Millender-McDonald
Miller (FL)
Minge
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Owens
Oxley
Packard
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riley
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Serrano
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn
Young (AK)
Young (FL)

NOES—84

Allen
Andrews
Baldacci
Barrett (WI)
Bentsen
Bereuter
Berman
Blagojevich
Blumenauer
Bonior
Brown (CA)
Brown (OH)
Cardin
Clay
Collins
Coyne
Davis (FL)
DeGette
Delahunt
DeLauro
Dellums
Dingell
Doggett
Eshoo
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gutierrez
Hamilton
Hinchey
Hinojosa
Johnson (WI)
Johnson, E.B.
Kennedy (MA)
Kennedy (RI)
Kennelly
Kind (WI)
Kucinich
Lampson
LaTourette
Levin
Lewis (GA)
Lofgren
Lowey
Markey
Martinez
Matsui
McCarthy (MO)
McDermott
McGovern
McKinney
McNulty
Menendez
Miller (CA)
Mink
Nadler
Olver
Pallone
Pelosi
Petri
Rangel
Riggs
Rivers
Rothman
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Sensenbrenner
Sherman
Skaggs
Slaughter
Smith, Adam
Stokes
Stupak
Tauscher
Torres
Turner
Waxman
Woolsey
Yates

NOT VOTING—9

Bonilla
Conyers
Gibbons
Gonzalez
Hastings (FL)
Hoyer
McInnis
Rogan
Schiff

□ 1328

Messrs. WAXMAN, BERMAN, KENNEDY of Massachusetts, NADLER, CLAY, SCHUMER, STOKES, and Mrs. LOWEY changed their vote from ''aye'' to ''no.''

Messrs. NEY, THORNBERRY, HEFLEY, STUMP, DUNCAN, BUNNING, BAKER, BOSWELL, BOB SCHAFFER of Colorado, LUTHER, BERRY, SAM JOHNSON of Texas, DEAL of Georgia, RUSH, TOWNS, and Ms. HOOLEY of Oregon, Mrs. ROUKEMA, Ms. HARMAN, Ms. KAPTUR, Mrs. MEEK of Florida, and Mrs. MYRICK changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

□ 1330

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to House Resolution 239, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

AMENDMENT NO. 53 OFFERED BY MR. SCOTT

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia [Mr. SCOTT] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 53 offered by Mr. SCOTT:

Page 29, line 10, insert after the amount ''(reduced by $258,750,000)'' and insert as follows: page 28, line 17, after the amount insert ''(increased by $80,000,000)''; page 29, line 20, after the amount insert ''(increased by $13,000,000)'' and on line 22, after the amount insert ''(increased by $8,000,000)'' and on line 25 after the amount insert ''(increased by $40,000,000)''; page 31, line 1, after the amount insert ''(increased by $37,000,000)'' and on line 21 after the amount insert ''(increased by $76,750,000)'' and on line 13 after the amount insert ''(increase by $4,000,000)''.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 129, noes 291, not voting 13, as follows:

[Roll No. 444]

AYES—129

Abercrombie
Allen
Baldacci
Barrett (WI)
Barton
Becerra
Berman
Bilbray
Bishop
Blumenauer
Bonior
Boyd
Brown (FL)
Brown (OH)
Carson
Clay
Clayton
Clyburn
Conyers
Coyne
Cummings
Cunningham
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dixon
Doggett
Dooley
Doyle
Ehlers
Eshoo
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gutierrez
Hilliard
Hinchey
Hooley
Horn
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E.B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kilpatrick
Kind (WI)
LaFalce
Lantos
Leach
Lewis (GA)
Lofgren
Luther
Markey
Martinez
Matsui
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Quinn
Rangel
Reyes
Rodriguez
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scott
Serrano
Skaggs
Slaughter
Snyder
Stark
Stokes
Stupak
Talent
Thompson
Thurman
Tierney
Torres
Towns
Turner
Upton
Velazquez
Vento
Waters
Watt (NC)
Waxman
Wexler
Weygand
Woolsey
Wynn
Yates

NOES—291

Ackerman
Aderholt
Andrews
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bentsen
Bereuter
Berry
Bilirakis
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bono
Borski
Boswell
Boucher
Brady
Brown (CA)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Danner
Davis (VA)
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Ensign
Etheridge
Evans
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)

Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kasich
Kelly
Kennelly
Kildee
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Mascara
McCarthy (MO)
McCollum
McCrery
McDade
McHale
McHugh
McIntosh
McIntyre
McKeon
Menendez
Metcalf
Mica
Miller (FL)
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Redmond
Regula
Riggs
Riley
Rivers
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Solomon
Souder
Spratt
Stabenow
Stearns
Stenholm
Strickland
Stump
Sununu
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Young (AK)
Young (FL)

NOT VOTING—13

Archer
Bonilla
Collins
Dellums
Gibbons
Gonzalez
Hastings (FL)
Livingston
McInnis
Rogan
Schiff
Spence
Taylor (NC)

□ 1337

Mr. DUNCAN changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 55 OFFERED BY MS. WATERS

The CHAIRMAN. The unfinished business is the demand for a recorded vote on amendment No. 55 offered by the gentlewoman from California [Ms. WATERS] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 55 offered by Ms. WATERS:

Page 29, line 10, after the dollar amount, insert ''(decreased by $30,000,000)''.

Page 31, line 12, after the dollar amount, insert ''(increased by $30,000,000)''.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 162, noes 259, not voting 12, as follows:

[Roll No. 445]

AYES—162

Abercrombie
Ackerman
Allen
Baldacci
Barrett (WI)
Barton
Becerra
Berman
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clyburn
Coburn
Conyers
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Dicks
Dixon
Dooley
Doyle
Ehlers
Engel
Ensign
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Goodling
Gutierrez
Hall (OH)
Harman
Hefner
Hilliard
Hinchey
Hinojosa
Hooley
Horn
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lofgren
Luther
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Morella
Nadler
Neal
Nethercutt
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Portman
Price (NC)
Ramstad
Rangel
Rivers
Rodriguez
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scott
Serrano
Shays
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Spratt
Stabenow
Stark
Stenholm
Stokes
Stupak
Thompson
Thurman
Tierney
Torres
Towns
Upton
Velazquez
Vento
Waters
Watt (NC)
Waxman
Wexler
Weygand
Woolsey
Wynn
Yates

NOES—259

Aderholt
Andrews
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bentsen
Bereuter
Berry
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bono
Boswell
Boucher
Brady
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Campbell
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dingell
Doggett
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
English
Etheridge
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hulshof
Hunter
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lowey
Lucas
Maloney (CT)
Manzullo
McCollum
McCrery
McDade
McHale
McHugh
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Moran (VA)
Murtha
Myrick
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Poshard
Pryce (OH)
Quinn
Radanovich
Rahall
Redmond
Regula
Reyes
Riggs
Riley
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stearns
Strickland
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Young (AK)
Young (FL)

NOT VOTING—12

Bonilla
Buyer
Canady
Collins
Gephardt
Gibbons
Gonzalez
Hastings (FL)
Hutchinson
McInnis
Rogan
Schiff

□ 1347

Mr. LEWIS of California changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 35 OFFERED BY MR. COBURN

The CHAIRMAN. The unfinished business is the demand for a recorded vote on amendment No. 35 offered by the gentleman from Oklahoma [Mr. COBURN] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 35 offered by Mr. COBURN:

Page 34, line 13, after the dollar amount, insert the following: ''(increased by $74,100,000)''.

Page 49, line 9, after the dollar amount, insert the following: ''(reduced by $74,100,000)''.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 163, noes 261, not voting 9, as follows:

[Roll No. 446]

AYES—163

Aderholt
Andrews
Archer
Armey
Bachus
Ballenger
Barr
Barrett (WI)
Barton
Bass
Berry
Bilirakis
Blagojevich
Bliley
Blunt
Bono
Bryant
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Combest
Cooksey
Cox
Crane
Crapo
Cubin
Danner
Deal
DeFazio
DeLay
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
Engel
Ensign
Ewing
Foley
Fowler
Fox
Frelinghuysen
Ganske
Gillmor
Goodlatte
Goodling
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hastings (WA)
Hayworth
Hefley
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jones
Kasich
Kingston
Klug
Kolbe
Largent
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas
Luther
Manzullo
McCollum
McCrery
McHugh
McIntosh
McIntyre
McKeon
Metcalf
Miller (FL)
Minge
Moran (KS)
Myrick
Neumann
Ney
Northup
Norwood
Nussle
Obey
Pappas
Parker
Paul
Paxon
Peterson (PA)
Pickering
Pitts
Pombo
Quinn
Radanovich
Ramstad
Riggs
Rohrabacher
Roukema
Royce
Ryun
Salmon
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Sessions
Shadegg
Shays
Shimkus
Skeen
Smith (MI)
Smith (NJ)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Strickland
Stump
Sununu
Talent
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Visclosky
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)

NOES—261

Abercrombie
Ackerman
Allen
Baesler
Baker
Baldacci
Barcia
Barrett (NE)
Bartlett
Bateman
Becerra
Bentsen
Bereuter
Berman
Bilbray
Bishop
Blumenauer
Boehlert
Boehner
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Burr
Burton
Buyer
Callahan
Capps
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Cook
Costello
Coyne
Cramer
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis (VA)
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Forbes
Ford
Frank (MA)
Franks (NJ)
Frost
Furse
Gallegly
Gejdenson
Gekas
Gilchrest
Gilman
Goode
Gordon
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hefner
Herger
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Houghton
Hoyer
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E.B.
Johnson, Sam
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Levin
Lewis (GA)
Lipinski
Livingston
Lowey
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDade
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mica
Millender-McDonald
Miller (CA)
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Nethercutt
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Pickett
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Rahall
Rangel
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schumer
Scott
Sensenbrenner
Serrano
Shaw
Sherman
Shuster
Sisisky
Skaggs
Skelton
Slaughter
Smith (OR)
Smith (TX)
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Stupak
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Walsh
Waters
Watt (NC)
Waxman
Weldon (PA)
Wexler
Weygand
Wise
Woolsey
Wynn
Yates
Young (AK)

NOT VOTING—9

Bonilla
Collins
Gephardt
Gibbons
Gonzalez
Hastings (FL)
McInnis
Rogan
Schiff

□ 1356

Mr. McHUGH changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 32 OFFERED BY MS. NORTON

The CHAIRMAN. The unfinished business is the demand for a recorded vote on amendment No. 32 offered by the gentlewoman from the District of Columbia [Ms. NORTON] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 32 offered by Ms. NORTON:

In title I, under the heading ''General Provisions—Department of Justice'', strike section 103.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 155, noes 264, not voting 14, as follows:

[Roll No. 447]

AYES—155

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barrett (WI)
Becerra
Bentsen
Berman
Bishop
Blagojevich
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Cardin
Carson
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dixon
Doggett
Dooley
Engel
Eshoo
Evans
Farr
Fattah
Fawell
Fazio
Filner
Foglietta
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gejdenson
Gilman
Green
Greenwood
Gutierrez
Gutknecht
Harman
Hilliard
Hinchey
Hinojosa
Hooley
Horn
Houghton
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kilpatrick
Kind (WI)
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McKinney
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Mink
Moran (VA)
Morella
Nadler
Olver
Owens
Pallone
Pastor
Payne
Pelosi
Pickett
Porter
Price (NC)
Rangel
Rivers
Rodriguez
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Shays
Sherman
Sisisky
Skaggs
Slaughter
Smith, Adam
Stabenow
Stark
Stokes
Strickland
Tauscher
Thompson
Tierney
Torres
Towns
Velazquez
Vento
Waters
Watt (NC)
Waxman
Wexler
Wise
Woolsey
Wynn
Yates

NOES—264

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Bonior
Bono
Borski
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Combest
Cook
Cooksey
Costello
Cox
Cramer
Crapo
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dingell
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Ewing
Flake
Foley
Forbes
Fowler
Fox
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (WI)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kildee
Kim
King (NY)

Kingston	Northup	Shimkus
Kleczka	Norwood	Shuster
Klink	Nussle	Skeen
Klug	Oberstar	Skelton
Knollenberg	Ortiz	Smith (MI)
Kolbe	Oxley	Smith (NJ)
Kucinich	Packard	Smith (OR)
LaFalce	Pappas	Smith (TX)
LaHood	Parker	Smith, Linda
Lampson	Pascrell	Snowbarger
Largent	Paul	Snyder
Latham	Paxon	Solomon
LaTourette	Pease	Souder
Lazio	Peterson (MN)	Spence
Leach	Peterson (PA)	Spratt
Lewis (CA)	Petri	Stearns
Lewis (KY)	Pickering	Stenholm
Linder	Pitts	Stump
Lipinski	Pombo	Stupak
Livingston	Pomeroy	Sununu
LoBiondo	Portman	Talent
Lucas	Poshard	Tanner
Manton	Pryce (OH)	Tauzin
Manzullo	Quinn	Taylor (MS)
Mascara	Rahall	Taylor (NC)
McCollum	Ramstad	Thornberry
McCrery	Redmond	Thune
McDade	Regula	Thurman
McHale	Reyes	Tiahrt
McHugh	Riggs	Traficant
McIntosh	Riley	Turner
McIntyre	Roemer	Upton
McKeon	Rogers	Visclosky
McNulty	Rohrabacher	Walsh
Metcalf	Ros-Lehtinen	Wamp
Mica	Royce	Watkins
Miller (FL)	Ryun	Watts (OK)
Minge	Salmon	Weldon (FL)
Moakley	Sanford	Weldon (PA)
Mollohan	Saxton	Weller
Moran (KS)	Scarborough	Weygand
Murtha	Schaefer, Dan	White
Myrick	Schaffer, Bob	Whitfield
Neal	Sensenbrenner	Wicker
Nethercutt	Sessions	Wolf
Neumann	Shadegg	Young (AK)
Ney	Shaw	Young (FL)

NOT VOTING—14

Bonilla	Gibbons	Radanovich
Collins	Gonzalez	Rogan
Crane	Hastings (FL)	Schiff
Dellums	McInnis	Thomas
Gephardt	Obey	

☐ 1404

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GUTKNECHT. Mr. Chairman, On rollcall No. 447 I have been notified that I was improperly recorded as voting ''aye.'' I am opposed to the Norton amendment and my vote should reflect a strong ''no.''

The CHAIRMAN. Are there further amendments to the paragraph?

If not, the Clerk will read.

The Clerk read as follows:

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed $2,500 for official reception and representation expenses, $41,400,000, to remain available until expended.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 1517; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $30,000 per vehicle; obtain insurance on official motor vehicles; and rent tie lines and teletype equipment; $279,500,000, to remain available until expended, of which not less than $172,608,000 shall be for the United States and Foreign Commercial Service: Provided, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act shall include payment for assessments for services provided as part of these activities.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law; $41,000,000, to remain available until expended: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C.) 2455(f) and 2458(c)), shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

AMENDMENT OFFERED BY MR. MOLLOHAN

Mr. MOLLOHAN. Mr. Chairman, pursuant to the unanimous consent agreement entered into last night, I offer an amendment on the Legal Services Corporation that affects title I.

The Clerk read as follows:

Amendment offered by Mr. MOLLOHAN:

On page 6, line 13, after the dollar amount, insert the following: ''(reduced by $6,000,000)''.

On page 6, line 25, after the dollar amount, insert the following: ''(reduced by $6,000,000)''.

On page 22, line 25, after the dollar amount, insert the following: ''(reduced by $42,000,000)''.

On page 44, line 1, after the dollar amount, insert the following: ''(reduced by $1,000,000)''.

On page 47, line 26, after the dollar amount, insert the following: ''(reduced by $5,000,000)''.

On page 48, line 21, after the dollar amount, insert the following: ''(reduced by $6,000,000)''.

On page 50, lines 13 and 23, after each dollar amount, insert the following: ''(reduced by $15,000,000)''.

On page 51, line 11, after the second dollar amount, insert the following: ''(reduced by $15,000,000)''.

On page 51, line 13, after the dollar amount, insert the following: ''(reduced by $15,000,000)''.

On page 51, line 20, after the dollar amount, insert the following: ''(reduced by $10,000,000)''.

On page 51, line 22, after the dollar amount, insert the following: ''(reduced by $5,000,000)''.

On page 54, line 11, after the dollar amount, insert the following: ''(reduced by $1,000,000)''.

On page 59, line 26, after the dollar amount, insert the following: ''(reduced by $13,000,000)''.

On page 65, line 18, after the dollar amount, insert the following: ''(reduced by $9,000,000)''.

On page 95, line 15, after the dollar amount, insert the following: ''(reduced by $10,000,000)''.

On page 96, line 1, after the dollar amount, insert the following: ''(reduced by $10,000,000)''.

On page 96, line 23, after the dollar amount, insert the following: ''(reduced by $6,000,000)''.

On page 98, line 5, after the dollar amount, insert the following: ''(increased by $109,000,000)''.

On page 98, line 6, after the dollar amount, insert the following: ''(increased by $109,000,000)''.

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

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 1 hour and 30 minutes and that the time be equally divided.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. OBEY. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

POINT OF ORDER

Mr. ROGERS. Point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state his point of order.

Mr. ROGERS. Mr. Chairman, is it proper for this Member to inquire of the gentleman the reason he might object to such a limitation?

The CHAIRMAN. Only if a Member reserves the right to object can that question be asked.

Mr. ROGERS. I would point out to the Chair that we are trying to expedite this bill and get it over with by 10 o'clock or so tonight. We are proceeding amicably and I think agreeably and very successfully. If all of the Members can restrain themselves, we can get through with this bill.

The CHAIRMAN. Objection has been heard.

The gentleman from West Virginia [Mr. MOLLOHAN] is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I rise today to join my colleague the gentleman from Pennsylvania [Mr. FOX] in offering an amendment to increase funding to the Legal Services Corporation. Simply stated, the Mollohan-Fox amendment increases funding for the Legal Services Corporation from $141 million to $250 million, the same amount, by the way, Mr. Chairman, that we came off the floor last year in this bill with a similar amendment.

What is the Legal Services Corporation? It was created in 1974 as a private, nonprofit corporation. It was specifically established by the Congress to provide civil legal assistance to the poorest, most vulnerable Americans, assuring that they receive equal access to our judicial system.

What type of cases do Legal Services attorneys handle? The largest percentage of cases, Mr. Chairman, closed by the LSC attorneys in 1996 was in the area of family law, comprising about 35 percent of the 1.4 million cases closed. About 22 percent closed were housing cases, and about 15 percent related to income maintenance, cases associated with the poorest in our society.

As many Members know, in fiscal year 1996, our subcommittee put in place a number of restrictions to increase accountability by the Legal Services Corporation. This was in response to the concerns of many Members about what Legal Services was up to. A competitive bidding system has been adopted for all grants and contracts. All grantees are now required to provide audited financial statements.

In addition, we impose a number of prohibitions on LSC grantees. Any LSC grantee is prohibited from participating in redistricting litigation, prohibited from participating in class action suits, and welfare reform advocacy, and prisoner representation, lobbying, abortion litigation, illegal alien representation, and in collecting attorney's fees.

Members will be pleased to note that this bill before us adds a new provision to allow for the recompetition of grants and debarment from competing for future grants by grantees who violate the restrictions I have just mentioned. It was this committee under the leadership of the gentleman from Kentucky [Mr. ROGERS] that imposed most of these restrictions.

I would like to point out to Members that the Mollohan-Fox amendment does not seek to change a single one of these restrictions. This amendment simply increases the funding for grants to basic field programs by $109 million, virtually the same vote that we had last year.

Offsets to the amendments are as follows: Bureau of Prisons, $42 million; court of appeals and district courts, $13 million; Federal Communications Commission, $10 million; Department of Justice Antitrust Division, $6 million; Federal Trade Commission, $6 million; National Oceanic and Atmospheric Administration, $15 million; diplomatic and consular programs, $9 million; Department of Commerce general administration, $1 million; Patent and Trademark Office, $5 million; National Institute for Standards and Technology, $6 million; and economic and statistical analysis, $1 million.

Because clause 2(f) of rule XXI limits amendments which move funding among multiple accounts in appropriation bills to transfers between appropriation items only, I was not able to designate precisely in this Mollohan-Fox amendment our intentions regarding FCC fees or State Department foreign currency gains. Doing so would have been a violation of the House rules. But if the Mollohan-Fox amendment passes, we will work to adjust the final bill to reflect these intentions of using currency gains at the State Department and increased fee levels for the FCC.

Mr. Chairman, what happens if we do not pass the Mollohan-Fox amendment, if funding remains at the current low level of $141 million? Without additional funding, it is expected that the number of clients, the number of the poorest of our citizenry served, will fall from 1.4 million in fiscal year 1996 to less than 1 million in 1998. The number of LSC attorneys serving the poor will fall from about 4,871 in fiscal year 1995 to less than half of that, about 2,400. Millions of poor people will be unable to obtain legal assistance. And unfortunately pro bono services from private attorneys just cannot replace federally-funded legal services.

Congress created the Legal Services Corporation because it recognized that Federal funding was needed to ensure that some minimum level of access to our judicial system would be available to everyone. What message are we trying to send to the American public today? Do you really want to tell those in our society who are the most helpless, vulnerable, least able to obtain resources that we are not going to give you access to the court system? Do not send that message. Support the Mollohan-Fox amendment.

MOLLOHAN-FOX AMENDMENT TO H.R. 2267—SPECIFIC EXPLANATION OF OFFSETS

The purpose of this document is to clarify the intent of all of the offsets used in the Mollohan-Fox Amendment to H.R. 2267. The amendment increases funding for the Legal Services Corporation from $141,000,000 to $250,000,000.

OFFSETS

Department of Justice—the Antitrust Division. −$6,000,000; The intent is to increase the fee carryover from $10 million to $16 million, and to decrease the direct appropriation by a corresponding $6 million.

Federal Prison System. −$42,000,000 from the Salaries and Expenses Account.

National Oceanic and Atmosphric Administration (NOAA). −$5,000,000 to be taken from Executive Direction and Administration, within the Program Support line item of the Operations, Research, and Facilities Account; and −$10,000,000 to be taken from the Polar Convergence Account within the National Environmental Satellite, Data, and Information Service.

Department of Commerce—General Administration. −$1,000,000.

Patent and Trademark Office (PTO). −$5,000,000.

National Institute of Standards and Technology (NIST). −$6,000,000 from the Scientific and Technical Research and Services Account.

Economic and Statistical Analysis. −$1,000,000 from the Salaries and Expenses Account.

The Judiciary. −$13,000,000 from the Court of Appeal, District Courts, and other Judicial Services Account.

Department of State. −$9,000,000 from Diplomatic and Consular Programs; It is the intent of the amendment that $7,000,000 of the $9,000,000 be taken from exchange rate gains in the International Cooperative Administrative Support Services (ICASS) account, with the remaining $2,000,000 coming from the regular Diplomatic and Consular Programs account.

Federal Communications Commission (FCC). −$10,000,000; The intent is to increase the amount the FCC can collect in offsetting fees by $10,000,000 (per the budget request) and decrease the direct appropriation by a corresponding $10,000,000.

On further clarification of the State Department and FCC offset—Because clause 2(f) of Rule 21 limits amendments which move funding among multiple accounts in appropriations bills to transfers between appropriations items only, the Mollohan-Fox Amendment was not able to designate precisely our intentions regarding FCC fees or State Department foreign currency gains. Doing so in the amendment would have been a violation of the rule.

This statement is made to clarify the intentions of the amendment. Clearly it is not the intent of the Mollohan-Fox Amendment to reduce the total resources available to the FCC or to the State Department's operating funds.

Federal Trade Commission (FTC). −$6,000,000; The intent is to increase the fee carryover from $10 million to $16,000,000 and to decrease the direct appropriation by a corresponding $6,000,000.

□ 1415

Mr. BURTON of Indiana. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN].

Mr. Chairman, contrary to what will be said on the floor today, the Legal Services Corporation continues to ignore congressional restrictions, and inappropriate activities continue to run rampant at taxpayers' expense. In fiscal year 1996 Congress restricted the activities of Legal Services that they

could engage in. These restrictions include the following: prohibition on redistricting activity; abortion litigation; prison litigation; welfare litigation; pro-union advocacy and union organizing; fee-generating cases; representation of housing tenants charged with possession of illegal drugs or against whom eviction proceedings had been begun as a result of their illegal drug activity; and a prohibition of representing most illegal aliens. Legal Services Corporations have made an art out of circumventing congressional restrictions, and yet Congress continues to allocate precious taxpayers' dollars in large amounts, and today they want to increase that.

And what do we get in return? A failed Government bureaucracy, more interested in promoting a radical agenda than assisting the indigent in solving their problems.

The Legal Services Corporation claims it has reformed and it adheres to congressional restrictions. Ask them, and they will say that the abuses are in the past. The Legal Services Corporation will say that they no longer represent prisoners, drug dealers, illegal immigrants, and class actions in suits and the like. If this is true, and the Legal Services has reformed, if Legal Services is in good faith living up to its end of the bargain by complying with the congressional restrictions, then how do they explain the Legal Services Corporation's involvement in the following legal actions, all of which have occurred in the last 2 years, in which they challenge the congressional authority and the congressional mandates?

Let me give my colleagues some examples:

In August 1996, last year, Brooklyn Legal Services stopped the eviction of a woman even though police found 54 vials of crack cocaine and drug packaging during the raid on her apartment. That was last year, 54 vials, and they were trying to keep this woman from being evicted.

In 1996, last year, Neighborhood Legal Services of Buffalo tried to get a man's supplemental Social Security, SSI, benefits on the grounds that his history of chronic alcoholism made him too tired and too nervous to work. That was thrown out about by a judge, but it went to court.

In February of this year, 1997, the Legal Aid Society of Mercer County tried to win unemployment benefits for a man who lost his job because he was in jail.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto be concluded at 3:40, which will be an hour and a half total debate time, and that the remaining time be equally divided between these two parties.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. MOLLOHAN. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. BURTON of Indiana. Who objected? I am sorry.

The CHAIRMAN. The objection came from the gentleman from West Virginia.

Mr. BURTON of Indiana. The gentleman from West Virginia; OK.

In February 1997 the Legal Aid Society of Mercer County tried to win unemployment benefits for a man who lost his job because he was in jail. The man in question worked as a housekeeper at the Mercer Medical Center until he was arrested for aggravated assault and other charges. He spent 9 months in jail, and after his release the medical center refused to rehire him; they were afraid of this guy. Legal Services then filed suit seeking unemployment benefits for the guy. Legal Services claimed that he was owed unemployment because it was not his fault he lost the job.

Can my colleagues believe that? That was done with taxpayers' dollars.

All I can say is I can go into example after example after example of where the Legal Services Corporation has deliberately circumvented the will of the people and the will of the Congress of the United States, and they are doing it with taxpayers' dollars. We need to get a grip on this organization. We need to rein in the Legal Services Corporation, not give them more money as the gentleman from West Virginia [Mr. MOLLOHAN] wants to do or the gentleman from Pennsylvania [Mr. FOX] wants to do. We need to put some constraints on them.

Now there are a number of organizations around this country that are voluntarily helping the indigent and the poor. In Indianapolis, the Indianapolis Legal Aid Society was founded in 1941 and in 1995 received all of its $458,000 from private sources, not from the taxpayer. It handled over 6,079 cases at a cost of, get this, $75 a case, and it was not funded by the taxpayer, and they helped the people they really should be helping, the truly needy and the truly indigent, not these other people, not these social service cases, not these social cases that are designed to change the policies of our Government, not redistricting cases, but cases where they were really helping the poor and they did it at nontaxpayer expense.

All I can say to my colleagues is let us get this Government out of the business of legal services, let us get it back in the private sector where it belongs, and let us help the people who truly need the help, the truly indigent.

Mr. DAVIS of Illinois. Mr. Chairman, I rise today and join my colleagues in support of the Mollohan-Fox amendment.

Mr. Chairman, this amendment is about equal justice and insuring that every American citizen has access to civil legal services. The Legal Services Corporation, LSC, is the Federal Government's contribution to a national public-private partnership. This partnership is aimed at fulfilling the first enumerated purpose of our Government in the preamble to the Constitution: to establish justice. The Mollohan-Fox amendment would increase funding for LSC's by $109 million, which is still way below the President's request.

The Legal Services Corporation has been a favorite target of many of my colleagues in the Congress. It has already received a cut in funding by one-third, and now they want to cut funding by 50 additional percent.

By cutting funding we send a strong message that if someone is poor in this country they do not deserve adequate legal representation in matters involving just civil suits. More importantly, we undermine the very basic principles of justice and fairness with the notion that because of class or station in life, because one happens to be poor, they do not deserve equal protection or access to legal representation.

This is an issue of conscience. In Illinois alone it is estimated that each year 300,000 low-income families face approximately 1 million civil legal problems for which they have no legal representation. This country, the leader of democracy, the leader of freedom, has an obligation to insure that each American has access to legal representation.

It is clear that a vote for this amendment is a vote for equal justice for all people, and therefore I urge all of my colleagues on both sides of the aisle to join with me in supporting the Mollohan-Fox amendment.

Mr. BARR of Georgia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think it is important for our colleagues and the American people to understand at the beginning of this debate exactly what it is that we are taking about and exactly what it is that we are not talking about. The constitutional obligation that our Government has to ensure that people before our courts have court-appointed attorneys to protect their rights is not what we are talking about.

Our Constitution guarantees and we provide already in this legislation hundreds of millions of dollars to insure that people, our citizens who are brought before our court to answer charges against them, have full and adequate legal representation. Millions of dollars are spent on that purpose through the public defender services and other moneys made available under this act. Any suggestion that our Constitution guarantees that a person seeking redress for civil problems in a court, any suggestion that we ought to be defensive or feel guilty by saying that the taxpayers of this country do not have an obligation to ensure that somebody who wants to go in to change welfare laws or to ensure that somebody in a federally funded housing project can deal drugs with impunity,

to suggest that those type people should have their civil legal bills paid for by the taxpayers of this country is preposterous.

This is not a constitutional issue. It is a political advocacy issue. That is what Legal Services Corporation excels at, political advocacy, advocating political causes.

And let me tell my colleagues, Mr. Chairman, about the arrogance with which Legal Services attorneys approach efforts by those of us in this body to be good stewards of taxpayer money. The Legal Aid Society of Santa Clara has a vice president named Elizabeth Shivell, and she said, in the wake of the restrictions that Congress has and has attempted to place on the ability of Legal Services Corporation to enforce a political agenda in the courts at taxpayer expense, this is what she said:

> If Congress can screw people with technicalities, we can unscrew them with technicalities. That is why we are lawyers and not social workers. Two can play this game.

That was in the California Lawyer in a story entitled ''Legal Aid Divides to Conquer'' in February 1996.

The previous speaker on our side, the distinguished gentleman from Indiana [Mr. BURTON] the chairman of the Committee on Government Reform and Oversight, gave several examples of instances in which the Legal Services Corporation continues to circumvent congressional intent embodied in law to push and enforce a political agenda of its own, in contravention to the wishes of American people and citizens and communities from Santa Clara to Boston. We do not need to, or actually maybe we do need to, highlight for the American people and for our colleagues additional examples of how they continue to circumvent congressional intent despite the restrictions placed in the previous Congress and Congresses. They continue to find ways to manipulate, to circumvent, to find loopholes around the restrictions so that they can force their political agenda.

The Legal Services Corporation, Mr. Chairman, continues to be a wolf in sheep's clothing; it must be killed. As the gentleman from Indiana [Mr. BURTON] also said, Mr. Chairman, there are dozens upon dozens of mechanisms administered by State and local bar associations. I contribute annually to one in my home county to provide voluntary legal service funding for indigents in civil proceedings. Those are the mechanisms that were envisaged in our constitutional form of government. That is the mechanism that works, that is the mechanism that people across this country are demanding work, and not to have their taxpayer dollars spent on attorneys with a political agenda and who are increasing the rates of their representation, the amount of money, at rates faster than inflation. We are continuing to provide more money than we ought to provide, and this amendment to increase funding for LSC's political agenda ought to be defeated.

□ 1430

Mr. FOX of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today to offer this amendment with my colleagues, the gentleman from West Virginia [Mr. MOLLOHAN] and the gentleman from Minnesota [Mr. RAMSTAD] in support of funding for low-income legal aid assistance. I commend the chairman, ranking member, and staff for their hard work on this very difficult appropriations bill.

Last year we came to the floor and offered a similar amendment to restore funding to this important program. We spoke of the reforms we had just recently enacted and urged Members to support a level of $250 million in funding. In that vote, 247 Members supported our effort, including 56 of our Republican colleagues. This year we ask the same kind of support.

I am convinced that under the leadership of its new president, John McKay, a Republican from Washington State, Chairman Douglas Eakley, and Vice Chairman John Erlenborn, a former Republican Congressman, Legal Services will be extremely vigilant in the defense of the new standards this Congress has set for Legal Service agencies.

Among these reforms are prohibitions on class action lawsuits, redistricting, and political advocacy, as well as additional prohibitions on abortion and prison litigation and legal assistance to illegal aliens. There is no social engineering here in the current Legal Services. This is a public-private partnership. Most agencies get about 20 percent or less of their funding from our Federal source.

This is a fairness issue, Mr. Chairman. Opponents of Legal Services try to cite a flood of brazen lawsuits challenging the congressional restrictions. This is simply not true. The truth is that there have been two lawsuits actually challenging the reforms Congress enacted last year. One case was brought in violation of the restrictions. In fact, the LSC recently prevailed in its case in U.S. District Court in Hawaii against five Legal Service grantees that had challenged the new restrictions.

Also, Legal Service was successful in forcing the Texas Rural Legal Aid Agency to withdraw from its lawsuit in Val Verde, Texas, within 1 month of the filing of the case, and vigorously pursued one remaining case in New York.

Contrary to what the Legal Service opponents would have us believe, this is the extent of the litigation surrounding the restrictions. There is no flood of lawsuits. The stories of the past that are regularly listed in the publications of LSC opponents occurred before restrictions were in place.

Incidentally, in reference to the Brooklyn Legal Services and Santa Clara Legal Services, they are not Legal Services grantees.

Let us be serious. If we are going to discuss whether or not the provision of legal aid for the poor can be responsibly provided and partially supported by Federal funding, must opponents of the program use anecdotal evidence from years past which does not even apply to the proper legislative time frame?

If we enacted the reforms in 1996, why must opponents reach back to 10 years previous? Do we have so little confidence in ourselves to grant positive legislation that we give up our own actions before they take hold?

If there are true abuses continuing, let us take steps to stop them, but we should not stop the majority of legal aid services for one-on-one service to the poor.

I appeal to those who have questions and concerns about the program to take some time to reflect upon the good work that our local legal aid agencies do.

Opponents of the program never tell us the good work that these agencies do, so I will. Family law is the single largest category of cases handled by the 275 grantees. Half of the LSC's family and juvenile cases involve efforts to obtain relief from domestic violence for the client or a family member.

In 1996 alone, Legal Service grantees handled a quarter of a million cases involving domestic violence. If you take a minute to think about the number of domestic violence cases that do not get reported every year, it is hard not to imagine the need that exists for these services.

In closing, Mr. Chairman, I say this. I want to repeat that Legal Services is working hard to work as a partner with Congress in pursuing cases where grantees are overstepping their bounds. In offering this amendment, we are simply trying to ensure that low-income individuals and families have one-on-one access to the courts, no social engineering, no class action lawsuits. Please support our amendment to restore funding for Legal Services and ensure equal justice under the law.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. FOX of Pennsylvania. I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I think it is important to have a little dialog. In April 1996, the new rules regarding the Legal Services went into effect, in April 1996. The gentleman and others today here on the floor are going to say that they have been adhering to those.

I have in front of me two examples. In August 1996, 4 months after the new rules went into effect, passed by this Congress, the Brooklyn Legal Services Corp stopped the eviction of a woman, even though they found 54 vials of crack cocaine and drug packaging in her apartment during a raid. So they were violating the rules 4 months after we passed them.

Also in 1996, I could give you several examples where after these rules were

put into effect the Legal Services Corporation violated the rules passed by this Congress.

Mr. FOX of Pennsylvania. Mr. Chairman, reclaiming my time, to my good friend from Indiana, Mr. BURTON, let me say this: The fact of the matter is where the Legal Service Corp. was aware of the violations it has gone after those grantees and withdrawn the funding.

In the case of Brooklyn Legal Services, I understand they are not a Legal Service Corp grantee.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. FOX] has expired.

(On request of Mr. MOLLOHAN, and by unanimous consent, Mr. FOX of Pennsylvania was allowed to proceed for 2 additional minutes.)

Mr. FOX of Pennsylvania. Mr. Chairman, in conclusion, I would say this: We want to work shoulder to shoulder with the gentleman. I know the gentleman has an amendment later on today for another restriction, which, as you know, I am going to support, because I believe one way to make a system of providing one-on-one legal services to the poor be improved is by making sure it is crafted in such a way we get to those people truly in need, not the class action lawsuits, not representing illegal aliens, not representing prisoners and all the list we have given before. I will work with the gentleman closely, and I am sure others who are advocates for Legal Services will.

Mr. MOLLOHAN. Mr. Chairman, will the gentleman yield?

Mr. FOX of Pennsylvania. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. I would like to add to that, every law that we pass here, we pass it because we understand there is a proclivity out there to violate the laws. That is the same with the restrictions we put on Legal Services Corporation.

There was a lot of this activity out there before we put these restrictions on. It is reasonable to assume there are going to be some people who are zealots, or for whatever reason, who are going to violate the rules.

The gentleman is going to be pleased to know and he does know probably, because I know he is a student of the legislation that comes on the floor, that in this bill we have disbarment as punishment for those grantees who violate the restrictions that we have put on in the past.

So we are addressing these concerns, and I know the gentleman would be pleased that we are addressing them, and I hope the fact we are addressing them in good faith and in a serious manner will lead the gentleman to look favorably upon the underlying purposes.

Mr. FOX of Pennsylvania. Mr. Chairman, reclaiming my time, I wanted to make it clear on the Brooklyn case, which obviously is an egregious situation, they are not a Legal Services grantee. It is a problem we would like to address, but it is not LSC's problem. They did not cause it.

Mr. BURTON of Indiana. Mr. Chairman, if the gentleman will continue to yield, if I may make one additional comment, first of all I can give you many other examples. I think you probably know that. If you want me to, I will.

Second, while there are still violations, it is inconceivable to me we would increase the amount of the money going to Legal Services Corporation by $109 million. We were talking about $141 million. You wanted to go to 250. I do not understand why we reward them.

Mr. FOX of Pennsylvania. Mr. Chairman, I would like to reclaim my time to make a clarification. The fact of the matter is last year on the floor of the House the bill that went out called for $250 million. That is all we are doing, is asking for $250 million again.

Mr. SKAGGS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise this afternoon in support of the amendment offered by the gentleman from West Virginia and the gentleman from Pennsylvania.

Mr. Chairman, I have enormous respect for the body in which we all are privileged to serve, and I would hope that this is a place where we can give voice and effect to the highest aspirations of this country and the kind of civilization and society that we want to help craft.

We walk out the front door of this House Chamber and look across the street at the Supreme Court building, where emblazoned above the entrance is the statement ''Equal Justice Under Law.''

Is that something we want to be real and meaningful and effective? Not just for those that can hire $200-an-hour lawyers, but for the least of us? Or is it to be a bad joke, an insult to those who do not have the coin to hire the lawyers to make justice real for them?

The gentleman from West Virginia mentioned that without these additional funds, millions will go unserved. What he did not say is that even with it, millions will go unserved, because of the restrictions that have been imposed as the population of those in need have grown over the last several years.

We have a stake in each other in this country, Mr. Chairman. We can live under the illusion that those that are doing well can continue to do well and not suffer if we let those that are not doing so well live without access to the courts, without access to health care, without access to the good things that this country has to offer.

Or we can realize, not in some altruistic way, although I hope there is some moral obligation here, but in a very practical way, that if we leave a lot of this country's citizens behind, it will come back to haunt us.

This is a way that we can do either the right thing and say to the least among us financially that they still are as good as the best among us when it comes to an entrance to the courthouse, to have their rights respected and their obligations enforced; or we can say, Sorry, you are a different class of American. The courts are not really there for you. Whether it is for family law, for housing, for Social Security benefits, you name it, you are out of luck.

That is what this is about. It is about justice in this country and whether we have the guts and the gumption and the allocation of some modest part of this Nation's treasure to make that symbol of justice on the Supreme Court building meaningful for all of our people.

Freedom requires justice. Justice requires that we do more.

Mr. MCINTOSH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the committee funding level and in opposition to an increased funding for government-funded lawyers in the Legal Services Corporation.

We have had a debate here about this program, and what it reminded me of was a movie that I saw recently with my wife Ruthie, ''Jerry McGuire.'' And one of the characters in that movie is a man named Rod Tidwell, who says to his agent, ''Show me the money.'' And what we need to do is show us the money and where it is going, because there has been in fact an incredible politicalization of this government-funded program.

We have seen recently, as recently as 1997, after the so-called restrictions were in place, that the Minnesota Legal Services Agency has said it will file a lawsuit challenging Minnesota's welfare reform, specifically their residency requirement.

What more political act could you engage in than suing to prevent a State from enforcing its welfare reform initiative and requiring that people be a resident of that State before they receive money from those taxpayers?

This is an ongoing process. There have been no enforcement mechanisms for those reforms. They have been widely ignored. The harm goes deep in our country. Farmers have complained that Legal Services Corporation has sued them. One Ohio farmer was sued because he had too many migrant workers and he was violating labor laws. Another farmer was sued because they did not feel he was following all the environmental laws.

Cities are hassled by this group. The Legal Aid of Marin County sued the city of San Raphael for violating the rights of the homeless because they were giving out tickets to people that jaywalked. I can think of a lot better uses for our taxpayer money than subsidizing this time of needless, senseless litigation that is furthering only a small minority's political agenda.

In Chicago, the Legal Assistance Foundation of Chicago served notice on

the INS that they were going to sue them because they had failed to provide detainees with law books in Spanish and they were going to allege that their civil rights were violated.

Now, these are illegal individuals who are not here in this country as a legal citizen, been detained by the INS, and now government funds are encouraging a lawsuit to harass them in doing their job and protecting our borders.

This policy was misguided from the beginning. We do not need to subsidize more lawyers in this country. If anything, we need to encourage the private charitable works that actually help people when they have got a problem with their landlord, when they have got a problem receiving their payment that they are due from a local agency. But we do not need to have a Federal entity that spends a great deal of its money engaging in politically oriented lawsuits, fighting against the reforms that this Congress has tried to put into place in welfare, immigration, and basic ways in which the Federal Government operates.

This does not serve any of us well but, most importantly, it does not serve the taxpayer well. All too often I have had the taxpayers in my district, in central Indiana, come up to me and say, David, show me the money. What are you guys doing with all of the taxes that you collect from us? When I have to report back to them that on the House floor we are considering raising the amount of money we give to lawyers who file political lawsuits, their reaction is going to be, You got to shut down the place, let us keep the money. You don't know how to best use it for our services.

Mr. FOX of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. MCINTOSH. I yield to the gentleman from Pennsylvania.

Mr. FOX of Pennsylvania. Mr. Chairman, I appreciate the gentleman yielding. The fact is in a later amendment we are going to find the gentleman from Indiana [Mr. BURTON] will be putting a further restriction on this program, which I think goes to the arguments the gentleman has been making about making the system better.

□ 1445

And the money actually is only a small part of what local communities need to have one-on-one services for the poor.

Mr. MCINTOSH. Mr. Chairman, reclaiming my time, I appreciate the sincerity of the gentleman and his efforts and the efforts of our colleagues on this, but I think if we really want to send a message to this rogue entity: get out of politics, stop filing these lawsuits to provide a further agenda of one's liberal agenda; the best way, the best signal to do that is to reduce the spending, and that is what this committee did.

If they had come back and they had shown us that they had followed the restrictions, including the new one that my colleague, the gentleman from Indiana [Mr. BURTON], will offer later, then we could consider increasing the funds in future years. But nothing will serve better to get that message across that this Congress is serious about not wanting to fund politically oriented litigation than going through with the committee funding level, reducing the amount from previous years, and letting them know we are very serious.

Mr. NADLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this attempt in this bill to cut the budget of the Legal Services Corporation in half to $140 million, when as recently as 1995 it was over $415 million, is really an attempt to eliminate legal services for the poor for the reasons stated by some of the gentlemen on the other side of the aisle who say essentially that this is a rogue agency, that it politicizes justice, and so forth. They simply do not want poor people to have access to federally funded legal services because they do not like the result.

However, Mr. Chairman, the real question is, do we or do we not believe in this country that justice is for everyone. We say equal justice under law. Equal justice: Is it for everyone? Is access to the courts for everyone, or are the courts only here to protect the large corporations and to adjudicate disputes among millionaires and divorces for celebrities? Are the courts here to protect people when their rights are being violated, subject to evictions, or being fired improperly, or being discriminated against, or being cheated out of money; or are the courts only for rich people or upper middle-class people who can afford lawyers?

In the New York City housing court, which disposes of hundreds of thousands of cases every year, 99 percent of them eviction cases, 90 percent of the tenants have no lawyers at all. The landlords have lawyers, the tenants have no lawyers, and they are subject to very rough justice, if one can call it justice. They only wish the Legal Services Corporation had a much bigger budget, because these people need legal services or they cannot vindicate their rights when they are evicted, even though they have defenses which they do not understand because they are not lawyers.

Now, my colleagues say that this agency has politicized the process, that they bring political lawsuits, and an example was given a few minutes ago of the agency, the Legal Services in Wisconsin, I think it was, that sued against that State's welfare reform law, brought a lawsuit against the welfare reform laws.

Another example was given of Legal Services Corporations that sued farmers.

Mr. RAMSTAD. Mr. Chairman, will the gentleman yield?

Mr. NADLER. I yield to the gentleman from Minnesota.

Mr. RAMSTAD. Mr. Chairman, the reference to my home State of Minnesota, the gentleman who made that statement should know that, in fact, there are no Legal Service Corporation dollars involved in that lawsuit. It is Minnesota, not Wisconsin.

Mr. NADLER. Mr. Chairman, reclaiming my time, even if there were, even if there were, and they say that Legal Services sued farmers because allegedly they used child labor, this is not politicization. What my colleagues are really saying is that they do not want people's constitutional or legal rights enforced.

This Congress and most State legislatures have, for the last century, been enacting laws to protect people against child labor and to protect workers' safety and workers' health and environment and all kinds of laws, building code enforcement. What Legal Services does is to enable people to enforce the rights granted to them by the Constitution of the United States, or by laws passed by the State or by the Federal Government. Without lawyers to bring these lawsuits, those rights are meaningless.

What my colleagues on the other side of the aisle are really objecting to is that the small people, the nonrich people, are causing problems for local establishments because Legal Services helps them bring lawsuits that say: you cannot do that, even if you have always done it, because the law says you cannot or the Constitution says you cannot; and if they are wrong, the courts rule that way. What my colleagues are really objecting to is poor people having the ability to go into court against the State of Minnesota.

I do not know anything about the State of Minnesota's welfare reform law. Maybe it is a good law, maybe it is a bad law. But if someone in Minnesota thinks that his or her constitutional legal rights are being violated by that law, and Legal Services is willing to help them sue to vindicate their legal rights, if that law is allegedly violating rights that they have, that is a perfectly proper road, because otherwise what we are saying is that only middle class and rich people should have the right to sue against a State law. If the State law is not violating the Constitution or is not violating what Congress says, the courts will so rule.

The argument really is that it is too much of a pain and too much of a bother to have poor people challenging local establishments, challenging what the State Legislature of Minnesota may have done, but what is the grounds of the challenge? The grounds of the challenge is that it is against the Constitution of the United States or against the laws that Congress passed, and if it is, it ought to be struck down; and if it is not, it will not be.

Mr. Chairman, in summary, the attempt to eliminate Legal Services is shameful because it is an attempt to deny access to the courts to poor people to vindicate their rights, and I urge

the adoption of this amendment to have a minimum level of legal services available.

Mr. RAMSTAD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I join my colleagues from Pennsylvania and West Virginia in sponsoring this amendment to prevent the drastic 50-percent cut in Legal Services funding.

Unless we pass this amendment today, those words etched atop the United States Supreme Court, ''Equal Justice Under Law,'' are meaningless. Those words are a mere mockery unless we pass this amendment today.

Let us talk facts, Mr. Chairman. The antagonists of the Legal Services Corporation who want to kill Legal Services for the poor know that the funding level in the bill is a 50-percent cut from last year. That follows on the heels of a 33-percent cut from the previous year. As a result, Mr. Chairman, Legal Services programs are serving right now 300,000 fewer low-income Americans because of decreased resources represented by those cuts. If this amendment does not pass today, an additional 400,000 vulnerable low-income Americans will have no representation under the law.

Let us talk about what type of Americans are served by Legal Services: children who need child support orders enforced and their mothers or fathers; private health insurance for children who have no health insurance, that is hardly a radical notion; victims of domestic violence; children who are abused; consumer fraud; people who are victims of consumer fraud and unlawful discrimination.

Mr. Chairman, we also have to talk facts. The antagonists, those who want to kill Legal Services, know full well that in 1995 we made reforms. With all respect to the gentleman from Georgia, there is no representation of people evicted from public housing due to drugs. If that is still going on, then let us go after the abuser, but it is written into law there are no class action suits, no lobbying, no legal assistance to illegal aliens, no political activities, no prisoner litigation, no redistricting representation. We have, Mr. Chairman, a new Legal Services because of these reforms, which I supported.

Now, let us talk about funding. There is nobody in this body on either side to whom I take a back seat when it comes to frugality with the taxpayers' dollars, and if my colleagues do not believe me, check the Citizens Against Government Waste lifetime ratings, check the ratings of the National Taxpayers' Union. But, Mr. Chairman, if we are to give people in this country, every person, regardless of income status, true justice under the law, we need to pass this amendment and not gut this program here today.

Volunteer lawyers, and believe me, no State surpasses Minnesota's contribution for pro bono work, but volunteer lawyers cannot meet the critical legal needs of poor people alone any more than doctors could treat all of the medical needs of the poor or grocers can feed all of the hungry without paying. We cannot effectively provide legal services to the poor without this public-private partnership.

Even in a State like Minnesota, last year 3,000 attorneys donating 30,000 hours of free pro bono legal services valued at over $3.5 million, even in a State like Minnesota, we closed last year 4,000 fewer cases, and tens of thousands of people, poor people, were turned away, could not have representation, could not have, Mr. Chairman, equal justice under the law.

I do not have any argument with those who stick to the facts, but let us talk about the new Legal Services, not the old, and let us not try to confuse people with those old arguments. I was as critical of the old Legal Services as many in this body who are against this amendment today.

The bottom line, Mr. Chairman, is we have passed tight restrictions on Legal Services Corporation. We do have a solid public-private partnership here. Poor people, most of them, are getting their day in court as far as civil justice is concerned. If our justice system is going to continue to have meaning, respect, legitimacy, we cannot just provide legal services to the wealthy, to those with means. Then justice cannot truly be just.

I urge my colleagues to support basic fairness and equality under the law by restoring Legal Services funding.

Mr. BURTON of Indiana. Mr. Chairman, will the gentleman yield?

Mr. RAMSTAD. I yield to the gentleman from Indiana.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. RAMSTAD] has expired.

(On request of Mr. BURTON of Indiana, and by unanimous consent, Mr. RAMSTAD was allowed to proceed for 2 additional minutes.)

Mr. RAMSTAD. Mr. Chairman, I yield to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I know the gentleman is very sincere, and he is one of my dearest and respected colleagues, but I would say to the gentleman that in April 1996, as I said previously, we implemented, and the President signed into law, restrictions on the Legal Services Corporation. I have here in my hand probably 6 to 10 examples in various States where the legal services Corporations have deliberately violated the laws passed by the Congress and signed into law by the President in April 1996.

Now, the reason I wanted to just have this brief colloquy with the gentleman is that we need to put some kind of a mechanism in place that will penalize those legal services Corporations that are using taxpayers' dollars and then violating not just the intent of Congress, but the law passed by Congress.

Mr. RAMSTAD. Reclaiming my time, Mr. Chairman, for 6 or 10 violations about which my distinguished colleague from Indiana speaks, we do not gut equal justice under the law, we do not eliminate legal services for the poor, we go after those who violated our restrictions that were imposed, properly so in my judgment, back in 1995, which took effect in 1996, but we do not void the fifth amendment, we do not void equal justice under the law, the equal protection clause of the U.S. Constitution because of 6 to 10 violations.

Mr. BURTON of Indiana. Mr. Chairman, I can give many more.

Mr. UPTON. Mr. Chairman, will the gentleman yield?

Mr. RAMSTAD. I yield to the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, I might just say in response to the gentleman from Indiana [Mr. BURTON], that in these cases where we have seen abuses, I would be delighted, and I am a supporter of this amendment and will speak a little bit later, but I would be delighted to work with the gentleman from Indiana [Mr. BURTON] and the gentleman from Minnesota [Mr. RAMSTAD] and others, particularly those on the Committee on the Judiciary, to work on, whether it be legislation or a directive to the Justice Department, to make sure that they stick to the law.

Mr. RAMSTAD. Reclaiming my time, Mr. Chairman, and my time is very short, I will be the first to go after and to join my colleagues in going after any of those violators, but let us not kill Legal Services because of 6 to 10 violations.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. RAMSTAD] has expired.

(On request of Mr. BURTON of Indiana, and by unanimous consent, Mr. RAMSTAD was allowed to proceed for 1 additional minute.)

Mr. RAMSTAD. Mr. Chairman, I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I do not think we are at odds on this particular point we are talking about. What I am saying is where there is a violation of Legal Services and we know about it, I have some examples here, there ought to be a penalty imposed upon those agencies that are violating the law.

Now, if we did that, we would find a lot of people that might take a little different approach to Legal Services, because these legal service organizations that have involved themselves in defending drug dealers and people who are deliberately breaking the law, if we did that, I think we could work together.

Mr. RAMSTAD. Mr. Chairman, reclaiming my time, I do not dispute what the gentleman just said. I do not think the majority of this body would dispute that, including those of us who defend Legal Services for the poor.

□ 1500

Of course there should be sanctions to those who violate the reforms that

we enacted in 1997 which took effect in 1996. I will join my colleague in such legislation. But this, Mr. Chairman, is not the vehicle to attach that, to go after those violators.

We have already, from last year, and again, let us speak to the facts, last year's funding level was $283 million. Even this amendment only restores funding to $250 million, so it is not level funding. Let us deal with the violators appropriately, but not here.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it is inconceivable to me that we would juxtapose the numbers, 1 million underserved poor people across the Nation, and juxtapose a mere 6 to 8 examples of violations, of which we know, both in our hearts and our minds, that there is a remedy.

In fact, as I support the Mollohan-Fox amendment, in this legislation now before us those grantees that violate the law will be debarred. They will face debarment from any future opportunity. It is incredulous to me that those who would oppose Legal Services would raise such misdirected arguments, 6 versus 1 million citizens who need services regarding housing and family needs, such as abuse and domestic violence, those who have been kicked off unfairly from SSI, children who are suffering from mental illness, who for some reason or other have not been able to either get those services, or people who are ill who need those services.

It is certainly in contrast to most of America, for recent polling will tell us that 70 percent of Americans are in favor of using Federal tax dollars to fund civil legal aid for the needy. That is what we are talking about.

Might I say something that is somewhat unpopular: I take great umbrage and exception to the fact that we would lump and put in one pot all of the dedicated Legal Services lawyers across the Nation. I say that in honor of my brother-in-law, Phillip Lee, who spent 20 years of his life, until he passed, working for the New York Legal Services. I say that in tribute to those who are on the Gulf Coast Legal Foundation in Houston, TX, the board of which I served on, and have watched those lawyers toiling for individual cases which no one in the general public bar could or would take. I listened to the organized bar in the State of Texas beg me to preserve the Gulf Coast Legal Services Corporation, even though they were very active in doing pro bono work.

So this is a travesty and a farce, arguing about insignificant cases dealing with how much drugs in an apartment. I do not know the facts, but I would argue and say that all of us will support eliminating those abuses. But without having all the facts, for example, that person could have been an elderly citizen, and I am not suggesting these are the facts, intimidated and held hostage by younger people living in her apartment, and therefore, there might have been a reason.

If it is not the facts of the Brooklyn case, think of it as being the fact that she is held hostage by young people taking over her apartment, and we would penalize this elderly victim if that would have been the case. At the same time, the ridiculous case about someone with alcoholism; alcoholism has been designated as a sickness. Maybe that was the reason why the case was taken.

In any event, it is ludicrous, again, as I have said, to move and to require, if we do not have this particular funding, and increased by the Mollohan-Fox amendment, that we would lose 550 of these neighborhood offices, 50 percent, and the number of Legal Services attorneys would decrease from 4,000 to 2,000. That is one LSC attorney for every 23,600 impoverished Americans.

Mr. Chairman, I would simply say that if the shoe was on the other foot, if the Member had no other way to access the courts and to address his legal grievances, if he had gone to every attorney and said, I have no money, but will you take my case, you are in the private bar, albeit the good works that the private bar does, would he, a United States Congressperson who does not have the privilege which many of us have, have a better understanding that poor people need justice, too; that the Constitution and the Bill of Rights applies to poor people as well?

Might I say that I take a slightly different perspective, as I close, from my good friends, the gentleman from West Virginia [Mr. MOLLOHAN] and the gentleman from Pennsylvania [Mr. FOX]. Although I adhere to them, I believe the cases that deal with Indian rights, welfare, redistricting, all of those cases preserve the dignity of those in this Nation, but I concede that point. For those of us who have conceded it, it is absolutely ridiculous to deny to the poorest of poor their rights in the courts. We are our brother's keeper.

Mr. Chairman, I rise today in support of the Mollohan-Fox amendment which would restore a majority of the funding recently stripped from the sorely needed Legal Services Corporation. This amendment will set the appropriation amount for the Legal Services Corporation at $250 million, down only 12 percent from last year's $283 million budget allotment.

This amendment and the issues it evokes hit directly at the core of widespread concerns about the reality of equal protection under the law. Is there or can there ever be equal protection under the law when the access to quality legal services is based entirely upon socioeconomic factors? I would think not. This is the very reason that organizations like the Legal Services Corporation exist. Without it, and organizations like it, our Constitution will become a document empowered by the dollar, and not the sovereign will of the people. Without effective legal services for the impoverished and indigent, our laws and their unconditional protections have no force, no honor.

The Nation, since the cornerstone of Gideon versus Wainwright was laid now over a generation ago, has readily acknowledged the importance of legal representation, and the existence of the Legal Services Corporation is concrete evidence of that fact. In Gideon, the right of the indigent and socioeconomic disadvantaged to legal representation in criminal proceedings was upheld; however, many Americans also recognized the need for the legal defense of the indigent in civil matters, as well. Are we going to be the generation of Americans that robs its citizens of this vital protection?

The Legal Services Corporation helps millions of Americans effectively access the justice system in cases of domestic violence, housing evictions, consumer fraud, child support, among a host of other critical matters. The bottom line is that without this critical program, many indigent children, battered and abused spouses, elderly and physically challenged citizens and those in the lower levels of the socioeconomic strata would not have access to competent legal representation in civil matters.

A recent Louis Harris & Associates poll showed that 70 percent of Americans are in favor of using Federal tax dollars to fund civil legal aid for the needy. The poll highlighted legal services like child custody, adoption, and divorce which should not be accessible only to those at a certain level of financial security. I sincerely hope that this Congress will not retreat from its unmistakable social responsibilities. I implore this House to vote in favor of the Mollohan-Fox amendment, and restore the funding of the Legal Services Corporation so that the justice system in this country can serve the needs of all of its citizens and not just those who can afford it.

Mr. DOOLITTLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I submit what is ridiculous is that this Congress would continue to fund such as a disastrous program as Legal Services at all, let alone pass this amendment.

Mr. Chairman, what is ridiculous is that we continue to fund a program that is so irresponsible that the Congress would actually have to take the kind of action we took in fiscal year 1996 and spell out what ought to be clear ahead of time for responsible people in an organization funded with Federal funds, and actually make explicit that they may not get involved in redistricting, they may not get involved in abortion litigation, or prison litigation, or welfare litigation, or pro-union advocacy, for heaven's sake, and union organizing, or fee-generating cases, or representation of public housing tenants charged with possession of illegal drugs or against whom eviction proceedings have begun as a result of illegal drug activity, and a prohibition on representing illegal aliens. Mr. Chairman, that is an indictment right there on the inclinations of the individuals in this irresponsible agency.

Mr. Chairman, I believe as much as anyone in protecting the rights of poor people, but unlike my colleagues on the other side of the aisle, and apparently some of my Republican colleagues, I do not believe we have to build a bigger and bigger welfare state, of which this is a part, in order to accomplish those objectives.

If legal representation of the poor at public expense is so important, let the attorneys donate their time, let the States handle the matter, where they are a little closer to the people, where these kinds of abuses cannot continue to occur. And yes, they do continue to occur. When we are going to talk about protecting children, listen to this case. Here, how well are they following the law here?

In 1997 Northwest Louisiana Legal Services argued for preserving a woman's parental rights for her children, despite clear evidence she had physically abused them. The case began in 1991. The State investigated it. They assumed temporary custody. Legal Services still got involved, claiming that terminating parental rights was improper. These children had been severely beaten and burned, and yet our taxpayer dollars went through Legal Services to defend this type of individual.

Mr. BARR of Georgia. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. I yield to the gentleman from Georgia.

Mr. BARR of Georgia. Mr. Chairman, as the gentleman from Minnesota earlier said, we must stick to the facts. Then he said there were simply no cases where Legal Services Corporation funds continued to be used to evict people for drug-related evictions. The facts of the matter, I say to the gentleman from Minnesota, are that that continues to happen. In New Jersey, in the case of *Hoboken* v. *Alicea*, A–5639–95T3, New Jersey Court of Appeals, 1997, it continues to happen.

I would ask the distinguished gentleman, is he aware of any provision in the Constitution of the United States of America in which there is a constitutional guarantee, as found by the courts or explicit in the Constitution, where people have a constitutional right for legal services to be provided for them in civil cases?

Mr. DOOLITTLE. Let me respond to the gentleman, Mr. Chairman, and say I know of nothing in the Constitution that requires that, and I know of no court, no Supreme Court ruling that has so interpreted the Constitution.

Mr. MOLLOHAN. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, I would point out that the authority for the Legal Services Corporation is statutory in nature, passed by the Congress, which Congress has authority constitutionally to do.

I would just like to again reassure Members who are concerned about the various Legal Services grantees across the Nation violating, to the extent it happens, restrictions have been put in the bill. We are putting in sanctions. We are reaffirming the limitation on spending, so Legal Services Corporations cannot participate in the offensive activities. Then we are also adding sanctions, debarment sanctions, and sanctions against grantees competing for future grants where there have been violations.

I simply say that because I sense that perhaps the gentleman is not aware of that, and I want to assure the gentleman that the chairman and the committee have been vigilant about trying to do that.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, the ranking member is correct. It may not be of great notice yet, but we are putting a new provision in the Legal Services statute that I think is of interest to the gentleman from Indiana [Mr. BURTON] and the gentleman from Georgia [Mr. BARR], the gentleman who yielded, and others, that gives the Legal Services Corporation a new way to discipline grantees who violate the restrictions that the Congress put on those grantees.

In effect, LSC, under this new provision, has the automatic right to terminate the grant or contract of any grantee, and also, under section 504(a) and subsequent sections, can debar that recipient from any further grants under the act. This is new ammunition, new powers that they have never had before.

The CHAIRMAN. The time of the gentleman from California [Mr. DOOLITTLE] has expired.

(On request of Mr. ROGERS, and by unanimous consent, Mr. DOOLITTLE was allowed to proceed for 2 additional minutes.)

Mr. ROGERS. Mr. Chairman, will the gentleman continue to yield?

Mr. DOOLITTLE. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, this is new law. This is a new procedure. We are trying to respond to the criticisms that LSC has had in the past that they did not have the authority nor the interest in debarring and taking away the contract of a grantee that violates the House-passed laws. So this is new. It does have teeth. It can be enforced and should be enforced, and we are going to insist that it be enforced.

So I think that is of interest to everybody, particularly those who have been critical of LSC for not disciplining their own grantees, and debarring from further LSC activities a grantee who violates the House-passed rules. I thank the gentleman for yielding.

Mr. DOOLITTLE. Mr. Chairman, let me say I do not think those go far enough, but I am happy to hear they are in the bill.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, the gentleman is very kind for yielding to me.

Very quickly, Mr. Chairman, my good friend, the gentleman from Georgia [Mr. BARR] made a distinction constitutionally between criminal and civil laws. Let me argue that the Congress is empowered to delegate authority and has obviously designated the Legal Services Corporations to help poor people have legal services.

The real issue is the moral high ground, judging 1 million poor people who cannot get legal services against the rich of America who can. I would simply ask the gentleman, in all of his conviction, to please, if he will, have mercy on those individuals who cannot achieve justice any other way.

Mr. DOOLITTLE. Let me just say with what time I have left, Mr. Chairman, that this is perfectly appropriate for local and State entities to carry out. I think we will not end the abuses as long as the remote Federal Government continues to fund and increase funding for a program of this sort.

Obviously these organizations have no interest in respecting the intent of Congress, when we have cited repeatedly violations of the very restrictions that were already in the law that continue to happen. This is not the job, in my opinion, of the United States government. It is the job of the State governments or of local bar societies.

The CHAIRMAN. The time of the gentleman from California [Mr. DOOLITTLE] has expired.

(On request of Mr. FOX of Pennsylvania, and by unanimous consent, Mr. DOOLITTLE was allowed to proceed for 1 additional minute.)

Mr. FOX of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DOOLITTLE. I yield to the gentleman from Pennsylvania.

Mr. FOX of Pennsylvania. Mr. Chairman, I appreciate the gentleman from California yielding to me. The fact is, I want to make sure I get to him all of the cases where Legal Services is now going after the grantees who are not living up to the 17 restrictions, and the new one that the gentleman from Indiana [Mr. BURTON] and myself and the gentleman from California [Mr. DOOLITTLE] also is supporting, which will further make this program where we only want to give services to those who are truly poor and truly in need; no social engineering, no class action lawsuits. These are new Legal Services guidelines which everybody in Congress can support.

□ 1515

Mr. MOLLOHAN. If the gentleman will continue to yield, Mr. Chairman, I just want to put this in perspective.

The gentleman from California [Mr. DOOLITTLE] cited six cases?

Mr. DOOLITTLE. Mr. Chairman, reclaiming my time, I cited, I believe, a couple cases. Others have cited other cases.

Mr. MOLLOHAN. If the gentleman would continue to yield, there were 1.4 million cases closed in 1996, 1.4 million cases.

Mr. DOOLITTLE. Mr. Chairman, reclaiming my time, let me just say, this

is just the tip of the iceberg. We can cite numerous cases. I dread to think how many things are going on that we do not really know about yet and will continue to go on despite these attempts of cosmetic restrictions until we simply end this program, let it go back to the States where it belongs, not the Federal Government.

PREFERENTIAL MOTION OFFERED BY MR. TIERNEY

Mr. TIERNEY. Mr. Chairman, I offer a preferential motion.

The CHAIRMAN. The Clerk will report the motion.

The Clerk read as follows:

Mr. TIERNEY moves that the Committee do now rise.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 102, noes 315, not voting 16, as follows:

[Roll No. 448]

AYES—102

Abercrombie
Allen
Andrews
Baldacci
Barrett (WI)
Becerra
Berry
Bishop
Bonior
Borski
Brown (OH)
Carson
Clayton
Clyburn
Condit
Conyers
Coyne
Danner
Davis (FL)
DeFazio
Delahunt
DeLauro
Dellums
Deutsch
Doggett
Edwards
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gilchrest
Gutierrez
Hefner
Hilliard
Hinchey
Hooley
Hostettler
Hoyer
Jackson (IL)
Jefferson
Johnson (WI)
Johnson, E. B.
Kaptur
Kennedy (RI)
Kennelly
Kilpatrick
Kind (WI)
LaFalce
Levin
Lewis (GA)
Markey
Martinez
McCarthy (MO)
McDermott
McKinney
McNulty
Meehan
Menendez
Millender-McDonald
Mink
Nadler
Neal
Obey
Olver
Owens
Pallone
Pelosi
Pomeroy
Rangel
Rothman
Roybal-Allard
Salmon
Serrano
Skelton
Snyder
Stabenow
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Tierney
Torres
Towns
Velazquez
Vento
Watt (NC)
Waxman
Woolsey
Yates

NOES—315

Ackerman
Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bono
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Christensen
Clay
Clement
Coble
Coburn
Combest
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Everett
Ewing
Fawell
Flake
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Horn
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kildee
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McIntosh
McIntyre
McKeon
Meek
Metcalf
Mica
Miller (FL)
Minge
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stokes
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Visclosky
Walsh
Wamp
Waters
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn
Young (FL)

NOT VOTING—16

Bonilla
Buyer
Chenoweth
Collins
Cummings
Gibbons
Gonzalez
Hansen
Hastings (FL)
Lazio
Leach
McInnis
Miller (CA)
Rogan
Schiff
Young (AK)

□ 1533

Messrs. BOUCHER, KIM, DICKS, and TALENT changed their vote from ''aye'' to ''no.''

Mr. HILLIARD changed his vote from ''no'' to ''aye.''

So the motion was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. CHENOWETH. Mr. Chairman, earlier I was unavoidably detained and missed rollcall vote 448. Had I been here, I would have voted: ''no.''

Mr. OLVER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the Mollohan-Fox amendment to restore funding for the Legal Services Corporation. I particularly want to congratulate the gentleman from West Virginia and the gentleman from Pennsylvania for bringing forward this very valuable effort.

The Legal Services Corporation was established by Congress in 1974 to ensure that all Americans, Americans of every stripe, have equal access to the justice system. We should not go back on that commitment now, and we cannot expect that solely voluntary donations will provide poor people with equal access to the justice system. But the bill before us would cut Legal Services funding by 50 percent from last year, and that would have an immediate effect on Legal Services clients. Thousands of low-income people would be denied their chance of equal justice in my district alone, and that can be multiplied all over this country.

The Legal Services Corporation helps people who cannot afford legal representation. Legal Services attorneys in my district have helped clients contest housing evictions, avoid termination of government benefits, secure restraining orders in domestic and family abuse cases, and they have helped collect child support payments for families.

I could cite dozens of legitimate cases of legal services being provided in my district compared with those that have been suggested as illegitimate cases, as abusive cases of the program. But here is just one story that shows the vital role that Legal Services plays in the lives of ordinary people. A woman from my district separated from her husband because of physical abuse, and she had custody of their children. While she was hospitalized for the abuse, her husband obtained a custody order and placed the children with his parents. With Legal Services assistance, this mother was able to regain custody of her children. She was able to end the abusive marriage, to obtain housing, and then to go on to obtain a bachelor's degree, so she can now support herself and her children in a legitimate way.

We need to ensure that every citizen has access to equal justice in a similar kind of a manner. I urge my colleagues to support the Mollohan-Fox amendment as a good amendment to assure

Americans equal access to equal justice.

Ms. HARMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the amendment by the gentleman from Pennsylvania [Mr. FOX] and the gentleman from West Virginia [Mr. MOLLOHAN] to restore funding for the Legal Services Corporation.

Many of us come to this House having had one or more careers. One of my prior career experiences was as chief counsel and staff director to a Senate Judiciary subcommittee concerned with access to justice. I was there when the Legal Services Corporation was created during the Nixon administration, and I was fortunate to play some role in helping to select its board, protect its funding and its functions over the years. I care very much that it survives.

Residents of California's 36th Congressional District are served primarily by the Legal Aid Foundation of Long Beach. For over four decades, the foundation has provided no-cost legal services to more than 114,000 eligible low-income residents of the Long Beach-South Bay area. Annually the foundation serves over 3,200 clients at a cost of approximately $400 per client, thus demonstrating that its services are efficient and cost-effective.

While the Legal Aid Foundation assists in a variety of cases, actions to prevent or curb domestic violence have long been a major focus. Recent studies show that domestic violence calls in at least one city in the South Bay occur at a rate of one each 1½ hours. The foundation's domestic violence clinic helps thousands of women and children each year obtain the protection of a restraining order and as such is highly praised and serves as a national model. It also offers training to battered women's shelter workers to make them aware of the legal avenues available to victims. Utilizing a grant, the foundation delivers the antiviolence message to the public schools in my district.

□ 1545

This is just one example of what this foundation does; there are many others.

It encourages the private bar to take pro bono cases and also offers a ''Wills on Wheels'' program assisting the elderly and disabled in preparing simple wills.

But, Mr. Chairman, my view is that unless we save funding for this very, very important corporation and save the dream of those many years ago, including President Nixon, who knew that everyone deserved access to justice, we will be doing a serious injustice. In the absence of adequate funding, we may spend more money trying murder cases and dealing with the tragic effects of domestic battery on a generation of children.

I urge the restoration of funding. I urge support for the Fox-Mollohan amendment and support for equal access to justice.

Mr. UPTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this issue is important not only because it is a matter of decency, common sense and compassion, but it is one that we need to pass this afternoon. Let me remind my colleagues again that this amendment keeps Legal Services at a funding level that is still $30 million less than in 1997, and in fact, it is about $150 million less than it was just a couple of years ago.

Mr. Chairman, we are a country founded on the basic principle of liberty and equality before the law, but when people are unable to even access our legal system because they lack representation in the funds to secure a lawyer, we are asking a portion of our society to forgo a fundamental right.

The Legal Services Corporation is an avenue for low income Americans to receive legal representation for civil matters. The lawyers who are part of Legal Services provide the guidance and the expertise needed to successfully navigate our complex and often intimidating judicial system. Very few of us could manage the intricacies of our legal system without counsel. Should we expect citizens who do not have the means to hire a lawyer to simply fare on their own? One person's legal problems are no less important than another's, and everyone deserves a fair chance regardless of their income level.

What are the civil matters we are talking about? Well, about 70 percent of the national caseload falls into categories in which children are impacted. In Michigan we had more than 80,000 cases last year; 40 percent of those fell in the category of family civil cases. But that means cases involving divorce, spousal abuse, adoption, child support. Other civil matters include housing, income maintenance issues, and consumer finance issues.

I think it is particularly interesting to note the role that Legal Services plays in helping single parents, who may or may not be also collecting welfare, secure child support payments; two-thirds of Legal Service clients are women, and many of those, of course, are single moms. I am aware, in fact, of a mom in my district who relocated to Michigan with four children after being granted a personal protection order from another State. However, the husband refused to pay child support and continued to threaten her. She had no place to turn other than the Legal Aid Bureau of southwestern Michigan, who helped her obtain a Michigan personal protection order, start divorce proceedings and obtain custody and support so that she and her children could stay together. Without assistance we can only guess what might have happened.

This Congress needs to have a heart. We are not talking about the greedy; it is the needy. And I would agree that there were abuses in the past, and I will ask unanimous consent to file all of these restrictions that this body passed. And I would respond to the gentleman from Indiana who talked earlier, that, in fact, when abuses are there we can go after folks and debar them; and, in fact, I would urge the Committee on the Judiciary on which I do not serve that they ought to have some hearings and look into those, and if the cases can be made, they ought to take some action. That is what the Committee on the Judiciary is for. But in my mind it is unconscionable for us to restrict access to Legal Services for any Americans who need representation.

Last year, we passed a welfare reform bill that enjoyed strong bipartisan support. One of the major provisions in this bill was to go after deadbeat dads, and moms, too. Mr. Chairman, in a good number of cases families that experience divorce are in fact represented by Legal Service attorneys who help in determining what their child support ought to be. Those are civil cases, not criminal ones.

Support the Mollohan-Fox amendment, and stand for the principles and ideals that make our Nation great.

RESTRICTIONS ON LSC GRANTEES

The restrictions on the use of funds by the LSC and its grantees as enacted by Congress in 1996 are as follows:

1. No advocating policies relating to redistricting;
2. No class action lawsuits;
3. No influencing action on any legislation, Constitutional Amendment, referendum or similar procedure of Congress, State or local legislative body;
4. No legal assistance to illegal aliens;
5. No supporting/conducting training programs relating to political activity;
6. No abortion litigation;
7. No prisoner litigation;
8. No welfare reform litigation, except to represent individuals on particular matter that does not involve changing existing law;
9. No representing individuals evicted from public housing due to the sale of drugs;
10. No accepting employment as a result of giving unsolicited advice to non-attorneys; and
11. All non-LSC funds used to provide legal services by grantees may not be used for the purposes prohibited by the Act.

Furthermore, provisions included in the Fiscal year 1998 Commerce, Justice, State and Judiciary Appropriations bill will allow the LSC to terminate contracts of grantees which fail to comply with these restrictions and debar grantees from receiving future financial assistance.

Mr. MINGE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as a student, as a teacher, and as a professional I have participated in programs to assure equal access to the court system, the justice system in this country, for over 30 years. This is a system that all of us are proud of as a part of our American heritage, the fact that we, in this country, can look to a legal system that is capable of resolving disputes instead of resorting to weapons, fisticuffs, or other forms of violence. If we expect this form of dispute resolution to survive, we have to make sure that it is

accessible to all Americans who need to have problems addressed. I can think actually of no more conservative cause than to say to people, ''No, you cannot resort to the streets; no, you cannot take the law into your own hands, because we have established a process to resolve these disputes and we not only expect but we require that you participate in that process.''

This indeed is the law of the land, and as a consequence we have an obligation to make sure that all Americans have access to this legal system, and that is what this debate is all about.

The Federal Government has made it possible for Legal Services programs to be developed in all parts of the country. These programs unfortunately are vastly understaffed and, in fact, in many parts of the country, including the part I come from, rural Minnesota, it has been necessary to call on attorneys to volunteer to take cases because the Legal Services attorneys simply are not numerous enough to handle the caseload and, in fact, they have had to lay off Legal Services attorneys. We have thousands of attorneys in our State that voluntarily take these cases.

Now I would certainly agree when I have been on the other side I resented the fact that someone was criticizing my client. But I do not think it is a reason to say that we have to end the Legal Services Program or cripple it because we happen to disagree with someone on the other side of a dispute. Similarly, I think it is unseemly to hold up a list and say that this represents cases that are being improperly pursued under the Federal Legal Services Corporation Program.

The one case that I am personally familiar with on the short list that was held up is not, in fact, being pursued by a grantee of this program; it is being pursued by another legal advocacy program. So, it is not only misleading to the Members of the Chamber, it is misleading to the American public to criticize the program inaccurately in this fashion.

I would also like to emphasize that none of us claim that this program or any program is a thousand percent successful. It would be nice to say that we all somehow are deities and that we perfectly comply with the intent and the letter of all laws that exist in this Nation. That is not the case, and we know it. If we can find a tenth of a percent of flawed cases for violations of a program, that simply means that we need to redouble our efforts to make sure that the rules, the guidelines, are complied with, not that we need to terminate the program.

So I would urge my colleagues on both sides of the aisle to join with me and many others in supporting this program, No. 1; and, No. 2, making sure that we adequately police the restrictions and regulations so that the Federal money is used consistent with the Federal requirements.

Mr. FORBES. Mr. Chairman I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment. I think it is important to understand, first of all, that it is this Republican Congress which made the necessary changes to the Legal Services Program that will allow it to move forward in the future, and this is not a debate about funding. This is really a debate about the future existence of this total program, and frankly those who would advocate slashing the moneys for this program are truly on a mission to end this kind of legal assistance. As some of my colleagues have already pointed out, this is an important program that provides many single parent families with the kind of support that they otherwise would not get.

And to those who would shut down the Legal Services Program, I would ask, what is the alternative? Where is their alternative to make sure that the people who are low income, who would not otherwise have legal representation, where are they to go?

So, I think it is important again to stress that not only did this Congress going back to 1996 make the necessary changes to clean up this program, which admittedly had serious flaws, but in the current funding bill it is important to note that the Legal Services Program would terminate contracts of grantees which fail to comply with these restrictions and to bar grantees from receiving future financial assistance.

It is important to enumerate that this program no longer will tolerate nor allow for any kind of advocating policies relating to redistricting, to class action lawsuits, to influencing action on legislation, constitutional amendment, referendum or similar procedures of the Congress, State, or local legislative bodies. No legal assistance to illegal aliens, no supporting conducting of training programs related to political activity, no abortion litigation, no prisoner litigation, no welfare reform litigation except to represent individuals on particular matters that do not involve changing existing laws, no representing individuals evicted from public housing due to the sale of drugs, no accepting employment as a result of giving unsolicited advice to nonattorneys, and non-LSC funds used to provide legal services by grantees may not be used for the purposes prohibited by the act, as was outlined in the changes made in 1976.

I think it is critically important to understand that we need this safety net, we need to provide for the poor among us so that they have the same legal rights as many other Americans, and these people do not have the funds available to protect themselves. They do not fall within certain categories that would allow them the kind of representation that others could expect, and I think it is important that with these important changes, with cleaning up the program, that we allow this program to go forward.

So, I proudly rise in support of the amendment, and I thank its sponsors.

Ms. WATERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, today I want to speak in support of the Mollohan-Fox amendment to restore funding to the Legal Services Corporation. If this amendment is not accepted, the Legal Services Corporation will suffer a devastating blow. As currently written, this bill provides only $141 million for the Legal Services Corporation. This amount is 50 percent less than the $283 million appropriated last year and $199 million less than the request of the administration.

I want to stop for a moment and thank the Representatives from the other side of the aisle, the gentleman from Pennsylvania [Mr. FOX], the gentleman from New York [Mr. FORBES], the gentleman from Michigan [Mr. UPTON], and others for joining in this bipartisan effort to do the right thing for poor people and working people.

As my colleagues know, we could use our power any way that we would like in this House. We could be good public policymakers, concerned about all of our constituents, not just the rich, not just the well off, or we can be bullies. We can be bullies who use our power and put our foot on the backs and the necks of working people and poor people; we could do that any time, and that is what we are doing on this Legal Services Corporation funding. We are literally getting rid of them by taking away 50 percent of the funding.

Who are these people? First of all, we should take all of these Legal Services attorneys and give them some awards. We should award them for working in the dinky offices across America for less money than attorneys normally make, for going into neighborhoods and representing people when their own lives sometimes are at risk.

□ 1600

We should award them for going into the public housing projects, to the barrios, and into the rural areas where no one else will go, to represent working people and poor people.

I want to tell you about a case that I encountered in 1978 as a member of the California Legislature. I will never forget Ms. Willa T. Moore. She was a homeowner. It was just a little house in South Central Los Angeles, but she received a bill. She knew she had paid her taxes. She was not familiar with the 1911 Assessment Act. This is the assessment for new street lighting that is done by the city. They kept sending her the bill, she disregarded it, she thought the people downtown made a mistake. She paid her taxes.

Well, let me tell you, they started to foreclose on her house because she failed to pay the 1911 assessment tax bill that was sent to her because of the lighting district that had been put in.

I worked with Legal Services Corporation to get Ms. Moore's house back. I did not stop until we made sure that that house was not taken. Without Legal Services, I would not have been able to assist Ms. Moore.

But let me tell you something else that was going on at that time. We had contractors who went out and knocked on doors. They said, ''Let me put a new roof on your house. Let me put a burglar alarm system in. Let me expand and put a new room or porch on your house.'' They carried the paper from a well-known S&L, and the people signed up. They had to put their deeds up in order to get the credit from the S&L working with the contractor.

The contractor signed up senior citizens, working people, poor people. They oftentimes would come and put the scaffolding up to start the job, but they would go on to the next person. They had blocks of people who they had signed up to do work for, putting on new roofs, new porches, burglar alarms, you name it. They would start, but somehow they would not get around to finishing the job. But the payment book came from the S&L, because the contractor had the relationship to the S&L, and the people's payment book came, they had to make the payment, but no contractor.

The S&L said to the people, ''That is your business, to go after the contractor. You signed on the dotted line. We have the deed to your house. If you do not pay us, your house now belongs to us.''

I worked for 2 years with the Legal Services Corporation to do all kinds of new disclosure, to get rid of some of the practices of the S&L. I went to contractors who had collected those deeds and I made them give me the deeds back of senior citizens who had nobody to advocate for them. I walked the streets with the Legal Services Corporation representatives and attorneys, one by one, collecting those deeds back of senior citizens, of working people who had no other legal representation.

Do not do this to poor people. We are bigger than that. We are better than that. We could put our feet on the back of these people and take away the ability to have just a little representation, or we can be kind public policymakers who look out for people who have nobody else to look out for them.

I beg Members to support the amendment.

Mr. STENHOLM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Mollohan-Fox amendment. For over a decade now, the gentleman from Florida [Mr. MCCOLLUM] and I have worked to reform the Legal Services Corporation. The gentleman from Kentucky [Mr. ROGERS], the chairman of this committee, has offered considerable help in this effort as well, and we have made some progress, but we have a ways to go.

But we are not debating today whether or not to reform the Legal Services Corporation or change the delivery system for Legal Services altogether. We are simply setting a funding level where the Legal Services Corporation can continue to function and provide civil legal care for those in our country who cannot afford it.

I fully understand the arguments for taking a hard look at changing our current delivery system for providing legal services to the poor. I intend to continue a careful examination of how we provide daily legal support for low-income individuals, and I hope at some time in the near future to work with the authorizing committee to see if we can address some of the things that are wrong, and there are some things that are very wrong.

But until that happens, I support continuing to fund the Legal Services Corporation at $250 million for fiscal year 1998. This is exactly the funding level which my colleague the gentleman from Florida [Mr. MCCOLLUM] and I proposed in our Legal Services Corporation reorganization bill of the 104th Congress.

All of the arguments we have heard today come down to one fundamental question, whether we believe that the Federal Government has a role to play in ensuring that the poor have access to the courts. I believe that we do.

Now, I will be the first one to tell my colleagues that the Legal Services Corporation has had its share of problems over the years, and we have heard many of them today. While I am not convinced that the current structure is the best way to deliver these services, I am not willing to demolish the Legal Services Corporation absent any other well-developed approach to caring for the people that depend on legal assistance in their daily lives. But that is precisely what we will do if we cut the funding today.

As a lifelong supporter of a balanced budget, I understand budget realities and know we cannot fund every program at the level we want, and that is why I commend the sponsors of this amendment who have worked extremely hard in finding the offsets to pay for this amendment in a fair and reasonable manner.

Finally, it is important to remember that we continue all of the restrictions agreed to on the Legal Services Corporation in the effort to make sure that this program works for its original purpose. While the Legal Services Corporation has certainly not been perfect over the past year, I do believe they have made sincere efforts to abide by these restrictions.

Again, I commend the chairman of this committee for his efforts along that line, because it makes my support of this Corporation possible today. I urge my colleagues to support the Mollohan-Fox amendment.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at 4:30, and that the time be equally divided.

Ms. PELOSI. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. ROGERS. Mr. Chairman, will the gentlewoman yield for the purpose of a unanimous-consent request?

Mrs. LOWEY. Mr. Chairman, I yield back the balance of my time.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at 4:30, and that the time be equally divided.

Mr. MOLLOHAN. Mr. Chairman, no objection.

The CHAIRMAN. Without objection, the gentleman from West Virginia [Mr. MOLLOHAN] will control 11 minutes, and the gentleman from Kentucky [Mr. ROGERS] will control 11 minutes.

There was no objection.

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I rise in strong support of the Mollohan-Fox amendment. Many Members may not think of Legal Services as a women's issue, but it is, because more than two-thirds of the clients served by the Legal Services Corporation are women. The funding cuts in this bill will force the LSC to abandon many of the critical legal services that it provides to poor women, particularly victims of domestic violence.

Last year, Legal Services programs handled over 50,000 cases in which clients sought legal protection from abusive spouses and over 6,000 cases involving neglected, abused, and dependent juveniles. In fact, family law, which includes domestic violence cases, makes up over one-third of the cases handled by Legal Services programs each year.

In addition to helping victims of domestic violence, the lawyers at the Legal Services Corporation help poor women to enforce child support orders against deadbeat dads. They also help women with employment discrimination cases.

The funding level in this bill will only allow for one Legal Services lawyer for every 23,600 poor Americans. If we slash funding to Legal Services, we will be abandoning tens of thousands of women who desperately need legal help. These women have nowhere else to turn in order to escape domestic violence or to bring a deadbeat dad to justice. We must not abandon tens of thousands of women to violence, abuse and greater poverty.

Mr. Chairman, I ask my colleague to please vote for the Mollohan-Fox amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Mr. Chairman, every morning we come to this House floor, turn to the American flag, and with hand over heart finish our Nation's

Pledge of Allegiance to our flag with these words, ''with liberty and justice for all.'' Now, Mr. Chairman, is the time for us to decide whether we mean those words.

I revere our Nation's great documents, the Declaration of Independence, the Bill of Rights, the Constitution, and to that I would add the Pledge of Allegiance to our flag. But what has made our Nation great is not pieces of parchment and hollow words, but the principles thus enunciated.

Today we should ask ourselves in this House, do we mean our Pledge of Allegiance, or do we simply recite it? Is the principle justice for all simply a concept to be taught in our schools, or is it a goal worth fighting for?

Just a few weeks ago in this House we passed a budget bill that will give tax breaks to some of America's wealthiest families. What would it say today about our values if while doing that we turned and cut funding for Legal Services for our poorest families?

Mr. Chairman, tomorrow morning when we turn to this flag once again with hand over heart and finish with those eloquent words, ''with liberty and justice for all,'' I hope we can do so with pride, knowing that we stand up for the meaning of those words.

Vote ''yes'' on the Mollohan-Fox amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield 1½ minutes to the gentleman from Washington [Mr. MCDERMOTT].

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Chairman, most things that need to be said about this issue have probably now been said, but I want to say a couple of things specifically about the State of Washington.

The Legal Services Foundation in the State of Washington turns away four out of every five people who come seeking legal counsel. Now, if liberty and justice is for all, then it ought to be for all five. Four people out of five go away because there are no funds.

If that does not state the case, in 1980, the Legal Services Corporation in Washington State had 140 Legal Services attorneys dealing with roughly half a million poor or low-income folks in our State. That is 1 attorney for every 4,000 people. In 1996, the ratio had fallen to 1 attorney for every 15,000. That is 78 attorneys dealing with 1.2 million people.

There are several facts in that. That means more people, in a State like ours that is doing very well economically, more and more people qualify for legal aid, and yet we have half the lawyers that we did in 1980.

I strongly support the Mollohan amendment, and urge my colleagues to do the same, if you believe that there should be justice and liberty for all.

The CHAIRMAN. Without objection, the Chair will administer the time limitation to allow each side to consume all of the 11 minutes allocated to either side, notwithstanding the fact that the clock will pass 4:30 p.m. by 1 minute or 2.

There was no objection.

□ 1615

Mr. MOLLOHAN. Mr. Chairman, I yield 3 minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, I rise to support the Mollohan amendment to restore funding to the Legal Services Corporation to $250 million. My colleagues, over two-thirds of Legal Services' clients are poor women. Most of them are women with children who are seeking to receive child support, protect themselves or their children from abuse, or obtain decent housing, food or medical care.

Please do not take my word for it. According to John Erlenborn, a Republican Member of this House for 20 years, Legal Services funds benefited approximately 4 million people last year, most of them children living in poverty.

Three-quarters of Legal Services' cases involve or benefit children. Access to Legal Services can make the difference in which a child gets support from an absent parent, can live in a safe home, receives food, medical care, or access to education.

In 1996, Legal Services programs closed 50,000 cases representing women who needed protection from abuse. Another 200,000 were family and juvenile cases involving domestic violence. Who can forget that 2 years ago, even as this Congress debated cutting Legal Services funding, a woman was tragically murdered by her estranged husband just hours after she had been turned down for assistance in obtaining a restraining order, because of budget cuts at the Legal Services agency she phoned for help.

As a former Republican colleague, Mr. John Erlenborn, writes, ''I believe that access to justice should not be limited to those who have sufficient wealth to pay for it.''

I share Congressman Erlenborn's belief, and I hope that my colleagues do as well. Help mothers get the child support their children deserve; help children get the medical care that they need; help protect women and children from the family members who abuse them. Vote ''yes'' on the Mollohan amendment.

Mr. MOLLOHAN. Mr. Chairman, I am pleased to yield 1½ minutes to the gentlewoman from California [Ms. PELOSI].

(Ms. PELOSI asked and was given permission to revise and extend her remarks and to include extraneous material.)

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding me this time and for his leadership in bringing this important amendment to the floor. With apologies to the distinguished chairman for objecting to his unanimous consent, and certainly in support of it now, I rise to encourage our colleagues to vote for the Mollohan-Fox amendment.

In defense of the Legal Services Corporation, our colleagues have quoted the Constitution, and, of course, most recently the pledge to the flag which we make here every day, and in that pledge to the flag it has been said, and is said here every day, the pledge for liberty and justice for all. That is exactly what the Legal Services Corporation is about.

We brag and boast about American values and the rights that we have as Americans, but we truly do not have those rights unless we have access to legal services to protect those rights and the right to sue to protect them.

Other colleagues have quoted and referenced their own experience with Legal Services, and I just want to talk about the fact that two-thirds of those eligible for Legal Services are women and children, most of them families. They receive services in areas such as juvenile law, family law, housing, health and education, and clinics perform critical services for victims of domestic violence. Some of our colleagues have said what is not included here, and I will not go into that. I will submit it for the record. There have been staff cuts in Legal Services. It is a dollar well spent by the Federal Government.

Again, I urge my colleagues to vote for liberty and justice for all and to vote for the Mollohan-Fox amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. BECERRA].

The CHAIRMAN. The gentleman from California [Mr. BECERRA] is recognized for 2½ minutes.

Mr. BECERRA. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I happen to have been one of those ''nasty'' attorneys that on the other side we have heard mentioned so many times. When I had the privilege of graduating from Stanford Law School back in 1984, I took a job working for Legal Services in Worcester, MA, working for $18,000 a year, which is not even what I would have had to have paid for another year of Stanford Law School had I needed a fourth year.

At the same time, most of my peers at Stanford Law School were being hired for something around $70,000 a year to start their legal career, and certainly that is not the pay that the partner or the mid-level attorney in those firms is making. And what certainly those individuals were charging was well beyond $100 an hour.

Yet here I was, representing mostly people who were mentally ill. I had several clients; one, for example, was a minor who was locked up in a facility for adults. It was because Legal Services was there that we were able to remove that youth from that facility that was meant for adults who were mentally ill.

I had the opportunity to help adults who were being overmedicated because the wards and the staff at the institution were tired of having to put up with mentally ill patients. So they would overmedicate them so they would be drugged out of their minds and would not budge from their beds. Had Legal Services not have been there, we would not have been there to help these patients avoid overmedication.

I happened to work for Legal Services in Los Angeles when I was a law student where we were able to help people who were not being paid the minimum wage because unscrupulous employers were denying folks their pay. All of these things have happened.

We have heard of a few instances where there may have been some abuse in legal services office, but I have not heard a single soul here say that when the Department of Defense paid $500 for a toilet seat, or when they paid some $200 for a screwdriver, or when the CIA spent 300 and some-odd million dollars for a secret building, or when the Department of Energy failed to safely oversee the storage of nuclear waste, that we should kill those programs. Certainly we know we need the Department of Defense, and we need to be protective of this Nation's security, but no one has said tube those particular agencies simply because there has been some abuse.

When we think of the more than 1 million cases last year that were handled by a Legal Services attorney, for a pittance, it is well worth the while. When we think that these are people who would be unrepresented, those poor individuals who go to Legal Services—it is worth its weight in gold, because the folks that I worked with, the folks that I had the privilege to serve under working for $18,000 a year certainly did the job and did it well.

I now look at my salary of $133,000, and I hear people arguing that we should do away with a program where attorneys are paid $18,000, $20,000, $30,000, and I think to myself, here we are making $133,000, and saying that we should do away with Legal Services; perhaps we should think about something else to do away with, and that should not be Legal Services.

Mr. WEYGAND. Mr. Chairman, I rise today to express my extreme disappointment in those who chose to continue their assault on legal services for the working poor in our country. One of the more troubling portions the Commerce, Justice, State Appropriations Act for fiscal year 1998 is the severe cut in funding for the Legal Services Corporation, a private nonprofit corporation established by Congress in 1974 to guarantee all Americans equal access to justice under the law.

Instead of providing equal access to justice for millions of citizens, the majority in this Congress, in my view, has chosen to turn its back. By slashing funding for this program in half from $283 to $141 million—the majority in this House has signaled their indifference for those who cannot afford necessary legal advice on their own.

In my State, as well as many others throughout this country, this cut will be the death knell for the legal representation for the working poor. If these cuts are passed by this House and sustained by the other Chamber, countless hard-working and vulnerable citizens in our districts will be without adequate legal representation.

One of the persons in my State of Rhode Island who will be adversely impacted by these cuts is Mabel. She is a 70-year-old homebound woman whose only source of income is SSI. Because of her low income, Medicaid was supposed to pay her Medicare premiums but she was unaware that she was eligible for this program. A computer glitch erroneously denied her the coverage for which she was eligible—and she struggled to dutifully pay her premiums. Out of the blue, the State informed her that she was now eligible for full coverage and would no longer have to pay her premiums. She questioned the State as to the reason for the change, and learned her earlier payments had been a mistake. She tried unsuccessfully for 9 months to convince the State to reimburse her premium payments.

She then contacted Rhode Island Legal Services and they negotiated the case with the State and local agencies. As a result, Mabel received the $7,000 she had mistakenly paid over the years. Without Rhode Island Legal Services, Mabel would be out in the cold—with no where to turn. Mabel is one of the real people affected by the actions we take in Washington, DC.

Opponents of this program argue that the Constitution does require legal protection in civil cases. Well, then, I ask the following. I ask the opponents of this program to tell a family of four earning $18,000 a year, who have trouble affording food on the table, let alone an attorney—that they do not deserve legal representation after being unjustly evicted from their apartment. I ask the opponents to tell a woman, who has been the victim of domestic violence, that she doesn't deserve legal protection from her abusive husband. I ask the opponents of this program to tell a child, who has been denied the necessities of life because an absent parent has been inconsistent with court mandated child support, that they should not have any legal recourse. I ask the opponents of this program to tell Mabel, that she has no right to the money she paid in error.

I believe that one of the Founders of our country, Thomas Jefferson, in his first inaugural address said it best. When espousing the ideals in which he believed deeply to his new constituents, he mentioned his belief in ''equal and exact justice to all men, of whatever state or persuasion * * *.''

I could not agree more with his words spoken nearly 200 years ago. I urge my colleagues to reconsider this ill-conceived notion that each and every citizen does not deserve legal representation. In conference, I hope we will work together to restore adequate funding to this vital program.

Mr. DELAHUNT. Mr. Chairman, I rise in support of the amendment, which would partially restore funding for the Legal Services Corporation to a level of $250 million.

For over 20 years, Legal Services has been a lifeline for millions of poor Americans with no other means of access to the legal system.

During the past year alone, the Corporation funded programs that helped over 4 million people resolve some 1.4 million cases.

Who are the people behind these statistics?

Women seeking child support or protection against abusive spouses.

Elderly citizens lost in the maze of Government red tape.

Homeless veterans seeking access to benefits.

Abandoned children in need of shelter and care.

Slum tenants facing eviction and small farmers fighting foreclosure.

Those are the people we are talking about. If this amendment fails, thousands of them will have no place to turn.

We know this because that is what happened 2 years ago, when Congress slashed the Corporation's budget by over 30 percent. Because of those cuts, Legal Services handled 300,000 fewer cases in 1996 than in the previous year. In my district in southeastern Massachusetts, this meant that hundreds of families were denied assistance.

Let us not repeat that mistake. Let us not become a nation in which only people with financial means can afford an attorney.

I urge support for the amendment and yield back the balance of my time.

Mr. FARR of California. Mr. Chairman, I rise in strong support of the Fox-Mollohan amendment that would restore the Legal Services Corporation funding level to $250 million.

In my congressional district, Legal Aid of the Central Coast is the only source of legal advice for some 2,000 residents if they want to pursue legal recourse for cases of domestic violence, housing evictions, consumer fraud, and child support—the same kinds of legal problems that could confront any one of us.

The LACC conducts weekly clinics on housing issues—a critical issue for low-income tenants in an area of the country with some of the Nation's highest housing costs. Low-income victims of natural disasters—two of which have occurred in my district—the Loma Prieta earthquake in 1989 and severe flooding in 1995—are disenfranchised from legal recourse without access to legal services provided by the LACC. Its work in protecting children from being forced to live in housing with lead-based paint has been cited in local newspapers.

A recent California State Bar report estimated that the legal needs of three out of four low-income Californians were not met. If the Fox-Mollohan amendment is not approved, LACC could be forced to close 1 week out of every month. It is simply unconscionable to deny legal services to anyone based on their economic resources or lack thereof.

Mrs. MALONEY of New York. Mr. Chairman, I rise today in vigorous support of the Mollohan-Fox amendment, and in support of legal services organizations everywhere that provide a desperately needed legal safety net for low-income Americans. This amendment would restore funding for the Legal Services Corporation to $250 million, an amount that is still 12 percent below last year's level.

The Legal Services Corporation is the embodiment of a founding principle of this country—''Equal Justice Under Law''—through its efforts to provide legal representation to those who could not otherwise afford it. Unfortunately, the Republican-controlled House has long had the Legal Services Corporation in its sights. This year it has recommended a crippling 50 percent cut in a punitive attempt to

curtail the services of this agency. This reduction would virtually eliminate most LSC programs around the country. In reality, this attack is just another way for the Republican majority to systematically disinvest the poor, an action which is both shortsighted and irresponsible.

Mr. Chairman, I am not alone in my support of this desperately needed program. A recent poll conducted by Louis Harris & Associates found that 70 percent of Americans believe Federal funding should be provided for poor Americans who need basic civil legal assistance. The poll also found that 61 percent of Americans believe funding levels should be higher than have been recommended. Clearly, this amendment is not asking for any more than what the American people have decided is fair and just.

I, therefore, urge my colleagues to restore funding to the Legal Services Corporation by voting in favor of the Mollohan-Fox amendment. If we don't make ''Equal Justice'' under the law a reality for all Americans, who will?

Mr. ROGERS. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ROGERS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 246, noes 176, not voting 11, as follows:

[Roll No. 449]

AYES—246

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Camp
Canady
Capps
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Engel
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gejdenson
Gephardt
Gilchrest
Gilman
Gordon
Green
Greenwood
Gutierrez
Hall (OH)
Hamilton
Harman
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Klug
Kucinich
LaFalce
LaHood
Lampson
Lantos
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Nethercutt
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Porter
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Shays
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Tauzin
Thompson
Thurman
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weldon (PA)
Wexler
Weygand
White
Wise
Woolsey
Wynn
Yates

NOES—176

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilirakis
Bliley
Blunt
Boehner
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Campbell
Cannon
Chabot
Chenoweth
Christensen
Coble
Coburn
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Ensign
Everett
Foley
Gallegly
Ganske
Gekas
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Gutknecht
Hall (TX)
Hastert
Hastings (WA)
Hayworth
Hefley
Hill
Hilleary
Hobson
Hoekstra
Hostettler
Hunter
Hutchinson
Inglis
Istook
Jenkins
Johnson, Sam
Jones
Kasich
Kim
King (NY)
Kingston
Knollenberg
Kolbe
Largent
Latham
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Morella
Myrick
Neumann
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Portman
Radanovich
Redmond
Riggs
Riley
Rogers
Rohrabacher
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Bonilla
Clement
Collins
Gibbons
Gonzalez
Hansen
Hastings (FL)
Herger
Lazio
Rogan
Schiff

□ 1641

The Clerk announced the following pairs:

On this vote:

Mr. Schiff for, with Mr. Herger against.

Messrs. PEASE, KNOLLENBERG, DAVIS of Virginia, and SHIMKUS changed their vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. CLEMENT. Mr. Chairman, on rollcall vote No. 449, I was unavoidably detained on official business. Had I been present, I would have voted ''aye.''

PREFERENTIAL MOTION OFFERED BY MR. GEPHARDT

Mr. GEPHARDT. Mr. Chairman, I have a preferential motion at the desk.

The CHAIRMAN. The Clerk will report the preferential motion.

The Clerk read as follows:

Mr. GEPHARDT moves that the Committee rise.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Missouri [Mr. GEPHARDT].

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

RECORDED VOTE

Mr. GEPHARDT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 119, noes 293, not voting 21, as follows:

[Roll No. 450]

AYES—119

Abercrombie
Ackerman
Allen
Andrews
Barrett (WI)
Becerra
Bentsen
Berry
Bishop
Bonior
Borski
Brown (OH)
Capps
Cardin
Carson
Clay
Clyburn
Condit
Conyers
Coyne
Cramer
Cummings
Davis (FL)
DeFazio
Delahunt
DeLauro
Dellums
Deutsch
Doggett
Edwards
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Ford
Frank (MA)
Furse
Gejdenson
Gephardt
Gutierrez
Harman
Hefner
Hilleary
Hilliard
Hinchey
Hinojosa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kennelly
Kilpatrick
Kind (WI)
LaFalce
Lantos
Largent
Levin
Lewis (GA)
Lowey
Maloney (CT)
Maloney (NY)
Markey
McCarthy (MO)
McCarthy (NY)
McDermott
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Mink
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Payne
Pelosi
Pomeroy
Price (NC)
Rangel
Roybal-Allard
Sanchez
Sawyer
Scott
Serrano
Skelton

Snyder
Spratt
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Thompson
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Waxman
Wexler
Woolsey

NOES—293

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berman
Bilbray
Bilirakis
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bono
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Combest
Cook
Cooksey
Costello
Cox
Crane
Crapo
Cubin
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeGette
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hastert
Hastings (WA)
Hayworth
Hefley
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Jones
Kasich
Kelly
Kennedy (MA)
Kildee
Kim
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Latham
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Manton
Manzullo
Mascara
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Minge
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pappas
Parker
Pastor
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Pryce (OH)
Quinn
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Rush
Ryun
Sabo
Salmon
Sanders
Sandlin
Sanford
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stabenow
Stark
Stearns
Stokes
Stump
Sununu
Talent
Tauzin
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—21

Bonilla
Clayton
Collins
Foglietta
Gibbons
Gonzalez
Hansen
Hastings (FL)
Herger
Hill
Hoyer
Johnson, Sam
LaTourette
Lazio
Martinez
Matsui
Radanovich
Rogan
Scarborough
Schiff
Yates

□ 1702

Mr. Maloney of Connecticut changed his vote from ''no'' to ''aye.''

So the motion was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. ARMEY was allowed to speak out of order.)

EXPRESSING APPRECIATION TO MANAGERS OF H.R. 2267, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

Mr. ARMEY. Mr. Chairman, I would like to predicate my comments by first appreciating the bill managers on the floor on this bill, the gentleman from Kentucky [Mr. ROGERS] and the gentleman from West Virginia [Mr. MOLLOHAN], for their good work and their willingness last night to stay and to work late, and, in fact, later than they had intended, to help move this bill along and to do so in such a way as to relieve the Members of the need to come back here for votes last night. They worked until 10. I think we had our last votes around 6 last night.

I would like to on behalf of all the Members appreciate the two bill managers for their generosity of spirit and their consideration. I realize and I am sure you all do, I know I did especially last night, a special evening with me and my wife, we had a chance to be together, at least on the phone, that it is for all of us always a special appreciation when we have had time with our families because of the consideration of our colleagues. In that regard obviously we are moving as fast as we can to complete the appropriations business before the end of the year and, hopefully, as soon as possible to wrap up the year's business so that we may be able to spend time, with the year's work completed, with our families in our own districts where we can relate to our own constituents sooner instead of later.

This is a very important piece of legislation toward that end, and even though we have had four procedural votes during consideration of this bill that unfortunately have, by and large, undone the time advantage we may have had as a body through the sacrifices made last night by our colleagues, I think that we all understand the need in the larger scheme of things to stay as long as we can to resolve the completion of this bill tonight. We intend to do everything we can to achieve that on behalf of all of us and our respective workloads.

I am sure that the bill managers would find their generosity of last evening rewarded and appreciated and the Members of the House would feel appreciative if we could proceed toward completion of this work this evening without further procedural delays. I am sure everybody would like to encourage everybody to take that way of showing appreciation to these two fine gentlemen who have managed this bill with such patience and appreciation for their colleagues.

REQUEST TO SPEAK OUT OF ORDER

Mr. SOLOMON. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Ms. KILPATRICK. Mr. Chairman, reserving the right to object, I would like to ask the gentleman a question. The majority leader just spoke of our schedule for the coming days and tonight. Last night in the Committee on House Oversight, House Resolution 244 was voted out of committee. We have major concerns on this side about the resolution. We would like to know, is it scheduled for the rules? When will it be taken up? The resolution as passed by the Committee on House Oversight concerning California's 46th Congressional District with Congresswoman SANCHEZ, we would like to know when it is going to the Committee on Rules and when it will be scheduled so we can prepare ourselves.

Mr. SOLOMON. Mr. Chairman, will the gentlewoman yield?

Ms. KILPATRICK. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Chairman, I am not aware of a request to expedite the legislation. I believe I understand the legislation the gentlewoman is referring to, but I will certainly check into it and be glad to get back to the House and let them know.

Ms. KILPATRICK. I thank the gentleman from New York.

I see the gentleman from California [Mr. THOMAS] on the floor. We are told over here that it is scheduled for Monday afternoon. It is H. Res. 244. Perhaps the gentleman from California might want to comment. We are trying to understand so we can know what the schedule is.

Mr. THOMAS. Mr. Chairman, will the gentlewoman yield?

Ms. KILPATRICK. I yield to the gentleman from California.

Mr. THOMAS. Mr. Chairman, the committee met yesterday and passed the resolution. I have submitted a letter to the chairman of the Committee on Rules, and Rules, I assume, under normal order of business will examine the resolution and will act on it as the Committee on Rules does.

I do not know where the gentlewoman gets her information, but the chairman of the Committee on Rules, and he will check with his staff, has found out that it is being handled in the normal procedure. I thank the gentlewoman for yielding.

Mr. SOLOMON. If the gentlewoman will yield further under her reservation, I have just been informed by the gentleman that there is a letter of request in my office. If that is the case, I would intend to include that on an agenda after I have had the opportunity to speak with the gentleman from Massachusetts [Mr. MOAKLEY], and we would more than likely include that.

The gentleman from Massachusetts considers himself notified, and there will be a rules meeting Monday night at 6 o'clock on that issue along with others.

Ms. KILPATRICK. I thank the gentleman.

Mr. BECERRA. Mr. Chairman, will the gentlewoman yield?

Ms. KILPATRICK. Further reserving the right to object, I yield to the gentleman from California.

Mr. BECERRA. If I may direct a question to the distinguished chairman from the Committee on Rules, the chairman may know or others may know, there is a grave amount of concern brewing on the part of a number of Members of Congress with regard to the course that this investigation, now 11 months old, has taken with regard to the investigation in the 46th Congressional District and the alleged improprieties in voting. This resolution and, as quickly as I was able to glance at it, House Resolution 244 evidently calls upon the Department of Justice to initiate criminal proceedings against an organization which it deems noncompliant to a subpoena that was issued against it or to it by this Committee on House Oversight in regards to the Sanchez case.

My understanding is that this organization is appealing the issuance of that subpoena on constitutional grounds. My further understanding is that there is some grave concern as to the reach of some of these subpoenas. My further understanding is there is grave concern that this committee, the Committee on House Oversight, has sent out more than 500,000 names with additional private information gathered from the Department of Justice, INS, and is now requesting assistance from the Secretary of State of California for further investigation of some 500,000 names.

Mr. SOLOMON. Would the gentleman propound the question because we have regular order to follow.

Mr. BECERRA. I will propound the question. I had to give some background so the gentleman would be able to answer the question. My question is this: If the Committee on Rules is thinking of taking up this House Resolution which would call upon the Department of Justice to initiate criminal proceedings on an organization that believes its constitutional rights may be violated if it were to have to respond to this subpoena, then I believe a number of us would have a great amount of concern allowing the House to take that course of action given a number of things that the House has done in regard to the Sanchez investigation.

Ms. KILPATRICK. Mr. Chairman, reclaiming my time, I yield to the gentleman from New York.

Mr. SOLOMON. I would just say that under regular order, when the Committee on Rules receives a letter from the chairman of a committee, we would follow regular order. We would hold the meeting. The gentleman is certainly welcome to come up and testify and make his case.

Mr. THOMAS. Mr. Chairman, if the gentlewoman will yield further, in the gentleman from California's background, as an information to the chairman of the Committee on Rules, he stated a number of factual errors, and I do think the record should be accurate rather than the representations that were made. The committee did not issue a subpoena to the organization that he referred to. It was issued under the statute of the Contested Elections Act. It was disputed as to its constitutionality. House counsel indicated it was constitutional. The judge who issued the subpoena in a recent opinion indicated that it was constitutional.

The gentleman indicated that we have transmitted 500,000 names to somebody. That is absolutely factually untrue, and I understand it was mentioned at a press conference. It is repeated here on the floor of the House. I would tell the gentleman he had better get his facts straight before he continues to repeat them.

Mr. BECERRA. Mr. Chairman, if the gentlewoman will yield briefly under her reservation, I will note for purposes of this particular request for expedition of time and the conduct of this House's duties that if, in fact, the Committee on House Oversight intends to take this action, a number of us intend to do whatever we can in the minority party to exert whatever rights we have to ensure that there is some justice in this matter for the investigation in the Sanchez case. If we are hoping to have clean and smooth conduct of business, I think it is going to quickly wind down and not happen if we have this type of activity continue to occur.

Ms. KILPATRICK. Reclaiming my time, Mr. Chairman, I have been told and it has been reaffirmed by the gentleman from New York that this resolution will be scheduled for Monday afternoon.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

□ 1715

Mr. MILLER of California. Mr. Chairman, I reserve the right to object, and I do so to——

Mr. SOLOMON. Mr. Chairman, I did not have the opportunity to speak to my wife last night for several hours as the majority leader did, so I am still trying to communicate with her. But as we race on to adjournment—

The CHAIRMAN. The gentleman from California [Mr. MILLER] controls the time under his reservation.

Mr. MILLER of California. Mr. Chairman, the reason I reserve the right to object hopefully is to respond to not only the scheduling change here but also the comments by the majority leader.

Mr. SOLOMON. Mr. Chairman, I object to my unanimous-consent request.

The CHAIRMAN. The gentleman withdraws his unanimous-consent request.

Mr. MILLER of California. Mr. Chairman, I withdraw my reservation of objection.

AMENDMENT NO. 22 OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 22 offered by Mr. SANDERS:

Page 38, line 22, after ''$21,700,000'' insert ''(increased by $1,000,000)''.

Page 54, line 11, after ''$28,490,000'' insert ''(reduced by $1,000,000)''.

The CHAIRMAN. Is there objection to considering this amendment at this stage?

Mr. KOLBE. Mr. Chairman, I reserve a point of order.

Mr. Chairman, I would like to hear the gentleman explain his amendment but would reserve the point of order.

The CHAIRMAN. The gentleman from Vermont [Mr. SANDERS] shall have an opportunity to state his case on the amendment. The gentleman is recognized for 5 minutes.

PARLIAMENTARY INQUIRY

Mr. SANDERS. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. SANDERS. Mr. Chairman, am I recognized for 5 minutes on my amendment?

The CHAIRMAN. A point of order has been reserved. The gentleman from Vermont [Mr. SANDERS] is recognized for 5 minutes on his amendment, recognizing that there is a point of order pending against his amendment.

The gentleman from Vermont [Mr. SANDERS] is recognized for 5 minutes.

Mr. SANDERS. Mr. Chairman, this amendment is an amendment of enormous consequence which is supported by people with very different political philosophies. This amendment is cosponsored by the gentleman from Oregon [Mr. DEFAZIO], by the gentleman from Ohio [Mr. NEY], by the gentleman from California [Mr. DELLUMS], by the gentleman from Florida [Mr. STEARNS], by the gentleman from Ohio [Mr. BROWN], and by the gentleman from California [Mr. ROHRABACHER], by Republicans, Democrats and Independent, by conservatives and progressives, and what this amendment says is that we believe in democracy and we believe that legislation passed at the local level, at the State level, and here in the U.S. Congress should not be overridden by the World Trade Organization.

And while we may disagree about this piece of legislation or that piece of legislation, we think that there is something very wrong about our trade policy whereby this Government has abdicated enormous responsibility and whereby major environmental legislation, legislation dealing with human rights and other important issues, is now threatened and has been threatened by the World Trade Organization. We believe that there is something very wrong when important environmental legislation passed by this Congress is overridden by people in Geneva who meet behind closed doors. We think there is something wrong when legislation passed in the State of Vermont, State of Massachusetts designed to bring back democracy in Burma is threatened by the World Trade Organization.

Mr. Chairman, let me take a moment now to yield to my friend, the gentleman from Florida [Mr. STEARNS] who has been very active in this issue.

Mr. STEARNS. Mr. Chairman, I want to thank my colleague from Vermont, and I want to thank my colleague from Arizona for his kindness in letting us at least just talk about it briefly here. Basically, what we are trying to do is give the U.S. Trade Representative more money so he can investigate, look at the U.S. laws, both local and State, that are impacted by the World Trade Organization when it makes decisions, and do they override actually in effect some of these laws at the local and State level.

As my colleagues know, Mr. Chairman, President Clinton, since he has taken office they have negotiated more than 200 trade agreements, and of these 200 trade agreements only 2 of them have had fast track. This, certainly, deflates the administration's claim that our Nation is in dire need of fast track.

So I think the important point here is that this amendment that the gentleman from Vermont [Mr. SANDERS] is offering, and others including myself, will allow the U.S. Trade Representative to have additional resources to study the impact of the World Trade Organization on the laws, the sovereign laws at the State and the local level, and to get back to Congress to see what impact these trade negotiations are having.

Mr. Chairman, I rise today to speak in favor of the Sanders-Stearns and friends amendment to this appropriations bill.

Since President Clinton has taken office, the administration has negotiated more than 200 trade agreements. By the way only two of these 200 agreements have had fast-track authority, NAFTA and the Uruguay round of GATT. This fact certainly deflates the administration's claims that out Nation is in dire need for fast-track.

We have to be honest with the American people. These trade agreements have a profound affect on them and they have a profound affect on local, State, and Federal laws.

That is why Mr. SANDERS originated this amendment.

There is great concern that U.S. laws, which lawmakers in Congress, State legislatures, and localities have worked hard to establish, continue to be overturned by faceless bureaucrats during trade negotiations.

And what can we do as the elected representatives of this great Nation that will stand up for the laws already in the books? Many of us would obviously like to stop this constant disregard for U.S. laws, but we are limited in our ability to make such a stand during consideration of an appropriation bill.

This amendment will allow the U.S. Trade Representative to have additional resources needed to research and study the American laws that will be affected by trade negotiations.

Even in the President's fast-track legislation, section 5(a)(1)(B) states that, "within 60 calendar days after entering into (an) agreement, the President (must) submit to the Congress a description of those changes to existing laws that the President considers would be required in order to bring the United States into compliance with the (proposed) agreement."

It seems obvious to me that the administration through fast-track, which I personally oppose, is preparing to overturn countless laws. This amendment will give the USTR greater ability in determining which laws are to be attacked.

I would like to make one specific point about fast-track and the harm it has caused constituents throughout Florida, not just in my district. Last week, Secretary of State Madeleine Albright gave a speech before the Institute for International Economics.

In her speech she said,

> We are preparing to negotiate a further opening in agricultural markets. Our farmers are by far the world's most productive. They help feed the world. But they do so despite tariffs on U.S. products that in some cases are as high as 100 percent. They also confront many nontariff barriers. In gaining access to this $500 billion a year market we want a level playing field for American agriculture. But to get it, we need fast-track.

Well, if I am not mistaken, were these promises of agriculture access and reduced tariffs not made during consideration of NAFTA and the previous granting of fast-track?

So what has been the track-record of the fast-track?

Since NAFTA has begun, Florida agriculture has lost in excess of $1 billion—Florida tomato farmers have alone lost $750 million. So much for level playing fields and reduced tariffs. According the O'Conner & Hannan law firm of Washington, DC,

> For tomatoes, the losses are clearly due to the dumping of Mexican tomatoes in the U.S. market as determined by the Commerce Department. The primary cause of the injuries to Florida agriculture is NAFTA and its ineffectual safeguard provisions.

The Florida Department of Citrus has further informed me, that after 3 years of NAFTA, Florida citrus is still not even allowed into Mexico. How is this possibly free or fair trade?

Congress needs to stand up to this destruction of American industries such as agriculture. The Sanders amendment is a first step to informing ourselves of the legal consequences of pervasive "free" trade agreements.

Mr. SANDERS. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Vermont has 1½ minutes remaining.

Mr. SANDERS. I yield to the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Chairman, we need to understand what is at risk here:

The Buy American Act is at risk; the Helms–Burton Act supported so strongly by some of my colleagues on that side of the aisle is at risk here; all local State laws which go to local preference and purchasing are at risk here; the sovereignty not only of our Nation but of our States and our local communities is at risk. We need this amendment to get additional money to the U.S. Trade Representative so that they can defend our interests and unearth these ticking time bombs in some of these trade agreements and prevent the overturning of these laws by secret tribunals in Geneva.

This amendment should be heard and should be voted on on the floor.

Mr. SANDERS. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Chairman, I would simply note that the State that I represent passed legislation which said that the State did not wish to do business with people who supported the terribly repressive regime in Burma, and we have since that time had international efforts to stop the State of Massachusetts from deciding how to spend its own dollars in purchases, and that is why I support the effort of the gentleman from Vermont [Mr. SANDERS]. If we are going to have people use these international bodies to object because we object to oppression, then the time has come to fight back.

The CHAIRMAN. The time of the gentleman from Vermont [Mr. SANDERS] has expired.

Mr. SANDERS. Mr. Chairman, I ask unanimous consent for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Vermont?

Mr. KOLBE. Mr. Chairman, I do object.

The CHAIRMAN. Objection is heard.

POINT OF ORDER

Mr. KOLBE. Mr. Chairman, reclaiming my time, I was ready to and I did allow this brief discussion of this, but I do feel compelled to rise to make the point of order against the gentleman's amendment because it seeks to amend the paragraph in this bill that has already been read under the 5-minute rule, and the House Manual states very clearly in section 872 that when a paragraph or section has been passed it is not in order to return thereto.

While I am tempted to debate the issues here, I regret that to say the gentleman's amendment does come too late, and I would ask for a ruling from the Chair.

The CHAIRMAN. Would the gentleman from Vermont like to be heard on the point of order?

Mr. SANDERS. Absolutely.

The CHAIRMAN. The Chair recognizes the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, let me explain what happened.

As I understand it, last night a unanimous consent was agreed to by which the Legal Services amendment would be called up first after the five rollcall votes which we voted upon earlier today, and that was confirmed to me by everybody. I was here on the floor of the House ready to go, and I was told, no, Legal Services is coming up. I went up to my office.

For some reason which I do not understand, and I expect it was inadvertent, the Clerk read the first 2 or 3 pages of title 2 of the Justice—Commerce—State appropriation bill before the Legal Services debate began, and the place in the text in which I had an amendment cosponsored by Republicans and Democrats alike was therefore passed.

Given that reality and my belief that this error was inadvertent, that everyone here believed that Legal Services was going to be debated first, I have asked for and am asking now for unanimous consent so that we can debate this very, very important issue which concerns millions of Americans who are deeply concerned about our trade policy.

PARLIAMENTARY INQUIRY

Mr. KOLBE. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. KOLBE. Mr. Chairman, is the unanimous consent in order at the time that we are considering a point of order?

The CHAIRMAN. The Chair will not entertain a unanimous consent, but the gentleman from Vermont certainly has an opportunity to be heard on the gentleman from Arizona's point of order.

The Chair is prepared to rule.

Mr. MILLER of California. Reserving the right to object, Mr. Chairman, on the point of order?

The CHAIRMAN. The Chair will hear the gentleman from California.

Mr. MILLER of California. Yes, on the point of order, since the point of order seems intent upon cutting off the rights of the gentleman from Vermont [Mr. SANDERS], I use a reservation of objection to rise in strong support of the gentleman's amendment and I ask unanimous consent to revise and extend.

The CHAIRMAN. The gentleman from California may not revise and extend his remarks on a point of order.

The CHAIRMAN. The Chair will now rule.

Upon his timely reservation of the point of order, the gentleman from Arizona [Mr. KOLBE] makes the point of order that the amendment proposes to change a portion of the bill already passed in the reading.

As indicated on page 680 of the manual, the point of order is well taken and is, therefore, sustained.

Mr. DEFAZIO. Mr. Chairman, I appeal the ruling of the Chair.

The CHAIRMAN. The question is, shall the judgment of the Chair stand as the judgment of the Committee?

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 231, noes 188, not voting 14, as follows:

[Roll No. 451]

AYES—231

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berman
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fattah
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Obey
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Riggs
Riley
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Yates
Young (AK)
Young (FL)

NOES—188

Abercrombie
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Nadler
Neal
Oberstar
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn

NOT VOTING—14

Ackerman
Bonilla
Boucher
Collins
Flake
Foglietta
Gibbons
Gonzalez
Hansen
Hastings (FL)
Lazio
Rogan
Schiff
Weldon (PA)

☐ 1749

Messrs. YATES, KANJORSKI, EWING, BOB SCHAFFER of Colorado, SMITH of Michigan, SHIMKUS, FATTAH, BERMAN, and Ms. DUNN changed their vote from ''no'' to ''aye.''

So the ruling of the Chair was sustained.

The result of the vote was announced as above recorded.

Mr. ROGERS. Mr. Chairman, the glue that holds this body together is comity and fairness on both sides of the aisle. The gentleman from Vermont [Mr. SANDERS], in my opinion, has a legitimate complaint procedurally, about not being able to offer his amendment.

In the spirit of fairness and comity, I ask unanimous consent that the gentleman from Vermont [Mr. SANDERS], be allowed to offer his amendment and that debate on the amendment be limited to 20 minutes, 10 per side.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. The Chair understands that the time limitation would include any amendments thereto.

Without objection, that is the order.

There was no objection.

The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore [Mr. BAKER] assumed the chair.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The Committee resumed its sitting.

(By unanimous consent, Mr. SOLOMON was allowed to speak out of order.)

AMENDMENT PROCESS FOR H.R. 1127, NATIONAL MONUMENT FAIRNESS ACT OF 1997

Mr. SOLOMON. Mr. Chairman, the Committee on Rules is planning to meet next Monday, September 29, to grant a rule which may limit the amendments which may be offered to H.R. 1127, the National Monument Fairness Act; that is, the Monument Antiquities Act.

Any Member who wishes to offer an amendment should submit 55 copies and a brief explanation of the amendment by noon on Monday, September 29, to the Committee on Rules, at room H–312 in the Capitol.

H.R. 1127 was ordered reported by the Committee on Resources on June 25, and the report was filed on July 21. Amendments should be drafted to the text of the bill as reported by the Committee on Resources.

Members should use the Office of Legislative Counsel to make sure that their amendments are properly drafted and should check with the Office of the Parliamentarian to be certain that their amendments comply with the Rules of the House.

Mr. Speaker, the Committee on Rules also is planning to meet the same evening, on Monday, September 29 to grant a rule which may restrict amendments for consideration of H.R. 1370, the Export-Import Bank Reauthorization bill.

Any Member contemplating any amendments should submit 55 copies of the amendment and a brief explanation to the Committee on Rules in H–312 of the Capitol no later than noon on Monday, September 29.

Amendments should be drafted to the text of the bill as reported, copies of which will be available in the document room.

I thank the membership for their consideration.

AMENDMENT NO. 22 OFFERED BY MR. SANDERS

The CHAIRMAN. Under the previous order of the Committee, it is in order to consider amendment No. 22 offered by the gentleman from Vermont [Mr. SANDERS].

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 22 offered by Mr. SANDERS:

Page 38, line 22, after ''$21,700,000'' insert ''(increased by $1,000,000)''.

Page 54, line 11, after ''$28,490,000'' insert ''(reduced by $1,000,000)''.

The CHAIRMAN. The gentleman from Vermont [Mr. SANDERS] and the gentleman from Arizona [Mr. KOLBE] each will control 10 minutes.

The Chair recognizes the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me at this point thank both the gentleman from Kentucky [Mr. ROGERS] and the gentleman from West Virginia [Mr. MOLLOHAN] and Members from both sides of the aisle for their commitment to fairness. I think that is the right thing to do, and I appreciate it.

Mr. Chairman, this amendment is a tripartisan amendment sponsored by progressives and conservatives, Democrats, Republicans, and an Independent.

Mr. Chairman, in my view, our current trade policy is a disaster. This year we are going to run up a $200 billion merchandise trade deficit, the largest in our history, and it is a deficit that is going to cost us millions of decent-paying jobs. But, Mr. Chairman, as serious as the economic implications of our trade policy are, this amendment deals with an issue that is even more important.

This amendment deals with democracy and national sovereignty and the right of the American people, through their local, State and nationally elected bodies, to make legislation which the American people believe is in their best interests.

The Members of Congress who are cosponsoring this legislation have different political points of view. We disagree on everything, but we agree that it is the people of the United States of America who should decide the important issues and not people in the World Trade Organization meeting behind closed doors in Switzerland who should make those decisions and who should override legislation that we pass, that State government passes, that local government passes.

□ 1800

Briefly stated, what is some of the legislation that is being threatened, that has been threatened? The WTO, through the urging of Venezuela, forced changes in our Clean Air Act. Mexico forced changes in the Marine Mammal Protection Act.

Southeast Asian countries have filed complaints against American restrictions on shrimp. A Massachusetts law promoting democracy in Burma, which has also been passed by many cities all over America, is now being brought before the WTO by the European Union and Japan. If Massachusetts loses that case, they must take their law off of the books or risk being punished by trade sanctions.

The bottom line here is that no matter what Members' political views are, and I disagree with Helms-Burton, voted against it, want to see it repealed, but I want to see that debate take place here in Congress, and not have somebody through the WTO overrule it. That is the issue.

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

Mr. KOLBE. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois [Mr. CRANE], the very distinguished chairman of the Subcommittee on Trade of the Committee on Ways and Means.

Mr. CRANE. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman I rise in strong opposition to this amendment. As chairman of the authorizing subcommittee, I object to the policy which motivates the original supporters of the amendment, who feel that additional resources should be provided to the U.S. Trade Representative to identify the effect of the multilateral agreement on investments [MAI] on State and local laws. I do not believe that the funds should be used for this purpose. I am concerned about the use of these funds for any purpose which might alter the progress of the Multilateral Agreement on Investment.

The MAI is the first comprehensive multilateral agreement on investments. However, it is not entirely new. The MAI builds on over 1,000, bilateral investment treaties already in force around the world. Most of those agreements include investor-to-state dispute settlement procedures. The agreement will not force the United States to lower standards, and it will not prevent Congress from regulating the behavior of companies, nor are we agreeing to a dispute settlement process that can force changes in U.S. law. There will be no loss of sovereignty under the MAI.

This amendment would deter progress on developing international rules for investment that mirror our international rules for trade by which U.S. companies and their workers have benefited from fairness, openness, and transparency.

I therefore strongly oppose the amendment offered by the gentleman from Vermont [Mr. SANDERS], and I urge my colleagues to vote ''no.''

Mr. SANDERS. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida [Mr. STEARNS].

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Vermont [Mr. SANDERS]. We have to be honest with the American people. These trade agreements have a profound effect on them, and they have a profound effect on local, State, and Federal laws. That is why the gentleman from Vermont has offered this amendment.

There is great concern that the United States laws, which lawmakers in Congress, State legislatures, and localities have worked hard to establish and pass, continue to be overturned by faceless bureaucrats during trade negotiations. These bureaucrats could be in the World Trade Organization or they could be anywhere.

What can we do, as elected representatives of this great Nation? We will stand up for the laws that are on the books. Many of us would obviously like to stop this constant disregard for U.S. laws, but we are limited in our ability to make such a stand during consideration of appropriations bills, and now we have an opportunity.

Make no mistake about it, this vote is a miniature GATT Fast Track II. What we are saying here today is if Members vote for this, they are saying we should transfer money out of the administration of the Commerce Department to the U.S. Trade Representative, and let this department look at the impact of the World Trade Organization on Members' local and State laws. Members cannot be against that. They have a fiduciary relationship with the people in their districts to say, is the World Trade Organization impacting my congressional district?

The President of the United States is talking up here on the Hill about pushing fast track. But many of us in this congressional House feel strongly that we need to have an early vote. I applaud the gentleman from Vermont [Mr. SANDERS] for going ahead and putting this in place.

Mr. SANDERS. Mr. Chairman, I yield 30 seconds to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, I thank the gentleman for yielding me the time.

We in the Congress have a serious responsibility to make sure that the principles of American Federalism are not trampled in the rush to approve new trade agreements under fast track. I support the Sanders amendment because we need to send U.S. trade negotiators a clear signal that Congress cares deeply about the fundamental precepts of American sovereignty.

We have worked hard to build a consensus around clean air, safe drinking water, and a pure safe food supply. We should not give it up. Vote ''yes'' on the Sanders amendment.

Mr. SANDERS. Mr. Chairman, I yield 30 seconds to the gentleman from Ohio [Mr. NEY].

Mr. NEY. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, let me just say very quickly that we realize there is a give and take when we are dealing with the world and trade policies, but most of it has been a take from this country. What is going to happen in Switzerland is going to affect township trustees, county commissioners, Governors, and citizens of the United States.

This is a commonsense approach, it is a commonsense amendment. All it wants to do is to simply say we should inform people. People have a right to know in this country. We should support the Sanders amendment. It is the right thing to do for America, it is the right thing to do to inform people in our society.

Mr. SANDERS. Mr. Chairman, I yield 45 seconds to the gentleman from Ohio [Mr. KUCINICH].

Mr. KUCINICH. Mr. Chairman, we need a national economic policy which protects our nation. We need a national economic policy which respects and reestablishes America as a sovereign Nation. We need a national economic policy which places the interests of the American people first among all international trade agreements.

But the World Trade Organization ruled against U.S. regulations on clean air, U.S. consumer protections. They ruled violated WTO rules. The WTO ruled against regulations on hormone-treated beef. Now is the time to take a stand on behalf of our rights as a people to self-determination.

The WTO does not care about the rights of the American people. The WTO does not care about the rights of our workers, about our environment. It is the American Congress which must stand up for the people. Outside of America, the international community does not care. We, the Congress, must protect we, the people.

Mr. KOLBE. Mr. Chairman, I yield 30 seconds to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN of Virginia. Mr. Chairman, I thank the gentleman for yielding me the time.

Mr. Chairman, I would ask, as I read the amendment, this would add $1 million to the U.S. Trade Representative's office to continue the good work they are doing in terms of representing us and furthering the globalization of our economy, and the progress of our domestic production. I do not see, I am baffled by some of the things that are being said. But the amendment itself is only a $1 million increase to the U.S. Trade Representative's office. If that is what it does, I do not have a problem with it.

Mr. SANDERS. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, I rise in strong support of the Sanders amendment. There is an alarm bell going off all over the United States, and some people can hear it on the right, and some people can hear it on the left, and some people are ignoring the alarm bell. Other people are trying to set the fire.

Mr. Chairman, the bottom line is we are being rushed time and again into conceding the authority that was vested in us by the Constitution of the United States to multinational organizations in the name of creating some global trading system, in the name of facilitating global and international commerce.

Mr. Chairman, I may have my disagreements with the gentleman from Ohio [Mr. KUCINICH] on issues of labor and the environment, but the last thing I want to do is grant authority to some international organization, none of whom will be voted on by the American people, to make these decisions.

We will rue the day when we have granted authority to someone who has no obligation to the voters of the United States to make these decisions. Big business today may think they are getting something in the environmental area or the labor area, but all the American people will suffer a loss of freedom if we give it away to these international organizations.

Mr. SANDERS. Mr. Chairman, I yield 1 minute to the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Chairman, we need to unearth and understand any provisions of any pending trade agreements which might undermine the sovereignty of the United States or our many States or our local governments. According to Renato Ruggiero, Director General of the WTO, in referencing the pending MAI agreement, we are writing the Constitution of a single economy. That is the man in charge. He is saying, the Constitution of a single economy. That is not our Constitution. It is not compliant with our Constitution or our sovereignty.

They have so far challenged the Helms-Burton law, the Clean Air Act, a Massachusetts law that is promoting democracy in Burma, and restrictions on shrimp, and buy-America provisions and buy-Oregon provisions, or buy-California or buy-Arizona provisions will all be held to be non-compliant with this MAI.

We are asking for $1 million to the United States Trade Representative to have them fully investigate, unearth, and report to us in the Congress, the representatives of the people of this country, what the reality of these agreements and these threats are, so we may be more fully informed. Mr. Chairman, I have one agreement with the gentleman from Virginia, we should have this money and we should know what we are voting on.

Mr. KOLBE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Oklahoma [Mr. WATKINS].

(Mr. WATKINS asked and was given permission to revise and extend his remarks.)

Mr. WATKINS. Mr. Chairman, I rise to say that I agreed with many things that have been said by the minority side concerning this amendment. I would like to clarify some matters, though. I think emotionally some people get carried away.

I know the gentleman from Ohio stated that it was the WTO that put

the embargo against the growth hormone on beef. That is not true. Mr. Chairman, that was a unilateral decision by the European Union after the GATT negotiations. Our own USTR did push for a penalty on the unfair trade barrier being placed against growth hormones. I have been fighting the battle to lift the growth hormone ban for 7 months. I have been fighting, pounding the table, becoming obnoxious about this unfair trade barrier. We must have stronger people to negotiate and fight for the United States position.

The point I am making, Mr. Chairman, if it had not been for the WTO finally recognizing and ruling against this unfair trade practice placed upon our beef producers by the European Union we would not have a world decision in our favor. It took several years by the USTR and 7 months of my own effort and we have to go through a 90-day appeal. Mr. Chairman, I am thankful under that circumstance the WTO was there to help, or rule against the European Union—125 million unfair trade balance against our beef producers. I think our beef people are going to reap a lot of benefit from it.

□ 1815

Mr. KOLBE. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, as the gentleman from Virginia pointed out, this amendment is very different than the debate that we have been having here tonight. Let us understand what it is and what it is not. The amendment would shift $1 million from the Department of Commerce to the U.S. Trade Representative's Office, period. That is all it does. The rhetoric is about a lot of other stuff, but the rhetoric has nothing to do with the actual amendment.

Since we have just gotten an amended budget request from the President on the USTR to add money to USTR, it may be not a bad idea. If this amendment passes, we will certainly use it for that purpose, since the USTR needs the money to hire some attorneys to carry out their activities, but certainly not anything dealing with this.

Mr. SANDERS. Mr. Chairman, would the gentleman yield?

Mr. KOLBE. No, I do not have the time to yield. The gentleman from Vermont [Mr. SANDERS] has his own time. He got 5 extra minutes on the earlier motion.

Let me just clarify a few other things about what is being proposed. The earlier ''Dear Colleague'' letter that Members received from some of the sponsors, talked about this is dealing with the multilateral agreement on investment. In fact, it talked about the role that the multilateral agreement, or MIA as we will call it, has with the World Trade Organization, or WTO. But there is not any link between the MIA and the WTO. To say there is a link between those two is simply incorrect.

The fact is, however, that the new multilateral agreement on investments builds upon 1,000 bilateral investment agreements that are already in force around the world. All of those agreements have some kind of investor dispute settlement mechanism in them. Most of them are done through the World Bank's International Center for Settlement of Investment Disputes. The center has been in existence since 1966. It is one of the primary forces for settling these kinds of disputes.

We have to have something to settle disputes when investors get into some kind a dispute. This is the first comprehensive multilateral investment agreement that we have had, and in that sense it is new, but it is certainly high time. We have an increasingly complex world of trade out there, an increasing complex economic situation, and we have to have agreements and we have to have institutions that can deal with settling disputes. That is why we have this multilateral agreement on investments, and that is why we need to have some kind of mechanism for dealing with these.

Let us talk a little bit about what the WTO has done and what the WTO has not done. There is a lot of confusion about that. People say that we are giving up our sovereignty to this organization. But we don't. The WTO is like a lot of other institutions; we have them in a whole range of other areas for settling disputes when disputes arise.

We have an increasing amount of trade in the world, so we have an increasing amount of disputes in the world. The first five cases that we have taken to the WTO we have won. We won against Japan on their liquor taxes. We won against Canada on their restrictions on magazines. We won against the European Union on their banana imports. We won against the European Union on their hormone ban. And we won against India on their patent law.

As a result of having been able to threaten actions in the WTO, we have gotten significant settlements in other disputes with Korea, with the European Union, with Japan, with Portugal, with Pakistan, with Turkey, with Hungary, a whole variety of them.

Mr. Chairman, let me just conclude by saying this: This issue does not have anything to do with the WTO at all. The rhetoric may, but certainly the amendment does not. This amendment is about policy. It suggests a major policy change. Thus is the reason why we should not debate this kind of thing on appropriation bills. It is the kind of thing that needs to be considered very carefully, in a very complex proposal in the authorizing committee, and I would urge us to not be misled by the rhetoric we have heard here today.

(Mr. ROGERS asked and was given permission to speak out of order for 1 minute.)

LEGISLATIVE SCHEDULE FOR TONIGHT

Mr. ROGERS. Mr. Chairman, a lot of Members are asking about the schedule for the evening. We have been discussing that with leadership on both sides. Here is the intention at the moment as to how to proceed: We would intend that the vote on this matter be rolled and combined with the vote on the next amendment, which I understand is the EDA amendment.

If that is so, then Members would have roughly an hour between now and when the votes would be taken. At that time, there would be the two votes, presumably, unless there is a motion to rise or some other procedural motion that takes place. That is the intent of leadership at this point in time.

Mr. MOLLOHAN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Chairman, would the gentleman from Kentucky [Mr. ROGERS] anticipate that the EDA vote would be taken first and be a 15-minute vote and that the vote on this amendment would be taken second?

Mr. ROGERS. Reclaiming my time, either way. I have no real preference. I have no preference. If anyone has a preference, I am open.

Mr. SANDERS. Mr. Chairman, if the gentleman will yield, I do. I would prefer if we could vote this after the debate. We will be finished in a few minutes. Let us vote it, Members are here, and then go off to dinner.

Mr. ROGERS. I have no problem with that.

Do I understand the gentleman from Vermont [Mr. SANDERS] to say that he would prefer not to roll his vote until the EDA vote?

Mr. SANDERS. I prefer to vote it right after the debate, which will end in a few minutes.

Mr. ROGERS. I would hope that the gentleman could accommodate Members and perhaps combine the two votes so that we would have some time off between votes.

Mr. BECERRA. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from California.

Mr. BECERRA. Mr. Chairman, for purposes of instructing Members who are here and those who are not, I would remind the chairman and those Members that there may be procedural votes called in between the substantive amendments that may be voted on as well.

So I doubt very seriously that there will be an hour's worth of time that people would be able to be gone.

Mr. ROGERS. I would regret that. I would hope that we could proceed with the business of the House and cease the endless motions to rise and the like. I would hope that we can accommodate the Members and let everyone have a few minutes of time perhaps for other duties.

The CHAIRMAN. Who yields time under the Sanders amendment?

Mr. SANDERS. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from Vermont [Mr. SANDERS] has 1

minute and 45 seconds, and the gentleman from Arizona [Mr. KOLBE] has 3 minutes remaining.

Mr. KOLBE. Mr. Chairman, we have just one speaker and we have the right to close. So I will reserve the balance of my time.

Mr. SANDERS. Mr. Chairman, I yield 45 seconds to the gentlewoman from California [Ms. WATERS].

Ms. WATERS. Mr. Chairman, the gentleman from Arizona [Mr. KOLBE] just gave us a preview of his speech on Fast Track. I do not know what he knows about the WTO.

I have just spent the last year dealing with the WTO on one of those issues that he just alluded to, the one that had to do with the European Union. In our country, we have the opportunity to go to the meetings, we can go to committee meetings, we can come to this Congress, we can go to school boards and our state legislatures.

We do not know who is making the decisions at the WTO. We do not know who is on the panel. Nobody is going to send us a notice. Nobody is going to give us a telephone call. We do not have the opportunity to give our point of view.

I want to tell my colleagues, they just made a decision that is going to cause the drug lords in the Caribbean to take over where the banana trade has been knocked out by the WTO, and we are going to see dope and those drugs in the districts that we represent in America.

Support this. At least we can get a report on what they are doing, what they are supposed to do. And perhaps we can all get educated about the WTO so that we will not go down the line that we apparently are going down to allow them to make decisions about this country and our laws.

Mr. SANDERS. Mr. Chairman, I yield myself such time as I may consume.

Let me in fact talk about the intent of this amendment. Because I am the author of the amendment, I know something about its intent. If we had the ability, we would have brought forth limitation amendments to stop the USTR from doing what they are doing. But we could not do that. So the intent here is to transfer $1 million from Commerce to the USTR only for two purposes:

First, to do a much better job of informing all Members of Congress when a formal trade complaint is filed or threatened at the WTO or other international bodies or when entering into new trade agreements which would compel the repeal or changes in our current national, State, local, tribal, territorial, or D.C. laws.

Second, to do a much better job of defending and arguing in support of our existing trade and trade-related laws that are in dispute between the WTO and other international bodies. This is as far as we can go.

Mr. Chairman, I yield my remaining time to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I would ask support for the amendment. The public has the right to know this information.

The CHAIRMAN. The time of the gentleman from Vermont [Mr. SANDERS] has expired.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman from Vermont [Mr. SANDERS] may wish his amendment did that, but it does not do that.

Mr. Chairman, I yield the balance of my time to the gentleman from California [Mr. DREIER].

Mr. DREIER. Mr. Chairman, I rise in strong opposition to this amendment. I think that many of the arguments that have been made by a number of my colleagues on both sides of the aisle are very well-intentioned. But frankly, they are in large part based on fear.

If one looks at the World Trade Organization, we know what a horrible acronym that is out there. There are many people who believe that the World Trade Organization is going to take over the United States of America. But the fact is, I ask people to name one single instance of where U.S. sovereignty or the sovereignty of any State has been jeopardized, and the fact is it has not.

We also, Mr. Chairman, need to look at the fact that there is no tie whatsoever between the multilateral agreement on investment, the MAI and the WTO. It seems to me that as we look at where we are going, I want as much information out as possible. But the United States of America is the world's only complete superpower of the military, economically and geopolitically.

I happen to have a great deal of confidence. My colleague, the gentlewoman from California [Ms. WATERS] just talked about how closed this is. The fact is, the United States of America is represented there as the world's preeminent leader.

I believe that we need to do everything that we possibly can to break down barriers. I think that Members on both sides of this aisle want us to embark on agreements which will reduce the burden of taxes on our working Americans and on the people.

Mr. DEFAZIO. Mr. Chairman, will the gentleman from California yield?

Mr. DREIER. I have very limited time, and I am in the midst of my closing remarks. Did the gentleman from Oregon have a chance to speak?

Mr. DEFAZIO. I did. I would love to rebut.

Mr. DREIER. That is why I have been given the opportunity to close here, and I appreciate having the chance to do that.

It seems to me, Mr. Chairman, that as we look at where we are headed, this is well-intentioned, but the fact is I think that it would undermine our attempt to proceed with our attempts in those 1,000 agreements that are in the process of moving ahead so that we can cut that burden.

So I urge a ''no'' vote on this and hope my colleagues will join in doing that.

Mr. MILLER of California. Mr. Chairman, I rise in strong support of the gentleman's amendment. Every time the Office of the U.S. Trade Representative commits this Nation to the provisions of an international trade agreement, they potentially bind American citizens to changes in dozens of Federal, State, or local laws. What makes matters worse is that, if the agreement has been negotiated under fast-track authority, the elected representatives of those people have no opportunity to amend the legislation implementing the agreement.

Let me give you some examples of why this amendment is so important. In 1991, the fishing industry in Mexico decided it did not approve of the United States law protecting the thousands of dolphins slaughtered each year in the Pacific tuna fishery. Mexico challenged that law under the rules of the General Agreement on Tariffs and Trade, and a panel of unselected trade bureaucrats, meeting behind closed doors in Geneva, decided our popular law, enacted by an open democratic process, was a barrier to free trade. They told us to change it—and this year, amid massive controversy and in spite of tremendous opposition from the American people, we did. Mexico and the GATT got their way, and more dolphins will die this year as a result.

In 1993, right after the administration assured us that our entry into the newly created World Trade Organization would not require any weakening of United States environmental protection laws, Venezuela challenged EPA regulations issued under the Clean Air Act, claiming that the regulations discriminated against foreign refiners. Even though Venezuela's gasoline produces more smog-emitting chemicals than American refiners are permitted to sell, in 1996 the WTO ordered the United States to change its regulations because they were a barrier to free trade, and EPA is now rewriting the regulations.

Today, the United States is fighting similar challenges behind closed doors in Geneva. Several Asian countries have challenged a provision of our Endangered Species Act that protects sea turtles. On the human rights front, the United States is currently defending a Massachusetts law prohibiting companies that do business with the State government from also doing business with the oppressive regime in Burma. Clearly, even State laws are subject to challenge by other nations under WTO rules.

Now let me point to the latest, and perhaps most egregious, example of how our laws can be held hostage by foreign-owned corporations. Included in the fast-track request sent to Congress last week by the President is a little-known item called the Multilateral Agreement on Investment. The MAI has been under negotiation by the developed nations of the world for the past 2 years, but these negotiations have been kept so secret that no one could confirm their existence until this past April. According to the director of the World Trade Organization, the MAI is ''the constitution of a single global economy.''

Here in my hand is a list of the State laws that could be challenged under the MAI as inconsistent with the agreement. They range from California laws promoting investment in facilities for processing recycled materials to Alaska laws limiting permits for mineral extraction on public lands. Federal statutes affected

would include laws providing special incentives for minority-owned businesses or for companies that employ local workers.

Trade agreements are no longer about lowering tariffs or eliminating quotas. They cover everything from the contents of the milk our children drink to the way we manage our fisheries. It's time to update the way we approve of these agreements as well.

The democratically elected members of the Congress and State legislatures have a right to know whether the trade agreements that this or any other administration commits us to have an impact on our laws, and for that very important reason I urge my colleagues to support the amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

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

Mr. SANDERS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 239, further proceedings on the amendment offered by the gentleman from Vermont [Mr. SANDERS] will be postponed.

PREFERENTIAL MOTION OFFERED BY MR. DE FAZIO

Mr. DEFAZIO. Mr. Chairman, I have a preferential motion at the desk.

The Clerk read as follows:

Mr. DEFAZIO moves that the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from Oregon [Mr. DEFAZIO].

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

Mr. DEFAZIO. If they give us the vote, I withdraw the motion.

The CHAIRMAN. The gentleman from Vermont is recognized.

Mr. SANDERS. Mr. Chairman, I ask unanimous consent that we be allowed to vote the amendment up or down right now.

The CHAIRMAN. Is there objection to the request of the gentleman from Vermont to renew his request for a recorded vote on his amendment at this time?

There was no objection.

Mr. DEFAZIO. Mr. Chairman, I withdraw my motion to rise.

The CHAIRMAN. Without objection, the proceedings on the motion to rise are vacated.

There was no objection.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 356, noes 64, not voting 13, as follows:

[Roll No. 452]

AYES—356

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Armey
Bachus
Baesler
Baldacci
Barcia
Barr
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Berman
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Calvert
Camp
Canady
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crapo
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Deal
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Diaz-Balart
Dingell
Dixon
Doggett
Doolittle
Doyle
Duncan
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fazio
Filner
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frost
Furse
Gallegly
Ganske
Gejdenson
Gephardt
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Graham
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Harman
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hostettler
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
Kingston
Kleczka
Klink
Klug
Kucinich
LaFalce
Lampson
Lantos
Largent
LaTourette
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
McCarthy (MO)
McCarthy (NY)
McCollum
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Murtha
Myrick
Nadler
Neal
Neumann
Ney
Northup
Norwood
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Pomeroy
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wise
Wolf
Woolsey
Yates
Young (FL)

NOES—64

Archer
Baker
Ballenger
Barrett (NE)
Bateman
Bereuter
Berry
Bilbray
Callahan
Campbell
Cannon
Christensen
Crane
Cubin
Davis (VA)
DeLay
Dickey
Dicks
Dooley
Dreier
Dunn
Everett
Fawell
Frelinghuysen
Gekas
Gilchrest
Goss
Granger
Hamilton
Hastert
Hastings (WA)
Horn
Houghton
Hoyer
Hyde
Johnson (CT)
King (NY)
Knollenberg
Kolbe
LaHood
Latham
Leach
Levin
Livingston
Manzullo
Matsui
McCrery
Miller (FL)
Moran (VA)
Morella
Nethercutt
Nussle
Oxley
Packard
Pickett
Porter
Rogers
Roukema
Sanford
Shaw
Skeen
Snyder
Thomas
White

NOT VOTING—13

Bonilla
Collins
Flake
Foglietta
Gibbons
Gonzalez
Hansen
Hastings (FL)
Lazio
Rogan
Schiff
Wynn
Young (AK)

□ 1849

Messrs. PACKARD, SNYDER, DICKS, CANNON, WHITE, KENNEDY of Massachusetts, and Mr. HOYER changed their vote from ''aye'' to ''no.''

Messrs. BUNNING, EHLERS, TALENT, Mrs. MYRICK, Mr. BLUNT, and Mr. GREENWOOD changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PREFERENTIAL MOTION OFFERED BY MR. BECERRA

Mr. BECERRA. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. BECERRA moves that the Committee do now rise.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from California [Mr. BECERRA].

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

RECORDED VOTE

Mr. BECERRA. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 107, noes 294, not voting 32, as follows:

[Roll No. 453]

AYES—107

Abercrombie
Ackerman
Allen
Andrews
Barrett (WI)
Becerra
Berry
Bishop
Bonior
Borski
Brown (OH)
Capps
Chenoweth
Clay
Clayton
Clyburn
Condit
Conyers
Coyne
Cummings
Davis (FL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Doggett
Doolittle
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Furse
Gejdenson
Gephardt
Gutierrez
Harman
Hilliard
Hinchey
Hoyer
Jackson (IL)
Jefferson
Kaptur
Kennedy (RI)
Kennelly
LaFalce
Lantos
Levin
Lewis (GA)
Lowey
Maloney (NY)
Markey
Martinez
McCarthy (MO)
McDermott
McGovern
McKinney
McNulty
Meehan
Menendez
Millender-McDonald
Miller (CA)
Mink
Moakley
Nadler
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne
Pelosi
Peterson (MN)
Petri
Pomeroy
Rangel
Roybal-Allard
Sanchez
Sawyer
Serrano
Skelton
Slaughter
Smith, Adam
Snyder
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Waters
Waxman
Woolsey

NOES—294

Aderholt
Archer
Bachus
Baesler
Baker
Baldacci
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bono
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Carson
Castle
Chabot
Chambliss
Clement
Coble
Combest
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (IL)
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gilchrest
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jackson-Lee (TX)
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Jones
Kanjorski
Kasich
Kelly
Kennedy (MA)
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Manton
Manzullo
Mascara
Matsui
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
Meek
Metcalf
Mica
Miller (FL)
Minge
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Packard
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Rush
Ryun
Sabo
Salmon
Sanders
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Stump
Sununu
Talent
Tanner
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Visclosky
Walsh
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Wise
Wolf
Young (FL)

NOT VOTING—32

Armey
Ballenger
Bonilla
Christensen
Coburn
Collins
Doyle
Ewing
Fawell
Flake
Foglietta
Gibbons
Gillmor
Gonzalez
Hansen
Hastings (FL)
Hyde
Johnson, Sam
Largent
Lazio
Ortiz
Oxley
Roemer
Rogan
Schiff
Smith (OR)
Wamp
Whitfield
Wicker
Wynn
Yates
Young (AK)

□ 1909

Mrs. CLAYTON and Mr. ENGEL changed their vote from ''no'' to ''aye.''

So the motion was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments to the open portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, as amended, Public Law 91–304, and such laws that were in effect immediately before September 30, 1982, and for trade adjustment assistance, $340,000,000: *Provided,* That none of the funds appropriated or otherwise made available under this heading may be used directly or indirectly for attorneys' or consultants' fees in connection with securing grants and contracts made by the Economic Development Administration: *Provided further,* That, notwithstanding any other provision of law, the Secretary of Commerce may provide financial assistance for projects to be located on military installations closed or scheduled for closure or realignment to grantees eligible for assistance under the Public Works and Economic Development Act of 1965, as amended, without it being required that the grantee have title or ability to obtain a lease for the property, for the useful life of the project, when in the opinion of the Secretary of Commerce, such financial assistance is necessary for the economic development of the area: *Provided further,* That the Secretary of Commerce may, as the Secretary considers appropriate, consult with the Secretary of Defense regarding the title to land on military installations closed or scheduled for closure or realignment.

AMENDMENT NO. 18 OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, I offer amendment No. 18.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18 offered by Mr. HEFLEY:

Page 42, line 11, after the dollar amount, insert the following: ''(reduced by $90,000,000)''.

□ 1915

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes, and that the time be equally divided.

Mr. MILLER of California. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

POINT OF ORDER

Mr. MOLLOHAN. Mr. Chairman, point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MOLLOHAN. Mr. Chairman, I thought we were proceeding under a time agreement, are we not?

The CHAIRMAN. There was an objection heard on the unanimous-consent request.

Mr. MOLLOHAN. But previous to that, we had an agreement on time, did we not?

Mr. HEFLEY. Mr. Chairman, if I may respond to the gentleman, it had not come to the floor yet. I am perfectly agreeable to the time agreement.

Mr. MOLLOHAN. I thought that was already in agreement. I thank the Chairman.

Mr. HEFLEY. Mr. Chairman, it has become an annual ritual, like the swallows returning to Capistrano, that we in the bill increase the amount of money to be designated for the Economic Development Administration, and every year I come down here with some of my colleagues, Mr. Chairman, and try to do away with the Economic Development Administration.

I am not trying to do that this year, but I am trying to bring the amount of money back to some kind of a reasonable figure, if we think we even need it. This is a wasteful agency and an agency that we will get rid of eventually; whether it is this year or next year, we will eventually, but at this point I am just trying to cut back to some kind of reason.

This is an amendment that is sometimes hard on friendships. The agency has been on the chopping block for years, but it has survived not on the merits of the program, because the program has few merits, but it survives because it makes Representatives and Senators look good.

Mr. Chairman, the Heritage Foundation calls the EDA the No. 1 Federal boondoggle which could be eliminated tomorrow without hurting anyone at all, and they are right. The EDA duplicates the activities of 62 other community development programs and 340 Federal economic development-related programs administered by 13 separate agencies. We simply do not need it, first of all; and second, it does not work.

Now, when we have a problem around here and we do not want to make a decision, what do we do? We say, well, let us get the GAO to do a study of it to get the facts so we will know what to do. Well, the GAO has done a study of the EDA, and it says that it has had a very small effect on income growth rates during the period that the aid was received and no significant effects in the 3 years after the aid ceased. This does not compute to the good-paying, long-term jobs the EDA is said to create.

Mr. Chairman, the value of this program that will be argued here tonight is fiction. The Senate received testimony to this effect in June of this year, and consequently had decided to appropriate only $250 million, I say only, but it is a lot of money, more than I would want, but it said, they have said $250 million to the EDA. We have gone far above that. I urge my colleagues to approve this amendment and bring the EDA's funding in line with the Senate bill.

This has been a target of Presidents, this has been a target of almost every think tank that has looked at it and tried to evaluate it. It has been a target of the GAO. Instead of getting rid of it, let us at least bring it down to the Senate level.

Mr. ROGERS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, here we go again. This is an amendment to drastically cut the Economic Development Administration, and I strongly urge a ''no'' vote.

We debated the issue of EDA on this bill last year and the year before and the year before, and on and on. Last year 328 Members of this body, a majority of Republicans and Democrats, voted resoundingly to support the work of the EDA and to reject this cut. I urge the House again to defeat the Hefley amendment.

If we do not vote this amendment down, we will be depriving hard-hit communities in every State in this country of the vital assistance these programs provide. EDA gives our poorest urban and rural areas the tools to raise themselves up by their own bootstraps, to create new jobs, expand their local tax base, and leverage private investment. It gives them a hand, not a handout.

If one's town is hard hit by sudden and severe job losses when a plant shuts down, EDA is the place to go. If one's community has been devastated by a natural disaster, like the recent floods this year in the Midwest, EDA is the place one can turn to. If one's district has suffered from cutbacks in the defense industry, EDA is the only Federal program dedicated to helping your community retool its economy. If my colleagues do not believe me, ask California.

Critics of the program fail to recognize that the EDA has been reformed, reduced, and streamlined over the last 3 years. This bill cuts EDA funding by 15 percent below the current level. Due to the congressional oversight by both the authorizing committee of this body and the Committee on Appropriations, EDA's grants are truly targeted to the most distressed areas. The development and selection of projects has been moved out of Washington and back toward the local and State levels, and EDA's bureaucracy has been cut by over one-third in the last 2 years.

In addition, since the vote last year, the House has continued to demonstrate its support for EDA programs. Our colleagues in the Committee on Transportation and Infrastructure will soon approve an EDA reauthorization bill that reforms the programs and responds to the past criticisms of this program.

Mr. Chairman, clearly, there are communities that do not need help. They have infrastructure, they have industry, they have access to education, and all the requirements for a healthy regional economy. Other areas, that must rely on us and EDA to help them cope with job loss and defense cuts and other economic disasters, need us. They are the ones that need our help. They are the ones who are turning to us for our vote.

So I urge Members to do as they did last year and the year before and the year before by an overwhelming margin. Vote down this amendment.

The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore [Mr. LATOURETTE] assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2266) ''An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes.''

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 871) ''An Act to establish the Oklahoma City National Memorial as a unit of the National Park System; to designate the Oklahoma City Memorial Trust, and for other purposes.''

The SPEAKER pro tempore. The Committee will resume its sitting.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The Committee resumed its sitting.

PRIVILEGED MOTION OFFERED BY MR. BECERRA

Mr. BECERRA. Mr. Chairman, I offer a privileged motion.

The Clerk read as follows:

Mr. BECERRA moves that the Committee do now rise.

The CHAIRMAN. The question is on the privileged motion offered by the gentleman from California [Mr. BECERRA].

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

RECORDED VOTE

Mr. BECERRA. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 103, noes 281, not voting 49, as follows:

[Roll No. 454]

AYES—103

Abercrombie
Ackerman
Allen
Andrews
Barrett (WI)
Becerra
Berry
Bishop
Bonior
Borski
Brown (OH)
Carson
Chenoweth
Clay
Clayton
Clyburn
Conyers
Coyne
Davis (FL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Doggett
Doolittle
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Furse
Gejdenson
Gephardt
Gutierrez
Harman
Hefner
Hilliard
Hinchey
Hoyer
Jackson-Lee (TX)
Jefferson
Johnson (WI)
Kaptur
Kennedy (RI)
Kennelly
Kilpatrick
LaFalce
Lantos
Levin
Lewis (GA)
Lowey
Maloney (NY)
Markey
Martinez
McCarthy (MO)
McDermott
McGovern
McKinney
McNulty
Meehan
Millender-McDonald
Miller (CA)
Mink
Moakley
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Peterson (MN)
Pomeroy
Rangel
Roybal-Allard
Sanchez
Sawyer
Serrano
Skelton
Slaughter
Snyder
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Waters
Waxman
Woolsey

NOES—281

Aderholt
Bachus
Baesler
Baker
Baldacci
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Blagojevich
Blumenauer
Blunt
Boehlert
Boehner
Bono
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Christensen
Clement
Coble
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cunningham
Danner
Davis (IL)
Deal
DeLay
Dickey
Dicks
Dingell
Dixon
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Fawell
Foley

Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gilchrest
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
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Jackson (IL)
Jenkins
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Kennedy (MA)
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Lewis (CA)
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Miller (FL)
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Ros-Lehtinen
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Sandlin
Sanford
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Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg
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Sherman
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Shuster
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Skaggs
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Stump
Sununu
Talent
Tanner
Tauzin
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Traficant
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Upton
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Watt (NC)
Watts (OK)
Weldon (FL)
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Weller
Wexler
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Whitfield
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NOT VOTING—49

Archer
Armey
Ballenger
Bliley
Bonilla
Coburn
Collins
Cubin
Cummings
Davis (VA)
Diaz-Balart
Dooley
Doyle
Ewing
Flake
Foglietta
Gibbons
Gillmor
Gonzalez
Hansen
Hastings (FL)
Hilleary
Johnson, Sam
Kleczka
Largent
Lazio
Linder
Manzullo
McDade
Moran (VA)
Morella
Oxley
Parker
Pelosi
Rahall
Rogan
Salmon
Sanders
Scarborough
Schiff
Smith (OR)
Taylor (NC)
Thornberry
Wamp
Wicker
Wolf
Yates
Young (AK)
Young (FL)

□ 1945

Mr. GUTKNECHT changed his vote from ''aye'' to ''no''.

Mr. NEAL of Massachusetts changed his vote from ''no'' to ''aye''.

So the motion was rejected.

The result of the vote was announced as above recorded.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the Hefley amendment.

Mr. Chairman, I join the chairman of the committee in rising in strong opposition to the Hefley amendment to cut $90 million from the funding provided for the Economic Development Administration.

I know of no other agency, no other program in the Federal Government more critical to the economic development needs of communities around this Nation than EDA. EDA programs target funds to areas in need of assistance and respond to special needs of each individual town and city. EDA has programs which benefit communities in almost every stage of the development process.

For communities experiencing structural economic changes, EDA provides flexibility assistance to help them design and implement their own local recovery strategies. For communities facing prolonged economic distress, EDA provides the funding necessary to repair decaying infrastructure and to develop new infrastructures needed for business growth.

For communities faced with massive job loss associated with defense downsizing, EDA provides the funding to develop projects at the local level that support community revitalization priorities. EDA's grant and technical assistance programs really work. Any of my colleagues can look around their districts and point to economic success stories catalyzed by EDA funding.

EDA's grant programs represent an investment in our Nation's future, the future of our cities, our towns, and neighborhoods. Over the last 30 years, EDA has invested $15.6 billion in our Nation's distressed communities, creating more than 2.8 million jobs and leveraging almost $2 billion in private sector capital.

EDA has a proven success record, with over 39,000 economic development projects completed under its programs. EDA makes good fiscal sense. More than $3 million in outside investment has been leveraged for every Federal dollar invested in EDA programs.

In closing, Mr. Chairman, economic development is a local process with a specific appropriated Federal role. EDA, in direct partnership with the stressed communities, provides seed funding that promotes long-term investments that respond to locally defined economic priorities.

Mr. SHUSTER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong opposition to this amendment. It is easy if one is from an affluent area of America to say we do not need to invest in the poorer parts of our country. But the fact is that the Economic Development Administration is absolutely crucial to the investment needed in the poorest of our geographical areas of this country.

We are talking about investment that not only is going to create jobs, but we are also talking about investment that is going to make these poor areas of America better places to live and work. We are talking about environmental improvement, as well. We are talking about improving the lives of the people who live in this area and the families and the kids.

In the last Congress, we had a vote on this issue; and in that last Congress, over 300 Members voted overwhelmingly to reject this amendment. Indeed, a majority of Republicans voted against this amendment. A majority of Democrats voted against this amendment. And for good reason: Because we need to have EDA investment in those areas of America which need to bootstrap themselves up.

Indeed, Rutgers University recently released a study which shows that for every dollar of EDA money invested in a region, $10 of private money is invested. We cannot hardly get a better investment than that in America.

So let us support EDA. Let us invest in America. Let us build infrastructure in the poorest of our geographical regions. Vote down this amendment. Support EDA. It is good for America.

Mr. OLVER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to the Hefley amendment, which would eliminate about a quarter of the funding for the Economic Development Administration. The author of the amendment has said that there are some 62 agencies that overlap or duplicate the economic development efforts of this agency. Yet, this is the one that we all know as an effective agency. This is the one that my colleague chooses to try to eliminate.

We all know that the Economic Development Administration supports communities that are in economic distress. We all know that modest economic development money can breathe new life into the communities that are facing financial hardship.

In the years, only a little more than six, that I have served in this Congress, EDA has funded regional economic planning for small communities to maximize their job creation and development potentials, EDA has provided capital for small businesses, EDA has helped turn former military bases into centers for new business, and EDA has funded utilities and road construction to create industrial parks in some of the poorest communities in my district, communities like Gardner and Fitchburg and Pittsfield, MA.

But EDA also provides emergency funds for communities in crisis situations. The town of Colrain, MA, was headed for an economic disaster here recently when its largest employer decided to close down, that it was going to simply close, thereby causing a ripple effect on the town's second largest employer, which was located on the same industrial site.

The two companies shared electric power, waste water, and fire safety infrastructures. Faced with the need to

make huge capital investments to remain alone on site, the second company was about to move its manufacturing elsewhere as well.

With my support, Colrain turned to EDA for emergency funding. And together with private, State, and local funding, and in this case no one of these could have done it alone, but they did it, they turned to the EDA for the emergency funds to finance the infrastructure improvement needed to retain a critical business and allow that business to grow. EDA answered Colrain's call for help. Colrain's application is moving through its final phases, and the serious job loss has been averted in my district.

Let me stress again that in the Colrain, MA, case EDA funding is only part of a larger package of State and local and private funding. No one of those entities would have been able to go it alone. But EDA's, in this case, modest Federal half-a-million-dollar commitment had a major impact in securing and leveraging, as other people have already said, the other funding sources and the private monies that have to go into such economic development.

□ 2000

Mr. Chairman, I urge all of my colleagues to preserve the EDA funding and to reject the Hefley amendment.

Mr. GOSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Colorado [Mr. HEFLEY]. I think it is a responsible amendment and long overdue. I refer to this as the Stop the Creep amendment. That is not an ad hominem remark. That refers to the fact that in 1995, this body voted to do away with this organization, and at that time the level of support was at about $350 million. I would point out to my colleagues, particularly those on my right, that we are now talking about an appropriation of $453 million, an increase of 29.4 percent that most of the fiscal conservatives in this body voted to do something about just 3 short years ago.

Mr. Chairman, 2 years ago a new majority was elected with a mandate to change the way Washington works. Instead of running up the tab on our kids, we pledged to make tough choices and prioritize our limited resources, and everybody cheered. This ambitious agenda was articulated in the House budget resolution which returned power to the taxpayer and eliminated wasteful departments. One of those that was pegged for elimination under the programs and agencies that were considered was the Great Society relic called the Economic Development Administration.

So what has happened? While the EDA has failed very badly in its core mission of providing aid to distressed communities, its success in bringing home the bacon is unmatched, and we all know it. Of grants made in 1994, for example, the 17 States represented by the members of the relevant Senate and House subcommittees received $1.10 per capita compared to 68 cents for the rest of the Nation. Rational observers, I am told, are concluding that grants are being made based on political considerations, not true need.

EDA proponents will serve up any number of creative defenses for this program, and I admit there have been some spots of success in it, but they are very few. But the supporters also ignore the fact, and here is a fact, the GAO was unable to find any study, any study, that established a causal linkage between EDA assistance and a positive economic effect in a community, the reason we have this program. It is not working.

Fact: Nearly 90 percent of the Nation has been found eligible for EDA grants in the past, despite the fact the money is supposed to go to certifiably distressed communities. Is everything in America a distressed community?

Fact: Proponents will argue that the EDA has been reformed, yet the agency has not been reauthorized since 1980. Translation: There has been no real reform. Despite years of promises that there would be some real house cleaning, it has not happened.

Mr. Chairman, the Hefley amendment does not end the EDA. It does not end the EDA, however deserved that might be. It simply makes a responsible cut down to the Senate level. I want to repeat, this amendment does not end the EDA. It reduces it to the Senate level. It ends the cost creep.

Last year the House-passed bill contained $348 million for EDA, yet somehow it emerged from conference almost $100 million heavier; $426 million, to be exact, of taxpayers' money. A glance at the numbers reveals that we have increased EDA funding by 29 percent since 1995, the year that we pledged to end it altogether. What happened? Mr. Chairman, the present House bill not only exceeds the Senate level, but it is even higher than the President's budget request.

I urge my colleagues to support this sensible reduction in the funds for the EDA back to the Senate level of $250 million, a quarter of a billion dollars, which is a $90 million savings for the taxpayer for a program that we do not think is working very well, and our agency, the GAO, has not been able to find a positive benefit from it. I think it is a reasonable amendment. I ask Members to consider it sincerely.

Mr. HEFLEY. Mr. Chairman, will the gentleman yield?

Mr. GOSS. I yield to the gentleman from Colorado.

Mr. HEFLEY. Mr. Chairman, one of our speakers earlier talked about all of that matching money that came back. In September of 1994, a nonprofit corporation in Alabama was awarded a $750,000 grant to create a revolving loan fund, and the community matching funds were to be $1 million, and the $1 million never showed up. The Inspector General investigated the nonprofit and found that they had not been meeting the matching fund requirement since 1986. So when we hear of all these matching funds, in theory that works, but in practice I could give my colleagues example after example after example where it simply has not worked.

The theory behind EDA, which is what most of the speakers are talking about, is good. The practice is, it does not work.

Mr. OBERSTAR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the gentleman's amendment. I do want to congratulate and commend the chairman of the subcommittee for the splendid job that he has done. The gentleman from Kentucky has led this subcommittee very ably, and has made the case, I think, very persuasively, and has worked with our authorizing committee, as the gentleman from Pennsylvania [Mr. SHUSTER] indicated earlier, to sort out some of the problems, narrow the focus, target this program more effectively and more efficiently, reduce its staffing level, and I take issue with some of the numbers cited just a moment ago.

The fiscal 1997 funding level for EDA, for this year, is $427 million. The subcommittee has cut $65 million out of that level. That is not a cut in the growth. That is a cut from this year's level. That is a cut in the real program down to $361 million. The vote that my good friend from Florida referenced about eliminating EDA was not a vote on eliminating EDA. That was a vote on eliminating the Department of Commerce. It was part of the Republican reconciliation bill. EDA is included in the Department of Commerce. It is a stretch to say that we voted on eliminating EDA.

Those who would say that, oh, 90 percent of the country is eligible for EDA funds, that is not true. Ninety-three percent of EDA funds go to the eligible areas, only those areas that qualify with a 1 percentage point level of unemployment above the national average.

EDA has been an extraordinarily effective program for the small communities of America and even for larger cities. I have been watching this for 25 years. The opponents of EDA come up here representing comfortable areas of this country and tell the poor areas of America, ''You do not need this help. You do not need this lift up.'' Well, every dollar of EDA leverages $10 of private investment money. The gentleman from Pennsylvania [Mr. SHUSTER] cited the study that showed that there is a minimal cost of $3,000 of EDA investment per job.

You want success stories? We have got them. During the time that I was privileged to chair the economic development subcommittee, we held hearings, we brought in all those who were

critics, we brought in those who benefited from the program. A Georgia development district received $3.1 million in EDA funds, matched by $3.1 million in non-Federal local private funds. That generated $142 million in private investment, creating 2,238 private sector jobs. EDA cost per job, $1,000.

Fort Holabird Industrial Park. Fort Holabird was shut down by the military. Baltimore was in distress. EDA granted a title 9 emergency grant to help rehabilitate that community, $11.3 million. The city matched it with $11 million. There was private investment of $42 million, 1,000 new jobs. GM came in, made an investment in the community. They put in $258 million with the funds that EDA provided to stimulate water, sewer, road access to this park facility. 4,000 jobs were protected and retained.

There is story after story of success. I do not want to belabor the body. I just want to quote from one of the witnesses when our committee went into Kentucky, southern Virginia, and West Virginia, a wise witness stood up and said, ''We are proud, conservative mountain people. We don't ask for anything that we don't give of ourselves. But you can't turn around 50 and 100 years of decay and decline in 1 or 2 years of water and sewer grants. Give us a hand. Give us the opportunity. We have the energy. We have the youth that wants a future. We are proud mountain people. Give us the opportunity.'' EDA gives them that opportunity. I ask my colleagues, defeat this amendment. Give rural America an opportunity.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise tonight to vehemently oppose this amendment. I come from rural Pennsylvania, a rural part of Pennsylvania that has been struggling economically. We look at EDA as the doctor who can give us a transfusion to help us maintain economic life.

It has been interesting to listen to those who talk about this as pork, as waste. Let me tell my colleagues what happens in a small town in America when you lose the only factory, when you lose the only major employer. And I wish some of those that are proposing this amendment looked into the eyes of the people in the glass plant in Marienville when they knew their job of the last 50 years was gone forever and there were no other job opportunities within 40 miles. I will never forget the look on those people's faces, and I sure do not want to tell them that there is not an Economic Development Administration to help them.

In State government, we had a lot of economic development plans. I was often critical that a lot of that money went to very affluent areas, went to areas that were fighting growth, who were growing faster than they wanted to. But EDA targets its resources. It targets it to our communities that are the most in need, communities that have lost their major employers.

Tell the community in Jefferson County that their industrial park, the 70 new jobs, was not worthwhile. Tell the people in Centre County who purchased a rail line that would have taken rail service away from employers and has since created 1,000 jobs. Tell the community in Tioga County in Pennsylvania that repurchased a Conrail line that was going to remove 450 jobs from their community because they could not function without rail service.

I am here today to tell Members that this is a program that if we do away with in these small rural towns, where are those people going to go? The unemployment lines, the welfare rolls. It is going to cost us a whole lot more money than this measly $340 million that helps distressed communities all across this country.

Tell this to a community that lost a USX plant, a Quaker State headquarters, a Worthington Pump plant, a Van Huffel Tube plant, a Foster Forbes Glass plant, a Graham Packaging plant that we do not care. Tell them that, that we are not going to help them pull themselves up by their bootstraps.

If we want to look for economic development funds, why do we not look at the International Development Association that does economic development around the world? If we give them a 26 percent cut, we could save $160 million. The USAID, Agency for International Development, if we gave them a 26 percent cut, we could save $130 million. Aid to the former Soviet Union for economic development, if we give them a 26 percent cut, we could save $160 million.

Mr. Chairman, this is a small program that targets its resources well to the poorest communities in America. I urge Members tonight to defeat this amendment and put it to bed forever, and let us work with a program that helps the poorest communities pull up their bootstraps.

□ 2015

Mr. WISE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong opposition to this amendment to cut 25 percent out of the Economic Development Administration budget. Some have spoken about projects that they question. Well, let me give my colleagues some success stories, and I think that is very, very important.

Let me talk to my colleagues about in the eastern panhandle of West Virginia, just an hour and 15 minutes drive from here, where a $2 million EDA grant is helping to generate hundreds of jobs at the new Sino-Swearingen Aircraft facility. I calculated that for every Federal dollar going in between the EDA and ARC, which incidentally got $4.5 million leverage, $133 million, that it would be repaid to the Federal taxpayer in workers paying income taxes in about 3 years. One real estate developer said, ''That's one of the best investments you can get.''

So whether we are talking about the Sino-Swearingen plant in eastern West Virginia, whether we are looking at the jobs that are being generated at the Wood Technology Center at Elkins, WV, because of a EDA grant and the opportunities in the wood industry that it is making there, or whether we are talking about Jackson County, WV, where an EDA grant is helping create an estimated 350 jobs for the Jackson County Maritime and Industrial Center by constructing necessary water and sewer systems, EDA gets a return for the taxpayer.

Also, those of us who have been from flood-torn areas know the importance of EDA as it has come to our rescue in rebuilding communities and providing flood assistance grants throughout much of West Virginia, but, yes, throughout much of our country.

Let me just note that an independent study recently at Rutgers University evaluated EDA's public works program and found that EDA completed its projects on time, on budget, created and retained jobs at the minimum cost of a little over $3,000 of EDA investment per job, and leveraged $10 of private investment for every $1 invested, and every EDA dollar results in $10 returned to communities through an increased local tax base. That is a good return on the taxpayers' dollar; that is a solid reason to reject this amendment to cut the Economic Development Administration.

Ms. BROWN of Florida. Mr. Chairman, will the gentleman yield?

Mr. WISE. I yield to the gentlewoman from Florida.

Ms. BROWN of Florida. Yes, Mr. Chairman, I have a question as former chairman of EDA. I come from Florida, a community that has 2 bases to close, and I want to be clear what is EDA's responsibility as far as these base closures because, as we think about Florida, I want to be clear that my area of Florida supports the EDA grants and the mayor, the city council, the county commission, the State of Florida is working in partnership for these grants. Could the gentleman explain?

Mr. WISE. The gentlewoman makes a good point that the Economic Development Administration is a linchpin in the base closing legislation that this Congress is passed and is often the lead agency, the one that communities contact first to assist as they plan how to deal with this economic loss and how to gain from it. And so that is why this Congress has put additional funds into the EDA from time to time, to assist in base closing legislation such as what the gentlewoman is experiencing in Florida.

Mr. Chairman, I would urge the House strongly to reject this amendment; to recognize that the EDA has a vital function to perform for all our country and is performing it well.

Mr. HOSTETLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in strong support of the amendment offered by the gentleman from Colorado [Mr. HEFLEY] to decrease funding, decrease funding for the Economic Development Administration. The Economic Development Administration, known as EDA, which is part of the Department of Commerce, was created in 1965 to assist in the development of depressed areas and encourage increased employment through loans and grants to State and local communities. While this objective may appear to be quite exemplary, in reality the EDA has at times funded many projects that have nothing to do with jobs or economic development for depressed areas.

As we struggle to balance the budget it is critical to target programs that waste millions of precious Federal dollars every year. We simply cannot afford to continue funding this program at such high levels. Therefore, I am supporting this amendment to fund the EDA at the Senate level, which is approximately $90 million less than the House Committee on Appropriations passed level.

There are any number of examples of Federal spending for reasonable projects within EDA. We have all heard the stories of taxpayer dollars being wasted on the $800,000 spent on a golf course that washed away, or the $5 million that was awarded in 1976 to an economic development district that built a cash reserve of almost $2 million and wasted and misused over a million dollars. Must I remind us of the $850,000 that was awarded in 1987 to help fund a $1 million, 3-year industrial park expansion? Eight years later that project was barely started but $670,000 of the money, of the taxpayers' money, had been spent.

I do want to take a moment to elaborate on the concerns I have over a statistic that was sent to my office in a fax that was urging opposition to this amendment. According to a May 1997 Rutgers University study of the EDA public works program, EDA programs are successful at creating jobs at a cost to taxpayers of only $3,058. I say ''only'' only because the information I received used the word ''only.'' I am deeply concerned about any Federal program whose supporters would claim success over the fact that taxpayers are only paying over $3,000 for the creation of one job. I am even more deeply concerned that we in Congress would view a government program as successful if it creates jobs and that these jobs only cost taxpayers $3,000. Taxpayers in my district and around the country work very hard to make ends meet, and I am sure they too would be concerned if they were to find out about this so-called successful program.

Resources are very limited, and it is time we evaluate a little more critically the success of many Federal programs. I would contend that cutting Federal spending and cutting taxes on all American taxpayers will prove to be much more successful at creating jobs, and not at a cost of over $3,000. We are simply not in a financial position to fund many of these programs, and every effort we make to curb wasteful spending is a positive step toward balancing the Federal budget.

It is obvious the EDA has failed at its intended mission. Due to the budgetary constraints and the lack of a justifiable Federal role in these programs, it makes good sense to at least fund this program at the same level passed by the Senate earlier this year. The EDA has proven itself to be a failure at meeting its objective. This program has become a multimillion dollar drain on scarce and valuable Federal resources.

Mr. Chairman, I ask for my colleagues' votes to strike $90 million of EDA funding in the fiscal 1998 Commerce-State-Justice appropriations bill.

Mr. Chairman, I yield the balance of my time to the gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. Mr. Chairman, unfortunately we are not as critical of this program as we would be of some of the others to see if it is really working well because it is too good for our reelection efforts. We live in a culture where we are judged by how much we are able to take back home.

The Department of Commerce Inspector General issued a semiannual report earlier this year and could not even express a opinion on the financial position of EDA because it has too many inadequacies in its internal control structure. The I.G. also identified many specific examples of grants that either should not have been made or that just did not work the way they were supposed to, just did not work.

So, yes, I do not have any illusions that this amendment is probably going to pass tonight; sometime it will, I think, but maybe not tonight because it is too good a bottomless pit for us to take money out of and take back home, whether it works or not.

Mrs. MEEK of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would just like the Congress to understand the scenario which they are seeing here. In Florida we call it a snooker, and that is what it is, a monumental snooker, Mr. Chairman. What you hear here should be added to the new nomenclature of the language of the Congress, snooker, and what it means is people are substituting things for the real facts because of the emotionalism which we see tied into this reduction.

Now first of all, this same group that we see here tonight, we have already cut EDA by 15 percent. So they are saying to my colleagues that the 15 percent which they have already cut EDA by is not enough. So use a little deductive reasoning, and what they are saying is let us cut out EDA. The same people we see talking about EDA this year were up last year with this same amendment.

So now look, look back into the history. I always look at the names of people associated to an amendment; that is a good thing to do in this Congress. Then I begin to do what is called reciprocal innovation, and that means to be able to exchange some of the stuff that they are talking about and let them know that it is not true.

First of all, why cut it any more? There are no earmarks in this, none at all. EDA does not have any earmarks in this bill. But it selects these economic development projects that help the most distressed communities, the most distressed communities, not in anyone of our means but because people have to really apply to EDA for these improved at their distress, and it offers them some success in creating jobs.

Now another part of this snooker is this new welfare reform syndrome. My colleagues want to reform welfare. Well, I will tell them something. It is so simple: Got to create some jobs. It is so simple some of us do not understand it. My colleagues think it is going to happen overnight because they come to this floor and make some of these snookering statements. And the audacity of it, everybody should be able to see through it.

What they need to say to my colleagues is, You're going to cut out the source of building these communities, putting some economic development into these communities and developing jobs.

Now the House Committee on Transportation and Infrastructure has tried very hard, Mr. Chairman. They know about some of these abuses. They have worked it in such a way they are going to approve the EDA reauthorization, and it reforms these programs where they need reformation. But they are not going to bring in a snooker to try to get this Congress to cut $90 million from these funds.

So then think about what would have happened to us in Miami if it were not for EDA. Eastern Airlines went out, 300 people without a job, more than that when we look at the long term effects of it. Opa-Locka went down, a small city there; the city of Miami is almost to go down if it were not for the economic development. This is a federalism which we need. There is federalism which we do not need, but we do need that. Homestead, a small farming community in my district, if it were not for EDA, what would have happened to Homestead?

We have heard a litany of snookers here tonight. That litany would have us think a city like Homestead in my district that was wiped out by the hurricane, if it were not for EDA coming into that city, trying to help build new businesses, trying to help build new infrastructure, trying to help us come back, those people are still deprived, they are have not come back yet. If it

were not for EDA, we could not have gotten the help we needed. St. Petersburg, FL; I could go on and on, Mr. Chairman.

But what I want to make clear to this Congress is that they just witnessed a monumental snooker, someone not in favor of the EDA trying very hard to cut it out. Let us stop them, let us oppose this amendment and kill it, Black Flag dead. Let us kill it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentlewoman yield?

Mrs. MEEK of Florida. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Just very quickly to the gentlewoman from Florida: She is standing for Florida, I have heard people from the Midwest, I have heard the ranking member, I have heard the chairman of the Committee on Transportation and Infrastructure. It is a terrible shame in this budget cutting, welfare slashing, that when we talk about real jobs like the jobs being created in Houston with the renewal of Hargus College, making that a small business incubator successfully with city and EDA funds, that we would want to cut and slash and burn and not create jobs for Americans. We want to create them everywhere else, but we do not want to create them for America. I thank the gentlewoman for yielding to me, and I appreciate what has happened in Florida, but it is happening all over America, and we should oppose vigorously this amendment.

Mrs. MEEK of Florida. Mr. Chairman, I thank the gentlewoman from Texas very much, and I am glad she is helping to deflate that monumental snooker.

□ 2030

Mr. BOEHLERT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the author of this amendment has acknowledged that every year he comes to the floor and proposes a near identical amendment. When is he going to get the message?

Every year this House has increasing support for the Economic Development Administration. Every single year the opposition is on the decline. Why is that?

One of my colleagues, a previous speaker, said the American people send us here to make tough choices. Indeed they do. But they do not want us to make dumb choices.

I will tell you what the Economic Development Administration is all about. It is about my favorite four-letter word, and you can use it in polite company. That favorite four-letter word is ''jobs,'' jobs that put Americans to work.

Now, if you want to tell me that EDA does not work, I will take you to community after community around this country that has been devastated by the loss of a military installation. We are told that is a peace dividend, that we do not need as many military bases, and I can understand that.

But what about those communities that one day face the loss of thousands of jobs? Where do they turn to? They look to Washington, and, fortunately, we have the Economic Development Administration to help these communities try to help themselves.

What about those communities all across the country that are victims of cruel tricks played by mother nature, devastated by natural disasters? They look to us, those of us in positions of responsibilities, and say help. Thank God we have the Economic Development Administration to help.

How about those factories closing? Where do those communities go? Someone earlier said, ''You know, it is $3,000 a job.'' Guess what? I will take you to community after community across this country that would gladly accept jobs if it only cost $3,000. It costs so much more. As a matter of fact, the rule of thumb for EDA is about $10,000 a job. And, guess what? The communities that desperately need them do not even have five cents, let alone $10,000. They lost their tax base. They have lost their employment opportunities.

EDA is about hope. Now, I was here as a young staff member sitting in that gallery in August of 1965 when the Public Works and Economic Development Act was first passed. I remember that vividly, Republicans and Democrats joining to create an agency that offered some hope for distressed communities across this country, and through those years, those 32 years, the agency has had its ups and downs.

But life has changed for me. Now I serve on the committee that has jurisdiction over the authorization of this program, and I have sat there as witness after witness has come forward, some telling us of the changes needed, and those changes have been made; some telling us that they have ideas for improvement, and improvements have been made. But, one after another, from communities all across this country, we have had local government officials come and say, ''Thank you for the Economic Development Administration. Please continue this important program, because where opportunity has been lost, hope has been provided.''

This measure will pass overwhelmingly to continue the Economic Development Administration. It did the year before, and the year before that, and the year before that. This is a good agency. It is not perfect. I have never seen a perfect agency and unlikely never will.

But the fact of the matter is basically this: In an economy that is beginning to move in the right direction, in an economy where more and more we are telling people from all walks of life that you have expanded opportunity, greater hope, there are still areas of distress. Those areas need assistance. And when that assistance is possible in the form of a loan or a grant from the Economic Development Administration, and we are part of the organization that makes that agency possible, I think it is a day's work well done.

I would say overwhelmingly, Mr. Chairman, reject this amendment. Support the continued funding of the Economic Development Administration for all the right reasons, but, most importantly, for jobs for America.

Mr. TRAFICANT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think there are a lot of people that are smoking on this. I am the ranking member of that subcommittee, and there are very few Members in the House I have more respect for than the gentleman who has brought this amendment.

I want to say this to the gentleman: There is much merit to what you are saying, and if there are not some basic reforms I will vote with you next year.

But there is a new administrator over there, Mr. Phillip Singerman, and he has done a fine job. I want the Congress to know this.

In addition to that, we are beginning to move EDA from a giveaway program to a leveraged program. I have offered legislation, part of which has been included, and I would like the gentleman from Colorado to recognize what that legislation does.

My legislation provides a fund of money that can only be used to buy down interest rates when a bank makes a loan. I think the problem we have had around here in economic development is we have thrown money at communities. Much of it has been easy money, and people with ideas come in without their own sweat and blood and have gotten money from Uncle Sam and ripped us off. I think our intentions were well meaning, but they were not successful.

My language says, look, we use some of the EDA money, but we will only give that money as an incentive once a bank qualifies a legitimate project. Then we will use it to buy down those interest rates.

We are making some basic reforms in the economic development program, and some of the shortcomings are being overcome. I took the floor to let the gentleman know that, because I believe that in the past the gentleman has been on target. This is an agency that has not lived up to the types of deeds and tasks it should have.

Mr. Chairman, I think Mr. Singerman has done a good job and I think he deserves that chance, and I think we deserve the chance as the authorizing committee to refashion and to reform EDA, to make it more of a leveraging agency rather than a giveaway agency.

I want to let the gentleman know we are doing that. I know the gentleman is going to go on with his program, and I respect that. I believe the gentleman, through his amendments, has kept EDA's feet to the fire, and we are making the improvements because of his efforts.

I do not want to demean the gentleman's efforts. In fact, I appreciate his

efforts, and when we get a chance after this is all over, I would like to sit down with the gentleman and even like to incorporate some of the ideas and concerns he has.

Mr. DAVIS of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have listened intently to the discussion and the debate. I rise in opposition to this amendment, and I do so because I have lived in severely distressed neighborhoods for the last 40 years.

The community where I live in Chicago, the area where my office is located, is something called the North Lawndale community, which has been called the ''permanent underclass'' by sociologists and urbanologists. It has been called ''the place where there is no hope.'' And yet, because of an EDA grant, that community does in fact have hope.

My community has lost more than 100,000 manufacturing jobs over a 30-year period, Allied Radio, GE, Hot Point, Motorola, International Harvester, Sunbeam, you name them, Western Electric. They were once there, but now they are all gone.

As a result of that grant, my neighbors and I have an opportunity to go to a bank that would not have been there had it not been for an EDA grant. We have an opportunity to go to stores that would not have been there had not it been for an EDA grant. There are small manufacturing concerns that have begun to come back that would not have been there had not it been for the EDA grant.

So I tell you, if we are talking about rebuilding, redeveloping, reconstituting urban America, then we are not talking about taking one dime, one scintilla, one ion from this agency. If anything, we are talking about trying to find additional ways to put the needed resources of this country where they should go, to rural America, to urban America, to places that have made this country what it is and is redeveloping.

Mr. Chairman, I would urge all of my colleagues, let us not cut; let us increase. Let us give hope to the hopeless. Let us bring help to the helpless. Let us make America the land that it has never been, but yet ought to be. Let us make America the America that it has the potential of being.

Mr. RAHALL. Mr. Chairman, I rise in strong opposition to the amendment to H.R. 2267, the Commerce, Justice, State fiscal year 1998 Appropriations bill that is being offered by our friend Mr. HEFLEY of Colorad—an amendment that would cut $90 million from the Economic Development Administration—the EDA.

Mr. HEFLEY says he wants only to cut $90 million from EDA—down to $271 million—so that our bill will match the funding level in the Senate-passed bill.

There is no magic, and no common sense either, in the Senate numbers.

Last year, my colleagues, you joined 328 of your colleagues—Democrats and Republicans alike—for continued funding of the EDA.

I urge you to vote again to stop the push to gut the Economic Development Administration and its program funds that assist so many States and localities nationwide, but particularly in those areas suffering the most economic stress.

H.R. 2267 already cuts the EDA by 15 percent below the fiscal year 1997 level. There are no earmarks—these economic development projects are selected by the EDA on the basis of sending help to the most distressed communities in our Nation—helping people by creating jobs.

I know that each of you are aware of the assistance EDA provides to your own district's distressed communities, whether they are urban or rural.

This is vital seed money for local governments—for every $1 spent in EDA funds, local governments leverage another $10 from other sources, to help pay for these vital economic development programs.

These local governments are hard pressed to respond to the needs of former welfare recipients as they are faced with finding ways in which to provide necessary jobs—gainful employment—for those families.

A vote against the Hefley amendment to cut $90 million from the Economic Development Administration is a vote in favor of new jobs, for families in need, for communities suffering from the effects of natural disasters such as hurricanes, earthquakes and spring floods.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado [Mr. HEFLEY].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ROGERS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 107, noes 305, not voting 21, as follows:

[Roll No. 455]

AYES—107

Archer
Armey
Bachus
Barr
Barrett (NE)
Bartlett
Barton
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehner
Bono
Brady
Burton
Cannon
Chabot
Christensen
Coble
Coburn
Condit
Cox
Crane
Cunningham
Deal
DeLay
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
Ensign
Fawell
Foley
Fowler
Fox
Gekas
Goodlatte
Goodling
Goss
Granger
Greenwood
Gutknecht
Hastert
Hastings (WA)
Hayworth
Hefley
Hobson
Hoekstra
Hostettler
Hunter
Hyde
Inglis
Istook
Johnson, Sam
Kasich
Klug
Kolbe
Largent
Leach
Linder
Manzullo
McCollum
McInnis
McIntosh
Mica
Miller (FL)
Myrick
Nethercutt
Neumann
Norwood
Nussle
Oxley
Paul
Paxon
Petri
Pitts
Porter
Pryce (OH)
Ramstad
Riggs
Rohrabacher
Roukema
Royce
Ryun
Sanford
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Smith (MI)
Snowbarger
Souder
Stearns
Stump
Sununu
Talent
Thomas
Thornberry
Thune
Tiahrt
Watts (OK)
Weldon (FL)
Weldon (PA)
White

NOES—305

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Baesler
Baker
Baldacci
Barcia
Barrett (WI)
Bass
Bateman
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Capps
Cardin
Carson
Castle
Chambliss
Chenoweth
Clay
Clayton
Clement
Clyburn
Combest
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crapo
Cubin
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Edwards
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fazio
Filner
Forbes
Ford
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Goode
Gordon
Graham
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Horn
Houghton
Hoyer
Hulshof
Hutchinson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Jones
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDade
McDermott
McGovern
McHale
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Nadler
Neal
Ney
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pombo
Pomeroy
Portman
Poshard
Price (NC)
Rahall
Rangel
Redmond
Regula
Reyes
Riley
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schumer
Scott
Serrano
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snyder
Spence
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Tauzin
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters

Watkins	Weygand	Woolsey
Watt (NC)	Whitfield	Wynn
Waxman	Wicker	Young (FL)
Weller	Wise	
Wexler	Wolf	

NOT VOTING—21

Ballenger	Hansen	Salmon
Bonilla	Hastings (FL)	Scarborough
Collins	Lazio	Schiff
Flake	McCrery	Solomon
Foglietta	Quinn	Taylor (NC)
Gibbons	Radanovich	Yates
Gonzalez	Rogan	Young (AK)

□ 2111

Mr. THOMPSON, Mrs. SMITH of Washington, Mrs. CUBIN, and Messrs. GUTIERREZ, COYNE, and CRAPO, Mrs. CHENOWETH, and Mr. SMITH of Texas changed their vote from ''aye'' to ''no.''

Mr. LINDER and Mr. FOX of Pennsylvania changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

(Mr. ROGERS asked and was given permission to speak out of order for 1 minute.)

LEGISLATIVE SCHEDULE

Mr. ROGERS. Mr. Chairman, for the purpose of informing Members about the rest of the evening and the schedule that might take place, there have been numerous discussions taking place. We think we have an agreement worked out. It is being prepared now for us to peruse in due course of time. If the agreement is approved by both sides of the aisle, then there would be no further votes this evening in the body. The votes would be rolled until tomorrow.

□ 2115

However, it is still being pursued. I suggest that we proceed with one more amendment and ask Members to hang tight for a possible vote on that amendment while the agreement is being pursued, and we think that we will be successful.

With that in mind, Mr. Chairman, I ask unanimous consent that the gentleman from Indiana [Mr. HOSTETTLER] be permitted to offer the amendment No. 12, notwithstanding that portion of the bill is not yet considered as read, with the understanding that during the process of that debate, the larger agreement will be pursued.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

AMENDMENT NO. 12 OFFERED BY MR. HOSTETTLER

Mr. HOSTETTLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. HOSTETTLER:

Page 49, line 9, insert ''(reduced by $175,100,000)'' after ''$185,100,000)''

Page 49, line 10, insert ''(reduced by $74,100,000)'' after ''$74,100,000''

Page 49, line 12, insert ''(reduced by $500,000)'' after ''$500,000''.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes and that the time be equally divided.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. HOSTETTLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in all this talk about a balanced budget agreement about how Democrats and Republicans, the President and Congress want to cut wasteful Government spending to reach a balanced budget, I would like to talk about one of those costly and troubled Government programs that was not protected in the budget agreement and should have been eliminated.

The Advanced Technology Program, ATP, gives direct subsidies to private corporations to support their research and development budgets. These cash handouts usually go to the Fortune 500 companies such as IBM, AT&T, GM and the like, which already have billion-dollar R&D budgets and billions in annual revenues.

Not only did the budget agreement reject the President's proposal to protect ATP funding, the Commerce Department recently issued a report chock full of planned structural changes. But the administration's plan falls far short of addressing the real problems with ATP, which are too fundamental to be fixed by minor adjustments.

The fundamental problem is what many Members of Congress and even ATP grantees already know, ATP does not have the ability to effectively promote its goals of advancing high-risk technology research and promoting U.S. competitiveness.

Technology development in most industries simply changes too quickly to depend on slow-moving congressional budgets. In short, ATP is corporate welfare. Given our budget constraints, we cannot afford it. And after watching the program for seven years, ATP does more harm than good.

If we dare venture to read the Constitution, we find that the program is unconstitutional. Mr. Chairman, we must eliminate funding for ATP.

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

Mr. MOLLOHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, last night we had a similar debate on the ATP program. During that debate, those who spoke in opposition to the ATP cuts amendment refuted most of the points made by the gentleman from Indiana [Mr. Hostettler], who is offering this amendment.

Let me simply say, and a lot of it is in repetition, that the ATP program is not a partisan program. It was initiated under the Bush administration, and it has continued as a centerpiece of President Clinton's competitiveness program to this day.

One can have a philosophical difference and take the position that ATP, the Advanced Technology Program, is corporate welfare, whatever that means. In fact, it is the core of the country's competitiveness program as we move into an era of increasingly internationalization of our economy and in real competition with particularly the developed nations around the world.

These countries recognize the importance of collaborative relationships between their country, between the academic community, and between private industry in order to be strategic in developing not product but developing pre-commercial research and development discoveries that lead to advancements that allow industry to pick up and be on the cutting edge. We are into a high technology era, and these strategic relationships are recognized as being instrumental in making us competitive.

Such countries as Japan, England, Germany and Australia are investing heavily in these kind of initiatives, far more heavily than the United States. For example, Japan is spending about $9 billion a year on pre-competitive technology development. And the European Community recognizes the importance of these kind of strategic relationships. It is funding their equivalent to the Advanced Technology Program to the tune of $5.5 billion a year. ATP funds pre-competitive generic technology development. It does not fund product development.

Mr. Chairman, simply, we have a philosophical difference of how the country should relate to industry and what role is appropriate for the Government to play in commerce. I draw the line at the Government not helping getting product into the marketplace. No, that is the private sector's responsibility.

But when increasingly high technology is important to economic competitiveness, this pre-competitive, the Government incentivizing companies in these partner relationships to get involved in areas that have a future that we are in direct competition with is extremely important.

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

Mr. HOSTETTLER. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. Royce].

Mr. ROYCE. Mr. Chairman, the private sector and deregulation are the principal engine of this country's $8 trillion economy. It is not Government handouts. Government cannot claim credit for the personal computer phenomenon, cannot claim credit for the Internet, cannot claim credit for Microsoft or Bill Gates. The way a market system works, as opposed to a corporatist or socialist system, is that if there is a profit entrepreneurs will

risk investing in order to reap the profits.

For example, I share with my colleagues the pharmaceutical products that come to market. On average, it costs $400 million, takes 8 to 10 years to bring them to market. And yet, if there is a profit to be made, entrepreneurs will act with or without government handouts, as they do in these cases, to bring these things to market.

Most of my colleagues here voted for this last year. We passed this out of this House, this very amendment to eliminate this program, and it was passed out of the Senate. It was subsequently curtailed because of other problems.

But, basically, between 1985 and 1986, the Department of Commerce, which oversees ATP and MEP issued $1.23 billion in loans and loan guarantees through various programs. Not even half were paid back. The American taxpayers lost $650 million, and those loans still carried on the books are of questionable value.

For example, the Economic Development Administration at Commerce, which lent $471 million some 20 years ago, has recovered only $60 million and sought congressional approval to sell off some of its bad loans for less than 10 cents on the dollar.

Let us take some examples from Europe and Japan. High-definition TV is one of the clearest failures of the Government's targeted handouts. The Japanese businesses, with subsidies that totaled $1 billion in the late 1980's, sought to help HDTV using existing analog technology. The French did the same. One billion dollars in their government went to that.

Here in the United States, luckily our administration at the time took a pass on investing $1.2 billion in subsidies to compete with these foreign rivals. As a result of being denied massive subsidies, American companies were forced to develop an alternative, and the alternative that AT&T and Zenith developed was a fully digital system that made analog Japanese and European systems obsolete. Before they were ever put into production, they lost $2 billion overseas because they were pushing these subsidies.

We relied on the market, and again it showed that the market works. Many businessmen do not support this corporate welfare. I am going to quote one who appeared before committee, Dr. T.J. Rodgers, president and CEO of Cypress Semiconductor Corp., who told us before the committee that, ''I am here to say that such subsidies will hurt my company and our industry because they represent tax-and-spend economics.''

Mr. MOLLOHAN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Michigan [Ms. STABENOW].

Ms. STABENOW. Mr. Chairman, first I would like to thank the gentlewoman from Maryland [Mrs. MORELLA], the chair of the Committee on Science Subcommittee on Technology, who has worked so long and hard to put together an effective Advance Technology Program that we now have in this budget for continuation of funding for the next year.

I also would like to thank my colleagues who voted overwhelmingly earlier today against an amendment to cut $74 million from the Advanced Technology Program. This is in fact an amendment that would be a larger cut than the one that was overwhelmingly voted against earlier today. Important misperceptions about this program continue to be repeated over and over again.

□ 2130

This is not a program that is about corporate welfare. This is about creating American jobs and creating technologies that will be on the cutting edge, that will allow us to compete with other countries. The majority of dollars in this program go to consortia and partnerships where universities frequently are the ones receiving the dollars to do research in partnership with our businesses, large and small.

Almost 50 percent of the businesses involved in these consortia are small businesses that on their own would not be able to be involved in higher-risk, long-term kinds of research. We are talking about those kinds of research opportunities that research systems in Michigan, we have a wonderful program that has been highly successful to look at how we create a more competitive auto industry, a system. The Big 3 do not normally sit down together and plan and problem-solve about quality issues. But with the leadership of the ATP program and the Federal Government, we have been able to bring them together.

I would urge my colleagues to reaffirm our earlier vote today and again vote no and allow us to continue this important program about jobs.

Mr. HOSTETTLER. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. MILLER].

Mr. MILLER of Florida. Mr. Chairman, I rise today as an opponent of corporate welfare and in support of this amendment to eliminate funding for the Advanced Technology Program. Since I have been in Congress, I have worked diligently to eliminate Federal subsidies to corporations that do not need them. I took on, for example, the sugar daddy of corporate welfare, the sugar program, which because of the way the program operates, it cost the American consumer $1.4 billion, but 42 percent of the benefits of this corporate welfare program go to only 1 percent of the sugar plantations. That is corporate welfare. And so is the Advanced Technology Program.

I have cosponsored several amendments this year to eliminate subsidies, and the ATP program is one of the most egregious examples of corporate welfare we have today. I am glad to be able to continue to support this effort. This program subsidizes big multinational companies. It gives hard-earned taxpayer dollars to companies such as AT&T, Shell Petroleum, DuPont and IBM for them to conduct research on risky ventures. If these companies want to engage in risky ventures, they should be required to find private funding.

Supporters of the ATP program claim that it is essential for research and development. Yet in 1993 the GAO estimated research and development spending nationwide to be approximately $150 billion. The ATP program at $185 million represents a mere, if not unnecessary, drop in the bucket.

Private funding for these ventures is available. The GAO report found that from 1990 to 1993, half the applicants who were denied ATP funding found alternative private-sector funding for their research. What is more disturbing is that 63 percent of the ATP applicants did not even bother to seek private funding. They just went straight to the government for funding. After all, why should these firms have to compete if they can just go to the public trough?

Americans should not be forced to spend their hard-earned tax dollars to fund high-risk research projects for some of America's largest corporations. I urge my colleagues to support this amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield 3 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise to speak against corporate welfare and against this amendment, because ATP, the Advanced Technology Program, is not corporate welfare. The ATP is a competitive, peer-reviewed, cost-shared program with industry. It is really what we are all about, public-private partnerships. And it is working. ATP is designed to develop high-risk, potentially high-payoff technologies that otherwise would not be pursued because of technical risks and other obstacles that discourage private investment.

The House-passed authorization for NIST reforms ATP to further emphasize this point. The authorization bill included language to reform the grant process by requiring that grants can only go to projects that cannot proceed in a timely manner without Federal assistance. This should ensure that all ATP funds go to high-risk projects that could not receive private backing. The bill also increases the match requirements for ATP grant recipients to 60 percent for joint ventures and nonsmall-business single applicants.

Further, terminating ATP would amount to the U.S. Government turning its back on its obligations to small business. The problem is that ATP funds long-term 5-year research grants, and the funding for the remaining years of those 5-year grants is termed a mortgage.

Quite frankly, if we terminate this program, it would amount to our turning our back on our obligations, because the 5-year research grants would mean that we have not fulfilled our obligation, which would be mortgages over $100 million. The early termination would especially hurt small businesses which receive almost 40 percent of ATP grants. Small businesses, unlike their larger counterparts, cannot afford to have the Federal Government suddenly drop out of the technology development partnership.

The appropriations bill cuts ATP by $40 million from last year's appropriated level, and the appropriation in this bill is identical to the authorization level passed by the House this spring. Let us remember what we did today. We refused to reduce the ATP program on a vote of 261–163. Surely we are not going to destroy this program that is working. So support a reasoned reform of ATP and reject this amendment.

The CHAIRMAN. The Chair would remind the Members that the gentleman from Indiana [Mr. HOSTETTLER] has 2½ minutes remaining. The gentleman from West Virginia [Mr. MOLLOHAN] has 1½ minutes remaining and the right to close.

Mr. HOSTETTLER. Mr. Chairman, I yield 2 minutes to the gentleman from New Hampshire [Mr. BASS].

Mr. BASS. I thank the gentleman from Indiana for yielding me this time.

Mr. Chairman, I think it is important that we understand what we are talking about here tonight. What we are talking about having is the taxpayers of this country financing research and development from some of the wealthiest and largest corporations in this country.

We have heard tonight that ATP develops technologies that private sector corporations and venture capital groups will not develop. First, this assertion contradicts the findings of the General Accounting Office study that addressed whether, in the absence of ATP funding, corporations or consortia would carry out the research anyway. According to the GAO survey, nearly half of the near winners continued their projects even though they were not awarded ATP funding. Of the entities granted ATP funds, 42 percent admitted that they would have continued their R&D project without Federal assistance, while 41 percent said they would not have.

We have also heard that without ATP funding, American businesses and start-up companies will not have sufficient capital to conduct R&D into cutting-edge technologies. Mr. Chairman, we have heard many times; in 1996 the venture capital industry in this country pumped more than $10 billion into new ventures, and last year alone companies raised more than $50 billion from initial stock offerings.

Let me also point out that the top four winners of ATP grants invested more than $20 billion of their own corporate resources into research and development. Remember, we are talking about $185 million versus $20 billion. That is twenty thousand million dollars that the private industry is putting in, and we are talking about $185 million.

Mr. Chairman, when do we end this business of the Federal Government giving something to everybody in this country? Let us get our priorities straight. Let us support the pending amendment before us this evening.

Mr. HOSTETTLER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this discussion has given credence to the old axiom that says that nothing is so absurd that if said often enough, people will start believing it. Those people who say that ATP is not corporate welfare I think are wrong. When you give hundreds of millions of dollars a year to multibillion-dollar corporations who have multibillion-dollar research and development budgets, that is corporate welfare, Mr. Chairman. I would urge that this body follow the precedents of last year and defund the ATP.

Mr. MOLLOHAN. Mr. Chairman, I yield the balance of my time to the gentlewoman from Oregon [Ms. HOOLEY].

Ms. HOOLEY of Oregon. Mr. Chairman, I rise today in opposition to this amendment. This, frankly, is an attempt to kill a good program that is having a positive impact on the American technology industry and the economy as a whole.

There is a small company, not a billionaire company, in my home State, called Planar America that is working to establish a United States presence in the flat panel display industry. Partly as a result of the ATP program, Planar has developed a means of refining the color in a remarkable technology called active matrix electroluminescence, which could rapidly become the display of choice in commercial video and military applications. But they are competing directly with companies in Japan working to beat them to the technology. The ATP program has played a key role in speeding up the development of this technology in an industry where timing is critical to future profits. In addition, Planar has invested more than an equal share in this effort as required by the program.

Let me be clear. The ATP is not a corporate giveaway. The government has a role in giving our Nation a jump start on certain high-risk innovations, and we have a responsibility to employ foresight in making our decisions. Obviously our economy and our workers stand only to benefit from this very nominal investment. I urge my colleagues to support our Nation's research and development and vote no on this amendment.

Mr. Chairman, I rise today in opposition to this amendment. This, frankly, is an attempt to kill a good program that is having a positive impact on the American technological industry and the economy as a whole.

ATP is not, as some of my colleagues will tell you, a hand-out to big American corporations. It is an investment that otherwise may not be made without the good sense and forethought of Members of this body. This is not about subsidizing individual companies; this is about the broad effects of the program on the United States economy.

The purpose of the program is to benefit entire industrial sectors that, in turn, create good jobs for U.S. workers in the future. Furthermore, it's a program that largely provides grants to small U.S. businesses. In fact, 47 percent of the current recipients are small businesses, with 75 percent of those businesses employing under 100 people.

For those who are less familiar with this program, let me give an example of how this program is making a difference for a particular industry, largely involving small companies. The flat-panel display industry has become one of the principal battlefields of international competition in electronics. While our Nation has dominated technology development in the computing industry, most of the flat-panel display technologies have come from foreign countries, especially those relating to color displays.

Computer manufacturing has been one of the most valuable industries for our Nation's economic growth with booming exports of personal computers to international markets. Yet we're allowing one of the most important components of that growth to be performed outside of the United States. The market for flat-panel displays is expected to reach $14 billion by the end of the decade. Our Nation can't afford to sell off this technology to foreign countries that are willing to adequately invest in its development.

One recipient of an ATP grant in my home State of Oregon, called Planar America, is working to establish a United States presence in that industry. Partly as a result of the ATP program, Planar has developed a means of refining the color in a remarkable technology called Active Matrix Electroluminescence, which could rapidly become the display of choice in commercial video and military applications.

But they are competing directly with companies in Japan working to beat them to the technology. The ATP program has played a key role in speeding up the development of this technology in an industry where timing is critical to future profits. In addition, Planar has invested more than an equal share in this effort, as required by the program.

Let me be clear. The ATP is not a corporate giveaway. The Government has a role in giving our Nation a jump start on certain high-risk innovations, and we have a responsibility to employ foresight in making our decisions. Obviously, our economy and our workers stand only to benefit from this nominal investment.

I urge my colleagues to support our Nation's research and development and vote no on this amendment.

Mrs. KENNELLY of Connecticut. Mr. Chairman, I rise in strong opposition to this amendment which would eliminate funding for the Advanced Technology Program.

The ATP program facilitates the development of technology that would benefit the U.S. economy. This is done by using a combination of Federal funding and industry funding to support research on high-risk, promising technologies that have the potential to significantly

impact the Nation's economy. In today's highly competitive environment, the ATP program enables industry to pursue cutting edge technologies.

You might be interested to know that although U.S. software and computer companies lead the world in developing advanced, highly integrated systems for manufacturing; U.S. manufacturers as a whole trail their major foreign competitors in adopting these technologies. In my own State of Connecticut, United Technologies Corp. is working jointly with a number of other major industrial firms in an experiment on how our companies can adapt to new technology in a more efficient manner.

The ATP program lets modest Federal investments reap impressive rewards and keep America competitive in the global marketplace. Ending ATP would deny these companies the tools to expand our economy. And it would turn back the efforts of Democrats and Republicans who have helped the government help small business through these programs.

Everyone says they support a vibrant economy and an effective government. Let's show we match our rhetoric with action, and oppose this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. HOSTETTLER].

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

RECORDED VOTE

Mr. HOSTETTLER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 177, noes 235, not voting 21, as follows:

[Roll No. 456]

AYES—177

Aderholt
Andrews
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Barton
Bass
Bereuter
Berry
Bilirakis
Bliley
Blunt
Boehner
Bono
Brady
Bryant
Bunning
Burton
Buyer
Callahan
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Combest
Condit
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Deal
DeLay
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
Ensign
Everett
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Ganske
Gillmor
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jenkins
Johnson, Sam
Jones
Kasich
Kingston
Klug
Kolbe
Largent
Latham
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Luther
Manzullo
McCollum
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Minge
Moran (KS)
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Pappas
Parker
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Ramstad
Redmond
Riggs
Riley
Rohrabacher
Roukema
Royce
Ryun
Salmon
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stark
Stearns
Stump
Sununu
Talent
Thomas
Thornberry
Thune
Tiahrt
Upton
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf

NOES—235

Abercrombie
Ackerman
Allen
Baesler
Baldacci
Barcia
Bartlett
Bateman
Becerra
Bentsen
Berman
Bilbray
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Burr
Calvert
Camp
Capps
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Conyers
Cook
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Ehlers
Engel
English
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gilman
Goode
Gordon
Green
Gutierrez
Hall (TX)
Hamilton
Harman
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Houghton
Hoyer
Hyde
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Knollenberg
Kucinich
LaFalce
LaHood
Lampson
Lantos
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Packard
Pallone
Pascrell
Pastor
Payne
Pelosi
Petri
Pickett
Pomeroy
Porter
Poshard
Price (NC)
Rahall
Rangel
Regula
Reyes
Rivers
Rodriguez
Roemer
Rogers
Ros-Lehtinen
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scott
Sensenbrenner
Serrano
Sherman
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Tauzin
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Waxman
Weldon (PA)
Wexler
Weygand
Wise
Woolsey
Wynn
Young (FL)

NOT VOTING—21

Bonilla
Collins
Flake
Foglietta
Gibbons
Gonzalez
Hall (OH)
Hansen
Hastings (FL)
Lazio
McCrery
McDade
Oxley
Quinn
Rogan
Schiff
Schumer
Smith (OR)
Taylor (NC)
Yates
Young (AK)

□ 2233

Mrs. ROUKEMA, Mrs. NORTHUP, and Mr. BRADY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. ROGERS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LATOURETTE) having assumed the chair, Mr. HASTINGS of Washington, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration 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, had come to no resolution there.

LIMITING AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2267, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 2267 pursuant to House Resolution 239:

(1) No further amendment shall be in order except: amendments printed before September 25, 1997, in the portion of the congressional Record designated for that purpose in clause 6 of rule XXIII; amendments numbered 2 and 3 in part 2 of House Report 105–264; one amendment offered by Representative Rogers of Kentucky after consultation with Representative Mollohan of West Virginia; one amendment to the amendment printed in the Congressional Record and numbered 4; and pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees;

(2) each amendment shall be considered as read and (other than the amendments numbered 2 and 3 in part 2 of House Report 105–264 and the amendment numbered 4 and any amendment thereto) shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent;

(3) the amendment numbered 4 shall be debatable for 60 minutes equally divided and controlled by the proponent and an opponent, except that if an amendment thereto is offered before that debate begins, then the amendment and the amendment thereto shall

be debatable for 30 minutes equally divided and controlled by the original proponent and opponent;

(4) the amendment numbered 4 may be offered only before noon on Friday, September 26, 1997, or after 5 p.m. on Monday, September 29, 1997;

(5) the amendment numbered 2 in House Report 105–264 may be offered only on Tuesday, September 30, 1997;

(6) the amendment numbered 4 and the amendment offered by Representative Rogers may be offered without regard to the stage of the reading;

(7) after the sum of the number of motions to strike out the enacting words of the bill (as described in clause 7 of rule XXIII) or that the Committee rise offered by Members of the minority party reaches three, the chairman of the Committee of the Whole may entertain another such motion during further consideration of the bill only if offered by the chairman of the Committee on Appropriations or the Majority Leader or their designee.

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

There was no objection.

LEGISLATIVE PROGRAM

(Mr. ARMEY asked and was given permission to address the House for 1 minute.)

Mr. ARMEY. Mr. Speaker, I rise for the purpose of making an announcement to the House about the House's work schedule for the remainder of the legislative program.

Mr. Speaker, does the gentleman from West Virginia wish to comment on the unanimous-consent request?

Mr. MOLLOHAN. Mr. Speaker, will the gentleman yield?

Mr. ARMEY. I yield to the gentleman from West Virginia.

Mr. MOLLOHAN. Mr. Speaker, I would tell the gentleman, no. I thank the majority. We agree with it, and appreciate the opportunity to work it out. We are glad that we have worked it out, and look forward to further debate on the bill.

Mr. ARMEY. Mr. Speaker, of course I realize fully that the unanimous-consent request was completely understood by all the Members here, and that there could possibly be no questions related to it.

I know that it reminded me of that great Harry Bellafonte song, ''It's clear as mud but it covers the ground,'' and everybody here is satisfied with where we are. I would like to take a moment, though, Mr. Speaker, to explain what this all means in our lives as Members as we plan the rest of our evening, the rest of the week and further consideration of this bill.

Let me begin, Mr. Speaker, with the good news. The good news is that there will be no more recorded votes this evening. Now, it only gets better from here, Mr. Speaker. The committee, again, the Members of the committee and the floor managers have once again tonight demonstrated that they continue to be willing to stay here and work on the bill even though the rest of us are free from the constraint of further votes this evening, and they will remain and continue to consider titles 2, 3, and 4 of the bill, and hopefully make good progress on those titles tonight. We will return tomorrow to consideration of the bill. The House will reconvene at 9 a.m. in the morning. It is our interest tomorrow to complete as much as is possible and hopefully altogether consideration of titles 5 and 6.

Members should understand and be assured that what we have obtained in this unanimous-consent request is a minimal number of dilatory or otherwise extracurricular votes. There will be some, but they will be minimal.

Furthermore, there are agreed-upon time limitations on some of the amendments. We ought to be able to proceed in consideration of this bill. But all Members should understand that we are no longer able, in order to achieve that much progress on the bill as is necessary to fit it into the work schedule for the remainder of the year and the impending end of the fiscal year, we may not be able tomorrow to be out by 2 o'clock, as is the expected time on Friday.

We should, however, feel quite confident that we can assure Members by virtue of this agreement that we will not work on Saturday or Sunday, and we will resume next week as scheduled. It is altogether possible, if things go well tomorrow, that we could make 2 o'clock, but Members need to understand that that might not be the case.

I want to thank everybody that has been a party to this agreement. If I may indulge myself for just a moment to put a rib on one of my colleagues from the other side of the aisle, I take a risk here, I know, but of course I always prey on his good sense of humor. The gentleman from California [Mr. MILLER], who is affectionately known on our side as the deacon of dilatoriness, has agreed with this, as we all have.

Mr. OBEY. Mr. Speaker, will the gentleman yield?

Mr. ARMEY. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I think in plain English Members need to understand that that means tonight all votes will be rolled. The debate on the census will occur on Tuesday.

Mr. ARMEY. That is absolutely right. I appreciate that. Again, let me thank the Members. It has been my pleasure again this evening to speak to the House.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore. Pursuant to House Resolution 239 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2267.

□ 2243

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further 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, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

□ 2245

The CHAIRMAN. When the Committee of the Whole House rose earlier today, amendment No. 12 offered by the gentleman from Indiana [Mr. HOSTETTLER] had been disposed of and the bill was open for amendment from page 42, line 5, to page 43, line 6.

The order of the House of today will be printed in the RECORD at this point.

The text of the order of the House of today is as follows:

During further consideration of H.R. 2267 pursuant to House Resolution 239:

(1) No further amendment shall be in order except: amendments printed before September 25, 1997, in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII; amendments numbered 2 and 3 in part 2 of House Report 105–264; one amendment offered by Representative Rogers of Kentucky after consultation with Representative Mollohan of West Virginia; one amendment to the amendment printed in the Congressional Record and numbered 4; and pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees;

(2) Each amendment shall be considered as read and (other than the amendments numbered 2 and 3 in part 2 of House Report 105–264 and the amendment numbered 4 and any amendment thereto) shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent;

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Appropriations or the Majority Leader or their designee.

The CHAIRMAN. Are there further amendments to this portion of the bill which are in order under the order of the House?

Mr. ROGERS. Mr. Chairman, could I inquire where we are in the reading of the bill?

The CHAIRMAN. We are at page 43, line 6.

If there are no further amendments at this point, the Clerk will read.

The Clerk read as follows:

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $21,000,000: *Provided,* That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, as amended, title II of the Trade Act of 1974, as amended, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $25,000,000.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $47,000,000, to remain available until September 30, 1999.

ECONOMICS AND STATISTICS ADMINISTRATION REVOLVING FUND

The Secretary of Commerce is authorized to disseminate economic and statistical data products as authorized by sections 1, 2, and 4 of Public Law 91–412 (15 U.S.C. 1525–1527) and, notwithstanding section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912), charge fees necessary to recover the full costs incurred in their production. Notwithstanding 31 U.S.C. 3302, receipts received from these data dissemination activities shall be credited to this account, to be available for carrying out these purposes without further appropriation.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $136,499,000.

PERIODIC CENSUSES AND PROGRAMS

Subject to the limitations provided in section 209, for expenses necessary to conduct the decennial census, $381,800,000, to remain available until expended.

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, $168,326,000, to remain available until expended.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $17,100,000, to remain available until expended: *Provided,* That notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further,* That hereafter, notwithstanding any other provision of law, NTIA shall not authorize spectrum use or provide any spectrum functions pursuant to the NTIA Organization Act, 47 U.S.C. 902–903, to any Federal entity without reimbursement as required by NTIA for such spectrum management costs, and Federal entities withholding payment of such cost shall not use spectrum: *Provided further,* That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of the NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC BROADCASTING FACILITIES, PLANNING AND CONSTRUCTION

For grants authorized by section 392 of the Communications Act of 1934, as amended, $16,750,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided,* That not to exceed $1,500,000 shall be available for program administration as authorized by section 391 of the Act: *Provided further,* That, notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, as amended, $21,490,000, to remain available until expended as authorized by section 391 of the Act, as amended: *Provided,* That not to exceed $3,000,000 shall be available for program administration and other support activities as authorized by section 391: *Provided further,* That of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastructure: *Provided further,* That, notwithstanding the requirements of section 392(a) and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, cultural, health care, public information, public safety, or other social services.

PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Patent and Trademark Office provided for by law, including defense of suits instituted against the Commissioner of Patents and Trademarks, $27,000,000, to remain available until expended: *Provided,* That the funds made available under this heading are to be derived from deposits in the Patent and Trademark Office Fee Surcharge Fund as authorized by law: *Provided further,* That the amounts made available under the Fund shall not exceed amounts deposited; and such fees as shall be collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376, shall remain available until expended.

TECHNOLOGY ADMINISTRATION

UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology/Office of Technology Policy, $8,500,000, of which not to exceed $1,600,000 shall remain available until September 30, 1999.

SCIENCE AND TECHNOLOGY

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, $282,852,000, to remain available until expended, of which not to exceed $1,625,000 may be transferred to the ''Working Capital Fund''.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Manufacturing Extension Partnership of the National Institute of Standards and Technology, $113,500,000, to remain available until expended, of which not to exceed $300,000 may be transferred to the ''Working Capital Fund''.

In addition, for necessary expenses of the Advanced Technology Program of the National Institute of Standards and Technology, $185,100,000, to remain available until expended, of which not to exceed $74,100,000 shall be available for the award of new grants, and of which not to exceed $500,000 may be transferred to the ''Working Capital Fund''.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c–278e, $111,092,000, to remain available until expended: *Provided,* That of the amounts provided under this heading, $94,400,000 shall be available for obligation and expenditure only after submission of a plan for the expenditure of these funds, in accordance with section 605 of this Act.

Ms. LOFGREN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think we may be getting a little ahead of ourselves.

The CHAIRMAN. Is the gentlewoman from California [Ms. LOFGREN] the designee of the gentleman from West Virginia [Mr. MOLLOHAN]?

Mr. MOLLOHAN. Yes, Mr. Chairman.

Ms. LOFGREN. Mr. Chairman, reclaiming my time, I had an amendment to offer and we had been discussing having a colloquy. Are we prepared to do our colloquy, Mr. Chairman?

Mr. ROGERS. Mr. Chairman, I am prepared.

Ms. LOFGREN. Mr. Chairman, as you know, I had an amendment regarding El Nino research. El Nino in extreme weather is of great concern to all Americans and every Member of this House on both sides of the aisle. I was concerned that the current state of the bill might not allow the research that we all want to have happen.

However, I did want to inquire of the chairman, knowing of his great concern, and engage in a colloquy with him on this subject.

Mr. ROGERS. Mr. Chairman, will the gentlewoman yield?

Ms. LOFGREN. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I appreciate the concerns of the gentlewoman from California [Ms. LOFGREN] about

the climate and global change research program.

The bill provides $70 million for these research programs. This is a $2 million increase over the current level. I understand there is a difference in funding between the House and Senate. But I would be happy to work with the gentlewoman from California [Ms. LOFGREN] as we move to that conference.

Ms. LOFGREN. Mr. Chairman, reclaiming my time, I thank the gentleman from Kentucky [Mr. ROGERS]. And based on that, I do not intend to offer my amendment. I look forward to working with my colleague in the hope that we can achieve our mutual goal. I thank the gentleman very much for engaging with me on this.

The CHAIRMAN. Are there further amendments to this paragraph?

Hearing none, the Clerk will read.

The Clerk read as follows:

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft; not to exceed 270 commissioned officers on the active list as of September 30, 1998; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities as authorized by 33 U.S.C. 883i; $1,406,400,000, to remain available until expended: *Provided,* That, notwithstanding 31 U.S.C. 3302 but consistent with other existing law, fees shall be assessed, collected, and credited to this appropriation as offsetting collections to be available until expended, to recover the costs of administering aeronautical charting programs: *Provided further,* That the sum herein appropriated from the General Fund shall be reduced as such additional fees are received during fiscal year 1998, so as to result in a final General Fund appropriation estimated at not more than $1,403,400,000: *Provided further,* That any such additional fees received in excess of $3,000,000 in fiscal year 1998 shall not be available for obligation until October 1, 1998: *Provided further,* That fees and donations received by the National Ocean Service for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: *Provided further,* That in addition, $62,381,000 shall be derived by transfer from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'': *Provided further,* That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed $2,000,000: *Provided further,* That of the $1,498,681,000 provided for in direct obligations under this heading (of which $1,403,400,000 is appropriated from the General Fund, $67,581,000 is provided by transfer, and $27,700,000 is derived from unobligated balances and deobligations from prior years), $219,624,000 shall be for the National Ocean Service, $326,943,000 shall be for the National Marine Fisheries Service, $237,463,000 shall be for Oceanic and Atmospheric Research, $511,154,000 shall be for the National Weather Service, $119,835,000 shall be for the National Environmental Satellite, Data, and Information Service, $66,712,000 shall be for Program Support, $5,000,000 shall be for Fleet Maintenance, and $11,950,000 shall be for Facilities Maintenance: *Provided further,* That unexpended balances in the accounts ''Construction'' and ''Fleet Modernization, Shipbuilding and Conversion'' shall be transferred to and merged with this account, to remain available until expended for the purposes for which the funds were originally appropriated.

Mr. MOLLOHAN. Mr. Chairman, I move to strike the last word.

I thank the chairman for giving me this time here tonight, and I would like to give the opportunity for a couple of Members to talk about their amendment if they would like to. Mr. Chairman, these amendments are being included in the chairman's manager's amendment and this gives them an opportunity to speak to their amendments.

Mr. Chairman, I yield to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, this amendment, which is partially based upon the amendment I filed on behalf of myself, the gentleman from Maryland [Mr. GILCHREST], the gentleman from Delaware [Mr. CASTLE], the gentleman from New Jersey [Mr. PALLONE], the gentleman from North Carolina [Mr. JONES], the gentleman from New York [Mr. BOEHLERT], and the gentlewoman from North Carolina [Mrs. CLAYTON], is in response to one simple fact: our coastal waters are in trouble.

It is hard to read the newspaper lately and not come across a story about toxic Pfiesteria, brown tides, and ecological dead zones in our Nation's coastal waters. From the Long Island Sound to the Chesapeake Bay, from Louisiana to Oregon, fish kills, contaminated shellfish beds, beach closures, deteriorating coral reefs, and harmful algae blooms are taking an enormous toll both on the environment and the economies of our coastal areas.

While the specific sources of coastal pollutants are not always clear, the leading cause of water quality impairment in these areas and all of our bays, lakes and rivers is nonpoint source pollution, polluted runoff from city streets, farms, and a variety of other sources. In fact, nonpoint pollution is our Nation's number one water pollution problem.

To tackle these threats to our coastal areas' economic and ecological vitality, Congress established the Coastal Nonpoint Pollution Control Program under the National Oceanic and Atmospheric Administration in 1990. This program provides technical and financial assistance to States to address the water pollution threats to coastal waters.

Working with NOAA and the EPA, coastal States have invested millions of dollars crafting runoff control programs. My own State of New York has invested considerable effort in developing a plan that will benefit Long Island Sound, the Hudson River, the Great Lakes, and the New York City Watershed. Many State plans are ready for implementation, but Federal support for their efforts has not been provided since 1995.

NOAA's Coastal Nonpoint Pollution Program is the only Federal program which holds real promise for reducing nonpoint source pollution, and it is critical that we provide funding to make sure that States continue to make progress.

I want to personally thank the gentleman from Kentucky [Mr. ROGERS] and the gentleman from West Virginia [Mr. MOLLOHAN] for their help in working with us to provide funding for this important program. The agreement we have reached will provide $1 million, the full amount demanded by the administration, to assist States that have already developed management plans.

The evidence is clear that our coastal waters are sick. It is time that we step up to the plate and wage war on these contaminants. The money is a down payment on our environmental future. The needs among coastal States are clearly greater.

I look forward to working with my colleagues on both sides of the aisle to provide more funding next year.

Mr. MOLLOHAN. Mr. Chairman, I yield to the gentleman from New York [Mr. BOEHLERT].

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Chairman, I support the amendment.

Mr. Chairman, I rise this evening in strong support of the Lowey-Gilchrest-Castle-Boehlert Amendment. Protecting our nation's coastal waters from nonpoint source pollution is one of the greatest water quality challenges facing our nation. We must do more to address coastal nonpoint sources of pollution and this amendment is an important step in the right direction.

Today, over half of all water quality impairment in the United States is caused by nonpoint source pollution and coastal waters have proven to be exceptionally vulnerable to this source of pollution. Recent fish kills on the Pocomoke and Manokin Rivers in southern Maryland are just a glimpse at what may be ahead for America's coastal resources. Failure to significantly reduce nonpoint sources of water pollution will place in jeopardy the biological, commercial, and recreational viability of every beach, bay and estuary in America.

It should be noted that over 75% of all fish harvested by American commercial fishermen begin their lives in estuaries like the Chesapeake.

''Pfiesteria hysteria'' is not completely unfounded. Pfiesteria-like organisms reside in coastal waters on the East Coast, the West Coast, the Gulf of Mexico and throughout the Great Lakes. The time has come to rethink our clean water paradigm.

In the last 25 years the Federal government has spent over $60 billion to assist communities in addressing point sources of pollution. However, during this same period the Federal government has spent less than $1 billion addressing nonpoint source pollution—the cause of over half the water quality impairment in America. We must reform the nonpoint source

pollution provisions of the Clean Water Act, the section 6217 program, and our spending priorities to address this reality.

As the Chairman of the Water Resources and Environment Subcommittee, which has jurisdiction over both the CWA and the Coastal Zone Management Section 6217 program, I urge all my colleagues to support this modest increase in funding for the Coastal Nonpoint Pollution Control Program administered by NOAA.

Mr. MOLLOHAN. Mr. Chairman, I yield back the balance of my time.

AMENDMENT OFFERED BY MR. ROGERS

Mr. ROGERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ROGERS:

Page 51, line 5, after the dollar amount insert ''(increased by $1,500,000)''.

Page 51, line 11, after the second dollar amount insert ''(increased by $1,500,000)''.

Page 51, line 14, after the dollar amount insert ''(increased by $1,500,000)''.

Page 51, line 16, after the dollar amount insert ''(increased by $4,000,000)''.

Page 51, line 23, after the dollar amount insert ''(reduced by $2,500,000)''.

The CHAIRMAN. The gentleman from Kentucky [Mr. ROGERS] and a Member in opposition each will be recognized for 5 minutes.

Mr. ROGERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am offering the amendment on behalf of our colleagues the gentlewoman from New York [Mrs. LOWEY] and the gentleman from Maryland [Mr. HOYER] and, in addition, to address an issue of concern to the gentleman from New Jersey [Mr. SAXTON].

The amendments are combined in this manager's amendment and provides $3 million for the National Ocean Service to address the problem of Pfiesteria and $1 million for the Nonpoint Source Pollution Program. This amendment has been worked on from the outset by the colleagues that I have mentioned, and they have put much time and effort into the proposal that we are offering here this evening.

Mr. Chairman, I yield as much time as she may consume to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I thank the gentleman from Kentucky [Mr. ROGERS] for yielding. However, during this unusual procedure, since I already had the privilege of speaking on this very important nonpoint pollution source amendment, I want to thank the gentleman from West Virginia [Mr. MOLLOHAN] for his cooperation.

□ 2300

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Chairman, I want to thank the gentleman from Kentucky [Mr. ROGERS], the gentlewoman from New York [Mrs. LOWEY] and the other sponsors of this amendment to come to this agreement that provides $1 million for the Coastal Nonpoint Source Pollution Control Program. This is the level requested in the President's budget and is the first funding for this program in 2 years. The program is critical to coastal states because nonpoint source pollution is the leading cause of pollution along our Nation's coasts.

I represent the New Jersey shore where our entire way of life, our economy and the health and safety of our residents is dependent on the quality of our coastal waters. I know that it is the same for coastal communities throughout the country.

The effect of nonpoint source pollution on coastal areas can be devastating, as we have all seen over the last several weeks with what is happening in the Chesapeake Bay. I just want to say, according to a recent report by the Natural Resources Defense Council, coastal nonpoint source pollution is now the leading cause of beach closings nationwide. In fact, over half of the beach closings and advisories last year for which there was a determined cause, 893 of 1,627 closings and advisories were caused by nonpoint source pollution.

We have come a long way over the last 25 years to cleaning up our Nation's waters, but now nonpoint source pollution is the final frontier in water pollution. But it is by working together as we are today that we are finally going to take this step and finally accomplish the goal of the Clean Water Act, and that is swimmable, fishable waters. This will go a long way toward accomplishing that.

Mr. ROGERS. Mr. Chairman, I yield the balance of my time to the gentleman from Maryland [Mr. HOYER].

Mr. MOLLOHAN. Mr. Chairman, I yield the balance of my time to the gentleman from Maryland [Mr. HOYER].

The CHAIRMAN. The gentleman from Maryland [Mr. HOYER] is recognized for 7 minutes.

Mr. HOYER. Mr. Chairman, I want to rise on behalf of the Members from both sides of the aisle from Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia and Florida. We are very appreciative, all of us, to the gentleman from Kentucky [Mr. ROGERS] for helping us work on this amendment and thank very much the distinguished gentleman from West Virginia [Mr. MOLLOHAN] for his assistance in coming to this agreement.

So that the body understands, this amendment is in two parts. The gentlewoman from New York [Mrs. LOWEY], the gentleman from New Jersey [Mr. PALLONE]), the gentleman from Massachusetts [Mr. TIERNEY] and others offered an amendment which will add $1 million to nonpoint source research for the National Oceanographic and Atmospheric Administration. This amendment that I rise to offer on behalf of my colleagues from the States I mentioned is appropriating $3 million to NOAA to assist the States in determining the factors responsible for the toxic organism pfiesteria.

Clearly NOAA is one of the best equipped Federal agencies with the technical expertise and the scientific know-how to determine the causes and controls of pfiesteria outbreaks. NOAA's recently established interagency national research program called Ecohab will use this funding to understand what pfiesteria is and why it morphs into a toxic state, and to establish ways to react to outbreaks when they occur.

Moreover, $1 million of this funding will be used by NOAA to assist the affected States in expanding, monitoring and developing new, more rapid techniques for identifying the toxic phase of pfiesteria as well as the environmental conditions potentially conducive to these outbreaks. This enhanced monitoring support will be essential to overcoming the difficulty in detecting pfiesteria outbreaks because of the sporadic nature of the organism and the rapid response needed to observe the toxic phase.

Mr. Chairman, the Federal Government has a responsibility, a duty, to assist the States, however possible, in this fight. It will be important that the Congress give the agencies the necessary tools to accomplish this task. This funding will be yet another important step in the Congress' response to this ongoing problem.

I want to thank, as I said earlier, the gentleman from Kentucky [Mr. ROGERS] and the gentleman from West Virginia [Mr. MOLLOHAN] for their help.

Mr. CASTLE. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Delaware [Mr. CASTLE], the distinguished former Governor of Delaware, who saw this problem as a Governor, and now as a legislator in the Federal Congress is dealing with it.

Mr. CASTLE. Mr. Chairman, I thank the gentleman from Maryland for yielding. I thank everybody who has had anything to do with putting all of this together. The problems of pfiesteria and algae, which we have seen this summer all the way from parts of New York all the way perhaps down to Florida, have been tremendous. In my judgment, the only way to really coordinate and to attack from the point of view of doing something about it, worrying about what it is doing to both fish and to human beings, is to do it on a national level. We simply had to shift some of the funding, and the subcommittee has been extremely cooperative in helping to put this together.

Experts have testified on the Hill today. The various States are getting involved in trying to coordinate their efforts also. I think for all these reasons we are finally beginning to address the problems that may be from the point or nonpoint sources. We do not know. We are going to find it, and this is a tremendous start.

Mr. CARDIN. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the distinguished gentleman from Maryland [Mr. CARDIN] from the Baltimore region, but also impacting on the Chesapeake Bay.

Mr. CARDIN. Mr. Chairman, I want to thank the gentleman from Maryland (Mr. Hoyer) and all of those involved for arranging for this amendment to be offered. I strongly support it. Pfiesteria is a very serious problem that we have all along the east coast of the United States. It is responsible for major fish kills, for the closing of recreational and commercial waterways, and it is a major health problem for the people of our region. This is an extremely serious matter. I am very pleased that the Federal Government is moving in with funds to try to deal with this problem. It is a good amendment, and I strongly support it. Once again, I congratulate my colleague for his leadership in this area.

Mr. HOYER. I thank the gentleman from Maryland.

Mrs. CLAYTON. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the gentlewoman from North Carolina, who has worked so hard on this issue.

(Mrs. CLAYTON asked and was given permission to revise and extend her remarks.)

Mrs. CLAYTON. I thank the gentleman for yielding.

Mr. Chairman, this is an important issue. I thank all of those who have allowed us to come to the floor. Hopefully through research we will resolve this issue.

Mr. TIERNEY. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Massachusetts.

(Mr. TIERNEY asked and was given permission to revise and extend his remarks.)

Mr. TIERNEY. Mr. Chairman, I rise in support of the provision of money for the Coastal Nonpoint Source Pollution Control Program.

Mr. Chairman, I rise to join my colleagues who are offering this amendment in voicing my strong support. I commend those Members who have worked diligently to provide funding for this important program, and I am extremely pleased that the chairman of the subcommittee has agreed to provide $1 million in much needed funding.

Mr. Chairman, the Massachusetts Audubon Society has been tracking this issue and has reported some alarming facts about pollution that is damaging the coasts of Massachusetts.

According to the Massachusetts Audubon Society, pollution levels have been measured at 1,000 times higher than existing water quality standards for the safe consumption of shellfish and 100 times higher than is considered safe for swimming in some areas.

Aside from protecting our environment, fighting pollution can also yield significant economic benefits. Adequate funding to address this problem will help open the shell fishing beds for harvest, promote increased tourism, and generally enhance fishing, swimming, boating, bird watching, and other recreational activities.

I am also pleased to note that this funding will boost other initiatives that we have taken to improve the lives of the people of Massachusetts, including funds for improvements to wastewater treatment facilities as well as the Essex Heritage area in Essex County and Merrimac Valley areas of Massachusetts.

The combined result will be a healthier environment, cleaner coastal regions and waterways, and more effective wastewater treatment programs. Providing money for the Coastal Nonpoint Pollution Control Program is a positive and necessary part of this process.

Mr. ETHERIDGE. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from North Carolina.

(Mr. ETHERIDGE asked and was given permission to revise and extend his remarks.)

Mr. ETHERIDGE. Mr. Chairman, I want to thank the gentleman from Maryland and all of those who have worked so hard. This has had a significant impact on my home State. We have lost over a billion fish, and an awful lot of people have been sick. I thank the gentleman for the efforts that have gone forward on this.

Mr. Chairman, I am proud to cosponsor this amendment with the gentleman from Maryland and with many of my colleagues from North Carolina and other mid-Atlantic States. I want to commend the gentleman from Maryland, [Mr. HOYER] for his leadership on this issue. For many years he has played a leading role in protecting the environment and cleaning up the waterways of his beautiful State and across the country. He has now taken the lead in bringing the problem of pfiesteria to the national stage and for what I want to express my sincere gratitude.

I also want to thank my colleagues in the House for taking the first step on this issue by providing $7 million in the recent appropriations bill for the Centers for Disease Control and Prevention to monitor, research, and react to the public health effects of pfiesteria.

Since 1991 over 1 billion fish have been killed in North Carolina alone as a result of pfiesteria. Recently, fish kills have also been reported in Maryland and it is feared that past fish kills in other States may have been caused by pfiesteria. Pfiesteria has been blamed for sores, burning skin, respiratory ailments, and short-term memory loss in human beings. This is a serious public health and environmental issue that requires national leadership. Pfiesteria has become a genuine and immediate public health concern for at least seven States between Delaware and Florida and if not address its eventual impact could go far beyond these States. Like fish, pfiesteria knows of no State boundaries. Our natural resources and our waterways are simply too valuable for us not to act to protect them and the public health.

I urge my colleagues to join me in support of this $3 million appropriation for the National Oceanic and Atmospheric Administration [NOAA] to effectively respond to pfiesteria and pfiesteria-like conditions throughout the eastern seaboard. NOAA has the mechanisms in place to study and assess the causes and how we can begin to control pfiesteria. I hope this marks the beginning of a strong Federal-State partnership to protect American citizens, our waterways, and the marine life in them that is so important to our food supply.

Again, I want to thank the gentleman from Maryland for taking the lead on this issue. Mr. Chairman, I urge my colleagues to vote ''yes'' on this important amendment.

Mr. GILCHREST. Mr. Chairman, will the gentleman yield?

Mr. HOYER. I yield to the distinguished gentleman from Maryland, my very good friend, who probably works as hard on these issues as anybody I know and does so with great knowledge and great sensitivity. I am proud that he is a Member of our delegation.

Mr. GILCHREST. Mr. Chairman, I thank the gentleman from Maryland [Mr. HOYER] and those distinguished people and staff that have worked on this process for many, many months now to achieve an end that we are all seeking.

When we deal with these kinds of issues, which are basically scientifically driven, we as policymakers sometimes find it difficult to understand the mechanics of all of the details. But what we need to understand is that it is time to understand the mechanics of natural processes and how they impact all of us and the quality of our lives. I would just leave my colleagues with this statement to drive policy for environmental issues: Mortgage payments and lung tissue. We have got to have both.

Mr. HOYER. I thank the gentleman for his comment.

Mr. Chairman, I also want to mention in particular the gentleman from North Carolina [Mr. MCINTYRE] and the gentleman from North Carolina [Mr. HEFNER], the gentlewoman from Maryland [Mrs. MORELLA], the gentleman from Maryland [Mr. WYNN], the gentleman from Maryland [Mr. EHRLICH] and the gentleman from North Carolina [Mr. PRICE] who have joined with us in the offering of this amendment along with, as I said, the other Members from the Atlantic Coast States.

I want to in closing again thank the gentleman from Kentucky [Mr. ROGERS] and the gentleman from West Virginia [Mr. MOLLOHAN], who have worked very closely, I know, with the gentlewoman from New York [Mrs. LOWEY] and her staff on the nonpoint source pollution, which, of course, is very much a part of the pfiesteria problem so that this is a very closely related issue.

I want to thank Jennifer Miller as well, who has been so conscientious in assisting us to get this agreement.

We thank the gentleman from Kentucky very much, all of us who know that this issue is so critically important to our States, to our people, to the economy as well as the ecology of our waterways and our land.

Mr. SAXTON. Mr. Chairman, part of Mr. ROGERS' amendment addresses an important matter regarding the Atlantic herring and mackerel fishery. This amendment would reduce the operations, research and facilities account for the National Oceanic and Atmospheric Administration. This account funds the National Marine Fisheries Service. The purpose of the amendment is to prohibit any fiscal year 1998 funds to be used by the Department of Commerce to issue or renew a fishing permit or authorization for any fishing vessel of 165 feet in length or larger and of 3,000 or more horsepower.

By way of background, on July 28, 1997, the House of Representatives approved an emergency measure, H.R. 1855, to place a moratorium on the entrance of new large fishing vessels in the Atlantic herring and mackerel fisheries. These stocks are under an imminent threat. There are up to four huge factory trawler/freezer vessels which are poised to enter this fishery within a very short timeframe. One such vessel plans to begin harvesting this fall and is working feverishly to obtain the necessary permits, despite the overwhelming vote of the House.

As the subcommittee chairman of the authorizing committee, I am extremely concerned about this threat to these fisheries. This is a potentially disastrous situation that needs to be remedied quickly. Based on testimony before the Subcommittee on Fisheries Conservation, Wildlife and Oceans, it is clear that the mackerel fishery can only sustain a 150,000 metric ton annual harvest. The capacity of each of these vessels exceeds 50,000 metric tons per year. Three of these large fishing vessels would easily meet and possibly exceed this harvest within 1 year. It is not clear that the resource can withstand this massive fishing effort and remain viable. Because of this threat to the resource off the East Coast, I feel compelled to offer this amendment to implement emergency action for 1 year through the appropriations process.

During this 1-year cooling off period, it will be possible to obtain the necessary population data so that the Department of Commerce can make an accurate forecast of how many fish can be caught—before another crisis occurs.

The limitation contained in this amendment closely parallels the authorization bill I introduced on the matter, H.R. 1855, which passed the authorizing committee, House Resources, with no objection. It also was debated on the House Floor on July 27, during which there was not one word of dissent. It passed on suspension of the rules by voice vote. Its vocal supporters include DON YOUNG, Resources Committee chairman, GEORGE MILLER, Resources Committee ranking Democratic member, NEIL ABERCROMBIE, Subcommittee on Fisheries Conservation, Wildlife and Oceans ranking Democratic member.

The NMFS seems content to wait until the stocks crash before taking action to protect these fisheries. We have seen how the agency's inaction has caused precipitous declines in the Gulf of Mexico with redfish, in the Atlantic with sharks, in the Pacific with sea urchins and in New England with cod and haddock. As someone who has witnessed the pain and economic suffering experienced by those fishermen, I do not believe that we should fish now and pay later. We must end this cycle of destroying our resources without knowing how much fishing pressure they can endure. Help me to conserve our Atlantic herring and mackerel stocks.

Mr. PALLONE. Mr. Chairman, I rise today to speak on an amendment that will protect a resource in my district from being overutilized and depleted.

This amendment, introduced by the chairman of the Fisheries Conservation, Wildlife, and Oceans Subcommittee, serves to prohibit large fishing vessels from obtaining a permit and engaging in the harvest of Atlantic herring and Atlantic mackerel within our EEZ waters.

I believe that we must prohibit large vessels from the Atlantic herring and mackerel fishery until accurate information has been collected. To date, no ship of this size has fished this vulnerable fishery. There is no way for us to know how a large vessel would effect the fishery.

Mr. Chairman, large vessels have the potential of depleting any fishery and have it overutilized in a short amount of time. Large fishing trawlers are highly efficient and have the ability to harvest five or six times more than any vessel currently registered on the Atlantic Coast.

Furthermore, the processing capacity of large vessels is so great that they, themselves, can fill fishing quotas. As a result, these ships would compromise the Atlantic herring and the Atlantic mackerel fishing seasons. Mr. Chairman, if you are not aware, stock quotas are spread over a number of ships and are not designed to be filled by a small percentage of ships.

My fear is that a large, highly efficient ship could close a fishery and reduce its stock simply by the number of fish it can catch.

I am also concerned with the National Marine Fisheries Service's ability to react to this fishery if overutilization occurs and the fishery needs to shut down. If a ship of this size is allowed to harvest this fishery, and there is a mistake as to the size of the herring and mackerel stock, we will have a problem. If we are to guess as to the size of the stock and its preservation, I would rather make the mistake on the side of conservation, no exploitation.

In the past, we have encouraged highly efficient gears to fish underutilized stocks. In the 1980's we redirected efforts towards the shark species. At the time, sharks were considered to be underutilized. As a result, a drop in various sharks species has occurred. We must now take emergency measures in protecting those shark species. Mr. Chairman, have we not learned from our past mistakes?

A vote in support of this amendment is a vote for conservation and a vote for the protection of one of our largest public resources. This is an opportunity for Members of the House to protect a fish stock not only for those fishermen whose livelihood depends on this resources, but for future generations of fisherman as well. As a member of the subcommittee on Fisheries Conservation, Wildlife and Oceans, I strongly urge my colleagues to support and pass this amendment.

Mrs. MORELLA. Mr. Chairman, I rise in strong support of the amendment. It provides $3 million for NOAA's national ocean service account to help States with scientific and technical assistance in the fight against pfiesteria. This amendment is needed to enable NOAA to better assist States—NOAA has the expertise to help states to study and analyze the causes of, and possible solutions to, the fish kills linked to pfiesteria in several Chesapeake Bay tributaries.

The States of Maryland and Virginia, and possibly several others, face a very serious threat to the health of our ecosystem and watersheds. The toxic outbreaks of pfiesteria also have had an adverse impact on our fishing industry, our tourism industry, and the health of some of our citizens. We must do everything possible to assist the affected States in responding to this challenge. The funding provided through this amendment will ensure that the States have access to the expertise needed to adequately respond not only to this regional problem, but also to avoid future recurrences nationwide.

I urge my colleagues to vote for the amendment. Give the States the scientific and technical assistance they need to effectively respond to this environmental and public health threat.

Mr. DELAHUNT. Mr. Chairman, more than 20 years ago, my predecessor in this Chamber helped enact landmark legislation to ensure that foreign fleets would no longer be allowed to deplete fish stocks off our coasts. Well, here we go again. Unless this amendment is approved, factory trawlers are poised to return—this time with advanced technology aimed at two of the few healthy stocks we still have left: Atlantic herring and mackerel.

In late July, this House passed legislation banning factory trawlers from harvesting Atlantic herring and mackerel until a fisheries management plan is in place. Similar legislation is pending before the other chamber.

Even since then, a great deal has happened that brings the devastation of mackerel and groundfish stocks off the New England coast closer to a reality.

At least one factory trawler has been granted an exemption by the National Marine Fisheries Service [NMFS] and, as we debate, is being retrofitted to set sail for the waters off the New England coast. This one vessel alone is capable of harvesting 50,000 metric tons of mackerel a year—a third of the sustainable yield for the whole Atlantic coast—not to mention the likely impact of bycatch from this harvest on haddock and scores of other marine species.

And now, we learn that at least two other factory trawlers may be charting course for the east coast. A classified advertisement, in the October issue of ''National Fisherman,'' seeks ''captains, mates, engineers, deckhands * * * to fill positions'' on ''two freeze trawlers locating on U.S. East Coast to fish herring and mackerel.''

This is an emergency. If you had heard the testimony at last spring's hearing, it would be alarmingly clear that no one—including NMFS—knows enough about the population dynamics of herring and mackerel to risk placing such enormous new pressures on these species. And those of us who live in the coastal communities which depend upon them to sustain a healthy economy. Without this amendment, we stand to repeat the mistakes of the past.

Everything we've gained these past decades is at risk if we don't pass this amendment.

In the late 1960's and early 1970's, large Russian and Polish vessels plied our shores and threatened to decimate our fishing industry and our stocks. It took the passage of the Magnuson Act to push them from our waters, leaving what we thought was plenty of fish to go around. Less than a year after the House reauthorized that statute, we face the prospect of factory vessels again invading our fisheries. This is absurd.

New England fishermen—already stressed by declining stocks, higher prices, and shortened seasons—continue to face bleak times as we await the slow process of rebuilding groundfish stocks. Already, we have too many boats chasing too few fish; and far too many vessels that will never again go to sea at all. To allow these huge trawlers to return would be a disaster of major proportion.

Unless we pass this amendment, local fleets trying to diversify their harvests will be driven from the seas, with drastic consequences to their livelihood and way of life.

For the sake of both fish and the fishermen, it is my own hope that the Fisheries Council will implement management plans that make further congressional action unnecessary. This House spoke clearly in July and I urge my colleagues to join in supporting this amendment, to show that we can learn from our mistakes.

Mrs. MORELLA. Mr. Chairman, I rise in strong support of the Lowey-Gilchrest-Castle-Pallone-Jones amendment.

This amendment will provide critical funding to the NOAA budget for the development and implementation of nonpoint source pollution plans. States, in conjunction with businesses and farmers, will be able to establish programs to control the run-off from farms and communities that have been associated with the recent pfiesteria outbreak in several Chesapeake Bay tributaries and the deaths of thousands of fish and manatees in Florida. Such programs are critical if we are to preserve not only our beaches and the health of our citizens, but to protect the tourism and fisheries industries in coastal states.

I commend the chairman and ranking minority member for their understanding and support for this effort. Vote ''yes'' on the Lowey-Gilchrest amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. ROGERS].

The amendment was agreed to.

Mr. BROWN of California. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Is the gentleman the designee of the ranking member?

Mr. BROWN of California. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Chairman, I know it has been a long evening. I will try to be as brief as possible.

The gentleman from Kentucky knows of my concern about the proliferation of science and technology agreements engineered by the State Department between this country and other countries. I have been very much concerned about this for a number of years. The Department currently reports more than 800 international science and technology cooperative agreements with more than 90 countries. The negotiations are costly and raise expectations in other countries that the U.S. is indeed serious about pursuing a substantive cooperative research arrangement. However, these agreements have not generally produced any substantive scientific research agreements.

I am anxious to have more information about the extent of these agreements and whether we can do something about reducing the cost of this vast proliferation of agreements that apparently result in no particular results from a research standpoint. I am going to ask the cooperation of the chairman in seeking more information about these from the State Department.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, I am well aware of the gentleman's concerns on this issue, and he raises valid points. As the gentleman is aware, I have been working to improve the efficiency of the State Department, and this is another example where the State Department could do a better job. I am not aware of any information that indicates the magnitude of the problem.

Mr. BROWN of California. I thank the gentleman for that response. I would merely like to request that the gentleman join me in requesting that the Department submit to Congress a quarterly report listing any trips that it approves for negotiations or assisting in negotiations of international S&T agreements as well as the amount of Federal funds available to implement the research envisioned by the terms of the agreement; and secondly, any consultations under existing agreements, as well as the amount of Federal funds to support the research projects envisioned in the agreements. I believe this will be the first step in quantifying the size and scope of this issue and may force the Department to take a hard look at its operations in this area.

Mr. ROGERS. The gentleman is, of course, entitled to request any information of the State Department that he sees fit. If it is helpful to him that I join him in his request, I would, of course, be willing to do so.

Mr. BROWN of California. Mr. Chairman, I want to thank the gentleman very much for his assistance in this matter. I look forward to working with him on this issue.

Mr. Chairman, may I add one additional point? The amendment of the gentleman that was just passed is of extreme importance on the west coast as well as the east coast. For example, just last month, we had a fish kill of over a million fish within 1 day. I think that it may be connected to the same kind of problems that are affecting fish on the east coast. I look forward to exploring this issue, also. Again I thank the gentleman very much for his courtesy.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that the remainder of title II be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The text of the remainder of title II is as follows:

CAPITAL ASSETS ACQUISITION

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of capital assets acquisition or construction, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $460,600,000, to remain available until expended: *Provided,* That not to exceed $116,910,000 is available for the advanced weather interactive processing system, and may be available for obligation and expenditure only pursuant to a certification by the Secretary of Commerce that the total cost to complete the acquisition and deployment of the advanced weather interactive processing system and NOAA Port system, including program management, operations and maintenance costs through deployment will not exceed $186,300,000: *Provided further,* That unexpended balances of amounts previously made available in the ''Operations, Research, and Facilities'' account and the ''Construction'' account for activities funded under this heading may be transferred to and merged with this account, to remain available until expended for the purposes for which the funds were originally appropriated.

COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed $7,800,000, for purposes set forth in sections 308(b)(2)(A), 308(b)(2)(B)(v), and 315(e) of such Act.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $953,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FOREIGN FISHING OBSERVER FUND

For expenses necessary to carry out the provisions of the Atlantic Tunas Convention Act of 1975, as amended (Public Law 96–339), the Magnuson-Stevens Fishery Conservation and Management Act of 1976, as amended (Public Law 100–627), and the American Fisheries Promotion Act (Public Law 96–561), to be derived from the fees imposed under the foreign fishery observer program authorized by these Acts, not to exceed $189,000, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

For the cost of direct loans, $250,000, as authorized by the Merchant Marine Act of 1936, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of Commerce provided for by law, including not to exceed $3,000 for official entertainment, $28,490,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App. 1–11 as amended by Public Law 100–504), $20,140,000.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(RESCISSION)

Of the unobligated balances available under this heading, $5,000,000 are rescinded.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15

U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 203. None of the funds made available by this Act may be used to support the hurricane reconnaissance aircraft and activities that are under the control of the United States Air Force or the United States Air Force Reserve.

SEC. 204. None of the funds provided in this or any previous Act, or hereinafter made available to the Department of Commerce, shall be available to reimburse the Unemployment Trust Fund or any other fund or account of the Treasury to pay for any expenses paid before October 1, 1992, as authorized by section 8501 of title 5, United States Code, for services performed after April 20, 1990, by individuals appointed to temporary positions within the Bureau of the Census for purposes relating to the 1990 decennial census of population.

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided,* That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 206. (a) Should legislation be enacted to dismantle or reorganize the Department of Commerce, the Secretary of Commerce, no later than 90 days thereafter, shall submit to the Committees on Appropriations of the House and the Senate a plan for transferring funds provided in this Act to the appropriate successor organizations: *Provided,* That the plan shall include a proposal for transferring or rescinding funds appropriated herein for agencies or programs terminated under such legislation: *Provided further,* That such plan shall be transmitted in accordance with section 605 of this Act.

(b) The Secretary of Commerce or the appropriate head of any successor organization(s) may use any available funds to carry out legislation dismantling or reorganizing the Department of Commerce to cover the costs of actions relating to the abolishment, reorganization, or transfer of functions and any related personnel action, including voluntary separation incentives if authorized by such legislation: *Provided,* That the authority to transfer funds between appropriations accounts that may be necessary to carry out this section is provided in addition to authorities included under section 205 of this Act: *Provided further,* That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 207. Any costs incurred by a Department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title shall be absorbed within the total budgetary resources available to such Department or agency: *Provided,* That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further,* That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 208. The Secretary of Commerce may award contracts for hydrographic, geodetic, and photogrammetric surveying and mapping services in accordance with title IX of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 541 et seq.).

SEC. 209. (a) Any person aggrieved by the use of any statistical method in violation of the Constitution or any provision of law (other than this Act), in connection with the 2000 or any later decennial census, to determine the population for purposes of the apportionment or redistricting of members in Congress, may in a civil action obtain declaratory, injunctive, and any other appropriate relief against the use of such method.

(b) For purposes of this section, the use of any statistical method in a dress rehearsal or similar test or simulation of a census in preparation for the use of such method, in a decennial census, to determine the population for purposes of the apportionment or redistricting of members in Congress shall be considered the use of such method in connection with that census.

(c) For purposes of this section, an ''aggrieved person'' includes—

(1) any resident of a State whose congressional representation or district could be changed as a result of the use of a statistical method challenged in the civil action;

(2) any Representative or Senator in Congress; and

(3) either House of Congress.

(d)(1) Any action brought under this section shall be heard and determined by a district court of 3 judges in accordance with section 2284 of title 28, United States Code. Any order of a United States district court which is issued pursuant to an action brought under this section shall be reviewable by appeal directly to the Supreme Court of the United States. Any such appeal shall be taken by a notice of appeal filed within 10 days after such order is entered; and the jurisdictional statement shall be filed within 30 days after such order is entered. No stay of an order issued pursuant to an action brought under this section shall be issued by a single Justice of the Supreme Court.

(2) No sums appropriated under this or any other Act may be used for any statistical method, in connection with any decennial census, to determine the population for purposes of the apportionment or redistricting of members in Congress after a civil action is commenced challenging or seeking to uphold the use of such method, until that method has been judicially finally determined to be authorized by the Constitution and by Act of Congress.

(3) It shall be the duty of a United States district court and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under this section.

(e) Any agency or entity within the executive branch, having authority with respect to the carrying out of a decennial census, may in a civil action obtain a declaratory judgment respecting whether or not the use of a statistical method, in connection with such census, to determine the population for the purposes of the apportionment or redistricting of members in Congress is forbidden by the Constitution and laws of the United States.

(f) For purposes of this section—

(1) the term ''statistical method'' means an activity related to the design, planning, testing, or implementation of the use of sampling, or any other statistical procedure, including statistical adjustment, to add or subtract counts to the enumeration of the population; and

(2) a matter shall not be considered to have been judicially finally determined until it has been finally determined on the merits in appellate proceedings before the Supreme Court of the United States.

(g) This section shall apply in fiscal year 1998 and succeeding fiscal years.

(h) Nothing in this Act shall be construed to authorize the use of any statistical method, in connection with a decennial census, for the apportionment or redistricting of members in Congress.

The CHAIRMAN. Are there any amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

TITLE III—THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed $10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve; $29,278,000.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U.S.C. 13a–13b), $3,400,000, of which $410,000 shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, $15,507,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services as authorized by 5 U.S.C. 3109, and necessary expenses of the court, as authorized by law, $11,478,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, $2,700,069,000 (including the purchase of firearms and ammunition); of which not to exceed $13,454,000 shall remain available until expended for space alteration projects; and of which not to exceed $10,000,000 shall

remain available until expended for furniture and furnishings related to new space alteration and construction projects.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $2,450,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

VIOLENT CRIME REDUCTION PROGRAMS

For activities of the Federal Judiciary as authorized by law, $40,000,000, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, as authorized by section 190001(a) of Public Law 103–322, and sections 818 and 823 of Public Law 104–132.

DEFENDER SERVICES

For the operation of Federal Public Defender and Community Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended; the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act (18 U.S.C. 3006A(e)); the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences; and the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d); $329,529,000, to remain available until expended as authorized by 18 U.S.C. 3006A(i).

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)); $66,196,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY

For necessary expenses, not otherwise provided for, incident to the procurement, installation, and maintenance of security equipment and protective services for the United States Courts in courtrooms and adjacent areas, including building ingress-egress control, inspection of packages, directed security patrols, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702); $167,214,000, to be expended directly or transferred to the United States Marshals Service which shall be responsible for administering elements of the Judicial Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $52,000,000, of which not to exceed $7,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $17,495,000; of which $1,800,000 shall remain available through September 30, 1999, to provide education and training to Federal court personnel; and of which not to exceed $1,000 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), $25,000,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), $7,400,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), $1,800,000.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $9,000,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

GENERAL PROVISIONS—THE JUDICIARY

SEC. 301. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except ''Courts of Appeals, District Courts, and Other Judicial Services, Defender Services'' and ''Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners'', shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for district courts, courts of appeals, and other judicial services shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed $10,000 and shall be administered by the Director of the Administrative Office of the United States Courts in his capacity as Secretary of the Judicial Conference.

Mr. ROGERS (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title III be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. Are there any amendments?

If not, the Clerk will read.

The Clerk read as follows:

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCIES

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including expenses authorized by the State Department Basic Authorities Act of 1956, as amended; representation to certain international organizations in which the United States participates pursuant to treaties, ratified pursuant to the advice and consent of the Senate, or specific Acts of Congress; acquisition by exchange or purchase of passenger motor vehicles as authorized by 31 U.S.C. 1343, 40 U.S.C. 481(c) and 22 U.S.C. 2674; and for expenses of general administration; $1,715,087,000: *Provided*, That all fees collected under the authority of section 140(a)(1) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) shall be deposited in fiscal year 1998 as an offsetting collection to appropriations made under this heading to recover the costs of providing border security and shall remain available until expended.

Of the funds provided under this heading, $24,856,000 shall be available only for the Diplomatic Telecommunications Service for operation of existing base services and not to exceed $17,312,000 shall be available only for the enhancement of the Diplomatic Telecommunications Service and shall remain available until expended.

In addition, not to exceed $700,000 in registration fees collected pursuant to section 38 of the Arms Export Control Act, as amended, may be used in accordance with section 45 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2717); in addition not to exceed $1,252,000 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act (Public Law 90–553), as amended, and in addition, as authorized by section 5 of such Act $490,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; and in addition not to exceed $15,000 which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities in accordance with section 46 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2718(a)).

Notwithstanding section 402 of this Act, not to exceed 20 percent of the amounts made available in this Act in the appropriation accounts ''Diplomatic and Consular Programs'' and ''Salaries and Expenses'' under the heading ''Administration of Foreign Affairs'' may be transferred between such appropriation accounts: *Provided*, That any transfer pursuant to this sentence shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

In addition, for counterterrorism requirements overseas, including security guards and equipment, $23,700,000, to remain available until expended.

SALARIES AND EXPENSES

For expenses necessary for the general administration of the Department of State and the Foreign Service, provided for by law, including expenses authorized by section 9 of the Act of August 31, 1964, as amended (31 U.S.C. 3721), and the State Department Basic Authorities Act of 1956, as amended, $363,513,000.

□ 2315

AMENDMENT NO.33 OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GILMAN:

Page 67, line 19, insert before the period the following:

: *Provided*, That, of such amount, not more than $356,242,740 shall be available for obligation until the Secretary of State has made one or more designations of organizations as foreign terrorist organizations pursuant to section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)), as added by section 302 of Public Law 104–132 (110 Stat. 1214, 1248).

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New York [Mr. GILMAN] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I will be brief.

I am pleased to join my colleague from New York [Mr. SCHUMER] in offering this important amendment to the Commerce, Justice, State, and Judiciary appropriations bill to address a threat of terrorism here at home.

Back in April 1996 the President signed into law the comprehensive antiterrorism measure which included the administration's request for authority to designate certain groups as terrorist organizations with links to foreign state sponsors of terrorism such as Iran. Our State Department is responsible for carrying out that authority.

The bill also included the administration's request for authority to take preventive action against these groups, such as freezing their financial assets. Our Treasury Department is responsible for that aspect once the State Department has made its designations.

The administration considered this authority so important that a veto was threatened unless until the bill contained those provisions. Yet, 17 months have gone by and the administration is yet to exercise that authority that it so ardently sought. It is difficult to understand the reasons for such a delay.

The FBI has provided the State Department with extensive material on a number of terrorist groups, including Hizballah and Hamas and their front organizations, some of which are operating right here in our own Nation. The statute does not envision a one-time list that had to include each and every possible foreign terrorist organization. The State Department can add and delete groups as circumstances and evidence warrant.

However, the State Department has declined to make the designations because of what it has said is a strong desire to avoid a false perception that it might be singling out certain groups for identification. This is quite puzzling, Mr. Chairman, to say the least, because we in Congress understand that targeting these terrorist groups was the very purpose of this legislation.

Our amendment withholds 2 percent of the State Department's salaries and expense budget, approximately $7.25 million, until it complies with this provision. Our amendment should send a clear message that we, the Congress, will not wait any longer. The terrorist bombing of the New York World Trade Center in 1993 was a wake-up call the administration apparently missed. Those of us in the Congress did not miss such a call.

The administration's inaction also is evidence that it is not taking seriously the threat from foreign terrorist organizations, especially those doing business and raising funds right here in our own Nation. The American people are entitled to reasonable efforts to protect their security and to timely enforcement of our laws to fight international terrorism which clearly is directed against our own Nation.

The time is long overdue for the State Department to single out foreign terrorist organizations such as Hamas, Hizballah, the Kurdistan Worker's Party, the Revolutionary Armed forces of Columbia, as was intended when the President signed this into law in April of 1996.

Accordingly, I urge the administration to hear our wake-up call that this amendment sends and to act now. Accordingly, we urge adoption of this amendment.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. GILMAN. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Chairman, we have inspected the amendment and have no objection.

Mr. GILMAN. Mr. Chairman, I thank the gentleman from Kentucky [Mr. ROGERS].

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. GILMAN].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. GILMAN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 239, further proceedings on the amendment offered by the gentleman from New York [Mr. GILMAN] will be postponed.

Are there further amendments to this portion of the bill?

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that the bill through Page 70, line 7 be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The text of the bill from Page 67, line 20, through Page 70, line 7, is as follows:

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $50,600,000, to remain available until expended, as authorized in Public Law 103–236: *Provided*, That section 135(e) of Public Law 103–236 shall not apply to funds appropriated under this heading.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended (5 U.S.C. App.), $28,300,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980, as amended (Public law 96–465), as it relates to post inspections.

REPRESENTATION ALLOWANCES

For representation allowances as authorized by section 905 of the Foreign Service Act of 1980, as amended (22 U.S.C. 4085), $4,300,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services in accordance with the provisions of section 214 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4314) and 3 U.S.C. 208, $7,900,000, to remain available until September 30, 1999.

SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926, as amended (22 U.S.C. 292–300), and the Diplomatic Security Construction Program as authorized by title IV of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851), $373,081,000, to remain available until expended as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)): *Provided*, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture and furnishings and generators for other departments and agencies.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service pursuant to the requirement of 31 U.S.C. 3526(e), $5,500,000 to remain available until expended as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)), of which not to exceed $1,000,000 may be transferred to and merged with the Repatriation Loans Program Account, subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, $593,000, as authorized by section 4 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2671): *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, $607,000 which may be transferred to and merged with the Salaries and Expenses account under Administration of Foreign Affairs.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act, Public Law 96–8, $14,000,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, $129,935,000.

The CHAIRMAN. Are there amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $978,952,000, of which not to exceed $54,000,000 shall remain available until expended for payment of arrearages: *Provided,* That none of the funds appropriated or otherwise made available by this Act for payment of arrearages may be obligated or expended unless such obligation or expenditure is expressly authorized by the enactment of a subsequent Act that makes payment of arrearages contingent upon reforms that should include the following: a reduction in the United States assessed share of the United Nations regular budget to 20 percent and of peacekeeping operations to 25 percent; reimbursement for goods and services provided by the United States to the United Nations; certification that the United Nations and its specialized or affiliated agencies have not taken any action to infringe on the sovereignty of the United States; a ceiling on United States contributions to international organizations after fiscal year 1998 of $900,000,000; establishment of a merit-based personnel system at the United Nations that includes a code of conduct and a personnel evaluation system; United States membership on the Advisory Committee on Administrative and Budgetary Questions that oversees the United Nations budget; access to United Nations financial data by the General Accounting Office; and achievement of a negative growth budget and the establishment of independent inspectors general for affiliated organizations; and improved consultation procedures with the Congress: *Provided further,* That any payment of arrearages shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: *Provided further,* That 20 percent of the funds appropriated in this paragraph for the assessed contribution of the United States to the United Nations shall be withheld from obligation and expenditure until a certification is made under section 401(b) of Public Law 103–236 and under such other requirements related to the Office of Internal Oversight Services of the United Nations as may be enacted into law for fiscal year 1998: *Provided further,* That certification under section 401(b) of Public Law 103–236 for fiscal year 1998 may only be made if the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and International Relations of the House of Representatives are notified of the steps taken, and anticipated, to meet the requirements of section 401(b) of Public Law 103–236 at least 15 days in advance of the proposed certification: *Provided further,* That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings: *Provided further,* That of the funds appropriated in this paragraph, $100,000,000 may be made available only on a semi-annual basis pursuant to a certification by the Secretary of State on a semi-annual basis, that the United Nations has taken no action during the preceding six months to increase funding for any United Nations program without identifying an offsetting decrease during that six-month period elsewhere in the United Nations budget and cause the United Nations to exceed the expected reform budget for the biennium 1998–1999 of $2,533,000,000: *Provided further,* That notwithstanding section 402 of this Act, not to exceed $4,000,000 may be transferred from the funds made available under this heading to the ''International Conferences and Contingencies'' account for assessed contributions to new or provisional international organizations: *Provided further,* That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

AMENDMENTS OFFERED BY MR. BARTLETT OF MARYLAND

Mr. BARTLETT of Maryland. Mr. Chairman, I offer 2 amendments, Amendment No. 2 and Amendment No. 3.

The CHAIRMAN. Is there objection to consideration of the amendments en bloc?

There was no objection.

The CHAIRMAN. The Clerk will designate the amendments.

The text of the amendments as follows:

Amendments offered by Mr. BARTLETT of Maryland:

In title IV relating to ''DEPARTMENT OF STATE AND RELATED AGENCIES'', in the item relating to ''International Organizations and Conferences—contributions to international organizations'' strike ''of which not to exceed $54,000,000 shall remain available until expended for payment of arrearages'' and all that follows through the second proviso.

In title IV relating to ''DEPARTMENT OF STATE AND RELATED AGENCIES'', in the item relating to ''International Organizations and Conferences—contributions to international peacekeeping activities'' strike ''of which not to exceed $46,000,000 shall remain available until expended for payment of arrearages'' and all that follows through the second proviso.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Maryland [Mr. BARTLETT] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland [Mr. BARTLETT].

Mr. BARTLETT of Maryland. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have here a report from the GAO. This report was requested by Senator Dole, and he asked them to make an assessment of the peacekeeping costs incurred by the United States, and let me read the criteria for preparing this report.

It says: ''Dear Senator Dole: As requested, we are providing you information on U.S. agencies' estimated costs for their support of U.N. peace operations in Haiti, the former Yugoslavia, Rwanda, and Somalia.''

This does not include flights over Iraq, note, and it does not include Bosnia. This includes only fiscal years '92 through '95.

''For this report we define peace operations as actions taken in support of U.N. resolutions.'' These only include our participation when there was a U.N. resolution ''designed to further peace and security, including observers; monitors; traditional peacekeeping; preventive deployment; peace enforcement; security assistance; the imposition of sanctions; and the provision, protection and delivery of humanitarian relief.''

What we have done in the chart here is to summarize the findings of this GAO report. The GAO report indicated that through years 1992 to 1995 we had spent on peacekeeping $6.6 billion. The amount credited as U.N. dues was $1.8 billion of that, and they reimbursed to us $79.4 million of it, leaving a balance of $4,720,600,000.

Our argument relative to these 2 amendments is a very simple argument. The argument is simply this: that if we owe any dues to the U.N., we are not arguing whether we owe, should owe dues or not, we are not arguing what the size of those dues are, we are simply saying that if we owe dues to the U.N., then there should be an accounting, and from the GAO report it would appear that we have spent $6.6 billion in peacekeeping activities, $1.8 billion of that has been credited, $79.4 million of that has been reimbursed. That leaves $4,720,600,000. If we owed them $1.3 billion in dues, that would still leave a balance of $3,420,600,000.

Now the State Department says that we are not owed anything by the United Nations. From the GAO report it would appear that we are owed by the United Nations $3,420,600,000, because let me read again. We define peace operations as actions taken in support of U.N. resolutions. These were not instances in which we sent troops or supplies to support our own national interests. These were responses we made to U.N. resolutions.

I am not willing to let the State Department be the arbiter of whether or not we are owed by the U.N. the $4.7 billion or, as they say, that we do not owe them anything. All our amendment does is to say please let us not start down this billion dollar road by giving this $100 million to the U.N., because as soon as that train leaves the station we are committed to about $1 billion dollars, more or less. We want an accounting before that happens. That is all we are asking for, and we are not the first to ask for that accounting.

I wrote to the President about this, and he wrote me a letter back saying, ''I fully agree with you that when the United States participates in U.N.-assessed peacekeeping operations it should be reimbursed on the same terms that apply to all other participants.'' All we are asking is that we get that accounting.

I have here a quote from the majority leader, the gentleman from Texas (Mr. Dick Armey), and this was in a speech which he gave, a foreign policy speech in June. He said that the U.N.

squandered hundreds of millions of American tax dollars through bureaucratic waste and inefficiency of almost Soviet proportions. He goes on to say, ''I believe that an accurate accounting of our so-called U.N. arrearages will support only a far lower figure.''

The gentleman from Georgia, Newt Gingrich, the Speaker of the House, right here from the well of the House on March 17 enumerating the several goals of this Congress, says our 12th goal, and listen to this, ''Our 12th goal is to reform the United Nations. We believe that the United States should get full credit for its financial contributions to the United Nations, including military capabilities, facilities, local government services, and the security we provide.''

That is all we are asking for. Our amendment is really very simple and self-explanatory.

Mr. ROGERS. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Maryland.

Mr. Chairman, there is only one true constituency for reform at the U.N., and that is the United States Congress. For years many of us have argued that the U.N. is a bureaucracy smothered under the weight of inefficiency, that the United States pays too much and other countries pay too little, that the United States does not get reimbursed for expenditures in support of U.N. operations, that programs and offices continue indefinitely after their mission is obsolete, and on and on.

For the past several years we have conditioned our current year assessments to the U.N. on achievement of reforms, and we have made progress, the establishment of an Inspector General as an example, the enactment of a no-growth budget by the U.N., and reductions in personnel, to name just a few. There appears to be one thing and one thing only that captures the attention of the U.N., and that is money.

It is clear that we have captured the U.N.'s attention. The issue that is now the focus of debate at the U.N. is reform, from the proposals of the Secretary General to the proposals now being advocated by the United States representative largely at the urging of this Congress.

We are at a crossroads. If we are willing to begin paying arrearages contingent upon the kinds of reform that are pending in the Helms-Gilman authorization bill, we stand a chance of obtaining the kinds of reforms that many of us have been arguing for for many years. If we are not willing to begin paying arrearages, we assure that reform will not happen and that the most significant chance we have had in recent history to achieve reform will go by the wayside.

One of the changes we are seeking to make is to the very problem that the gentleman from Maryland complains about, that the United States is not adequately reimbursed for the in-kind contributions and support that we provide. The HELMS–Gilman authorization bill, which must pass if the money for arrearages in this bill is to be released, requires that the United States seek credit or reimbursement for its in-kind contributions and support.

I am not in disagreement with the gentleman from Maryland. We should be credited for our in-kind contributions. In the last Congress Republicans tried to enact a law to make that happen, and it was opposed by the administration.

The language in this bill states that we will make a payment on arrearages, but only if from this point forward we obtain reimbursement.

□ 2330

That is our position. We have a chance to achieve exactly what the gentleman from Maryland desires.

Mr. Chairman, what this bill does is to provide first year funding for payment of arrearages at the level set by Congress, not by the U.N. or by the State Department, if and only if an authorization bill is passed that makes payment contingent upon a series of real and substantial reforms at the United Nations. No money, unless an authorization is passed that contains reforms, and no release of funds unless the administration certifies that those reforms have been achieved.

This is our best shot at U.N. reform. I urge my colleagues to vote against the Bartlett amendment.

The CHAIRMAN. Does the gentleman reserve his time? The gentleman rose in opposition. He controls 5 minutes. The gentleman still has a 1½ minutes left.

Mr. ROGERS. I reserve the balance of my time.

Mr. GILMAN. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The time is controlled under the rule by the gentleman that offered the amendment, and he used his time. Then there is time controlled by a Member in opposition. That time was taken by the gentleman from Kentucky, Chairman ROGERS, and he has used 3½ minutes. The gentleman has 1½ minutes left that he can yield.

PARLIAMENTARY INQUIRY

Mr. MOLLOHAN. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. MOLLOHAN. Mr. Chairman, it is my understanding I can move to strike the last word and get 5 minutes under the agreement.

The CHAIRMAN. Under the order of the House, that is true. The gentleman is recognized for 5 minutes.

Mr. MOLLOHAN. The chairman has reserved his time. The chairman can yield his time to Mr. GILMAN.

The CHAIRMAN. The gentleman from West Virginia may proceed under his 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I join the gentleman from Kentucky, Chairman ROGERS, in opposition to this amendment. I think it is really ill-timed and in a way comes out of the blue.

For a number of years now, this committee and the chairman particularly has been at the forefront of trying to effect reforms in the United Nations through the only way really the United States Congress can effectively do that, through the appropriations process. We have been extremely effective at doing that, I think, and ratcheting up the pain on the United Nations to the point that we have seen a lot of good responsiveness from them.

This year, the gentleman who offers the amendment cited Mr. Dole's request for a GAO study of this. I don't know about Senator Dole's request for a study and I have not seen the GAO study, but I do know the Senator has been very active as a part of a working group to put together a compromise with regard to UN arrearages, which is in place and which the authorizing committee is considering as we speak. This bill funds the first $100 million of that compromise that the authorizing committee is considering.

Mr. Chairman, I would hope that this body would not favorably consider this amendment, because, as I say, it would be very ill-timed to take away the real incentive that we have to make the authorizing language work, and that is the $100 million, the first down payment on the arrearage.

It is a phased payment, this is the first down payment, and it would be a real mistake to not fulfill that part of the obligation because the UN is being responsive to this approach.

Mr. BARTLETT of Maryland. Mr. Chairman, will the gentleman yield?

Mr. MOLLOHAN. I yield to the gentleman from Maryland.

Mr. BARTLETT of Maryland. Mr. Chairman, our amendments do not argue whether or not we owe arrearages to the UN. All our amendments argue is that if we owe arrearages to the UN, then, please, as the GAO report indicates, subtract those arrearages from the monies which the UN owes us.

We are making a different argument than the one we made. We are not arguing whether or not we owe dues to the UN. We are simply saying if we owe dues to the UN, then please take them from the money the UN owes us. If it is not the $4.8 billion that one can easily deduce from the GAO report, then what is it? I am just not willing to let the State Department arbitrate that dispute.

There is clearly a dispute between a reasonable reading of the GAO report and the State Department position, and I am not willing to let the State Department arbitrate that. That is our role to arbitrate that.

All I want to do is I want to stop this train from leaving the station, the $1 billion train, until we have reached a resolution of that.

Mr. MOLLOHAN. Reclaiming my time, I understand the gentleman's position, and I am getting to the point.

The gentleman is suggesting that somehow the UN owes us for our contributions.

Mr. BARTLETT of Maryland. I am saying that is what the GAO said, we have spent $6.8 billion.

Mr. MOLLOHAN. Is the gentleman not advancing the GAO position here? You are suggesting the UN owes us for in-kind contributions with regard to these operations, is that correct?

Mr. BARTLETT of Maryland. That is correct, sir.

Mr. MOLLOHAN. If I may reclaim my time, that is a point that I just disagree with. With respect to the issue that the UN somehow owes us for past peacekeeping operations, the gentleman is well aware of the facts of how UN peacekeeping is paid for.

We pay our share of the assessed operations, and when it is in the national security interests of the United States, we support and pay for voluntary peacekeeping activities.

Now, these operations are undertaken because of our national security interests, and other countries undertake under similar missions for which they are not reimbursed.

If we disrupt this arrangement, you are going to bankrupt the United Nations, number one, I would point out, and, second, if that were to happen, I would submit that we would be undertaking incredible obligations on, because we would have to end up assuming all of this responsibility for which now we are contributing our part, along with other contributors to the United Nations peacekeeping operations.

Mr. BARTLETT of Maryland. If the gentleman would yield further our share, I think is too high.

Mr. MOLLOHAN. Mr. Chairman, reclaiming my time, just on that, this committee and the chairman and the whole committee worked very hard to make sure that our share is being reduced. That, again, is a part of all of this negotiation, and also part of the authorizing bill that we passed several years ago.

Mr. BARTLETT of Maryland. Mr. Chairman, if the gentleman would continue to yield, the GAO used only monies, referenced only monies, that we spent in response to a UN resolution.

One cannot make arguments that sending troops to Rwanda and Somalia advanced our vital national interests to the point that we should bear the full cost of that. That is what we are now doing.

Mr. MOLLOHAN. Mr. Chairman, if I may reclaim my time, the fact that it is in response to a UN resolution does not mean we cannot voluntarily look at a situation and say it is in our best interest, our own national security interest, to make this contribution. That is what we have done. I do not think you can go around after making that voluntary contribution and say the UN owes us for it, particularly when it is obviously in our own national security interests.

Mr. ROGERS. Mr. Chairman, I yield 1½ minutes to the gentleman from New York [Mr. GILMAN], the Chairman of the Committee on International Relations.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I rise in opposition to the amendment being offered by the gentleman from Maryland [Mr. BARTLETT] which strikes the proposed $54 million from fiscal year 1998 requested by the administration to repay our UN international organization arrearages, and which would strike the proposed $46 million to pay UN peacekeeping arrearages.

However well-intentioned the gentleman from Maryland's amendments are, it would actually cost the American taxpayer much more in the long run than it would save over the course of the next fiscal year.

If adopted, the amendments would prevent the administration from achieving management reforms and capping overall UN spending. As the distinguished subcommittee chairman stated, the $54 million requested by the administration for international organization arrearages is subject to enactment of an authorization bill, a bill that conditions payment of arrearages on the achievement of substantial reforms at the United Nations and other international organizations.

It will fully repay all arrearages that the administration states that our Nation owes to the U.N. regular budget, which began to accumulate in fiscal year 1989.

Pennywise and pound-foolish, the amendments would sacrifice our long-term objectives of saving more than one-half billion dollars over the next 5 years for the short-term goal of cutting less than $60 million for the upcoming fiscal year. Its passage would only ensure that our Nation has no influence or role in the ongoing effort to downsize and streamline the oversized U.N. bureaucracy. Stripping the arrearage funding requests from this appropriation bill simply undermines the ongoing bipartisan and bicameral effort to complete action complete action of the U.N. funding package this year.

Mr. ROGERS. Mr. Chairman, I move to strike the last word.

I yield 30 seconds to the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Chairman, the reforms in this package include substantial reductions in our regular budget and peacekeeping assessments from the U.N., caps our overall spending on U.N. agencies and programs, and certifications from the administration assuring that the U.N. implements a code of conduct, a personal evaluation system, access to U.N. financial data by the GAO, and greater consultations with the Congress.

I would like to stress to my colleagues that it is our firm intention that none of the fU.N.ds in this bill appropriated for U.N. arrearages will be spent without giving Members an opportunity to consider an authorization measure now in conference between our two international relations committees that contain all the reforms I have described. Accordingly, I urge my colleagues to defeat the amendment.

Mr. ROGERS. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. SMITH].

The CHAIRMAN. The gentleman cannot yield blocks of time under the 5-minute rule, but the gentleman can yield time. By saying that, the gentleman is telling the gentleman that he is going to speak for only 2 minutes, but we are not going to remind him from the Chair that those 2 minutes are up.

Mr. SMITH of New Jersey. Mr. Chairman, I thank my good friend for yielding.

Mr. Chairman, I rise in reluctant opposition to the amendment of my good friend from Maryland. Mr. Chairman, I strongly support the goals of the Bartlett amendment. I believe the United Nations has strayed too far and too often from its original purposes. It is too big, it spends too much, and many of its programs and specialized agencies truly are out of control. And, yes, we Americans have been paying far more than our fair share of U.N. expenses. This situation clearly needs to be fixed, and it needs to be fixed now.

Mr. Chairman, the way to fix this program is to guarantee that not a penny will be spent to settle the dispute over U.N. arrearages until and unless the problems are fixed to the satisfaction of Congress.

Mr. Chairman, I rise in reluctant opposition to the amendment by my good friend from Maryland.

Mr. Chairman, I strongly support the goals of the Bartlett amendment. I believe the United Nations has strayed too far and too often from its original purposes. It is too big. It spends too much. Many of its programs and specialized agencies are out of control. Some of these programs do far more harm than good—such as the United Nations Population Fund [UNFPA] activities in support of the Chinese Government's coercive population control system, and other programs that come down against innocent human life, against the traditional family, against the values of most Americans and against the values of the moderate and conservative majorities in almost every country in the world. And, yes, we Americans have been paying far more than our fair share of U.N. expenses. This situation needs to be fixed, and it needs to be fixed now.

Mr. Chairman, the way to fix this problem is to guarantee that not a penny will be spent to settle the dispute over U.N. arrearages until and unless the problems are fixed to the satisfaction of Congress. Unfortunately, the pending amendment provides no such guarantee. The bill as written, however, goes a long way toward doing so. It provides that none of the U.N. money can be spent without authorization by Congress. And when we bring back a conference report on the Foreign Relations authorization bill, it will condition any resolution of the arrearages issue not only on reimbursement of future U.S. expenses in support

of peacekeeping, but also on a reduction in U.S. dues—which are currently at an outrageous 25 percent—on reduction in the size of the U.N. bureaucracy, and on getting both the United Nations and the United States out of international programs that threaten traditional values and innocent human life.

If we can't get those conditions, we will not bring back a conference report, and not a penny will be spent on these arrearages. If the conference report on the authorization bill does not contain these strict conditions—if it does not genuinely reform the United Nations, save billions of dollars for U.S. taxpayers by solving the reimbursement problem and requiring other nations to pay their fair share, and get the United Nations and the United States out of programs that are destructive of traditional values and innocent human life—then I will urge my colleagues to vote against it.

Mr. Chairman, I would like to engage briefly in a colloquy with the gentleman from Kentucky [Mr. ROGERS].

The bill, as currently written, would not authorize a single penny to be spent for U.N. arrearages unless Congress passes an authorization bill. I would like to ask the gentleman whether it is his firm intention to insist that the House and Senate conference on this bill not waive the authorization requirement for U.N. arrearages?

Mr. ROGERS. Mr. Chairman, the bill currently states that payment of U.N. arrearages is subject to passage of an authorization. If the Bartlett amendment fails, that will be the position of the House going into conference. It is my intention to press for the House position in conference.

Mr. SMITH of New Jersey. I thank the gentleman for those assurances. Based on those, I would oppose the pending amendment, because I know the gentleman will stand firm in his determination not to waive the authorization requirement, and then we can bring back a genuine reform package that addresses not only the problems addressed by the Bartlett amendment, but a whole range of systemic problems with the U.N. and other international programs whose cost that are not only measured in millions of dollars, but millions of human lives.

Mr. ROGERS. Mr. Chairman, I yield to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise in reluctant opposition to the amendment offered by my good friend and colleague the gentleman from Maryland [Mr. BARTLETT]. None of us dispute the fact that the United Nations has problems, and this is why Congress has withheld part of our dues and peacekeeping assessment to the UN during the past several years.

But a compromise has been reached. The administration and the Congressional leadership on both sides of the aisle have reached this compromise to allow us to begin repaying our dues, spreading out the funds over three years in order to provide the necessary leverage to assure that the General Assembly adopts the reforms.

It is highly unlikely that the nations of the General Assembly are going to allow us to impose reforms when we are not paying our share, and even our allies, Britain, Germany and Japan, have indicated they will not support our reforms if we are not paying our arrears.

My friend and neighbor, the gentleman from Maryland [Mr. BARTLETT], argues that it is actually the UN that owes us money, but nothing could be further from the truth. The figures the gentleman cites from the GAO include costs of non-UN peacekeeping operations undertaken by the United States in our own national interests, such as the Gulf War and our operations in Bosnia and Haiti.

Every living former Secretary of State opposes the Bartlett amendment, including Baker, Haig, Shultz and Kissinger. It is a bad amendment. It does not serve our national interests.

Mr. ROGERS. Mr. Chairman, reclaiming my time, I yield to the gentleman from Maryland [Mr. BARTLETT].

Mr. BARTLETT of Maryland. Mr. Chairman, the Gulf War and the flights over Iraq are not included in this. You know, if you do not pass my amendments, a year from now we are going to be back here asking where the $100 million went. We are trying to bribe the UN into making reforms.

If we reward them for reforms that might happen, bribing them is not going to happen. You have to do some really creative accounting to conclude anything other than we concluded from the GAO report.

Mr. SNOWBARGER. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Maryland. Providing arrearage payments to the United Nations now would be a grave mistake by this House. I strongly believe that the United States must get at least some credit for its in-kind contributions to United Nations peacekeeping missions, Furthermore, Congress should not appropriate any money for arrearages until real reforms at the United Nations are agreed to and begin to be implemented.

Mr. Chairman, the United States is not a freeloader or a deadbeat when it comes to our relationship with the United Nations. Our contributions to the UN—particularly peacekeeping missions—have been far more than we are ever given credit for.

This amendment does not ask for reimbursement for the Korean or gulf wars. Neither are we asking for recompense for the costs of enforcing the embargoes on Iraq or Yugoslavia. We do request compensation for the contributions necessary to support official United Nations peacekeeping undertakings. In the 4 years from 1992 through 1995, America contributed $4.8 billion in support of peacekeeping missions over and above our assessments. These costs included training other nations' troops in Haiti, humanitarian airdrops in Bosnia, airlifting troops to Rwanda, and building ports in Somalia.

Opponents of giving credit to America for these in-kind expenditures claim that if America were to be reimbursed we—and some other countries such as France—would end up paying no cash to fund UN peacekeeping missions. If this is indeed true, then the UN's budget process for peacekeeping missions is fundamentally dishonest and the United States is, in truth, paying a far higher percentage of the costs than even the inflated 31 percent assessment that we are charged. It is true that the administration did not contract with the United Nations to undertake these activities. On the other hand, these activities are real and vital costs of the peacekeeping missions and must be taken into account when figuring the real cost of the missions. After all, the Haiti mission could not proceed if the incoming troops were not trained—the costs of that training should be considered part of that mission.

Let me elaborate on some of this in-kind support. Our troops and private consultants trained Haitians in proper police procedure in an attempt to give that country some internal security force that doesn't rely solely on fear and terror. American forces conducted reconnaissance missions to establish the supply lines for aid shipments through Rwanda and Zaire. Our troops also reconnoitered the proposed airstrike targets in Bosnia.

Another significant use of American resources—if not in money then in a use of highly trained and scarce manpower—is the use of our Special Forces personnel as escorts for UN VIP's as they visit the locations of these peacekeeping missions. The Americans who died in Bosnia earlier this month were doing just that.

But even if the House should decide that the United States should pay the arrearages, for diplomatic reasons or because the administration unilaterally incurred these costs with no request or expectation of repayment, we still should not appropriate the money just yet. We must remember why the United States assumed this debt in the first place. Under the Kassebaum-Solomon amendment of 1985, Congress directed the administration to withhold this money in order to get the United Nations to adopt some desperately needed reforms. There have been some reforms promised, significantly fewer actually made. Past administrations have certified that the UN was making acceptable progress toward the reforms and released some of the withheld funds. But once the administration made its certification, the UN promptly ceased its progress, and did its best to undermine efforts at reform.

The Clinton administration and the U.N.'s allies say the American taxpayer should pay the arrearages now and wait for reforms later because the dues are legal obligations of our government. But the obligations go both ways, and part of the bargain with the United Nations should be that the institution be efficient, responsible, and accountable. As anyone who has dealt with a nonperforming contractor knows, withholding payment is often the only way to get him to respond to your concerns.

There is a provision in the bill that withholds the money until UN reforms are enacted. The report says that the reforms should include those contained in S. 903 which is pending in conference. These are fairly good reforms, and they make a good start on fixing the United Nations. There's only one problem. They have not yet been enacted into law. We have no way of knowing which reforms will actually

be in the legislation. Neither do we know if the United Nations will agree to implement these reforms. We should not put the cart before the horse by providing the money before the reform package is fully in place.

The United Nations is a group of sovereign states; it is not sovereign itself. The people who work there must be made to understand that. We must put the officials at the UN on notice that much of what they call reform is not seen as such by America. Moves designed to eventually eliminate the United States' veto in the Security Council or provide an independent source of revenue for the organization should be utterly unacceptable to this Congress. What is needed is an end to the arrogance, corruption, and waste.

In closing, Mr. Chairman, I again urge the House to support Mr. BARTLETT's amendment. There may be a time in the future when it is appropriate to pay back dues to the United Nations. That time will be when the United States finally gets what it's paying for.

□ 2345

The CHAIRMAN. The question is on the amendments offered by the gentleman from Maryland [Mr. BARTLETT].

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

Mr. BARTLETT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 239, further proceedings on the amendment offered by the gentleman from Maryland [Mr. BARTLETT] will be postponed.

Are there further amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security $261,000,000, of which not to exceed $46,000,000 shall remain available until expended for payment of arrearages: *Provided,* That none of the funds appropriated or otherwise made available by this Act for payment of arrearages may be obligated or expended unless such obligation or expenditure is expressly authorized by the enactment of a subsequent Act described in the first proviso under the heading ''Contributions to International Organizations'' in this title: *Provided further,* That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least fifteen days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency, as far in advance as is practicable), (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate Committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; and (2) a reprogramming of funds pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: *Provided further,* That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers.

INTERNATIONAL CONFERENCES AND CONTINGENCIES

For necessary expenses authorized by section 5 of the State Department Basic Authorities Act of 1956, in addition to funds otherwise available for these purposes, contributions for the United States share of general expenses of international organizations and conferences and representation to such organizations and conferences, as provided for by 22 U.S.C. 2656 and 2672, and personal services notwithstanding 5 U.S.C. 5102, $1,500,000, to remain available until expended as authorized by 22 U.S.C. 2696(c), of which not to exceed $200,000 may be expended for representation as authorized by 22 U.S.C. 4085: *Provided,* That these funds shall be available for obligation or expenditure only after submission of a plan for the expenditure of these funds in accordance with the procedures set forth in section 605 of this Act.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $17,490,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $6,463,000, to remain available until expended, as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)).

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103–182; $5,490,000, of which not to exceed $9,000 shall be available for representation expenses incurred by the International Joint Commission.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $14,490,000: *Provided,* That the United States' share of such expenses may be advanced to the respective commissions, pursuant to 31 U.S.C. 3324.

OTHER

PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by section 501 of Public Law 101–246, $8,000,000, to remain available until expended, as authorized by section 24(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(c)).

RELATED AGENCIES

ARMS CONTROL AND DISARMAMENT AGENCY

ARMS CONTROL AND DISARMAMENT ACTIVITIES

For necessary expenses not otherwise provided, for arms control, nonproliferation, and disarmament activities, $41,500,000, of which not to exceed $50,000 shall be for official reception and representation expenses as authorized by the Act of September 26, 1961, as amended (22 U.S.C. 2551 et seq.).

UNITED STATES INFORMATION AGENCY

INTERNATIONAL INFORMATION PROGRAMS

For expenses, not otherwise provided for, necessary to enable the United States Information Agency, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1431 et seq.), and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), to carry out international communication, educational and cultural activities; and to carry out related activities authorized by law, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed $700,000 of this appropriation), as authorized by section 801 of such Act of 1948 (22 U.S.C. 1471), and entertainment, including official receptions, within the United States, not to exceed $25,000 as authorized by section 804(3) of such Act of 1948 (22 U.S.C. 1474(3)); $430,597,000: *Provided,* That not to exceed $1,400,000 may be used for representation abroad as authorized by section 302 of such Act of 1948 (22 U.S.C. 1452) and section 905 of the Foreign Service Act of 1980 (22 U.S.C. 4085): *Provided further,* That not to exceed $6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, library, motion pictures, educational advising and counseling, exchange visitor program services, and publication programs as authorized by section 810 of such Act of 1948 (22 U.S.C. 1475e): *Provided further,* That not to exceed $920,000 to remain available until expended may be used to carry out projects involving security construction and related improvements for agency facilities not physically located together with Department of State facilities abroad.

TECHNOLOGY FUND

For expenses necessary to enable the United States Information Agency to provide for the procurement of information technology improvements, as authorized by the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1431 et seq.), the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), $5,050,000, to remain available until expended.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91 Stat. 1636), $193,731,000, to remain available until expended as authorized by section 105 of such Act of 1961 (22 U.S.C. 2455): *Provided,* That not to exceed $800,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching and publication programs and educational advising and counseling as authorized by section 810 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1475e).

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST FUND

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 1998, to remain available until expended: *Provided*, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A–110 (Uniform Administrative Requirements) and A–122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 1998, to remain available until expended.

INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the United States Information Agency, as authorized by the United States Information and Educational Exchange Act of 1948, as amended, the Radio Broadcasting to Cuba Act, as amended, the Television Broadcasting to Cuba Act, the United States International Broadcasting Act of 1994, as amended, and Reorganization Plan No. 2 of 1977, to carry out international communication activities, including the purchase, installation, rent, construction, and improvement of facilities and equipment for radio and television transmission and reception to Cuba, $391,550,000, of which $30,000,000 shall remain available until expended, not to exceed $16,000 may be used for official receptions within the United States as authorized by section 804(3) of such Act of 1948 (22 U.S.C. 1747(3)), not to exceed $35,000 may be used for representation abroad as authorized by section 302 of such Act of 1948 (22 U.S.C. 1452) and section 905 of the Foreign Service Act of 1980 (22 U.S.C. 4085), and not to exceed $39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, not to exceed $2,000,000 in receipts from advertising and revenue from business ventures, not to exceed $500,000 in receipts from cooperating international organizations, and not to exceed $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, as authorized by section 810 of such Act of 1948 (22 U.S.C. 1475e), to remain available until expended for carrying out authorized purposes: *Provided*, That no funds shall be used for television broadcasting to Cuba after October 1, 1997, if the President certifies that continued funding is not in the national interest of the United States.

RADIO CONSTRUCTION

For the purchase, rent, construction, and improvement of facilities for radio transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized by section 801 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1471), $40,000,000, to remain available until expended, as authorized by section 704(a) of such Act of 1948 (22 U.S.C. 1477b(a)).

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the United States Information Agency to the National Endowment for Democracy as authorized by the National Endowment for Democacy Act, $30,000,000, to remain available until expended.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCIES

SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of 5 U.S.C.; for services as authorized by 5 U.S.C. 3109; and hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the United States Information Agency in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided further*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. (1) For purposes of implementing the International Cooperative Administrative Support Services program in fiscal year 1998, the amounts referred to in paragraph (2) shall be transferred in accordance with the provisions of section 404.

(2) Paragraph (1) applies to amounts made available by title IV of this Act under the heading ''ADMINISTRATION OF FOREIGN AFFAIRS'' as follows:

(A) $108,932,000 of the amount made available under the paragraph ''DIPLOMATIC AND CONSULAR PROGRAMS''.

(B) $3,530,000 of the amount made available under the paragraph ''SECURITY AND MAINTENANCE OF U.S. MISSIONS''.

SEC. 404. Funds transferred pursuant to section 403 shall be transferred to the specified appropriation, allocated to the specified account or accounts in the specified amount, be merged with funds in such account or accounts that are available for administrative support expenses of overseas activities, and be available for the same purposes, and subject to the same terms and conditions, as the funds with which merged, as follows:

(1) Appropriations for the Legislative Branch—

(A) for the Library of Congress, for salaries and expenses, $500,000; and

(B) for the General Accounting Office, for salaries and expenses, $12,000.

(2) Appropriations for the Office of the United States Trade Representative, for salaries and expenses, $302,000.

(3) Appropriations for the Department of Commerce, for the International Trade Administration, for operations and administration, $7,055,000;

(4) Appropriations for the Department of Justice—

(A) for legal activities—

(i) for general legal activities, for salaries and expenses, $194,000; and

(ii) for the United States Marshals Service, for salaries and expenses, $2,000;

(B) for the Federal Bureau of Investigation, for salaries and expenses, $2,477,000;

(C) for the Drug Enforcement Administration, for salaries and expenses, $6,356,000; and

(D) for the Immigration and Naturalization Service, for salaries and expenses, $1,313,000.

(5) Appropriations for the United States Information Agency, for international information programs, $25,047,000.

(6) Appropriations for the Arms Control and Disarmament Agency, for arms control and disarmament activities, $1,247,000.

(7) Appropriations to the President—

(A) for the Foreign Military Financing Program, for administrative costs, $6,660,000;

(B) for the Economic Support Fund, $336,000;

(C) for the Agency for International Development—

(i) for operating expenses, $6,008,000;

(ii) for the Urban and Environmental Credit Program, $54,000;

(iii) for the Development Assistance Fund, $124,000;

(iv) for the Development Fund for Africa, $526,000;

(v) for assistance for the new independent states of the former Soviet Union, $818,000;

(vi) for assistance for Eastern Europe and the Baltic States, $283,000; and

(vii) for international disaster assistance, $306,000;

(D) for the Peace Corps, $3,672,000; and

(E) for the Department of State—

(i) for international narcotics control $1,117,000; and

(ii) for migration and refugee assistance, $394,000.

(8) Appropriations for the Department of Defense—

(A) for operation and maintenance—

(i) for operation and maintenance, Army, $4,394,000;

(ii) for operation and maintenance, Navy, $1,824,000;

(iii) for operation and maintenance, Air Force, $1,603,000; and

(iv) for operation and maintenance, Defense-Wide, $21,993,000; and

(B) for procurement, for other procurement, Air Force, $4,211,000.

(9) Appropriations for the American Battle Monuments Commission, for salaries and expenses, $210,000.

(10) Appropriations for the Department of Agriculture—

(A) for the Animal and Plant Health Inspection Service, for salaries and expenses, $932,000;

(B) for the Foreign Agricultural Service and General Sales Manager, $4,521,000; and

(C) for the Agricultural Research Service, $16,000.

(11) Appropriations for the Department of Treasury—

(A) for the United States Customs Service, for salaries and expenses, $2,002,000;

(B) for departmental offices, for salaries and expenses, $804,000;

(C) for the Internal Revenue Service, for tax law enforcement, $662,000;

(D) for the Bureau of Alcohol, Tobacco, and Firearms, for salaries and expenses, $17,000;

(E) for the United States Secret Service, for salaries and expenses, $617,000; and

(F) for the Comptroller of the Currency, for assessment funds, $29,000.

(12) Appropriations for the Department of Transportation—

(A) for the Federal Aviation Administration, for operations, $1,594,000; and

(B) for the Coast Guard, for operating expenses, $65,000.

(13) Appropriations for the Department of Labor, for departmental management, for salaries and expenses, $58,000.

(14) Appropriations for the Department of Health and Human Services—

(A) for the National Institutes of Health, for the National Cancer Institute, $42,000;

(B) for the Office of the Secretary, for general departmental management, $71,000;

(C) for the Centers for Disease Control and Prevention, for disease control, research, and training, $522,000; and

(15) Appropriations for the Social Security Administration, for administrative expenses, $370,000.

(16) Appropriations for the Department of the Interior—

(A) for the United States Fish and Wildlife Service, for resource management, $12,000;

(B) for the United States Geological Survey, for surveys, investigations, and research, $80,000; and

(C) for the Bureau of Reclamation, for water and related resources, $101,000.

(17) Appropriations for the Department of Veterans Affairs, for departmental administration, for general operating expenses, $453,000.

(18) Appropriations for the National Aeronautics and Space Administration, for mission support, $183,000.

(19) Appropriations for the National Science Foundation, for research and related activities, $39,000.

(20) Appropriations for the Federal Emergency Management Agency, for salaries and expenses, $4,000.

(21) Appropriations for the Department of Energy—

(A) for departmental administration, $150,000; and

(B) for atomic energy defense activities, for other defense activities, $54,000.

(22) Appropriations for the Nuclear Regulatory Commission, for salaries and expenses, $26,000.

Mr. ROGERS (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title IV be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Are there amendments to this portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

TITLE V—RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

MARITIME ADMINISTRATION

OPERATING-DIFFERENTIAL SUBSIDIES

(LIQUIDATION OF CONTRACT AUTHORITY)

For the payment of obligations incurred for operating-differential subsidies, as authorized by the Merchant Marine Act, 1936, as amended, $51,030,000, to remain available until expended.

Mr. ABERCROMBIE. Mr. Chairman, I rise in support of the Miller language adopted into H.R. 2267, the Departments of Commerce, Justice and State Appropriations Bill. These instructions will set aside a small amount of funding for the Executive Office of U.S. Attorneys to provide assistance to the victims of human rights abuses in the Commonwealth of the Northern Marianas Islands.

Since at least 1984, Federal officials have expressed concern about the CNMI alien labor system. Worker complaints over wages and working conditions are continuing undiminished according to the third annual report of the ''Federal-CNMI Initiative''. The governments of the Philippines and China have expressed concern about the treatment of their citizens in this U.S. Commonwealth and allegations persist regarding the CNMI's inability to protect workers against crimes such as illegal recruitment, battery, rape, child labor, and forced prostitution.

Without Rep. MILLER's language in H.R. 2267, individuals who have been the subject of human rights abuses—right here in the United States—have only the charity of private relief organizations to rely upon for help. In Hawaii, the Filipino Solidarity Coalition is currently providing sanctuary to a young girl named ''Katrina'' who came to Hawaii as a government witness. When Katrina was 14 she was brought to the CNMI by an employer who promised her a good job and fair wages in the restaurant industry. When she arrived in the CNMI her hopes for a better life were destroyed. She discovered that the employer had lured her to the CNMI under false pretenses. Not only was she confined to her assigned living quarters but she was also forced into service as a prostitute. Katrina had few options and even less money but she escaped her confines and filed suit against her employer with the help of the local Philippine consulate. When Katrina's actions were revealed to her employer, her life was threatened. To escape the abusive situation, the consulate helped her to find refuge in Guam. However, Guam's close proximity to her former employer still put Katrina in a dangerous situation.

Through the help of the Filipino Solidarity Coalition, Katrina managed to escape to Hawaii where local donations and a small grant from the Department of Labor helped to provide her shelter, food, and further legal assistance. However, there are many others who remain in the CNMI still suffering the abuse and indignity that Katrina managed to escape. I appreciate the Chairman's support of the Miller language which will help those like Katrina who are victims of human rights abuse, not far away in a foreign country, but right here in the United States of America.

Ms. FURSE. Mr. Chairman, I rise in support of Congresswoman NORTON's amendment to remove the ban on use of federal funds for abortion services for women in federal prisons.

The United States has more people behind bars than any other country in the world. Every week in America, more than 1,000 become inmates and the largest rate of increase is among women.

Many of these women prisoners are victims of physical or sexual abuse and 6% of them are pregnant when they enter prison. These women are isolated from family and friends and almost certainly lose custody of their infants upon birth. Are these conditions under which we want to force women to bear children?

Abortion is a legal health care option for American women, and has been for over 20 years. Federal prisoners are totally dependent on health care services provided by the Bureau of Prisons. The ban on abortion services contained in this bill effectively prevents these women from seeking their Constitutionally-guaranteed right to choose.

The experience of women who are pregnant, behind bars, with no money or support from the outside and who are denied the right to terminate their pregnancy, is nothing short of cruel and unusual punishment. The anti-choice provision in this bill amounts to inherent coercion to force these women to take their pregnancies to term and, in the process, inflicts extreme emotional damage, pain and suffering.

This ban is another direct assault on women's rights. It is one more step in the long line of rollbacks on women's reproductive freedoms.

I urge you to support Congresswoman NORTON's amendment. We must do everything in our power to treat these women fairly and allow them to access their legally protected right to choose.

Mr. POSHARD. Mr. Chairman, I rise today to register my strong support of the funding in this bill for juvenile justice programs. H.R. 2267 provides almost $238 million for these critical programs, an amount which represents a significant increase over last year's funding level. It saddens me to say so, but such an increase is necessary merely to keep pace with the ever-increasing level of juvenile crime in this country. I find it deeply disturbing that 20 percent of the individuals arrested for violent crimes are below the age of 18, and I applaud my colleagues for recognizing the critical need for funds and programs to combat this staggering statistic.

We must recognize that any effective strategy for reducing juvenile crime should include several components. Law enforcement resources need to target violent and dangerous juvenile offenders, and these youth must know that criminal actions will be punished swiftly and severely. In addition, it has to be instilled in juveniles that they will be held responsible for their actions, whether that involves victim restitution, community service or other sanctions. Perhaps most importantly, local communities and federal and state governments must adopt creative and effective prevention and intervention programs. It is crucial to identify at-risk youth and devote significant resources to minimizing or counteracting the potential for those individuals to become juvenile offenders.

I would also like to commend the Committee on its inclusion of funding for drug prevention programs. Drug abuse proves all too often to be a precursor to further criminal activity, and more teenagers than ever before are experimenting with drugs. We must step up our efforts to demonstrate to America's youth that drug use is harmful, dangerous, and unattractive, not to mention illegal. I believe the $5 million provided in this bill for the development of drug prevention programs represents a meaningful and important step towards this goal.

Again, I wish to thank the members of the Committee for their close attention to juvenile justice, and for making these programs a priority. We are moving in the right direction, and I urge my colleagues to fully support the juvenile justice funding levels in this bill.

Mrs. MALONEY of New York. Mr. Chairman, I rise today in support of the Norton amendment. The ban on Federal funds for abortions for women in prison is one more step in a long line of rollbacks on women's reproductive freedoms. The Norton amendment seeks to correct one of the more shameful attacks on American women.

Despite clear legal authority establishing the right of American women to choose abortion as a viable health option, many women prisoners are denied equal access to choose whether or not to terminate their pregnancies. Federal prisoners must rely on the Bureau of Prisons for all of their health care, yet without this amendment women will be prevented from seeking needed reproductive health care.

Prisoners have a constitutional right to health care. Congress should not interfere with this right. It is too easy to attack women inmates, women who are often poor, uneducated, isolated, and beaten down; women who are often victims of physical or sexual abuse.

Most women prisoners are poor when they enter prison, and therefore cannot rely on anyone else for financial assistance. These women already face limited prenatal care, isolation from family and friends, a bleak future, and the certain loss of custody of the infant.

The ban on reproductive health services for women in prison cuts off their only opportunity to receive much needed care, it denies them their constitutional rights, but most importantly, it denies them their dignity. Mr. Chairman, we must stop this assault on women's right to choose. I urge my colleagues to support the Norton amendment.

Mr. BLUMENAUER. Mr. Chairman, I rise in opposition to myriad amendments to the Commerce, Justice, State and the judiciary appropriation bill to either dramatically reduce or eliminate funding for the Advanced Technology Program [ATP] at the Department of Commerce. High technology companies play a key role in preparing our communities for the 21st century, and the ATP is critical to those efforts.

The ATP program is one of the strongest links in the Government-industry partnership to enhance U.S. competitiveness in a global marketplace. The Government support provided through the ATP is especially critical for long-term, high-risk, pre-competitive initiatives where the initial investment will not be recovered for several or even decades. Without these essential technology programs, U.S. industries will be at a disadvantage to the rest of the world. The ATP provides the high technology industry with the ability to develop breakthrough technologies by allowing companies to close the gap between technology development and commercialization.

I find it ironic that the $185 million designated for the ATP is being characterized as corporate pork, particularly since the House recently voted to order $5 billion worth of new B–2 bombers from defense contractors—bombers that the Air Force, Joint Chiefs of Staff, and Commander in Chief all argued were unnecessary. If ordering five billion dollar's worth of unnecessary military equipment from defense contractors isn't corporate pork, I don't know what is. This is especially true given the fact that defense contractors don't kick any of their own money into the construction of a B–2, unlike those companies that participate in the ATP.

Mr. Chairman, high technology companies: are the engine of job creation in the United States and contribute to the overall well-being of the United States economy. Nationally, the number of high tech jobs increased 6 percent from 1993 to 1995. In Oregon alone over 10,000 new jobs were created from 1990 to 1995; provide the greatest number of high-paying and high-skilled jobs to Americans, Nationally, high technology companies provide over 4 million jobs and provide an average wage of about $47,000, well above the national median. In Oregon high technology workers were paid an average of $46,319 in 1995, 84 percent more than the average wage of all private sector workers in the State; and contribute to improving the balance of trade in relation to our major competitors. Nationally, U.S. exports exceeded $140 billion—about one-fourth of all U.S. exports, in 1995. In Oregon, high technology companies account for 46 percent of all State exports, for a total of $4.3 billion in sales.

The Federal Government should be doing all it can to improve our Nation's competitive outlook, and a strong high technology sector in the economy is critical to meeting that goal. By cutting or eliminating the ATP, we would remove an important tool that high technology companies use in partnership with the Federal Government to hasten the speed of technological progress and bring new products to the marketplace. It's these type of partnerships that drive economic success in communities across the country.

I urge my colleagues to oppose any attempts to reduce funds for the Advanced Technology Program.

Mr. CUMMINGS. Mr. Chairman, I rise in support of the amendment offered by the gentleman from West Virginia [Mr. MOLLOHAN] and the gentleman from Pennsylvania [Mr. FOX]. This amendment would increase funding for the Legal Services Corporation from $141 million to $250 million. I applaud both of my colleagues for their leadership on this issue.

Mr. Chairman, one of the cornerstones of our constitutional democracy is the premise that all citizens should have competent legal counsel in a criminal or civil justice matter. Nevertheless, the reduction in funding for the Legal Services Corporation in this bill undermines that premise.

Mr. Chairman, the Legal Services Corporation is a modest but vitally important and effective program that assists millions of needy families in gaining access to the civil justice system in cases relating to domestic violence, landlord-tenant disputes, consumer fraud, child support, and other legal matters.

This program is the only means of assuring that poor children, battered and abused spouses, the elderly, the disabled, migrant workers, and other low-income individuals have access to legal representation in civil cases.

Mr. Chairman, the Legal Services Corporation has provided affordable legal assistance to 5 million Americans in 1995 alone. Legal Services clients are as diverse as our Nation, encompassing all races and ethnic groups and ages. Older Americans represent 11 percent of the clients serviced by legal services programs. Over two-thirds of legal services clients are women, most of whom are mothers with children. For children living in poverty, a parent's access to legal services can prove to be the difference in securing support fro an absent parent, obtaining a decent home in which to live, or receiving equal and fair access to educational opportunities.

Mr. Chairman, the representation of women and children who are victims of domestic violence has always been a high priority for the Legal Services Corporation and its grantees. In 1996, local programs closed 50,000 cases in which the primary legal issue was the representation of women seeking protection from abuse.

In my home State of Maryland, while costs and demands on the law have augmented, funding for general civil legal services has fallen by over 30 percent. In 1996, because of reduced funding levels, legal aid offices in the State of Maryland have closed. Currently, the Legal Services Corporation only has the capacity to serve less than 25 percent of the eligible population.

Mr. Chairman, by reducing funding, the Congress will continue to tell battered women in our Nation that they have no legal refuge against abuse, the elderly that their right to legal resources has been eliminated, and defrauded consumers that no legal protections exist. The words, as emblazoned on the Supreme Court Building, ''equal justice under law,'' would not apply to all if funding were to be cut for this program.

Mr. Chairman, I practiced law for 20 years. As a lawyer, I was one of 130,000 volunteer lawyers registered to participate in pro bono legal services, encouraged by the Legal Services Corporation. During my service, I discovered that our civil justice system does belong to the rich and powerful in our Nation. Rare is the day when poor Americans receive equitable treatment.

Mr. Chairman, by increasing funding for the Legal Services Corporation, we will send a powerful message to the American people that our civil justice system does not belong just to the wealthy and privileged in our Nation; it belongs to all citizens. I, therefore, urge my colleagues to vote in support of this amendment.

To conclude, I thank the gentleman from West Virginia [Mr. MOLLOHAN] and the gentleman from Pennsylvania [Mr. FOX], for their leadership on this issue.

Mr. ROGERS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. SMITH of New Jersey) having assumed the chair, Mr. HASTINGS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration 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, had come to no resolution thereon.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 2203, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1998

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that the managers on the part of the House may have until midnight tonight, Thursday, September 25, 1997, to file a conference report on the bill (H.R. 2203), making appropriations for energy and water development for the fiscal year 1998, and for other purposes.

The SPEAKER pro tempore (Mr. SMITH of New Jersey). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

NATIONAL EMERGENCY WITH RESPECT TO ANGOLA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–135)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

I hereby report to the Congress on the developments since my last report of April 4, 1997, concerning the national emergency with respect to Angola that was declared in Executive Order 12865 of September 26, 1993. This report is submitted pursuant to section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c).

On September 26, 1993, I declared a national emergency with respect to the National Union for the Total Independence of Angola (''UNITA''), invoking the authority, *inter alia*, of the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) and the United Nations Participation Act of 1945 (22 U.S.C. 287c). Consistent with United Nations Security Council Resolution 864, dated September 15, 1993, the order prohibited the sale or supply by United States persons or from the United States, or using U.S.-registered vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles, equipment and spare parts, and petroleum and petroleum products to the territory of Angola other than through designated points of entry. The order also prohibited such sale or supply to UNITA. United States persons are prohibited from activities that promote or are calculated to promote such sales or supplies, or from attempted violations, or from evasion or avoidance or transactions that have the purpose of evasion or avoidance of the stated prohibitions. The order authorized the Secretary of the Treasury, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, as might be necessary to carry out the purposes of the order.

1. On December 10, 1993, the Treasury Department's Office of Foreign Assets Control (OFAC) issued the UNITA (Angola) Sanctions Regulations (the ''Regulations'') (58 *Fed. Reg.* 64904) to implement my declaration of a national emergency and imposition of sanctions against UNITA. The Regulations prohibit the sale or supply by United States persons or from the United States, or using U.S.-registered vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles, equipment and spare parts, and petroleum and petroleum products to UNITA or to the territory of Angola other than through designated points of entry. United States persons are also prohibited from activities that promote or are calculated to promote such sales or supplies to UNITA or Angola, or from any transaction by any United States persons that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in the Executive order. Also prohibited are transactions by United States persons, or involving the use of U.S.-registered vessels or aircraft, relating to transportation to Angola or UNITA of goods the exportation of which is prohibited.

The Government of Angola has designated the following points of entry as points in Angola to which the articles otherwise prohibited by the Regulations may be shipped: *Airports*: Luanda and Katumbela, Benguela Province; *Ports*: Luanda and Lobito, Benuela Province; and Namibe, Namibe Province; and *Entry Points*: Malongo, Cabinda Province. Although no specific license is required by the Department of the Treasury for shipments to these designated points of entry (unless the item is destined for UNITA), any such exports remain subject to the licensing requirements of the Departments of State and/or Commerce.

There has been one amendment to the Regulations since my report of April 3, 1997. The UNITA (Angola) Sanctions Regulations, 31 CFR Part 590, were amended on August 25, 1997. General reporting, recordkeeping, licensing, and other procedural regulations were moved from the Regulations to a separate part (31 CFR Part 501) dealing solely with such procedural matters. (62 *Fed. Reg.* 45098, August 25, 1997). A copy of the amendment is attached.

2. The OFAC has worked closely with the U.S. financial community to assure a heightened awareness of the sanctions against UNITA—through the dissemination of publications, seminars, and notices to electronic bulletin boards. This educational effort has resulted in frequent calls from banks to assure that they are not routing funds in violation of these prohibitions. United States exporters have also been notified of the sanctions through a variety of media, including via the Internet, Fax-on-Demand, special fliers, and computer bulletin board information initiated by OFAC and posted through the U.S. Department of Commerce and the U.S. Government Printing Office. There have been no license applications under the program since my last report.

3. The expenses incurred by the Federal Government in the 6-month period from March 26, 1997, through September 25, 1997, that are directly attributable to the exercise of powers and authorities conferred by the declaration of a national emergency with respect to UNITA are approximately $50,000, most of which represent wage and salary costs for Federal personnel. Personnel costs were largely centered in the Department of the Treasury (particularly in the Office of Foreign Assets Control, the U.S. Customs Service, the Office of the Under Secretary for Enforcement, and the Office of the General Counsel) and the Department of State (particularly the Office of Southern African Affairs).

I will continue to report periodically to the Congress on significant developments, pursuant to 50 U.S.C. 1703(c).

WILLIAM J. CLINTON.

THE WHITE HOUSE, *September 24, 1997.*

APPOINTMENT OF MEMBER TO LIBRARY OF CONGRESS TRUST FUND BOARD

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of section 1 of 2 USC 154, as amended by section 1 of Public Law 102–246, the Chair announces the Speaker's appointment of the following Member on the part of the House to the Library of Congress Trust Fund Board:

Mr. Wayne Berman of the District of Columbia to fill the existing vacancy thereon.

LET JUSTICE PREVAIL

(Mr. BARR of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. BARR of Georgia. Madam Speaker, the difference between the Department of Justice of 1957 and 1997 could not be more starkly realized than looking at these tremendously important and positive images of a struggle for civil rights 40 years ago in which the United States Department of Justice was leading the way to uphold our laws, and the Department of Justice of 1997 which has become known as the stonewalling capital of the capital.

Madam Speaker, there are some of those that say because the Attorney General recently took the tiny step for the Department of Justice and that giant, giant tiny step for the Department of Justice, that we ought to say, wonderful, the Attorney General has decided to decide to decide whether to appoint a special prosecutor.

Madam Speaker, I join the New York Times, which, on September 14, called on the Attorney General to step aside and let justice prevail today as it did in 1957.

Madam Speaker, the New York Times editorial is as follows:

[From the New York Times, September 14, 1997]

THE PROSECUTOR GAME

The torrent of disclosures of political fundraising abuses by the Democrats last year has no doubt had a numbing effect on many Americans. But if ordinary citizens find it hard to keep track of the shady characters, bank transfers and memos suggesting that Vice President Gore and others knew what they say they did not know, the justice Department, has no excuse. Recent weeks have brought fresh evidence that the department's investigators are either lethargic or over their heads. Even worse, Attorney General Janet Reno's failure to seek an independent counsel to oversee the probe no longer looks like a principled assertion of faith in Justice's career staff. It looks like a political blocking operation to protect President Clinton and Mr. Gore from the vigorous investigation that would be aimed at any other officeholder who had received so much suspicious money.

Earlier this month, Ms. Reno was warned by Republicans in the House that ''the mood in Congress to remove you from office grows daily.'' That is a drastic step we are not quite ready to endorse. But the Congressional frustration is understandable in light

of recent developments. It is hard to fathom, for example, why Justice Department investigators were so clearly taken by surprise when it turned out that the Democratic Party had engaged in a systematic scheme of juggling its books, transferring money from one account to another in possible violation of the law. Had the investigators been doing their job, they would have also discovered months ago that the basis for Ms. Reno's repeatedly saying that there were no credible allegations of wrongdoing against Vice President Al Gore was flat wrong.

After disclosures in the press that the Democrats mixed campaign accounts that are supposed to be rigidly separate, Ms. Reno abruptly announced that her department would actively consider asking for a special counsel to take over the case. But there really is no need for delay in recognizing the obvious. Moreover, it would be a political subterfuge to limit the special counsel to Mr. Gore. His boss has earned one, too.

The first order of business ought to be fixing responsibility for the Democrats' fundraising abuses, not simply the shuffling of accounts but whether there were any quid pro quos for all those donors and whether anyone in a major responsibility knew of the laundering of money and illegal transfers of funds from foreign sources. Among the highest priorities, in addition, is determining whether Mr. Gore violated Federal laws by soliciting money from big donors from his office at the White House.

There may be a temptation among Democrats and others to suggest that bookkeeping violations are inconsequential. But that would be a fundamental misreading of the issue. The reasons go back to the reforms that followed the biggest political scandal in modern American history.

Watergate led to two historic changes in American politics. First was the establishment of a process in which the Attorney General may seek the appointment of a special prosecutor, which later became known as an independent counsel, to investigate cases against top Administration officials. In 1993 when the statute was renewed, Ms. Reno herself affirmed the importance of being able to turn to an outside counsel to avoid ''an inherent conflict of interest'' when the Attorney General, an appointee of the President, must oversee an investigation that could damage the Administration politically. She is burdened by that conflict today.

Watergate also produced limits on campaign contributions that were flagrantly violated last year. Since 1974, it has been illegal for an individual to contribute more than $1,000 to a Federal candidate per election or more than $20,000 per year to a political party for candidates election expenses. Individuals may not give more than $25,000 in such contributions a year for all candidates and parties put together. These strictly limited contributions that are used for direct candidate support are called ''hard money.'' Federal election law separates hard gifts from the unlimited ''soft money'' that can be given to the party for their operating and promotion efforts. Last week we learned that the Democratic National Committee routinely deposited soft money in its hard money or candidate accounts without informing the donors. Although some of the money was later shifted to other accounts, it is clear that the D.N.C. was casual about one of the law's most basic distinctions.

Ms. Reno's primary duty is to uphold the laws on the books. But her Democratic loyalty seems to flow toward those bearing endless legalistic explanations as to why the laws either do not mean what they say or can be ignored with impunity. She should step aside and let someone with a less partisan view of law enforcement take over the crucial task of investigating the White House money flow.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. EWING] is recognized for 5 minutes.

[Mr. EWING addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Montana [Mr. HILL] is recognized for 5 minutes.

[Mr. HILL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. HORN] is recognized for 5 minutes.

[Mr. HORN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. DIAZ-BALART] is recognized for 5 minutes.

[Mr. DIAZ-BALART addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. MANZULLO] is recognized for 5 minutes.

[Mr. MANZULLO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROGAN (at the request of Mr. ARMEY), for today, on account of illness.

Mr. COLLINS (at the request of Mr. ARMEY), for today, after 1 p.m. and the balance of the week, on account of a death in the family.

Mr. LAZIO of New York (at the request of Mr. ARMEY), for today, after 2:30 p.m., on account of illness in the family.

Mr. YOUNG of Alaska (at the request of Mr. ARMEY), for today, after 6 p.m., on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. MORELLA) to revise and extend their remarks and include extraneous material:)

Mr. HORN, for 5 minutes, today.

Mr. DIAZ-BALART, for 5 minutes, today.

Mr. MANZULLO, for 5 minutes, today.

Mr. JONES, for 5 minutes, on September 29.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. MOLLOHAN) and to include extraneous matter:)

Mr. KANJORSKI.
Mr. MATSUI.
Mr. CLAY.
Mr. MORAN.
Mr. MILLER of California.
Mr. POSHARD.
Mr. TORRES.
Ms. Christian-Green.
Mr. FILNER.
Mr. UNDERWOOD.
Mr. CLEMENT.
Mr. LIPINSKI.
Mr. STARK.
Mr. SHERMAN.
Mr. MARTINEZ.
Ms. Velázquez.

(The following Members (at the request of Mrs. MORELLA) and to include extraneous matter:)

Mr. GOODLING.
Mr. WALSH,.
Mr. WOLF.
Mr. CASTLE.
Mr. MCCOLLUM.
Mr. PAPPAS.
Mr. DAVIS of Virginia.
Mr. GILMAN.
Mr. WATTS of Oklahoma.
Mr. RILEY.
Mrs. MORELLA.
Mr. PORTER.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 542. An act to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel FAR HORIZONS; to the Committee on Transportation and Infrastructure.

S. 662. An act to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel VORTICE; to the Committee on Transportation and Infrastructure.

S. 880. An act to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel DUSKEN IV; to the Committee on Transportation and Infrastructure.

ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that

committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2209. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 1998, and for other purposes.

H.R. 2443. An act to designate the Federal building located at 601 Fourth Street, NW., in the District of Columbia, as the ''Federal Bureau of Investigation, Washington Field Office Memorial Building'', in honor of William H. Christian, Jr., Martha Dixon Martinez, Michael J. Miller, Anthony Palmisiano, and Edwin R. Woodriffe.

H.R. 2248. An act to authorize the President to award a gold medal on behalf of the Congress to Ecumenical Patriarch Bartholomew in recognition of his outstanding and enduring contributions toward religious understanding and peace, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following title:

On September 24, 1997:

H.R. 111. An act to provide for the conveyance of a parcel of unused agricultural land in Dos Palos, California, to the Dos Palos Ag Boosters for use as a farm school.

On September 25 1997:

H.R. 2443. An act to designate the Federal Building located at 601 Fourth Street, NW., in the District of Columbia, as the ''Federal Bureau of Investigation, Washington Field Office Memorial Building'', in honor of William H. Christian, Jr., Martha Dixon Martinez, Michael J. Miller, Anthony Palmisiano, and Edwin R. Woodriffe.

H.R. 2248, An act authorize the President to award a gold medal on behalf of the Congress to Ecumenical Patriarch Bartholomew in recognition of his outstanding and enduring contributions toward religious understanding and peace, and for other purposes.

H.R. 2209, An act making appropriations for the legislative branch for the fiscal year ending September 30, 1998, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 11 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Friday, September 26, 1997, at 9 a.m.

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. SHUSTER: Committee on Transportation and Infrastructure. H.R. 2516. A bill to extend the Intermodal Surface Transportation Efficiency Act of 1991 through March 31, 1998; with an amendment (Rept. 105–270). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE 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. 1313. A bill for the relief of Nancy B. Wilson (Rept. 105–269). Referred to the Committee of the Whole House.

SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of Rule X the following action was taken by the Speaker:

H.R. 695. Referral to the Committee on Commerce extended for a period ending not later than September 29, 1997.

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 follows:

By Mrs. MORELLA:

H.R. 2544. A bill to improve the ability of Federal agencies to license federally owned inventions; to the Committee on Science, and in addition to the Committee on the Judiciary, 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. BROWN of Ohio (for himself, Mr. BALDACCI, Mr. BONIOR, Ms. CHRISTIAN-GREEN, Mr. CONYERS, Mr. DELLUMS, Mr. ENSIGN, Mr. FILNER, Mr. FLAKE, Mr. FROST, Mr. HILLIARD, Ms. JACKSON-LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK, Mr. MCDERMOTT, Mr. MCNULTY, Mr. MURTHA, Mr. NADLER, Ms. NORTON, Mr. NORWOOD, Mr. OLVER, Mr. PASCRELL, Mr. SAXTON, Mr. STEARNS, Mr. UNDERWOOD, Mr. FOX of Pennsylvania, Mr. EVANS, Mr. LANTOS, and Mr. FAZIO of California):

H.R. 2545. A bill to amend title 39, United States Code, to allow postal patrons to contribute to funding for prostate cancer research through the voluntary purchase of certain specially issued United States postage stamps; to the Committee on Government Reform and Oversight.

By Mr. CLAY (for himself and Mr. KILDEE):

H.R. 2546. A bill to amend the Higher Education Act of 1965 to make college more affordable and accessible; to the Committee on Education and the Workforce.

By Mr. FARR of California (for himself, Mr. SAXTON, Mr. ABERCROMBIE, Mr. MILLER of California, Mr. GILCHREST, Mr. PALLONE, Mr. BROWN of California, Mr. GOSS, Mr. KENNEDY of Rhode Island, and Mr. ORTIZ):

H.R. 2547. A bill to develop and maintain a coordinated, comprehensive, and long-range national policy with respect to ocean and coastal activities that will assist the Nation in meeting specified objectives, and for other purposes; to the Committee on Resources.

By Mr. FILNER:

H.R. 2548. A bill to curtail illegal immigration through increased enforcement of the employer sanctions provisions in the Immigration and Nationality Act and related laws; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, 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. FRANK of Massachusetts:

H.R. 2549. A bill to amend title II of the Social Security Act to restrict the application of the windfall elimination provision to individuals whose combined monthly income from benefits under such title and other monthly periodic payments exceeds $2,000 and to provide for a graduated implementation of such provision on amounts above such $2,000 amount; to the Committee on Ways and Means.

By Mr. KLECZKA:

H.R. 2550. A bill to adjust the rules for deducting military separation pay amounts from veterans' disability compensation; to the Committee on National Security.

By Mr. LAFALCE (for himself, Mr. HOUGHTON, Mr. BARCIA of Michigan, and Mr. OBERSTAR):

H.R. 2551. A bill to amend the Immigration and Nationality Act to authorize the Attorney General to eliminate the fee associated with the issuance of an I–68 landing permit; to the Committee on the Judiciary.

By Mr. MCCOLLUM (for himself and Mr. BACHUS):

H.R. 2552. A bill to amend the requirements in the Federal Credit Union Act relating to audit requirements and supervisory committee oversight of insured credit unions, and for other purposes; to the Committee on Banking and Financial Services.

By Mrs. MORELLA (for herself, Mr. ALLEN, Mr. DAVIS of Illinois, Ms. CHRISTIAN-GREEN, Mr. SANDLIN, Mr. OLVER, Mr. FROST, Ms. RIVERS, Mr. KENNEDY of Rhode Island, and Mr. MCGOVERN):

H.R. 2553. A bill to amend the Internal Revenue Code of 1986 to make the dependent care credit refundable, and for other purposes; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 2554. A bill to prohibit discrimination on the basis of certain factors with respect to any aspect of a surety bond transaction; to the Committee on the Judiciary.

By Mr. PALLONE (for himself, Mr. JONES, Mr. HINCHEY, Mr. SMITH of New Jersey, Mr. PAYNE, Mr. NADLER, Mr. GEJDENSON, and Ms. DELAURO):

H.R. 2555. A bill to prohibit the Department of the Interior from expending any funds for a mid-Atlantic coast offshore oil and gas lease sale; to the Committee on Resources.

By Mr. SAXTON:

H.R. 2556. A bill to reauthorize the North American Wetlands Conservation Act and the Partnerships for Wildlife Act; to the Committee on Resources.

By Mr. STARK:

H.R. 2557. A bill to provide for the removal of abandoned vessels; to the Committee on Transportation and Infrastructure.

By Mr. STARK:

H.R. 2558. A bill to amend title XVIII of the Social Security Act to provide for payment for hospital outpatient department services equal to payment rates established for similar services provided outside the hospital setting; to the Committee on Ways and Means, 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. STARK:

H.R. 2559. A bill to amend title XVIII of the Social Security Act to limit the ability of hospitals to treat noncontiguous facilities as hospital outpatient departments; to the Committee on Ways and Means, 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. THOMPSON:

H.R. 2560. A bill to award congressional gold medals to Jean Brown Trickey, Carlotta Walls LaNier, Melba Patillo Beals, Terrence Roberts, Gloria Ray Karlmark, Thelma Mothershed Wair, Ernest Green, Elizabeth Eckford, and Jefferson Thomas, commonly referred to collectively as the ''Little Rock Nine'' on the occasion of the 40th anniversary of the integration of Central High School in Little Rock, Arkansas; to the Committee on Banking and Financial Services.

By Mr. WELDON of Florida:

H.R. 2561. A bill to provide low-income children educational opportunities; to the Committee on Education and the Workforce.

By Mrs. CHENOWETH (for herself, Mr. BARTLETT of Maryland, and Mr. HALL of Texas):

H. Con. Res. 158. Concurrent resolution condemning the deployment of United States military personnel in the service of the United Nations in the former Yugoslav Republic of Macedonia; to the Committee on International Relations, and in addition to the Committee on National Security, 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. LIPINSKI (for himself, Mr. PAYNE, Mr. MEEHAN, Mr. UNDERWOOD, Mr. BLAGOJEVICH, Mr. POSHARD, Mr. WATTS of Oklahoma, Mr. HORN, Mr. ANDREWS, Mrs. MALONEY of New York, Mr. MCGOVERN, Mr. MARKEY, Mr. GUTIERREZ, Mrs. KELLY, Mr. BONIOR, Mr. STEARNS, Mr. DOYLE, Mr. JOHNSON of Wisconsin, Mr. LATOURETTE, Mr. HOLDEN, Mr. DAVIS of Virginia, Mrs. KENNELLY of Connecticut, Mr. MANTON, Mr. GEJDENSON, Mr. NEAL of Massachusetts, Mr. PALLONE, Mr. DEFAZIO, Mr. KENNEDY of Rhode Island, Ms. SLAUGHTER, and Mr. RIGGS):

H. Con. Res. 159. Concurrent resolution honoring the memory of the victims of the Great Irish Potato Famine, and for other purposes; to the Committee on International Relations.

By Mr. THOMAS:

H. Res. 244. Resolution demanding that the Office of the United States Attorney for the Central District of California file criminal charges against Hermandad Mexicana Nacional for failure to comply with a valid subpoena under the Federal Contested Elections Act; to the Committee on House Oversight, and in addition to the Committee on the Judiciary, 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. ROYCE (for himself, Mr. SMITH of New Jersey, Mr. MENENDEZ, and Mr. PAYNE):

H. Res. 245. Resolution expressing the sense of the House of Representatives in support of a free and fair referendum on self-determination for the people of Western Sahara; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 26: Mr. NEY, Mr. SMITH of Michigan, and Mr. HEFLEY.

H.R. 38: Mr. HEFLEY.

H.R. 44: Mr. RANGEL, Mr. ABERCROMBIE, Mr. ENSIGN, Mr. NEY, and Mr. PETERSON of Pennsylvania.

H.R. 45: Mr. EVANS.

H.R. 59: Mr. HALL of Texas, Mr. CRANE, and Mr. PORTER.

H.R. 65: Mr. SOUDER.

H.R. 135: Mr. THOMPSON.

H.R. 146: Mr. MANTON and Mr. GOODE.

H.R. 303: Mr. LEACH and Mr. PETERSON of Pennsylvania.

H.R. 453: Mr. BROWN of California, Mr. SMITH of New Jersey, Mr. OLVER, Mr. BLUMENAUER, Mr. CONYERS, and Mr. TIERNEY.

H.R. 600: Mr. SAWYER, Ms. STABENOW, Mr. JOHN, Mr. BERRY, Mr. PETERSON of Minnesota, Mr. BECERRA, Mr. TANNER, Mr. SCOTT, Mr. DIXON, Mr. MARTINEZ, Mr. LANTOS, Mr. NEAL of Massachusetts, Mr. RODRIGUEZ, Mr. CONDIT, Mr. MCHALE, Mr. HINOJOSA, Mr. REYES, Mr. OBERSTAR, Ms. KAPTUR, Mr. ORTIZ, Mr. STOKES, Mr. CUMMINGS, Mr. MENENDEZ, and Mr. LEWIS of Georgia.

H.R. 621: Ms. WOOLSEY.

H.R. 627: Mr. DAN SCHAEFER of Colorado.

H.R. 628: Mr. ANDREWS, Mr. HILLIARD, Mrs. LOWEY, Mr. HAYWORTH, Mr. NEY, Mr. MCNULTY, and Mr. CALVERT.

H.R. 687: Mr. BONIOR and Mr. VISCLOSKY.

H.R. 715: Mr. PACKARD.

H.R. 754: Mr. MORAN of Virginia.

H.R. 758: Mr. STENHOLM, Mr. MCINNIS, and Mr. LARGENT.

H.R. 774: Mr. CAPPS.

H.R. 789: Mr. BOB SCHAFFER.

H.R. 815: Mr. HAYWORTH and Mr. VISCLOSKY.

H.R. 859: Mr. PASTOR.

H.R. 991: Mr. BARRETT of Wisconsin and Mr. STUPAK.

H.R. 1009: Mr. HEFLEY.

H.R. 1010: Mr. SNOWBARGER.

H.R. 1023: Mr. ADERHOLT.

H.R. 1025: Ms. DELAURO and Ms. HARMAN.

H.R. 1031: Mr. DEAL of Georgia.

H.R. 1114: Mr. FORD, Mr. ANDREWS, Mr. BACHUS, Mr. LEWIS of Georgia, Mr. WATKINS, Mr. CUMMINGS, Mrs. KENNELLY of Connecticut, Mr. MCHALE, Mr. PARKER, Mr. SOLOMON, Ms. BROWN of Florida, Mr. GIBBONS, Mr. VENTO, Mr. FOLEY, and Mr. PICKERING.

H.R. 1147: Mr. HILLEARY.

H.R. 1151: Mr. RANGEL, Mr. MANTON, and Mr. RUSH.

H.R. 1161: Mr. ENGLISH of Pennsylvania.

H.R. 1234: Mr. BONIOR.

H.R. 1450: Mr. HINOJOSA and Ms. SLAUGHTER.

H.R. 1481: Mr. GILCHREST.

H.R. 1595: Mr. CALVERT, Mr. HAYWORTH, Mr. SKEEN, and Mr. STUMP.

H.R. 1608: Mr. PETERSON of Pennsylvania, Mr. PASTOR, Mr. GILMAN, Mr. PASCRELL, Mr. BLILEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LIPINSKI, and Mr. MARTINEZ.

H.R. 1625: Mr. HASTERT, Mr. BONO, Mr. GALLEGLY, Mr. ROHRABACHER, and Mr. TALENT.

H.R. 1823: Mr. NEY, Mr. KENNEDY of Rhode Island, and Mr. THOMPSON.

H.R. 1842: Mr. SHADEGG.

H.R. 1870: Mr. WATT of North Carolina, Mr. RUSH, and Mr. STRICKLAND.

H.R. 1909: Mr. TALENT.

H.R. 1951: Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. LOWEY, Mr. HEFNER, and Mr. EDWARDS.

H.R. 2013: Mr. KENNEDY of Rhode Island.

H.R. 2023: Mr. COSTELLO

H.R. 2121: Mr. RUSH.

H.R. 2129: Mr. MCKEON and Mr. GUTIERREZ.

H.R. 2163: Mr. LINDER.

H.R. 2195: Mr. LANTOS.

H.R. 2228: Ms. WOOLSEY and Mr. TIERNEY.

H.R. 2232: Ms. PELOSI.

H.R. 2257: Mr. FILNER, Mr. POMEROY, Mr. KUCINICH, and Mr. SANDERS.

H.R. 2348: Mr. MATSUI, Mr. RAHALL, Mr. FALEOMAVAEGA, and Mr. FROST.

H.R. 2349: Mr. DEFAZIO, Mr. FROST, Mr. MCGOVERN, Mr. RAHALL, Mr. PASTOR, and Mr. BONIOR.

H.R. 2400: Mr. BOEHLERT, Mr. BORSKI, Mr. COBLE, Mr. LIPINSKI, Mr. DUNCAN, Mr. WISE, Mr. EWING, Mr. TRAFICANT, Mr. GILCHREST, Mr. DEFAZIO, Mr. HORN, Mr. CLEMENT, Mr. FRANKS of New Jersey, Mr. COSTELLO, Mr. MICA, Mr. POSHARD, Mr. QUINN, Mr. CRAMER, Mrs. FOWLER, Ms. NORTON, Mr. EHLERS, Mr. NADLER, Mr. BACHUS, Ms. DANNER, Mr. LATOURETTE, Mr. MENENDEZ, Mrs. KELLY, Mr. CLYBURN, Mr. BAKER, Ms. BROWN of Florida, Mr. BASS, Mr. BARCIA of Michigan, Mr. NEY, Mr. FILNER, Mr. METCALF, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. EMERSON, Mr. MASCARA, Mr. PEASE, Mr. BLUMENAUER, Mr. BLUNT, Mr. SANDLIN, Mr. PITTS, Mr. PASCRELL, Mr. HUTCHINSON, Mr. JOHNSON of Wisconsin, Mr. COOK, Mr. BOSWELL, Mr. COOKSEY, Mr. HOLDEN, Mr. PICKERING, Mr. LAMPSON, Ms. GRANGER, Mr. FOX of Pennsylvania, Mr. LOBIONDO, Mr. WATTS of Oklahoma, Mr. MORAN of Kansas, Mr. ACKERMAN, Mr. ANDREWS, Mr. BEREUTER, Mr. BLAGOJEVICH, Mr. BONIOR, Mr. BURTON of Indiana, Mr. CAMP, Mr. CONYERS, Mr. DINGELL, Mr. FALEOMAVAEGA, Mr. FORBES, Mr. FROST, Mr. GEKAS, Mr. GORDON, Mr. HINCHEY, Ms. HOOLEY of Oregon, Mr. HOUGHTON, Mr. KILDEE, Ms. KILPATRICK, Mr. KING of New York, Mr. LAFALCE, Mr. LEVIN, Mr. LEWIS of California, Mr. MANZULLO, Mr. MCHUGH, Mr. MCNULTY, Mr. PALLONE, Mr. PAYNE, Mr. PETERSON of Pennsylvania, Ms. RIVERS, Mr. ROTHMAN, Mrs. ROUKEMA, Mr. SCHUMER, Mr. SHIMKUS, Mr. SMITH of New Jersey, Ms. STABENOW, Mr. STRICKLAND, Mr. STUPAK, Mr. TOWNS, Mr. UPTON, Mr. WELLER, Mr. MANTON, Ms. SLAUGHTER, Mr. SMITH of Michigan, Ms. VELAZQUEZ, and Mr. WALSH.

H.R. 2422: Mr. FROST, Mr. OLVER, Mr. BOUCHER, and Mrs. MINK of Hawaii.

H.R. 2439: Mr. KLUG.

H.R. 2449: Mr. MCCOLLUM, Mr. CUNNINGHAM, Mr. CANNON, Mr. BAKER, Mr. BEREUTER, Mr. KASICH, and Mr. WELDON of Florida.

H.R. 2453: Mr. HORN, Ms. SLAUGHTER, Mrs. MINK of Hawaii, Mr. WATT of North Carolina, Mr. SNYDER, Ms. WATERS, and Mr. QUINN.

H.R. 2456: Mr. SKEEN.

H.R. 2457: Mrs. MYRICK.

H.R. 2481: Mr. BEREUTER, Mr. MCNULTY, Mr. POMEROY, Mr. MANTON, Mr. TOWNS, Mr. CONYERS, and Mr. STRICKLAND.

H.R. 2483: Mr. DELAY, Mr. SOLOMON, Mr. JONES, Mr. BLILEY, Mrs. MYRICK, Mr. HOEKSTRA, Mr. PARKER, Mr. KASICH, Mr. MICA, Mr. BARTON of Texas, Mr. NORWOOD, Mr. PICKERING, Mr. ROHRABACHER, Mr. RILEY, Mr. BILBRAY, Mr. SNOWBARGER, Mr. HASTERT, Mr. LEWIS of Kentucky, and Mr. DOOLITTLE.

H.R. 2489: Mr. NEY, Mr. KLUG, Mr. RUSH, Mr. CRAPO, Mr. LEWIS of Kentucky, Mr. ADAM SMITH of Washington, Mr. MCHUGH, and Mr. JACKSON.

H.R. 2492: Mr. ENGLISH of Pennsylvania.

H. Con. Res. 19: Mr. LEVIN.

H. Con. Res. 80: Mr. DEUTSCH, Mr. COSTELLO, Mr. SNYDER, Mr. SISISKY, Mr. SABO, and Ms. MILLENDER-MCDONALD.

H. Con. Res. 127: Mr. STRICKLAND.

H. Res. 16: Mr. ENGLISH of Pennsylvania.

H. Res. 139: Mr. ENSIGN, Mr. CONDIT, and Mr. PETERSON of Minnesota.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 901

OFFERED BY: MR. ABERCROMBIE

AMENDMENT NO. 1: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to Hawaiian Islands Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. BROWN OF CALIFORNIA

AMENDMENT NO. 2: Strike page 8, line 21, through page 9, line 16, and insert the following:

''SEC. 403. (a) No Federal official may nominate any lands in the United States for designation as a United States Biosphere Reserve under the Man and the Biosphere Program of the United Nations Educational, Scientific, and Cultural Organization, except in accordance with this section.

''(b) Any designation on or before the date of enactment of the American Land Sovereignty Protection Act of lands in the United States as a United States Biosphere Reserve under the Man and the Biosphere Program of the United Nations Educational, Scientific, and Cultural Organization shall not have, and shall not be given, any force or effect, unless the proposed United States Biosphere Reserve is determined by the Secretary of State—

''(1) to include—

''(A) little-disturbed areas of natural habitat that are reasonably expected to remain so because of protection or management under any law or regulation in effect before the date of that designation; and

''(B) managed use areas;

''(2) to be suitable to serve as a model of outstanding stewardship fostering a harmonious relationship between human activities and the conservation of natural resources; and

''(3) to have been nominated for designation by each person that holds title to the lands, or in the case of public lands, by the governmental authority administering the lands, after local public comment has been obtained and considered.

''(c) The Secretary of State, or governmental authority administering the nominated lands, shall use appropriate means to publicize nationally the nomination of lands for designation as a United States Biosphere Reserve.

''(d) Designation of lands as a United States Biosphere Reserve shall not convey any additional protections or use restrictions to included lands, or impose any obligations on third parties, including private parties, nor shall it impose any restrictions or requirements on private rights or private property land uses within the lands or adjacent to the lands. Recognition as a United States Biosphere Reserve shall in no way affect United States sovereignty over lands.

11(e)(1) For all designations on or before the date of enactment of the American Land Sovereignty Protection Act of lands in the United States as a United States Biosphere Reserve, the Secretary of State shall transmit to the Congress determinations made under subsection (b) of this section within 90 days after the date of enactment of the American Land Sovereignty Protection Act.

''(2) Upon receiving any new nomination for designation of lands as a United States Biosphere Reserve after the date of enactment of the American Land Sovereignty Protection Act, the Secretary of State, after determining that the requirements of subsection (b)(1) through (4) have been met, shall transmit to the Congress the information received with respect to the nomination. No lands shall be designated as a United States Biosphere Reserve until at least 90 days have passed after the transmittal of information with respect to those lands under this paragraph.

Page 9, line 17, redesignate subsection (c) as subsection (f).

H.R. 901

OFFERED BY: MS. CHRISTIAN-GREEN

AMENDMENT NO. 3: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to Virgin Islands Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. DEFAZIO

AMENDMENT NO. 4: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to Three Sisters Biosphere Reserve or H.J. Andrews Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. FARR OF CALIFORNIA

AMENDMENT NO. 5: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to California Coastal Ranges Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. FARR OF CALIFORNIA

AMENDMENT NO. 6: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to Central California Coastal Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. FARR OF CALIFORNIA

AMENDMENT NO. 7: On page 10 of the bill, after line 8, insert the following

''(d) Subsection (b) shall not apply to Sequoia-King Canyon Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. FARR OF CALIFORNIA

AMENDMENT NO. 8: On page 10 of the bill, after line 8, insert the following

''(d) Subsection (b) shall not apply to Channel Islands Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. FARR OF CALIFORNIA

AMENDMENT NO. 9: On page 10 of the bill, after line 8, insert the following

''(d) Subsection (b) shall not apply to Mojave and Colorado Deserts Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. FARR OF CALIFORNIA

AMENDMENT NO. 10: On page 10 of the bill, after line 8, insert the following

''(d) Subsection (b) shall not apply to Golden Gate Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. FARR OF CALIFORNIA

AMENDMENT NO. 11: Page 11, strike line 7 and all that follows down through line 13.

Page 11, line 14, strike ''(e)'' and insert ''(d)''.

H.R. 901

OFFERED BY: MR. HINCHEY

AMENDMENT NO. 12: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to Champlain-Adirondack Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. HINCHEY

AMENDMENT NO. 13: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to Mammoth Cave Area Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. HINCHEY

AMENDMENT NO. 14: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to Rocky Mountain Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. HINCHEY

AMENDMENT NO. 15: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to South Atlantic Coastal Plain Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. KILDEE

AMENDMENT NO. 16: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to Isle Royale Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. KILDEE

AMENDMENT NO. 17: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to University of Michigan Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. PALLONE

AMENDMENT NO. 18: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to New Jersey Pinelands Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. VENTO

AMENDMENT NO. 19: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to Aleutian Islands Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. VENTO

AMENDMENT NO. 20: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to Big Bend Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. VENTO

AMENDMENT NO. 21: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to Denali Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. VENTO

AMENDMENT NO. 22: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to Everglades Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. VENTO

AMENDMENT NO. 23: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to Glacier Bay—Admiralty Island Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. VENTO

AMENDMENT NO. 24: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to Glacier Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. VENTO

AMENDMENT NO. 25: On page 10 of the bill, after line 8, insert the following:

''(d) Subsection (b) shall not apply to Noatak Biosphere Reserve.''

H.R. 901

OFFERED BY: MR. VENTO

AMENDMENT NO. 26: On page 10 of the bill, after line 8, insert the following:

'''(d) Subsection (b) shall not apply to Yellowstone Biosphere Reserve.'''

H.R. 901

OFFERED BY: MR. VENTO

AMENDMENT NO. 27: On page 11 of the bill—

(1) on line 10, strike ''and'';

(2) on line 13, strike the period and insert instead ''; and''; and

(3) after line 13, insert the following:

''(3) sites nominated under the Convention on Wetlands of International Importance Especially as Waterfowl Habitat (popularly known as the Ramsar Convention).''

H.R. 2267

OFFERED BY: MR. FOX OF PENNSYLVANIA

AMENDMENT NO. 63: Page 117, after line 2, insert the following new section:

SEC. 617. None of the funds appropriated or otherwise made available by this Act may be

obligated or expended, directly or indirectly, to make any payment to, provide any financial assistance to, or enter into any contract with, the Palestine Broadcasting Corporation, any affiliate or successor agency of such corporation, or any individual employed by or representing such corporation.

H.R. 2267

OFFERED BY: MR. SAXTON

AMENDMENT NO. 64: Page 50, line 13, after the dollar amount insert ''(reduced by $10,000)''.

Page 50, line 23, after the dollar amount insert ''(reduced by $10,000)''.

Page 51, line 11, after the second dollar amount insert ''(reduced by $10,000)''.

Page 51, line 13, after the dollar amount insert ''(reduced by $10,000)''.

Page 51, line 17, after the dollar amount insert ''(reduced by $10,000)''.

H.R. 2267

OFFERED BY: MR. WHITFIELD

AMENDMENT NO. 65: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 617. None of the funds appropriated or otherwise made available by this Act may be used to deport any person who has filed a visa application or other petition with the Immigration and Naturalization Service and is serving as a licensed physician in a federally designated health professionals shortage area as determined by the Department of Health and Human Services.