staff. MANPRINT can be an essential ingredient in both initiatives. With respect to the military, it ensures that the weapons and equipment supporting a reduced force structure will perform as expected on the battlefield.

But the possible applications for MANPRINT go far beyond the military in our constantly evolving technological-based society. Our regulatory agencies like the Federal Aviation Agency, the Nuclear Regulatory Commission, the Food and Drug Administration should push this concept to the forefront with the systems and equipment they regulate. Also it would seem our medical and educational systems could benefit from a technological development and management process which focuses on the end user. One may wonder what a difference it would make it these systems were made to operate primarily for the doctor and the patient or the teacher and the learner rather than fitting these individuals to the system as an afterthought. We have not been in such an enviable position to take advantage of a technological cultural change since Deming's total quality management. Let's not miss our opportunity this time around.

COMMUNICATION FROM THE HONORABLE CHARLES E. SCHUMER, MEMBER OF CONGRESS

The SPEAKER pro tempore [Mr. QUINN] laid before the House the following communication from the Honorable CHARLES E. SCHUMER, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 26, 1997.

Hon. NEWT GINGRICH,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L(50) of the rules of the House that I have been served with a subpoena duces tecum issued by the Supreme Court of the State of New York, County of Kings, in the case of *Ellen Frankel* v. *Jeffrey Frankel*, Index No. 10369/96.

After consultation with the Office of General Counsel, I have determined that the subpoena relates to my official duties, and that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

CHARLES E. SCHUMER,
Member of Congress.

MOTION TO INSTRUCT CONFEREES ON H.R. 1757, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1998 AND 1999, AND EUROPEAN SECURITY ACT OF 1997

The SPEAKER pro tempore. The unfinished business is the motion to instruct conferees on the bill H.R. 1757 offered by the gentleman from Texas [Mr. DOGGETT].

The Clerk will report the motion.

The Clerk read as follows:

Mr. DOGGETT moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 1757, be instructed to reject section 1601 of the Senate amendment, which provides for payment of all private claims against the Iraqi Government before those of U.S. veterans and the U.S. Government (i.e., U.S. taxpayers).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. DOGGETT] and the gentleman from Kentucky [Mr. WHITFIELD] each will control 30 minutes.

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that we limit debate on this issue to 15 minutes per side.

Mr. DOGGETT. Mr. Speaker, I object. It has been delayed long enough and we need the full 30 minutes as provided for in our rules.

The SPEAKER pro tempore. Objection is heard.

The Chair recognizes the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, I yield myself 4 minutes and 10 seconds.

Mr. Speaker, the men and women of our Armed Forces gave America their best in the gulf war against Saddam Hussein, and now these brave veterans deserve nothing less than our best from this Congress.

Unfortunately, many of our Desert Shield and Desert Storm veterans will never be able to forget their experience, because they have the lingering effects of illness and disability: fatigue, muscle and joint pain, severe headaches, and other limitations as a result of their defense of our national interests. They call it Persian Gulf syndrome from being exposed to biological and chemical weapons.

About 3,000 of our Desert Storm and Desert Shield veterans have filed claims concerning the illnesses against frozen Iraqi Government assets. Following the invasion of Kuwait by Iraq in 1990, the United States Government froze $1.3 billion of Iraqi assets in this country. This motion is to assure that our veterans are not forgotten with reference to those claims.

In 1991, the U.N. Security Council resolved that Iraq is liable, under international law, for the injury that it caused to foreign nationals as a result of its unlawful invasion of Kuwait. The claims of our veterans were clearly contemplated by this internationally approved resolution.

Accordingly, in 1994, when the Democrats were in control of this House, legislation was approved by an overwhelming majority under the leadership of the gentleman from Indiana [Mr. HAMILTON] that established an Iraqi claims fund and gave first preference, as we should, to the claims of our veterans. This House went on record as saying, we give our priority to those who sacrificed their life and limb for the future of our Nation. Unfortunately, the Senate did not act on this bill.

This year, 1997, the Senate has acted. The Senate version of the State Department or foreign authorization bill, which is now pending in conference committee, would place these same Desert Shield and Desert Storm veterans out in the storm without one red cent being recoverable from the frozen assets of Saddam Hussein.

This injustice is imposed on our veterans by subordinating their claims to the separate commercial claims that existed before the war ever took place and they made their sacrifices, claims that those who did business with Saddam Hussein like the seven largest tobacco companies, and undoubtedly among those enterprises that were doing business with Saddam Hussein were some of those who provided the very materials that were used in the war against our veterans. Who would like to go on record supporting a provision which turns out to benefit corporations at the expense of our soldiers? But that is exactly what the Senate provision would do. It puts our veterans in last place with no practical way to access the frozen assets of the Iraqis. Fortunately, the House has not yet acceded to this outrageous demand.

Additionally, I would note that this is not only a veterans' issue, it is a taxpayer issue. Why is it that the American taxpayer should be placed in last place behind the claims of the tobacco companies? But the same Helms amendment that does damage to veterans also subordinates the rights of the American taxpayer to reclaim money owed to the United States Government by the Iraqis.

This was first reported in a front-page story in USA Today entitled, ''Helms Bill Favors Tobacco Firms Over Vets,'' referring to the authorization bill in conference, and recognizing that across the Hall in this Capitol building, it is apparently possible for one person and one person alone to deny a hearing to block individually the appointment of an Ambassador to Mexico. But please, Members of the House, do not allow one individual to block 3,000 vets from asserting their claims against the Iraqi Government.

Amazingly, I say to my colleagues, this morning's AP, this very morning, reports the author of the Helms amendment continuing, continuing this morning to defend his total bar to our veterans and American taxpayers against these Iraqi assets.

My motion would quite simply instruct our House conferees, who are meeting even today, to not accede to the demands of the tobacco companies and the other commercial claims and put those ahead of veterans. As the National Gulf War Resource Center has told this House, the Helms amendment, if passed, would amount to a grotesque injustice against gulf war veterans. Let us not have that injustice.

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

Mr. Speaker, I am delighted that today we have the opportunity to talk about very serious issues facing the American veterans. All of us obviously support the American veterans. There is no question about that. In this House on July 16, we passed an appropriation bill, $90.7 billion for the VA, and that was more than the Clinton administration had asked for.

Of course, we want to do more than that, and there are bills pending in the House right now that would give veterans and retirees the opportunity to go to military bases, be treated, and have Medicare reimburse them both at the VA and also at the military bases. In addition to that, the Committee on Veterans' Affairs favorably considered H.R. 2206, the Veterans Health Program Improvement Act of 1997, and it was reported out favorably. It would improve the VA's ability to provide health care to Persian Gulf veterans by authorizing as many as 10 VA facilities to establish demonstration projects aimed at improving care to Gulf veterans with undiagnosed illnesses.

In addition, and this is particularly important, this bill would also specify that Persian Gulf veterans are eligible for VA health care for any problem related to service in the Gulf, not just those problems that may be linked to exposure to toxic substances or environmental hazards.

One of the great histories of our country is that we have been always supportive of our veterans. I also represent a district that has over 30,000 veterans, and Fort Campbell, home of the 101st Airborne, is in my district.

But I rise today in opposition to this amendment for many reasons. First of all, even if the amendment is adopted, it is not going to mean one thing for the American veteran. They will not receive one benefit, even if the amendment of the gentleman from Texas [Mr. DOGGETT] is adopted. So let us look at the facts of this case, and of course we all want to be emotional about veterans' issues, because they have dedicated their lives, and they have sacrificed for this country.

Mr. Speaker, let us look at the facts here. We are talking about establishing a mechanism so that money frozen in Iraqi assets after the Persian Gulf War or at the start of it, $1.2 billion, which has been sitting in a fund, untouched by anyone, since 1990, would be given back to individuals and companies who provided commerce to Iraq. Many of these were small businesses. Many of them have gone bankrupt, and there are over 813 individuals who also are asking to be reimbursed for their expenditures and their losses.

Now, if we do not adopt section 1601 as a part of this legislation, if the conferees kick it out, then in essence what is going to happen is nothing. The money is still going to be there, the veterans still are not going to be able to get to it, and let me also say this: The argument has been made that if we do not allow private claims to go over the Government claims, then the veterans somehow are going to get all of this money. But if we look at the Treasury Department's statement on this and the document that they provided, all of the claims, there is only $1.2 billion, and the priority for reimbursement by this administration is not the veteran, but it is the Commodity Credit Corporation of America. It is OPEC, it is the Export-Import Bank.

So this is not about veterans, this is not about tobacco companies, but I would commend the gentleman for his ability to cloud the issue. We do not want to mislead the veterans and make them think that they are going to get something that they are not going to get, because even if his motion is adopted, even if the conferees agree to it, it does not change anything about the veterans' ability to get any of this money that belongs to small businesses, large businesses, and individuals who did business.

Mr. EDWARDS. Mr. Speaker, will the gentleman yield?

Mr. WHITFIELD. I yield to the gentleman from Texas.

Mr. EDWARDS. Mr. Speaker, I appreciate the gentleman saying this issue should be based on the facts. Did I understand the gentleman correctly to say that the veterans' programs were appropriated $90 billion this year?

Mr. WHITFIELD. Mr. Speaker, $90.7 billion.

Mr. EDWARDS. $90 billion this year?

Mr. WHITFIELD. Right, for 1998.

Mr. EDWARDS. Mr. Speaker, if the gentleman were off by a factor of about $40 billion to $50 billion, would he agree that his facts were not correct? Because I know he would not want to mislead the veterans and make them think they are going to get something they are not going to get.

Mr. WHITFIELD. Mr. Speaker, reclaiming my time, let me say this. I looked at the Congressional Quarterly this morning, and the figure that I saw set out in there was $90.7 billion for the VA. If the gentleman is saying that I am wrong, and I am wrong, then I would apologize about that.

Mr. EDWARDS. Mr. Speaker, if the gentleman would yield further, I know it was not intentional, but I appreciate the gentleman saying that we should not make veterans think they are going to get something that they are not going to get. Last year the appropriation was in the approximate range of $37 billion. If they receive $90 billion this year, I want to commend the chairman of the VA appropriations subcommittee and the chairman of the authorizing committee for their tremendous work on behalf of the veterans.

Mr. WHITFIELD. Mr. Speaker, reclaiming my time once again, I would just say this to the gentleman. I would be happy to look this up and I will get back to the gentleman on it, because I do not want to mislead anybody on the amount of money available, and of course whatever is available is really not enough for veterans, but in trying to balance all of the demands on the taxpayer dollars, we have a great difficulty.

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

Mr. DOGGETT. Mr. Speaker, I yield myself 10 seconds.

The gentleman who claims to represent so many veterans, while at the same time opposing an amendment in their vital interest, should have his facts correct. There is no reason why veterans should not be able to access this money and the conference committee able to adjust the differences under this instruction.

Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. MCHALE], a member of this body who serves on the Committee on National Security, who had the courage to resign his seat in the Pennsylvania House to serve our country in the gulf war, who is a marine and remains active not only as a veteran of that war, but as a colonel in the Marine Reserve.

□ 1030

Mr. MCHALE. Mr. Speaker, I thank the gentleman from Texas for the promotion. It is lieutenant colonel, not colonel. There are many fine reasons why it will never be colonel.

Mr. Speaker, beginning in August, 1990, our Nation deployed 540,000 men and women in uniform to the Persian Gulf. They answered the call to service. Of those who answered that call, 211 did not come home, 357 were wounded, for a total of approximately 550 casualties during the course of that war.

Mr. Speaker, I rise today, as the gentleman from Texas indicated, as a veteran of that war to urge strong support for the Doggett motion.

In addition to those who were wounded and killed in that war, we now recognize that as many as 100,000 of our forces may have been exposed to nerve gas. And, finally, there are currently 28,000 gulf war veterans receiving disability compensation.

I listened to the comments from the gentleman who spoke earlier in defense of the tobacco interests and other commercial activities, and I appreciate the defense that he has to raise. But I am holding in my hand an article from the September 10 issue of USA Today, which headline reads, in part, ''Bill favors tobacco firms over vets.''

Mr. Speaker, USA Today got it right. Tobacco firms over vets. We can reverse that priority today Mr. Speaker. I rise in strong support of the Doggett motion. That motion would simply instruct the conferees on the foreign relations authorization bill to strike section 1601, which very clearly and intentionally places our veterans in line behind the tobacco interests in making claim on the $1.2 billion fund that is available for compensation.

Mr. Speaker, the two largest groups of claimants against the Iraqi funds are the tobacco companies and our veterans. I once stood in a chow line in northern Saudi Arabia and looked at the helmet of the marine who was in front of me and it said, ''It's not about oil.'' I would say today, Mr. Speaker, it is about tobacco.

There are 3,000 gulf war veterans who have indicated formally that they wish to pursue a claim against this again. In 1991 we needed the help of our men and women in our Nation's uniform. Today they need ours.

Mr. Speaker, the tobacco industry sells $49 billion worth of tobacco products each year, generating profits of approximately $7 billion, thereby continuing the single greatest cause of preventable death in the United States. Four hundred thousand graves dug each year by the tobacco industry. How dare we tell our brave men and women in uniform that they must stand in line behind the tobacco profiteers. That is outrageous. Shame on this body if we allow that to happen.

Mr. Speaker, this measure was surreptitiously inserted in the bill in the Senate. The Doggett motion simply says to our conferees: Remove that provision. Stand by our men and women in uniform.

Based on that principle, and frankly the tremendous moral obligation that I feel toward my fellow veterans of that war, I urge on both sides of the aisle overwhelming support for the Doggett motion.

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

Mr. Speaker, first of all, I would like to point out that there are over 400 companies that have claims against these funds that the Iraqi Government owed money to. There are over 832 individuals. In addition to that, there were many Government agencies.

This is not a debate about tobacco. Now, I know that in this Congress tobacco is not in favor, and I respect that. But this is not about tobacco. This is about a process to free up Iraqi funds to small businesses, large businesses, and individuals who are owed the money for services provided. Many of them have gone bankrupt.

The largest claimant is the Commodity Credit Corporation for $900 million. Now, if we paid the Commodity Credit Corporation $900 million, there is only $1.2 billion in the fund and no one else would even be considered.

Now, I would also like to point out, not that I am here to defend anyone in the Senate, but I do respect the body, and I respect the Members. They were all elected like we are. But there has been the impression left today that this was some sinister move by the senior citizen, or the senior Senator and citizen from North Carolina. I would like to point out to the body that this legislation was first proposed in 1993, and some of the cosponsors were Senator ROBB, a Democrat from Virginia, Senator PATTY MURRAY from Washington State, and others.

Mr. Speaker, I have a letter here dated September 29, 1997, from CHUCK ROBB and CHUCK HAGEL, both in the U.S. Senate, saying that they support this section 1601.

Mr. Speaker, if this were really an issue about veterans, of course we all would be there, we would want to help veterans. But the bottom line is there is not any way they are going to get any of this money, unless this body takes up the measure again and tries to go forward with it, and there has been no effort to do that by anyone.

But simply adopting the amendment of the gentleman from Texas does not do anything except put us back where we are with Iraqi funds frozen and many small businesses, many individuals, sitting there without being reimbursed.

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

Mr. DOGGETT. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. SKELTON], a leading member of our Committee on National Security, a strong defender of our national defense, and someone who has indicated deep personal and professional commitment to our service men and women.

Mr. SKELTON. Mr. Speaker, the gentleman from Kentucky [Mr. WHITFIELD] spoke about us clouding an issue. This issue is not clouded. It is as clear as day.

The purpose of our military in this country is to protect our freedoms and to protect American interests. Today I speak for the veterans, I speak for those in uniform, I speak for the military who fought for America against Saddam Hussein and against Iraq. Some of those Americans died. Some were injured. Some came home very, very sick and still suffer as a result of toxics obtained in that area and from that war.

What kind of a message are we sending the troops that now stand guard in Macedonia, in Korea, Ft. Leonard Wood, anywhere else around the world, if we do not adopt this resolution unanimously? That is what I call upon us to do.

We should not put business interests ahead of those who fought for and sacrificed for our country, whether those business interests be tobacco or otherwise. Our American military should come first. It is up to the Congress under the Constitution to raise and maintain the military. I stand by them. Let us work with them. Let us support them. This is an opportunity to do just that.

Mr. Speaker, I heard in testimony in our committee some of these young soldiers who were suffering from what is known as gulf war syndrome. Not just fatigue. Some had deformed limbs, some had scars on their bodies, very difficult anxiety that they are going through.

I say this, Mr. Speaker, let us look at those veterans and listen to those veterans and then cast our vote in favor of them. They deserve no less.

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

Mr. Speaker, I certainly respect the gentleman from Missouri [Mr. SKELTON] and we know that he has been a defender throughout his career, not only of the active military, but also those retired and veterans everywhere, and I commend the gentleman for that.

I would also like to point out, however, that during the consideration of this, the Disabled American Veterans testified relating to this issue, and I would just like to read a statement that they made. In fact, the statement was made by Mr. Violante, who was representing the Disabled American Veterans.

''While the DAV is certainly supportive of the principle of ensuring that there is just compensation for any damages or injuries received by a veteran or his or her family as a result of the war in the Persian Gulf, we are very concerned about the precedent established here. In recent history, veterans have always been cared for by the VA (previously Veterans' Administration, currently the Department of Veterans Affairs) with respect to the injuries received in services to their country.''

And that is true. That is the obligation of VA. That is the obligation of this Congress to provide adequate funding to take care of them. And then he goes on to say, ''However, the Iraqi claims legislation establishes a procedure whereby veterans could be compensated directly from the assets of the 'foreign enemy' government. This precedent could have far-reaching ramifications which could adversely impact upon the current VA system.''

Mr. Speaker, it would be a first time that we have reacted in this type of way. We know that the U.S.S. *Stark*, which there were injuries and death on the U.S.S. *Stark* before the start of the Persian gulf war, the Iraqi Government agreed to compensate in that incidence and those people were compensated. Their families were compensated.

But I would simply point out that there are veterans and members of veterans groups who are very concerned about the new direction that we are moving off here, diverting responsibility away from this government into the hands of some foreign power that we have defeated in a military endeavor.

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

Mr. DOGGETT. Mr. Speaker, I yield myself 10 seconds.

Mr. Speaker, the gentleman from Kentucky is referring to testimony given in 1994. This Congress made it clear that in no way would the right to claim against Saddam Hussein's assets interfere with the right of every veteran to the rights assured under the Veterans Administration, which were preserved. The Veterans of Foreign Wars took exactly the opposite direction.

Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts [Mr. TIERNEY], a Member of this body who has expressed significant concerns on behalf of our veterans, some 67,000 that he represents in Massachusetts.

Mr. TIERNEY. Mr. Speaker, I thank the gentleman from Texas [Mr. DOGGETT] for drawing to the attention of the House this serious matter. I also acknowledge the interest of the gentleman from Kentucky [Mr. WHITFIELD], our colleague across the

aisle, and his concern for the veterans and want to draw a distinction between the legitimate claims our veterans have to health care services within the system and within the processes, and a separate matter of having a legal claim for wrongs and injustices done to them when Iraq violated international law.

Mr. Speaker, I think people need to know the distinction we are talking about here is $1.3 billion in assets frozen when Iraq entered into Kuwait, and those assets are there and available now. The U.S. Government has them for claims by people who feel they are legitimately pursuing some injustice to them, whether it be a contractual matter or personal injury.

What we stand to see happen over in the Senate and now in the conference committee is that veterans would be precluded from pushing their claims, but other corporations and other entities, in particular tobacco companies, would be allowed to exclude the veterans and go forward with their claims.

Mr. Speaker, what this particular resolution on behalf of my colleague from Texas says is that the veterans will at least have the ability to put forward their claims to stand there with the others and make their case for the wrongs that were done to them.

We have to remember that these were violations of international law that people are suffering from problems that have manifested themselves, sometimes very much later after their service was done. Veterans in my district and throughout this country have the continuing feeling that sometimes their concerns are lost. This is one way of assuring that they are given equal footing and a right to pursue the claims that they have.

□ 1045

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

I would like to point out that under existing law that is there today, veterans are precluded from pursuing any of this. As you know, there is a United Nations Commission with funds available and the U.S. Government has made claims against it but has never made any claims on behalf of veterans. As I said earlier, even if we adopt the gentleman's amendment from Texas, it is not going to make any difference.

My whole point is, of course, we all support veterans. But this amendment does nothing. If it eliminates it, all we are is where we began; that is, the money is still frozen. It is not going to be distributed to anyone.

What about the fact of this? In America, America was built on the free enterprise system where people went out and earned money and they worked hard and they were either successful or they were not successful. But as I said, we have 813 individuals; we have various commercial enterprises who did business; they are owed the money. In many ways, it is their money. They are going to be denied any opportunity of getting it.

Under section 601, there is a procedure for private claims with the Commission and then there is a procedure for the Government. As I said earlier, even if the Government makes the claim on behalf of veterans, they have already prioritized it in such a way that the Commodity Credit Corp., OPIC, and Eximbank would get the money first, leaving the veterans without anything.

That is why I think we need to do everything we can, as I said earlier, to support these bills reported out by the Committee on Veterans' Affairs that would address in a real way some of the problems of Persian Gulf syndrome. These bills provide real relief, not imaginary relief.

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

Mr. DOGGETT. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. EVANS]. I can think of no one better able to respond about the Committee on Veterans' Affairs than the ranking member.

Mr. EVANS. Mr. Speaker, I rise in strong support of the Doggett motion to instruct conferees concerning H.R. 1757, the Foreign Relations Authorization Act.

It is very clear that our Senate colleagues, in this Helms amendment, have established an Iraqi claims fund to provide a means to handle conflicting claims for frozen Iraqi assets stemming from the Persian Gulf war. Among those who have filed claims for such frozen assets are gulf war veterans and tobacco companies. In determining who has priority to such claims, the Helms amendment would give preference to private corporate interests, such as tobacco companies, over our veterans.

It is inconceivable that Americans would support such priorities at the expense of our Nation's veterans. We should instruct the conferees to reject the Helms amendment to the foreign relations bill. Many veterans who served our Nation during that conflict have been afflicted with undiagnosed illnesses that many people call Persian Gulf syndrome since they returned home.

As forcefully stated by veterans service organizations and veterans advocates, this ill-conceived provision which pits gulf war veterans against tobacco would add insult to the illnesses many veterans contend with daily.

To suggest we have done enough to help those veterans of that war with the problems that they are facing I think is to ignore the facts. Under both Democratic and Republican administrations, I am afraid to say, we have not done enough for our Persian Gulf veterans.

Having access to these assets, perhaps as a result of a class action suit, the same way that Vietnam veterans sued the chemical companies dealing with the agent orange issue, is something that could be a real possibility for these veterans to obtain assistance they have not received from the Federal Government under those Democratic or Republican administrations.

While I have supported the legislation that has dealt in small part with the Persian Gulf veterans, I think it is woefully inadequate today. Our Government has not honored the claims of those people who fought and defended those people in the Persian Gulf region. This at least offers them one other fund, one other road, one other avenue that they can take to get the help they need.

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

I would just say once again that of course we want the veterans to pursue any legal remedy that they have. I know that there is an attorney in Houston by the name of Gary Pitts who is working with a lot of veterans to pursue claims in various ways. But the bottom line, as I have said before, is that the money will not be there.

Let us work on real solutions to this problem. Let us get this legislation through that I have referred to. Let us take concrete action that will not raise false hopes for veterans, because we are raising false hopes here. That is my whole point.

These men and women have devoted an important part of their life. Their families have suffered. Many of them continue to suffer in the Persian Gulf syndrome. Why should we raise false expectations over this particular issue? We need to be involved with real solutions to this problem.

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

Mr. DOGGETT. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore (Mr. QUINN). The gentleman from Texas [Mr. DOGGETT] has 16 minutes remaining, and the gentleman from Kentucky [Mr. WHITFIELD] has 14½ minutes.

Mr. DOGGETT. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas [Mr. REYES] a new Member of this body who has already distinguished himself as a member of the Committee on National Security and as a representative for the many men and women at Fort Bliss, TX, and the many veterans in the El Paso area.

Mr. REYES. Mr. Speaker, I appreciate the gentleman yielding me the time.

This morning I rise, regrettably, as a member of the Committee on Veterans' Affairs representing a district containing nearly 60,000 veterans and as a veteran myself, because I think it is a sad day, indeed, when we have to debate such a clear issue as this as we are today.

Thousands of our soldiers served honorably in the Persian Gulf and secured freedom for that part of the world. However, this did not come without a high cost. As we are all aware, Persian gulf war veterans came back with undiagnosable conditions suffering

from a variety of ailments as a price for their service. Our country has an obligation to these men and women who risked life and health for the safety and security of our country and for freedom throughout the world.

One result of the Persian Gulf war was that Iraqi assets were frozen during the course of that conflict. These funds amounted to $1.3 billion. The Foreign Relations Authorization Act, which is currently in conference, establishes the Iraqi Claims Fund which allows claims against these frozen assets. Our veterans should not be placed in the back of the line in making claims against these assets. A provision provided from the Senate would put veterans behind other interested claimants, including tobacco companies and other commercial claimants. While commercial entities certainly must be allowed to file for compensation, our veterans must come first, for they paid the heaviest price.

I join today with the gentleman from Texas [Mr. DOGGETT] and the gentleman from Illinois [Mr. EVANS] and others to stand firmly with all veterans of this country in urging the conferees to strike the Senate provision favoring commercial entities over veterans.

Mr. DOGGETT. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Minnesota [Mr. LUTHER], an advocate for veterans.

Mr. LUTHER. Mr. Speaker, I rise in support of the Doggett motion and first want to thank the gentleman from Texas [Mr. DOGGETT] for his outstanding leadership on this issue.

Specifically, I oppose the process where a provision is inserted in a bill giving any priority to commercial interests over veterans when it comes to these frozen Iraqi assets. This provision was inserted without any hearings in committee or subcommittee. We recently saw, just a couple of months ago, where a $50 billion tax break for special interests was inserted in the budget bill, and now, just as we are in the process of repealing that, we see this provision. These are examples of why the American public has lost confidence in their Government, why they are disgusted with the political process, why many of them refuse to even vote any longer.

When I came to Congress, I promised to change the old way of doing things and to have openness in this body. That is what this provision is about. I urge fellow House Members to reject the old way of doing things. Support openness in government, support ordinary Americans, and support this motion.

Mr. DOGGETT. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. TURNER], another distinguished member of the Committee on National Security, an advocate for veterans.

Mr. TURNER. Mr. Speaker, I thank my colleague from Texas for his leadership on this very important issue.

It is very clear to me that the Senate has put our veterans at the end of the line in making their claims against the $1.3 billion fund frozen in the gulf war. Under the Senate amendment, those who served on the front lines will be at the back of the line when it comes to making their claims. Veterans who courageously served in the gulf war deserve better. Our Nation owes a debt to those veterans that we must try to repay, and we certainly are moving in the wrong direction if we put them at the back of the line in making their claims.

It is amazing to me that we did not even at least see the Senate give veterans equal access to these funds but, rather, they put them at the back of the line.

The American people have a long tradition of supporting our veterans who have served us so courageously. I urge the Members of this body to join in supporting this motion to instruct our conferees to give our veterans their fair share of these funds.

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

Would the gentleman from Texas enter into a dialog for a moment? What I would like to ask the gentleman is: Let us say we adopted the amendment without anything else; is there a mechanism, would veterans be able to get to this money?

Mr. DOGGETT. Mr. Speaker, will the gentleman yield?

Mr. WHITFIELD. I yield to the gentleman from Texas.

Mr. DOGGETT. Mr. Speaker, I appreciate the gentleman raising the question. As the gentleman well knows, to be more specific in this motion, which is not truly an amendment, it is the Helms amendment by Senator HELMS of North Carolina that is the problem here. The House bill does not speak to this issue. The only motion I could offer, after consulting with the parliamentarian, was of the nature here.

I would like to have spelled out the entire mechanism for veterans recovery, but I believe that if we instruct our conferees in this fashion, the conference committee will be authorized to continue its negotiations, as it is negotiating now, to give veterans first preference, I would prefer, or at least treat them equally to the tobacco companies. I think they have earned that. I believe that that is the effect of this motion.

To not approve this motion, even under the statement of Senator HELMS as reported in Stars and Stripes by his explanation, we are assuring that veterans will never recover one penny of Saddam Hussein's assets if the Helms amendment sticks. That is why all these veterans groups are coming out against the Helms amendment and speaking out so vigorously against it and in favor of the motion that I am offering.

Mr. WHITFIELD. Mr. Speaker, I thank the gentleman.

I would just simply say that adopting this motion, as I said, does nothing. If we go through this process, the Government continues, this administration continues, to go by the priority that it has established: The veterans are not going to get anything. So the administration would have to change its position on this.

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

Mr. DOGGETT. Mr. Speaker, I yield 1 minute and 30 seconds to the gentlewoman from Michigan [Ms. STABENOW], a woman in this body, because there are women who fought for this country in the gulf war as well, an outspoken advocate for veterans, especially those suffering from gulf war syndrome.

Ms. STABENOW. Mr. Speaker, I first would like to thank my colleague from Texas who has brought the attention of the House to this issue that is so critical to our veterans.

It has been said earlier today, and I feel compelled to respond, that this body, that our Government, has always been there for the veterans. I can assure my colleagues that the veterans in my district believe they have to be vigilant, fighting to make sure they have VA benefits, fighting to make sure they have the health care that they need, and especially those who fought in the gulf war.

The families in my district, the men and women who came back exposed chemically to illnesses that have ruined their lives, I have individuals in my district whose health will never be the same, who have been impacted so severely, they do not feel that their Government has been with them. They are fighting every day.

We are making small steps forward in finally recognizing what happened to them and creating some health care. But this amendment by Senator HELMS, the Helms language, takes us a tremendous step backward. It says to all of those who fought, who came home sick, whose lives have been forever changed because they served our country, that they are at the back of the line, that tobacco companies and others are more important.

□ 1100

Shame on us as a Congress if we allow the Helms language to stand. I urge my colleagues to support this very important motion.

Mr. DOGGETT. Mr. Speaker, I yield 1 minute to the gentleman from San Antonio, TX, Mr. RODRIGUEZ, a member of the Committee on National Security, one of our new Hispanic Members who ably represents many Hispanic veterans who made the ultimate sacrifice. And I might note, Mr. Speaker, that our Hispanic population has contributed more congressional honor winners than any other group in this country.

Mr. RODRIGUEZ. Mr. Speaker, let me first of all thank the gentleman from Texas [Mr. DOGGETT] for his efforts in ensuring that veterans are prioritized as No. 1.

I have sat back and listened to the gentleman from Kentucky [Mr.

WHITFIELD] indicate that it does not make any difference. If it does not make any difference, I would ask him to reconsider and accept the amendment and do the right thing.

I think it is unfair that as we move forward and listen to Senator HELMS and his prioritizing, there is no doubt that businesses out there have suffered. There is no doubt that the industry and construction has suffered, but we need to just ask one question: Who suffered the most in the Persian Gulf? It was our veterans who were out there. They were the ones out there on the front line. They were the ones that made the difference. They were the ones that made it happen, and we need to be there for them.

For us to not consider them as our first priority when we look at that $1.2 billion is not appropriate and it is unfair. We need to make sure that we are fair and that we are not insensitive, and so I will ask for my colleagues' support to make sure the conference committee takes into consideration and puts veterans No. 1.

Mr. Speaker, I rise in strong support of Mr. DOGGETT's motion to instruct conferees concerning H.R. 1757, the Foreign Relations Authorization Act.

There is not enough money from the $1.2 billion Iraqi frozen assets to pay all the claims of our citizens, businesses, and Government. Therefore, we have to decide who should take first, and how much they can potentially get. This is a tough decision. I recognize that many individuals and businesses who have dealt with Iraq have faced losses on shipments, commodities, and unpaid consulting and construction contracts. We must ask ourselves: Among us, who paid the highest price in the Persian Gulf war? I do not even have to leave my district to answer—the gulf war veteran suffering from disease and illness. I can think of several cases off the top of my head, one even involving birth defects to a veteran's child.

The other side argues that care for veterans has traditionally been the sole responsibility of the Government, which it is. But what do you do when the Government does not recognize the illness as service-connected? What do you tell the veteran whose own Government is telling him that he or she does not have a problem? I believe that telling the veteran that he or she will not get a chance to collect on a claim is adding insult to injury. While our Government deliberates on whether and how to compensate those so clearly affected by their service in the gulf war, how can we break the bank for anyone else?

I respectfully advise the conferees to look beyond the heated and sometimes misleading rhetoric on priorities of businesses versus veterans. Then, I believe, they will do the right thing.

Mr. WHITFIELD. Madam Speaker, I yield myself such time as I may consume to say that I think this debate has been quite helpful today because it has truly focused the issue of the importance of veterans to the American people and to the sacrifices that they have made.

My purpose in having this debate today was to bring attention to this whole process of how, as is usual in wars, they always set up these commissions to distribute money owed to people who provided services, and they allow governments to come in and make claims against them. This administration and this Congress, they have not done anything in a positive way to make sure that veterans are compensated and, as I said before, if the Doggett amendment is adopted, it still does nothing.

So I would urge the committee and the House to work diligently on Medicare subvention so that retirees can go to military bases and have Medicare reimburse them, because they can provide the services more economically. I would urge this House to allow veterans to go to VA hospitals, as they do, and when they are reimbursed through CHAMPUS or by private insurance, allow VA hospitals to keep that money instead of sending it back to the general fund.

I would also urge this House to move H.R. 2206, that would improve the VA's ability to provide health care to Persian Gulf veterans; and, more importantly, would specify that Persian Gulf veterans are eligible for VA health care for any problem related to service in the gulf, not just to those problems that may be linked to exposure to toxic substances or environmental hazards.

It is obvious to me that we all want the same thing, and I am delighted that the gentleman from Texas raised the issue, and I would like to say I hope that we will adopt it by unanimous consent.

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

Mr. DOGGETT. Madam Speaker, I yield myself 25 seconds to say that I think this is the first time I have found a debate here maybe really persuades an opponent, who is still opposing a measure but says we should adopt it by unanimous consent.

I would join the gentleman in urging Speaker GINGRICH to set every measure the gentleman mentioned on this calendar. I do not understand why Medicare subvention has not been set out here. I do not understand why a mechanism for our gulf war veterans to make claims against Saddam Hussein has not been put on the calendar.

I do not understand why this motion was tucked away at midnight last night and then adjourned instead of addressed. I think our veterans should be put first instead of last again and again by this Republican leadership.

Madam Speaker, I yield 1 minute to the gentlewoman from New Haven, CT [Ms. DELAURO], who has been an articulate spokesperson not only on the needs of our veterans but on the tremendous dangers of nicotine addiction.

Ms. DELAURO. Madam Speaker, I thank the gentleman for yielding this time to me.

We have a responsibility as public servants. That is what our job is here as the U.S. Government, as Democrats, as Republicans. This is not a partisan issue. This is a national issue.

We need to reward our veterans for their brave actions and their sacrifice. Veterans must come first. And it is very interesting this morning to take a look at what is going on, on this floor and who is speaking on this side of the aisle, on the Democrat side of the aisle. The gentleman is a lone voice on the other side. Where are his Republican colleagues to come here this morning and to talk about what veterans have done to protect our rights and our liberties in this country?

We stand here. We have the opportunity to serve this country because veterans fought for this great Nation of ours. I support this motion. I thank the gentleman from Texas [Mr. DOGGETT] for bringing it before the House.

I oppose what the tobacco companies would be allowed to do in making their claims before veterans in this country. It is wrong and we should vote for the Doggett amendment.

Mr. DOGGETT. Madam Speaker, I yield 4 minutes to the gentleman from Texas, [Mr. CHET EDWARDS]. We are fortunate, indeed, to have in this body someone who represents more members of our military in a populated area than anyone else in the world, I believe, Fort Hood, TX, the former chair of the Veterans Health Subcommittee within the Committee on National Security, I believe, and now on the Committee on Appropriations.

Mr. EDWARDS. Madam Speaker, sometimes silence says a lot and, frankly, I am disappointed that out of over 200 Republican House Members, not 1 Republican has come to the floor of this House to stand up for veterans versus tobacco companies this morning.

Most Americans will never know a young man named Arden Cooper. He was 22 years old, fighting against the Iraqi Forces in Kuwait. He saw a comrade of his lying in the sand wounded by Iraqi fire, and despite murderous fire, he went to his friend's aid and put his body over that of his comrade's in order to try to save his life. In doing so, Arden Cooper gave his life to his friend and to his country. When he was given a Silver Star for his bravery, his parents had to accept it posthumously.

To me Arden Cooper represents the very best of American veterans. Ordinary citizens, Americans, willing to fight and, if necessary, yes, die for their country. And while not all Americans died on the sands of Kuwait like that 22-year-old young American, many of Arden Cooper's comrades breathe every breath today in pain because of the injuries and the illnesses sustained in standing up to Saddam Hussein.

The choice today is very clear. It is a choice of whose side we are on, the side of those who made profits selling cigarettes to Saddam Hussein and his citizens, or do we want to side with those who put their lives on the line to fight for America's freedom and stand up to Saddam Hussein and his forces?

I am outraged that a Republican leader from the other body would be so

bold as to put the interests of tobacco companies or any company ahead of the interests of the men and women who fought, were injured, yes, even those who died in Desert Storm. To put the interests of tobacco companies in front of the interests of veterans is absolutely, in my book, morally wrong. I think it is a slap in the face not only to Desert Storm veterans but to all veterans in America who have ever served this Nation.

The gentleman from Kentucky, and I respect his privilege to stand and speak for the other side on this issue, but I must take objection to his comment that we are only talking about $1.2 billion here. Well, maybe $1.2 billion is not a whole lot to the richest tobacco companies in the world, but to one of my constituents living in my hometown of Waco, who lives in a tent, confined in his own bedroom because of illnesses sustained in Desert Storm, to someone like that, a few thousand dollars, not $1.2 billion, could be the difference between living life in dignity and respect and just surviving.

Madam Speaker, in just a few days, on Veterans Day, Members from both sides of the aisle will go back home and ride in Veterans Day parades. They will give patriotic speeches thanking our veterans for their service to our country. Well, I do not think that is good enough. It is not good enough to just support veterans on Veterans Day or to pay tribute to those who died on Memorial Day. We ought to stand up for our veterans every day, and certainly we ought to stand up for them today.

I will join with any Member of this House to see that American veterans are put at the front of the line, not the back of the line, when it comes to claiming frozen Iraqi assets in America.

Mr. DOGGETT. Madam Speaker, how much time is remaining?

The SPEAKER pro tempore [Mrs. EMERSON]. The gentleman from Texas [Mr. DOGGETT] has 4 minutes remaining.

Mr. DOGGETT. Madam Speaker, I yield myself the balance of my time.

Members, with this motion, we probe once more the influence of the powerful tobacco lobby on this Congress: The same tobacco companies that begin the addiction of 3,000 children in America every day to nicotine; the same tobacco companies that rank among the top soft money contributors to soften up the political leadership of this Congress; the same tobacco companies that give that soft money to produce a hard, bad deal for the ordinary working American; the same tobacco companies that snuck into this Congress earlier this summer and got themselves a $50 billion tax break, masquerading under the title ''Technical Amendments to the Small Business Job Protection Act,'' and then were so ashamed of it, they could not find anyone to claim authorship of that provision urged on by former Republican chair Haley Barbour.

That same group seems to have no shame, because not having gotten enough in the past from this Congress with their audacity, they come forward today through the senior Senator from North Carolina, and they ask to have their claims put on top of the heroic men and women who fought our Nation's battles in the gulf war.

The gentleman from Kentucky keeps referring to our clouding the issue this morning. Well, my colleagues, the only cloud here is a smoke cloud, a cloud of smoke that lingers over this Congress as long as the tobacco industry has a stranglehold on it.

A vote for this motion is simply a vote to assure an opportunity, not a guarantee, an opportunity for our gulf war veterans to make their case before the commission and to have a decision rendered based on the evidence that they are entitled to some payment for the illness and the disability that they are suffering.

As my colleague from Texas just pointed out, $1.2 billion is probably just pocket change to the seven largest tobacco companies that have been blocking, since Democrats were in control of this Congress, that have been blocking the access of our veterans to get to these funds.

Let me emphasize, contrary to what we heard from the opposition, from the gentleman from Kentucky, that in no way does this motion interfere with the obligation of the Federal Government to meet the needs of our veterans. I am merely suggesting that a young veteran who suddenly finds himself without the capacity to provide for his or her family, cut down in his youth, ought not to have to rely solely on a Veterans Hospital and on veterans disability payments, which often are not adequate to meet the true needs of a family; and that that veteran ought to have the right to say Mr. Saddam Hussein violated international law, as the United Nations even concluded, in invading Kuwait, and I ought to be able to get back some of the loss that my family has suffered as a result of his violation of international law, and my claim is every bit as legitimate as the seven tobacco companies that sold the cigarettes that the Iraqi soldiers were smoking there in the desert, and may still be laying around the desert somewhere, when they dealt with Saddam Hussein before he started this war.

□ 1115

It is my contention that these disabled veterans, as the VFW has concluded, as the State Department has concluded, will get nothing unless they have priority.

The front page of the ''Stars and Stripes'' magazine tells it all: ''Our veterans await the decision of this Congress, even as Senator HELMS speaks out today that he would bar every cent of their claim.''

I ask my colleagues to stand first with our gulf war veterans because they stood first for this country. We have a simple decision on this record vote. Stand with GI Joe, stand with GI Jane, who defended our democracy, not Joe Camel, who continues to exploit our children.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I would rise in support of my colleague from Texas, Mr. DOGGETT, to instruct the conferees on the Foreign Policy Act (H.R. 1757). Representative DOGGETT's motion instructs conferees to reject a Senate provision which would position private claims ahead of U.S. Government claimants—including gulf war veterans—against frozen Iraqi assets. The provision authored by Senator HELMS prioritizes the claims in such a way that tobacco companies and other commercial claimants would be paid from the fund before our veterans.

Mr. Speaker, as a friend of veterans I must urge my colleagues to vote in favor of Mr. DOGGETT's motion which would prevent any money taken from our veterans. Many of our soldiers have been afflicted with undiagnosed illnesses since defeating Saddam Hussen's forces in the Persian Gulf region. The U.S. Government has a duty to take care of its veterans. Their claims against available assets do not relieve the Government of its obligations to veterans, but rather provide additional compensation to veterans who have suffered at the hands of Iraq's violations of international law.

Instead of gulf war veterans, tens of thousands of whom are ill, Senator HELMS wants those with contracts, including seven large tobacco companies, to have priority to receive the funds. I must urge my colleagues to reject section 1601 of the Senate amendment, which provides for payment of all private claims against the Iraqi Government before those of U.S. veterans and the U.S. Government.

Mr. DOGGETT. Madam Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion to instruct offered by the gentleman from Texas [Mr. DOGGETT].

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

Mr. DOGGETT. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 412, nays 5, not voting 16, as follows:

[Roll No. 480]

YEAS—412

Abercrombie	Barrett (WI)	Blunt
Ackerman	Bartlett	Boehlert
Aderholt	Barton	Boehner
Allen	Bass	Bonilla
Andrews	Bateman	Bonior
Archer	Becerra	Bono
Armey	Bentsen	Borski
Bachus	Berman	Boswell
Baesler	Berry	Boucher
Baker	Bilbray	Boyd
Baldacci	Bilirakis	Brady
Ballenger	Bishop	Brown (CA)
Barcia	Blagojevich	Brown (FL)
Barrett (NE)	Blumenauer	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
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
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
Filner
Flake
Foglietta
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
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
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.
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)
Manton
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
Ortiz
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
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)

NAYS—5

Barr
Johnson, Sam
Scarborough
Stearns
Taylor (NC)

NOT VOTING—16

Bereuter
Bliley
Conyers
Fazio
Gibbons
Gonzalez
Granger
Linder
McInnis
Ros-Lehtinen
Schiff
Smith (OR)
Stokes
Visclosky
Waxman
Young (FL)

□ 1135

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further 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. 2378) ''An act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1998, and for other purposes.''

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 901, AMERICAN LAND SOVEREIGNTY PROTECTION ACT

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105–288) on the resolution (H. Res. 257) providing for consideration of the bill (H.R. 901) to preserve the sovereignty of the United States over public lands and acquired lands owned by the United States, and to preserve State sovereignty and private property rights in non-Federal lands surrounding those public lands and acquired lands, which was referred to the House Calendar and ordered to be printed.

PERSONAL EXPLANATION

Mrs. ROUKEMA. Madam Speaker, last evening I was unavoidably detained and arrived too late for the vote on the Mollohan-Shays amendment. I would like to have the RECORD note that had I been here to vote, I would have voted against rollcall vote 475 to H.R. 2267.

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Madam Speaker, we are bound by the Constitution to conduct a census every 10 years. Article 1, section 2 of the Constitution calls for an actual enumeration. The 14th amendment calls for the Representatives to be apportioned by counting the whole number of persons in each State. Any deviation from conducting the census under this constitutional mandate is a question for the Supreme Court to answer.

This is what this bill will now do. It will bar the Census Bureau from using sampling until this vital question is answered. Any other course of action would not be prudent or constitutional. It is for this overriding reason that I would have opposed the Mollohan-Shays amendment.

PROVIDING FOR CONSIDERATION OF H.R. 1127, NATIONAL MONUMENT FAIRNESS ACT

Mr. SOLOMON. Madam Speaker, by the direction of the Committee on Rules, I call up House Resolution 256 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 256

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 1127) to amend the Antiquities Act to require an Act of Congress and the concurrence of the Governor and State legislature for the establishment by the President of national monuments in excess of 5,000 acres. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment;