ways it can. However, we have been down this road before, and our most recent attempt was met with a resounding rebuke from the Supreme Court. The Communications Decency Act was declared unconstitutional by a unanimous vote, and I harbor serious concerns that this bill will meet the same fate.

While the notion of regulating materials which are deemed ''harmful to minors'' sounds appealing, it raises many practical concerns. Who decides what materials are ''harmful to minors?'' Should the standard be community-based, or national? If local judgments about the suitability of materials differ around the country, how can a global medium such as the Internet respond to these different views? For example, will the Internet sale of mainstream movies and sound recordings be subject to the most conservative community's view of what is harmful to minors, exposing itself to civil and criminal penalties in the process? If a chill is placed on the sale of these materials, what will be the practical effect on the growth of electronic commerce?

These questions and many more should be addressed before we rush to adopt an easy fix to a complex problem. The Supreme Court is likely to force Congress's hand on these matters, and reiterate its demand for a more thorough evaluation if and when this legislation is enacted.

Mr. PITTS. Mr. Speaker, I rise in strong support of the Child Online Protection Act.

It is our duty to protect America's children from online pornographers.

Kids in America know computers. They are being raised in an age where information is at their fingertips at the flip of a switch and a click of the mouse.

While Internet access is an incredible enhancer of learning, our kids are also put in danger of exposure to pornographic materials.

The Child Online Protection Act would require operators of commercial adult World Wide Web sites to take steps to restrict children's access to pornographic materials.

Opponents of this bill will claim that we are attempting to federally censor the Internet. This is simply not true. The bill simply requires commercial providers to place materials that are ''harmful to minors'' on the other side of adult verification technology.

Let's protect our children and make the Internet more family friendly by passing the Child Online Protection Act today.

Mr. TAUZIN. Mr. Speaker, I again want to thank the gentleman from Ohio (Mr. OXLEY) the principal author of the bill and the gentleman from Massachusetts (Mr. MARKEY) who has indeed improved it so much with the privacy provisions.

Mr. Speaker, I have no additional requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. NEY). The question is on the motion offered by the gentleman from Louisiana (Mr. TAUZIN) that the House suspend the rules and pass the bill, H.R. 3783, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A Bill to amend the Communications Act of 1934 to require persons who are engaged in the business of distributing, by means of the World Wide Web, material that is harmful to minors to restrict access to such material by minors, and for other purposes.''.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed bills of the following titles in which the concurrence of the House is requested:

S. 505. An act to amend the provisions of title 17, United States Code, with respect to the duration of copyright, and for other purposes.

S. 2561. An act to amend the Fair Credit Reporting Act with respect to furnishing and using consumer reports for employment purposes.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4104, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1999

Mr. MCINNIS, from the Committee on Rules, submitted a privileged report (Rept. No. 105–790) on the resolution (H. Res. 579) waiving points of order against the conference report to accompany the bill (H.R. 4104) 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, 1999, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 131, WAIVING ENROLLMENT REQUIREMENTS FOR REMAINDER OF 105TH CONGRESS WITH RESPECT TO ANY BILL OR JOINT RESOLUTION MAKING GENERAL OR CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1999

Mr. MCINNIS, from the Committee on Rules, submitted a privileged report (Rept. No. 105–791) on the resolution (H. Res. 580) providing for consideration of the joint resolution (H.J.Res. 131) waiving certain enrollment requirements for the remainder of the One Hundred Fifth Congress with respect to any bill or joint resolution making general or continuing appropriations for fiscal year 1999, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT REGARDING LEGISLATION TO BE CONSIDERED UNDER SUSPENSION OF THE RULES TODAY

Mr. MCINNIS. Mr. Speaker, pursuant to House Resolution 575, I announce the following suspension to be considered today:

S. 505.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4104, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1999

Mr. MCINNIS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 579 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 579

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4104) 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, 1999, 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. The gentleman from Colorado (Mr. MCINNIS) is recognized for 1 hour.

Mr. MCINNIS. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, the proposed rule for the conference report to accompany H.R. 4104, the Treasury, Postal Service, and General Government Appropriations bill for fiscal year 1999 waives all points of order against the conference report and against its consideration. The rule provides that the conference report will be considered as read.

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

Mr. MOAKLEY. Mr. Speaker, I thank my very dear friend and my colleague from Colorado (Mr. MCINNIS) for yielding me the customary half-hour, and I yield myself such time as I may consume.

Mr. Speaker, I urge my colleagues to oppose this rule and oppose the conference report. I realize we are nearing the end of our session and I understand that tempers are growing very short, but I am also very disappointed to hear that my Republican colleagues on the Treasury-Postal conference committee have deleted some Democrat-supported provisions, and it appears that they did so without any Democratic participation.

As late as yesterday afternoon, discussions between Democrat and Republican conferees were ongoing and all indications were that the conference report would pass with a bipartisan majority. But this morning without so much as a notice of meeting, my Democratic colleagues learned that these Democratic provisions had been taken

out of the bill. Although these provisions were included in the first conference report this morning, they were removed and as a result not one Democrat has signed their name to this conference report.

Mr. Speaker, this conference report gives new meaning to the term ''martial law.'' Some of the provisions that have been removed include the provision of the gentlewoman from Florida (Mrs. MEEK) that Haitian immigrants be given the same protections as the Cuban and Nicaraguan immigrants; the provision of the gentlewoman from New York (Mrs. LOWEY); and the provision requiring standards for Federal child care facilities.

We may also hear that the provision firing the FEC general counsel has been removed. But the assumption is that it may not be dead but may be resurrected not in this bill but in the continuing resolution. In case my colleagues do not remember, this is the reason firing someone for investigating the Christian Coalition and GOPAC, along with a lot of Democratic organizations and candidates.

Mr. Speaker, regardless of which organization supports which party, if the FEC is not free to investigate who it will, when it will, our entire electoral system will suffer.

I urge my colleagues to oppose this rule and oppose this conference report.

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

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume. First of all I need to correct the statement made by my good friend the gentleman from Massachusetts (Mr. MOAKLEY). The statement if I recall correctly from the record here a couple of minutes ago was that there had not been a Democrat who had signed the conference report. In fact Senator BYRD has signed the conference report. I know that this has just come up. I just wanted to bring that to the gentleman's attention. Obviously we are not going to have the perfect bill. We went through this on some other legislation the other night. We had extensive debate on this bill. We have gone out, we have talked with our colleagues, we have worked with our colleagues on both sides of the aisle and determined what needs to happen with this bill so that this Congress can conclude its business for the American people and move on. We came up with several elements. Those are going to be described in some detail by the gentleman from Arizona whom I intend to yield to here in just a couple of minutes. But the point here is this was a compromise. There were Democrats involved in this. Obviously the rule I think today will pass with bipartisan support. I hope it passes with bipartisan support because this bill deserves bipartisan support because it is built on a bipartisan structure.

The other day there were strong objections made by the other side. Frankly we looked at some of those objections and we have refined this bill so that we address in a fair manner those objections. Another point that I think we need to make. We have had some sacrifice on this side of the aisle. My colleague the gentleman from Florida (Mr. DIAZ-BALART) is very, very disappointed. He is very upset about this. I just spent the last 15 minutes trying to calm him down on the Haitian issue. I do not know anybody who has been more ardent in their support or have voiced their expressions on a more regular basis on this House floor in support of these Haitians. But that Haitian provision had to be dropped. That is the only way we could pick up those votes. He is very upset. He keeps standing up for the Haitians. I admire that position. But the fact is we have got to get these votes. We have got to move this bill. Ninety-nine percent of the content of this bill I think satisfies a lot of people. But we are never going to have the perfect bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Speaker, I thank the gentleman for yielding time. I rise in strong support of this rule. The gentleman from Colorado and I were here the other night. The outcome was not a very good one. I hope today that we will have a better outcome to the rule for this conference report.

Let me say a little bit about why I do support this conference report. I guess maybe it sounds a little bit like a Government 101 lecture, and I apologize if it seems that way. I think we have to face some of the realities. The reality is that to get a conference report adopted and to the President for signature, you have to do two things: You have to get it out of the conference, and that means getting a majority of Democrats and Republicans on the conference to sign a conference report. The second thing you have to do is to get it passed in both houses. The only way we can do that is with the bill that we have here this afternoon.

Now, there are provisions in here that are very controversial and some that I strongly supported. Let me just deal with the four issues that are different from where we were the other night when we got only 106 votes for the rule, with only 17 votes from the minority side of the aisle to support a rule that had in it things that they said they strongly, strongly supported. One of those was expanding contraceptive coverage for Federal employees covered by Federal health programs. That expansion of coverage is something that passed here in the House, it passed in the Senate, but they were very, very different provisions and they were very, very controversial. Members will remember the controversy we had when that occurred on the floor of the House. It caused a tremendous weight to be added to this bill. It was very difficult for us to deal with those who oppose this kind of expansion of contraceptive coverage for Federal employees. I happen to believe we should have it. But I also have a responsibility to the 165,000 Federal employees that are covered by this who would be out of work this weekend if we do not have the conference report signed.

The second is the Haiti Refugee Assistance Act. Now, this is also very controversial. There is bipartisan support for this from Republicans and Democrats in Florida and opposition to it from people on both sides of the aisle. It is a provision which clearly does not belong on this bill. It is not even vaguely related to the Treasury-Postal bill. If this is very important, it is an issue which can be addressed again in the ongoing discussions about the omnibus spending bill which will cover those bills that we cannot get passed on the floor, those conference reports that we cannot get adopted. This provision can be addressed in that bill.

□ 1700

The third thing is the day care provision, a whole title that was added by the Senate. Some people are very strongly supportive on this side of the aisle, but there are some jurisdictional problems about this provision. There are issues about day care that those chairmen of those subcommittees of jurisdiction had real questions about, and it was controversial.

And finally there was the FEC provision, the appointment authority for the General Counsel of the FEC, a highly controversial provision that had been added because some people on this side of the aisle believed that the general counsel of the FEC has been patently unfair in the kinds of rulings that he has given, and because there is no provision right now for getting rid of that individual. He is there literally until retirement because they cannot get votes to get rid of this person. So there was a provision to provide for an appointment authority for the general counsel.

Now those four provisions, Mr. Speaker, are the provisions that are being dropped out of this bill. We could not get this bill to the floor without taking those out.

Now I begged, I pleaded, with my colleagues on the other side of the aisle the other night to support that rule. Three of those provisions: those dealing with day care, with the Haiti refugee assistance and with the contraceptive coverage, were strongly supported by most or many and most of the Members on the other side of the aisle. The other issue, on dealing with the FEC, was not, but they made it clear that three out of four was not good enough. It had to be four out of four.

Mr. Speaker, I cannot get the bill to the floor, and we cannot pass this bill with that. As my colleague, my ranking member from the other side, has said time and again, this is a good bill. It provides for good money for law enforcement, to increase the amount of money we have for drug interdiction

for our Customs agents, it increases the flying hours for the black hawks. This is good law enforcement provisions in this bill. This is a good bill that covers the IRS reforms that we passed by wide margins in this Congress just a few months ago, to implement those reforms and get us moving forward with an IRS that is more user friendly.

This is legislation that we need, and, Mr. Speaker, we need to pass this bill tonight. So we have dealt with this in a fair way. We have said we will take out all of the provisions that are controversial, and all four of the provisions that are in this bill that were controversial have been taken out.

So what we have now is a bill that does, as it should do, an appropriation bill that deals with appropriations, that funds the agencies it says it is going to fund, that funds the agencies it should fund. And that is what this bill does, and it deserves the strong support, this rule deserves the support of this body, this conference report deserves the support, and I urge my colleagues to vote for it.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY) the ranking minority member on the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I hope that we are not about to spend another couple of fruitless hours. Excuse me, but I have laryngitis, so probably everybody will be happy about that. But the gentleman from Colorado (Mr. MCINNIS) is nodding yes.

Mr. Speaker, I want to put this bill in the context of what is happening to the budget in this end-of-the-session snarl that we always appear to get in.

Last Friday Senator BYRD was told by Senator STEVENS that the process which the majority party would like to follow is as follows: He was told that by Friday the Republican majority would have laid out for all of the bills that were still unsigned, they would lay out what the approximate wishes of the majority party would be on those bills, what the bills would look like if the majority party could write them. They then wanted us to take that paper and come back to them with our honest response about what our differences were that would have to be resolved in order for us to get signed bills, and they were hoping that we would have no more than 10 objections to each bill. We have gotten some information since that time, but we still frankly feel that the basic Johnnie Higgins work has not been done, the basic nitty-gritty work has not been done, in a number of these bills so that we know exactly what it is the majority wants to do. And I think one of the reasons for that is because there is a huge chasm between what the majority wants to do in the Senate and what the majority wants to do in the House. And so we still, even at the staff level, do not have a complete understanding of what it is that the Republican party would like to see on each of the bills in dispute.

What we desperately need, if we are going to finish our work, is a complete understanding of where the majority party wants to go on these bills so that we can then sit down, have a clear understanding of what the differences are and work our way towards resolution of those differences.

So it has been a very frustrating 2 days.

In the midst of that this bill which fell in a heap a week ago because of unilateral judgments on the part of the majority, this bill is now back once again being brought here by unilateral judgments on the part of the majority, and what they have essentially done is to get rid of a number of provisions which had bipartisan support in the House, and now they are going to try to pass the bill with only Republican votes. Well, they can do that if they want, and they may even be able to pass it with only Republican votes, but the fact is that the other remaining issues still remain and this bill will not be finally disposed of until those issues are addressed. The gentleman from Maryland (Mr. HOYER) will in more detail get into the matter of what these amendments are.

But it simply seems to me that yesterday we offered the majority this proposition. We said, ''If you drop one of the items that is causing so much controversy and has no bipartisan support, if you drop the item that we feel would gag the ability of the FEC to enforce the law on elections, we would provide the lion's share of our votes in the caucus, and we could easily pass the bill.'' Instead of continuing to pursue a bipartisan approach, the majority party has decided that they are going to take unilateral action to once again try to ram this bill through.

All this action does is further delay our ability to resolve the differences between us. It is not the kind of negotiating posture that I would expect from a majority party that tells the press every hour on the hour that they want to get out of here by Saturday. If you want to get out of here by Saturday, they ought to start negotiating like they want to get out of here by Saturday rather than negotiating like they think they have got the next 2 or 3 months to be around here, or we will be around here for the next 2 or 3 months.

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

Obviously I take issue with some of the comments made by the previous speaker about the majority going out there and speaking to the press. Frankly, we have not had much time to speak to the media. We have been up there in the conference room trying to work out a compromise.

Now last week that very gentleman stood up here and talked about a provision that was offensive to some Democrats over there. They could deliver those votes if that offensive, as they put it, provision was dropped, and it was. Now today it is a different trail, it is a different direction, it is a different path. As my colleagues know, I do not know which way they are going to travel.

And the comments at the end just are taking a cheap shot at the Republicans. As my colleagues know, it is time to put that partisan stuff aside. We are in the final days, and the only way we are going to resolve this is to quit playing that partisan stuff and come together in a compromise.

In addition to my comments, I yield 1 minute to the gentleman from Arizona (Mr. KOLBE) because I would like him to address these comments that are totally out of line in my opinion.

Mr. KOLBE. Mr. Speaker, I appreciate the gentleman yielding this time to me, and it will not take me more than 1 minute.

As I listened to the gentleman from Wisconsin and his comments, it is correct that yesterday there was a suggestion of an offer of a deal that might be made, and it was to drop out the one provision that we do not like in there, and keep the other three that we do like.

So, Mr. Speaker, the offer was:

What's mine is mine, what's is yours is also mine.

That is basically it. It is four out of four. We have got four provisions in there, three we really like, one we do not like. We have to be given the fourth one. That is their idea of a compromise. It is like moving the goalposts all the time.

Now we have got a provision here, a bill on the floor, where we have dropped out that one that was so controversial last week and that caused most of the Democrats to vote against it. But that is not enough, there has to be something else. So they always keep moving the markers, and we have to pass a bill, we do have to get out here, and we have to get our job done, and we are going to pass this bill.

Mr. Speaker, it is a good bill. As my colleague from Maryland has said, it is a good bill which provides for good money for law enforcement, and we should pass this bill.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Mrs. MEEK), my dear friend.

Mrs. MEEK of Florida. Mr. Speaker, I thank the gentleman from Massachusetts for yielding this time to me, and I rise today in strong opposition to the rule, and it is a very strong and hurtful opposition to the rule because I am a member of the Subcommittee on Treasury, Postal Service, and General Government, and under the leadership of our chairman we had a very good year. We worked very hard together, and also the Chairman and the gentleman from Maryland (Mr. HOYER) worked very well together. But at the very end it appears that things have come up that caused this bill to be objectionable to me.

The revised conference report shows that once again the House leadership is

abandoning the Haitians. The revised conference report continues a policy of discriminating against Haitians. Many of my constituents are worried about the treatment that the Haitians have gotten. It has been unfair, it has shown that some Central Americans and some others like the Nicaraguans have been given one treatment and the Haitians the other. It is not a fair yardstick.

Do we want to deport 40,000 Haitians back to Haiti after this country has allowed them to come in and to have a chance to get green cards and work in this country? In my district Haitians live in the same neighborhood as the Cubans and the Nicaraguans, which this Congress saw fit to give them a chance to get their green cards. Can my colleagues imagine that neighbors living next door to each other, one can receive a green card and another one cannot? We should not have abandoned that in this rule.

Let me give my colleagues just a short bit of history on this matter:

Last fall the Senate added to the Fiscal Year 1998 District of Columbia appropriations a bill giving permanent green cards to all Nicaraguans and Cuban immigrants who were in this country at the end of 1995. This provision helped more than 150,000 people. That provision was added on the Senate floor without any Senate hearings. The House accepted the Senate provision on Cubans and Nicaraguans, but they would not accept any provision on the Haitians. The Senate then realized it had failed to help Haitian immigrants who had fled a terror similar to the terror of the Civil War in Nicaragua, so last November Senator GRAMM and Senator MACK introduced a bill to correct this unintentional omission. This bill moved quickly through the Senate. It is only the House where there seems to be some real strong reason why there has to be this unfairness to Haitians. The Senate Judiciary Committee held a hearing, and then they approved the bill with minor changes. Then it came back to the House, and again the House stood in the schoolhouse door, as George Wallace used to do years ago, and now we need to show in terms of this conference report Haitian children are being devastated by this, they are here in this country.

And I want to say, Mr. Speaker, this rule should go down. There are many other elements, but the Haitian issue is one that I ask my colleagues' consideration to kill this.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I might consume.

I listened to the gentlewoman from Florida and tell my colleagues that our colleague, the gentleman from Florida (Mr. DIAZ-BALART), is extremely disappointed as well on the Haitian issue, and that is understandable. But we cannot get the votes in here and give everybody what they want. I mean when we give one group what they want, then another group is mad. We are trying to come up with a compromise so that we can get on with the Nation's business.

□ 1715

The compromise will satisfy the most pressing needs which this bill does. The compromise will satisfy enough votes to secure the votes necessary to pass this bill, which this bill does, and so all of us are going to have to come to the table.

So I appreciate the comments, and I appreciate the comments of my colleague, the gentleman from Florida, (Mr. DIAZ-BALART), who stood up relentlessly for the Haitian issue. But the fact is we have to come to a compromise.

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

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, I rise in strong opposition to this undemocratic rule and this conference report. I appreciate the openness and honesty of the gentleman from Arizona (Chairman KOLBE), and I appreciate the work that the gentleman from Arizona (Chairman KOLBE) and my colleague the gentleman from Maryland (Mr. HOYER) has put into this bill.

It is really a shame that this bill, which in many ways is a good bill, had to end in this way. Frankly, to me, it is amazing, and I hope the American people are watching this, contraceptives may be controversial in this body in the Republican Congress, but not for the majority of women in this country who want to end and prevent unintended pregnancies, who want to reduce abortions in this country. Contraceptives is not controversial for the majority of American women.

I truly am outraged, my colleagues, at the Republican conference for stripping from this conference report my amendment to provide contraceptive coverage to Federal employees. A majority of this House supported this provision twice, not once, but twice. It passed unanimously in the Senate by voice vote. But at every turn, the House leadership has tried it kill it.

If we pass this conference report, the leadership of this Congress is telling American women once again that their basic health care does not matter to this Congress, that it does not matter to the Republican leadership. Killing this basic women's health provision was a back-door way to overturn the will of the majority in Congress.

This truly is an insult to all 224 Members of the House Republicans and Democrats, pro-choice, pro-life who voted for my amendment. It is an insult to every Senator.

The Republican leadership truly should be ashamed of themselves. They have stomped all over democracy today. The women of America, my colleagues, are going to see right through this sham, and those responsible for stripping through this provision I think will regret it.

I only hope that the Members of the Republican conference who are such champions of this issue when it passed the House in July will see through the political games of the leadership and vote with us to bring down this rule and bring down this bill.

I cannot stress enough, my colleagues, how critical this basic women's health provision is to the women of America. It will take us a huge step forward in our efforts to improve women's health, prevent unintended pregnancies, and reduce the number of abortions.

With more than 2 million employees, the Federal Government is the Nation's largest employer. Approximately 1.2 million women of child-bearing age are beneficiaries in the Federal Employees Health Benefits program. Currently over 80 percent of Federal health plans do not cover the full range of FDA approved contraceptives used by women, and 10 percent of FEHB plans offer no coverage of contraceptives at all.

Women pay 68 percent more in out-of-pocket health care costs than men. This provision will have reduced that gender gap in insurance coverage. With this vote, my colleagues, we will see who in this House will stand up with the women of America, who will stand up with right wing extremists that want to regulate every aspect of women's health, and we will see who in this House has respect for the democratic process and the will of the majority.

I urge my colleagues to vote against this rule, vote against this bill, and vote for basic women's health care that was supported by the majority of this House. That is the democratic way, small ''d.''

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

Mr. Speaker, I am a little surprised by the previous comments. Obviously I guess the definition of a border is a line drawn in the sand to see how close you can get to it without going to the other side.

I think that civility, when you talk about the leadership should be ashamed of themselves, that is not necessary. The leadership here on both sides of the aisle have been working very hard, and they are going to have some pretty intense hours here in the next few days to come to some kind of compromise. I do not think we ought to take cheap shots about saying leadership should be ashamed with themselves.

Furthermore, I have been involved in working in the Committee on Rules and so on, and I have not seen any so-called right wing extremists, which again questions on civility, jumping out and making demands.

The fact is, to my colleague, she did not deliver the votes. She voted yes the other day on the rule. I carried the rule. We lost that rule by a majority.

The issue here is not whether there are right wing extremists. I have not discovered them in this body. The issue

is not whether or not the leadership ought to be ashamed of themselves.

The fact is, for the majority of this bill, can we satisfy most concerns on the floor? The answer is yes. We cannot satisfy the gentlewoman's. The gentleman from Florida (Mr. DIAZ-BALART) has got a problem for the Haitians. But can we deliver the votes on the compromise on a bill that is mostly good? The answer is yes.

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

Ms. LOWEY. Mr. Speaker, will the gentleman yield?

Mr. MCINNIS. Mr. Speaker, the gentlewoman has more time on her side than I do on mine. I think the gentleman from Massachusetts (Mr. MOAKLEY) will yield to her. If not, I would be happy at some point towards the end to yield to the gentlewoman when I know I have time.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I feel like asking this body to wake me up when this is all over. Wake me up when you finish choosing what kind of contraception female Federal employees ought to use. The good faith of this body, indeed the sacred vote of this body and of the Senate is at stake.

I have just come to the floor to say women are not going to take tampering with their contraceptive health. Look, we agree choice is controversial in this body. But I can tell my colleagues what is not controversial in this body or among the American people, and that is choice of contraceptives.

There is a reason; that is because we have got to have a choice of contraception because some of that does not work on some of us. Some of it will make us sick. Some has long-term effects. Some has short term effects.

So when Members of this body go into conference and try to make the diaphragm the only contraception that is available to women, they are insulting the women, not only of the Federal Government, but of the United states of America at their core.

We are fooling around with women's health when we decide as a body to choose or to limit their choice of contraception. One does not have to be a women to know that one size does not fit all when it comes to contraception.

If we want to preserve women's health, if we want to stop abortion, then the one issue that ought to unite us, pro-life and pro-choice, together is contraception.

I ask this body not to let history record that we decided in this year to instruct women on what contraception they ought to use.

Mr. MCINNIS. Mr. Speaker, may I get a time check?

The SPEAKER pro tempore (Mr. SHIMKUS). The gentleman from Colorado (Mr. MCINNIS) has 16½ minutes remaining. The gentleman from Massachusetts (Mr. MOAKLEY) has 13½ minutes remaining.

Mr. MCINNIS. Mr. Speaker, I yield myself as much as time I might consume.

Mr. Speaker, I understand the previous gentlewoman's comments, but I think the issue here is not at all about women's health. Obviously people on both sides of the aisle in this fine institution care about women's health. There are women on both sides of the aisle. There are men on both sides of the aisle that care.

This is a very important issue. It is a critical issue in any home in this country. So to suggest that perhaps some people do not care about the women's health I think is a little off base. I am trying to focus and bring us back to the direction that we are going.

First of all, we have got a fair rule. Second of all, this rule follows the same structure as other conference committee reports. Third of all, let me talk about compromise.

I spent this afternoon, I visited with my colleague, the gentlewoman from Florida (Ms. ROS-LEHTINEN), and she was adamant, she was adamant about this Haitian issue. But as I said to her and I say to my colleagues, look, we are trying to put together a good bill. We cannot make everybody happy. That is the struggle we are facing.

My colleague over there, the gentleman from Maryland, said we had a good bill, but there were areas he had difficulty with. That was understandable. That was why it did not pass. It was a message to us. We have got to restructure it. We have got to rebuild this car.

This car is not going to sell. Now we have got a car that can. And for people who want to put a modification on the car, they want to add a stereo or they want to put something else on it, that is fine if you can deliver the purchase price for it.

That is our difficulty here. We are not attacking or assailing these issues. We are just saying we are trying to round up the votes.

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

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, we all come to this House with the good intentions of our conscience and what is right for the Nation. I wish I could be convinced by my Republican friends on the other side of the aisle, the gentleman from Colorado and the gentleman from Arizona that seem to be arguing reason and goodwill, and we attempted to do all that we could.

But why do I not share the real facts. This rule now is a punitive rule. This is a ''gotcha'' rule. They fully well know that the reason that there were many of us who voted against this legislation, this rule early on, was the punitive poignant attack on the FEC, general counsel, and others not allowing them to do their jobs.

So what do they do? Yes, they do come back now and remove that provision. But the hard work of the gentlewoman from Florida (Mrs. MEEK), the gentleman from Michigan (Mr. Conyers), and others, impacting 40,000 Haitian refugees who simply want a green card after being here, equalizing their position in this Nation with many other Central Americans, they knew there was a contingent of people who worked and bled to get this done; they took it out.

Then the gentlewoman from New York (Mrs. LOWEY), who worked so very hard in a real compromise to provide contraceptive prescriptive drugs for those individuals in the Federal Government, they took it out.

Then my good colleague, the gentlewoman from New York (Mrs. MALONEY), who said working Federal employees and others need day care, and we can provide it in a fair budget-wise manner, they took it out because they wanted to get in our eye. This is not a compromise. This is a ''gotcha'' legislation or rule.

This is to say we do not care that this rule goes forward. We are going to satisfy those on that side of the aisle. We are not going to be responsive to people who have toiled in this land, 40,000 Haitian refugees are made a pawn. Children who need child care made a pawn, women who need prescriptive drugs are made a pawn. Do not fool me with this calm talk about we tried to compromise. This is a ''gotcha'' game of politics. I will not tolerate it. The American people will not tolerate it either.

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

Mr. Speaker, some excitement here. If I just heard the words do not fool with this hobnob, or I am not exactly sure of the quote, but that is pretty close to what the gentlewoman from Texas just said.

But the gentlewoman, when she had the Haitian provision in the last rule voted ''no'' on that. She voted ''no'' on that. Now she is saying vote no again. In other words, give me this way, give them this way.

She has got to make some choices. She needs to be consistent in her voting record if she is going to get up and say hobnobbing fools. That is not what is happening here. What is happening here is the Congress is doing the business of the people. This Congress has to wrap this up in the next few days. The way to do it is we get the more level heads here on both sides of the aisle, as it should be, to come up with a compromise.

□ 1730

That is exactly what has occurred here.

Mr. Speaker, as I said, my colleagues, the gentleman from Florida (Mr. DIAZ-

BALART) and the gentlewoman from Florida (Ms. ROS-LEHTINEN), brought up this issue, but their record is consistent. And I listened to the gentlewoman from New York (Mrs. LOWEY), and she as well is consistent in her statements. And I think that is important. We have the consistency here, and we have some level heads that are trying to come up with a compromise. We do not have the perfect bill.

If somebody over there who is objecting to this rule can come up with a perfect bill and deliver the 218 votes and the votes in the Senate and the President's signature, come up with it. So far, we have not discovered it. We would like to do it.

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

Mr. MOAKLEY. Mr. Speaker, I yield 2½ minutes to the gentleman from New York (Mr. NADLER).

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

Mr. NADLER. Mr. Speaker, this is a blatantly unfair rule. It is not a compromise, it is not inadequate. It is obnoxious.

We had a debate on this floor, and the House voted that Federal employees covered by this bill should have available to them contraceptive services for birth control. The Senate voted to make available contraceptive services for birth control to female Federal employees. An attempt was made on this floor to say that some forms of birth control are really abortions; that the pill should be outlawed because it is an abortifacient; that the IUD is not good, that is an abortifacient. This House intelligently voted that down by 2-to-1.

The conference report, the conference committee, faced with a House vote that said, we want contraceptive services covered, faced with a Senate bill that said, we want contraceptive services covered, put contraceptive services in the conference report. Then the Committee on Rules saw it and they said, oh, no, we do not care what the House said, we do not care what the Senate said, go back and rewrite the conference report, and they did. And since they could not pick and choose among the contraceptive services because they did not have the votes in the House, people laughed at it.

This conference report before us today says, American women who work for the Federal Government shall not have available to them any contraceptive services paid for by their health plans.

Mr. Speaker, that is obnoxious. It is not a compromise, it is obnoxious.

The antichoice extremist agenda is very clear. Not only do they want to ban abortions by any means necessary, the Supreme Court decision to the country notwithstanding, they want to ban contraception as well. They are not content with denying reproductive health services for women in prison or Federal employees or women in the Armed Forces or women on public assistance. They will not stop there. They want to eliminate contraceptive services as well.

Although this debate is supposed to be about Federal health plans, we can all see the dangerous precedent they are attempting to set. They are actually calling every woman who takes a birth control pill an abortionist. This is absurd, it is offensive, it is obnoxious. We must restore sanity to this discussion of women's health, and we ought to be clear that the American people will not accept efforts to make contraception or, for that matter, abortion illegal.

Mr. Speaker, I urge my colleagues to reject this rule, send it back to the drafters, reject the rule as we did the last one. Let them come back again and do the will of this House and the will of the American people, and not say to American women, you cannot have contraceptive services.

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

I see that the gentleman is very aggressive in his comments. I would just remind the gentleman that he had that provision right in his lands last week, and he voted against it, so today all of a sudden he shows up, and all of a sudden we are going to get another ''no'' vote when the provision is gone. I mean, which way, which direction?

I think it is time we level this thing off, calm it down, and let us hear from the other side of the issue.

Mr. Speaker, I yield 4 minutes to the gentlewoman from Kentucky (Mrs. NORTHUP).

Mrs. NORTHUP. Mr. Speaker, I think it is important that we inject a little honesty into this conversation.

The fact is, 84 percent of all Federal employees' plans cover oral contraceptives, and nearly 40 percent cover all 5 forms of contraceptives.

But rather than just make that statement, I brought to the floor 50 copies and will provide as many more as needed of a list of all of the plans that serve Federal employees so that my colleagues can see the chart of just how many plans there are, about 600, and how many cover so many, an array, of different forms of contraceptives.

The fact is that Federal employees have the envy of what the whole private sector needs and wants in health insurance. Every single Federal employee has the ability to choose whatever policy they want.

What do we get? A booklet of policies. We get a booklet of high-cost HMOs, low-cost HMOs, fee-for-service, point of service. We have every option of every kind of health plan we want.

What we ought to do is work to give what we have to the private sector, because the truth is that we have many different choices, many different plans, and most of them, most of them provide an array of contraceptive services.

Mr. Speaker, what happens if we mandate that every plan cover every form of contraceptive? We take away the one choice that Federal employees have today that they will not have in the future, and that is affordable health insurance, because when one starts adding mandates, one starts doing what every State legislature has found for years, and that is, one starts adding to the cost of health insurance. And as it goes up, one starts on that slippery slope. Every woman who is 31 years old and is paying for every form of contraceptives for everybody in the workplace who cannot get pregnant says, why should I pay for their contraceptives and they not have to pay for my fertilization? And every 60-year-old woman says, why should I have to pay for all the young women's contraceptives and they not have to pay for my estrogen?

The fact is we can do what State legislators have done. We can add every mandate that everybody wants, every service, every provider, every need, and we will drive the cost of health insurance right through the ceiling.

What we need to do is make sure that every employee in Federal office keep what they have now, the choice of whatever services they believe are important to their health, and then we need to make sure that it is also affordable. That is the best choice and the best gift that Federal employees have. What we need to do is take what we have and not ruin it, but make sure that the private sector have it, too.

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

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, this week's issue of Time Magazine features what it calls a numbers column, and it quotes various expenditures and notable numbers like this one: Next year the Pentagon plans to spend $50 million for Viagra for troops and retirees.

I think it is important to note that we are apparently willing to spend money for the potency of our armed services, but not willing to help prevent unwanted pregnancies by providing the full range of contraceptive services.

But on the other hand, we were willing to help prevent unwanted pregnancies. This language already passed the House and the Senate. But there is a small minority on the conference committee that changed it.

I believe that this language discriminates against women. When we defeated the rule for this conference report last week, it was clear that it could easily pass if only the language on the FEC were removed.

Mr. Speaker, I am glad that we at least accomplished that, but I cannot support this bill, because it does not provide the full range of contraceptive services, thereby discriminating against women.

I urge a ''no'' vote on the rule.

Mr. MCINNIS. Mr. Speaker, could I inquire as to the time remaining?

The SPEAKER pro tempore. The gentleman from Colorado (Mr. MCINNIS) has 10 minutes remaining; the gentleman from Massachusetts (Mr. MOAKLEY) has 8 minutes remaining.

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

I have asked the gentlewoman to return because I think that the comments that she brought up are very pertinent to the subject, and since we seem to have gotten off the rule and onto the subject of contraception, I think we need to close this out, and then we can get back to the rule and the fairness of the rule. So I am asking that the gentlewoman from Kentucky come back.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Kentucky (Mrs. NORTHUP).

Mrs. NORTHUP. Mr. Speaker, I want to start with where this idea I believe originated. There are women today that are in the private work force. They have a choice of one policy. Their employer says, you can have this policy; you have to contribute the monthly payment towards it, and some of those policies, in fact, pay for prescriptions, but do not pay for oral contraceptives.

We need to address that issue. I hope that the gentlewoman from New York (Mrs. LOWEY) will bring it to us. I asked a long time ago why we did not ask for a GAO study that would study both the private and the public workplace to see what sorts of discriminations exist for women in terms of access to health insurance policies that give them what they need.

Before we start fumbling around with the best choice that exists in the United States of America, and that is for Federal employees, before we start driving the price up, what we ought to do is be deliberative and see, first of all, do we have a problem? Do we have a problem in the public workplace; do we have a problem in the private workplace?

But because this came so quick and unstudied, I did ask OMB a second question besides asking for a chart, and that was, is there any Federal employee anywhere in the United States that does not have access to policies that cover oral contraceptives; and the answer is, no, there is not one.

So I think that before we push the price up at a cost, by the way, to many of the employees, because right now, what they may have chosen is the only affordable plan or the most affordable plan that meets their needs. If this plan either decides to drop out of the Federal employees health insurance plan because it cannot tailor something just to our mandate, and then they have to go to a more expensive plan, or if they have to pay more for the plan they currently have, we ought to ask them if that is what they want.

I think the whole problem in health care is that somehow we in the Congress think that we can play God, that we can somehow hand out free health care. Nobody can hand out free health care. It feels good here, but somebody pays the bill. The taxpayers pay the bill, and the Federal employees who have to pay a higher copayment pay the bill.

Please, do for Federal employees what the entire work force is asking us for, affordable health insurance, and do not take away that right that they have today.

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

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, the wrong that is proposed here tonight has nothing to do with the price of care in an economic sense. It is not going to raise the cost of health care to anyone. In fact, the Republican Congressional Budget Office has already pointed out that any cost change is negligible. The price is not economics; it is the political price that the Republican conferees were unwilling to pay to say no to the extremists who demand interference in reproductive health care, and yes to this House and to the United States Senate which said, by an overwhelming majority, that it is wrong to discriminate against women across this country and say to them that they can get some prescriptions, but not others.

Mr. Speaker, 80 percent of the health plans available to Federal workers do not provide all forms of contraception, and some women are unable to use certain forms of contraception. While our women Members like the gentlewoman from New York (Mrs. LOWEY) have provided dynamic leadership on this issue, I am here to say that this is an important issue not just to women, but to men, to families all across this country; that the Federal Government ought to be a model employer, ought to set the example, and it ought not to be discriminating against women in saying they cannot get access to something that is so very important to their health care.

I would say that this very debate, the first night the gentlewoman from New York (Mrs. LOWEY) successfully put this amendment on to assure access to health care for women across this country was truly a defining moment.

When Republican men stood on this floor and began to interfere and say, well, an IUD, I think that is abortifacient, the pill, well, maybe it is, they did not seem to have confidence that women understood what they were doing with their own bodies when health care was involved. They needed some Congressman to come in and tell them what kinds of contraception were appropriate and what kinds were not.

□ 1745

This is a radical decision this conference committee has made. It is wrong. We need to reject it, and say that the women of America are intelligent enough to make their own decision on this matter, and do not need any Republican help from the gentleman from Georgia (Mr. NEWT GINGRICH) or anyone else.

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

Mr. Speaker, obviously the gentleman from Texas paints as pretty a picture as he can get on it. He likes to put roses and flowers into it.

Let us talk about some economic reality here. First of all, I am astounded that in one-half of the gentleman's sentence he says there is no cost to the Federal Government, and in the next half of the sentence he says the cost is only negligible. That sounds like Democratic talk. That is what got us into a deficit: ''Well, it is just negligible, throw a few more bucks in.''

The second point is, remember, it is wrong for Members to stand up here and act like we can offer to the American people and the Federal employees of this government Mayo Clinic coverage. We cannot do it. If we want to do it, we can do like they did in Kentucky. They kept expanding and expanding what they ought to put in their medical plan and their choices.

If we want to talk about choice to the gentleman from Texas, their choices went from 47 plans to two plans. So what the gentleman is proposing up here is, let us go ahead and offer them the moon, which means that first of all and most importantly, most of these companies are not going to be competitive, which gives us the Kentucky example, 47 choices to two choices.

It is very important here that we understand that nothing is free. We do not get something for free. It just does not happen. Every time we give something to somebody free, we are taking it out of somebody else's pocket. It is debit-credit. It happens automatically.

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

Mr. MOAKLEY. Mr. Speaker, I yield the balance of my time to the gentleman from Maryland (Mr. HOYER), the ranking member of the Subcommittee on Treasury, Postal Service, and General Government.

Mr. HOYER. I thank the distinguished gentleman from Massachusetts (Mr. MOAKLEY), the ranking member of the Committee on Rules, for yielding time to me, Mr. Speaker.

Mr. Speaker, I rise, unfortunately, in opposition to this rule. I have been quoted numerous times on this floor as saying that this is a good bill. Let me repeat that statement. This is a good bill.

Let me also repeat, for all my colleagues, that the gentleman from Arizona (Chairman KOLBE) has done a good job in shepherding this bill to this point. The gentleman from Arizona (Mr. KOLBE) in my opinion is one of the fairest, brightest, hardest-working Members of this House. He is a gentleman for whom I have unrestrained

respect and affection and with whom I enjoy working.

It is unfortunate that a provision that he supports is dropped from his bill and is causing us so much consternation on this side. There is an irony, I suppose, in that, as well.

Let me now speak to where this bill is. I have said it is a good bill. The good news is, for America and for this House, that 99.999 percent of this bill is agreed upon. We have four provisions, just four, that ultimately the conference could not agree on or could not be agreed upon in this House, because obviously the provisions that were included in the bill that came to the conference committee were agreed upon.

There was one provision, as I pointed out in the last debate on the rule, that was unanimously opposed on our side of the aisle. We perceived it as a partisan issue. That is to say that it was not supported by Members of both parties. That was, of course, the provision that dealt with the FEC, which would have had the effect of immediately firing, as of January 1 or fairly immediately, January 1, 1999, the incumbent counsel. We perceived that to be a payback, an action which would have been taken for the purposes of disciplining somebody who took an adverse action against GOPAC and the Christian Coalition.

I know my colleagues on the other side of the aisle do not believe that was the motivation, and I accept their premise as being honest. But that was our perception of what that item was about, so it was very controversial. That item has now been dropped. We think that is appropriate.

This issue will be discussed. I think the chairman of our committee has a legitimate concern about bringing in new blood to oversee this agency. I will be glad to work with him and talk to him about those issues. The right thing was done with respect to the FEC. We went into conference again to discuss this.

I made it very clear to the gentleman from Arizona (Chairman KOLBE), on behalf of the Democratic side that if the FEC was dropped, I say to my friend, the gentleman from Colorado (Mr. MCINNIS), that at least 180 members of my side of the aisle would vote for the rule and this bill if the FEC were dropped. We could not pledge all 207 because there was some controversy on other substance, but I believe we could have gotten 180, which means that if the gentleman had 40 on his side or 100 or 140, this bill would have passed overwhelmingly.

Unfortunately, however, that was not to be. The chairman, as we left the conference, said the deal is off, we are not going to do a conference, we are going to put this in the omnibus bill. I have talked to the administration about that. I will tell my friends that the administration is going to be very, very hard and adamant on the inclusion of the contraceptive position of either this bill or the omnibus bill and the provision dealing with the Haitians.

The child care provision most of us I think are for on both sides of the aisle. We have a procedural problem that is causing a very substantial problem. I do not think the chairman is against it, and certainly I am for it. The gentleman from Virginia (Mr. WOLF) is for it, and other Members are for it.

With respect to the contraception, this, we believe, is the most egregious action that has been taken as this is reported back. First of all, let me tell my friend, the gentleman from Colorado, forget about what the Democrats say about cost. The Congressional Budget Office, I say to my friend, headed up by the selection of the gentleman from Ohio (Mr. KASICH) and Mr. DOMENICI, two Republicans who head the Committees on the Budget in the Senate and in the House, said that there is no cost; not Democrats, not the gentlewoman from New York (Mrs. LOWEY), but CBO says that, no cost. We were not scored for any cost whatsoever on this provision.

So that I think that is dispositive. CBO has talked to OPM, OPM says there is not going to be any cost, and CBO says there is to be no cost. So that was not the issue. In fact, it should not be the issue, this being a bipartisan-supported bill. In fact, 51 Republicans joined approximately 178 Democrats in voting to sustain this provision, 51 Republicans. What a significant number on the gentleman's side of the aisle, a very bipartisan support for this provision, which we perceive to be in the best interests of the health of America's women, in the best interests of the health of Federal employees, and in the best interests of pursuing a diminishing of abortions in this country. Will it be significant? We do not know. Will it affect that? We think it will.

We hope that Members vote against this rule so that we can go back to conference, as we did before, include back those provisions that we think have bipartisan support, pass this rule, and pass this very good bill that the gentleman from Arizona (Mr. KOLBE) has worked so hard on.

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

Mr. Speaker, I do want to make one point to the fine gentleman from the State of Maryland in regard to the CBO statement or the estimate that there is no cost.

First of all, my point to the gentleman from Texas was that in one statement he said there was no cost, and in the next statement he said it was negligible, so I am not sure what it is. Frankly, I think the gentleman probably observed it a little more closely. The point is, there is a shift in cost. While it is true that the government does not pick up additional costs, the individual will pick up additional costs. I think we just need to clarify that. What the gentleman has said is accurate, but to complete the picture, we need to show that the individual will pick up additional costs.

Mr. Speaker, I, of course, think it is important to get to this good bill. To get to this good bill we have to pass this rule.

Mr. Speaker, I yield the balance of my time to the gentleman from Arizona (Mr. KOLBE).

Mr. MORAN of Virginia. Mr. Speaker, will the gentleman yield?

Mr. KOLBE. I yield to the gentleman from Virginia.

(Mr. MORAN of Virginia asked and was given permission to revise and extend his remarks.)

Mr. MORAN of Virginia. Mr. Speaker, I rise in opposition to the rule.

Mr. Speaker, in the last four years I can't count the number of times I have been here on the House floor voting on bills, amendments, appropriations riders, and every possible vehicle for so-called anti-abortion legislation. The reality is, every member of Congress is anti-abortion. Every member of Congress wants to make abortion less necessary and eventually unnecessary. By improving access to affordable contraception, the Lowey amendment is an excellent way to achieve this goal.

As a founding co-chair of the Congressional Prevention Caucus, I am a strong proponent of using preventive methods to improve the length and quality of human life and also to reduce the skyrocketing costs of health care. On average, women spend 68% more on health care costs than men. Much of these additional costs can be attributed to reproductive health care costs. The use of contraception can help to reduce these costs for women by preventing unplanned pregnancy, an expensive and potentially life threatening condition.

Opponents of this amendment argue that 81% of FEHB plans already cover at least one form of contraception and that women federal employees already have a choice of plans. The one form is generally oral hormonal contraception known as ''the pill.'' Oral contraceptives are one of the five most common forms of contraceptive but it is not always recommended to some women who experience negative side effects or may be at higher risk of breast cancer or stroke. Alternatives should be accessible to women who decide in consultation with their doctor that it is a safer option. Ten percent of plans cover no forms of contraception at all.

Regardless of the percentage of plans that cover this option and don't cover that option, contraception should be considered basic health care for women of reproductive age. As employers, we have a responsibility to choose what kind of health care we want to provide for our employees. We should be providing this basic preventive care and not forcing our employees to choose a plan that may not be the best plan for them because none of the other plans provide contraceptive coverage.

Furthermore, if we are denying federal employees coverage of abortion services in their health plans, as we have since 1995, it would be hypocritical not to make methods to prevent the necessity of abortion as accessible as possible to federal employees. Contraception is a proven method in reducing the number of abortions. A recent study of the use of contraception in the former Soviet republics shows that preventing pregnancy with contraception reduces the number of abortions. In Kazakastan for example, abortion rates have fallen by more than 40% since the change in contraception policy by the government and widespread access to contraception was implemented.

As adversaries of the "abortion issue" continue to disagree over pro-choice, pro-life semantics, we should be working together on policies that we can agree reduce the necessity of abortion. I urge my colleagues to work together where we can on this terribly divisive issue by supporting the Lowey amendment to provide comprehensive contraceptive health care coverage for federal employees.

Mr. KOLBE. Mr. Speaker, I once again thank the gentleman from Colorado (Mr. MCINNIS) for his assistance here with the rule, and all of the members of the Committee on Rules. I want to thank the gentlewoman from New York (Mrs. LOWEY) for the very nice words she said, and the gentleman from Maryland (Mr. HOYER) for the nice words he said about the work that I have done, and the subcommittee Members and the staff.

I reciprocate completely the respect and the strong feelings that I have for both the gentlewoman from New York (Mrs. LOWEY) and the gentleman from Maryland (Mr. HOYER). I am very grateful for their assistance on this bill; assistance to a point, I guess, is where we are at. It does not extend all the way, as the gentleman from Maryland (Mr. HOYER) made clear the other night and again this afternoon.

The fact of the matter is, and let me just review again what we are talking about, the fact of the matter is, we have a conference report, yes. As everybody in this body knows, the process is you pass a bill, the Senate passes a bill, you have to go to conference, and you have a conference report. Each of those is a different bill. Each of those is different than the form it was in in the other body or the form it was when it first passed this House.

So the conference report has to be seen separately. It is not accurate to simply say that this was a controversy, this position was in or some form of it was in the House and some form was in the Senate bill, so therefore, ergo, it has to be included in this bill. That is not the case here.

Mr. Speaker, the fact of the matter is that the gentlewoman from New York (Mrs. LOWEY) well knows, and she spoke passionately, and I do agree with her position that we should extend contraceptive coverage to Federal employees beyond where it is today, but we are not, as some of the speakers talked about here this afternoon, not cutting off contraceptive coverage. We are not denying it.

As the gentlewoman from Kentucky (Mrs. NORTHUP) has pointed out, 84 percent of the plans provide it in some form or another, and 40 percent provide all the forms of contraceptive coverage. We are keeping the current law where it is today. There is no change in the current law, so we are neither expanding it nor moving backwards, we are keeping the law where it is today.

If this was so important, if this provision was so important, is so important to those who have spoken so passionately about it here this afternoon, where were they last Thursday night?

Yes, the gentlewoman from New York (Mrs. LOWEY) was there and she spoke to it, and the gentlewoman from Florida (Mrs. MEEK), because of the Haiti position, and voted for the rule. But where were all these other people that this afternoon have said this is such an important provision? Why were they not there, speaking for the rule at that time?

In fact, one of the people, the gentlewoman from New York (Mrs. MALONEY) who was up here earlier, spoke against the rule last Thursday night. She said we should defeat it. Today she says it is very important to have that contraceptive coverage in there, that expansion of contraceptive coverage. It is important today, but it was not important last Thursday, or it was not as important. It is a moving marker. The field keeps moving. It is whatever there is today that we do not like in here is why we are going to be against this.

I understand that the National Abortion Rights Action League has decided they will score this vote, but last Thursday night, when we had an opportunity to get to the floor with that in it and with the Haiti assistance, they did not score it. They did not think it was that important last Thursday night.

I want to just say, in conclusion, that the gentleman from Maryland (Mr. HOYER) was correct in the way he described the sequence of events that occurred on this bill. When we finished the conference meeting yesterday morning, I did say that it looks to me as though we do not have any deal. I cannot see any way out of this.

Yet today, the dynamics of this conference report have changed. There is now a way to get this through the Senate and the House that I believe is possible, and this is the only way. I know the gentleman from Maryland (Mr. HOYER) believes very strongly that we should not have a government shutdown, that these 163,000 Federal employees that are supported by this bill should go on collecting IRS taxes, should go along with drug enforcement.

□ 1800

Mr. Speaker, this conference report is important. I urge my colleagues to support the rule and to support the conference.

Mr. MCINNIS. Mr. Speaker, I move the previous question on the resolution.

The previous resolution was ordered.

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

Mr. MOAKLEY. Mr. 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 231, nays 194, not voting 9, as follows:

[Roll No. 490]

YEAS—231

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Costello
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kildee
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Mollohan
Moran (KS)
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryun
Salmon
Sanford
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
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—194

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bilbray
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards

Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kilpatrick
Kind (WI)
Kleczka
Klink
LaFalce
Lantos
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Moran (VA)
Morella
Murtha
Nadler
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Price (NC)
Rangel
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
Thompson
Thurman
Tierney
Torres
Towns
Traficant
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Wexler
Weygand
Wise
Woolsey
Wynn

NOT VOTING—9

Boucher
Kennelly
McCrery
Poshard
Pryce (OH)
Saxton
Waxman
Weller
Yates

□ 1819

Mrs. CHENOWETH and Mr. RAHALL 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. KOLBE. Mr. Speaker, pursuant to House Resolution 579, I call up the conference report on the bill (H.R. 4104) 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, 1999, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to House Resolution 579, the conference report is considered as having been read.

(For conference report and statement, see prior proceedings of the House of today.)

The SPEAKER pro tempore. The gentleman from Arizona (Mr. KOLBE) and the gentleman from Maryland (Mr. HOYER) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona (Mr. KOLBE).

GENERAL LEAVE

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill (H.R. 4104) 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, 1999, and for other purposes, and that I may include tabular and extraneous material.

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

There was no objection.

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

Mr. Speaker, at the outset, let me begin by saying that we have had an extraordinary ordeal to get to where we are today, but as any Member that has ever worked on an appropriations bill, or any bill for that matter, knows, it requires the work of a lot of very good staff people to get us here.

When we considered the bill on the floor, I paid tribute to all the staff on both the majority and the minority side, but this evening, Mr. Speaker, I want to just pay special tribute to two individuals who are going to be leaving the staff of this House of Representatives.

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

Mr. KOLBE. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I know the gentleman and I have had the discussion, but it is my understanding, and I do not know whether anybody has announced it, that we intend to roll votes until 8 o'clock. Perhaps we should tell Members, if that is the case.

Mr. KOLBE. Reclaiming my time, Mr. Speaker, I thank the gentleman for his point, and I would like to advise all those on the floor and otherwise in our hearing range that the intention and the understanding of both the majority and the minority side is that when we complete the debate on this conference report there will likely be a motion to recommit. But the vote on both the motion to recommit and on final passage of the conference report will not occur until at least 8 o'clock this evening. So there will be approximately an hour and a half before we have any votes.

Now, Mr. Speaker, if I might proceed. As I said, staff is obviously essential to getting any piece of legislation passed, but I want to pay special tribute to two staff people who will be leaving this body after having given it exceptional service.

One is our congressional fellow, Francis Larken, who has worked for the subcommittee for the past year. He will be beginning his job as Assistant to the Special Agent in Charge for the U.S. Secret Service in New York.

Frank has been a tremendous asset to this subcommittee, bringing not only the experience and knowledge that he has coming from the Secret Service and from Treasury law enforcement, but also from local law enforcement. He has been an absolutely essential part of our subcommittee staff, and I am very grateful for the work that he has done.

Mr. Speaker, the other one I want to pay tribute to is an individual who has worked for me now for nearly 8 years on my personal staff, but for the last 2 years has absolutely been essential to this legislation, and that is my good friend and staff person Jason Isaak.

Jason has been with us since he came directly out of college at Baylor University. He began as an intern and has progressively worked up through the office to a legislative assistant, legislative director; He has directed many important pieces of legislation, but none so ably as the work that I have had to do from my office on this subcommittee. He will be leaving this month in order to take a position in Phoenix, Arizona, returns to the State from where he came, and he will be marrying Miss Beth Barr, a former Olympic medalist in swimming.

Mr. Speaker, I have a statement I will put in the RECORD at this point regarding both of these individuals and the exemplary service they have given this Congress and our country.

Mr. Speaker, this week the Treasury Appropriations Subcommittee bids farewell to our Congressional Fellow, Francis J. Larkin, as he begins his assignment as Assistant to the Special Agent in Charge for the U.S. Secret Service in New York. Frank has proven himself to be tremendous asset to the work of this Subcommittee, bringing with him the experience he has gained with the Secret Service, from local law enforcement, as an emergency medical technician, and as a U.S. Navy SEAL. Frank began his fellowship in 1997 with the Senate counterpart of this Subcommittee, and so came to us with a strong background in the technical issues and folkways of the appropriations process.

Working as a member of my subcommittee staff, Frank has brought a unique perspective to bear on many of the turbulent and sometimes arcane issues that we confront in the course of crafting appropriations bills, and in overseeing the agencies and programs in our jurisdiction. In particular, Frank's advice and contribution has been invaluable on matters affecting law enforcement, national security, and the Year 2000 computer issue. Throughout his service here, Franks's consummate professionalism, good nature and level head have helped this Subcommittee and the Congress achieve progress on both short- and long-term policy and budgetary issues.

Specal Agent Larkin has served me, this subcommittee, and the House well: we will miss him as a colleague and as a friend. All of us on the Treasury Appropriations Subcommittee wish Frank and his family all the best as they begin their new lives in the New jersey/New York area.

Mr. Speaker, I would like to take a few moments to recognize someone very special to me who soon will be leaving Capitol Hill to pursue new personal challenges.

Jason Isaak, my legislative director, has been with me for the past seven years. Upon

graduating from Baylor University, Jason started as an intern in my office and has progressively worked his way up the ranks to his current position. He has managed many important issues for my office and has been my point person for Defense, Commerce, Justice, State and the Treasury Postal Service and General Government Appropriations.

Jason is leaving Washington to take a position with a consulting firm in Phoenix and on October 24, 1998, will marry Miss Beth Barr, a former Olympic medalist in swimming.

Mr. Speaker, Jason Isaak has made enormous contributions to our legislative process and will be truly missed for his professionalism, insight, and tireless dedication. As I mentioned, for seven years, he has been one of my key lieutenants, and I personally will feel a great loss when he leaves. Jason Isaak is truly a model for those who seek to constructively offer their intellectual skills and motivation to better this governmental process, and to do so with unflagging grace and good humor.

Mr. Speaker, I ask you to join me in wishing Jason Isaak the very best for a brilliant career, one in which I foresee him potentially returning to Congress as a member of this great body.

□ 1830

Mr. Speaker, I am pleased to rise today to talk about the conference report on H.R. 4104. This is a bill and a conference that has had more lives than a cat. It has had the perils of Pauline. It has had every other travail along the way, but here we are and I hope that, finally, tonight we are going to be able to pass this legislation. I want to thank all the members of the subcommittee, those on both sides of the aisle, those who have supported us in various provisions. I know that at times when we get to this legislation, there are times when they cannot be with us on the vote that we need them on final passage. But we would not be here this evening if it were not for the work of the distinguished gentleman from Maryland (Mr. HOYER) and the other members of the minority side and all the members of this side of the aisle as well, I might say, who have helped us get to where we are tonight. The work has paid off. The conference report that is before us I believe is one that can make us all very proud because it is about law enforcement, it is about the operations of the Federal Government, it is about what this appropriations bill should be about.

Six days ago when we brought this rule for this conference report, it failed, because it was saddled with four controversial legislative riders. Well, this evening we bring this back with all four of those provisions stripped. Gone is the provision so vehemently objected to by the minority regarding the appointment of the Federal Election Commission's General Counsel. Gone is the provision expanding contraceptive coverage for Federal employees. Gone is the provision providing for assistance and easier admission for Haitian refugees to the United States. Gone is the provision in the bill dealing with child care in the Federal Government. Everyone with an interest in these provisions is treated the same. In that sense, I believe it is a fair compromise. These provisions are stripped. They are stripped because we simply could not get a conference report to the floor and we could not get it passed if we had these provisions there.

I for one believe that some of these provisions have real merit. Particularly I have been a strong supporter of the gentlewoman from New York (Mrs. LOWEY) and the provisions that she had dealing with contraceptive coverage in the FEHBP. I also happen to believe that the time has come for us to change the way the General Counsel of the Federal Election Commission is appointed and that we should require a term for that person and we should require an affirmative majority vote for that person to be appointed or reappointed. But because politics has taken priority over the practical demands of governing, these items are not going to see the light of day—at least not in this appropriations measure. Quite honestly, it is not just that I am disappointed in this outcome. More than anything, I am fed up frankly with trying to negotiate these controversial legislative riders in an appropriations bill. As we have learned from this last week or from the last month, it is a no-win situation. This bill, which ought to be a relatively easy bill, has been through the wringer. I do not think there is any bill that has been brought to the floor this year that has been a more difficult bill to get to the floor and get passed.

In case my colleagues have forgotten, let me replay a year in the life of the Treasury-Postal subcommittee. Our first rule providing for the consideration of the bill as reported went down in flames on June 24 of this year on a vote of 125–291. The second rule squeaked by, by a vote of 218–201. During House debate on July 16, we had 48 points of order raised against legislative provisions in the bill. Final passage of the bill barely eked out with a vote of 218–203. Believe me, you could actually hear bones practically breaking in this Chamber to get to 218 votes. Last week the rule, the first time we considered the rule for considering the conference report, bombed on a vote of 106–294. Those votes were not because we failed to do our jobs as appropriators, and I say that of every member of this subcommittee, both on the minority and majority side. Far from it. Let me be clear about this. The Department of Treasury likes this bill very, very much and they are anxious to have it signed into law. It is the best bill they have seen in years. The debate on this bill is never about money. It is about legislative riders and only about legislative riders. This bill and the conference report deserves better treatment than to be battered about over legislative matters. It is an outstanding appropriations measure.

I know all the Members are familiar with the legislative riders that have been causing us so much trouble, but let me just tell you about a few other items, items that these Members have been voting against each time they voted against the rule or each time they voted against this bill or the conference report:

We provide $1.95 billion for drug-related activities, including $185 million for the second year of the national media campaign. $20 million for the Drug Free Communities Act, so strongly supported by so many people on both sides of this aisle. $1.8 billion for the Customs Service, including $54 million for new narcotics detections technologies for both sea and land ports of entry. $15.2 million to address the badly needed maintenance needs of the air and marine interdiction programs. I am pleased to say that these funds will be reused to return three Black Hawk helicopters to operational status and to increase the flight hours for the entire Customs Black Hawk fleet from 18 hours per month to 30 hours per month. We have $3.2 million to fight crimes against children through the National Center for Missing and Exploited Children. We have $3.4 million to further combat child pornography and related Internet cyber smuggling. We have $7.9 billion for the Internal Revenue Service, including $211 million for ongoing efforts to revamp the IRS computer systems, $25 million for restructuring the way the IRS does business, $103 million for improved customer relations. And then there is $462 million for 14 new courthouse construction projects in order to accommodate the increasing demands we are placing on our judicial system.

I can count on one hand the number of times that Members have offered appropriations-related amendments to this bill. Of the 14 amendments that were offered to this bill during House consideration, only three of them had anything to do with an appropriations matter. All the rest involved controversial legislative riders that have little or nothing to do with the work of this committee or this subcommittee.

Well, I have an announcement. Not that it should come as any great surprise, but guess what? We are not going to be able to effectively govern if we continue to blur the lines between appropriations and authorization. We cannot run the Customs Service, the IRS, the Secret Service, the Office of National Drug Policy if we continue to hold this bill hostage to extraneous legislative matters.

The conference report before us right now is one of which I am very proud and I believe every Member on both sides of the aisle can be very proud. It is not about controversial legislative riders. It is now about appropriations. It is now about funding these Federal agencies. It is about fiscal responsibility with respect to how we fund the agencies that come under the jurisdiction of this bill. It is about accountability to Congress and to the American people.

Mr. Speaker, it is time for Members to set aside their disagreement over specific legislative matters that deserve more deliberate review and action than being stuck into this appropriations bill. It is time to put aside the politics and do the right thing. Vote for an appropriations bill that is free of these controversial riders and deals with appropriations matters as it should deal. Mr. Speaker, I encourage all of my colleagues to support this conference report.

Mr. Speaker, I include the following extraneous matter for the RECORD:

H.R. 4104 - TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS BILL, 1999

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I - DEPARTMENT OF THE TREASURY						
Departmental Offices	114,771,000	123,846,000	122,889,000	120,671,000	123,151,000	+8,380,000
Automation Enhancement	61,389,000	33,952,000	31,190,000	28,990,000	28,690,000	-32,699,000
(Delay in obligation)				(-8,000,000)		
Transfer to Customs Service		(-8,000,000)				
Transfer to ATF		(-3,700,000)				
Office of Inspector General	29,719,000	30,678,000	30,678,000	30,678,000	30,678,000	+959,000
Office of Professional Responsibility	1,250,000	1,654,000	1,250,000			-1,250,000
Treasury Buildings and Annex Repair and Restoration	10,484,000	27,000,000	27,000,000	27,000,000	27,000,000	+16,516,000
(Delay in obligation)			(-27,000,000)	(-27,000,000)	(-27,000,000)	(-27,000,000)
Financial Crimes Enforcement Network	22,835,000	24,000,000	24,000,000	23,670,000	24,000,000	+1,165,000
Violent Crime Reduction Programs:						
Bureau of Alcohol, Tobacco and Firearms	19,421,000		3,000,000	1,800,000	3,000,000	-16,421,000
Financial Crimes Enforcement Network	1,000,000	1,000,000		1,400,000	1,400,000	+400,000
Interagency crime and drug enforcement		45,000,000	24,000,000	45,000,000	24,000,000	+24,000,000
United States Secret Service	15,731,000	11,700,000	14,528,000	15,403,000	22,628,000	+6,897,000
(Delay in obligation)			(-828,000)			
ONDCP	23,200,000		14,000,000		2,500,000	-20,700,000
Gang Resistance Education and Training: Grants	10,000,000	10,000,000	10,000,000	13,239,000	13,000,000	+3,000,000
Federal Law Enforcement Training Center	1,000,000			1,158,000		-1,000,000
United States Customs Service	60,648,000	64,472,000	66,472,000	54,000,000	65,472,000	+4,824,000
Total, Violent Crime Reduction Programs	131,000,000	132,172,000	132,000,000	132,000,000	132,000,000	+1,000,000
Federal Law Enforcement Training Center:						
Salaries and Expenses	64,663,000	71,923,000	71,923,000	66,251,000	71,923,000	+7,260,000
Acquisition, Construction, Improvements, and Related Expenses	32,548,000	28,360,000	28,360,000	15,360,000	34,760,000	+2,212,000
Total, Federal Law Enforcement Training Center	97,211,000	100,283,000	100,283,000	81,611,000	106,683,000	+9,472,000
Interagency Law Enforcement:						
Interagency crime and drug enforcement	73,794,000	30,900,000	51,900,000		51,900,000	-21,894,000
Financial Management Service	207,790,000	202,510,000	198,510,000	196,490,000	196,490,000	-11,300,000
(Delay in obligation)				(-4,500,000)		
Debt collection improvement account		3,000,000		3,000,000		
Federal Financing Bank (debt liquidation)		(2,854,000,000)		(3,317,690,000)	(3,317,960,000)	(+3,317,960,000)
Bureau of Alcohol, Tobacco and Firearms:						
Salaries and Expenses	478,934,000	544,324,000	530,624,000	529,489,000	541,574,000	+62,640,000
Transfer from Automation Enhancement		(3,700,000)				
(Delay in obligation)			(-2,206,000)		(-2,206,000)	(-2,206,000)
Laboratory facilities and headquarters	55,022,000	32,000,000				-55,022,000
Total, Bureau of Alcohol, Tobacco and Firearms	533,956,000	576,324,000	530,624,000	529,489,000	541,574,000	+7,618,000
United States Customs Service:						
Salaries and Expenses	1,522,165,000	1,638,065,000	1,638,065,000	1,630,273,000	1,642,565,000	+120,400,000
(Delay in obligation)			(-7,000,000)	(-28,480,000)	(-9,500,000)	(-9,500,000)
Transfer from Automation Enhancement		(8,000,000)				
Rescission	-6,000,000					+6,000,000
Subtotal	1,516,165,000	1,638,065,000	1,638,065,000	1,630,273,000	1,642,565,000	+126,400,000
Operation, Maintenance and Procurement, Air and Marine Interdiction Programs	92,758,000	98,488,000	100,688,000	113,488,000	113,688,000	+20,930,000
(Delay in obligation)				(-20,100,000)		
Rescission	-4,470,000					+4,470,000
Subtotal	88,288,000	98,488,000	100,688,000	113,488,000	113,688,000	+25,400,000
Customs Services at Small Airports (to be derived from fees collected)	2,406,000	2,000,000	2,000,000	2,000,000	2,000,000	-406,000
Harbor Maintenance Fee Collection	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000	
Total, United States Customs Service	1,609,859,000	1,741,553,000	1,743,753,000	1,748,761,000	1,761,253,000	+151,394,000
Bureau of the Public Debt	169,426,000	173,100,000	172,100,000	172,100,000	172,100,000	+2,674,000
Internal Revenue Service:						
Processing, Assistance, and Management	2,925,874,000	3,162,430,000	3,025,013,000	3,077,353,000	3,086,208,000	+160,334,000
(Delay in obligation)				(-105,000,000)	(-130,000,000)	(-130,000,000)
Tax Law Enforcement	3,142,822,000	3,169,539,000	3,164,189,000	3,164,399,000	3,164,189,000	+21,367,000
(Delay in obligation)				(-175,000,000)		
Rescission	-32,000,000					+32,000,000
Subtotal	3,110,822,000	3,169,539,000	3,164,189,000	3,164,399,000	3,164,189,000	+53,367,000
Earned Income Tax Credit Compliance Initiative	138,000,000	143,000,000	143,000,000	143,000,000	143,000,000	+5,000,000
Information Systems	1,272,487,000	1,540,884,000	1,224,032,000	1,329,486,000	1,265,456,000	-7,031,000
(Delay in obligation)				(-68,700,000)		

H.R. 4104 - TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS BILL, 1999 — continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Information technology investments	325,000,000	323,000,000	210,000,000	137,569,000	211,000,000	-114,000,000
(Delay in obligation)				(-137,569,000)	(-211,000,000)	(-211,000,000)
Rescission	-30,330,000					+30,330,000
Subtotal	294,670,000	323,000,000	210,000,000	137,569,000	211,000,000	-83,670,000
Net total, Internal Revenue Service	7,741,853,000	8,338,853,000	7,766,234,000	7,851,807,000	7,869,853,000	+128,000,000
United States Secret Service:						
Salaries and Expenses	564,348,000	594,657,000	594,657,000	584,902,000	600,302,000	+35,954,000
(Delay in obligation)				(-13,860,000)	(-5,000,000)	(-5,000,000)
Acquisition, Construction, Improvement, & Related Expenses	8,799,000	6,445,000	6,445,000	8,068,000	8,068,000	-731,000
Total, United States Secret Service	573,147,000	601,102,000	601,102,000	592,970,000	608,370,000	+35,223,000
Payment for the joint financial management improvement program		3,000,000				
Net total, title I, Department of the Treasury	11,378,484,000	12,143,927,000	11,533,513,000	11,539,237,000	11,673,742,000	+295,258,000
(Debt liquidation)		(2,854,000,000)		(3,317,690,000)	(3,317,960,000)	(+3,317,960,000)
TITLE II - POSTAL SERVICE						
Payments to the Postal Service						
Payments to the Postal Service Fund	86,274,000	100,195,000	71,195,000	71,195,000	71,195,000	-15,079,000
(Delay in obligation)				(-71,195,000)	(-71,195,000)	(-71,195,000)
TITLE III - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT						
Compensation of the President and the White House Office:						
Compensation of the President	250,000	250,000	250,000	250,000	250,000	
Salaries and Expenses	51,199,000	52,344,000	52,344,000	52,344,000	52,344,000	+1,145,000
Executive Residence at the White House:						
Operating Expenses	8,045,000	8,691,000	8,061,000	8,691,000	8,691,000	+646,000
White House Repair and Restoration	200,000					-200,000
Special Assistance to the President and the Official Residence of the Vice President:						
Salaries and Expenses	3,378,000	3,512,000	3,512,000	3,512,000	3,512,000	+134,000
Operating expenses	334,000	334,000	334,000	334,000	334,000	
Council of Economic Advisers	3,542,000	3,666,000	3,666,000	3,666,000	3,666,000	+124,000
Office of Policy Development	3,983,000	4,032,000	4,032,000	4,032,000	4,032,000	+49,000
National Security Council	6,648,000	6,806,000	6,806,000	6,806,000	6,806,000	+158,000
Office of Administration	28,883,000	40,550,000	28,350,000	29,140,000	28,350,000	-533,000
Office of Management and Budget	57,440,000	60,617,000	59,017,000	60,617,000	60,617,000	+3,177,000
Office of National Drug Control Policy	35,016,000	36,442,000	36,442,000	48,042,000	48,042,000	+13,026,000
Unanticipated Needs		1,000,000			1,000,000	+1,000,000
Federal Drug Control Programs: High Intensity Drug Trafficking Areas Program	159,007,000	162,007,000	162,007,000	183,977,000	182,477,000	+23,470,000
Special forfeiture fund	211,000,000	251,000,000	215,000,000	200,000,000	214,500,000	+3,500,000
Information technology systems and related expenses (contingent emergency)				3,250,000,000		
Total, title III, Executive Office of the President and Funds Appropriated to the President	568,925,000	631,251,000	579,821,000	601,411,000	614,621,000	+45,696,000
Emergency funding				3,250,000,000		
TITLE IV - INDEPENDENT AGENCIES						
Committee for Purchase from People Who Are Blind or Severely Disabled	1,940,000	2,464,000	2,464,000	2,464,000	2,464,000	+524,000
Federal Election Commission	31,650,000	36,504,000	36,500,000	36,500,000	36,500,000	+4,850,000
Federal Labor Relations Authority	22,039,000	22,586,000	22,586,000	22,586,000	22,586,000	+547,000
General Services Administration:						
Federal Buildings Fund:						
Appropriation			479,300,000	508,752,000	450,018,000	+450,018,000
Limitations on availability of revenue:						
Construction and acquisition of facilities		(44,005,000)	(527,100,000)	(538,652,000)	(492,190,000)	(+492,190,000)
Repairs and alterations	(300,000,000)	(668,031,000)	(655,031,000)	(668,031,000)	(668,031,000)	(+368,031,000)
(Delay in obligation)			(-19,000,000)	(-323,800,000)	(-161,500,000)	(-161,500,000)
Installment acquisition payments	(142,542,000)	(215,764,000)	(215,764,000)	(215,764,000)	(215,764,000)	(+73,222,000)
Rental of space	(2,275,340,000)	(2,583,261,000)	(2,580,461,000)	(2,583,261,000)	(2,583,261,000)	(+307,921,000)
(Delay in obligation)				(-51,667,000)	(-15,000,000)	(-15,000,000)
Building Operations	(1,331,789,000)	(1,554,772,000)	(1,554,772,000)	(1,554,772,000)	(1,554,772,000)	(+222,983,000)
(Delay in obligation)			(-223,000,000)	(-31,095,000)	(-68,000,000)	(-68,000,000)
Repayment of Debt	(105,720,000)	(91,000,000)	(91,000,000)	(91,000,000)	(91,000,000)	(-14,720,000)
Previously appropriated activities	(680,543,000)					(-680,543,000)
Unspecified reduction to limitations				(-2,800,000)		
Total, Federal Buildings Fund			479,300,000	508,752,000	450,018,000	+450,018,000
(Limitations)	(4,835,934,000)	(5,156,833,000)	(5,624,128,000)	(5,648,680,000)	(5,605,018,000)	(+769,084,000)

H.R. 4104 - TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS BILL, 1999 — continued

	FY 1998 Enacted	FY 1999 Estimate	House	Senate	Conference	Conference compared with enacted
Policy and Operations	107,487,000	106,494,000	108,494,000	106,494,000	109,594,000	+2,107,000
Office of Inspector General	33,870,000	32,000,000	32,000,000	32,000,000	32,000,000	-1,870,000
Allowances and Office Staff for Former Presidents	2,208,000	2,241,000	2,241,000	2,241,000	2,241,000	+33,000
Total, General Services Administration	143,565,000	140,735,000	622,035,000	649,487,000	593,853,000	+450,288,000
John F. Kennedy Assassination Record Review Board	1,600,000					-1,600,000
Merit Systems Protection Board:						
Salaries and Expenses	25,290,000	25,805,000	25,805,000	25,805,000	25,805,000	+515,000
(Limitation on administrative expenses)	(2,430,000)	(2,430,000)	(2,430,000)	(2,430,000)	(2,430,000)	
Morris K. Udall scholarship and excellence in national environmental policy foundation	1,750,000	2,000,000				-1,750,000
Environmental Dispute Resolution Fund		4,250,000	4,250,000		4,250,000	+4,250,000
National Archives and Records Administration:						
Operating expenses	205,166,500	230,025,000	216,753,000	221,030,000	224,614,000	+19,447,500
(Delay in obligation)				(-4,277,000)	(-7,861,000)	(-7,861,000)
Reduction of debt	-4,012,000	-4,012,000	-4,012,000	-4,012,000	-4,012,000	
Repairs and Restoration	14,650,000	10,450,000	10,450,000	11,325,000	11,325,000	-3,325,000
(Delay in obligation)				(-2,000,000)		
National Historical Publications and Records Commission:						
Grants program	5,500,000	6,000,000	6,000,000	11,000,000	10,000,000	+4,500,000
(Delay in obligation)				(-5,500,000)	(-4,000,000)	(-4,000,000)
Total, National Archives and Records Administration	221,304,500	242,463,000	229,191,000	239,343,000	241,927,000	+20,622,500
Office of Government Ethics	8,265,000	8,492,000	8,492,000	8,492,000	8,492,000	+227,000
Office of Personnel Management:						
Salaries and Expenses	85,350,000	85,350,000	85,350,000	85,350,000	85,350,000	
(Limitation on administrative expenses)	(91,236,000)	(91,236,000)	(91,236,000)	(91,236,000)	(91,236,000)	
Office of Inspector General	960,000	960,000	960,000	960,000	960,000	
(Limitation on administrative expenses)	(8,645,000)	(9,145,000)	(9,145,000)	(9,145,000)	(9,145,000)	(+500,000)
Government Payment for Annuitants, Employees Health Benefits	4,338,000,000	4,632,000,000	4,632,000,000	4,632,000,000	4,632,000,000	+294,000,000
Government Payment for Annuitants, Employee Life Insurance	32,000,000	35,000,000	35,000,000	35,000,000	35,000,000	+3,000,000
Payment to Civil Service Retirement and Disability Fund	8,336,000,000	8,682,297,000	8,682,297,000	8,682,297,000	8,682,297,000	+346,297,000
Total, Office of Personnel Management	12,792,310,000	13,435,607,000	13,435,607,000	13,435,607,000	13,435,607,000	+643,297,000
Office of Special Counsel	8,450,000	8,720,000	8,720,000	8,720,000	8,720,000	+270,000
United States Tax Court	33,921,000	34,490,000	34,490,000	32,765,000	32,765,000	-1,156,000
Total, title IV, Independent Agencies	13,292,084,500	13,964,116,000	14,430,140,000	14,461,769,000	14,412,969,000	+1,120,884,500
(Limitation on administrative expenses)	(4,938,245,000)	(5,259,644,000)	(5,726,939,000)	(5,751,491,000)	(5,707,829,000)	(+769,584,000)
Net grand total	25,325,767,500	26,839,489,000	26,614,669,000	29,923,612,000	26,772,527,000	+1,446,759,500
Appropriations	(25,398,567,500)	(26,839,489,000)	(26,614,669,000)	(26,673,612,000)	(26,772,527,000)	(+1,373,959,500)
Rescissions	(-72,800,000)					(+72,800,000)
Emergency funding				(3,250,000,000)		
(Debt liquidation)		(2,854,000,000)		(3,317,690,000)	(3,317,960,000)	(+3,317,960,000)
(Limitations)	(4,938,245,000)	(5,259,644,000)	(5,726,939,000)	(5,751,491,000)	(5,707,829,000)	(+769,584,000)
Scorekeeping adjustments:						
Bureau of The Public Debt (Permanent)	144,000,000	138,000,000	138,000,000	138,000,000	138,000,000	-6,000,000
Federal Reserve Bank reimbursement fund		126,000,000	126,000,000	126,000,000	126,000,000	+126,000,000
Federal Savings & Loan Insurance Corp. (sec. 638)	34,000,000					-34,000,000
Trust fund budget authority	102,311,000	102,000,000	102,000,000	102,000,000	102,000,000	-311,000
US Mint revolving fund	30,000,000	15,000,000	15,000,000	15,000,000	15,000,000	-15,000,000
Sallie Mae	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	
Federal buildings fund	-50,000,000	-28,000,000	-40,000,000	-45,000,000	-30,000,000	+20,000,000
Postal service advance appropriation				-71,195,000	-71,195,000	-71,195,000
Retirement open season (sec. 642)	-2,000,000					+2,000,000
General provision (sec. 408)				5,000,000	5,000,000	+5,000,000
Security of the Capitol Complex (sec. 411)				14,105,000		
Strategic petroleum reserve (sec. 655) (emergency)				420,000,000		
Ethics Reform Act adjustment			-2,000,000	-2,000,000	-2,000,000	-2,000,000
Contingent emergencies				-3,670,000,000		
Total, scorekeeping adjustments	259,311,000	354,000,000	340,000,000	-2,967,090,000	283,805,000	+24,494,000
Total mandatory and discretionary	25,585,078,500	27,193,489,000	26,954,669,000	26,956,522,000	27,056,332,000	+1,471,253,500
Mandatory	12,850,250,000	13,613,547,000	13,613,547,000	13,613,547,000	13,613,547,000	+763,297,000
Discretionary:						
Crime trust fund	131,000,000	132,172,000	132,000,000	132,000,000	132,000,000	+1,000,000
General purposes	12,603,828,500	13,447,770,000	13,209,122,000	13,210,975,000	13,310,785,000	+706,956,500
Total, Discretionary	12,734,828,500	13,579,942,000	13,341,122,000	13,342,975,000	13,442,785,000	+707,956,500

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

Mr. HOYER. Mr. Speaker, I yield myself 6 minutes.

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

Mr. HOYER. Mr. Speaker, I want to rise and speak on behalf of this bill and say that I am probably going to vote to recommit it. But I will reiterate one more time, this bill is 99.9 percent pure and good. The gentleman from Arizona (Mr. KOLBE) has done an outstanding job. This bill does in fact provide for the needs of the agencies that are within it, it provides funds sufficient for them to carry out their duties in an appropriate way, and it has not included provisions which would undermine their effectiveness. For that I think we owe the chairman of this committee a great deal of thanks because of his conscientious handling of this bill.

Unfortunately as the chairman indicates and as we indicated in the debate on the rule, this bill has gotten caught up in four, what could be called extraneous issues. I would suggest, however, that one of them is not really extraneous to the extent that its provision in the bill is an appropriation matter in that it says none of the funds in this bill shall be spent to purchase policies which do not have full coverage for contraception. To that extent, that is an appropriation provision. The other three provisions essentially are legislation on an appropriation bill. The gentlewoman from New York (Mrs. LOWEY) was able to offer it because it was in order under the rules. And when she offered it, it passed.

I want to go back to that subject, but I want to thank the chairman for his work on this bill. I want to also join him in thanking the chief clerk of the committee Michelle Mrdeza, also Bob Schmidt, Jeff Ashford, Tammy Hughes, and Frank Larkin. I particularly want to join the chairman in his justifiable pride and appreciation at the work that Jason Isaac has done. I always want to make the observation that the public far too often sees us fighting and confronting one another as if we did not try to work constructively together. I want to say that the chairman, joined by Jason Isaac, has been a very positive interlocutor in trying to come to grips with the important issues confronting this bill. Jason, I want to on behalf of not only myself but all the Democrats on the committee, our Democratic staff, thank you for the extraordinarily able contribution you have made to the consideration of this bill over the past few years. It has been a joy to work with you. We respect your ability and your integrity. We wish you the best of luck.

Mr. Speaker, this bill, and I am not going to make all my comments because I will adopt the chairman's comment and include my statement for the RECORD. But in particular this bill provides appropriate resources for the IRS. Why is that important? When we did IRS reform, I made the point that if you were not for IRS reform at budget time and at tax-writing time, all the reform legislation you passed was going to be meaningless. You need to give the IRS the resources to serve the public in a customer-friendly way. You also need good management. I want to congratulate again Secretary Rubin and Larry Summers, the Deputy Secretary, for bringing in a manager, Charles Rossotti. His predecessors have been outstanding people. For the most part they have been tax lawyers. Obviously that was an important skill to have, but really what IRS needed was management skill. Secretary Rubin brought in a manager with Mr. Rossotti from the private sector, an 8,000 person firm, an expert in the field of information management. He is doing an outstanding job. That is the good news.

The second piece of good news is that the gentleman from Arizona and our committee has provided him the resources to make sure that reform in fact occurs. I want to thank the chairman again for that. The bill does fund as well law enforcement. Forty percent of Federal law enforcement is in this bill, whether on the borders, in our cities, in our schools, training kids how to stay out of gangs. This bill is a critical component of fighting crime in America in every community in America. The gentleman from Arizona is committed to that effort. He and I have the privilege of working together with our law enforcement officials in the Treasury Department to make sure they are as effective as we could possibly make them to keep our schools and communities and States and Nation as free of crime as we possibly can; as well to interdict drugs which are eating at the fabric of our society. This bill funds that effort. I congratulate him for it.

Mr. Speaker, before my time concludes, I will include the rest of my remarks in the RECORD, talking about the programs that this bill does well by. Mr. Speaker, we will be discussing what this bill, however, deleted.

When this bill went to conference, there were a number of provisions, four in number, that became contentious. One, the provision about the FEC which the gentleman from Louisiana (Mr. LIVINGSTON) has been a very strong supporter and proponent of, was obviously very controversial and a confrontation between the two parties where one party was all against it and for the most part the other party was for it. I suggested that that provision be dropped because we could not get agreement on that provision, and I am pleased that it has been dropped. The other three provisions, however, were different, Mr. Speaker, and they were different because they had and still to this time, I believe, enjoy bipartisan support.

□ 1845

Not only do they enjoy bipartisan support in the House, but also in the Senate, and that bipartisan support also reflected itself in the conference. It is unfortunate that they were dropped. I will have more to say about them in a few minutes.

But again, this is a good bill once we resolve these four items. I hope it moves forward.

Almost half of the $13.4 billion in discretionary budget authority in this bill is targeted at law enforcement and anti-drug efforts.

Roughly $450 million in provided to the drug czar for a variety of drug-fighting efforts, including $182 million for the very successful high-intensity drug trafficking areas [HIDTAS], and $185 million for the ONDCP's national media campaign.

We provided IRS commissioner Rossoitti with funding that will enable him to continue with the reform and restructuring efforts. IRS is funded at $7.9 billion, $469 million less than the President's request—most of which is attributable to the IRS' Y2K needs, which should be funded in the supplemental being planned by the leadership.

Secretary Rubin and Deputy Secretary Summers should be given credit for rescuing the failing tax modernization program. They provided the needed oversight to allow IRS to make the dramatic improvement in their computer systems area.

This bill also funds many smaller agencies, including the National Archives, OPM, GSA, the FEC, and the Executive Office of the President, including the White House Office, and executive residence.

I am pleased that the chairman and I were able to reach an agreement to modify the fence on $630,000 for spending on overtime expenses at the executive residence. I wish the fence were not there, however, the language will allow the White House to provide the General Accounting Office with its comments and once the GAO notifies the committees of its receipt of the White House comments, the fence is eliminated. I was informed today that GAD has given its report to the White House, and this well be finished soon.

For GSA, I am very pleased that we are able to include over $500 million for needed courthouse construction projects. Chairman Kolbe and I agreed that the courthouses needing funding were the only ones that would be funded in this bill. The courthouses included in this bill is identical to the list of construction projects recommended by the judicial conference as the top priority needs of the courts.

In addition, I am disappointed that this bill does not include much needed funding for the Y2K problems facing the Federal Government.

When this bill came out of the full committee, and funding for Y2K was stripped, I was assured that the leadership understood the urgency of the problem and understood that funding had to be provided.

However, as of October, days after the beginning of the new fiscal year in the 3 months since the funding was stripped from this bill, we still have not dealt with this issue.

I had very much hoped that the bill would contain the contraceptive equity language that passed the House and Senate.

Since it does not, I am offering a motion to recommit this conference report with an instruction to include the House-passed contraceptive language.

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

Mr. KOLBE. Mr. Speaker, I yield 3 minutes to the very distinguished gentleman from Louisiana (Mr. LIVINGSTON), Chairman of the Committee on Appropriations.

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

Mr. LIVINGSTON. Mr. Speaker, I thank my friend, the very distinguished chairman of the Subcommittee on Treasury, Postal Service, and General Government for yielding this time to me, and I want to congratulate him and the staff and all the Members on both sides for doing such a great job with what I think is a fine bill and a bill which I hope will go to the other body, get passed, be sent down to the President and be signed because there is a lot that is good about this bill. In fact, I appreciate the comments by the gentleman from Maryland (Mr. HOYER) talking about what is good about this bill. It is a good bill.

And I was a little bit taken aback. Yes, there are four provisions which were irritants to many Members. I really appreciate the position of the gentleman when he said that whether it was one of the four that he was against, let us throw that one out and let us keep the other three. Well, that is a neat bargaining position, but that is not going to cut it because there are a lot of people in the House who are opposed to the other three, for one reason or the other, and they were not unanimous. Each of the four had its opposition, each of the four had its segment of people who were vigorously opposed to it, and together they came to the floor last Thursday night and cast their vote against the rule which prevented us from proceeding as we are proceeding tonight.

It was a simple decision, was not political, was not a vendetta, was not intended to single any one group out. If there were four irritants on a very good bill, let us take out the irritants, and pass the very good bill and go on about our business.

We have got three days, three legislative days between now and the end of the 105th Congress. It seems to me that if my colleagues did not get their provision kept in, but they are mad because the others that they liked were not also kept in, that they need to understand what a compromise means.

I simply say that it just makes common sense, take all four out, pass the bill, send it to the Senate, let us go on about our business.

This is a good bill. All of the Members have worked hard. We have had difficulty with the process, but we have not had difficulty with 99 percent of the substance of this bill. Let us stop talking about process, let us stop taking political advantage.

Yes, I have one of these provisions that I strenuously am in favor of. I lost. I lost my position on the FEC. I think that is a terrible mistake, but I am willing to concede it, and I would think my colleagues would be willing to concede it, and that is why I cannot understand why they would support a motion to recommit, rehash the process and undo this very fine bill which the gentleman himself concedes is great legislation.

If it is great legislation, let us stop playing politics, let us move the bill to the other body, and let us get the President to sign it.

Mr. HOYER. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Florida (Mrs. MEEK), a member of the subcommittee.

Mrs. MEEK of Florida. Mr. Speaker, this bill needs to be defeated. It is amazing to me how we can make relative comparisons in this bill. My Chairman, a man I have a lot of respect for, enumerated a lot of things that are in this bill that are good. They are good. But most of the things the Chairman enumerated were things that deal in things or buildings or objects like IRS, Customs, and many other things that he enumerated. But one thing that he left out: he did not deal with human lives and how this bill is going to negatively impact 40,000 Haitians that are in this country.

Why are they in this country? Not because they have the freedom to come here. They left fleeing a government which was unfair to them, a terrorist government, a government that caused them to go hungry, a government that caused them to give up their lives with their bodies washed ashore all along the Atlantic. These are the things this Congress has failed to look at.

Mr. Speaker, I have tried for 4 years to get some relief in this Congress for the Haitians. Certainly in the House we have consistently ignored these people, consistently we have. We were able to the last time to admit the Nicaraguans and 5000 more Cubans. The Cubans already had an opening in this country. We always support people who need help in this Congress.

I went along with the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from Florida (Mr. DIAZ-BALART) to help get the Nicaraguans and the Cubans in this country. Then they went along with me with the Haitians. And I want to say, Mr. Speaker, in this rider, it is not caused by all the people on the other side. We know who they are, and they know who they are. The good people on the other side have been swayed by a right-wing extremist group which for some reason cannot stand the idea of Haitians coming into this country and receiving green cards. Yet they can allow 150,000 of a people in this country who did not face similar kinds of terrorist actions as the Haitians.

I cannot understand it, Mr. Speaker. I wish I had the answer as to why this disparity is being made here in this House. The Senate did what they thought was a humane thing to do. They voted to allow them to come in, this 40,000. They did not let everybody in. They thought about the children, they thought about the ones who came from Guantanamo, and they thought about the ones who had sought asylum in this country. There are many other Haitians in this country, over 100,000 others, but at least the Senate stepped forward and said we believe it is righteous, we believe in it.

This House has shown that it believes in disparate treatment for Haitians. That is why this bill should go down, Mr. Speaker.

Mr. KOLBE. Mr. Speaker, I yield myself 30 seconds.

Let me just say, Mr. Speaker, that the gentlewoman from Florida makes a very powerful argument for the assistance to the Haitian refugees. I believe that her argument is one that should be considered by this House. But, as she knows, there are people, people who have responsibility for the authorization of immigration legislation that have very strong views on the other side, and we just could not carry it in this bill. If it is as important as it is, and the administration agrees, and the Senate leadership agrees, and the House leadership agrees, it should be included in the omnibus bill.

Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, on July 16 I felt tremendous pride in this Congress when Republicans and Democrats came together and passed an important family planning provision that would have extended contraceptive coverage to more than a million women enrolled in Federal health plans. The debate was heated, but it was honest and driven by the merits of the issue. Now, three months later, that same provision is no longer in this bill. No one is more disappointed than I.

I am particularly disappointed by the fact that it was the victim of an incredible partisanship. The Democrats simply decided contraceptive coverage was expendable, and I rarely make this kind of claim, but honestly that is the truth. It was expendable, it was less important than a provision that will have no effect for 4 years.

The Haitian solution was less important than the FEC problem that can be fixed in the next 4 years. The child care improvements were less important than the FEC provisions that will not have effect for 4 years. We should have been able to pass that bill on the floor that had those provisions in it. If my colleagues did not like the FEC provisions, and I know they did not and we know there is a pressing need for FEC reform, then we would have had time to work together and address those issues. But since there was no willingness to recognize the three major provisions we agreed on, 3 of 4, there was no choice for people like me but to support the bill before us.

Mr. Speaker, my responsibility is to keep the government open. My responsibility is to fund the United States Treasury Department that I think does very important things for the people of

this Nation. I am proud that in this bill is $103 million to improve IRS customer service. This Congress, the House and Senate, spent 2 years thinking through reform of the IRS, changing the law, and I am proud that the committee of the gentleman from Arizona (Mr. KOLBE) and with the cooperation of the gentleman from Maryland (Mr. HOYER) have got the money in this bill so that we can do what we told the people we were going to do and improve customer service at the IRS. Twenty-seven million dollars for restructuring and taxpayer clinics so people can have some timely help in understanding what their responsibilities are and how to pay their taxes in an honorable way on time.

Also in this bill is $3.2 million. It is a small amount of money but so important to the National Center for Missing and Exploited Children. This is also a lot of money for drug interdiction and other drug prevention programs.

This is a good bill. The tragedy is that everybody agrees that the subcommittee did an excellent job on funding this function of government, and we have caused ourselves enormous problems by legislating on an appropriation bill.

We have caused ourselves increasingly serious problems over the years by legislating more and more provisions on appropriations bills. While we know this is illegal under our rules, this time we did have some very serious debates about some of those riders, and some of them included from the Senate side, like the Haitian provisions, did solve very, very important problems for families who are stranded here in America. It just pains me that we were not big enough to move this bill through with those three provisions on it and come back next year to better address FEC problems. the D's could have gotten some solid agreement from us to come back and let us look on the FEC. Let us agree to make a real conscious effort to reform it. That was not done; I regret it. My responsibility was to fund the IRS and the other agencies funded in this bill, and I am proud to support it.

Mr. HOYER. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, I tell the gentlewoman for whom I have a great deal of respect, the FEC provision is effective January 1, 1999. She firing Mr. Noble as of January 1, 1999, less than 90 days from today.

Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I would simply say to the gentlewoman from Connecticut (Mrs. JOHNSON) that that speech simply will not wash. If you really believe that contraceptive coverage should be provided in this bill, there is only one way to get it: turn the bill down, and bring a bill back which contains it. The majority party was told by people on this side of the aisle that all they had to do to get 200 votes on our side of the aisle for the bill is to drop the amendment on the Federal Elections Commission that threatens to corrupt the entire election process. That is still the best way to cover or to get the contraceptive coverage that she says that she wants.

So they can give all the excuses they want about how it is necessary to fund the IRS. Nobody seriously believes the IRS is not going to be funded. It will be funded no matter what happens to this bill. Quit kidding people.

□ 1900

Mr. HOYER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

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

Ms. WOOLSEY. Mr. Speaker, I rise in strong opposition to the Treasury-Postal Appropriations conference report because it strips out the contraceptive prescription coverage, strips out language that both the House and the other body passed, Mr. Speaker, language that was passed.

It seems like, in this Congress, the appropriations process immediately signals the beginning of hunting season on a woman's reproductive rights. Figure it out. Unwanted pregnancy and abortion rates drop when women have access to preventative reproductive health care, the health care they need.

I ask Members, look at your female staff, those women who work so hard to serve your districts. Look at them and tell them that you do not care about their reproductive health and their choices. Then look at the millions of Federal employees who, day in and day out, serve the people of this country. Go ahead. Tell them that you want to deny them the rights made accessible to other women but not to them.

Voluntary family planning services give our women and their families new choices and new hope. These services increase child survival and save motherhood. Prohibiting Federal workers from using their health care coverage for prescription contraceptive coverage discriminates against women, women that work for the Federal Government. This is a disgrace. Government workers should not be treated so poorly.

The democratic process deserves more respect. The appropriations process should not signal to women in this Nation that their rights are at risk. Vote against this conference.

Mr. KOLBE. Mr. Speaker, I yield 30 seconds to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, I just want to make it clear that I do not consider it partisan to require that the chief counsel of the FEC have bipartisan support, that there be bipartisan confidence in his work.

Almost every board and commission requires a majority vote for anything, and certainly for hiring a major staffer. The only thing that goes into effect January 1 is the change that a majority has to support, has to have confidence in their chief of staff. I consider this a bipartisan improvement.

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

Mr. Speaker, I thank the gentlewoman for her comment; but in point of fact, we are all confident that there are not three votes to do anything for Mr. Noble on the Republican side; and, therefore, as of January 1, 1999, less than 90 days, he would be terminated by legislation. I think that is unprecedented.

Mrs. JOHNSON of Connecticut. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentlewoman from Connecticut.

Mrs. JOHNSON of Connecticut. Mr. Speaker, does the gentleman not think that is incredible? Does the gentleman think that is healthy? Does it give the gentleman any insight into why this organization has been so ineffective in the last couple of years?

Mr. HOYER. Mr. Speaker, reclaiming my time from the gentlewoman, I will tell the gentlewoman, no, I do not think it is incredible because Mr. Noble went after GOPAC, and he went after the Christian Coalition. I will tell the gentlewoman that it is our strong conviction on this side that is why this issue has been raised this year, I will tell my friend.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

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

Mrs. CAPPS. Mr. Speaker, I rise in support of a motion to recommit with great disappointment that the Lowey provision was removed from the bill.

It is outrageous to me that we would prevent Federal employees from access to basic health care which includes contraceptive coverage as was stated. These are our colleagues who work in our offices. These are the women and the families they represent who work in Federal agencies across this country.

Before coming to Congress, I spent 20 years as a school nurse and led a program for pregnant teenagers and teenage mothers. Many of these young parents were married and wanted to stay in school.

This experience convinced me that access to contraceptives is such a key part of our goal to reduce unintended pregnancies and, in turn, reduce the number of abortions in this country.

When we provide women and people with access to contraceptives, we empower them to make their own critical decisions about their own lives and the lives of their families.

Contraception is first and foremost a health issue. Close to half of all the pregnancies in the United States are unintended. Unwanted pregnancies often carry the risk of poor prenatal care and the risk of unwanted and disadvantaged children.

Improved access to contraception is a simple cost-effective way to keep

women healthy, to protect their families, and ensure that the children who are brought into this world have the support they need to thrive. Federal employees should be allowed access to a basic part of health coverage and should not be treated as second-class citizens.

Again, I am sorely disappointed that this provision so vital for women's health was stripped by our leadership.

Mr. HOYER. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Denver, Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, last time I checked, it was 1998. But, frankly, as far as I am concerned today, it might as well be 1918 when Margaret Sanger went to prison for smuggling diaphragms to women.

This is a very sad day for American women. A proposal to provide birth control, birth control, not abortion, a proposal which passed both the House and Senate has now fallen to the demands of the Christian Coalition and the radical right.

Denying access to contraception for Federal employees is just a small step in the systemic efforts by the radical right to eradicate, not just a woman's right to abortion, but a woman's right to birth control, to reproductive health.

First, it is denying insurance coverage for contraception, then it is outlawing FDA approval of contraception, then criminalizing grandparents for taking teens across State lines for abortion. On and on and on are attempts to both reverse Roe versus Wade and then remove a woman's right to reproductive choice.

I think that we need to tell the tens of thousands of Federal employees in this country and their families that this Congress will stop playing God and do what the American people have elected us to do. We have no business in America's bedrooms. We cannot force natural family planning, the method by which my parents had 5 children in 6½ years.

We have got to have sensible birth control which will reduce abortion in this country and will give American women a choice over when they have planned pregnancies.

I urge this body to vote ''yes'' on the motion to recommit, put this important language for our employees and all Federal employees back in the bill. At that point, it is an excellent bill, and we should all support it.

Mr. KOLBE. Mr. Speaker, I yield myself 15 seconds.

Mr. Speaker, I would just point out to the gentlewoman from Colorado (Ms. DEGETTE), if this was such an important provision, where was she Thursday night? She was not here to vote for it. She voted against it. She did not think it was important on Thursday when we had the bill up here.

Mr. Speaker, I would ask how much time remains on both sides.

The SPEAKER pro tempore (Mr. GUTKNECHT). The gentleman from Arizona (Mr. KOLBE) has 10 minutes remaining. The gentleman from Maryland (Mr. HOYER) has 13 minutes remaining.

Mr. HOYER. Mr. Speaker, I yield 4 minutes to the gentlewoman from New York (Mrs. LOWEY), who was the sponsor of the provision in question on contraception.

Mrs. LOWEY. Mr. Speaker, I thank the ranking member of the committee for yielding to me. I want to say again to our distinguished chairman, the gentleman from Arizona (Mr. KOLBE), and to the ranking member, the gentleman from Maryland (Mr. HOYER) that I feel very sad tonight that I cannot enthusiastically support this bill.

I know how hard the gentleman from Arizona (Mr. KOLBE) worked on the bill and the gentleman from Maryland (Mr. HOYER) worked on the bill. There are a lot of Federal workers out there who depend upon the provisions of this bill.

I have heard from my colleagues this evening that we had to just remove all of the controversial provisions in the bill because otherwise the bill could not get through. I just want to make it clear to my friends on both sides of the aisle that I strongly disagree with that point of view.

There is a big difference between disagreeing on a provision and taking a provision out of the bill that was voted on democratically, with a small ''d,'' by the majority of this House, by a voice vote in the Senate that was in the conference report.

There is a big difference between taking that provision out, having the leadership of this House making a decision to take that provision out, and to remove other provisions that many of us felt were clearly political and were not supported by both the House and Senate. So I wanted to make that point, number one.

Secondly, as a woman, sometimes you get an opportunity to do something that really helps the majority of women in this country. I want to urge my colleagues and alert my colleagues to a poll, and not that polls means anything in this House, but a poll that is being released tomorrow saying 78 percent of women in this country support contraceptive coverage.

I know my good friend the gentlewoman from Kentucky (Mrs. NORTHUP) has said that any woman can choose a plan that has a contraceptive. We know, and I have 2 daughters and daughters-in-law, that some contraceptives are good for some people; others are good for others.

In fact, I would like to say to my good friend, the gentlewoman from Kentucky, is it not sad that a woman in 1998 should have to choose a plan just because it has the kind of contraceptive that is best for her.

What we are saying is that there are five established methods of contraception. The plan should cover them if, in fact, they cover prescription drugs. That is what the American people want. That is what the women of America want. If some people feel one of those contraceptives is an abortifacient, it is your right. Just do not use it.

I do not agree with everything that is in every plan, but the Budget Office has made it very clear that covering this would be an incidental cost. It does not mean anything.

So I just want to say in closing, we try to operate in a small ''d'' democratic way in this House of Representatives in this Congress of the United States, and I am still proud to be a part of the Congress of the United States.

But I have to tell my colleagues, to find a way to take out a provision that was democratically voted in both the House and the Senate I think is an outrage. I think it is an insult to American women when 80 percent of the plans do not cover all forms of contraception that have been approved.

I have to tell my colleagues, all but one covers sterilization. We have just seen that it is okay for the military to include $50 million for Viagra. This is patently unfair.

I would hope that everybody would vote for the motion to recommit so we can correct the error and put this contraceptive provision back in. That is what the American people want. That is what American women want. I thank again my chair and my ranking member.

Mr. KOLBE. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend for yielding to me.

Mr. Speaker, I urge a ''no'' vote on the motion to recommit. The language that would be offered, I believe by either the gentleman from Maryland (Mr. HOYER) or by the gentlewoman from New York (Mrs. LOWEY), would force most health care providers in the Federal Employees Health Benefits Program to provide chemicals and devices that result in early abortions.

What is largely unknown and largely misunderstood is the fact that some devices and some chemicals that advertise as contraceptives also have the effect of preventing implantation of a newly created human being.

For example, the copper IUD, when inserted up to 7 days after intercourse, after intercourse, acts in a way that does not prevent fertilization, but it acts in a way to prevent implantation. That is advertised as emergency contraception.

If a conscientious objector who is not basing his or her objection on religious beliefs or plan would like to not provide this, they would not have that opportunity because it is a mandate. That is what we are talking about.

All of these things are permissible under current administrative policy and current law. All of these things are permissible, including early abortions through these chemicals. What is not the case, they are not mandated.

This is all about a mandate saying to a plan, you either tow the line and offer copper IUDs 7 days after intercourse, or you lose your ability to be in this program; and that is where the mandate ought to be rejected. Keep it permissible, not mandatory. Vote ''no'' on the motion.

□ 1915

Mr. HOYER. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, I just want to respond to my good friend from New Jersey (Mr. SMITH) and to my colleagues. I just want to make it very clear that there are 5 established methods of contraception that have been approved by the FDA, number 1.

Second, 78 percent of the American people believe that we should work hard to reduce unintended pregnancies, to reduce the number of abortions, and most people in this country, men and women, do believe that the way to do that is with family planning, is with contraception.

Now, we can debate on this floor when life begins, but remember, if a plan offers the 5 methods of established contraception, that does not mean everyone has to choose that. Everyone has the opportunity to make a decision based on their religious beliefs, and in fact, we have exempted the 5 religiously-based health plans so that they do not have to offer contraception. I think we have been very fair in drafting this provision. It was passed in a bipartisan way. Let us vote for the motion to recommit and support it.

Mr. KOLBE. Mr. Speaker, I yield 4 minutes to the gentlewoman from Kentucky (Mrs. NORTHUP).

Mrs. NORTHUP. Mr. Speaker, often when I go before groups at home they ask me what sort of training I had or what seemed to help me be a Member of Congress. I tell them that it was growing up in a family of 11 children, because when one grows up in a family of 11 children, one does not always get one's way.

In fact, it often seems like one never gets their way, and one learns that one gives up all the time. One gives up their choice on what television show to watch, one does not get to choose when one goes to the pool, where one goes, what one eats for breakfast. The fact is that when one is one of 11 children, one learns to compromise all the time to get to an end that is very important.

So in the conference committee we had very strong feelings. Most of us compromised. Three of the provisions that were controversial I agreed with. I do not believe that we should add more mandates on our Federal employees' health plans that will have the effect of driving up their costs. But I agree, because it was very important to a group on the Democratic side particularly, but on both sides, that we include that.

The fact is that in the end the minority party decided not to support the rule and not to support the conference committee because one thing was more important than anything, and that is that the general council have bipartisan support to stay in place.

So the rule went down. So now we are back with all of the controversial provisions stripped.

I understand that it is very important to the gentlewoman from New York (Mrs. LOWEY). She has dedicated day after day to this mandate on health insurance. So she is going to stand up and offer a rule to recommit, I understand, for her provision. It sort of ignores, to the gentlewoman from Florida (Mrs. MEEK) and to me, the fact that the Haitian provision was very important, and that in this recommit rule, what we are saying is what I want is more important than anything else, and so I am going to recommit the bill to get the one provision that trumps everything else.

That is the sort of lesson one learns when one is in a family of 11 that one cannot do.

To directly address this, I just want to say that not one Federal employee has contacted me asking me to mandate every form of birth control in every plan. They like what they have. They like their choices, and they have confidence that they can choose the plan that is best for them.

Now, if we want to go back to a state where we have to tell Federal employees, we know what is better, you may not want a higher priced plan, but we know what is better for you and we are going to mandate it. They will come back and tell us that CBO said there is no additional cost, and the truth is, there is no additional cost for the Federal Government.

First of all, CBO has now said that maybe they did not score it correctly. But let me point out that in some ways, Federal employees are like many employees of small businesses. The employer says, I am going to pay this much every month for your policy, and you are going to pay the balance. And so if right now they do not need contraceptive coverage, and maybe what they need is the most affordable plan, something that they can choose, and in fact, we know Federal employees are moving to cheaper plans, that tends to be their criteria, what we are saying is that we do not care that is your criteria, we know better.

Mr. Speaker, I have not had one Federal employee that wants me to change and mandate, add mandates.

So what we are doing is deciding here that maybe something we want them to have is not even something that they want. There are women in the private sector that would love to have options on their insurance, but they do not exist in the Federal system.

Mr. HOYER. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, I would just like to quickly respond to my colleague from Kentucky.

Number one, the association that represents the Federal employees does support this provision. They are on record.

Second, my colleague accused me of being selfish. I strongly endorse the provision of the gentlewoman from Florida (Mrs. MEEK), and I would hope that it would be in the bill. The reason the contraceptive provision is the motion to recommit is that provision did pass the House and the Senate; it was in the conference, and so it really is quite undemocratic to take it out.

Last, I just want to say that I just have one brother. I have 3 children, and maybe I did not have to share everything with 11, but I have learned that democracy should work in this body, as a Member who has been here for 10 years, and I still think, in closing, it is outrageous that a provision that passed the Senate and the House and the conference should be taken out.

We could have a longer debate about what should and should not be in a health benefit plan, but this has been supported by the association that represents these employees.

Mr. HOYER. Mr. Speaker, I yield 1½ minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding me this time and I thank him for his leadership on this issue and so many other important issues before this House.

I rise in opposition to this bill, because while it restores some of the necessary powers to the Federal Elections Commission, it takes power away from women. It discriminates against women by denying them access to the full range of contraception services.

We are wasting no time in handing out over $50 million worth of Viagra to service members through the Pentagon this year, but we are denying women access to contraception. It is discriminatory and it is wrong.

Some of my Republican colleagues have accused us of wanting things both ways. Well, they are absolutely right, because restoring power to the Federal Elections Commission as well as giving women proper access to contraception, these are the right things to do.

Mr. Speaker, as we all know, this language, the contraception language has already been approved by the majority in both Houses. It passed this House twice. We should play by the rules. It has been approved by the House, approved by the Senate, and we have a great deal of additional work we need to do. We should not be undoing what this Congress has already passed, and I urge a ''no'' vote against this conference report.

The SPEAKER pro tempore. The Chair would advise that the gentleman from Maryland (Mr. HOYER) has 5½ minutes remaining; the gentleman from Arizona (Mr. KOLBE) has 4½ minutes remaining.

Mr. HOYER. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I thank the gentleman.

I rise today opposed to this report and opposed to the way the Republican leadership has run roughshod over the will of the majority of the House, the majority of the Senate, and the American people.

We have discussed this issue many times before. The full House voted twice, the Senate voted once in support of contraceptive coverage for Federal employees. This is basic health care for women, health care that will help to reduce the number of abortions.

But to satisfy their right wing, for political reasons, the Republican leadership is once again extending the arm of government into the doctor's office. They claim to know better than doctors. It has been said many times before, but let me say it once again. This provision will not require plans to cover any form of abortion, including RU486.

We all know that the law forbids Federal health plans from covering any form of abortion. What was intended here was to ensure that women have access to the health care that they need and that they deserve. It enables couples to reduce the need for abortion.

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

Mr. Speaker, I rise to speak about the motion that we will make, because there will be no time for debate when the motion to recommit is made.

As has been referenced earlier in this debate, there will be a motion to recommit. I regret that the gentlewoman from Connecticut is not on the floor, because the motion to recommit will be limited to one single issue, and it will be an issue that has enjoyed the majority support of the Members of this House, including approximately 51 Republicans, as well as 178 Democrats. It is a measure that has been supported in a bipartisan fashion, that is overwhelmingly supported in this Nation, and that is to commit to providing for women the family planning options of their choice that they can use most effectively.

Mr. Speaker, I would hope that every Member who voted for the Lowey amendment and who voted in opposition to the Smith amendment to undercut the Lowey amendment would vote for the motion to recommit, which will recommit the bill to conference, with instructions to add back the provision that passed this House.

Now, I want to make it clear that that position was the position shared by the chairman; shared by the ranking member, myself; shared by the chairman of the Senate conference committee; shared by the ranking member of the conference committee; supported by the Senate in a 5-to-2 vote by their conference.

Mr. Speaker, this should not be a controversial issue. I do not mean by that that there are not people who feel strongly in opposition to the suggestion of the full array of contraceptives being available to women. I understand that opposition. But it is to say that there is a clear majority in both Houses for this provision. One cannot say that about any other of these provisions. It is the only provision that fills that bill.

Furthermore, let me perhaps put a caveat to that.

□ 1930

The FEC measure may enjoy the majority support in both Houses, but Republicans only, so there is not bipartisan support for that. We make a distinction on that basis. Yes, we felt strongly about it.

I would hope that Members of this House, realizing that this is a good bill that should pass, and will pass in some form within the next 72 hours, I believe, I hope, and I will work towards that objective, but it is also a bill that could and should carry this provision, supported by the overwhelming majority of the Congress, the Senate, the House, and the conference committee.

Why should it pass? Because it is an important provision, as the gentlewoman from New York (Mrs. LOWEY) and so many others have stated, to provide for full health services for women in America.

I would suggest to my friends that if the men of America felt as strongly about a provision, the chances of us dropping it would be zero. Let me repeat that. If the men of America felt as strongly about a provision, the chances of us dropping it would be zero.

I would hope that when we come to the floor, that we vote for the motion to recommit. I would then hope my chairman would take us into conference immediately, and because I know that the Senator from Colorado, the chairman of the Senate conference, and the ranking member, the gentleman from Wisconsin, support this provision, and I know the chairman supports this provision, and obviously I support this provision, that we report this bill back immediately, and I will agree to a unanimous consent request for a limited debate, 5 minutes a side, and that this bill would then pass.

I want to tell the chairman that I would strongly support the Haitian provision as well. I am not sure that will go. I have talked to the administration, and believe that will be a very significant issue in the omnibus bill. But I would hope that the motion to recommit would be approved by this House, and the will of this House would be carried out in this bill.

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

Mr. Speaker, I rise in opposition to the motion to recommit, and I urge my colleagues to vote against that, when we come to that vote. I urge them to vote for the passage of the conference report.

Let me say that I support very strongly providing contraceptive coverage for women. My record on these issues has been very clear since I have come to this body, and I have taken more than my fair amount of heat at home from some of my more conservative members of my party on this issue, but I strongly support it because I think it is the right thing to do. I favor expanding the coverage. I believe that women who work for the Federal Government should have more options than they do now.

But I want to make it clear that without this provision that passed the House of Representatives, a very controversial provision, and it was, if Members will recall, a very tough fight when we had it, but it passed the House of Representatives, by eliminating this we are not eliminating contraceptive coverage for any woman who works for the Federal Government.

We are not providing any denial of coverage. We are not putting any limitation on what kinds of contraceptive coverage any Federal health plan can provide. That is a determination that the health plan can make. That is a determination that any person who signs up can make, as to whether they want to be in that plan.

We are retaining the status quo. We are where we are with the law today. Those on this side of the aisle and the minority side of the aisle would argue that it is not enough. I would agree. I think we should have an expansion. I think there should be more coverage.

There are those over here who would want to ban any contraceptive coverage in a Federal health plan. We have neither position. Neither position has been able to work its will here. So we have a law today that allows coverage, but it does not mandate it. Eighty-four percent of the Federal plans do provide for some kind of coverage. Forty percent of them provide for all of the contraceptive coverage. There is virtually no woman working for the Federal Government that does not have access to a plan that has some kind of coverage.

So I would prefer the position that has been articulated by those over there, but we could not get it out. My colleagues on that side of the aisle would not support it last Thursday when we had this vote up. It was not important enough to them then. Tonight it is important to them, so they want us to defeat this and recommit this, but it was not important enough to them last week.

I have a responsibility, as the chairman of this subcommittee, and the gentleman from Maryland (Mr. HOYER) has been there himself, to get this bill to the floor, to get this conference report done, to make sure that 163,000 Federal employees that are supported by this bill continue to work if we somehow do not have an omnibus bill on Friday; that they will continue to work; that they will continue to do the work of collecting the taxes for the Federal government, of doing the work of the IRS of processing tax returns; that they will continue to do the work of Customs, of checking the borders, of interdicting drugs from coming into this country; that they will continue to

do the work of the Secret Service, that provides protection for the president and fights against counterfeiters; that they will continue to provide the money for the Drug-Free Communities Act, so that we will be able to continue the work of the drug war through the Media program; that we will continue to be able to do all of these programs.

But Mr. Speaker, if we recommit this bill tonight, it is dead. We do not have contraceptive coverage. We do not have the good things that the gentleman from Maryland (Mr. HOYER) spoke about earlier in this bill. There is no way we can get that out of the conference committee. My colleague knows that. We have gone over this. We have talked about it. We cannot get it out, so we simply cannot pass the legislation.

Mr. Speaker, I urge my colleagues in the strongest possible terms to reject the motion to recommit. Let us move forward with the bill that is a good bill for the agencies that it funds, a bill that does not have extraneous legislative provisions on it.

Defeat the motion to recommit, pass the conference report tonight, and keep the Treasury-Postal agencies in business.

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise in strong opposition to the rule. The Lowey provision within the Treasury-Postal Appropriations bill was passed in both chambers of Congress—twice in the House—and was included in the final conference report. To strip this language now flies in the face of the legislative process.

The vast majority of Federal Employee Health Benefit (FEHB) plans do not cover the full range of prescription contraceptives which prevent unintended pregnancies and 10 percent of the FEHB plans do not even cover any of the five major contraceptives.

The Lowey provision in the Treasury-Postal Appropriations bill simply requires that FEHB plans cover prescription contraception, just as they cover other prescriptions. The FEHB program serves as a model for the nation's private health insurance plans. The FEHB program must cover these basic and essential prescription drugs that can decrease the need and likelihood of abortions in this country. We owe this not only to the millions of women who make more than half this population, but to their families who are trying to be responsible parents.

Eighty-one percent of FEHB plans do not even cover the five leading reversible methods of contraception. Due to various medical conditions, many women do not even have the option of using certain forms of contraception. Women deserve a full and fair choice when it comes to their personal health needs.

Currently, women of reproductive age spend 68% more in out-of-pocket health costs than men. We need to narrow the gender gap in insurance coverage—not widen the disparities between those who have and those who have not, and further expand the chasm that has hurt far too many women and families throughout the country already.

The Lowey provision is a critical, basic necessity that has a ''negligible'' cost according to the Congressional Budget Office. I urge my colleagues to recognize and respect the legislative process.

And we must vote ''no'' because the Republicans have also stripped the language providing Haitian refugees the chance to establish legal permanent residence in the United States. This Haitian language would enable an estimated 40,000 Haitians, including about 11,000 paroled into the United States after the military coup in 1991 by the Bush Administration, to adjust to permanent residence status. These Haitians deserve the asylum that has been provided to their Nicaraguan and Cuban counterparts.

Again, I urge my colleagues to vote ''no'' on this destructive and unjudicious rule.

Mr. CONYERS. Mr. Speaker, this conference report is a shocking disappointment for two reasons: First of all it unjustly strips away well-deserved rights from a small group of Haitians in the United States. The Senate bill included relief for 40,000 Haitians who had arrived in the United States by the end of 1995 by granting them the right to apply for legal permanent residency. These Haitians were paroled in upon the invitation of the attorney general. Due to bipartisan, bicameral support the House receded to the other body.

Now a small minority here in Congress wants to kill this issue. This is totally unacceptable.

Second of all, this conference report deletes the Lowey language which requires that Federal Employees Health Benefits (FEHB) plans cover prescription contraception, just as they cover other kinds of prescriptions. The Lowey Amendment was approved by the full Appropriations Committee, twice by the House, once by the Senate unanimously by voice vote, and was included in the conference report.

The problem is that the vast majority of FEHB plans fail to cover the full range of prescription contraceptives which prevent unintended pregnancy and reduce the need for abortion. In fact, 81% of FEHB plans do not cover all five leading reversible methods of contraception and 10% have no coverage of contraceptives at all. Women of reproductive age spend 68% more in out-of-pocket health costs than men and much of this is due to the cost of contraception—we need to narrow this gender gap in insurance coverage. The federal government needs to provide a model for private health plans by providing this very basic health benefit for women insured by FEHB plans.

I urge my colleagues to reject this conference report.

Mr. KOLBE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the conference report.

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. HOYER

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

The SPEAKER pro tempore (Mr. GUTKNECHT). Is the gentleman opposed to the conference report?

Mr. HOYER. Mr. Speaker, in its present form I am.

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

The Clerk read as follows:

Mr. HOYER moves to recommit the conference report on the bill H.R. 4104 to the committee of conference with instructions to the managers on the part of the House to insist on section 624 of H.R. 4104 dealing with contraceptive prescription coverage under the Federal Employees Health Benefit Plan.

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

There was no objection.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Without objection, further proceedings on this motion will be postponed.

There was no objection.

MULTICHANNEL VIDEO COMPETITION AND CONSUMER PROTECTION ACT OF 1998

Mr. TAUZIN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2921) to amend the Communications Act of 1934 to require the Federal Communications Commission to conduct an inquiry into the impediments to the development of competition in the market for multichannel video programming distribution, as amended.

The Clerk read as follows:

H.R. 2921

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Multichannel Video Competition and Consumer Protection Act of 1998''.

SEC. 2. DIRECT-TO-HOME SATELLITE PIRACY PREVENTION.

Section 705(d)(6) of the Communications Act of 1934 (47 U.S.C. 605(d)(6)) is amended by inserting ''or direct-to-home satellite services (as defined in section 303(v))'' after ''satellite cable programming''.

SEC. 3. TEMPORARY STAY OF SATELLITE ROYALTY FEE INCREASE.

Notwithstanding any other provision of law, the Copyright Office shall not before December 31, 1999, implement, enforce, collect, or award copyright royalty fees pursuant to the decision of the Librarian of Congress on October 28, 1997, which established a royalty fee of $0.27 per subscriber per month for the retransmission of distant broadcast signals by satellite carriers, and no obligation or liability for copyright royalty fees shall accrue before December 31, 1999, pursuant to that decision. This section shall not affect implementing, enforcing, collecting, or awarding copyright royalty fees pursuant to the royalty fee structure affected by the decision, as it existed prior to October 28, 1997.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Massachusetts (Mr. MARKEY) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. TAUZIN).

GENERAL LEAVE

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on this legislation.