

H.R. 915, as well as the support of the administration, expressed in a May, 1999 hearing in my Judiciary Subcommittee on Commercial and Administrative Law, are a testament to the strong support for this legislation.

Administrative law judges serve a vital role as an administrative judiciary to insure agency compliance with the Administrative Procedure Act. In fact, the average citizen is far more likely to appeal to these judges for redress of claims against the government than to the Federal courts.

The ALJ position demands commitment and a high degree of professional legal competence as a senior trial attorney. Therefore, it is important that Federal agencies maintain the ability to attract high quality lawyers to serve as ALJs.

In 1990 in recognition of the ALJ's unique role as independent decision makers, Congress and the Office of Personnel Management (OPM) created a judicial pay classification for the ALJs, at 60 percent to 90 percent of level four of the Executive Schedule. The new classification is above the General Schedule 16 classification, and was to compensate ALJs at a level similar to Senior Executive Service (SES) employees.

Unfortunately, according to OPM, ALJ pay has fallen to the level of GS 15 pay and has not maintained the level of SES pay. As a result, OPM, the American Bar Association, and the Federal Bar Association have all expressed concerns that the high quality of ALJ candidates will be diminished if ALJ compensation is not competitive with other senior level Federal employees.

I have sought to correct this erosion in the ALJ pay since the last Congress, when I introduced H.R. 1240 last session to provide ALJs a cost of living adjustment (COLA) when the General Schedule received a COLA. H.R. 1240 passed the full House Judiciary Committee last year by voice vote without any objection, and was included in the draft Civil Service Subcommittee reform package.

OPM proposed some changes to that approach, and I have embodied those changes in the text for H.R. 915 this year, which would treat ALJs the same as SES for COLA purposes. It does not grant an automatic COLA, but instead gives the President the discretion and authority to grant a COLA and the rate.

Additionally, I would like to point out that H.R. 915 would for the first time allow ALJs to have access to the COLA funds already contained in the budgets of the agencies where they sit, requiring no new appropriation of funds. Currently, these already appropriated ALJ COLA funds go to pay additional bonuses for SES personnel.

Enactment of H.R. 915 is a modest step to maintain a competent and independent Federal ALJ corps, and I urge its passage by the House.

Mr. GILMAN. Mr. Speaker, I rise in support of H.R. 915, legislation to authorize a cost of living adjustment in the pay of administrative law judges. Furthermore, I want to thank the sponsor of this H.R. 915, my friend and colleague the gentleman from Pennsylvania, GEORGE GEKAS and Civil Service Subcommittee chair, JOE SCARBOROUGH for all of their hard work on this important legislation. H.R. 915 will adjust the basic pay for the more than 1,300 administrative law judges employed by the Federal Government and will authorize to the President the same authority

to provide annual pay adjustments to ALJs who now serve in the Senior Executive Service.

The pay for ALJs has not kept pace over the years with those in other Federal employee positions, making it extremely difficult to attract and retain qualified and experienced attorneys to serve as ALJs.

Throughout my tenure in Congress I have had the opportunity to work with many of our ALJs and have always found their abilities and commitment to public service second to none. The bill before us today will not only reward our ALJs for their tireless dedicated years of public service, but will insure that the Federal Government will continue to maintain an exceptional ALJ roster.

Accordingly, I urge all of my colleagues to support this legislation.

Mrs. BIGGERT. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GOODLATTE). The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 915, 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.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m.

Accordingly (at 3 o'clock and 39 minutes p.m.), the House stood in recess until approximately 6 p.m.

□ 1802

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BARRETT of Nebraska) at 6 o'clock and 2 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on approving the Journal and on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

Approval of the Journal, de novo; H.R. 754, by the yeas and nays; H.R. 2303, by the yeas and nays; and House Concurrent Resolution 194, by the yeas and nays.

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

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending

business is the question of agreeing to the Speaker's approval of the Journal of the last day's proceedings.

The question is on the Speaker's approval of the Journal.

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

Mr. REYNOLDS. 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 341, nays 49, answered "present" 1, not voting 42, as follows:

[Roll No. 533]
YEAS—341

Abercrombie	Davis (VA)	Holden
Allen	Deal	Holt
Andrews	DeGette	Horn
Archer	Delahunt	Hostettler
Armey	DeLauro	Houghton
Bachus	DeLay	Hoyer
Baker	DeMint	Hulshof
Baldwin	Deusch	Hunter
Barcia	Diaz-Balart	Hutchinson
Barr	Dicks	Hyde
Barrett (NE)	Dingell	Insee
Barrett (WI)	Dixon	Isakson
Bartlett	Doggett	Istook
Barton	Doolittle	Jackson (IL)
Bass	Doyle	Jackson-Lee
Bateman	Dreier	(TX)
Bentsen	Duncan	Jenkins
Bereuter	Dunn	John
Berkley	Edwards	Johnson (CT)
Berman	Ehlers	Johnson, Sam
Berry	Ehrlich	Jones (NC)
Biggert	Engel	Jones (OH)
Bilirakis	Eshoo	Kanjorski
Bishop	Etheridge	Kaptur
Blagojevich	Everett	Kelly
Bliley	Ewing	Kennedy
Blumenauer	Farr	Kildee
Blunt	Fattah	Kind (WI)
Boehlert	Fletcher	King (NY)
Bonior	Foley	Kingston
Boswell	Forbes	Kleczka
Boucher	Ford	Knollenberg
Boyd	Fossella	Kolbe
Brady (TX)	Fowler	Kuykendall
Brown (FL)	Frank (MA)	LaFalce
Brown (OH)	Franks (NJ)	LaHood
Bryant	Frelinghuysen	Lampson
Burr	Frost	Larson
Burton	Galleghy	Latham
Buyer	Ganske	LaTourette
Callahan	Gejdenson	Lazio
Calvert	Gekas	Leach
Camp	Gephardt	Lee
Campbell	Gilchrest	Levin
Canady	Gillmor	Lewis (CA)
Cannon	Gilman	Lewis (KY)
Capps	Gonzalez	Linder
Cardin	Goode	Lofgren
Castle	Goodlatte	Lucas (KY)
Chabot	Goodling	Lucas (OK)
Chambliss	Gordon	Luther
Chenoweth-Hage	Goss	Maloney (CT)
Clayton	Graham	Maloney (NY)
Clement	Green (TX)	Manzullo
Coble	Green (WI)	Markey
Coburn	Greenwood	Martinez
Collins	Gutierrez	Matsui
Combest	Hall (OH)	McCarthy (MO)
Condit	Hall (TX)	McCrary
Conyers	Hansen	McGovern
Cooksey	Hastings (WA)	McHugh
Cox	Hayes	McInnis
Coyne	Hayworth	McIntyre
Cubin	Herger	McKeon
Cummings	Hill (IN)	McKinney
Cunningham	Hinchee	Meehan
Danner	Hobson	Meek (FL)
Davis (FL)	Hoefel	Meeks (NY)
Davis (IL)	Hoekstra	Menendez