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|---------------|-------------|-------------|
| Salmon | Souder | Turner |
| Sandlin | Spence | Upton |
| Sanford | Stearns | Vitter |
| Saxton | Stenholm | Walden |
| Schaffer | Stump | Walsh |
| Sensenbrenner | Sununu | Wamp |
| Sessions | Sweeney | Watkins |
| Shaw | Talent | Watts (OK) |
| Shays | Tancredo | Weldon (FL) |
| Sherman | Tanner | Weldon (PA) |
| Sherwood | Tauzin | Weiler |
| Shimkus | Taylor (MS) | Whitfield |
| Shows | Taylor (NC) | Wicker |
| Shuster | Terry | Wilson |
| Simpson | Thomas | Wise |
| Sisisky | Thornberry | Wolf |
| Skeen | Thune | Wynn |
| Skelton | Tiahrt | Young (AK) |
| Smith (MI) | Toomey | Young (FL) |
| Smith (NJ) | Trafficant | |

NAYS—144

| | | |
|---------------|----------------|---------------|
| Abercrombie | Hilliard | Mollohan |
| Ackerman | Hinchey | Moore |
| Andrews | Hinojosa | Nadler |
| Baldwin | Holt | Neal |
| Barrett (WI) | Hooley | Neustar |
| Becerra | Hoyer | Obey |
| Bentsen | Inslee | Olver |
| Berman | Jackson (IL) | Owens |
| Bonior | Jackson-Lee | Pallone |
| Boucher | (TX) | Payne |
| Boyd | Jefferson | Pelosi |
| Brown (FL) | Johnson, E. B. | Pickett |
| Brown (OH) | Jones (OH) | Pomeroy |
| Capps | Kanjorski | Rahall |
| Capuano | Kaptur | Roybal-Allard |
| Carson | Kennedy | Rush |
| Clay | Kildee | Sanchez |
| Clayton | Kilpatrick | Sanders |
| Clyburn | Kind (WI) | Sawyer |
| Coburn | Kleczka | Schakowsky |
| Condit | Klink | Scott |
| Conyers | LaFalce | Serrano |
| Costello | Lampson | Shadegg |
| Coyne | Lantos | Slaughter |
| Crowley | Largent | Smith (WA) |
| Cummings | Larson | Snyder |
| Davis (IL) | Lee | Spratt |
| DeFazio | Levin | Stabenow |
| Delahunt | Lewis (GA) | Stark |
| Deutsch | Lofgren | Strickland |
| Dickey | Lowe | Stupak |
| Dicks | Luther | Tauscher |
| Dingell | Maloney (NY) | Thompson (CA) |
| Dixon | Markey | Thompson (MS) |
| Doggett | Martinez | Thurman |
| Dooley | McCarthy (MO) | Udall (CO) |
| Edwards | McDermott | Udall (NM) |
| Evans | McGovern | Velazquez |
| Farr | McKinney | Vento |
| Fattah | McNulty | Visclosky |
| Filner | Meehan | Waters |
| Frank (MA) | Meek (FL) | Watt (NC) |
| Frost | Meeks (NY) | Waxman |
| Gejdenson | Millender- | Weiner |
| Gonzalez | McDonald | Wexler |
| Gordon | Miller, George | Weygand |
| Green (TX) | Minge | Woolsey |
| Gutierrez | Mink | Wu |
| Hastings (FL) | Moakley | |

NOT VOTING—11

| | | |
|-----------|-------------|------------|
| Boehlert | LaTourette | Smith (TX) |
| Deal | Matsui | Tierney |
| Gutknecht | Murtha | Towns |
| Hill (IN) | Scarborough | |

□ 1154

Mr. SPRATT changed his vote from "yea" to "nay."

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.

LEGISLATIVE PROGRAM

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

Mr. BONIOR. Mr. Speaker, I rise for the purposes of inquiring of the majority leader the schedule for the remainder of the week.

Mr. ARMEY. Mr. Speaker, I thank the gentleman from Michigan for taking this time, if the gentleman would yield.

Mr. BONIOR. I yield.

Mr. ARMEY. Mr. Speaker, appropriators are working very hard to wrap up the final bills. It is obviously difficult to get a read on it and we are working very hard on that. I will try to inform the Members as we go along how that is going, but, Mr. Speaker, the likely scenario is that it is our hope that we may be able to finish this up today. That is something that is very delicate. We will try to take a read.

I know Members want to not work tomorrow, as it is a very important day for so many of us, with Veterans Day. We will be in pro forma tomorrow, irrespective of how this works out, whether we can finish tonight or the early hours of tomorrow morning; or if, in fact, things do not go well with the paperwork or the negotiations, we might otherwise have to come back Friday and complete our work. We will try to get Members notice regarding the extent to which we will either stay late tonight or hold over until Friday at such a time that would make it possible for Members to make some arrangements for them to travel for Veterans Day tomorrow.

The House will only be in pro forma tomorrow, in any event. If we find it necessary to go out for Veterans Day, we would expect to be back here noon on Friday to take up the final work, have the final votes and complete our work and complete the year on Friday.

Mr. BONIOR. Mr. Speaker, reclaiming my time, if I might, there obviously is a lot of concern over the schedule by Members. I think it is fair to say, on both sides of the aisle. We are being told indirectly that we may be here until 2 or 3 a.m. tonight and then be back, as you have just pointed out, if, in fact, we do not finish tonight, which does not seem remotely possible, given the problems that are still out there, that we would be back on Friday, and I gather possibly throughout the weekend if we do not finish on Friday.

One of my concerns is the fact that Members who need to travel a great distance to be with their constituents on a day that honors our men and women who fought and died for our country will not be able to make that schedule if we are restrained to your schedule. In addition to that, of course, Members have events scheduled throughout this weekend.

If we are not going to be at the point where we can finish this weekend, does it not make sense to let people continue to do their work and to come back early at the beginning of next week and try to resume this?

□ 1200

Mr. ARMEY. If the gentleman would yield further, and I do appreciate the point. Obviously, a great many of our Members appreciate the point just made by the gentleman from Michigan.

However, as the gentleman knows, when we are working through these final points of the negotiations and we finally get to an agreement, it is always, I think, prudent to have ourselves in a position that when everybody says, okay, this is it, I agree, that we can get as quickly from that point of agreement to the floor of the House of Representatives.

As things are left to lay over, we may find ourselves extending our work here, or having it extended on our behalf, beyond that time. What we are trying to do is to maintain the kind of options that will make it possible for all of our Members to seize that moment when everybody is in agreement, recognizing that these can be passing moments, but at that moment to seize that moment and move the work to the floor and get it completed. We believe it is prudent, and we believe in the larger interest of the Members necessary, to keep that option available to us and keep it at hand.

We will keep you as much informed. The critical concern the Member has, I would think right now, is if the gentleman is not going to have the vote on the final package between midnight and 4 a.m. tomorrow, let me know as early in this day as possible, and I will try to do that.

Mr. BONIOR. Mr. Speaker, is the gentleman from Texas telling us also that if we do in fact come back on Friday, that we should expect to work through the weekend?

Mr. ARMEY. It is my anticipation if we were to come back on Friday, we would be able to convene for votes around noon and probably complete that work Friday late afternoon or Friday evening, and complete our work for the year.

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

Mr. ARMEY. I yield to the gentleman from Missouri.

Mr. SKELTON. I thank the gentleman for yielding.

Mr. Speaker, this matter is more than a matter of convenience to the Members. This is a matter of whether we, as elected leaders of our country, have the opportunity to honor the veterans of this Nation.

Airplanes leave this afternoon or this evening. We will not be in session tomorrow, as the gentleman from Texas said, but little good does it do us if there are no airplanes to take us to Missouri or Texas or California.

I would like very, very much to be with my neighbors, my friends, and deliver what few remarks I may have to those veterans who have given so much. I think it is a matter of priority

that we do that, and that we make that decision now.

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

Mr. BONIOR. I yield to the gentleman from Missouri.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding.

I would simply say to the distinguished majority leader, I have been in every single one of the meetings that are taking place on the budget. I think I have a pretty good idea of how far along those meetings are. I think each individual Member has a right to know how far we have yet to go in order to reach agreement.

On foreign operations, we still have at least one major outstanding issue which is tying up that bill. Even if we get that resolved, there are at least three separate Senators who have placed holds on that bill. I expect that problem to last a considerable amount of time.

In addition, with Commerce-Justice, we have made some fair progress there on dollar items. In fact, most of the dollar items, I think all of them, are resolved. There is perhaps one item which has people confused on both sides.

There are a number of language items which are very far apart, and as Members know, the United Nations funding issue is a very major impediment, and no agreement is in sight on that.

In addition, on Interior, while we thought we were making good progress on those riders, we discovered that a new rider had been added in one of the offers that was made to the White House, so that has caused a significant dust-up. In addition, we also have the West Virginia mountaintop mining issue, which is going to tie up one of those bills for a long time unless it is resolved.

Then we have the Labor-Health-Education conference, which I just left. In that, the House this morning and the White House expected to get a compromise offer. Instead, we were given a non-negotiable demand on the President's major priorities, and we are still significantly apart on dollar items. We had a major dust-up on that this morning, and we have a huge, huge problem on child care.

There is not a chance of a snowball in you know where that we are going to be able to resolve those issues by the end of the day. It does no individual Member of this House any great service to tie them up when they need to be going home to deal with their Veterans Day celebrations.

In fact, sessions like this impede our ability to get our work done because every time there is a roll call in the Senate or the House, we have to interrupt. Yesterday we were interrupted for two roll calls, and that wound up delaying the conference over 3½ hours

because of other problems that developed after those roll calls.

I would urge the gentleman to recognize that a realist would understand that there is no prayer of wrapping this up today. We all would like to get it wrapped up. I intend to be here right through Veterans Day and right through the weekend. I will negotiate until the cows come home. I hope we can get it done.

But the best thing we can do to Members is to let them go home. When the bill is drafted, every Member of this House on both sides of the aisle has a right to have 24 hours to know what is in it. That just does not go for us, it goes for the gentleman, it goes for everybody.

So it seems to me the best thing to do is to let the negotiators work over the weekend, recognize that even if we were to reach agreement tomorrow or Friday, it takes an immense amount of time to do the walk-through and the read-out.

Last year, for instance, there was one item that we refused to put in the conference, and yet five different times it surfaced in the draft before we finally kept it out. So these are problems that are going to take a considerable amount of time.

It is a waste of individual Member's time to tell them that they may be finished tonight or tomorrow. There is not a prayer of that happening, if someone is inside the room where the negotiating is going on. In fact, we were told in negotiations this morning that they may yet run another separate bill at us because they did not like the way the negotiations were going.

So if any Member believes we have a chance to finish this tonight, I pray for them.

Mr. BONIOR. Mr. Speaker, may I just ask one other question?

The SPEAKER pro tempore. The gentleman has far exceeded his moment of unanimous consent, but he may proceed. The gentleman may proceed.

Mr. BONIOR. The question I want to ask the distinguished majority leader, Mr. Speaker, is, and it alludes to what the gentleman from Wisconsin (Mr. OBEY) just referred to, is the rumor that the remainder of the appropriations bills may be actually brought to us in one package, leaving out some of the items that have been negotiated with the White House.

Is there any fact to that rumor?

Mr. ARMEY. Again, if the gentleman will yield, I want to thank the gentleman for his inquiry.

Mr. Speaker, I appreciate the remarks of the gentleman from Missouri (Mr. SKELTON). I believe the body would agree with me that there is no one person in this body for whom we would be more proud to speak so eloquently on behalf of our affection for the veterans as the gentleman from Missouri (Mr. SKELTON). We are aware of and very concerned about this.

In addition, of course, the body is brought to a sobering realization of how difficult times are by the gentleman from Wisconsin (Mr. OBEY), with his reliable optimism. Mr. Speaker, I would just say to the gentleman from Wisconsin, Mr. OBEY, I do not want any more cheese, I just want out of the trap.

Mr. Speaker, again, I understand, in these times of these negotiations we all know from past experience year in and year out that when things look very difficult and perhaps even impossible, in every year there is that magic moment when everybody says, we can agree. That moment is at hand. We do not want to deny our Members the opportunity to seize that moment.

We believe, and I think with good reason through our discussions with Members of both bodies of Congress and the White House, that that moment is at hand. It can happen, and we need to be here and be prepared for it, while respecting, as the gentleman from Missouri (Mr. SKELTON) so eloquently put it, the Members' efforts to pay their respects to our veterans.

I can say to the gentleman from Michigan, neither side of the aisle, I think neither side of the building, wants to put these last five items and some of the attendant items together in a singular package. That will not happen. We are making every effort for it not to happen, but in at least two packages related to the final spending bills and then attendant things, such as the tax extenders and a few of the other items we are looking at.

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

Mr. Speaker, I want to confirm what the majority leader has said. We have battled all year long to get these bills on an individual basis through the House, through the Senate, and to the White House. We have been fairly successful. In the House we have basically finished our part of that job before the August recess.

Then we had a lot of time spent in negotiations with the other body, and we have resolved those, but still, every step of the way we have tried to keep that commitment, that we send each bill individually.

Now we are at the point, as the majority leader said, that all of the hard problems have now begun to focus. The easy ones are gone. The easy ones are out of the way. Now the hard ones are here. But we are at the point where I think we can quickly come together and not necessarily package everything on a vehicle, but have a package of agreements whereby if we do this on this bill, we do something else on that bill, and we have to have a little give and take, both here in the Congress and at the White House.

I will be honest with my colleagues in the House, the White House has not been all that negotiating. The White House has been pretty tough in saying, here is our line, we are not going to cross it. That is all well and good, and I would like to thank the minority party for applauding the majority party's efforts here, and I knew that was a facetious applause. However, it is our intention to bring these issues together now.

The Speaker has spoken to the President personally this morning, and I agree with the majority leader, we are about at that point where things are going to fall into place.

Now, can they be done by Friday? I do not know. I know our staff on the Committee on Appropriations have been telling me for the last couple of days, boy, I will tell you, I do not think we can do it. My instructions this morning were, do not come back to me and tell me we cannot do it. You come back to me and tell me we can do it, and here is how we are going to do it, and then we will get out of here.

Mr. BONIOR. Mr. Speaker, on that rousing note, I would ask the Speaker's indulgence for one other comment.

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

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

Mr. EDWARDS. Mr. Speaker, if I could make two points to the distinguished majority leader, let me say first that I hope that passage of a multi-billion dollar appropriation bill or bills is not contingent upon Members not having the ability to read it. I hope that would cause great concern on both sides of the aisle, if the argument is the only way we can finally solve this appropriation conflict of ours is if we bring together a package and do not let Members have time to read it and think about it.

Secondly, tomorrow is not only Veterans Day, it is the last Veterans Day of the 20th century. It is a century that has seen our veterans fight in two world wars, and through all parts of this globe.

I know I speak for Republicans and Democrats alike when I say that inconveniencing a Member of Congress should be of no consequence, but showing a lack of respect to the veterans who have fought those two world wars, many of whom will not be around to see the next Veterans Day, is totally a different thing.

I would plead with the majority leader, obviously, and Democrats and Republicans, to say, it is worth it to show respect to our veterans on the last Veterans Day of this century to let the House Members know within the next several hours whether they can catch planes back home tonight so they can make speeches tomorrow morning and tomorrow afternoon.

Give not us that privilege, Mr. Majority leader, but give that privilege to

our veterans. Let us go home and say thank you to our veterans for the sacrifices they have given on behalf of our Nation.

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

Mr. BONIOR. I yield to the gentleman from Hawaii.

Mr. ABERCROMBIE. Mr. Speaker, I understand only too well the necessities of strategy and tactics, and I respect that. I respect the majority leader's position and difficulties associated with trying to pass legislation.

□ 1215

I also understand the politics that is involved. But every Member here, I would say to the majority leader, is entitled to be treated with equal respect. There are simply logistical difficulties. Obviously, I have one. But I feel I am as entitled as any Member here to be able to participate fully. And if that involves having to alter the logistics of when the bills hit the floor, then I think that has to be respected.

It should not take any reminding of the body that perhaps the most important event that took place in this century, as least as far as this country is concerned, took place on December 7, 1941, and I intend to be on the Battleship *Missouri* for that commemoration tomorrow night. Not because of any particular regard I have for myself being there, but I took my oath of office in the well of this House along with every other Member here and I am a representative, for good or for ill as far as this country is concerned, from the First District and I intend to be at this commemoration representing this body.

Mr. Speaker, this is the workplace of democracy. There is no reason whatsoever, and no reason to believe whatsoever that I can determine, that we are going to be prepared to move this legislation on Friday. I do not doubt for a moment that the majority leader and his negotiators will be doing their level best to conclude their business on this. But let us face the facts of life. We cannot logistically do this and give every Member an opportunity to pay his or her respects as they are supposed to as representatives of this greatest democracy on the face of the Earth. We cannot be here before next Monday, and I ask the majority leader to simply acknowledge that and let us move on with our business.

Mr. ARMEY. Mr. Speaker, if the gentleman will again yield, I want to express my own personal appreciation for the fine expressions of sentiment and commitment I have heard from the Members on this important matter of Veterans' Day. And I can tell my colleagues that I am only touched by what I have heard.

I have talked to the Members of the Committee on Veterans' Affairs. They too, of course, have focused on this

with a great deal of interest and commitment and they have encouraged me to remind Members that for those of us who may have difficulties in getting back to our own districts, that we will have ceremonies at Arlington Cemetery where, of course, some of our Nation's greatest heroes are interred, and we will make every resource available to assist Members in getting to those very important ceremonies.

Mr. BONIOR. Mr. Speaker, I thank my colleague and would say in conclusion that I would hope the gentleman from Texas (Mr. ARMEY) could be more definitive in terms of a time within the next couple of hours so people could plan accordingly for not only this evening, but for the weekend if that is, in fact, what the majority desires, and I thank the gentleman.

COMMUNICATION FROM STAFF MEMBER OF HON. DALE E. KILDEE, MEMBER OF CONGRESS

The Speaker pro tempore (Mr. LAHOOD) laid before the House the following communication from Barbara Donnelly, assistant district director for Hon. DALE E. KILDEE, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, November 2, 1999.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a trial subpoena issued by the United States District Court for the Eastern District of Michigan in the case of *U.S. v. Fayzakov*, No. 99-CR-50015.

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

Sincerely,

BARBARA DONNELLY,
Assistant District Director.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

FATHERS COUNT ACT OF 1999

The SPEAKER pro tempore. Pursuant to House Resolution 367 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3073.

□ 1220

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3073) to amend part A of title IV of the Social Security Act to provide for grants for