

3815. A letter from the Assistant Vice President (Human Resources), Western Farm Credit Bank, transmitting the fiscal year 1991 annual pension plan report of the Western Farm Credit Bank, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Operations.

3816. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

3817. A letter from the Secretary, Department of Transportation, transmitting the annual report to Congress on transportation security, pursuant to Public Law 101-604, section 102(a) (104 Stat. 3068); to the Committee on Public Works and Transportation.

3818. A letter from the Secretary of Health and Human Services, transmitting the Secretary's report on the operation of utilization and quality control peer review organizations for fiscal year 1989, pursuant to 42 U.S.C. 1320c-10; jointly, to the Committees on Energy and Commerce and Ways and Means.

3819. A letter from the Secretary of the Treasury, Director of Office of Management and Budget, transmitting a draft of proposed legislation entitled, "Federal Credit and Debt Management Act of 1992"; jointly, to the Committees on the Judiciary and Ways and Means.

3820. A letter from the National Oceanic and Atmospheric Administration, transmitting a copy of the report "Review of FY 1993 Agency Requests for Appropriations to Support Marine Pollution Research, Development, and Monitoring Programs," pursuant to 33 U.S.C. 1703(a); jointly, to the Committees on Merchant Marine and Fisheries and Science, Space, and Technology.

3821. A letter from the Secretary of Transportation, transmitting the Secretary's determination that Ezeiza International Airport [EZE], Buenos Aires, Argentina, was not maintaining and administering effective security measures; jointly, to the Committees on Public Works and Transportation and Foreign Affairs.

¶76.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment bills, a joint resolution, and a concurrent resolution of the House of the following titles:

H.R. 2818. An Act to designate the Federal building located at 78 Center Street in Pittsfield, MA; as the "Silvio O. Conte Federal Building", and for other purposes;

H.R. 3041. An Act to designate the Federal building located at 1520 Market Street, St. Louis, MO, as the "L. Douglas Abram Federal Building";

H.R. 3711. An Act to authorize grants to be made to State programs designed to provide resources to persons who are nutritionally at risk in the form of fresh nutritious unprepared foods, and for other purposes;

H.R. 4548. An Act to authorize contributions to U.N. peacekeeping activities;

H.J. Res. 509. Joint resolution to extend through September 30, 1992, the period in which there remains available for obligation certain amounts appropriated for the Bureau of Indian Affairs for the school operations costs of Bureau-funded schools; and

H. Con. Res. 331. Concurrent resolution authorizing the use of the Capitol grounds for the Greater Washington Soap Box Derby.

The message also announced that the Senate had passed a bill, joint resolutions, and a concurrent resolution of

the following titles, in which the concurrence of the House is requested:

S. 1623. An Act to amend title 17, United States Code, to implement a royalty payment system and a serial copy management system for digital audio recording, to prohibit certain copyright infringement actions, and for other purposes;

S.J. Res. 221. Joint resolution providing for the appointment of Hanna Holborn Gray as a citizen regent of the Smithsonian Institution;

S.J. Res. 259. Joint resolution providing for the appointment of Barber B. Conable, Jr., as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 275. Joint resolution providing for the appointment of Wesley Samuel Williams, Jr., as a citizen regent of Board of Regents of the Smithsonian Institution; and

S. Con. Res. 112. Concurrent resolution to authorize printing of "Thomas Jefferson's Manual of Parliamentary Practice," as prepared by the Office of the Secretary of the Senate.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5260. An Act to extend the emergency unemployment compensation program, to revise the trigger provisions contained in the extended unemployment compensation program, and for other purposes.

The message also announced that the Senate insisted upon its amendment to the bill (H.R. 5260), "An act to extend the emergency unemployment compensation program, to revise the trigger provisions contained in the extended unemployment compensation program, and for other purposes," and requested a conference with the House on the disagreeing votes of the two Houses thereon, and appointed Mr. BENTSEN, Mr. MOYNIHAN, Mr. BAUCUS, Mr. PACKWOOD, and Mr. DOLE, to be the conferees on the part of the Senate.

¶76.5 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER laid before the House a communication, which was read as follows:

WASHINGTON, DC,
June 23, 1992.

Hon. THOMAS S. FOLEY,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in clause 5 of rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House at 6:55 p.m. on Tuesday, June 23, 1992, and said to contain H.R. 2507, the "National Institutes of Health Revitalization Amendments of 1992," and a veto message thereon.

With great respect, I am
Sincerely yours,
DONNALD K. ANDERSON,
Clerk, House of Representatives.

¶76.6 VETO OF H.R. 2507

The Clerk then read the veto message from the President, as follows:

To the House of Representatives:

I am returning herewith without my approval H.R. 2507, the "National Insti-

tutes of Health Revitalization Amendments of 1992," which would extend and amend biomedical research authorities of the National Institutes of Health (NIH).

Before discussing the flaws of H.R. 2507, I must clarify two misperceptions. First, H.R. 2507 is not necessary to assure that Federal spending continue for biomedical research, or for research related to any disease, disorder, or condition. Second, H.R. 2507 is not necessary to increase support for research targeted at women's health needs. Great progress is being made in the area of women's health under the valued leadership of the first female director of the NIH.

H.R. 2507 is unacceptable to me on almost every ground: ethical, fiscal, administrative, philosophical, and legal. I repeatedly warned the Congress of this at each stage of the legislative process. The bill's provisions permitting the use of tissue from induced abortions for federally funded transplantation research involving human subjects are inconsistent with our Nation's deeply held beliefs. Moreover, it is clear that this legislation would be counterproductive to the attainment of our Nation's health research objectives.

H.R. 2507 is objectionable because it would lift the current moratorium on the use of Federal funds for fetal tissue transplantation research where the tissue is obtained from induced abortions. Let it be clear: This is not a moratorium on research. It is only a moratorium on the use of one source of tissue for that research. I believe this moratorium is important in order to prevent taxpayer funds from being used for research that many Americans find morally repugnant and because of its potential for promoting and legitimizing abortion.

My Administration is strongly committed to pursuing research to find cures and treatments for such disorders as Parkinson's disease, diabetes, and Alzheimer's disease that have been held out as areas where fetal tissue research might be pursued. Fetal tissue transplantation research relating to these disorders can proceed without relying on tissue from induced abortions. Medical experts at the Department of Health and Human Services have assured me that ectopic pregnancies and spontaneous abortions provide sufficient and suitable tissue to meet anticipated research needs. Therefore, on May 19, 1992, I issued an Executive order establishing a fetal tissue bank that will collect tissue from these sources so as to meet the needs of the research community. The bank will provide tissue directly to scientists for their research. This approval truly represents the pro-research and ethical alternative that will allow this research to go forward without relying on a source of tissue that many find to be morally objectionable.

H.R. 2507 also contains fiscally irresponsible authorization levels. The total cost of the provisions in this legislation could exceed the FY 1993 Budg-

et I presented to the Congress by \$3.2 billion. It is exceedingly unlikely, if not impossible, that the Congress can fund the programs contained in H.R. 2507 while complying with the requirements of the Budget Enforcement Act. That being the case, the expectations that this bill will create are unreasonable. Those who suffer from the many diseases and disorders that are the subject of this unrealistic legislation will be sadly disappointed.

H.R. 2507 is also objectionable because its provisions regarding the appointment of "Ethics Advisory Boards" are inconsistent with the Appointments Clause of the Constitution. H.R. 2507 would effectively give these boards unilateral authority to make decisions concerning major research initiatives. As a policy matter, these decisions should be made by the President's chief officer on health issues: The Secretary of Health and Human Services. More fundamentally, however, the Appointments Clause requires that officers vested with this type of power be appointed by the President by and with the advice and consent of the Senate. Instead, H.R. 2507 provides that they are to be appointed by the Secretary of Health and Human Services and then purports to circumscribe the discretion of the appointing authority by imposing various requirements concerning the boards' composition. H.R. 2507's provisions regarding the Scientific and Technical Board on Biomedical and Behavioral Research Facilities and the Office of Research on Women's Health likewise raise Appointments Clause problems.

In addition, H.R. 2057 contains reporting requirements that impair the separation of powers. For example, the bill would require the Director of the National Cancer Institute to submit to specified committees of the Congress the original plan, and any revisions to that plan, regarding certain cancer research. This requirement to submit to the Congress what is in essence a draft plan without the prior review and approval of the executive branch clearly interferes with the deliberative process of the executive branch. The internal workings of the executive branch should be just that—internal. To require the executive branch to display each step in its deliberative process to the Congress would destroy my ability to speak as the single voice of a unitary executive.

I am also troubled by the increasingly frequent imposition of reporting requirements. H.R. 2507 imposes a significant number of new reporting requirements on an executive branch that already suffers under the burden of literally thousands of such requirements. Last October, I noted that "taken together such reports put a heavy burden on the reporting agencies at a time of scarce resources." Thus, I called for "an effort to minimize reporting requirements, both in terms of the number and frequency of reports that must be submitted, as well as the level of detail required." Bills such as

H.R. 2507 move us in the opposite direction.

For these reasons, I am returning H.R. 2507 without my approval, and I ask the Congress to adopt a simple extension of those appropriations authorizations for the National Institutes of Health that need to be extended.

GEORGE BUSH.

THE WHITE HOUSE, June 23, 1992.

The SPEAKER ordered that the veto message, together with the accompanying bill, be printed (H. Doc. 102-349) and spread upon the pages of the Journal of the House.

The question being on passage of the bill, the objections of the President to the contrary notwithstanding.

After debate,

By unanimous, the previous question was ordered on the bill.

The question being put,

Will the House, upon reconsideration, agree to pass the bill, the objections of the President to the contrary notwithstanding?

It was decided in the { Yeas 271
negative Nays 156

¶76.7 [Roll No. 222] YEAS—271

Abercrombie	Donnelly	Johnson (SD)
Ackerman	Dooley	Johnston
Alexander	Dorgan (ND)	Jones (NC)
Anderson	Downey	Kaptur
Andrews (ME)	Durbin	Kennedy
Andrews (NJ)	Dwyer	Kennelly
Andrews (TX)	Dymally	Kildee
Annunzio	Early	Kleczka
Anthony	Eckart	Klug
Applegate	Edwards (CA)	Kolbe
Aspin	Edwards (TX)	Kopetski
Atkins	English	Kostmayer
AuCoin	Erdreich	Lancaster
Bacchus	Espy	Lantos
Barnard	Evans	LaRocco
Beilenson	Fascell	Laughlin
Bentley	Fawell	Leach
Berman	Fazio	Lehman (CA)
Bevill	Feighan	Lehman (FL)
Billbray	Foglietta	Levin (MI)
Blackwell	Foley	Lewine (CA)
Boehlert	Ford (MI)	Lewis (FL)
Borski	Ford (TN)	Lewis (GA)
Boucher	Frank (MA)	Lipinski
Boxer	Frank (CT)	Lloyd
Brewster	Frost	Long
Brooks	Gallo	Lowey (NY)
Browder	Gejdenson	Machtley
Brown	Gephardt	Markey
Bruce	Geren	Martinez
Bryant	Gibbons	Matsui
Bustamante	Gilchrest	Mavroules
Byron	Gillmor	McCloskey
Campbell (CA)	Gilman	McCurdy
Campbell (CO)	Glickman	McDermott
Cardin	Gonzalez	McHugh
Carper	Gordon	McMillen (MD)
Carr	Gradison	Meyers
Chandler	Green	Mfume
Chapman	Guarini	Miller (CA)
Clay	Hall (TX)	Miller (WA)
Clement	Hamilton	Mineta
Coleman (MO)	Harris	Mink
Coleman (TX)	Hatcher	Moakley
Collins (IL)	Hayes (IL)	Molinari
Collins (MI)	Henry	Montgomery
Condit	Hertel	Moody
Conyers	Hoagland	Moran
Cooper	Hobson	Morella
Cox (IL)	Hochbrueckner	Morrison
Coyne	Horn	Mrazek
Cramer	Horton	Murtha
Darden	Houghton	Nagle
DeFazio	Hoyer	Natcher
DeLauro	Hubbard	Neal (MA)
Dellums	Huckaby	Neal (NC)
Derrick	Hughes	Oakar
Dickinson	Jacobs	Obey
Dicks	Jefferson	Olin
Dingell	Jenkins	Olver
Dixon	Johnson (CT)	

Owens (NY)	Sanders	Tallon
Owens (UT)	Sangmeister	Tanner
Pallone	Savage	Thomas (CA)
Panetta	Sawyer	Thomas (GA)
Pastor	Scheuer	Torres
Patterson	Schroeder	Torricelli
Payne (NJ)	Serrano	Towns
Payne (VA)	Sharp	Traficant
Pease	Shaw	Traxler
Pelosi	Shays	Unsoeld
Perkins	Shuster	Upton
Peterson (FL)	Sikorski	Valentine
Pickett	Sisisky	Vento
Pickle	Skaggs	Visclosky
Porter	Skeen	Washington
Price	Slattery	Waters
Pursell	Slaughter	Waxman
Rangel	Smith (FL)	Weiss
Ravenel	Smith (IA)	Wheat
Reed	Smith (TX)	Whitten
Richardson	Snowe	Williams
Ridge	Solarz	Wilson
Riggs	Spratt	Wise
Rose	Staggers	Wolpe
Rostenkowski	Stark	Wyden
Roukema	Stokes	Yates
Rowland	Studds	Yatron
Roybal	Sweet	Zimmer
Russo	Swift	
Sabo	Synar	

NAYS—156

Allard	Hayes (LA)	Peterson (MN)
Allen	Hefley	Petri
Archer	Herger	Poshard
Army	Holloway	Quillen
Baker	Hopkins	Rahall
Ballenger	Hunter	Ramstad
Barrett	Hutto	Ray
Barton	Hyde	Regula
Bateman	Inhofe	Rhodes
Bennett	Ireland	Rinaldo
Bereuter	James	Ritter
Bilirakis	Johnson (TX)	Roberts
Bliley	Kanjorski	Roe
Boehner	Kasich	Roemer
Broomfield	Kolter	Rogers
Bunning	Kyl	Rohrabacher
Burton	LaFalce	Ros-Lehtinen
Callahan	Lagomarsino	Roth
Camp	Lent	Santorum
Clinger	Lewis (CA)	Sarpalious
Coble	Lightfoot	Saxton
Combust	Livingston	Schaefer
Costello	Lowery (CA)	Schiff
Coughlin	Luken	Schulze
Cox (CA)	Manton	Sensenbrenner
Crane	Marlenee	Skelton
Cunningham	Martin	Smith (NJ)
Dannemeyer	Mazzoli	Smith (OR)
Davis	McCandless	Solomon
de la Garza	McCollum	Spence
DeLay	McCrery	Stallings
Doolittle	McDade	Stearns
Dornan (CA)	McEwen	Stenholm
Dreier	McGrath	Stump
Duncan	McMillan (NC)	Sundquist
Emerson	Michel	Tauzin
Ewing	Miller (OH)	Taylor (MS)
Fields	Mollohan	Taylor (NC)
Fish	Moorhead	Thomas (WY)
Gallegly	Murphy	Thornton
Gaydos	Myers	Vander Jagt
Gekas	Nichols	Volkmer
Gingrich	Nowak	Vucanovich
Goodling	Nussle	Walker
Goss	Oberstar	Walsh
Grandy	Ortiz	Weber
Gunderson	Orton	Weldon
Hall (OH)	Oxley	Wolf
Hammerschmidt	Packard	Wylie
Hancock	Parker	Young (AK)
Hansen	Paxon	Young (FL)
Hastert	Penny	Zeliff

NOT VOTING—8

Bonior	Flake	McNulty
Edwards (OK)	Hefner	Schumer
Engel	Jones (GA)	

The SPEAKER announced that 271 Members had voted in the affirmative and 156 Members had voted in the negative.

So, two-thirds of the Members present not having voted in favor thereof, the bill was not passed.