

the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 250
Nays 104

¶107.17

[Roll No. 401]

YEAS—250

- Ackerman
- Allard
- Allen
- Andrews (ME)
- Andrews (TX)
- Applegate
- Armye
- Aspin
- Ballenger
- Barrett
- Barton
- Beilenson
- Bennett
- Bentley
- Bereuter
- Berman
- Bilbray
- Bilirakis
- Blackwell
- Boehlert
- Boehner
- Boucher
- Brewster
- Brown
- Bruce
- Bunning
- Burton
- Camp
- Campbell (CA)
- Cardin
- Carper
- Clay
- Clement
- Coble
- Coleman (MO)
- Coleman (TX)
- Collins (IL)
- Collins (MI)
- Combest
- Condit
- Cooper
- Costello
- Cox (CA)
- Cox (IL)
- Crane
- Cunningham
- Danemeyer
- de la Garza
- Dellums
- Derrick
- Dickinson
- Dicks
- Dingell
- Dooley
- Doolittle
- Dorgan (ND)
- Dornan (CA)
- Downey
- Dreier
- Duncan
- Durbin
- Early
- Eckart
- Edwards (CA)
- Emerson
- Engel
- English
- Espy
- Evans
- Ewing
- Fawell
- Feighan
- Fields
- Fish
- Ford (MI)
- Frank (MA)
- Galleghy
- Gekas
- Geren
- Gibbons
- Gilchrist
- Gillmor
- Gilman
- Glickman
- Goss
- Gradison
- Grandy
- Gunderson
- Hall (TX)
- Hamilton
- Hancock
- Hansen
- Hastert
- Hayes (IL)
- Hefley
- Hefner
- Henry
- Herger
- Hertel
- Hoagland
- Hochbrueckner
- Hopkins
- Horn
- Hubbard
- Hunter
- Hutto
- Hyde
- Inhofe
- Jacobs
- James
- Johnson (CT)
- Johnson (TX)
- Jontz
- Kasich
- Kennedy
- Kildee
- Kleczka
- Klug
- Kolter
- Kostmayer
- Kyl
- LaFalce
- Lagomarsino
- Lancaster
- Lantos
- LaRocco
- Leach
- Lehman (CA)
- Levin (MI)
- Lewis (FL)
- Lewis (GA)
- Lipinski
- Lloyd
- Lowe (NY)
- Luken
- Machtley
- Markey
- Marlenee
- Martinez
- Matsui
- McCandless
- McCollum
- McCurdy
- McDermott
- McEwen
- McGrath
- McMillan (NC)
- McMillen (MD)
- Meyers
- Mfume
- Michel
- Miller (CA)
- Miller (WA)
- Moakley
- Molinari
- Moody
- Moorhead
- Morella
- Morrison
- Murphy
- Neal (NC)
- Nichols
- Nowak
- Nussle
- Oberstar
- Oliver
- Orton
- Owens (NY)
- Oxley
- Packard
- Panetta
- Patterson
- Paxon
- Payne (NJ)
- Payne (VA)
- Pease
- Penny
- Peterson (MN)
- Petri
- Pickett
- Porter
- Poshard
- Price
- Quillen
- Ramstad
- Rangel
- Ravenel
- Ray
- Reed
- Rhodes
- Ridge
- Ritter
- Roberts
- Rohrabacher
- Ros-Lehtinen
- Roth
- Roukema
- Roybal
- Russo
- Sanders
- Sangmeister
- Santorum
- Sawyer
- Schaefer
- Schiff
- Schumer
- Sensenbrenner
- Serrano
- Shays
- Sikorski
- Sisisky
- Skaggs
- Skelton
- Slaughter
- Smith (FL)
- Smith (OR)
- Smith (TX)
- Snowe
- Solomon
- Spence
- Spratt
- Staggers
- Stallings
- Stark
- Stearns
- Stenholm
- Studds
- Stump
- Sundquist
- Swett
- Swift
- Synar
- Tanner
- Taylor (MS)
- Taylor (NC)
- Thomas (WY)
- Torricelli
- Towns
- Traficant
- Upton
- Valentine
- Vento
- Volkmer
- Walker
- Weldon
- Wheat
- Williams
- Wolpe
- Young (FL)
- Zimmer

NAYS—104

- Abercrombie
- Anderson
- Andrews (NJ)
- Baker
- Bateman
- Bevill

- Bliley
- Bonior
- Borsari
- Brooks
- Browder
- Bryant
- Bustamante
- Callahan
- Chapman
- Coughlin
- Coyne
- Cramer
- DeFazio
- DeLauro
- DeLay
- Dixon
- Dwyer
- Edwards (TX)
- Erdreich
- Fazio
- Foglietta
- Franks (CT)
- Frost
- Gallo
- Gejdenson
- Gonzalez
- Goodling
- Hammerschmidt
- Harris
- Hobson
- Houghton
- Hoyer
- Hughes
- Jefferson
- Kanjorski
- Kaptur
- Kennelly
- Kolbe
- Kopetski
- Laughlin
- Lewis (CA)
- Lightfoot
- Livingston
- Long
- Mazzoli
- McCloskey
- McDade
- McHugh
- McNulty
- Miller (OH)
- Mineta
- Mink
- Mollohan
- Montgomery
- Murtha
- Myers
- Nagle
- Natcher
- Oakar
- Obey
- Olin
- Ortiz
- Pallone
- Parker
- Pastor
- Pelosi
- Perkins
- Peterson (FL)
- Pursell
- Rahall
- Regula
- Roe
- Roemer
- Rogers
- Rose
- Rostenkowski
- Sabo
- Sarpalius
- Saxton
- Schroeder
- Skeen
- Smith (IA)
- Smith (NJ)
- Stokes
- Torres
- Unsoeld
- Viscosky
- Vucanovich
- Walsh
- Waters
- Whitten
- Wilson
- Wise
- Wolf
- Wyden
- Wyllie
- Yates

NOT VOTING—78

- Alexander
- Annunzio
- Anthony
- Archer
- Atkins
- AuCoin
- Bacchus
- Barnard
- Boxer
- Broomfield
- Byron
- Campbell (CO)
- Chandler
- Clinger
- Conyers
- Darden
- Davis
- Donnelly
- Dymally
- Edwards (OK)
- Fascell
- Flake
- Ford (TN)
- Gaydos
- Gephardt
- Gingrich
- Gordon
- Green
- Guarini
- Hall (OH)
- Hatcher
- Hayes (LA)
- Holloway
- Horton
- Huckaby
- Ireland
- Jenkins
- Johnson (SD)
- Johnston
- Jones
- Lehman (FL)
- Lent
- Levine (CA)
- Lowery (CA)
- Manton
- Martin
- Mavroules
- McCrery
- Moran
- Mrazek
- Neal (MA)
- Owens (UT)
- Pickle
- Richardson
- Riggs
- Rinaldo
- Rowland
- Savage
- Scheuer
- Schulze
- Sharp
- Shaw
- Shuster
- Slattery
- Solarz
- Tallon
- Tauzin
- Thomas (CA)
- Thomas (GA)
- Thornton
- Traxler
- Vander Jagt
- Washington
- Waxman
- Weber
- Yatron
- Young (AK)
- Zeliff

So the amendment to said motion was agreed to. Thereupon, said motion to recede from its disagreement to the Senate amendment numbered 37 and concur with an amendment, as amended, was agreed to.

On motion of Mr. BEVILL, the House receded from its disagreement to the amendment of the Senate numbered 39 and concurred therein with the following amendment:

In lieu of the sum stricken and inserted by said amendment, insert: "\$1,286,320,000".

On motion of Mr. BEVILL, the House receded from its disagreement to the amendment of the Senate numbered 43 and concurred therein with the following amendment:

In lieu of the matter stricken and inserted by said amendment, insert:

NUCLEAR WASTE DISPOSAL FUND

For nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as amended, including the acquisition of real property or facility construction or expansion, \$275,071,000, to remain available until expended, to be derived from the Nuclear Waste Fund. To the extent that balances in the fund are not sufficient to cover amounts available for obligation in the account, the Secretary shall exercise his authority pursu-

ant to section 302(e)(5) of said Act to issue obligations to the Secretary of the Treasury: *Provided*, That of the amount herein appropriated, within available funds, not to exceed \$5,000,000 may be provided to the State of Nevada, for the sole purpose in the conduct of its oversight responsibilities pursuant to the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended: *Provided further*, That of the amount herein appropriated, not more than \$6,000,000 may be provided to affected local governments, as defined in the Act, to conduct appropriate activities pursuant to the Act: *Provided further*, That the distribution of the funds herein provided among the affected units of local government shall be determined by the Department of Energy (DOE) and made available to the State and affected units of local government by direct payment: *Provided further*, That within 90 days of the completion of each Federal fiscal year, each entity shall provide certification to the DOE, that all funds expended from such direct payment monies have been expended for activities as defined in Public Law 97-425, as amended. Failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: *Provided further*, That none of the funds herein appropriated may be used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for any lobbying activity as provided in 18 U.S.C. 1913: *Provided further*, That none of the funds herein appropriated may be used for litigation expenses: *Provided further*, That grant funds are not to be used to support multistate efforts or other coalition building activities inconsistent with the restrictions contained in this Act: *Provided further*, That of the amount appropriated herein, up to \$3,700,000 shall be available for infrastructure studies and other research and development work to be carried out by the Universities in Nevada, Reno, and Las Vegas, and the Desert Research Institute, and at least \$750,000 to continue funding for the Mobile Sampling Platform developed and operated by the Environmental Research Center at the University of Nevada, Las Vegas. Funding to the universities will be administered by the DOE through a cooperative agreement.

In paying the amounts determined to be appropriate as a result of the decision in Consolidated Edison Company of New York v. Department of Energy 870 F.2d 694 (D.C. Cir. 1989), the Department of Energy shall pay interest at a rate to be determined by the Secretary of the Treasury and calculated from the date the amounts were deposited into the Nuclear Waste Fund. Such payments may be made by credits to future utility payments into the Fund.

On motion of Mr. BEVILL, the House receded from its disagreement to the amendment of the Senate numbered 44 and concurred therein with the following amendment:

In lieu of \$4,523,249,000 named in said amendment, insert: "\$4,568,749,000".

On motion of Mr. BEVILL, the House receded from its disagreement to the amendment of the Senate numbered 45 and concurred therein with the following amendment:

In lieu of the sum stricken and inserted by said amendment, insert: "\$34,028,000".

On motion of Mr. BEVILL, the House receded from its disagreement to the amendment of the Senate numbered 46 and concurred therein with the following amendment:

In lieu of the sum stricken and inserted by said amendment, insert: "\$4,831,547,000".

On motion of Mr. BEVILL, the House receded from its disagreement to the amendment of the Senate numbered 47 and concurred therein with the following amendment:

In lieu of the sum stricken and inserted by said amendment, insert: "\$2,584,301,000".

Mr. BEVILL moved that the House recede from its disagreement to the amendment of the Senate numbered 48 and concur therein.

On demand of Mrs. VUCANOVICH, pursuant to clause 2, rule XXVIII,

Ordered, That time for debate be equally divided among Messrs. BEVILL, MYERS, and Mrs. VUCANOVICH.

After debate,

By unanimous consent, the previous question was ordered.

The question being put, *viva voce*,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. COX of Illinois, announced that the yeas had it.

So the motion to recede from its disagreement to the amendment of the Senate numbered 48 and concur therein was agreed to.

Pursuant to the order of the House heretofore agreed to, further consideration of the amendment of the Senate numbered 57 was postponed.

On motion of Mr. BEVILL, the House receded from its disagreement to the amendment of the Senate numbered 58 and concurred therein with the following amendment:

In lieu of the matter inserted by said amendment, insert the following:

"SEC. 508. Notwithstanding any other provision of this Act, \$5,000,000 of the funds appropriated in Title I shall be available for the Central Maine Water Supply Project, to remain available until September 30, 1993, and to become available only upon enactment into law of authorizing legislation."

A motion to reconsider the votes whereby the foregoing conference report and motions were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶107.18 SUBPOENA RESPONSE

The SPEAKER pro tempore, Mr. COX of Illinois, laid before the House a communication, which was read as follows:

COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, September 17, 1992.

Hon. TOM S. FOLEY,
Speaker of the House, H-204, The Capitol, Washington, DC.

DEAR MR. SPEAKER, I have previously notified you that a member of the staff of my Committee has been served with a subpoena issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel to the Clerk, I have determined that compliance with the subpoena is not inconsistent with the privileges and precedents of the House.

Sincerely,

CHARLIE ROSE,
Chairman.

¶107.19 PROVIDING FOR THE CONSIDERATION OF H.R. 3298

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept.

No. 102-876) the resolution (H. Res. 573) providing for the consideration of the bill (H.R. 3298) to enhance the financial safety and soundness of the banks and associations of the Farm Credit System.

When said resolution and report were referred to the House Calendar and ordered printed.

¶107.20 PROVIDING FOR THE CONSIDERATION OF H.R. 918

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 102-877) the resolution (H. Res. 574) providing for the consideration of bill (H.R. 918) to modify the requirement applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶107.21 PROVIDING FOR THE CONSIDERATION OF SENATE AMENDMENTS TO H.R. 5620

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 102-878) the resolution (H. Res. 575) providing for the consideration of Senate amendments to the bill (H.R. 5620) making supplemental appropriations, transfers, and rescissions for the fiscal year ending September 30, 1992, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶107.22 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. OWENS of Utah, for today;

To Mr. PICKLE, for today;

To Mr. BARNARD, for today and the balance of the week;

To Mr. GORDON, for today; and

To Mr. WASHINGTON, for today after 6 p.m. and the balance of the week.

And then,

¶107.23 ADJOURNMENT

On motion of Mr. COMBEST, at 10 o'clock and 28 minutes p.m., the House adjourned.

¶107.24 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MONTGOMERY: Committee of Conference. Conference report on S. 2344 (Rept. No. 102-871). Ordered to be printed.

Mr. CONYERS: Committee on Government Operations. H.R. 5798. A bill to authorize payments to units of general local government for fiscal years 1992 and 1993; with an amendment (Rept. No. 102-872). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 3204. A bill to amend title 17, United States Code, to implement a royalty payment system and a serial copy management system for digital audio recording, to pro-

hibit certain copyright infringement actions, and for other purposes; with an amendment (Rept. No. 102-873, Pt. 1). Ordered to be printed.

Mr. BROOKS: Committee on the Judiciary. H.R. 4841. A bill granting the consent of the Congress to the New Hampshire-Maine Interstate School Compact (Rept. No. 102-874). Referred to the House Calendar.

Mr. BROOKS: Committee on the Judiciary. H.R. 5452. A bill granting the consent of the Congress to a supplemental compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey concerning the Delaware River Port Authority (Rept. No. 102-875). Referred to the House Calendar.

Mr. FROST: Committee on Rules. House Resolution 573. Resolution providing for the consideration of the bill (H.R. 3298) to enhance the financial safety and soundness of the banks and associations of the Farm Credit System (Rept. No. 102-876).

Ms. SLAUGHTER: Referred to the House Calendar. Committee on Rules. House Resolution 574. Resolution providing for the consideration of the bill (H.R. 918) to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes (Rept. No. 102-877). Referred to the House Calendar.

Mr. BONIOR: Committee on Rules. House Resolution 575. Resolution providing for the consideration of Senate amendments to the bill (H.R. 5620) making supplemental appropriations, transfers, and rescissions for the fiscal year ending September 30, 1992, and for other purposes (Rept. No. 102-878). Referred to the House Calendar.

¶107.25 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. RAHALL (for himself, Mr. MILLER of California, and Mr. STUDDS):

H.R. 5962. A bill to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BEREUTER:

H.R. 5963. A bill to amend the Internal Revenue Code of 1986 to allow individuals to designate all or any portion of their income tax refund to reduce the public debt: to the Committee on Ways and Means.

By Mr. ERDREICH:

H.R. 5964. A bill to direct the Secretary of Education to make a grant to Jefferson State Community College in Birmingham, AL, for construction of a business and technology center; to the Committee on Education and Labor.

By Ms. KAPTUR (for herself and Mr. GUARINI):

H.R. 5965. A bill to provide for the establishment of a Professional Trade Service Corps, and for other purposes; jointly, to the Committees on Ways and Means, Post Office and Civil Service, and the Judiciary.

By Mr. LAFALCE:

H.R. 5966. A bill to amend the Bankruptcy Act to make small business investment companies and specialized small business investment companies ineligible to file bankruptcy, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of Oregon:

H.R. 5967. A bill to extend the deadline under the Federal Power Act applicable to the construction of a hydroelectric project in the State of Oregon; to the Committee on Energy and Commerce.