

with clause 5(a) of rule XXI are waived. No amendment to the amendment in the nature of a substitute shall be in order except those printed in part 2 of the report of the Committee on Rules. Each amendment may be offered only in the order printed, may be offered only by the named proponent or a designee, shall be considered as read, shall not be subject to amendment except as specified in the report, and shall not be subject to demand for division of the question in the House or in the Committee of the Whole. Any time specified in the report for debate on an amendment shall be equally divided and controlled by the proponent and an opponent. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

On motion of Mr. MOAKLEY, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶117.14 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 of the House of the following titles:

H.R. 4178. An Act to amend the Public Health Service Act to provide for a program to carry out research on the drug known as diethylstilbestrol, to educate health professionals and the public on the drug and to provide for certain longitudinal studies regarding individuals who have been exposed to the drug.

H.R. 5673. An Act to amend the Public Health Service Act to revise and extend the programs of the Agency for Health Care Policy and Research.

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

H.R. 4996. An Act to extend the authorities of the Overseas Private Investment Corporation, and for other purposes.

H.R. 5013. An Act to promote the conservation of wild exotic birds, to provide for the Great Lakes Fish and Wildlife Tissue Bank, to reauthorize the Fish and Wildlife Conservation Act of 1980, to reauthorize the African Elephant Conservation Act, and for other purposes.

H.R. 5258. An Act to provide for the withdrawal of most favored nation status from the Federal Republic of Yugoslavia and to provide for the restoration of such status if certain conditions are fulfilled.

H.R. 5368. An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1993, and for other purposes.

The message also announced that the Senate insisted upon its amendments

to the bill (H.R. 4996) "An Act to extend the authorities of the Overseas Private Investment Corporation, and for other purposes," requested a conference with the House on the disagreeing votes of the two Houses thereon, and appointed Mr. PELL, Mr. BIDEN, Mr. SARBANES, Mr. HELMS, and Mr. MCCONNELL, to be the conferees on the part of the Senate.

The message also announced that the Senate insisted upon its amendments to the bill (H.R. 5368) "An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1993, and for other purposes," requested a conference with the House on the disagreeing votes of the two Houses thereon, and appointed Mr. LEAHY, Mr. INOUE, Mr. JOHNSTON, Mr. DECONCINI, Mr. HARKIN, Ms. MIKULSKI, Mr. BYRD, Mr. KASTEN, Mr. HATFIELD, Mr. D'AMATO, Mr. RUDMAN, Mr. SPECTER, Mr. NICKLES, and Mr. STEVENS to be the conferees on the part of the Senate.

The message also announced that pursuant to the provisions in House Concurrent Resolution 192, 102d Congress, second session, the chair, on behalf of the Republican Leader, announced the appointment of Mr. DOMENICI, vice chairman; Mrs. KASSEBAUM; Mr. LOTT; Mr. STEVENS; Mr. COHEN; and Mr. LUGAR; to the Joint Committee on the Organization of Congress.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1675. An Act to amend title 49, United States Code, regarding the collection of certain payments for shipments via motor common carriers of property and nonhousehold goods freight forwarders, and for other purposes.

S. 2679. An Act to promote the recovery of Hawaii tropical forests, and for other purposes.

¶117.15 PERMISSION TO FILE CONFERENCE REPORT

On motion of Mr. MONTGOMERY, by unanimous consent, the managers on the part of the House were granted permission until midnight tonight to file a conference report (Rept. No. 102-968) on the bill (H.R. 5006) to authorize appropriations for fiscal year 1993 for military functions of the Department of Defense, to prescribe military personnel levels for fiscal year 1993, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶117.16 VETERANS HEALTH CARE AMENDMENTS

The SPEAKER pro tempore, Mr. MAZZOLI, pursuant to House Resolution 578 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5192) to amend title 38, United States Code, to make improvements to veterans health programs.

The SPEAKER pro tempore, Mr. MAZZOLI, by unanimous consent, des-

ignated Mr. DIXON as Chairman of the Committee of the Whole; and after some time spent therein,

The Committee rose informally to receive a message from the President.

The SPEAKER pro tempore, Mr. TRAFICANT, assumed the Chair.

¶117.17 MESSAGE FROM THE PRESIDENT

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

The Committee resumed its sitting; and after some further time spent therein,

¶117.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following substitute amendment submitted by Mr. WISE for the amendment submitted by Mr. PENNY:

Amendment submitted by Mr. PENNY:

Amend section 7 to read

SEC. 7. USE OF TOBACCO PRODUCTS IN DEPARTMENT FACILITIES.

(a) POLICY.—The smoking policies implemented by the Secretary of Veterans Affairs for Department of Veterans Affairs health-care facilities shall be based on current scientific evidence and public health practices recognizing the risks of smoking to smokers and nonsmokers alike.

(b) IMPLEMENTATION OF POLICY.—The Secretary of Veterans Affairs, in implementing a policy to prohibit or restrict smoking in the health-care facilities of the Department of Veterans Affairs, shall seek to ensure (consistent with accepted health goals) that patients in such facilities who wish to use tobacco products are accommodated to the degree practicable in areas that are convenient to the facility, taking into account climatic conditions, patient comfort, protection of nonsmokers, and allowing reasonable access for the patient.

Substitute amendment submitted by Mr. WISE:

In lieu of the matter proposed by the amendment offered by Representative PENNY or Representative DURBIN, amend section 7 to read as follows:

SEC. 7. USE OF TOBACCO PRODUCTS IN DEPARTMENT FACILITIES.

(a) IN GENERAL.—Each veteran who is a patient or resident in a facility of the Department of Veterans Affairs shall have the right (consistent with medical requirements and limitations) to use tobacco products.

(b) IMPLEMENTATION.—In order to implement this section, the Secretary of Veterans Affairs shall ensure that (consistent with medical requirements and limitations) each facility of the Department shall maintain a suitable indoor patient smoking area and provide access to that area for patients or residents who desire to use tobacco products.

(c) APPLICABILITY.—This section applies with respect to the Department of Veterans Affairs medical centers, nursing homes, and domiciliaries.

(d) REPORT TO CONGRESS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans Affairs of the Senate and House of Representatives a report on the implementation of this section, including a description of the steps taken at each facility of the Department to achieve compliance.