

(F) Trade-offs between additional B-2 bombers and other programmed DOD assets in meeting the scenarios described in subsections (b)(2)(A) through (b)(2)(E) above;

(G) The desirability of an increased rate of purchase of precision-guided munitions for aircraft in the existing B-2 fleet;

(H) The desirability of improving the low observable characteristics of the existing B-2 fleet; and

(I) The affordability of additional B-2 bombers in the context of projected levels of future defense funding.

(c) PANEL ADMINISTRATION.—(1) The members of the panel shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the panel.

(2) Upon the request of the chairman of the panel, the Secretary of Defense may detail to the panel, on a nonreimbursable basis, personnel of the Department of Defense to assist the panel in carrying out its duties. The Secretary of Defense shall furnish to the panel such administrative and support services as may be requested by the chairman of the panel and shall ensure that all appropriate actions are taken to preserve the options of the President until the panel submits its report under subsection (b)(1).

(d) FUNDING.—The Secretary of Defense shall, upon the request of the panel, make available to the panel such amounts as the panel may require to carry out its duties under this section.

(e) TERMINATION OF THE PANEL.—The panel shall terminate 30 days after the date on which it submits its report under subsection (b)(1).

SEC. 8132. None of the funds in this Act may be made available for the deployment of United States armed forces in the Republic of Bosnia and Herzegovina after June 30, 1998, unless the President, after consultation with the bipartisan leadership of the Senate and the House of Representatives, transmits to the Congress not later than May 15, 1998 a certification that the continued presence of United States armed forces is required in order to meet the national security interests of the United States: *Provided*, That such certification shall specify the following aspects of any deployment beyond June 30, 1998—

(1) The reasons why such deployment is in the national interest;

(2) The number of United States military personnel to be deployed in and around the Republic of Bosnia and Herzegovina and the former Yugoslavia;

(3) The expected duration of any such deployment;

(4) The mission and objectives of United States military forces deployed in and around the Republic of Bosnia and Herzegovina and the former Yugoslavia;

(5) The exit strategy for United States forces engaged in such deployment;

(6) The costs associated with any deployment beyond June 30, 1998; and

(7) The impact of such deployment on the morale, retention, and effectiveness of U.S. forces;

Provided further, That concurrent with said certification, the President shall submit a supplemental appropriations request for such amounts as are necessary for any continued deployment beyond June 30, 1998: *Provided further*, That nothing in this section shall be deemed to restrict the authority of the President under the Constitution to protect the lives of United States citizens.

This Act may be cited as the "Department of Defense Appropriations Act, 1998".

And the Senate agree to the same.

BILL YOUNG,
JOSEPH M. MCDADE,
JERRY LEWIS,
JOE SKEEN,
DAVID L. HOBSON,
HENRY BONILLA,
GEORGE R. NETHERCUTT,
Jr.,
ERNEST ISTOOK,
RANDY "DUKE"
CUNNINGHAM,
BOB LIVINGSTON,
JOHN P. MURTHA,
NORM DICKS
(except on amendment dealing with the B-2 bomber.),
W.G. BILL HEFNER,
MARTIN OLAV SABO,
JULIAN C. DIXON,
PETER J. VISCLOSKEY,

Managers on the Part of the House.

TED STEVENS,
THAD COCHRAN,
ARLEN SPECTER,
PETE DOMENICI,
CHRISTOPHER S. BOND,
MITCH MCCONNELL,
RICHARD SHELBY,
JUDD GREGG,
KAY BAILEY HUTCHISON,
DANIEL K. INOUE,
ROBERT BYRD,
PATRICK J. LEAHY,
DALE BUMPERS,
FRANK R. LAUTENBERG,
BYRON L. DORGAN,

Managers on the Part of the Senate.

Pending consideration of the conference report.

On demand of Mr. FRANK of Massachusetts, pursuant to clause 2, rule XXVIII,

Ordered, That time for debate be equally divided among Messrs. YOUNG of Florida, MURTHA, and FRANK of Massachusetts.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mrs. EMERSON, announced that pursuant to clause 7 of rule XV the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas 356
affirmative } Nays 65

Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Ensign
Etheridge
Evans
Everett
Ewing
Fawell
Fazio
Flake
Foley
Forbes
Ford
Fowler
Fox
Frelinghuysen
Frost
Gallegly
Gejdenson
Gekas
Gephardt
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hobson
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
King (NY)
Kingston
Kleczka
Klink
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
Lucas
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHale
McHugh
McIntosh
McIntyre
McKeon
Meehan
Meeke
Menendez
Metcalf
Mica
Millender-
McDonald
Miller (FL)
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Murtha
Myrick
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Olver
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Redmond
Regula
Reyes
Riley
Rodriguez
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Ryun
Sabo
Salmon
Sanchez
Sandlin
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Serrano
Sessions
Shadegg
Shaw
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Towns
Traficant
Turner
Upton
Velazquez
Visclosky
Walsh
Wamp
Waters
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Wynn
Young (AK)
Young (FL)

¶107.13

[Roll No. 442]

YEAS—356

Abercrombie	Bereuter	Burr
Ackerman	Berman	Burton
Aderholt	Bilbray	Buyer
Allen	Bilirakis	Callahan
Andrews	Bishop	Calvert
Archer	Blagojevich	Camp
Armey	Bliley	Canady
Bachus	Blunt	Cannon
Baesler	Boehler	Capps
Baker	Boehner	Cardin
Baldacci	Bonior	Carson
Ballenger	Bono	Castle
Barcia	Borski	Chabot
Barr	Boswell	Chambliss
Barrett (NE)	Boucher	Christensen
Bartlett	Boyd	Clay
Barton	Brady	Clayton
Bass	Brown (FL)	Clement
Bateman	Bryant	Clyburn
Bentsen	Bunning	Coble

NAYS—65

Table listing names of representatives who voted 'NAYS' (65 total). Includes names like Barrett (WI), Becerra, Berry, Blumenauer, etc.

NOT VOTING—12

Table listing names of representatives who did not vote (12 total). Includes names like Bonilla, Foglietta, Gibbons, Gonzalez.

So the conference report was agreed to.

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

Ordered, That the Clerk notify the Senate thereof.

107.14 COMMERCE, JUSTICE, STATE, JUDICIARY APPROPRIATIONS

The SPEAKER, pursuant to House Resolution 239 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2267) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

Mr. HASTINGS of Washington, Chairman of the Committee of the Whole, resumed the chair.

107.15 RECORDED VOTE

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

Page 116, strike line 16 and all that follows through line 2 on page 117 and insert the following:

SEC. 616. ATTORNEYS FEES AND OTHER COSTS IN CERTAIN CRIMINAL CASES.

During fiscal year 1997 and in any fiscal year thereafter, the court, in any criminal case pending on or after the date of the enactment of this Act, shall award, and the United States shall pay, to a prevailing party, other than the United States, a reasonable attorney's fee and other litigation costs, unless the court finds that the position of the United States was substantially justified or that other special circumstances make an award unjust. Such awards shall be granted pursuant to the procedures and limitations provided for an award under section 2412 of title 28, United States Code. Fees and other expenses awarded under this provision to a party shall be paid by the agency over which the party prevails from any funds made available to the agency by appropriation. No new appropriations shall be made as a result of this provision.

It was decided in the affirmative { Yeas 340 Nays 84

107.16 [Roll No. 443] AYES—340

Table listing names of representatives who voted 'AYES' (340 total). Includes names like Abercrombie, Ackerman, Aderholt, Archer, etc.

Table listing names of representatives who voted 'NAYS' (84 total). Includes names like Shimkus, Shuster, Sisisky, Skeen, Skelton, etc.

NOES—84

Table listing names of representatives who voted 'NOES' (84 total). Includes names like Allen, Andrews, Baldacci, Barrett (WI), etc.

NOT VOTING—9

Table listing names of representatives who did not vote (9 total). Includes names like Bonilla, Conyers, Gibbons, Gonzalez, etc.

So the amendment was agreed to.

107.17 RECORDED VOTE

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

Page 29, line 10, insert after the amount "(reduced by \$258,750,000)" and insert as follows: page 28, line 17, after the amount insert "(increased by \$80,000,000)"; page 29, line 20, after the amount insert "(increased by \$13,000,000)" and on line 22, after the amount insert "(increased by \$8,000,000)" and on line 25 after the amount insert "(increased by \$40,000,000)"; page 31, line 1, after the amount insert "(increased by \$37,000,000)" and on line 21 after the amount insert "(increased by \$76,750,000)" and on line 13 after the amount insert "(increase by \$4,000,000)".

It was decided in the negative { Yeas 129 Nays 291

107.18 [Roll No. 444] AYES—129

Table listing names of representatives who voted 'AYES' (129 total). Includes names like Abercrombie, Allen, Baldacci, Barrett (WI), etc.