

Mr. TAYLOR of North Carolina and Mr. HEFLEY changed their vote from "nay" to "yea."

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.

MOTION THAT THE HOUSE RESOLVE ITSELF INTO SECRET SESSION

Mr. OBEY. Mr. Speaker, to enable the House to discuss an item in the classified annex to this bill, I offer a motion.

The SPEAKER pro tempore (Mr. SNOWBARGER). The Clerk will report the motion.

The Clerk read as follows:

Mr. OBEY moves, pursuant to rule XXIX, that the House resolve itself into secret session, that the galleries of the House Chamber be cleared of all persons, and that the House Chamber be cleared of all persons except the Members of the House and those officers and employees specified by the Speaker whose attendance on the floor is essential to the functioning of the House and who subscribe to the notarized oath of confidentiality.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) qualifies by citing rule XXIX that he has secret communications to make to the House.

The question is on the nondebatable motion offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 194, noes 227, not voting 10, as follows:

[Roll No. 86]
AYES—194

Abercrombie	Cramer	Gutierrez
Ackerman	Cummings	Hall (OH)
Allen	Danner	Hamilton
Andrews	Davis (FL)	Harman
Baesler	Davis (IL)	Hastings (FL)
Baldacci	DeFazio	Hefner
Barcia	DeGette	Hilliard
Barrett (WI)	Delahunt	Hinchey
Bentsen	DeLauro	Hinojosa
Berman	Deutsch	Holden
Berry	Dicks	Hoolley
Bishop	Dingell	Jackson (IL)
Blagojevich	Dixon	Jackson-Lee
Blumenauer	Doggett	(TX)
Bonior	Dooley	John
Borski	Doyle	Johnson (WI)
Boswell	Edwards	Johnson, E. B.
Boucher	Engel	Kanjorski
Boyd	Eshoo	Kaptur
Brown (CA)	Etheridge	Kennedy (MA)
Brown (FL)	Evans	Kennedy (RI)
Brown (OH)	Farr	Kennelly
Capps	Fattah	Kildee
Cardin	Fazio	Kilpatrick
Carson	Filner	Kind (WI)
Clay	Ford	Klecza
Clayton	Frank (MA)	Klink
Clement	Frost	Kucinich
Clyburn	Furse	LaFalce
Condit	Gejdenson	Lampson
Conyers	Gephardt	Lantos
Costello	Gordon	Levin
Coyne	Green	Lewis (GA)

Lipinski	Neal	Skaggs
Lofgren	Oberstar	Skelton
Lowe	Obey	Slaughter
Luther	Olver	Smith, Adam
Maloney (CT)	Ortiz	Snyder
Maloney (NY)	Owens	Spratt
Manton	Pallone	Stabenow
Markey	Pascrell	Stark
Martinez	Pastor	Stenholm
Mascara	Pelosi	Stokes
Matsui	Peterson (MN)	Strickland
McCarthy (MO)	Pickett	Stupak
McCarthy (NY)	Pomeroy	Tanner
McDermott	Poshard	Tauscher
McGovern	Price (NC)	Thompson
McHale	Rahall	Thurman
McIntyre	Reyes	Tierney
McKinney	Rivers	Torres
McNulty	Rodriguez	Towns
Meehan	Roemer	Turner
Meek (FL)	Rothman	Velazquez
Meeks (NY)	Roybal-Allard	Vento
Menendez	Rush	Visclosky
Millender-	Sabo	Watt (NC)
McDonald	Sanchez	Waxman
Miller (CA)	Sanders	Wexler
Minge	Sandlin	Weygand
Mink	Sawyer	Wise
Moakley	Schumer	Woolsey
Mollohan	Scott	Wynn
Moran (VA)	Serrano	Yates
Murtha	Sherman	
Nadler	Sisisky	

NOES—227

Aderholt	Foley	Livingston
Archer	Forbes	LoBiondo
Armey	Fossella	Lucas
Bachus	Fowler	Manzullo
Baker	Fox	McCollum
Ballenger	Franks (NJ)	McCrery
Barr	Frelinghuysen	McDade
Barrett (NE)	Galleghy	McHugh
Bartlett	Ganske	McInnis
Barton	Gekas	McIntosh
Bass	Gibbons	McKeon
Bateman	Gilchrest	Metcalf
Bereuter	Gillmor	Mica
Bilbray	Gilman	Miller (FL)
Bilirakis	Gingrich	Moran (KS)
Bliley	Goode	Morella
Blunt	Goodlatte	Myrick
Boehlert	Goodling	Nethercutt
Boehner	Goss	Neumann
Bonilla	Graham	Ney
Brady	Granger	Northup
Bryant	Greenwood	Norwood
Bunning	Gutknecht	Nussle
Burr	Hall (TX)	Oxley
Burton	Hansen	Packard
Buyer	Hastert	Pappas
Callahan	Hastings (WA)	Parker
Calvert	Hayworth	Paul
Camp	Hefley	Paxon
Campbell	Heger	Pease
Canady	Hill	Peterson (PA)
Castle	Hilleary	Petri
Chabot	Hobson	Pickering
Chambliss	Hoekstra	Pitts
Chenoweth	Horn	Pombo
Christensen	Hostettler	Porter
Coble	Houghton	Portman
Coburn	Hulshof	Pryce (OH)
Collins	Hunter	Quinn
Combest	Hutchinson	Radanovich
Cook	Hyde	Ramstad
Cooksey	Inglis	Redmond
Cox	Istook	Regula
Crane	Jenkins	Riley
Crapo	Johnson (CT)	Rogan
Cubin	Johnson, Sam	Rogers
Cunningham	Jones	Rohrabacher
Davis (VA)	Kasich	Ros-Lehtinen
Deal	Kelly	Roukema
DeLay	Kim	Ryun
Diaz-Balart	King (NY)	Salmon
Dickey	Kingston	Sanford
Doolittle	Klug	Saxton
Dreier	Knollenberg	Scarborough
Duncan	Kolbe	Schaefer, Dan
Dunn	LaHood	Schaffer, Bob
Ehlers	Largent	Sensenbrenner
Ehrlich	Latham	Sessions
Emerson	LaTourette	Shadegg
English	Leach	Lazio
Ensign	Lewis (CA)	Shaw
Everett	Lewis (KY)	Shays
Ewing	Linder	Shimkus
Fawell		Shuster
		Skeen

Smith (MI)	Talent	Watkins
Smith (NJ)	Tauzin	Watts (OK)
Smith (OR)	Taylor (MS)	Weldon (FL)
Smith (TX)	Taylor (NC)	Weldon (PA)
Smith, Linda	Thomas	Weller
Snowbarger	Thornberry	White
Solomon	Thune	Whitfield
Souder	Tiahrt	Wicker
Spence	Trafcant	Wolf
Stearns	Upton	Young (AK)
Stump	Walsh	Young (FL)
Sununu	Wamp	

NOT VOTING—10

Becerra	Jefferson	Royce
Cannon	Payne	Waters
Gonzalez	Rangel	
Hoyer	Riggs	

□ 1345

Mr. PICKERING changed his vote from "aye" to "no."

So the motion was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE JOINT RESOLUTION 111

Mr. BARTON of Texas. Mr. Speaker, I ask unanimous consent to remove the name of the gentleman from Illinois (Mr. JOHN PORTER) as a cosponsor of House Joint Resolution 111.

The SPEAKER pro tempore (Mr. SNOWBARGER). Is there objection to the request of the gentleman from Texas?

There was no objection.

GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 3579) making emergency supplemental appropriations for the fiscal year ending September 30, 1998, and for other purposes, and that I may include tabular and extraneous material.

The SPEAKER pro tempore (Mr. SNOWBARGER). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

1998 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT

The SPEAKER pro tempore. Pursuant to House Resolution 402 and rule XXIII, 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. 3579.

□ 1348

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. 3579) making emergency supplemental appropriations for the fiscal year ending September 30, 1998, and for other purposes, with Mr. LAHOOD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Louisiana (Mr. LIVINGSTON) and the gentleman from Wisconsin (Mr. OBEY), each will control 30 minutes of debate confined to the bill; and the gentleman from Colorado (Mr. SKAGGS) and a Member opposed, each will control 15 minutes of debate confined to title III.

The Chair recognizes the gentleman from Louisiana (Mr. LIVINGSTON).

PARLIAMENTARY INQUIRY

Mr. BUYER. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BUYER. Mr. Chairman, as I understand the rule here to be structured, there will be 60 minutes debate on the present bill and then the gentleman from Colorado (Mr. SKAGGS) will be debating for 30 minutes.

I ask unanimous consent that the first 30 minutes be debated on the underlying measure, the middle 30 minutes to be shared equally, 15 minutes by the gentleman from Colorado (Mr. SKAGGS), 15 minutes by myself leading in opposition, with the remaining 30 minutes to the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Louisiana (Mr. LIVINGSTON).

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

Mr. OBEY. Mr. Chairman, reserving the right to object, we have just had a rule passed which denied the minority an opportunity to offer any significant amendment whatsoever. It is a rule that I strenuously opposed and asked the House to turn down.

Now I understand that the gentleman is asking unanimous consent that some other arrangement be agreed to other than that in the rule. I, for the life of me, do not understand why we ought to do that. If Members did not like the rule, then I wish they would have followed my request and voted against it as I did.

Mr. BUYER. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Indiana.

Mr. BUYER. Mr. Chairman, the only reason I asked for this is to make sure that the debate is structured. If we are going to take the 90 minutes and have it commingled with the measure of the gentleman from Colorado (Mr. SKAGGS), it would be lost in the debate. Not only for the Members, but also for the American people to understand this important measure with regard to tying the hands of the Presidency, we should be able to debate for clarity.

Mr. OBEY. Mr. Chairman, I understand the gentleman's concern, but with all due respect, we wanted the debate structured, too. We wanted to have a structured debate on offsets. We wanted to have a structured debate on the fact that this rule does not allow 75 percent of the President's request. We wanted a structured rule, too. We were not given that. Under those circumstances, I do not see why I should accommodate this request when we were turned down on every single request that we made to structure the rule.

Mr. BUYER. Mr. Chairman, if the gentleman will continue to yield, this is our opportunity to structure a debate so that there will be clarity and understanding.

Mr. OBEY. Mr. Chairman, with all due respect, our opportunity was by voting down the rule and coming back with a new rule. That is the way the House is supposed to operate under regular order. If the gentleman was not satisfied with the rule, he should have voted against it.

Mr. SKAGGS. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Colorado.

Mr. SKAGGS. Mr. Chairman, I think what we have is an ambiguity in the way the rule deals with this 30 minutes allocated to this particular issue. I would assume the Chair has discretion, given that ambiguity, to deal with it as seems reasonable. I had understood the gentleman from Wisconsin in particular, through his staff, to be concerned that we not have this 30-minute debate follow the general debate on the bill. I think that is what informs the gentleman from Indiana.

PARLIAMENTARY INQUIRY

Mr. BUYER. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. On the assumption that the gentleman from Wisconsin yields for the purpose, the gentleman will state it.

Mr. BUYER. Mr. Chairman, I understand we have pending a reservation on my unanimous consent request. My parliamentary inquiry is, is it within the prerogative of the Chair to designate time if there is 60 minutes debate on the underlying measure, and in the rule it states 30 minutes on the gentleman from Colorado (Mr. SKAGGS), whether the first 60 minutes would in fact be on Mr. LIVINGSTON's bill, and the remainder on the Skaggs provision, would it be within the Chair's prerogative to designate the time?

The CHAIRMAN. The Chair intends at this moment to accommodate the preference of the chairman of the committee, as the rule is structured, by starting with the chairman and the ranking minority member of the committee.

Is there objection to the request of the gentleman from Indiana?

Mr. OBEY. Mr. Chairman, for the reasons I have stated, since we were given no consideration whatsoever in our desire to offer even a single amendment to this amendment, I object to the unanimous consent request.

The CHAIRMAN. Objection is heard. The gentleman from Louisiana (Mr. LIVINGSTON) is recognized for 30 minutes.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Chairman, I yield myself such time as I may consume.

I am pleased to bring this emergency supplemental appropriations bill to the floor today. This bill provides important funding to sustain our troops in

Bosnia and in Iraq in the amount of \$1.8 billion. It also provides \$575 million in assistance to those suffering from natural disasters throughout the country.

Since this last fall, there have been typhoons, ice storms, excessive rains causing flooding and mud slides, beach erosion, late spring hard freezes and tornadoes. Because of these extreme weather conditions, there has been significant widespread damage to crops, livestock, natural resources and the country's infrastructure.

The funding in this bill provides assistance to farmers, ranchers and dairymen. It funds repairs to highways, railroads, harbors and flood control facilities, national parks, forests and wildlife refuges and agricultural flood prevention facilities. In addition to providing direct support to the troops in Bosnia and Iraq, the bill also funds repairs to military facilities caused by typhoons, ice storms and the El Nino-related extreme weather.

The funding in this bill is fully offset with an equal amount of rescissions. This is consistent with the policy adopted by the Republican majority when we took control of the Congress in January of 1995. The struggle to offset emergency supplemental bills gets harder every year. With lean regular appropriations bills and half the year already over, it is even more difficult.

The leadership, and I agree that we should not go deeper into the defense function to pay for peacekeeping missions. And, in fact, I think one can make a very good case that the non-deployed forces would be unfairly robbed to keep the deployed forces going.

After a very tight regular defense appropriations bill and a continued proliferation of unbudgeted peacekeeping missions, we are simply not able to find the defense programs and activities that we could reduce that are removed from the direct support of the peacekeeping missions, which would also not hurt overall national security. Cutting them would only result in a weakening of one element of national security to help another. It makes no sense to hobble national security in this manner. Therefore, the offsets included in the bill are all in the non-defense area.

The funds proposed for rescission are generally in excess to those that would be needed this fiscal year. They have no impact during this fiscal year for the most part. You will hear a lot of worried talk today about the impact of those rescissions and their impact will not be felt if their restoration is accomplished later on.

But they are excess funds right now, and we need offsets, and that is why we have chosen them. We will be able to consider restoring them at the appropriate time later on. We need to pass this bill today to move the process forward, making emergency supplemental

March 31, 1998

CONGRESSIONAL RECORD — HOUSE

H1799

appropriations a real possibility. I urge support of this fiscally responsible bill. At this point in the RECORD, I would like to insert a detailed table reflecting the status of this bill since adoption of the rule governing its consideration.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL, FY 1998 (H.R. 3579)

Doc No.		Supplemental Request	Recommendation	Recommendation compared with request
FY 1998 EMERGENCY SUPPLEMENTAL APPROPRIATIONS				
TITLE I - EMERGENCY APPROPRIATIONS				
CHAPTER 1				
DEPARTMENT OF AGRICULTURE				
Farm Service Agency				
105-220	Emergency conservation program (contingent emergency appropriations)	20,000,000	20,000,000	.....
.....	Tree assistance program (contingent emergency appropriations).....	.....	4,700,000	+ 4,700,000
<hr/>				
Agricultural Credit Insurance Fund Program Account:				
Emergency insured loans:				
105-220	(Loan authorization)	(87,000,000)	(87,000,000)	.....
105-220	Loan subsidy (emergency appropriations)	6,000,000	.....	-6,000,000
105-220	Contingent emergency appropriations	15,000,000	21,000,000	+ 6,000,000
<hr/>				
Total, Agricultural Credit Insurance Fund Program Account		21,000,000	21,000,000	.....
<hr/>				
Total, Farm Service Agency		41,000,000	45,700,000	+ 4,700,000
<hr/>				
Commodity Credit Corporation Fund				
105-220	Dairy and livestock disaster assistance program (emergency appropriations)	4,000,000	.....	-4,000,000
.....	Livestock disaster assistance fund (contingent emergency appropriations).....	.....	4,000,000	+ 4,000,000
.....	Dairy production indemnity assistance program (contingent emergency appropriations) .....	.....	6,800,000	+ 6,800,000
<hr/>				
Total, Commodity Credit Corporation		4,000,000	10,800,000	+ 6,800,000
<hr/>				
Natural Resources Conservation Service				
105-220	Watershed and flood prevention operations (emergency appropriations).....	5,000,000	.....	-5,000,000
105-220	Contingent emergency appropriations	35,000,000	65,000,000	+ 30,000,000
<hr/>				
Total, Natural Resources Conservation Service		40,000,000	65,000,000	+ 25,000,000
<hr/>				
Total, Chapter 1:				
New budget (obligational) authority		85,000,000	121,500,000	+ 36,500,000
Emergency appropriations		(15,000,000)	.....	(-15,000,000)
Contingent emergency appropriations		(70,000,000)	(121,500,000)	(+ 51,500,000)
(Loan authorization)		(87,000,000)	(87,000,000)	.....
<hr/>				
CHAPTER 2				
DEPARTMENT OF DEFENSE - MILITARY				
Military Personnel				
105-220	Military personnel, Army (emergency appropriations).....	184,000,000	184,000,000	.....
105-220	Military personnel, Navy (emergency appropriations)	22,300,000	22,300,000	.....
105-220	Military personnel, Marine Corps (emergency appropriations)	5,100,000	5,100,000	.....
105-220	Military personnel, Air Force (emergency appropriations).....	10,900,000	10,900,000	.....
105-220	Reserve personnel, Navy (emergency appropriations).....	4,100,000	4,100,000	.....
<hr/>				
Total, Military personnel		226,400,000	226,400,000	.....
<hr/>				
Operation and Maintenance				
105-220	Operation and maintenance, Army (emergency appropriations).....	1,886,000	1,886,000	.....
.....	Contingent emergency appropriations .....	.....	700,000	+ 700,000
105-220	Operation and maintenance, Navy (emergency appropriations)	48,100,000	48,100,000	.....
.....	Contingent emergency appropriations .....	.....	5,700,000	+ 5,700,000
.....	Operation and maintenance, Marine Corps (contingent emergency appropriations).....	.....	26,810,000	+ 26,810,000
105-220	Operation and maintenance, Air Force (emergency appropriations).....	27,400,000	27,400,000	.....
.....	Contingent emergency appropriations .....	.....	21,800,000	+ 21,800,000
105-220	Operation and maintenance, Defense-wide (emergency appropriations)	1,390,000	1,390,000	.....
105-220	Contingent emergency appropriations	50,000,000	.....	-50,000,000
105-220	Operation and maintenance, Army Reserve (emergency appropriations)	650,000	650,000	.....
105-220	Operation and maintenance, Air Force Reserve (emergency appropriations).....	229,000	229,000	.....
105-220	Operation and maintenance, Army National Guard (emergency appropriations)	175,000	175,000	.....
.....	Contingent emergency appropriations .....	.....	5,750,000	+ 5,750,000
.....	Operations and maintenance, Air National Guard (contingent emergency appropriations) .....	.....	975,000	+ 975,000
105-220	Overseas contingency operations transfer fund (emergency appropriations)	1,621,900,000	1,829,900,000	+ 208,000,000
<hr/>				
Total, Operation and maintenance		1,751,730,000	1,971,465,000	+ 219,735,000
Emergency appropriations		(1,701,730,000)	(1,909,730,000)	(+ 208,000,000)
Contingent emergency appropriations		(50,000,000)	(61,735,000)	(+ 11,735,000)
<hr/>				
Revolving and Management Funds				
105-220	Navy working capital fund (emergency appropriations)	23,017,000	23,017,000	.....
.....	Contingent emergency appropriations .....	.....	7,450,000	+ 7,450,000
105-220	Defense-wide working capital fund (emergency appropriations)	1,000,000	1,000,000	.....
<hr/>				
Total, Revolving and management funds		24,017,000	31,467,000	+ 7,450,000

EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL, FY 1998 (H.R. 3579) — continued

Doc No.		Supplemental Request	Recommendation	Recommendation compared with request
Other Department of Defense Programs				
Defense Health Program:				
105-220	Operation and maintenance (emergency appropriations)	1,900,000	1,900,000	.....
.....	(By transfer) (sec. 204(f)) .....	.....	(5,000,000)	(+ 5,000,000)
General Provisions				
.....	Reserve mobilization income insurance fund (contingent emergency appropriations) (sec. 203) .....	.....	37,000,000	+ 37,000,000
Total, Chapter 2:				
.....	New budget (obligational) authority	2,004,047,000	2,268,232,000	+ 264,185,000
.....	Emergency appropriations	(1,954,047,000)	(2,162,047,000)	(+ 208,000,000)
.....	Contingent emergency appropriations	(50,000,000)	(106,185,000)	(+ 56,185,000)
.....	(By transfer) .....	.....	(5,000,000)	(+ 5,000,000)
CHAPTER 3				
DEPARTMENT OF DEFENSE - CIVIL				
DEPARTMENT OF THE ARMY				
Corps of Engineers - Civil				
105-220	Operation and maintenance, general (contingent emergency appropriations)	25,000,000	84,457,000	+ 59,457,000
105-220	(By transfer) (contingent emergency appropriations)	(5,000,000)	.....	(- 5,000,000)
DEPARTMENT OF THE INTERIOR				
Bureau of Reclamation				
105-220	Water and related resources (contingent emergency appropriations)	2,340,000	4,520,000	+ 2,180,000
Total, Chapter 3:				
.....	New budget (obligational) authority	27,340,000	88,977,000	+ 61,637,000
.....	(By transfer) (contingent emergency appropriations)	(5,000,000)	.....	(- 5,000,000)
CHAPTER 4				
DEPARTMENT OF THE INTERIOR				
United States Fish and Wildlife Service				
105-216	Construction (emergency appropriations)	3,888,000	3,938,000	+ 250,000
105-220	Contingent emergency appropriations	25,000,000	25,000,000	.....
National Park Service				
105-220	Construction (contingent emergency appropriations)	8,500,000	8,500,000	.....
United States Geological Service				
105-220	Surveys, investigations, and research (contingent emergency appropriations)	1,000,000	1,000,000	.....
.....	Total, Department of the Interior	38,188,000	38,438,000	+ 250,000
DEPARTMENT OF AGRICULTURE				
Forest Service				
105-220	State and private forestry (emergency appropriations)	20,000,000	20,000,000	.....
105-220	Contingent emergency appropriations	28,000,000	28,000,000	.....
105-220	National forest system (emergency appropriations)	5,000,000	5,000,000	.....
105-220	Contingent emergency appropriations	5,000,000	5,461,000	+ 461,000
.....	Total, Forest Service	58,000,000	58,461,000	+ 461,000
Total, Chapter 4:				
.....	New budget (obligational) authority	96,188,000	96,899,000	+ 711,000
.....	Emergency appropriations	(28,688,000)	(28,938,000)	(+ 250,000)
.....	Contingent emergency appropriations	(67,500,000)	(67,961,000)	(+ 461,000)
CHAPTER 5				
DEPARTMENT OF DEFENSE - MILITARY				
.....	Base realignment and closure account, Part III (contingent emergency appropriations) .....	.....	1,020,000	+ 1,020,000
Family Housing				
105-220	Family housing, Navy and Marine Corps (emergency appropriations)	15,600,000	15,600,000	.....
.....	Contingent emergency appropriations .....	.....	1,000,000	+ 1,000,000
105-220	Family housing, Air Force (emergency appropriations)	1,500,000	1,500,000	.....
.....	Contingent emergency appropriations .....	.....	900,000	+ 900,000
.....	Total, Family housing	17,100,000	19,000,000	+ 1,900,000
Total, Chapter 5:				
.....	New budget (obligational) authority	17,100,000	20,020,000	+ 2,920,000
.....	Emergency appropriations	(17,100,000)	(17,100,000)	.....
.....	Contingent emergency appropriations .....	.....	(2,920,000)	(+ 2,920,000)

EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL, FY 1998 (H.R. 3579) — continued

Doc No.		Supplemental Request	Recommendation	Recommendation compared with request
	CHAPTER 6			
	DEPARTMENT OF TRANSPORTATION			
	Federal Highway Administration			
	Federal-aid highways (Highway Trust Fund):			
105-220	Emergency relief program (emergency appropriations).....	224,000,000	224,000,000	.....
105-220	Contingent emergency appropriations.....	35,000,000	35,000,000	.....
	Total, Federal Highway Administration.....	259,000,000	259,000,000	.....
	Federal Railroad Administration			
.....	Emergency railroad rehabilitation and repair (contingent emergency appropriations).....		9,000,000	+ 9,000,000
	Total, Chapter 6:			
	New budget (obligational) authority.....	259,000,000	268,000,000	+ 9,000,000
	Emergency appropriations.....	(224,000,000)	(224,000,000)	.....
	Contingent emergency appropriations.....	(35,000,000)	(44,000,000)	(+ 9,000,000)
	Total, title I:			
	New budget (obligational) authority.....	2,488,675,000	2,863,628,000	+ 374,953,000
	Emergency appropriations.....	(2,238,835,000)	(2,432,085,000)	(+ 193,250,000)
	Contingent emergency appropriations.....	(249,840,000)	(431,543,000)	(+ 181,703,000)
	(By transfer).....		(5,000,000)	(+ 5,000,000)
	(By transfer) (contingent emergency appropriations).....	(5,000,000)		(- 5,000,000)
	(Loan authorization).....	(87,000,000)	(87,000,000)	.....
	TITLE II - RESCISSIONS			
	DEPARTMENT OF EDUCATION			
.....	Bilingual and immigrant education (rescission).....		-75,000,000	-75,000,000
	DEPARTMENT OF TRANSPORTATION			
	Federal Aviation Administration			
	Grants-in-aid for airports (Airport and Airway Trust Fund):			
.....	Rescission of contract authorization.....		-366,400,000	-366,400,000
.....	(Limitation on obligations).....		(1,668,600,000)	(+ 1,668,600,000)
	DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			
	Public and Indian Housing			
.....	Section 8 reserve preservation account (rescission).....		-2,173,600,000	-2,173,600,000
	INDEPENDENT AGENCY			
	Corporation for National and Community Service			
.....	National and community service programs operating expenses (rescission).....		-250,000,000	-250,000,000
	Total, title II:			
	New budget (obligational) authority.....		-2,865,000,000	-2,865,000,000
	Rescissions.....		(-2,498,600,000)	(-2,498,600,000)
	Rescission of contract authorization.....		(-366,400,000)	(-366,400,000)
	(Limitation on obligations).....		(1,668,600,000)	(+ 1,668,600,000)
	Grand total:			
	New budget (obligational) authority.....	2,488,675,000	-1,372,000	-2,490,047,000
	Emergency appropriations.....	(2,238,835,000)	(2,432,085,000)	(+ 193,250,000)
	Contingent emergency appropriations.....	(249,840,000)	(431,543,000)	(+ 181,703,000)
	Rescissions.....		(-2,498,600,000)	(-2,498,600,000)
	Rescission of contract authorization.....		(-366,400,000)	(-366,400,000)
	(By transfer).....		(5,000,000)	(+ 5,000,000)
	(By transfer) (contingent emergency appropriations).....	(5,000,000)		(- 5,000,000)
	(Limitation on obligations).....		(1,668,600,000)	(+ 1,668,600,000)
	(Loan authorization).....	(87,000,000)	(87,000,000)	.....
	RECAP			
	Gross emergency appropriations.....	2,488,675,000	2,863,628,000	+ 374,953,000
	Defense.....	(2,021,147,000)	(2,288,252,000)	(+ 267,105,000)
	Non-defense.....	(467,528,000)	(575,376,000)	(+ 107,848,000)
	Non-defense rescissions.....		-2,865,000,000	-2,865,000,000

Mr. LIVINGSTON. Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Missouri (Mr. GEPHARDT), minority leader.

(Mr. GEPHARDT asked and was given permission to revise and extend his remarks.)

Mr. GEPHARDT. Mr. Chairman, I rise in strong opposition to this disaster relief and Bosnia-Iraq Supplemental Appropriations Act. I strongly support the provisions in this legislation that help Americans who have been involved in disasters around the country. I strongly support the activity of our military in Bosnia and Iraq. And I hope that we can get to a piece of legislation as quickly as possible that will support all of those efforts.

I know full well how important those efforts are. We had a big flood in my district in 1993 and in 1995. I stood on this floor and pleaded with the House to give timely help to my constituents, and the House did. So I have a very deep feeling about the need for this legislation. But the Republican leadership, just as they did a year ago, has refused to act responsibly and in a straightforward manner to provide these funds that have been requested by the administration.

□ 1400

They have insisted wrongly, in my view, on offsets which can be done under our budget act but which are not required under our budget act. In fact, we have provisions in our budget act that say that expenses like this which are truly emergencies do not need to be offset. But, again, the Republican leadership has decided to put in offsets; and, in my view, these offsets are very damaging in many, many areas of life in our country.

Let me just mention some. It will hurt children who need help so that they can learn English. It will undermine the ability of our airports to construct needed runway enhancements and install new security equipment, as we are trying to do in St. Louis, Missouri. It would effectively end the Americorps program and could lead to more than a 100,000 of our elderly citizens losing their housing. I do not think these are the trade-offs that we should be considering when we are considering emergency legislation.

These are emergency items. That is why we put that into the budget. These were things that were unforeseen when the budget was put together. If they had been foreseen, we would have found room in the budget. And we may find room in next year's budget. But to now come at the 11th hour and wipe out these domestic programs so that we can take care of bona fide emergencies makes no sense.

If Members want an alternative approach, we will have a motion to recommit that I urge Members on both sides of the aisle to vote for that would simply take out the offsets and say

that this should be treated as we believe it should be, as an emergency.

But let me go further on why I think this bill is ill-advised. The Republican leadership has refused to allow the House to consider all the supplemental requests the President has forwarded. They left out the International Monetary Fund request. We have countries in Asia going into bankruptcy. The only thing that is keeping many of them afloat so that we do not lose more exports and have more unneeded imports in this country is the IMF request. If it sits for another 5, 6, 8 weeks, what will happen to the IMF and the countries that need help?

Finally, there is the matter of United Nations dues. Here we are today, the leader of the world, the leader of the United Nations, and we cannot find a way to bring ourselves to pay our dues. We have the unseemly situation where the Secretary General has gone and made a peace in Iraq, which is good for the entire world, and he cannot get the leader of the world to pay our debts, our dues to the United Nations.

The President wanted that in this bill, and it is not. It is being separated out. And all of this is being made subject to an untimely and unneeded request on the part of the Republicans again to put a family planning issue which has no place in any of this legislation as part of that legislation.

My colleagues, this is the wrong bill. It has been constructed in the wrong way. It has the wrong offsets. I am for the disaster relief, and I am for giving the money for our troops in Iraq and Bosnia, but not in this form, not with these offsets.

Vote for the motion to recommit. Vote for the motion to recommit to fund these programs properly. If that fails, vote against this legislation. It is the wrong thing to do.

Mr. LIVINGSTON. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. WELDON), a distinguished member of the Committee on National Security, after which I will yield to him for a colloquy.

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Chairman, first of all, let me thank the chairman of the full committee and the chairman of the Subcommittee on National Security for this piece of legislation. I think we need to get to the heart of the issue here and what is at stake. Why do we need this supplemental and why do we need to not further degrade the dollars to support our military?

Mr. Chairman, if we look at the facts, in the past 6 years we have seen our troops deployed 25 times at home and around the world. Now if we compare that to the previous 40 years, they were deployed 10 times. Now, Mr. Chairman, the problem is that none of those 25 deployments were budgeted for; none of those 25 deployments were paid for.

In the case of Bosnia, Mr. Chairman, by the end of the next fiscal year we

will have spent \$9.4 billion on Bosnia. In fact, Mr. Chairman, if we look at the previous 7 years, we have spent \$15 billion on contingencies around the world. Now, the problem in the Congress is not that we oppose going into Bosnia. That is not the issue. The problem in Bosnia is why was America asked to put in 36,000 troops while the Germans, right next door, put in 4,000 troops? Why are we paying the costs for the troops, the housing and food for the Bangladesh military in Haiti?

The problem is that this administration has not done enough to get our allies to kick in their fair share of the cost of these deployments.

Look at Desert Storm. The Desert Storm operation cost us \$52 billion. We were reimbursed \$54 billion. But that has not been the case for the past 6 and 7 years. We have seen time and again money taken away from readiness, from modernization, from R&D, from those programs that we agreed to within a 5-year balanced budget context to be used to pay for deployments, none of which were budgeted for.

Therefore, we need to restore this money because the quality of life for our troops is at stake, because the modernization of our systems is at stake, and because we have robbed the military to the core, to the bone.

Talk to our troops in the field, Mr. Chairman. Listen to those young kids in Somalia who are on their second and third straight deployments. Listen to their stories of being away from home because of the cuts that we have made.

We need to understand these monies are desperately necessary to replenish funds that have been taken away from the military to pay for deployments that were never considered priorities by this administration when our troops were committed in the first place.

I ask my colleagues to support this appropriation measure, to oppose any measure to change it, to support the leadership of the gentleman from Louisiana (Mr. LIVINGSTON) and the gentleman from Florida (Mr. YOUNG) because what they are doing is right for our troops, it is right for America, and it is right for our role in the world today.

Mr. LIVINGSTON. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. WELDON) for the purposes of colloquy only.

Mr. WELDON of Pennsylvania. Mr. Chairman, the supplemental appropriations measure before the House today goes a long way to support the needs of our troops, supporting the added cost of Bosnia and Iraqi enforcement operations while ensuring that we are not further eroding a defense budget that is already stretched too thin.

As we move the bill forward, we must consider the many remaining needs of our troops around the globe. Of particular concern to our military commanders stationed abroad are the increasing range of missile threats, particularly those that could emerge this

year as a result of Russian technology transfers.

Last night, the House unanimously adopted an authorization bill, H.R. 2786, designed to enhance our missile defense systems against that very threat. Unfortunately, due to the timing of that action, we were unable to include those funds in this supplemental. However, it is my understanding that the administration supports execution of the actions in H.R. 2786 in fiscal year 1998.

Mr. LIVINGSTON. Mr. Chairman, if the gentleman will yield, the gentleman is correct. Not only are we in complete agreement with the need to ensure effective missile defenses for our troops abroad, but we agree that these actions should remain a funding priority for fiscal year 1998. Although the administration limited the Bosnia supplemental to paying for the cost of that operation in the Persian Gulf, they are now supporting execution of theater missile defense enhancements this year.

Mr. WELDON of Pennsylvania. Mr. Chairman, it is my understanding that the Senate approved funding for the theater missile defense enhancements in its supplemental bill. Given the tight constraints we are working under here today, I will not offer an amendment, but ask the chairman and the chairman of the subcommittee to ensure that this funding remains in the supplemental conference report.

Mr. LIVINGSTON. I share the interest of the gentleman in moving the theater missile defense initiative forward, and I assure my colleague that I will do my very best to preserve necessary funds in the supplemental conference.

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield 30 seconds to the gentleman from Maine (Mr. BALDACCIO).

Mr. BALDACCIO. Mr. Chairman, I thank the gentleman for the time to talk about the manager's amendment. I rise to issue my strong support for it.

The ice storm of 1998 devastated 4 States in the Northeast. The damage was unlike anything ever experienced, and it was severe.

This amendment will provide funding through community development block grants. It will address needs not met through other disaster relief programs, either the Federal Emergency Management Agency or the Small Business Administration. It will give States the flexibility to meet the critical needs of residents still recovering from the storm. And, most importantly, it will ease the economic burden of citizens least able to bear it.

I ask my colleagues to support the manager's amendment.

Mr. LIVINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. MCHUGH).

Mr. MCHUGH. Mr. Chairman, let me begin by expressing my appreciation to the gentleman from Louisiana (Mr.

LIVINGSTON), chairman of the full committee; the entire Committee on Appropriations members and staff; and particularly my colleagues, the gentleman from New York (Mr. WALSH); and the gentleman from New York (Mr. SOLOMON), chairman of the Committee on Rules, for their very effective work on this bill.

As we have heard here today, Mr. Chairman, this is an initiative to try to redress a good many problems that are in this land today. People are struggling with the challenges of dealing with natural disasters, and I think by that very reason alone it deserves all of our unqualified support.

I just want to talk a moment about one particular portion, and that is the assistance that is provided for the dairy farmers of this Nation.

I know that some of this funding, particularly as it relates to the compensation for diminished milk production, is unprecedented and that some Members are concerned about this fact. But let there be no mistake about it, Mr. Chairman, the losses in northern New York and, in fact, throughout the entire Northeast represent a very unique situation.

The assistance we are providing in this bill represents a small but a vitally important step on their road to recovery. The loss of electric power in this region had enormous repercussions beyond just inconvenience, although certainly inconvenient it was.

New York is the Nation's third largest dairy producer; and, without power, dairy farmers were unable to milk their herd. Those few with generators who could milk frequently had to dump their milk because the roads were impassable. And those who were rarely, on occasion, able to get to the milk trucks were unable to get to plants that were in operation. So the losses were absolutely devastating.

The inability to milk has caused, as I said, unique problems. No milking on normal schedule means sick animals, animals that contract mastitis, an illness which if not treated properly can kill the animal.

As I said, I thank the chairman for his assistance and urge the support of this initiative.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. STOKES), the distinguished ranking member of the most effective HUD subcommittee.

Mr. STOKES. Mr. Chairman, I thank the distinguished gentleman from Wisconsin for yielding me the time.

I reluctantly rise in strong opposition to this bill, and I say "reluctantly" because I very much favor the emergency supplemental appropriations that the bill contains. However, the construction of this bill forces me to oppose it.

The biggest problem with the bill is the domestic rescissions that the bill contains, none of which are required by the budget rules and all of which do great damage to important programs.

By far the largest portion of these cuts, about three-quarters of the total, fall on section 8 housing assistance. This program helps people with very low incomes afford one of the basic necessities of life, a place to live.

Of the 2.8 million households receiving section 8 housing assistance, 32 percent are elderly, another 11 percent are disabled, 50 percent are families with children. Their median income is just over \$7,500 per year. The funds being rescinded are reserves that are urgently needed to help meet the cost of renewing section 8 housing assistance contracts expiring next year.

If this rescission is allowed to stand and the funds are not replaced, contracts for 410,000 units of section 8 housing would not be renewed and the elderly and disabled people and young families living in these apartments would face the choice of paying large increases in rent, which they cannot afford, or losing their place to live.

We have more than 5 million low-income families with worst-case housing needs receiving no Federal housing assistance at all. Waiting lists for housing programs are years long in many areas. The number of families helped by Federal housing programs is going down.

In light of all this, we must stop using section 8 and other housing programs as the piggy bank every time someone wants to find some money to pay for something else. We ought to defeat this bill and bring back a clean supplemental appropriations bill that takes care of the urgent emergency needs without further devastating housing and other vital domestic programs.

Mr. LIVINGSTON. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. CUNNINGHAM), distinguished member of the Committee on Appropriations.

Mr. CUNNINGHAM. Mr. Chairman, let us talk about those piggy banks. The gentleman from Missouri and his statements, I would like to speak directly to those.

First of all, for 30 years, Democrats controlled this Congress; and the debt has soared, where we pay over a billion dollars a day on just the interest. That is before law enforcement. That is before education. That is before anything that we want to pay for. The liberal Democrat leadership was against a balanced budget because that limits their ability to spend. They were against a tax relief for working families.

□ 1415

They were against welfare reform. They just wanted to spend more money for it. Who has to pay all of those extra costs for not having a balanced budget, for not having tax relief? They increase taxes and they put increase on Social Security tax. They cut veterans and military COLAs. They increase the tax on working families.

So the record is very clear. But who is going to pay for that? We had a D.C.

bill where we would waive Davis-Bacon to pay for 60-year-old schools. The word "children" was mentioned, but do we think the leadership would waive Davis-Bacon that saves 35 percent to build schools in Washington, D.C.? No, because they are tied to their union brothers. It is 35 percent savings. Again, who has to pay for that 35 percent? Working families and senior citizens.

Alan Greenspan has told us that we cannot bust these budget caps because the interest rates right now are between 2 and 8 percent lower. Now, what does that mean to working families? That they have more money for education, for their children. They have more money to buy a car, or even a double egg, double cheese, double fry burger if they want. But it is more money in their pocket instead of having to pay for the debt or come back in Washington, D.C.

They want to pay for IMF, \$18 billion, when the economists debate on the value of that. It is \$18 billion, but yet we are having to find offsets. Yet, the gentleman from Missouri wants to pay.

The United Nations, we pay 30 percent of all peacekeeping. The President has put us in Somalia without Congress. They put us in Haiti without Congress. They have kept us in Bosnia without Congress. Yet, we have to pay for it. Yet, our European nations have not paid for their share.

They say, why can we not pay our bills? Well, who pays for that \$18 billion? Who pays for the billions of dollars that go to the U.N.? The working families. That is what I am saying.

There is a big difference between our plan and what the Democrats want to do, which is just spend more money without offsetting it and continue with the 30 years of tax-and-spend big government, liberal government. We are not going to allow that to happen.

Now, it is legitimate. They feel that big government can do everything. We do not. There is a difference in the choice, Mr. Chairman.

Mr. OBEY. Mr. Chairman, I yield myself 8 minutes.

Mr. Chairman, 3 years ago, as every American knows, this Congress was a snake pit of confrontation. There was one fight after another between the Congress and the White House, which led to a sustained government shutdown. It took a long time for the reputation of this Congress to recover from that obstreperousness.

Last year, in contrast, I felt we had a pretty good year in the appropriations process. Most of the time the appropriations bills were dealt with on a bipartisan basis. I think that that made people in the country feel better about their government. I think it made us feel a whole lot better about it. I think it made us feel a whole lot better about each other, because we were able to work out differences after we had defined those differences. We were able to find a common solution to many of those questions.

This year, unfortunately, we now seem to be walking right back into the confrontation mode. There have been numerous stories in the press reporting that those in the majority party caucus with the more militant attitude on political matters simply want the Congress to take the President on, on a whole range of issues.

So as a result, this bill, which ought to be an emergency appropriation which goes through rather quickly, this bill is going to take a long time to get out of the Congress, out of conference. When it gets to the President, it is going to be vetoed in its present form. That makes no sense, because we have a great deal of work to do. We have a very few days left in the legislative schedule to do it.

Let us take a look at the points of controversy in this bill. First of all, this bill refuses to appropriate 75 percent of the disaster assistance requested by the President. Now, the President does not ask for that money because he likes to ask for money. He asks for it because we have had a series of natural disasters around the country. Unless we are not going to help communities recover, we need to provide this money.

The President has asked for more money than we have in this bill because he understands that with the funding of the disasters that we have already had, if we have any significant storm activity in the summer, we will not have the money in the till to help the communities who need help on the dime, immediately.

Yet, despite the fact that on a bipartisan basis the Senate committee, under the leadership of the chairman of that committee, Senator STEVENS, despite the fact that the Senate added the full amount of the President's request, the majority party in this House refuses to provide that same funding.

Then in a second effort to establish confrontation with the President, the House majority party insists that to the President's request it add large cuts in housing, which will cut 20 percent of the funds that are needed next year to sign the contracts to sustain the living quarters for low-income Americans and senior citizens who are now living in subsidized housing around the country. One-third of the persons who will be forced out of those homes, if this action occurs, are elderly. That is a great Easter gift for this Congress to give those folks before we go home on 20 days recess.

Then it says we are going to cut \$75 million for bilingual education. I did not used to care about that issue as much as I do now. But now I have had a huge influx of H'Mong population into my hometown and other communities. The H'Mong are the folks who did our dirty work during the war in Laos. They did the CIA's undercover dirty work. So the Federal Government made a decision to allow them to come into this country.

But now the Federal Government is bugging out on its responsibility to

help train them and educate them. They do not even have a written language, so they are very hard to teach English. Yet, one of the programs that would help us do that is being shrunk by a very large amount by this action.

Then we come to the IMF. Nobody likes to come in here and ask for money for the International Monetary Fund. But the fact is we live in the real world, and if we do not defend ourselves in that real world, we are going to suffer the consequences.

Japan has been running an irresponsible fiscal policy for years. That and other actions finally led to a currency collapse in Asia. There is a huge overproductive capacity in this world in certain industries, a lot of it in Asia. Because of that currency collapse, a lot of very cheap goods which are artificially underpriced because of that currency collapse are going to shortly be under way to the United States to undercut American goods.

We are going to see plants close. We are going to see American workers go out of work. We are going to see the largest trade deficit in the history of the world. Yet, this Congress is choosing to do nothing whatsoever about it by holding the IMF hostage to a non-germane proposal.

Then what we find is that the Speaker of the House is reported in a number of press accounts to have threatened majority party Members of the Committee on Appropriations with the loss of their committee assignments if they do not follow the leadership's so-called strategy on this issue.

I do not understand why anyone thinks that it is for the good of America that we resurrect a confrontational attitude rather than a cooperative attitude in this Congress. I do not understand even how politically people think that that is going to win votes in an election year. I do not think it is.

So I regretfully and respectfully ask the House to turn this bill down. I know that the pragmatists on the majority side of the aisle did not want to see this confrontation occur, but they have been overruled. I regret that. Until such time as reason prevails, we have no choice but to ask Members to vote against this proposal. That is what I am asking Members to do.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Minnesota.

(Mr. VENTO asked and was given permission to revise and extend his remarks.)

Mr. VENTO. Mr. Chairman, I want to commend the gentleman from Wisconsin for his statement and associate myself with it, especially the issue concerning housing cuts. We have a \$23 billion commitment over the next two years. Last year we cut \$3.6 billion out of housing. We promised to make it up. We have not done it. This year we are taking more out. This is going to put people in the street.

Mr. Chairman, I rise in opposition to the supplemental emergency assistance measures. I very much regret and strongly oppose

the "offset" provisions of these proposals which has ensured a collision course with the President's emergency request for additional fiscal 1998 funding for disaster aid and military action in Bosnia and Iraq as well as standing U.S. commitments to the United Nations and the International Monetary Fund (IMF). This IMF Funding means that our 183 nation member program is running on empty, the only tool that we have to prevent the global economic catastrophe, that could devastate our domestic economy. This measure, in fact, only provides 25% of the Presidents total request for funding of disaster assistance. After dragging this bill out for months on the eve of a Easter recess period, apparently the GOP assumes that the House can be forced to accept a deficient product. If we oppose them, they will lay the blame on others. Frankly, the blame and the shame is the GOP leadership. As the adage states: lead, follow—or get out of the way so that we can get the job done.

Our GOP colleagues insistence on including offsetting cuts in solely domestic programs illustrates their reluctance to provide basic programs that form the foundation of trust and the tools that American families need to care for themselves and one another. The GOP's package of cuts produces a number of offsets that would slash \$2.9 billion in peoples priorities, and programs. These offsets jeopardize low-income housing programs for 100,000 people (many of whom are elderly 32% and disabled 11%), much needed airport improvements, terminating the AmeriCorps national service program for 1998, and major cuts in this years bilingual education. These programs are vital to the real needs of the most vulnerable in our society. While natural disaster needs would be met, this action would create a new disaster for those impacted by the offset cuts.

These harmful rescissions are unnecessary under the budget rules, which designate that true emergency funding may proceed without offsets. Nonetheless, the Republican Majority in this House has chosen to cut key domestic spending initiatives to offset defense and natural disaster emergencies; breaching the "firewalls" between the two categories of defense and domestic expenditures and the 1998 budget enacted into law last year.

These offsets are strongly opposed by the President and many Members of Congress. The Senate included no such offsets in its version of the bill, and there are no indications that they would do so. This clearly is a partisan effort to inject this new and divisive issue into the supplemental emergency assistance measures that will complicate the passage of this legislation. This raises questions as to the motives involved. The Republican Majority shut down the government with unrelated policy for several months in 1996. They denied much needed disaster help in 1997 because of an unrelated rider. Here we go again in 1998. The Republicans are holding hostage the emergency funding for the Department of Defense and disaster assistance, in an attempt, to force feed their unpopular and unfair agenda on the American people. This agenda gives new meaning to women, children, the disabled, and the elderly first. It is time to call a halt to the GOP political games and get on with the peoples business, not a GOP partisan policy agenda.

The next two fiscal years the committed renewal of section 8 housing units existing con-

tracts serving existing low income families with children, the elderly and disabled will demand over \$23 billion. The 1997 emergency supplemental did the same as this in removing \$3.6 billion of the housing reserve funds and pledged to make it up, but they have not replaced the fund, but take more—this is not a honey pot and it hurts real people.

Mr. Chairman, the much-needed assistance for natural disasters and peacekeeping missions are sound and urgently needed. However, we must not permit this offset package to become our final action. This bill is a step backward, not forward. We should reject it.

Mr. LIVINGSTON. Mr. Chairman, I yield myself 5 minutes.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Chairman, just to assure the Members that the sky is not falling, I just want to make a few points. First of all, if it is confrontation that we have opposing views on how to treat the supplemental appropriations bill, then yes, it is confrontation. But I think it is not angry confrontation, it is simply a matter of differing philosophies.

For the last 60 years of this century, the now minority party, which used to be the majority party, guided the affairs of the country with the idea that we continue to spend and never worry about whether the money was there. All we are saying on the supplementals is that, sure, we can continue to spend, but it has to be within the budget.

For the last 4 years, we have in effect said that we will pay for the supplemental spending. We are coming up with \$2.29 billion in extra spending for defense. We are coming up with \$575 million for disaster relief. But we are going to offset. That is all we are saying.

The Senate has not said that, and we are going to meet them head on. But for our purposes in the House, we are going to offset this extra spending. I dare say we have succeeded.

We have got all these cries that the cuts in other existing unobligated funds are going to cause a disaster and the people are going to go homeless. The fact is that is not going to happen. These are unobligated funds, and they are not needed this year, this fiscal year. If they are needed later on, we will address that.

My friend, the gentleman from Wisconsin, has said that a militant majority is demonstrating that we should do something so awful as pay as we go. We happen to think that is fiscal responsibility. It is not militant. It is just common sense.

He says that we have not adequately provided for the disaster relief that is needed. In effect, he is right, because the President, the day after we reported this bill out of the full committee, the President finally sent over an additional request of \$1.6 billion for disaster relief that we have not had time to address, and we will address before this bill gets through its normal processes.

He says that he is concerned that we have attacked bilingual education. Look, the H'Mong have been here for 20 years. If they have no written language, we have got a good one. It is called English. Well, if they have not been here for 20 years, then they have been here for 10 or 15; I do not know how long. Anyway, we have got English. We have got English, and it is a perfectly good language.

We would like to teach them how to assimilate themselves into the United States, just like we would like to teach people of all ethnic backgrounds to assimilate themselves in the United States and teach their kids how to be productive American citizens. Just from day one, that is what we have done in America. That is why we are the melting pot. That is why we have succeeded in bringing cultures of all sorts together and have succeeded in becoming the most dynamic free Nation on earth.

□ 1430

The fact is, look, I adopted a little girl with my wife, a little girl from Taiwan. She came here at almost 7 years old. She could not speak English. She spoke Chinese. But we put her in an "English as a second language" course, and within 3 months she was speaking fluent English. She is a productive American citizen. I hope that others will likewise become productive American citizens.

Mr. Chairman, if I were to take a kid to Spain, I would not expect that child to only speak English and to be taught English in the schools. I would expect that child to be taught Spanish in the schools so that that child would live in Spain and become a productive Spanish citizen, if my colleagues will.

The point is, bilingual education in and of itself has been a failed program. It ought to be abolished. English as a second language is a successful program, and should be encouraged and hopefully will be because of the steps that we take here today.

These are good changes. This is a good bill. The offsets are simply common sense. I urge the adoption of this bill, the rejection of the motion to recommit, and hopefully we will get a conference soon, right after we come back from the break, and we will get this disaster relief to the people who need it.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Chairman, I thank the gentleman for yielding this time to me, and I want to associate myself with the remarks the gentleman from Wisconsin (Mr. OBEY) made earlier.

I regret that I come to this floor to oppose this bill. Instead of coalescing funding to continue our peacekeeping operations in Bosnia and ensure a strong and forceful presence in the Gulf, we are being asked to undercut important domestic programs included in last year's budget agreement to finance our national security interests.

It is not enough that the budget agreement of 1985 provides for emergency spending without offsets during domestic or international crisis. It is not enough that the chairman of the Committee on Appropriations, my good friend, the gentleman from Louisiana (Mr. LIVINGSTON), it is not enough that Mr. LIVINGSTON fought hard to prevent making unwise and devastating cuts in domestic programs, notwithstanding the fact that he just said something a little different. In fact, Mr. Speaker, it apparently is not enough that the United States Senate, with the support of the President of the United States, passed this emergency spending without gutting domestic programs by voice vote.

No, Mr. Chairman, instead today this body is being asked to gut the Section 8 low income housing program which could leave 800,000 Americans without housing next year. We are being asked to effectively shut down the AmeriCorps program through a 60 percent cut, and perhaps in one of the most outrageous affronts contained in this bill, the leadership is advocating a cut of \$75 million in bilingual and immigrant education.

Let there be no mistake, Mr. Chairman, as to the importance of the emergency funding the President is seeking. Continuing the U.S. presence in Bosnia is critical. Progress is being made in the implementation of the Dayton Accords, and this progress has only been possible because of U.S. participation in the NATO-led stabilization force. There is not one of us that has visited that force, that has not been proud of our men and women and the effect that they have had.

Apparently the majority party did not learn the lessons of the 1995 disaster relief supplemental. The chairman learned them; I think most of the chairmen of our subcommittees learned them. But their caucus did not learn them. There are very serious issues to be debated in this Chamber. However, we should not hold emergency funding hostage when on its surface we all support the need for a strong presence in Iraq and a need to respond to the ravages of El Nino.

I urge my colleagues to vote down the latest sham of the Republican leadership and release this funding from the daily game of politics in which we have been embroiled. Vote "no."

Mr. LIVINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MCDADE), distinguished chairman of the Subcommittee on Energy and Water.

(Mr. MCDADE asked and was given permission to revise and extend his remarks.)

Mr. MCDADE. Mr. Chairman, I thank the distinguished gentleman for yielding this time to me.

Mr. Chairman, at this time I yield to my distinguished friend from Guam (Mr. UNDERWOOD) for purposes of a colloquy only.

Mr. UNDERWOOD. Mr. Chairman, as my colleagues know, Guam suffered ex-

tensive damages due to Typhoon Paka last December. Due to Typhoon Paka the commercial port, which is the principal lifeline for all the residents of Guam, needs to be restored to its economic vitality. I understand that the bill before us today provides \$84.5 million for the Corps of Engineers for emergency repairs due to flooding and other natural disasters.

Mr. MCDADE. Mr. Chairman, the gentleman's statement is accurate.

Mr. UNDERWOOD. I understand further that the \$84.5 million is not project-specific and that there may be an opportunity to review Guam's request for port projects.

Mr. MCDADE. Mr. Chairman, may I say to the gentleman that the committee did not earmark disaster relief funds provided to the Corps of Engineers. The additional funding in the operation and maintenance account will be used to address high priority needs resulting from recent natural disasters at Corps-operated or Corps-maintained projects. The Corps of Engineers should consider Guam's request in conjunction with other projects eligible for emergency assistance consistent with current law and authorities.

I want to assure the gentleman that we will examine this issue as the process proceeds to conference with the Senate, and we will do our best.

Mr. UNDERWOOD. I thank the distinguished chairman.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. SKELTON) the distinguished ranking member of the Committee on National Security.

Mr. SKELTON. Mr. Chairman, let us clarify the issue before us today. We are not here to correct the overdeployment of our military troops or the underfunding of our military troops. The issue before us today is whether this is an emergency as prescribed by the budget law or whether it is one that is not and calls for an offset.

Mr. Chairman, I wish I could rise in support of this bill, the emergency supplemental appropriation bill for fiscal year 1998. Unfortunately, the bill in its current configuration falls short in terms of timing, process and interpretation.

First there is a matter of timing. Once again this body has reacted slowly to an emergency situation, with consequences that will affect our fellow citizens both here at home and overseas. And yet, while the other body has essentially passed a bill to deal with these measures, we are still debating the matter in this body, and the result is that by the time we begin our 2-week spring recess we will not have completed this important work.

Second, there is a matter of process. Though 80 percent of the bill's appropriations are for military programs, all of the measure's offsets are in domestic programs. This is a sure invitation for a presidential veto, and I am sure that the President will accept that invitation.

As many know, the other body has not offset, I will repeat, has not offset its version of the supplemental with spending cuts. It has accepted the emergency designation for the supplemental, as it should have. I can envision a scenario where the other body would offer to accept offsets, but with a condition that those offsets come from the military appropriation accounts. What a disaster that would be.

Third, there is a matter of interpretation. I voted for last year's Balanced Budget Act. I believe we made great progress in the past 8 years to get our Nation's finances in order. The 1993 bill which I supported; last year, the Balanced Budget Act which I supported; and this year we see a surplus possibly of \$8 million, according to the Congressional Budget Office, the first surplus since 1969. While provisions under the Budget Act will allow us to fund genuine emergencies, the other body has chosen to use those provisions. That is what we should do.

Secretary of Defense Bill Cohen wrote earlier this month that if the Department of Defense were required to provide offsets from within the DOD budget, the effect on DOD programs would prove calamitous.

I have seen the same thing for the domestic side. That has been well thought out. It is a matter of accepting what is reality. A rose by any other name is still a rose; an emergency by any other name is still an emergency. I think that in this present form it is very difficult for us to support, and I will not support this bill.

Mr. LIVINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. NEUMANN), distinguished member of the Committee on Appropriations.

Mr. NEUMANN. Mr. Chairman, I rise today. First I would like to commend the chairman of the Committee on Appropriations for sticking to our core principles, that 3 years ago we made a commitment that we were going to stop spending our children's money, and I would like to commend the chairman for sticking to those principles in this bill and sticking to the offsets. We understand the other body, the Senate, has not proposed offsets yet, and I would also like to express my appreciation for accepting the Neumann-McIntosh amendment that puts this body on record when we pass this bill, saying that when it goes to conference it should come back with the offsets intact.

I would also like to do, as I made it my custom to do over the last 3 years, to report to my colleagues what the actual numbers are in this spending bill.

The total new spending, the total, quote, emergency spending in this bill, is \$2.865 billion in outlays and budget authority, and in fact the offsets amount to 1 million more than what the proposed new spending is as it relates to budget authority.

In outlays, the outlays are \$350 million short, but I would add that it is

the closest that we have come of any of the supplemental appropriation bills that have passed through this body since we came here in 1995. It is the closest we have come to offsetting it in outlays as well as budget authority, and again in budget authority, to my colleagues, it is not only offset but there is actually \$1 million extra in it.

Again, I would like to address the concerns of the other side. I heard the statement that 800,000 Americans will be without housing if this bill is passed. Well, first let me say that that is absolutely not true. But second, let me suggest to my colleagues on the other side that if in fact they genuinely believe that is true, then they have a moral and an ethical responsibility to bring something forward that allows these offsets to come from some other part of this budget.

Look, what we are asking for is to stop spending our children's money. We are asking to find offsets, that is, wasteful government spending that amounts to \$2.8 billion out of \$1700 billion of government spending. Let me say that once more, so we understand just exactly what this debate is all about. What we are saying is that, I want to make sure that this debate is very, very clear when we talk about finding these offsets or reductions in wasteful Washington spending to counter the new spending, we are looking for a grand total of \$2.8 billion out of \$1700 billion of government spending.

Now is there anyone in the entire United States of America that believes there is not \$2.8 billion of wasteful Washington spending that can be eliminated so that we do not go and tack this new spending onto the legacy that we are going to give our children?

I would like to conclude by again commending our chairman for sticking to his guns and demanding that these offsets be included in this bill, because for years that was not the practice, and that is in fact how we got to the \$5.5 trillion debt that we currently have staring us in the face.

I would conclude with the memory it is \$2.8 billion in offsets. We are open to other suggestions; \$2.8 out of \$1700 is what we are looking for in terms of offsetting the bill.

PARLIAMENTARY INQUIRY

Mr. HOYER. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. HOYER. Mr. Chairman, am I correct that under the rule no amendments are allowed, no alternatives can be proposed? Am I correct on that? It is a closed rule; am I correct?

The CHAIRMAN. There is one amendment.

Mr. HOYER. One amendment made in order. No other amendments other than an amendment allowed by the Committee on Rules can be made, no alternatives can be proposed for other offsets; am I correct, Mr. Chairman?

The CHAIRMAN. There is one amendment that was made in order under the rule.

Mr. HOYER. But no amendments can be offered; am I correct, Mr. Chairman?

The CHAIRMAN. There is one amendment to be offered in the Committee of the Whole.

Mr. HOYER. I understand that.

Can any additional amendments be offered, Mr. Chairman?

The CHAIRMAN. There can be an amendment offered as a recommittal in the House.

□ 1445

Mr. OBEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the previous speaker talked about wasteful Washington spending. I do not consider enabling senior citizens to have housing in my hometown or anybody else's hometown in the countryside to be wasteful Washington spending. I consider those to be necessary mercy initiatives so good and decent low-income Americans and retired senior citizens can live in decent housing.

I do not consider providing funding to persons who are willing to give of their time to assist with finding volunteers to deal with our kids after school so that they are in a safe place and are not committing crime is wasteful Washington spending. I call that good community activity.

I would point out that the rule the gentleman just voted for precluded us from attacking real wasteful spending. It precluded me from offering the amendment which would have reduced by 5 percent the Pentagon account that allows the Pentagon to pay \$76 for a 57-cent set screw, and allows the Pentagon to pay \$38,000 for aircraft springs that they previously paid \$1,500 for. That is true wasteful Washington spending, I would submit to the gentleman from Wisconsin, and it is the kind of wasteful spending the gentleman protected with his vote for the rule.

PARLIAMENTARY INQUIRY

Mr. LIVINGSTON. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LIVINGSTON. Mr. Chairman, we are trying to determine when the Skaggs provision will be up for debate. I understand that 30 minutes are allotted for that as well.

The CHAIRMAN. The Chair could entertain that debate at any time during general debate.

Mr. OBEY. Mr. Chairman, I need to go up to the Committee on Rules. I would ask that the gentleman from Maryland (Mr. HOYER) be allowed to control my time.

The CHAIRMAN. Without objection, the gentleman from Maryland will control the time for the gentleman from Wisconsin (Mr. OBEY) while he goes to the Committee on Rules.

There was no objection.

Mr. HOYER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Guam, (Mr. UNDERWOOD).

Mr. UNDERWOOD. Mr. Chairman, I wish to engage in a colloquy with the

chairman of the Subcommittee on Military Construction, the gentleman from California (Mr. PACKARD).

In the disaster relief section of the fiscal year 1998 supplemental appropriations bill, the committee accepted report language that makes mention of the ongoing discussion between the Government of Guam and the Navy over the repair responsibility for the repair of typhoon BRAC damaged properties on Guam. I have been assured by several civilian naval officials that the U.S. Navy, at a minimum, will be flexible if it is decided that the U.S. Navy is, indeed, responsible for said repairs.

Mr. Chairman, is it your understanding that if this action so occurs, the committee will entertain a request for funds in the regular fiscal year 1999 appropriations bill?

Mr. PACKARD. Mr. Chairman, will the gentleman yield?

Mr. UNDERWOOD. I yield to the gentleman from California.

Mr. PACKARD. Mr. Chairman, yes, that is true. If the matter is settled between the Guam Government and the U.S. Navy and the U.S. Navy will accept the responsibility for the repair of certain typhoon damaged BRAC properties on Guam, our committee will consider such a request for funds in the fiscal year 1999 appropriations bill.

Mr. UNDERWOOD. Mr. Chairman, reclaiming my time, I thank the gentleman for this clarification. We will work on the issue.

Mr. HOYER. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. MURTHA).

Mr. MURTHA. Mr. Chairman, here is the problem that I see as we go forward with this process. Normally, when we pass a bill, we have a good idea that we will be able to continue the process in the Senate. It is not so late in the year, and if it is, we will pass a bill very similar to the Senate bill.

Now, this bill is so different than the Senate bill, we have a bill here which has a lot less money in it. We have a bill here which, in my estimation, when it is offset from domestic policy, will either assure a veto or, in the end, the Senate will not recognize it.

I just do not see any possibility of this kind of a bill being the end product when it goes to conference.

Now, if we do not accept the amendment that I am going to offer, the recommittal motion I am going to offer, then we have a situation where the Defense Department will not be able to go forward because it will not be assured of a bill happening.

One of the things that has happened in the past, when they are assured of a conference, they can work different departments, they can get money, they can hold back money, and they can work out something to get them through.

But here, they are not going to be able to do that, because they cannot be assured of a bill. Now, why do I say they cannot be assured of a bill?

Let us say that we pass this bill with offsets. Well, in the first place, the White House is against that. We go over to the Senate, we sit down, the Senate adds IMF, the Senate adds UN, and the Senate adds Mexico City.

Now, in my estimation, there is no way that they can come back to the House with a bill the size it is, with no offsets, and pass it in the House, and yet, on the other hand, there is no way we can go to the Senate with all offsets and pass it in the Senate.

So we have got a real problem, which leads me to believe that past history shows that the Defense Department cannot predict that they are going to have a bill. They only have 4 months left in the fiscal year, and the problem we are going to have when you only have 4 months, the Defense Department has to make a decision, how do I find the money to get us through the rest of the year.

All right, we cut back on training, we layoff civilian employees, substantial numbers of civilian employees for 10 or 15 days. We shut down the Defense Department. There are all kinds of options the Defense Department is investigating right now, looking at what we can do in case a bill, which is absolutely the opposite of the bill that is pending in the Senate, it has not passed yet, but it is pending.

We always in the past have been able to work these things out. This is an entirely different situation, which worries me. I am concerned, all of us have been through the committee process, if we pass a bill that is offset with domestic policy, the additional thing we do, we set domestic policy against defense policy, and when that happens we lose.

Mr. Chairman, I would urge Members to support my motion to recommit when it comes up.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Chairman, I rise to express my opposition to H.R. 3579 and would like to associate myself with the remarks made by the gentleman from Wisconsin (Mr. OBEY) earlier.

I am in opposition basically because this bill would take away greatly needed funding for Section 8 low-income housing, and take away greatly needed funding for bilingual education. If there is a way to achieve the objective without desecrating our social programs, then so be it. I am opposed.

Mr. Chairman, I rise today to express my opposition to H.R. 3579, the Defense and Disaster Supplemental Appropriations Bill for Fiscal Year 1998.

I join my fellow colleagues in opposition to this bill not because I believe we need not provide our troops with enough resources to succeed, whether it be in Bosnia or Iraq. I oppose this bill not because I believe we need not come to the aid and rescue of our fellow Americans who have suffered as a result of

some national disaster. Nothing could be further from the truth.

I oppose this bill because it sets up a framework that takes \$2.2 billion in funding from the section 8 low-income housing program; because it reduces funding for the bilingual education program by \$75 million. This is absolutely unacceptable to me, to my constituents who reside in public housing and benefit from the section 8 program— a program that is currently underfunded, I might add— and to the legal immigrants who reside in my district and participate in the bilingual education program, which helps them transition into mainstream America.

Mr. Chairman, yes, indeed, this body appears to be revisiting, unfortunately, an all-too-familiar refrain and motif: when confronted with a tough decision, do not follow the dictates of what is fair or equitable; instead choose the path of least resistance. I am reminded of the saying that those who are whipped the easiest are whipped the most often. And, invariably, the target for cuts are those programs that serve public housing residents and benefit our immigrant population. Those groups that do not have an army of lobbyist to argue the merits of their case.

Consequently, I am compelled to oppose and urge my fellow members of Congress to oppose this measure, HR 3579, in an effort to restore equity and fairness and a sense of what is right to the decision-making process in this body.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL of Massachusetts. Mr. Chairman, I hope today that we will not diminish one of the most successful initiatives that has come from this city in the last 30 years, and that is the President's Corporation for National and Community Service. This legislation today proposes a significant decrease in what has been domestically one of the most successful initiatives that I can recall.

AmeriCorp has served hundreds of domestic violence victims throughout the State of Massachusetts. It has been enormously successful. It seems to me it goes hand-in-hand with what the other side has been talking about for the last decade about personal responsibility, a better and higher sense of citizenship, but, most importantly, and it has been inclusive, it suggested to millions of young Americans that the opportunity for some sort of tuition assistance down the road will be there if they only give back to this Nation the opportunity that the Nation has granted to them.

Mr. Chairman, I would hope that in this supplemental that is being proposed today we would resist any effort along the way to curtail what I think has been an enormously successful Presidential initiative, and that has been the President's proposal for National Service Learning.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Mrs. MEEK).

Mrs. MEEK of Florida. Mr. Chairman, I thank the gentleman from Louisiana (Mr. LIVINGSTON), our chairman,

and the gentleman from Wisconsin (Mr. OBEY).

Mr. Chairman, I stand to oppose the supplemental for two reasons: Number one, we have the kind of sacrifice that we have to make here in the Congress, which says that we know that we need a strong military, we need to strengthen our military, but we also need to take care of the poor. We also need to take care of the housing needs of this country.

I do think that the two of them are compatible, that we can do both, and we should not use this particular bill to try to even things out between the military and the poor people who need housing and who need care in this country.

Mr. Chairman, this bill cuts education, it cuts the National Volunteer Service, it cuts any number of things which mean a lot to us here in the Congress representing all the people.

I say to the Congress we can do both. We need to vote no on this supplemental and go back and do the right thing, separating those two, doing what we should do by the military, and certainly immediately sending emergency assistance to our needy counties and cities.

The CHAIRMAN. The remaining 30 minutes for general debate on title III of the bill is equally divided and controlled by the gentleman from Colorado (Mr. SKAGGS), and a Member who is opposed to title III.

Mr. MURTHA. Mr. Chairman, I am opposed to title III.

The CHAIRMAN. The Chair will confer the time in opposition to the gentleman from Pennsylvania (Mr. MURTHA) given the fact that he is a member of the committee.

The Chair recognizes the gentleman from Colorado (Mr. SKAGGS).

Mr. SKAGGS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, whether to take this country into war, even a limited war, is a fundamental responsibility of this body, the Congress of the United States. Article I, Section 8 of the Constitution states very clearly that "Congress shall have the power . . . to declare war, grant letters of mark and reprisal."

As George Mason, one of the delegates to the Constitutional Convention observed in debating this provision in 1787, it was meant to "Clog the path to war."

The Constitution is a terribly inconvenient thing. It imposes all sorts of rules that get in the way of this body when we want to run rough-shod over freedom of speech, or in this case, ignore our own responsibilities to make that fundamental decision.

Right now we have a welcome break in the action in the Persian Gulf anyway. Thank goodness we are not now faced with the immediate prospect of offensive military action, and that respite gives us a chance, which I appreciate our having, an opportunity to seize this afternoon to give some considered debate to the responsibilities that we have.

□ 1500

The limitation on funding that is now in the bill, as approved by the Committee on Appropriations, provides that none of the funds in this bill may be used to initiate offensive military action by the Armed Forces of the United States in order to enforce the inspection and destruction of weapons of mass destruction in Iraq. It is carefully drawn to be narrowly limiting only of the President's authority, essentially, to take the country into offensive war. That is what it does.

It is also important to understand what it does not do. That is, it does not impede the continued deployment of troops in anticipation of the possible need for action against Iraq. It does not get in the way of the no-fly rules or any of the other current military operations in the region.

Why do this? It is because we know full well that, while there is a moment now when Saddam Hussein is complying, history instructs us that it is very likely that we will be back soon into a situation in which he is again confronting the international community. And the President has made it very clear that, under those circumstances, he would attack in order to enforce the U.N. inspection regime.

There is never a good time to do this. It is, by definition, only when we are faced with a ticklish international security problem, such as we now face in the Persian Gulf area, that the question comes up.

But, as my colleagues will recall, we had the good sense 7 years ago to make sure that then President Bush sought and received authority from Congress before launching the war against Iraq at that time. The same basic constraints ought to apply to this President in 1998.

Coupled with the sensible judgment that we made 7 years ago to insist on Congress' responsibility under the circumstances that existed then, with a similar assertion in 1998, we have an important opportunity to change the practice that existed throughout the Cold War years in which Congress deferred, I believe inappropriately, to the executive in these kinds of situations.

We should be proud to assume and to assert this most important responsibility that the Constitution gives to the Congress, not to the executive.

Mr. Chairman, I reserve the balance of my time.

Mr. MURTHA. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Chairman, I thank the gentleman for yielding me the time.

First of all, I want to thank the gentleman from Louisiana (Chairman LIVINGSTON) and the gentleman from Florida (Mr. YOUNG) for the fine work in this bill.

I rise in strong opposition to section 3002 of the bill, which prohibits the use of funds for military operations against Iraq unless the President gains con-

gressional approval for the use of the military force regarding the compliance with U.N. resolutions relating to inspection and destruction of weapons of mass destruction.

I have opposed President Clinton on the use of military force on many occasions in this House. On this issue, though, I look at this, and as a matter of fact, my opposition has been really on two grounds, one on philosophy and the other with regard to poor consultation with this administration and Congress.

When I think of the President's use of military force, he likes to use our military force in every corner of the world based on some form of moral authority, humanitarian missions, and peacekeeping missions.

When I think of the Skaggs amendment, I believe the amendment of the gentleman from Colorado (Mr. SKAGGS) highlights the very poor consultation that the administration has with this Congress. It is tempting to support the Skaggs amendment. I cannot, because I happen to believe that this is much bigger than Bill Clinton. This, in fact, is about the presidency and its relationship to the Congress. It is a constitutional question, as the gentleman from Colorado (Mr. SKAGGS) just mentioned.

When I think of this question, or any Commander in Chief as such, I believe that the Commander in Chief requires the flexibility to respond to the international crises as they arise.

Congress has only actually declared war five times. There have been many occasions where troops have found themselves in harm's way in response to crises around the world. As a matter of fact, the crises sometimes are immediate and emergent, and the presidency needs that type of flexibility.

Iraq is one area where history shows that a crisis arises unpredictably and on short notice. I do not want to tie a President's hands in a critical area of the world. I believe that could be irresponsible and potentially dangerous.

When I think of about a month ago, when an offensive action was imminent in the Persian Gulf, I was one of the few voices here on Capitol Hill that was asking for a go slow-caution approach, because use of force is a last resort, not a first resort.

When we are operating in the arena of diplomacy, I do not believe we ever want to remove one of the tools from the toolbox. When in fact we are going to say to the world, or in particular to Saddam Hussein, that this President can take no actions unless Congress first responds, just permit the mind to flow and create every imaginable consequence that could arise from a mind like Saddam Hussein's.

As we depart from here for 2½ weeks, anything could happen while we are away. Saddam Hussein, by example, could use weapons of mass destruction against the Kurds or the Shi'ites, permit some type of spraying operation with regard to the spores of anthrax in

that part of the world. As the winds swirl, they could find their way into Kuwait, and this President might want some form of an immediate response.

I know the gentleman from Colorado (Mr. SKAGGS) could possibly, and I am not going to argue for him, he is very capable of doing that, but I think he put it in some kind of Dear Colleague that the President could call the Congress back into session. How realistic is it that he would do that? How often does that happen?

I really do like the flexibility on the part of the Commander in Chief to respond, especially to stand up against someone like Saddam Hussein. For us to somehow tie his hands to respond would be very poor. I do not want to do that.

What I want to share with my colleagues is, and I know I am fighting with my own temptation to support the gentleman from Colorado, but this issue is much bigger than this President. It is about the relationship between this Congress and the presidency.

Now the United States, as we find ourselves the sole remaining superpower in the world, many nations of the world look to us for their immediate consultation. Whether it is a consultation, counsel, support, the President needs the ability to respond. When there is a problem anywhere in the world and that commander goes to the President of the United States for any type of support, he needs that ability to respond.

The Congress, all of us, and there have been many debates over the past years about the use of force and Congress' prerogative. We control the pursestrings. We have those debates.

I think every Member of the Congress, if it came down to a sustained offensive military operation in Iraq, would require a vote here on the House floor. But when it would be responding, whether in self-defense or in response to Saddam Hussein's bizarre behavior, this President needs the flexibility to respond.

Mr. SKAGGS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Louisiana (Mr. LIVINGSTON), chairman of the Committee on Appropriations.

Mr. LIVINGSTON. Mr. Chairman, I want to commend my friend, the gentleman from Colorado (Mr. SKAGGS) for his initiative at putting this in the bill. I certainly believe it is in the best interests of this body to maintain the provisions in the bill, and hopefully we will keep it in throughout the duration of this supplemental appropriation.

The fact is, in 1991 we had an incredibly wonderful debate, an intense debate, a debate that strongly divided parties on both sides, as to whether or not we should go to the initial battle against Saddam Hussein, whether or not we should commit thousands of troops, along with the troops of many other countries to battle what was then the fourth largest army in the world.

By a somewhat narrow margin, the House and the Senate agreed that we should go forth. In fact, we did, and we had one of the most lopsided victories in the history of American warfare; in fact, in the history of world warfare. It just strikes me that here, some 7 years later, it is not any less important an issue that should be debated between the Members of Congress, members of all parties, all philosophies, and both Houses.

I am very concerned today, as I was a few months ago, when it looked very much like we were going to commit lots of American men and women in uniform to the potential of losing their lives in battle against the new Iraqi threat, but under the leadership of the same despot, Saddam Hussein.

We might well have brought about the death of tens of thousands of Iraqi citizens, and we might well have earned for ourselves the enmity of the entire Arab world. All of that would have been possible, and maybe it was for a good cause. Maybe it was necessary, but then again, maybe it was not.

The fact is, it would have been done without so much as a "by your leave" in Congress. This is a momentous issue. We debated it well 7 years ago. We should debate it equally well today.

Mr. MURTHA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the fallacy I see in the argument that both gentlemen are making is that we have forced Saddam Hussein to back down. Our inspectors are doing their work, and at a critical stage in the inspection process where half of it is over, we are saying to Saddam Hussein, okay, Congress is going to have to vote on this issue. We voted in 1991.

Members know, I led the fight on the Democratic side for going to war, and I believe very strongly a President should come to Congress to get authorization. I believe he still has authorization to go to war. I do not think, in this particular situation, there is any need for the Congress to act again on something that is clearly in our national security interest.

There are deployments Presidents have made I have disagreed with, that I do not believe were in our national security interest. I believe this is in our national security interest. More than half the energy resources in the world are in this area. It is absolutely essential we have stability. We need to react timely in order to prevent a war.

What happened the last time is when the United States had to react, he had to react immediately. He sent in the 82nd Airborne right before the marines. He sent in the marines. He sent in the air wing. They could have run over us, but because of the force of the United States, because the President of the United States acted, we were able to stop him from going into Saudi Arabia.

I am absolutely convinced, though, if he thought Congress was going to wait, and he was convinced Congress was

going to vote against going to war. It is very easy now to say Congress passed a resolution to go to war, but let me tell the Members, in those days President Bush withstood tremendous pressure. He did a phenomenal job in getting that authorization passed. It was bipartisan, but it was obviously a very difficult debate.

So I think the timing is terrible. I know the President will veto this bill. There is another reason for him to veto this particular bill, if this provision is in this piece of legislation. So I would hope that the Members would think very clearly, they would listen to this debate, and then when it goes to conference, that we will be able to get this amendment removed so we can go on with our business, if this gets to conference.

Mr. SKAGGS. Mr. Chairman, I yield 1 and a half minutes to the gentleman from California (Mr. CAMPBELL).

Mr. CAMPBELL. Mr. Chairman, I give high commendation to my colleague, the gentleman from Colorado, for bringing this to the floor.

Two arguments have been made against what the gentleman has achieved. I wish to respond to them. First, to the gentleman from Pennsylvania (Mr. MURTHA) that the authorization to go to war passed in 1991 would still apply today, it does not. Today we are discussing the use of force in response to the failure of Saddam Hussein to allow inspection of his mass destruction weapons facilities, which occurred after we drove him out of Kuwait. Logically, this could not have been anticipated at the time of the 1991 vote. I was here. I voted yes then, as well. But we had no consideration then of force to terminate weapons' programs.

It would be as dangerous to say that the 1991 authorization applies today, as it was to say that the Gulf of Tonkin resolution gave approval for everything that followed in Vietnam. We must be careful in what we approve. We were careful in 1991, so that the men and women in our armed forces whose lives are at stake might know what their representatives have approved. And that was not an unbridled authorization for action seven years later.

The argument of the gentleman from Indiana, that because of this provision, the President will not be able to respond to Saddam Hussein's use of anthrax, is absolutely false. The ability of the President to respond to such an attack would be constitutionally possible, and also financially possible under this provision, simply by using money in the general Defense Department budgets.

The only effect of the restriction of the provision by the gentleman from Colorado (Mr. SKAGGS) is that funds used in this supplemental may not be used for the purpose of enforcing the U.N. inspections regime, without getting the approval of Congress. There is no restriction on responding to an attack upon the United States' interests

or people, including the hypothetical case of Saddam Hussein's use of anthrax.

□ 1515

I conclude by saying I have done my very best to attempt to bring back to Congress the authority the Constitution gives and requires of us. Let us not let it slip through our hands once more. Let us instead stand up for our obligation under the Constitution.

Mr. MURTHA. Mr. Chairman, I reserve the balance of my time.

Mr. SKAGGS. Mr. Chairman, I yield 30 seconds to the gentleman from Maryland (Mr. BARTLETT).

(Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Chairman, I want to thank the gentleman from Colorado (Mr. SKAGGS) for his amendment which puts into law our joint resolution, of which he is one of 108 cosponsors, to require just this.

Mr. Chairman, I wanted to mention in just the few moments I have, not only does Article I, Section 8 of the Constitution apply, but also Article II, Section 2, where it says the President shall be Commander in Chief of the Army and the Navy of the United States and the militia of the several States, when called into the actual service of the United States. It is the Congress that does that. After they have been called into service, the President is then the Commander in Chief.

This is a good amendment. It needs to stay in the bill.

Mr. SKAGGS. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. PAUL).

Mr. PAUL. Mr. Chairman, I thank the gentleman from Colorado (Mr. SKAGGS) for yielding me this time, and I appreciate very much his work in this effort.

Mr. Chairman, this is a very important part of this legislation. This is not BESTEA, but it is "best part." By far Section 3002 of this bill is the best part of this entire bill. The only thing I would like to add is that the money being spent in Bosnia and Iraq, \$1.8 billion, should not be spent there either, because I am frightened that we will put our men in harm's way and then a situation will occur, and it will be virtually impossible for the Congress to turn down acceleration and amplification of the conflict over there.

Mr. Chairman, it has been stated that only five times we have declared war in our history. True. But who is going to stand here and say that men that died in Vietnam and in Korea were not in a war? They were illegal. They were unconstitutional. This is a very sound effort to bring back once again the constitutional responsibility of all of us to declare war, and only Congress can do that.

Mr. SKAGGS. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. CUNNINGHAM), a member of the committee.

Mr. CUNNINGHAM. Mr. Chairman, this is very difficult for me, because there is nobody on the other side that I respect more, and he knows I speak that from my heart, than the gentleman from Pennsylvania (Mr. MURTHA). The gentleman from Indiana (Mr. BUYER), who is a veteran, I have a lot of faith in.

Mr. Chairman, I soul-searched this very issue myself, and the bottom line is it is our responsibility as Members of Congress, and I think that is where the line splits.

We have a responsibility. It is difficult for me to blast the White House on getting us into the Somalia extension, putting us in Haiti against Congress, and putting us in Bosnia, arming the Muslims against the wishes of Congress and putting up billions of dollars, and then come out in support of this bill that does those very same things. This makes Congress uphold its responsibility, and I think it is very, very important that this debate is going on.

President Bush came to Congress and asked Congress to vote on this. President Clinton never does that. He just goes ahead and does it. In the case of Somalia, as we downsized, we denied armor, the White House denied armor to them and we lost 22 Rangers. In the case of Haiti, and especially in Bosnia where we are arming the Muslims and there are 10,000 Mujahedin and Hamas there, that is going to cause in my opinion World War III.

So with bad decisions on foreign policy and military deployment, and when we are operating at 300 percent the OPTEMPO and killing our military, we need this amendment and I ask my colleagues to support it.

Mr. SKAGGS. Mr. Chairman, I yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR), also a member of the committee.

Ms. KAPTUR. Mr. Chairman, I thank the gentleman from Colorado (Mr. SKAGGS) for yielding me this time, and I want to lend my strong support to the Skaggs provision in the bill, though I will oppose final passage of the bill because it puts the costs on the backs of the elderly and Section 8 contract renewals across this country.

Mr. Chairman, I support the Skaggs provision completely, and just wanted to say for the record how heartily I congratulate the gentleman. I also want to say to the gentleman from Pennsylvania (Mr. MURTHA), my good friend, as well as others on the committee who may not agree with us, when I was first elected to Congress, having been a child of the Vietnam era and watching my friends shot to death and come home dismembered and so forth, I made a promise that I would never be a part of a Congress that sent our troops into battle without a vote.

I think all of us understood what that war did to this country, dividing us even until today. Many high level elected officials, sometimes rising as high as the Presidency of the United States, not wanting to reflect on that

experience, still being afraid of it and all the feelings that it dredges up. 50,000 people killed in Vietnam, over 54,000 since that time by death through suicide. It was an experience that none of us alive today should ever forget.

Mr. Chairman, I decided I could never be here and allow that type of backdoor war to occur again. And yet I experienced the Persian Gulf buildup as a Member of this Congress and was a party to a suit filed by 52 colleagues to force President Bush to come to this Congress. There was no prouder moment. Judge Green said in his ruling when we went to court that the Court had no hesitation in concluding that an offensive entry into Iraq by several hundred thousand servicemen could be described as war within the meaning of Article I, Section 8, Clause 11.

I think that this Congress has no more serious constitutional responsibility and obligation than to vote on any offensive military action. I want to say to the gentleman from Colorado, I really congratulate him in his closing months here as a Member of the House for having the courage to bring this up and having this country and its people meet its constitutional obligations.

Mr. MURTHA. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman from Pennsylvania (Mr. MURTHA) for yielding me this time, and I want to make sure that Members understand we are not talking about an amendment. There is not going to be a vote on this issue today. This question has been presented to me several times. This is in the bill.

As much as I agree with the comments being made by the gentleman from Colorado (Mr. SKAGGS), and those who support him, and I did not object to this being put in the bill in the full committee, I have to tell my colleagues that this does not solve the problems that the gentleman is talking about. This is very narrow. It goes only to the issue of Saddam Hussein's unwillingness to stay with the agreement that he has made now as far as inspection of his weapons cache.

Mr. Chairman, as the gentleman from Louisiana (Mr. LIVINGSTON) said, rightfully so, this is a monumental decision. Others have made similar statements. This is extremely important. It deals with the constitutional relationship of the Congress vis-a-vis the President of the United States, that is true. This Congress needs to address these issues, but not in a supplemental.

Mr. Chairman, a supplemental appropriations bill is not the place to solve this problem. Congress needs to address this issue full up, head on, to debate a revision or a reconsideration of the War Powers Act to properly establish the role of the Congress in the deployment of U.S. troops.

This amendment or this language today does not affect Bosnia. It does not affect Haiti. It does not affect any-

thing else in the Iraqi area. It only affects that one very narrow circumstance.

So let us set aside some time for this Congress to establish once and for all what the proper relationship is of the Congress and the President before American troops are deployed to an area of hostility, before we get the bill to pay for these operations, despite the fact we had nothing at all to do with the decision to make those troop deployments.

Let us not be sending American troops all over the world unless Congress is a player and unless there is a darned good reason to do it.

The CHAIRMAN. The gentleman from Colorado (Mr. SKAGGS) has 2½ minutes remaining, and the gentleman from Pennsylvania (Mr. MURTHA) has 5½ minutes remaining.

Mr. MURTHA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me stress the fact of why this supplemental is so important in the overall context of what we are talking about. The gentleman from Florida (Mr. YOUNG), the chairman of the committee, said there is no amendment before the committee. But what will be before the Committee very shortly is a motion to recommit this bill. And the reason I think it is important to look at it, I just have been trying to find out what is the Defense Department all about? What is it trying to do and what is it looking at as far as what will happen if this recommittal motion does not pass, and why?

Now, I explained earlier this bill will be so different, if it is offset, than the bill in the other House. Here is what they are considering: Laying off substantial numbers of civilian workers, because they are not sure that there will finally be a final resolution of the bill; furloughs at Defense bases across the country; they are also talking about delays in promotion, delays in moving families, and training cutbacks throughout the entire Defense Department.

The thing that worries me is that if this bill passes with offsets, we are talking about a stalemate between the House and Senate. We are talking about substantial disruption of the Pentagon's ability to operate because it is so late in the year. And when I offer the motion to recommit, I hope the Members will consider the fact that the motion to reconsider will only strike the domestic offsets, and immediately we can report the bill back without the offsets. Then the Defense Department can go forward without these offsets which destabilize the Defense Department.

Mr. LIVINGSTON. Mr. Chairman, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Mr. Chairman, the gentleman from Pennsylvania (Mr. MURTHA) has read off a litany of terrible things that would happen if the Defense Department did not get the

funds that have been allocated in this bill by a certain time. Would the gentleman tell me when that time might be?

Mr. MURTHA. Mr. Chairman, reclaiming my time, I will tell the gentleman here is the problem. As he knows, in the past when we have come to the floor with supplementals, the Defense Department knew that the Senate and the House were very close in the versions they were going to pass. Here we are talking about two versions which are so different, and the addition of IMF and the U.N. and the Mexico City language, and the fact that the President will veto it if the Skaggs provision is in the bill. They are not sure they are going to get a bill.

So by March 31, which is today, they are in serious planning right now. And if this bill passes with the offsets, they say that they will have to take some of these steps in order to protect themselves.

Mr. LIVINGSTON. Mr. Chairman, if the gentleman would continue to yield, I would have to tell the gentleman that the Defense Department has not made the first suggestion to me that they need any money immediately. I would expect if they did not get the money by May, that that certainly would be the case. But I would think if things were that dire, that they would have contacted the chairman of the Committee on Appropriations and let him know.

Mr. MURTHA. Mr. Chairman, I do not mean to mislead the chairman of the Committee on Appropriations. I am not saying if they do not have the money. I am saying that they had no way of knowing what the supplemental was going to agree with. Until last week, all of us thought it would come out of committee with no offsets and then we would decide the issue on the floor.

So the Defense Department was in the unenviable position of not thinking that we were going to have the offsets and they also thought that bills might be put together. They did not face this thing until over the weekend, and I started to nose around and this is when I found out that this is a problem.

Mr. LIVINGSTON. Mr. Chairman, if the gentleman would yield, finally I would tell the gentleman that it is my expectation that by the third or fourth week in May that this bill is going to be on the President's desk, and I would certainly hope that he would sign it if he is as concerned about the problems as the gentleman has described, as I am.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I say to the gentleman from Louisiana (Chairman LIVINGSTON), my friend, I tell him honestly that I have heard him say that before. He said it on the emergency bill that we had for the flood victims in the Midwest. The gentleman has said it before in terms of the budget and the shutdown of government.

The fact of the matter is this President believes he is part of this process and he believes that there are certain things he will not accept. We understand that. And I agree wholeheartedly with the gentleman from Florida (Mr. YOUNG) who said some of these items, yes, they ought to be debated in a larger context, but not on an emergency supplemental.

The gentleman from Louisiana (Chairman LIVINGSTON) himself was for not having offsets, and I agreed with him on that. This is important and ought to pass as quickly as possible. And to facilitate that, we ought to take these extraneous issues, bring them on the floor, put in a day or two of debate. We certainly have not used much time in the last 90 days. We would have time to debate.

Mr. Chairman, I will tell the gentleman from Pennsylvania (Mr. MURTHA), ranking member of the Subcommittee on National Security, I intend to enthusiastically support his motion to recommit because I think it is the right way to go to get this critical bill through in a timely fashion.

Mr. LIVINGSTON. Mr. Chairman, will the gentleman yield?

Mr. MURTHA. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Mr. Chairman, I would point out that this gentleman shares the concern of the gentleman from Maryland (Mr. HOYER) about extraneous issues. That is why we divided the U.N. arrearages, the IMF, and the abortion lobbying restrictions and put them on a different bill.

□ 1530

Mr. SKAGGS. Mr. Chairman, I yield myself the balance of my time.

I have been criticized with regard to the reach of the language that is in the bill, section 3002, by the gentleman from Indiana (Mr. BUYER) as being too broad so as to tie the President's hands. The gentleman from Florida (Mr. YOUNG) seemed to suggest that it was too narrow, that we did not tie them quite enough. I figure I must have it about right if I am getting criticized from both sides on this.

If the President would merely pledge that he would come to Congress for a vote before initiating offensive action against Iraq, should that again become necessary, we would not have to do this.

The problem is the President of the United States has asserted, wrongly, I believe, that he has all the authority he needs now to launch an offensive war against Iraq if circumstances dictate.

I think that is wrong on the facts. It is certainly profoundly wrong on the Constitution.

We can get no better instruction in what our role in this ought to be than to listen to the voice of the one person who had more to do with drafting the Constitution than anyone else: Mr. Madison.

This is what James Madison said, "In no part of the Constitution is more

wisdom to be found than in the clause which confides the question of war or peace to the legislature and not to the executive department. The trust and the temptation would be too great for any one man." Including President Bush; including President Clinton.

The issue here is not whether we should be consulted in a Presidential decision. The question is the extent to which we will consult with the President in what is our decision. We should not defer, the Constitution does not give us the power to pass this responsibility to anyone else, including the President of the United States.

I appreciate my colleagues' participation in this debate on this very important matter. I just wish that we could have a vote so that the gentleman from Louisiana (Mr. LIVINGSTON) would take the views of this House to conference with him to reinforce what I hope is his intention to keep this provision in the bill.

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

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

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding to me. I wanted to thank him for reading from James Madison. That is what I was trying to say, but I would have to admit and concede that James Madison said it far more eloquently than I did.

But we are saying the same thing. Congress and the President have proper relationships that must be better defined for all of us.

Mr. SKAGGS. Mr. Chairman, I thank the gentleman.

Mr. FAZIO of California. Mr. Speaker, I rise in opposition to the rule.

If there was any question about the fairness of determining important items for floor consideration after yesterday's treatment of campaign finance reform, the House is now assured that even matters concerning disasters and spending for crucial military operations will be dealt with in a partisan manner.

First, despite a number of worthy amendments offered by Democrats, the Rules Committee chose only to adopt and consider Republican amendments. There is one exception—the Skaggs amendment—but the Rules Committee takes the tack that a Democratic amendment adopted unanimously by the Appropriations Committee should be debated again so that newly-found opponents can be given a chance to strike it.

Otherwise, the Rules report consists only of Republican amendments. Yet it still doesn't given the House a full debate and vote on those amendments. In fact, three amendments are just considered adopted.

One is a parochial amendment by Mr. HASTINGS—who just happens to be a member of the Rules Committee.

A second amendment is the McIntosh/Neumann "sense of the Congress" amendment about spending offsets for emergency supplemental appropriations bills. However, nowhere in this rule may Members actually offer additional offsets, or can the House make adjustments to the offsets that have been served up, or can the House consider the question of whether offsets should be required at all.

That leads us to the third amendment—the Tiahrt amendment—which changes the offsets approved by the Appropriations Committee just last week.

I disagreed with the offsets that were offered by Chairman LIVINGSTON last week, and I voted against the bill as a result. But I believe that once the Appropriations Committee has made such a decision, it shouldn't be changed by a self-executing rule served up by the Rules Committee.

Why can't Mr. TIAHRT bring his amendment to the floor for debate? Or why didn't he bring it to the Appropriations Committee, of which he is a Member? During our debate last week, Mr. TIAHRT didn't breathe a word about his objections to the Airport Grants In Aid rescission. In fact, Mr. TIAHRT didn't even propose the amendment approved by this rule. The amendment offered to the Rules Committee by Mr. TIAHRT would have replaced the Airports rescission with a rescission from the GSA building repair account.

But the Rules Committee, in their wisdom, straightened Mr. TIAHRT out, and made him realize that what he requested wasn't really what he wanted at all. The Rules Committee decided that Mr. TIAHRT really wanted to take additional rescissions out of Section 8 housing—he just didn't know it.

Finally, I have to protest the ill treatment given to Mr. WALSH and Mr. SOLOMON and New England Members in the manager's amendment. Why weren't these Members included in the self-executing rule? What does the leadership have against these champions of assistance to New England? Why are they singled out for 10 minutes of actual debate and a vote on their meritorious amendment? Only the Republican leadership knows for sure.

Unfortunately, the House will never know what it is missing today. Democrats proposed some good amendments to this bill—amendments and policy questions worthy of consideration by this House.

I proposed an amendment to the Rules Committee myself concerning the way USDA's Non-insured Crop Assistance Program—a disaster program of last resort—was working against farmers in California and other parts of the country who had suffered 80- to 100-percent agricultural losses, but happened to live in counties that had not experienced 35-percent losses county-wide.

I'm particularly disappointed that the Rules Committee did not make it in order because the Chairman of the Appropriations Committee had indicated a willingness to have my amendment considered today. I proposed it at the Appropriations Committee but withdrew it at the chairman's request, pending its scoring by the Congressional Budget Office.

As expected, CBO determined my amendment had a spending impact. However, the Rules Committee never set conditions for proposed amendments to this bill. I believe the House should have had the opportunity to decide whether my amendment was worthwhile and to be given the opportunity to determine offsets if offsets were believed to be warranted.

But I'm not the only Democrat left in the lurch.

Mr. MURTHA proposed an amendment to strike the offsets.

Mr. OBEY proposed an amendment to link the Administration's entire supplemental re-

quest in one bill, just as the Senate has done. Mr. OBEY also proposed an amendment to include the Administration's \$1.8 billion request for the Federal Emergency Management Agency (FEMA). Instead, in a somewhat contradictory fashion, the House will act on an emergency bill that contains no funds for the emergency agency.

Ms. CLAYTON proposed an amendment matching a Senate provision clarifying "debt forgiveness" for USDA loans. This is an important issue that has never been debated by this House. And the effect of ruling Ms. CLAYTON's amendment out of order is that it won't be decided by the House, but will be decided instead by a handful of conferees.

In short, this rule is a sham. It turns upside down the notion that Members with legitimate amendments will get a fair hearing from the Rules Committee or that major policy issues on perhaps the most crucial function performed by the House—appropriations—will be debated and decided on the House floor.

I'd ask my Republican colleagues to join us in opposing this exercise in unfairness, but then I remember that members of the Appropriations Committee have been threatened with removal from the Committee if they don't go along with the leadership's strategy on this important bill. I can only imagine what will be done to those Republican Members not on the Appropriations Committee. They are likely to be drawn and quartered, or perhaps even worse—left out of the next self-executing rule.

I urge my colleagues to oppose the rule.

Mr. ALLEN. Mr. Chairman, I rise today in strong support of the manager's amendment to supplement the community development block grant (CDBG) Program by \$20 million. While I regret that the offset comes from section 8 housing, the Northeast needs CDBG funding to recover from the aftermath of ice storm 1998.

In January, Maine was hit by the worst natural disaster in its history. Heavy ice accumulation—up to five inches of ice—snapped utility poles in two. Two million feet of cable line, 2,600 utility poles, and 1,500 transformers were replaced. Roughly 649,000 customers—half of the population of Maine—were out of electricity in the dead of winter. For some rural areas, it took three weeks for electricity to be restored.

When Vice-President Gore visited Maine after the first of two ice storms in January, he said that it looked as if a neutron bomb had hit Maine—the people were fine, but the utility infrastructure had been destroyed. The cost of repairing the electrical infrastructure in Maine was \$81 million.

The Federal Emergency Management Agency (FEMA) has identified utility costs as a major unmet need. In the President's action plan for recovery, the CDBG Program is cited as one that can supplement other Federal assistance in repairing and reconstructing infrastructure. 24 CFR §570.201(1) provides that CDBG funds may be used to acquire, construct, reconstruct, rehabilitate, or install the distribution lines and facilities of privately-owned utilities.

Supplemental CDBG funding is critical to address needs stemming from the ice storm that devastated Maine and the other Northeastern States. Without the additional CDBG funding, our residents would bear much of the high cost of this natural disaster. That would be unfair. Mainers have paid their fair share

over the years to defray the costs associated with other natural disasters.

I commend Chairman LIVINGSTON's recognition of the need for additional funding for the CDBG Program. FEMA recognizes that there are unmet needs related to the ice storm and that the CDBG Program can address these needs. I urge my colleagues to support this amendment.

Mr. PAUL. Mr. Chairman, I rise in opposition to H.R. 3579, the Emergency Supplemental Appropriations Act, a bill to further fund, at the expense of airports and Section 8 Housing Assistance, the unconstitutional effort to "police the world." Having submitted amendments to the Rules Committee to defund the "police the world" aspects of this bill only to be denied in the Rules process, I must oppose final passage of this supplemental Appropriations bill.

One of the truly positive aspects of H.R. 3579 is Sec. 3002 stating that "none of the funds appropriated or otherwise made available by this Act may be made available for the conduct of offensive operations by United States Armed Forces against Iraq for the purpose of obtaining compliance by Iraq with United Nations Security Council Resolutions relating to inspection and destruction of weapons of mass destruction in Iraq unless such operations are specifically authorized by a law enacted after the date of the enactment of this Act." This language is virtually identical to H.R. 3208, a bill I introduced in February of this year to require Congressional consent prior to any offensive attack by the United States on the Republic of Iraq.

Unfortunately, Congress has refused to acknowledge anytime recently that the proper and constitutional role of the U.S. military is to provide for the national defense and not the security of all foreign entities against attacks by all other foreign entities. It was for this reason that I submitted amendments to defund the military appropriations in H.R. 3579. The proper amount of appropriations for unjustifiable United States peacekeeping missions around the world is zero. Instead, this bill rescinds funding from domestic programs such as airport funding to be spent on our "police-the-world" program.

It has become the accepted political notion in this century that war is a Presidential matter in which Congress may not meddle, and certainly never offer dissenting views. Yet, no place in the Constitution do we find a presidential fiat power to conduct war. To the contrary, we find strict prohibitions placed on the President when it comes to dealing with foreign nations. The Constitution is clear: No war may be fought without a specific declaration by the Congress.

I, in fact, introduced H.R. 3208, in an effort to protect US troops from unnecessary exposure to harm and to stop President Clinton from initiating the use of force in the Persian Gulf. As a former Air Force flight surgeon, I am committed to supporting troops and believe the only way to completely support soldiers is to not put them in harms way except to defend our nation. Of course, those drumming for war say they want everyone to support the troops by sending them into battle: a contradiction, at best.

There is absolutely no moral or constitutional reason to go to war with Iraq or further intervene in Bosnia at this time. To go to war to enforce the dictates of the United Nations, or to play the part of 'policemen of the world,'

offends the sensibilities of all who seek to follow the Constitution. I refuse to participate in (or fund) an action which would possibly expose even one soldier to risk when there is absolutely no immediate threat to the territory of the United States.

For these reasons I must oppose this bill which provides additional funding for exactly these purposes.

Mr. EVERETT. Mr. Chairman, I rise in strong support of this emergency supplemental appropriations bill. The Nation has two compelling needs that warrant immediate attention by this Congress. First, the Clinton Administration's foreign policy has launched our military to the four corners of the world without the appropriate funding to conduct these missions. Whether or not you support the Administration's policy in Bosnia or Southwest Asia, we must give the men and women in uniform our full support. The defense budget has been in great decline for 13 consecutive years, and cannot sustain the continual drain of these types of forward deployed operations without sufficient funding. In the past, the costs associated with these operations were taken "out of hide" by raiding the readiness accounts. Unless we provide DOD with an additional \$2 billion for these operations, our military leaders have testified that all training will be halted during the fourth quarter to pay for the Administration's foreign policy forays. That is unacceptable, so we must move expeditiously with this appropriations bill.

Secondly, and most important to many of my constituents in southeast Alabama, is the \$175 million in disaster assistance funding included in this legislation. Just three weeks ago, a large portion of my district, encompassing 12 of the 15 counties, have been declared a disaster area due to extreme flooding from the El Nino rains. One city in particular, Elba, was especially hard hit when a levee breached, resulting in two tragic deaths. The entire town was submerged in six feet of water, and displaced 2,000 residents.

The State is still in the preliminary stages of making final damage assessments, but it's clear that, in addition to the loss of personal property, serious road, bridge and railroad damage has resulted from this flooding. I'm pleased that the committee has made additional funding available for the emergency relief program to repair damaged highways and rail lines. The Administration has sent up an additional request for 1.66 billion for future and unmet FEMA requirements, which I understand will be dealt with during the House-Senate conference. This FEMA funding will go along way in helping with their much-needed individual and family grant programs, relocation assistance and disaster mitigation plans.

Prior to the flood, area farmers were also experiencing problems with the heavy rains that prevented necessary field preparations for this crop year. To add insult to injury, these heavy rains follow on last summer's drought that greatly reduced our farmer's crop yields. The bill provides additional funding for USDA's Emergency Conservation Program, Agricultural Credit Insurance Fund Program, Livestock Disaster Assistance, and Watershed and Flood Prevention Operations. Our farmers do a great job in providing the United States with the cheapest and most plentiful food supply in the world. The least we should do as a Nation is make these assistance programs more readily available to our farmers to help mitigate damages from natural disasters.

Mr. Chairman, I applaud the Committee's work on this bill and urge its immediate adoption.

Mr. DAN SCHAEFER of Colorado. Mr. Chairman, I rise to speak about a subject that is very much on people's minds these days. That is, the upcoming sale of oil from the Strategic Petroleum Reserve for budgetary purposes. This past week there have been articles and editorials in newspapers across the country from places as different as Chicago, New Orleans, Syracuse, and Dallas noting the foolishness of the sale this Congress authorized last fall.

For the past three years, Chairman BLILEY and I have stood on this House floor and opposed sales of oil from the Reserve as a means of raising revenues. I opposed these sales first and foremost because of their impact on our energy security. Diminishing the Reserve which we paid such a dear price to create, over \$21 million, will increase our vulnerability to those who would hold this nation hostage by withholding critical oil supplies.

Second, it has never made any fiscal sense to buy high and sell low. We have spent over \$35 in purchasing and maintaining every barrel of oil in the Reserve. When the upcoming oil sale was approved last year I criticized it because it looked like the government was going to lose \$10 per barrel sold. Now that oil prices have dropped that oil will be sold at a loss of nearly \$20 a barrel and people are starting to wake up to the folly of their actions. As Charles Osgood is his Osgood File noted last week "This is what you call being penny-wise and pound foolish. Its what you call being short-sighted. It's what you call being dumb."

Finally, I would like to point out that an oil sale of nearly 20 million barrels will be devastating to a domestic oil industry that is already almost decimated by low oil prices. Instead of hurting our industry by adding to an already glutted market, we should be taking advantage of today's low prices to help ourselves by purchasing oil.

Mr. Chairman, I don't have an amendment to offer today, but I know that language striking the sale is in the companion bill considered by the other body. I would urge the House to accept such language when we go to conference on these bills.

I also hope that we learn from the consequences of our actions and hope that this year we finally end the practice of selling our energy security at bargain basement prices so that we never find ourselves in this situation again. As was stated in the Chicago Tribune editorial this past Sunday, "Selling the oil into a flooded market at what amounts to a half-off price is just plain nutty."

Ms. JACKSON-LEE of Texas. Mr. Chairman, I am rising today to speak in opposition to this poorly crafted emergency supplemental appropriations bill being presented before us today. The fact of the matter is that this bill as it stands, would callously harm the most vulnerable members of our society, and do so, for what? Why must this Congress make a mutually exclusive choice between on one side, our troops overseas who need our support and those who are suffering as a result of natural disasters, and on the other side, several essential programs that were funded in last year's balanced budget agreement.

This bill, as proposed, would cut nearly 2 billion dollars from section 8 funding for elderly and low-income housing, 75 million dollars

from bilingual education programs and effectively terminate the AmeriCorps program. Frankly, this is an unacceptable assault on several currently funded Federal programs both without any demonstrated cause or fair warning.

Although I think everyone knows how I feel about this, I will state on the record anyway that I fully support and appreciate the difficult duty that our Armed Forces have been asked to perform overseas. I do not take that duty for granted, and cherish their bravery in the face of danger above all else.

Nevertheless, we can not harm a delicate balance of important domestic interests just because we are either in a rush to fund our troops' activities abroad or because we have ancillary political and partisan interests at stake in the cuts made by this bill. Honestly, either reason is an unacceptable motive for robbing hundreds of thousands of Americans of the opportunity to have adequate shelter over their heads.

I have made a good faith effort to relieve the unnecessary pressures of this difficult "either-or" choice by offering two wide-sweeping amendments to this supplemental appropriations bill. These two amendments would do the following, one would restore the 1.9 billion dollars for elderly and low-income section 8 housing stricken by the bill, and the second amendment would reauthorize the AmeriCorps program. Both of these amendments would at least minimize the unjustifiable harshness of this hurried piece of legislation.

If we are going to make drastic changes in the current appropriations for a host of Federal programs, let's do it aboveboard. Let's address each of these programs specifically, and not destroy these programs under the guise of essential military and disaster relief spending. For these reasons, I oppose this emergency supplemental appropriations bill unless significant changes are made.

Mr. COSTELLO. Mr. Chairman, I rise today in opposition to H.R. 3579. This House has a responsibility to help those affected by the terrible El Nino-driven rains and mudslides in the West, ice storms in the Northeast, tornadoes, floods and other natural disasters. We have a very real responsibility to our troops in Bosnia and the Persian Gulf. However, we cannot abandon our responsibility to protect the most vulnerable members of our society. I am appalled that Republican leaders plan to offset disaster and emergency assistance with cuts in programs that will hurt the elderly, children and low-income Americans.

I am disappointed I am being forced to vote against funding for disaster assistance. However, we cannot kowtow to another Republican maneuver to rob from the poor to protect the interests of the rich. The spending cuts that Republicans have demanded are targeted on the most vulnerable in our society. These cuts will force more than 800,000 low-income Americans from their homes, including more than 100,000 older Americans. I cannot support such drastic cuts to our Section 8 low-income housing program. I will not be a party to evicting almost a million Americans from their homes.

These offsets—which drastically cut or eliminate important safety-net programs—are being offered up by the same Republican leaders who want more tax cuts for the rich. We should be closing corporate loopholes rather than closing off opportunities and programs

that provide a lifeline for the poor and vulnerable in our society. If we would end just some corporate subsidies we could ensure that our military troops overseas and those impacted by natural disasters here at home will receive the assistance they need. They deserve no less.

I urge my colleagues to reject this bill. We should send this bill back to the Committee to find offsets that do not compromise the health, safety and well-being of the most vulnerable in our society.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise in support of H.R. 3579, the FY 1998 Emergency Supplemental Appropriations Act.

First, this bill meets our obligations to our young men and women who are serving our country in our Armed Forces halfway around the world—in Bosnia and the Persian Gulf.

It should be noted that this Administration, knowing full well that our troops would remain in Bosnia long after their promised departure date, failed to request funding for that mission for the full fiscal year. That, Mr. Speaker, is unacceptable and with this bill we in Congress will provide the necessary leadership to meet those commitments.

Second, with this bill we are responding to the needs of families and communities here in the United States that have been devastated by flooding, tornadoes and other natural disasters.

With this bill, we are also keeping our commitment to pay for this added spending and we are meeting our obligations under the Balanced Budget Agreement.

I urge passage of the bill.

Ms. DELAURO. I rise in strong opposition to this bill. Once again, emergency funds are being held hostage by an extreme Washington political agenda.

The President and Congressional Democrats proposed passing one single bill with funds for families hit hard by natural disasters, for our troops stationed in Bosnia, and for the businesses weathering the Asian financial crisis.

Instead, my Republican colleagues have chosen to play political games. They have coupled money for rebuilding communities hit by El Nino, keeping Saddam Hussein in check, and preventing the former Yugoslavia from flaring out of control with almost \$3 billion in unnecessary cuts in housing, education, and community services. Why? To force the President to veto this bill with its urgently needed funds.

By playing politics, my colleagues in the majority are holding America's national security—at home and abroad—hostage. This is no time to play politics. People are suffering. American families' futures are in jeopardy.

I urge my colleagues to vote against politics as usual. Vote against this bill.

Mr. UNDERWOOD. Mr. Speaker, I rise today to discuss the federal response to natural disasters, particularly as it relates to the recent devastating storm which hit Guam. Last December, Supertyphoon Paka, with winds gusts of about 200 miles per hour, damaged about 70 percent of the homes, toppled concrete telephone poles, damaged much of the island's infrastructure, and caused thousands of people to be homeless.

The Federal Emergency Management Agency, the Small Business Administration, and other federal agencies responded to the immediate needs of the people of Guam, with

emergency food and shelter, individual and family assistance, the clean-up of debris, and temporary unemployment assistance. While we appreciate the immediate federal response, the devastation is such that the ability to address the long-term recovery needs is beyond the capability of the Government of Guam.

On behalf of my constituents, I want to express my deep disappointment that Guam's needs as a civilian community were not addressed in the President's submission in this disaster bill. To be sure, there is proposed funding for the repair of military facilities in this submission and I certainly support this. However, the needs of the people of Guam for housing and repair of economically vital facilities like the Port have not been included.

Guam estimates that 5,774 houses were damaged by Typhoon Paka, of which 1,716 received major damages and 1,284 were totally destroyed. The individuals whose homes were damaged or destroyed applied for SBA loans. Many of those loans were approved; however, many families fell through the cracks. Families who were denied SBA loans returned to substandard houses or to rebuilt wooded or tin structures. The Government of Guam estimates that 759 families, fifteen percent of the total households that were damaged, are now living in substandard housing. Many of those who continue to be homeless are now residing with relatives until they are able to rebuild their homes through whatever means possible.

I am hopeful that Guam's request for disaster housing assistance can be addressed by the conferees or dealt with by the Department of Housing and Urban Development in its regular appropriations process.

I have also written to the members of the Appropriations Committee requesting supplemental funds for improvements to Guam's port facility. Our commercial port, which is the lifeline for all of the residents of Guam, was damaged by the storm and needs to be restored to its economic vitality. The emergency supplemental bill includes funds for the Corps of Engineers to help with disaster-assistance projects across the country. I am pleased that the Chairman of the Energy and Water Appropriations Subcommittee agrees with me that the Corps of Engineers should consider Guam's request in conjunction with other projects eligible for emergency disaster assistance. I will urge the House and Senate conferees to acknowledge this need and to urge the Corps of Engineers to prioritize the port reconstruction projects for Guam. These port projects will have a positive effect on Guam's long-term recovery and its ability to withstand future devastating storms such as Typhoon Paka.

Mr. Chairman, the people of Guam have a history of weathering countless tropical storms because we are geographically in a typhoon alley. We learn from each experience and we have taken positive steps after each storm to harden our homes and structures and to prepare for hard times. Currently, FEMA and the Government of Guam are working on a task force to recommend a number of hazard mitigation activities which will help us in future devastating storms. To have survived Supertyphoon Paka with no loss of life is a testament to the resilience and vitality of the people of Guam.

As Congress and the Administration addresses the needs of the various communities

which have suffered from natural disasters, I hope that Guam's request for disaster assistance will be taken into account. Disasters are disasters wherever they occur, and the American citizens in the States and the territories—from the Caribbean to the Pacific areas—look to the federal government for leadership and cooperation during difficult times. I trust that the Congress will augment this emergency supplemental bill with some much-needed funds for Guam's recovery from Supertyphoon Paka.

The CHAIRMAN. The 30 minutes for debate under the rule has expired. The gentleman from Louisiana (Mr. LIVINGSTON) has 7 minutes remaining in general debate, and the gentleman from Wisconsin (Mr. OBEY) has 1 minute remaining.

Mr. OBEY. Mr. Chairman, I yield back the balance of my time.

Mr. LIVINGSTON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill is considered read for amendment under the 5-minute rule.

The amendments printed in part I of House Report 105-473 are adopted.

The text of H.R. 3579, as amended by the amendments printed in Part I of House Report 105-473, is as follows:

H.R. 3579

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1998, and for other purposes, namely:

TITLE I

EMERGENCY SUPPLEMENTAL
APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

EMERGENCY CONSERVATION PROGRAM

For an additional amount for "Emergency Conservation Program" for expenses resulting from ice storms, flooding, and other natural disasters, \$20,000,000, to remain available until expended, which shall be available only to the extent that an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

TREE ASSISTANCE PROGRAM

An amount of \$4,700,000 is provided for assistance to replace or rehabilitate trees and vineyards damaged by natural disasters: *Provided*, That the entire amount shall be available only to the extent that an official budget request of \$4,700,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

AGRICULTURAL CREDIT INSURANCE FUND
PROGRAM ACCOUNT

For additional gross obligations for the principal amount of emergency insured loans

authorized by 7 U.S.C. 1928-1929, to be available from funds in the Agricultural Credit Insurance Fund, for losses in fiscal year 1998 resulting from ice storms, flooding and other natural disasters, \$87,000,000.

For the additional cost of emergency insured loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, \$21,000,000, to remain available until expended: *Provided*, That the entire amount shall be available only to the extent that an official budget request for \$21,000,000 that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

COMMODITY CREDIT CORPORATION FUND

LIVESTOCK DISASTER ASSISTANCE FUND

Effective only for losses incurred beginning on November 27, 1997, through the date of enactment of this Act, \$4,000,000, to implement a livestock indemnity program to compensate producers for losses of livestock (including ratites) due to natural disasters designated pursuant to a Presidential or Secretarial declaration requested during such period in a manner similar to catastrophic loss coverage available for other commodities under 7 U.S.C. 1508(b): *Provided*, That the entire amount shall be available only to the extent that an official budget request of \$4,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DAIRY PRODUCTION INDEMNITY ASSISTANCE PROGRAM

Effective only for losses incurred beginning on November 27, 1997, through the date of enactment of this Act, \$6,800,000 to implement a dairy production indemnity program to compensate producers for losses of milk that had been produced but not marketed or for diminished production (including diminished future production due to mastitis) due to natural disasters designated pursuant to a Presidential or Secretarial declaration requested during such period: *Provided*, That payments for diminished production shall be determined on a per head basis derived from a comparison to a like production period from the previous year, the disaster period is 180 days starting with the date of the disaster and the payment rate shall be \$4.00 per hundredweight of milk: *Provided further*, That the entire amount shall be available only to the extent that an official budget request of \$6,800,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATURAL RESOURCES CONSERVATION SERVICE WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for "Watershed and Flood Prevention Operations" to repair

damages to the waterways and watersheds resulting from ice storms, flooding, tornadoes and other natural disasters, \$65,000,000, to remain available until expended: *Provided*, That the entire amount shall be available only to the extent that an official budget request for \$65,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

CHAPTER 2

DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$184,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$22,300,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", \$5,100,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", \$10,900,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", \$4,100,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$2,586,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That of this amount, \$700,000 shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", \$53,800,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced

Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That of this amount, \$5,700,000 shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$26,810,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$49,200,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That of this amount, \$21,800,000 shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", \$1,390,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", \$650,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", \$229,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$5,925,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That of this amount, \$5,750,000 shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget

and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$975,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress.

OVERSEAS CONTINGENCY OPERATIONS
TRANSFER FUND
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Overseas Contingency Operations Transfer Fund", \$1,829,900,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the Secretary of Defense may transfer these funds to fiscal year 1998 appropriations for operation and maintenance, working capital funds, the Defense Health Program, procurement, and research, development, test and evaluation: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any other transfer authority contained in Public Law 105-56.

REVOLVING AND MANAGEMENT FUNDS
NAVY WORKING CAPITAL FUND

For an additional amount for "Navy Working Capital Fund", \$30,467,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That of this amount, \$7,450,000 shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress.

DEFENSE-WIDE WORKING CAPITAL FUND

For an additional amount for "Defense-Wide Working Capital Fund", \$1,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", \$1,900,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS

SEC. 201. No part of any appropriation contained in this chapter shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 202. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

SEC. 203. In addition to the amounts appropriated to the Department of Defense under Public Law 105-56, there is hereby appropriated \$37,000,000 for the "Reserve Mobilization Income Insurance Fund", to remain available until expended: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 204. (a) QUALITY ASSURANCE REPORT ON MILITARY HEALTH CARE.—The Secretary of Defense shall appoint an independent panel of experts to evaluate recent measures taken by the Acting Assistant Secretary of Defense for Health Affairs and the Surgeons General of the Army, Navy and Air Force to improve the quality of care provided by the Military Health Services System.

(b) MEMBERSHIP.—(1) The panel shall be composed of nine members appointed by the Secretary of Defense. At least five of those members shall be persons who are highly qualified in the medical arts, have experience in setting health care standards, and possess a demonstrated understanding of the military health care system and its unique mission requirements. The remaining members shall be persons who are current beneficiaries of the Military Health Services System.

(2) The Secretary shall designate one member to serve as chairperson of the panel.

(3) The Secretary shall appoint the members of this panel not later than 45 days after enactment of this Act.

(c) FUNCTIONS OF THE PANEL.—The panel shall review the Department of Defense Access and Quality Improvement Initiative announced in early 1998 (together with other related quality improvement actions) to assess whether all reasonable measures have been taken to ensure that the Military Health Services System delivers health care services in accordance with consistently high professional standards. The panel shall specifically assess actions of the Department to accomplish the following objectives of that initiative and related management actions:

(1) Upgrade professional education and training requirements for military physicians and other health care providers;

(2) Establish "Centers of Excellence" for complicated surgical procedures;

(3) Make timely and complete reports to the National Practitioner Data Bank and eliminate associated reporting backlogs;

(4) Assure that Military Health Services System providers are properly licensed and have appropriate credentials;

(5) Reestablish the Quality Management Report to aid in early identification of compliance problems;

(6) Improve communications with beneficiaries to provide comprehensive and objective information on the quality of care being provided;

(7) Strengthen the National Quality Management Program;

(8) Ensure that all laboratory work meets professional standards; and

(9) Ensure the accuracy of patient data and information.

(d) REPORT.—Not later than six months after the date on which the panel is established, the panel shall submit to the Secretary a report setting forth its findings and conclusions, and the reasons therefor, and such recommendations it deems appropriate. The Secretary shall forward the report of the panel to Congress not later than 15 days after the date on which the Secretary receives it, together with the Secretary's comments on the report.

(e) PANEL ADMINISTRATION.—(1) The members of the panel shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized by law for employees of agencies while away from their homes or regular places of business in the performance of services for the panel.

(2) Upon request of the chairperson 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.

(f) PANEL FINANCING.—Of the funds appropriated in Public Law 105-56 for "Research, Development, Test and Evaluation, Navy", \$5,000,000 shall be transferred to "Defense Health Program", to be available through fiscal year 1999, only for administrative costs of this panel and for the express purpose of initiating or accelerating any activity identified by the panel that will improve the quality of health care provided by the Military Health Services System.

CHAPTER 3

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

OPERATION AND MAINTENANCE, GENERAL

For emergency repairs due to flooding and other natural disasters, \$84,457,000, to remain available until expended, of which such amounts for eligible navigation projects which may be derived from the Harbor Maintenance Trust Fund pursuant to Public Law 99-662, shall be derived from that Fund: *Provided*, That the entire amount shall be available only to the extent an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for "Water and Related Resources" to repair damage caused by floods and other natural disasters, \$4,520,000, to remain available until expended, which shall be available only to the extent that an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS

SEC. 301. The Secretary of the Army shall not authorize, permit, or undertake any activity to stabilize, cover, or permanently alter the site where the Kennewick Man remains were discovered prior to the final disposition of the lawsuit entitled *Bonnichsen, et al. v. United States, et al.* and designated as United States District Court, District of Oregon CV No. 96-1481, unless such district court makes a determination that such activity is reasonable and necessary in light of potential adverse impacts on scientific investigation of the site or other relevant considerations. For the purposes of this paragraph, the term "site" means any land, beach, or river bank within 100 yards of the location where any portion of the Kennewick Man remains were discovered.

CHAPTER 4

DEPARTMENT OF THE INTERIOR
UNITED STATES FISH AND WILDLIFE
SERVICE

CONSTRUCTION

For an additional amount for "Construction", \$28,938,000, to remain available until expended, to repair damage caused by floods and other acts of nature: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That of such amount, \$25,000,000 shall be available only to the extent that an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement as defined in such Act is transmitted by the President to Congress.

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for "Construction", to repair damage caused by floods and other acts of nature, \$8,500,000, to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That such amount shall be available only to the extent that an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement as defined in such Act is transmitted by the President to Congress.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for "Surveys, Investigations, and Research" for emergency expenses resulting from floods and other acts of nature, \$1,000,000, to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That such amount shall be available only to the extent that an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement as defined in such Act is transmitted by the President to Congress.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

STATE AND PRIVATE FORESTRY

For an additional amount for "State and Private Forestry" for emergency expenses resulting from damages from ice storms, tornadoes and other natural disasters, \$48,000,000, to remain available until expended: *Provided*, That the entire amount is

designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That of such amount, \$28,000,000 shall be available only to the extent that an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement as defined in such Act is transmitted by the President to Congress.

NATIONAL FOREST SYSTEM

For an additional amount for "National Forest System" for emergency expenses resulting from damages from ice storms, tornadoes and other natural disasters, \$10,461,000, to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That of such amount, \$5,461,000 shall be available only to the extent that an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement as defined in such Act is transmitted by the President to Congress.

CHAPTER 5

DEPARTMENT OF DEFENSE—MILITARY
CONSTRUCTIONBASE REALIGNMENT AND CLOSURE ACCOUNT,
PART III

For an additional amount for "Base Realignment and Closure Account, Part III" to cover costs arising from El Nino related damage, \$1,020,000, to be available only to the extent that an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FAMILY HOUSING, NAVY AND MARINE CORPS

For an additional amount for "Family Housing, Navy and Marine Corps" to cover costs arising from Typhoon Paka related damage, \$15,600,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

For an additional amount for "Family Housing, Navy and Marine Corps" to cover costs arising from El Nino related damage, \$1,000,000, to be available only to the extent that an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FAMILY HOUSING, AIR FORCE

For an additional amount for "Family Housing, Air Force" to cover costs arising from Typhoon Paka related damage, \$1,500,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

For an additional amount for "Family Housing, Air Force" to cover costs arising from El Nino related damage, \$900,000, to be available only to the extent that an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER 6

DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

(HIGHWAY TRUST FUND)

For an additional amount for the Emergency Relief Program for emergency expenses resulting from floods and other natural disasters, as authorized by 23 U.S.C. 125, \$259,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That of such amount, \$35,000,000 shall be available only to the extent that an official budget request for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement as defined in such Act is transmitted by the President to the Congress: *Provided further*, That any obligations for the Emergency Relief Program shall not be subject to the prohibition against obligations in section 2(e)(3)(A) and (D) of the Surface Transportation Extension Act of 1997: *Provided further*, That 23 U.S.C. 125(b)(1) shall not apply to projects resulting from flooding during the fall of 1997 through the winter of 1998 in California.

FEDERAL RAILROAD ADMINISTRATION

EMERGENCY RAILROAD REHABILITATION AND
REPAIR

For necessary expenses to repair and rebuild freight rail lines of regional and short line railroads or a State entity damaged by floods, \$9,000,000, to be awarded to the States subject to the discretion of the Secretary on a case-by-case basis: *Provided*, That not more than \$2,650,000 shall be solely for damage incurred in the Northern Plains States in March and April 1997: *Provided further*, That not more than \$6,350,000 shall be solely for damage incurred as a result of El Nino in the fall of 1997 through the winter of 1998: *Provided further*, That funds provided under this head shall be available for rehabilitation of railroad rights-of-way, bridges, and other facilities which are part of the general railroad system of transportation, and primarily used by railroads to move freight traffic: *Provided further*, That railroad rights-of-way, bridges, and other facilities owned by class I railroads are not eligible for funding under this head, unless the rights-of-way, bridges, or other facilities are under contract lease to a class II or class III railroad under which the lessee is responsible for all maintenance costs of the line: *Provided further*, That railroad rights-of-way, bridges, and other facilities owned by passenger railroads or by tourist, scenic, or historic railroads are not eligible for funding under this head: *Provided further*, That these funds shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control

Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That all funds made available under this head are to remain available until September 30, 1998.

TITLE II
RESCISSIONS
DEPARTMENT OF EDUCATION
BILINGUAL AND IMMIGRANT EDUCATION
(RESCISSION)

Of the amounts made available under this heading in Public Law 105-78, \$75,000,000 are rescinded: *Provided*, That, to the extent necessary to carry out such rescission, the Secretary of Education shall deobligate funds that have been obligated but have not been expended.

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
GRANTS-IN-AID FOR AIRPORTS
(AIRPORT AND AIRWAY TRUST FUND)
(RESCISSION OF CONTRACT AUTHORIZATION)

Of the available contract authority balances under this heading, \$610,000,000 are rescinded.

GRANTS-IN-AID FOR AIRPORTS
(LIMITATION ON OBLIGATIONS)

Notwithstanding the provisions of Public Law 105-66, none of the funds in this or any other Act shall be available for the planning or execution of programs the obligations for which are in excess of \$1,425,000,000 in fiscal year 1998 for grants-in-aid for airport planning and development, and noise compatibility planning and programs, notwithstanding section 47117(h) of title 49, United States Code.

DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT
PUBLIC AND INDIAN HOUSING
SECTION 8 RESERVE PRESERVATION ACCOUNT
(RESCISSION)

Of the amounts recaptured under this heading during fiscal year 1998 and prior years, \$2,173,600,000 are rescinded: *Provided*, That the Secretary of Housing and Urban Development shall recapture \$2,173,600,000 in amounts heretofore maintained as section 8 reserves made available to housing agencies for tenant-based assistance under the section 8 existing housing certificate and housing voucher programs.

INDEPENDENT AGENCY
CORPORATION FOR NATIONAL AND COMMUNITY
SERVICE
NATIONAL AND COMMUNITY SERVICE
PROGRAMS OPERATING EXPENSES
(RESCISSION)

Of the amounts made available under this heading in Public Law 105-65, \$250,000,000 are rescinded.

TITLE III
GENERAL PROVISIONS—THIS ACT

SEC. 3001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

PROHIBITION ON USE OF FUNDS FOR MILITARY
OPERATIONS AGAINST IRAQ

SEC. 3002. None of the funds appropriated or otherwise made available by this Act may be made available for the conduct of offensive operations by United States Armed Forces against Iraq for the purpose of obtaining compliance by Iraq with United Na-

tions Security Council Resolutions relating to inspection and destruction of weapons of mass destruction in Iraq unless such operations are specifically authorized by a law enacted after the date of the enactment of this Act.

SENSE OF THE HOUSE ON SPENDING OFFSETS
FOR EMERGENCY SUPPLEMENTAL APPROPRIATIONS

SEC. . (a) FINDINGS.—The House of Representatives finds that—

(1) the House has worked diligently to balance the Federal budget for the first time in 30 years;

(2) the House is committed to fiscal responsibility and continued balanced budgets and will not allow Washington to return to the days of deficit spending;

(3) the House is committed to ensuring that the current level of Federal discretionary spending does not increase as a result of any emergency supplemental appropriations; and

(4) reducing spending to offset emergency supplemental appropriations will send a clear message to the American people that the Congress is serious about preventing uncontrolled Federal spending.

(b) SENSE OF THE HOUSE.—It is the sense of the House of Representatives that any emergency supplemental appropriations considered in the 105th Congress shall not result in an increased level of total Federal discretionary spending.

In title II (relating to rescissions), in the item relating to "Department of Transportation—Federal Aviation Administration—Grants-In-Aid for Airports (Airport and Highway Trust Fund)(Rescission of Contract Authority)", after the dollar amount insert the following: "(reduced by \$243,600,000)".

In title II (relating to rescissions), in the item relating to "Department of Transportation—Federal Aviation Administration—Grants-In-Aid for Airports (Limitation on Obligations)", after the dollar amount insert the following: "(increased by \$243,600,000)".

This Act may be cited as the "1998 Emergency Supplemental Appropriations Act".

The CHAIRMAN. No other amendment to the bill is in order except the further amendment printed in part II of the report. That amendment may be offered only by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment and shall not be subject to a demand for division of the question.

AMENDMENT OFFERED BY MR. LIVINGSTON

Mr. LIVINGSTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Part II amendment printed in House Report 105-473 offered by Mr. LIVINGSTON:

CHAPTER 7

DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT
COMMUNITY DEVELOPMENT BLOCK GRANTS FUND

For an additional amount for "Community development block grants fund", as authorized under title I of the Housing and Community Development Act of 1974, \$20,000,000, which shall remain available until September 30, 2001, for use in states affected by the January, 1998 Northeast ice storm for which

a Presidential disaster declaration under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act has been issued, to assist in the long-term recovery and mitigation from the effects of that ice storm; *Provided*, That such funds may be used for eligible activities, except those activities reimbursable or for which funds are made available by the Federal Emergency Management Agency or the Small Business Administration: *Provided further*, That in administering these amounts, the secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds, except for statutory requirements related to civil rights, fair housing and non-discrimination, the environment, and labor standards, upon a finding that such waiver is required to facilitate the use of such fund: *Provided further*, That the entire amount shall be available only to the extent that an official budget request of \$20,000,000, that includes designation of the entire amount of the budget request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

On page 29, line 9 increase the pending figure by \$20,000,000 and on line 11 increase the pending figure by \$20,000,000.

The CHAIRMAN. Pursuant to House Resolution 402, the gentleman from Louisiana (Mr. LIVINGSTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. LIVINGSTON).

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Chairman, I yield myself such time as I may consume.

The amendment before the committee would provide \$20 million for HUD's Community Development Block Grant Program to assist in the recovery from the recent Northeastern U.S. ice storm. This storm caused damage to property and utilities in this area of the country in an unprecedented manner.

Providing funding in this account is similar to what has been done in recent past disasters. The funding in this amendment would be offset by an increase to the Section 8 housing excess reserve rescission. This amendment will bring important additional relief to this area caused by the huge ice storm that devastated the Northeastern U.S. and Canada. I urge its adoption.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Does the gentleman from Wisconsin (Mr. OBEY) claim the time in opposition to the amendment?

Mr. OBEY. Mr. Chairman, yes, I do.

The CHAIRMAN. The gentleman from Wisconsin (Mr. OBEY) is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, I yield 1 minute to the gentleman from Maine (Mr. BALDACC).

Mr. BALDACCI. Mr. Chairman, I thank the gentleman for yielding me the time. I wanted to thank the gentleman from Wisconsin (Mr. OBEY) for his work in addressing the issue and regret that we could not work on this given the time constraints.

I want to thank the chairman of the Committee on Appropriations, the gentleman from Louisiana (Mr. LIVINGSTON) for remembering the Northeast in the manager's amendment.

This amendment addresses the particular dilemma created in the ice storm of January and the destruction of the infrastructure in the Northeast. The ice storm of 1998 was perhaps the most far-reaching disaster that has ever hit Maine. Every county in my State was declared a Federal disaster area.

Across the region, families lived without heat or electricity, many for upwards of 2 weeks. Roads became impassible due to ice and to fallen trees. Our forest suffered devastating damage. Farmers suffered significant loss of livestock, milk, buildings and equipment. Federal agencies responded promptly to the crisis created by the unprecedented storm. They tried to get there as quickly as possible in marshaling forces to assist farms, food pantries and more. However, the resources they had on hand were insufficient. This manager's amendment goes a long way toward providing those resources, and it will help to rebuild the infrastructure through the community development block grant.

I rise today in support of the disaster relief funding provided in this legislation. I know that in this beautiful 80-plus degree weather we are enjoyed now in Washington, it may be easy to forget the recent natural disasters that have ravaged Maine and other parts of the country.

The Ice Storm of '98 was perhaps the most far-reaching disaster that has ever hit Maine. Every county in my state was declared a federal disaster area. Across the region, families lived without heat or electricity, many for upwards of two weeks. Roads became impassible, both due to ice and to fallen trees. Our forest suffered devastating damage. Farmers suffered significant losses of livestock, milk, buildings and equipment.

Federal agencies responded promptly to the crisis created by the unprecedented storm. Staff from FEMA, the Farm Service Agency and the Natural Resources Conservation Service quickly helped, marshaling forces to assist farms, food pantries and more.

However, the resources they had on hand were insufficient. This bill goes a long way toward providing those resources. It will help the farmers who in many cases were least able to afford the cost of recovery. It will help us to recover our forests. We are still in a recovery stage, and the funding provided in this bill will greatly assist us in that long and arduous process.

I want to especially thank the Chairman of the Appropriations Committee, Mr. Livingston, for remembering the Northeast in his manager's amendment. This amendment addresses the particular dilemma created in the Ice Storm of January, the destruction of the infrastructure of the Northeast.

I am concerned with the rescissions called for in the bill, particularly for the deep cuts in the Section 8 housing program and the AmeriCorps program. The funding provided for in this bill, as defined by the Budget Act, falls under the definition of a true emergency, and I therefore believe that offsets are not necessary. I appreciate the efforts of the Ranking Member, Mr. OBEY, in addressing this issue, and regret that he has not been allowed to offer an amendment to rectify this situation.

Again, I want to extend my appreciation to the Appropriations Committee for their efforts to provide needed disaster assistance in this Emergency Supplemental bill. The people of Maine suffered greatly at the hand of Mother Nature this winter. They look to us to help them in their recovery, much as we have helped in the recovery for other areas of the country in other natural disasters. I urge my colleagues to support both the manager's amendment and the bill.

Mr. LIVINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. SOLOMON), very distinguished chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Chairman, I spoke at length earlier in the introductory remarks on this bill. Like the gentleman from Maine (Mr. BALDACCI), I want to thank the chairman and certainly the ranking member. The devastating damage in the Northeast is almost indescribable. It is still there.

Secretary Andrew Cuomo, Secretary of Housing and Urban Development, has pledged his support. He would be in support of this amendment. We again thank both sides for their consideration. We really need it and we just appreciate it so much.

Mr. OBEY. Mr. Chairman, I yield 1 minute to gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I thank the gentleman for yielding me the time. I also want to thank the gentleman from Louisiana (Mr. LIVINGSTON) for recognizing the need for additional funding for the CDBG program. I rise today in support of the manager's amendment to supplement that block grant program by \$20 million.

I do regret that the offset comes from Section 8 housing, and I hope that at some point that can be changed, but the Northeast has a real need for CDBG funding in the aftermath of the ice storm. This was for Maine the worst natural disaster in our history. Heavy ice accumulation accumulated on trees, on utility poles. We lost 2,600 utility poles, 2 million feet of cable and 1,500 transformers, all of those had to be replaced. Roughly 650,000 customers, half the State of Maine, were out of power for at least some point, many people for up to 2 weeks.

Supplemental CDBG funding is critical to address their need. I support this manager's amendment.

Mr. LIVINGSTON. Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, I yield myself 1 minute.

Let me simply say that I know that the gentleman from Vermont (Mr.

SANDERS) was also interested in this amendment and contacted me numerous times on it. I personally have no problem with the action taken by the gentleman in his amendment to provide additional community development block grant assistance in the Northeast. My only problem with this amendment, again, is that I do not like the fact that we are cutting an additional \$20 million out of housing for the most needy human beings in this country.

Mr. Chairman, I reserve the balance of my time.

Mr. LIVINGSTON. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from New York (Mr. WALSH).

The CHAIRMAN. The gentleman from New York (Mr. WALSH) is recognized for 3¾ minutes.

Mr. WALSH. Mr. Chairman, I thank the gentlemen, the chairman of the Committee on Appropriations and the ranking member, for the hard work that has been put in on behalf of all the people in the country who have had such a difficult time this year. We were just meeting with the National Aeronautics and Space Administration talking about some of the effects of the El Nino weather pattern and their ability to track it, and try to predict it for the future because it will return. And that is planning for the future, Mr. Chairman.

But what we are doing now is trying to respond to the damage that has already been done. The amendment that the chairman has will help us to help those communities through community development block grants to put back together the damage that was done earlier. This ice storm in our part of the country, northern New York, and as Members know, these funds cover all the areas that were harmed by the weather, in California, New Mexico and the South, Georgia, Florida, New York, Maine, Vermont, Massachusetts, New Hampshire, the ice storm was a catastrophe of a magnitude such that Canada, the Nation of Canada, this was the greatest natural disaster in the history of Canada.

All the areas of the Northeast that border Canada were damaged equally. There were estimates of over 30,000 power poles taken down in this storm. As the ice came and accumulated, we had telephone electrical wire that was just a hair's breadth thick covered with that much ice. So the weight of the ice pulled down one after another of these power poles, and the electric wires and telephone wires were lying all over the roads, and then it snowed on top of the ice in the roads, covered over the wires so the plows could not go out and clean up the roads so that there was no passable commerce, and the dairy farmers in particular had to throw milk away.

You had barns collapsing from the weight of the ice and the snow and animals dying in the collapsed barns. You had animals that were out in the

weather that couldn't get back in who died because of the inclement weather. You had fires that began because of electrical breakdowns and the fire departments could not get to those homes because of the impassible roads. It was clearly a catastrophe.

So these funds, while they will not be enough to make everybody whole again, will go to communities and in many cases people do not realize the State of New York is primarily still an agricultural State. New York State is not a parking lot around New York City. It is a huge expanse of forest land and agricultural land and impoverished rural communities. So all these communities will qualify as they will in Maine, Vermont, New Hampshire, for community development block grant funds, which are there to help our poorest communities and our poorest neighbors to help to ameliorate some of the losses that they have incurred.

Mr. Chairman, I will conclude by saying I am very grateful to my colleagues on the Committee on Appropriations, both sides of the fence, who brought this bill to this point. I look very much forward to working with them to pass this bill and to get it through the conference.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

All I would say, I would simply make an observation that what we are doing in this legislation today is reimbursing farmers for the loss of animals. That is fine. I do not disagree with that.

However, unfortunately, we are not going to be reimbursing families for the loss of housing for their grandparents. I do not think that is fine. But nonetheless, the Congress will work its wondrous ways as it usually does, often with the national interests being damaged in the process. I am sorry about that, but I guess that is the way it goes.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. LIVINGSTON).

The amendment was agreed to.

□ 1545

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SHAW) having assumed the chair, Mr. LAHOOD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3579) making emergency supplemental appropriations for the fiscal year ending September 30, 1998, and for other purposes, pursuant to House Resolution 402, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore (Mr. SHAW). Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. MURTHA

Mr. MURTHA. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MURTHA. Yes, Mr. Speaker, I am opposed to the bill.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MURTHA moves to recommit the bill, H.R. 3579, to the Committee on Appropriations with instructions to report the same back to the House forthwith with an amendment to strike title II of the bill.

Mr. MURTHA. Mr. Speaker, let me reiterate my concern about this piece of legislation. Normally, when we would come to the floor from the Committee on Appropriations, we would have pretty well fashioned legislation which we knew was very close to something that the Senate was going to consider; and, in the end, we would be convinced that it would pass both bodies.

As late as Thursday or Friday of last week, we believed that we would be able to report out of Committee a bill that was not offset. Even today, the Defense Department is not sure whether this particular piece of legislation will be offset. They know now that we will not have IMF. We know that we will not have the U.N. attached to this bill.

On the other hand, the other body has an entirely different bill with no offsets. It is over \$5 billion, almost twice as large as this particular bill.

Under normal circumstances, the Defense Department would not be caught in the middle. It would be able to say, okay, we are going to try to get a bill and work things out. All day long, as I understand it, they have been trying to come up with provisions of what would happen if we passed a bill that is offset with the Skaggs amendment, which the President will veto, and with provisions which offset the domestic policy, which concerns the White House and they claim they will veto. It puts us in a position where we have a bill which will not be signed into law, and they only have 4 months left in the fiscal year. So the Defense Department is in a position where it has to begin to find ways to find the money for the last 4 months of operation.

We have cut the Defense Department substantially. There is no question about it. They have been overdeployed. There is no question about that. But we are talking about money that is absolutely essential to replace the money for the deployment in Iraq and the deployment in Bosnia.

We have already voted on the floor of the House to continue the operation in Bosnia. We have already spoken to the fact that we believe it is absolutely essential to our national security to be

in Iraq. So what are they talking about?

Here is what they are talking about as far as what they would do in order to recoup the money because they are not sure it is going to be passed into law and signed by the President. Civilian worker furloughs at defense bases. And it may be, I have heard a rumor, as high as all the Defense Department civilian employees could be laid off across the country for 10 days. My colleagues can imagine how disruptive that would be.

They are also talking about delays in promotions, which has happened before with minor delays in funding from the Congress, delays in moving families.

I remember last year going to the Presidio in California, and they were talking about they could not move students from one place to another. They had to delay the moving of students because they had run out of money at the end of the fiscal year.

We talk about training cutbacks down to platoon level. That is what could happen if the Defense Department did not get this money.

Now I paint dire circumstances, but I paint that because the Defense Department is in the middle. And I do not doubt the integrity of the Chairman of the Committee on Appropriations if he is going to tell us there is going to be a bill passed and if it passed he can assure that. But he also thought before we brought this bill to the floor that it was not going to be offset. And I do not know if he advised that, and I understand. I think all of us appreciate the need to offset some of these expenses that the Senate has in, and I think in the end we could probably work something out like that.

So I would hope that the Members of Congress would not take a chance on destabilizing the Defense Department and they would vote to recommit this bill and then report it right back out without the offsets and allow the Defense Department to find a way to get by the next month until a final bill is passed into law and signed by the President.

Mr. LIVINGSTON. Mr. Speaker, I am opposed to the motion to recommit.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, and I will try not to use all 5 minutes, I am sympathetic to the argument of the gentleman from Pennsylvania (Mr. MURTHA).

The last thing in the world we want to do is adversely impact the Defense Department. But the gentleman might remember that the President did not request enough money to complete fiscal year 1998, let alone fiscal year 1999, for the troops in Bosnia.

Mr. Clinton wrote in his budget a shortfall, for whatever reason. I do not want to question his motivation. He may have had good reason. We were not sure whether we were pulling the troops out a year and a half ago. We

were not sure whether we were going to pull the troops out this year. But the fact is the President did not request enough money to support our troops.

So we cannot accept that stipulation of fact and then argue, well, if we do not act fast enough, the troops are not going to have enough money. I mean, whose fault is that? It is not Congress' fault. It is the President's fault.

We are coming up with the list here of extra money for the Defense Department, \$2.2 billion in defense, and that provides for Iraq and Southwest Asia and Bosnia and disasters affecting military installations and reserve mobilization insurance programs. We are providing the money for the Defense Department. In addition, we are providing for well over half a billion dollars in disaster relief for people that have been affected by all sorts of disasters all over the country.

The fact also is that the prime rate in the American economy is something like about 8.5 percent. You can get a mortgage at around 7 percent interest rate. Fifteen years ago that was a 14-percent prime and 21 percent for a mortgage in some areas. The American economy is spinning.

Why is it doing very well? The fact is, one of the principal reasons it is doing very well is that the Congress has acted responsibly with respect to its financial affairs over the last 4 years. The Congress has not spent more money than was budgeted. We are spending a billion dollars less on non-defense discretionary spending than we spent 4 years ago.

If we looked at the President's own projections for spending 4 years ago, 1994, that was \$120 billion over what we have spent in those 4 years for non-defense discretionary. The point is, this is a fiscally responsible approach. Will it pass through all of the hurdles and get through the Senate and get to the President's desk? I do not know. I do not want to prejudge that one way or the another.

All I am saying is this House of Representatives has been fiscally responsible by saying, yes, we will spend more money for defense, we will spend more money for disasters, but we will take it out of existing spending in the rest of the budget. That is not too much to ask.

Let us keep the interest rates low, let us keep the American economy spinning, and let us make sure that we continue to be fiscally responsible.

I urge the defeat of the motion to recommit, which would eliminate the offsets of this bill. I urge passage of the bill itself. And I hope that when we return from the recess that we will have a quick conference and that we will be able to get this down to the Pentagon so they will have the money that they need and so that the gentleman from Pennsylvania (Mr. MURTHA) will not be distressed any further.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. MURTHA. Mr. Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 15-minute vote, which, if the motion to recommit is rejected, under the rules, will be followed by another 15-minute vote on final passage.

The vote was taken by electronic device, and there were—yeas 195, nays 224, not voting 11, as follows:

[Roll No. 87]

YEAS—195

Abercrombie	Gutierrez	Nadler
Ackerman	Hall (OH)	Neal
Allen	Hamilton	Oberstar
Andrews	Harman	Obey
Baesler	Hastings (FL)	Oliver
Baldacci	Hefner	Ortiz
Barcia	Hilliard	Owens
Barrett (WI)	Hinchey	Pallone
Becerra	Hinojosa	Pastrell
Bentsen	Holden	Pastor
Berman	Hooley	Pelosi
Bishop	Hoyer	Peterson (MN)
Blagojevich	Jackson (IL)	Pickett
Blumenauer	Jackson-Lee	Pomeroy
Bonior	(TX)	Poshard
Borski	John	Price (NC)
Boswell	Johnson (WI)	Rahall
Boucher	Johnson, E. B.	Reyes
Boyd	Kanjorski	Rivers
Brown (CA)	Kaptur	Rodriguez
Brown (FL)	Kennedy (MA)	Roemer
Brown (OH)	Kennedy (RI)	Rothman
Capps	Kennelly	Roybal-Allard
Cardin	Kildee	Rush
Carson	Kilpatrick	Sabo
Clay	Kind (WI)	Sanchez
Clayton	Klecicka	Sanders
Clement	Klink	Sandlin
Clyburn	Kucinich	Sawyer
Condit	LaFalce	Schumer
Conyers	Lampson	Scott
Costello	Lantos	Serrano
Coyne	Levin	Sherman
Cramer	Lewis (GA)	Sisisky
Cummings	Lipinski	Skaggs
Danner	Lofgren	Skelton
Davis (FL)	Lowe	Slaughter
Davis (IL)	Luther	Smith, Adam
DeFazio	Maloney (CT)	Snyder
DeGette	Maloney (NY)	Spratt
Delahunt	Manton	Stabenow
DeLauro	Markey	Stark
Deutsch	Martinez	Stokes
Dicks	Mascara	Strickland
Dingell	Matsui	Stupak
Dixon	McCarthy (MO)	Tanner
Doggett	McCarthy (NY)	Tauscher
Dooley	McDermott	Thompson
Doyle	McGovern	Thurman
Edwards	McHale	Tierney
Engel	McIntyre	Torres
Eshoo	McKinney	Towns
Etheridge	McNulty	Traficant
Evans	Meehan	Turner
Farr	Meek (FL)	Velazquez
Fattah	MEEKS (NY)	Vento
Fazio	Menendez	Visclosky
Filner	Millender-	Watt (NC)
Ford	McDonald	Waxman
Frank (MA)	Miller (CA)	Wexler
Frost	Minge	Weygand
Furse	Mink	Wise
Gejdenson	Moakley	Woolsey
Gephardt	Mollohan	Wynn
Gordon	Moran (VA)	Yates
Green	Murtha	

NAYS—224

Aderholt	Barr	Bereuter
Archer	Barrett (NE)	Bilbray
Armey	Bartlett	Bilirakis
Bachus	Barton	Bliley
Baker	Bass	Blunt
Ballenger	Bateman	Boehert

Boehner	Hastert	Petri
Bonilla	Hastings (WA)	Pickering
Brady	Hayworth	Pitts
Bryant	Hefley	Pombo
Bunning	Heger	Porter
Burr	Hill	Portman
Burton	Hilleary	Pryce (OH)
Buyer	Hobson	Quinn
Callahan	Hoekstra	Radanovich
Calvert	Horn	Ramstad
Camp	Hostettler	Redmond
Campbell	Houghton	Regula
Canady	Hulshof	Riley
Castle	Hunter	Rogan
Chabot	Hutchinson	Rogers
Chambliss	Hyde	Rohrabacher
Chenoweth	Inglis	Ros-Lehtinen
Christensen	Istook	Roukema
Coble	Jenkins	Ryun
Coburn	Johnson (CT)	Salmon
Collins	Jones	Sanford
Combest	Kasich	Saxton
Cook	Kelly	Scarborough
Cooksey	Kim	Schaefer, Dan
Cox	King (NY)	Schaffer, Bob
Crane	Kingston	Sensenbrenner
Crapo	Klug	Sessions
Cubin	Knollenberg	Shadegg
Cunningham	Kolbe	Shaw
Davis (VA)	LaHood	Shays
Deal	Largent	Shimkus
DeLay	Latham	Shuster
Diaz-Balart	LaTourette	Skeen
Dickey	Lazio	Smith (MI)
Doolittle	Leach	Smith (NJ)
Dreier	Lewis (CA)	Smith (OR)
Duncan	Lewis (KY)	Smith (TX)
Dunn	Linder	Smith, Linda
Ehlers	Livingston	Snowbarger
Ehrlich	LoBiondo	Solomon
Emerson	Lucas	Souder
English	Manzullo	Spence
Ensign	McCollum	Stearns
Everett	McCrery	Stenholm
Ewing	McDade	Stump
Foley	McHugh	Sununu
Forbes	McInnis	Talent
Fossella	McIntosh	Tauzin
Fowler	McKeon	Taylor (MS)
Fox	Metcalf	Taylor (NC)
Franks (NJ)	Mica	Thomas
Frelinghuysen	Miller (FL)	Thornberry
Galleghy	Moran (KS)	Thune
Ganske	Morella	Tiahrt
Gekas	Myrick	Upton
Gibbons	Nethercutt	Walsh
Gilchrest	Neumann	Wamp
Gillmor	Ney	Watkins
Gilman	Northup	Watts (OK)
Goode	Norwood	Weldon (FL)
Goodlatte	Nussle	Weldon (PA)
Goodling	Oxley	Weller
Goss	Packard	White
Graham	Pappas	Whitfield
Granger	Parker	Wicker
Greenwood	Paul	Wolf
Gutknecht	Paxon	Young (AK)
Hall (TX)	Pease	Young (FL)
Hansen	Peterson (PA)	

NOT VOTING—11

Berry	Jefferson	Riggs
Cannon	Johnson, Sam	Royce
Fawell	Payne	Waters
Gonzalez	Rangel	

□ 1616

Mr. PAXON and Mr. SOLOMON changed their vote from "yea" to "nay."

Ms. KILPATRICK, Mr. LIPINSKI, Mrs. CAPPS and Mr. MARKEY changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. SHAW). The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and the nays are ordered.

The vote was taken by electronic device, and there were—yeas 212, nays 208, not voting 10, as follows:

[Roll No. 88]

YEAS—212

Aderholt	Gekas	Northup
Allen	Gibbons	Norwood
Archer	Gilchrist	Oxley
Armey	Gillmor	Packard
Bachus	Gilman	Pappas
Baker	Goode	Parker
Baldacci	Goodlatte	Paxon
Ballenger	Goodling	Pease
Barr	Goss	Peterson (PA)
Barrett (NE)	Graham	Pickering
Bartlett	Granger	Pickett
Barton	Greenwood	Pitts
Bass	Gutknecht	Pombo
Bateman	Hall (TX)	Porter
Bereuter	Hansen	Portman
Bilbray	Hastert	Pryce (OH)
Billrakis	Hastings (WA)	Quinn
Bishop	Hayworth	Radanovich
Bliley	Hefley	Ramstad
Blunt	Hergert	Redmond
Boehlert	Hill	Regula
Boehner	Hilleary	Riley
Bonilla	Hobson	Rogan
Brady	Hoekstra	Rogers
Bryant	Horn	Ros-Lehtinen
Bunning	Hostettler	Roukema
Burr	Houghton	Ryun
Burton	Hulshof	Salmon
Buyer	Hunter	Sanford
Callahan	Hutchinson	Saxton
Calvert	Hyde	Scarborough
Camp	Inglis	Schaefer, Dan
Canady	Istook	Schaffer, Bob
Chabot	Jenkins	Sessions
Chambliss	Johnson (CT)	Shadegg
Christensen	Johnson, Sam	Shaw
Coble	Jones	Shimkus
Coburn	Kasich	Shuster
Collins	Kelly	Skeen
Combust	Kim	Smith (MI)
Cook	King (NY)	Smith (NJ)
Cooksey	Kingston	Smith (OR)
Cox	Knollenberg	Smith (TX)
Crane	Kolbe	Smith, Linda
Cubin	LaHood	Snowbarger
Cunningham	Largent	Solomon
Davis (VA)	Latham	Spence
Deal	LaTourette	Stearns
DeLay	Lazio	Stump
Diaz-Balart	Leach	Sununu
Dickey	Lewis (CA)	Talent
Doolittle	Lewis (KY)	Tauzin
Dreier	Linder	Taylor (MS)
Dunn	Livingston	Taylor (NC)
Ehlers	LoBiondo	Thornberry
Ehrlich	Lucas	Thune
Emerson	Manzullo	Tiahrt
English	McCollum	Walsh
Ensign	McCrery	Wamp
Everett	McDade	Watkins
Ewing	McHugh	Watts (OK)
Fawell	McInnis	Weldon (FL)
Foley	McIntosh	Weldon (PA)
Forbes	McKeon	Weller
Fossella	Metcalfe	White
Fowler	Mica	Whitfield
Fox	Miller (FL)	Wicker
Franks (NJ)	Myrick	Wolf
Frelinghuysen	Nethercutt	Young (AK)
Galleghy	Neumann	Young (FL)
Ganske	Ney	

NAYS—208

Abercrombie	Campbell	Davis (IL)
Ackerman	Capps	DeFazio
Andrews	Cardin	DeGette
Baesler	Carson	Delahunt
Barcia	Castle	DeLauro
Barrett (WI)	Chenoweth	Deutsch
Becerra	Clay	Dicks
Bentsen	Clayton	Dingell
Berman	Clement	Dixon
Blagojevich	Clyburn	Doggett
Blumenauer	Condit	Dooley
Bonior	Conyers	Doyle
Borski	Costello	Duncan
Boswell	Coyne	Edwards
Boucher	Cramer	Engel
Boyd	Crapo	Eshoo
Brown (CA)	Cummings	Etheridge
Brown (FL)	Danner	Evans
Brown (OH)	Davis (FL)	Farr

Fattah	Maloney (NY)	Roemer
Fazio	Manton	Rohrabacher
Filner	Markey	Rothman
Ford	Martinez	Roybal-Allard
Frank (MA)	Mascara	Rush
Frost	Matsui	Sabo
Furse	McCarthy (MO)	Sanchez
Gejdenson	McCarthy (NY)	Sanders
Gephardt	McDermott	Sandlin
Gordon	McGovern	Sawyer
Green	McHale	Scott
Gutierrez	McIntyre	Sensenbrenner
Hall (OH)	McKinney	Serrano
Hamilton	McNulty	Shays
Harman	Meehan	Sherman
Hastings (FL)	Meeke (FL)	Sisisky
Hefner	Meeks (NY)	Skaggs
Hilliard	Menendez	Skelton
Hinchee	Millender	Slaughter
Hinojosa	McDonald	Smith, Adam
Holden	Miller (CA)	Snyder
Hooley	Minge	Souder
Hoyer	Mink	Spratt
Jackson (IL)	Moakley	Stabenow
Jackson-Lee	Mollohan	Stark
(TX)	Moran (KS)	Stenholm
John	Moran (VA)	Stokes
Johnson (WI)	Morella	Strickland
Johnson, E. B.	Murtha	Stupak
Kanjorski	Nadler	Tanner
Kaptur	Neal	Tauscher
Kennedy (MA)	Nussle	Thomas
Kennedy (RI)	Oberstar	Thompson
Kennelly	Obey	Thurman
Kildee	Olver	Tierney
Kilpatrick	Ortiz	Torres
Kind (WI)	Owens	Towns
Kleczka	Pallone	Traficant
Klink	Pascarell	Turner
Klug	Pastor	Upton
Kucinich	Paul	Velazquez
LaFalce	Pelosi	Vento
Lampson	Peterson (MN)	Visclosky
Lantos	Petri	Watt (NC)
Levin	Pomeroy	Waxman
Lewis (GA)	Poshard	Wexler
Lipinski	Price (NC)	Weygand
Lofgren	Rahall	Wise
Lowey	Reyes	Woolsey
Luther	Rivers	Wynn
Maloney (CT)	Rodriguez	Yates

NOT VOTING—10

Berry	Payne	Schumer
Cannon	Rangel	Waters
Gonzalez	Riggs	
Jefferson	Royce	

□ 1634

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

Mr. SMITH of Michigan changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. METCALF. Mr. Speaker, last night I was tied up in the Committee on Rules testifying on my amendment to the Financial Modernization Bill.

Due to this, I arrived on the floor at the very last minute and inadvertently voted "aye" on rollcall No. 81. My intention was to vote "no" because of my opposition to the language in the bill. I would like the RECORD to show on rollcall No. 81, my vote would have been "no."

PERSONAL EXPLANATION

Mr. COBLE. Mr. Speaker, last evening I was the visiting lecturer at the Columbia University School of Law in New York and, therefore, unable to participate in the rollcall votes.

Had I been present and voting on rollcall votes 81, 82, 83 and 84, the campaign reform issues, I would have voted "aye."

PROVIDING FOR CONSIDERATION OF H.R. 10, FINANCIAL SERVICES ACT OF 1998

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 403 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 403

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 10) to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed two hours, with one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Financial Services and one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in part 1 of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that 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 in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. 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