

(1) the expenditures of the potential contractor (other than an individual person) for activities described in subsection (a) for any one of the previous five Federal fiscal years (excluding any fiscal year before 1996) exceeded the sum of—

(A) the first \$20,000,000 of the difference between the potential contractor's total expenditures made in the fiscal year and the total amount of Federal contracts and grants it was awarded in that fiscal year, multiplied by .05; and

(B) the remainder of the difference calculated in subparagraph (A), multiplied, by .01;

(2) the potential contractor has used funds from any Federal contract to purchase or secure any goods or services (including dues and membership fees) from any other individual, entity, or organization whose expenditures for activities described in subsection (a) for fiscal year 1995 exceeded 15 percent of its total expenditures for that Federal fiscal year; or

(3) the potential contractor has used funds from any Federal contract for a purpose (other than to purchase or secure goods or services) that was not specifically permitted by Congress in the law authorizing the contract.

(c) EXCEPTIONS.—The activities described in subsection (a) do not include any activity when it is made known to the Federal official having authority to obligate or expend such funds that the activity is any of the following:

(1) Making available the results of non-partisan analysis, study, research, or debate.

(2) Providing technical advice or assistance (where such advice would otherwise constitute the influencing of legislation or agency action) to a government body or to a committee or other subdivision thereof in response to a written request by such body or subdivision, as the case may be.

(3) Communications between a contractor and its employees with respect to legislation, proposed legislation, agency action, or proposed agency action of direct interest to the contractor and such employees, other than communications described in subparagraph (C).

(4) Any communication with a governmental official or employee, other than—

(A) a communication with a member or employee of a legislative body or agency (where such communication would otherwise constitute the influencing of legislation or agency action); or

(B) a communication the principal purpose of which is to influence legislation or agency action.

(5) Official communication by employees of State or local governments, or by organizations whose membership consists exclusively of State or local governments.

Mr. SKAGGS (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 182, noes 238, not voting 14, as follows:

[Roll No. 645]

AYES—182

Abercrombie	Frisa	Nethercutt
Ackerman	Furse	Nethercutt
Barcia	Ganske	Ney
Barrett (WI)	Gephardt	Oberstar
Becerra	Geren	Obey
Beilenson	Gibbons	Olver
Bilbray	Gilchrest	Orton
Bilirakis	Gillmor	Owens
Blute	Gilman	Payne (NJ)
Borski	Goodling	Pelosi
Boucher	Gordon	Petri
Brewster	Goss	Porter
Brown (CA)	Greenwood	Poshard
Brown (FL)	Gutierrez	Pryce
Brown (OH)	Gutknecht	Rahall
Brownback	Hall (TX)	Ramstad
Burr	Hastert	Rangel
Camp	Heineman	Reed
Castle	Hilleary	Regula
Chabot	Hinchey	Riggs
Chenoweth	Hoekstra	Rohrabacher
Christensen	Holden	Roukema
Clay	Hutchinson	Roybal-Allard
Clement	Jacobs	Royce
Coble	Johnston	Rush
Coburn	Kanjorski	Salmon
Collins (IL)	Kasich	Sanders
Collins (MI)	Kelly	Sanford
Combest	Kennedy (MA)	Scarborough
Condit	Kildee	Schroeder
Conyers	Klecza	Schumer
Costello	Klink	Seastrand
Coyne	Klug	Sensenbrenner
Creameans	Kolbe	Shaw
Cubin	LaFalce	Shays
Danner	Lantos	Slaughter
Dellums	Largent	Smith (WA)
Dickey	Latham	Stark
Doggett	Lazio	Stockman
Doyle	Leach	Stokes
Duncan	Lewis (GA)	Studds
Dunn	Lincoln	Stupak
Durbin	Lipinski	Tate
Ehlers	LoBiondo	Thornton
Engel	Longley	Thurman
English	Lowe	Traficant
Ensign	Luther	Upton
Evans	Manton	Velazquez
Farr	Manzullo	Vento
Fattah	Markley	Volkmer
Fawell	Martini	Waters
Fields (LA)	Mascara	Weldon (FL)
Filner	McCarthy	Weller
Flake	McDermott	Whitfield
Foglietta	Meehan	Wise
Foley	Metcalf	Woolsey
Forbes	Meyers	Wyden
Ford	Mfume	Wynn
Fox	Miller (FL)	Zeliff
Frank (MA)	Mink	Zimmer
Franks (NJ)	Molinari	

NOES—238

Allard	Callahan	Emerson
Andrews	Calvert	Eshoo
Archer	Canady	Everett
Armey	Cardin	Ewing
Bachus	Chambliss	Fazio
Baesler	Chapman	Fields (TX)
Baker (CA)	Chrysler	Flanagan
Baker (LA)	Clayton	Fowler
Baldacci	Clinger	Franks (CT)
Ballenger	Clyburn	Frelinghuysen
Barr	Coleman	Frost
Barrett (NE)	Collins (GA)	Funderburk
Bartlett	Cooley	Gallegly
Barton	Cox	Gejdenson
Bass	Cramer	Gekas
Bateman	Crane	Gonzalez
Bentsen	Crapo	Goodlatte
Bereuter	Cunningham	Graham
Berman	Davis	Green
Bevill	de la Garza	Gunderson
Bliley	Deal	Hall (OH)
Boehlert	DeLauro	Hamilton
Boehner	DeLay	Hancock
Bonilla	Deutsch	Hansen
Bonior	Diaz-Balart	Harman
Bono	Dicks	Hastings (FL)
Browder	Dixon	Hastings (WA)
Bryant (TN)	Dooley	Hayes
Bryant (TX)	Doolittle	Hayworth
Bunn	Dornan	Hefley
Bunning	Dreier	Hefner
Burton	Edwards	Henger
Buyer	Ehrlich	Hilliard

Hobson	Menendez	Shuster
Hoke	Mica	Skaggs
Horn	Miller (CA)	Skeen
Hostettler	Mineta	Skelton
Houghton	Minge	Smith (MI)
Hoyer	Mollohan	Smith (NJ)
Hunter	Montgomery	Smith (TX)
Hyde	Moorhead	Solomon
Inglis	Moran	Souder
Istook	Murtha	Spence
Jackson-Lee	Myers	Spratt
Jefferson	Myrick	Stearns
Johnson (CT)	Nadler	Stenholm
Johnson (SD)	Neal	Stump
Johnson, E.B.	Norwood	Talent
Johnson, Sam	Nussle	Tanner
Jones	Ortiz	Tauzin
Kaptur	Oxley	Taylor (MS)
Kennedy (RI)	Packard	Taylor (NC)
Kennelly	Pallone	Tejeda
Kim	Parker	Thomas
King	Pastor	Thompson
Kingston	Paxon	Thornberry
Knollenberg	Payne (VA)	Tiahrt
LaHood	Peterson (FL)	Torkildsen
LaTourette	Peterson (MN)	Torres
Laughlin	Pickett	Torricelli
Levin	Pombo	Visclosky
Lewis (CA)	Pomeroy	Vucanovich
Lewis (KY)	Portman	Walker
Lightfoot	Quillen	Walsh
Linder	Quinn	Wamp
Livingston	Richardson	Ward
Lofgren	Rivers	Watt (NC)
Lucas	Roemer	Watts (OK)
Martinez	Rogers	Waxman
Matsui	Ros-Lehtinen	Weldon (PA)
McCollum	Rose	White
McCrery	Roth	Wicker
McDade	Sabo	Williams
McHale	Sawyer	Wilson
McHugh	Saxton	Wolf
McInnis	Schaefer	Yates
McIntosh	Schiff	Young (AK)
McKeon	Scott	Young (FL)
McNulty	Serrano	
Meek	Shadegg	

NOT VOTING—14

Bishop	Moakley	Sisisky
DeFazio	Morella	Towns
Dingell	Radanovich	Tucker
Maloney	Reynolds	Waldholtz
McKinney	Roberts	

□ 1824

Mr. YATES and Mr. TORRES changed their vote from "aye" to "no."

Messrs. HUTCHINSON, WELLER, FOX of Pennsylvania, HASTERT, BILBRAY, CHRISTENSEN, WHITFIELD, GOSS, CREMEANS, ORTON, HILLEARY, HEINEMAN, FRISA, GILLMOR, SALMON, BLUTE, LARGENT, and ENGLISH of Pennsylvania changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. DEFAZIO. Mr. Speaker, I missed rollcall 645. I was unavoidably detained, and had I been present, I would have voted "aye."

The SPEAKER pro tempore (Mr. LAHOOD). 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. OBEY

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

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

Mr. OBEY. Yes, I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. OBEY moves that the bill H.R. 2126 be recommitted to the Committee on Appropriations with instruction to report the bill back to the House forthwith, with the following amendment:

On page 77, line 8, strike "\$250,000" and insert "\$200,000".

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] is recognized for 5 minutes.

Mr. OBEY. Mr. Speaker, section 8077 of this bill reads as follows:

None of the funds provided in this Act may be obligated for payment on new contracts on which allowable costs charged to the government include payments for individual compensation at a rate in excess of \$250,000 per year.

This recommittal motion simply reduces that \$250,000 salary level to \$200,000. In essence what it says is that if any defense contractor wants to pay any individual a salary in excess of that paid to the President of the United States, they cannot do it with taxpayer funds through contracting, they have to do it out of their own corporate profits.

When you take a look at the total compensation provided to the CEO's of some of these corporations, you see one being paid \$7,287,000, one being paid \$5,827,000, another \$3,596,000, another \$3,538,000, and so on and so forth.

I would simply ask one question. Who do these people think they are, that they think that they are entitled to be compensated at a rate higher than the level of the President of the United States?

It seems to me that if we are asked to buy downsizing of the military budget, if we are asked to buy downsizing of corporations in general, we ought to also be taking a look at downsizing these outrageously high salaries paid to these corporate executives.

All this does is say that you cannot compensate any of these corporations for any salary in excess of the salary paid to the President of the United States.

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

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

Mr. YOUNG of Florida. Mr. Speaker, I would like to say to the gentleman that we are very aware of this issue and it makes a minor change. We are proposed to accept the gentleman's motion to recommit.

Mr. OBEY. I thank the gentleman.

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 motion to recommit was agreed to.

□ 1830

Mr. YOUNG of Florida. Mr. Speaker, pursuant to the instruction of the

House, I report the bill H.R. 2126 back to the House with an amendment.

The SPEAKER pro tempore (Mr. LAHOOD). The Clerk will report the amendment.

The Clerk read as follows:

Amendment: by Mr. YOUNG of Florida on page 77, line 8, strike "\$250,000" and insert "\$200,000".

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.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

The vote was taken by electronic device and there were—yeas 294, nays 125, not voting 15, as follows:

[Roll No. 646]

YEAS—294

Abercrombie	Diaz-Balart	Hoke
Allard	Dickey	Holden
Archer	Dicks	Horn
Armey	Dixon	Hostettler
Bachus	Dooley	Houghton
Baesler	Doolittle	Hoyer
Baker (CA)	Dornan	Hunter
Baker (LA)	Dreier	Hutchinson
Ballenger	Duncan	Hyde
Barcia	Edwards	Inglis
Barr	Ehrlich	Istook
Barrett (NE)	Emerson	Jacobs
Bartlett	English	Johnson (CT)
Barton	Ensign	Johnson, E. B.
Bass	Eshoo	Johnson, Sam
Bateman	Everett	Jones
Bentsen	Ewing	Kaptur
Bereuter	Farr	Kasich
Bevill	Fawell	Kelly
Bilbray	Fazio	Kennedy (MA)
Bilirakis	Fields (TX)	Kennedy (RI)
Bliley	Flanagan	Kennelly
Blute	Foley	Kildee
Boehlert	Forbes	Kim
Boehner	Ford	King
Bonilla	Fowler	Kingston
Bono	Fox	Klink
Boucher	Franks (CT)	Knollenberg
Brewster	Frelinghuysen	Kolbe
Browder	Frisa	LaHood
Brownback	Frost	Largent
Bryant (TN)	Funderburk	Latham
Bunn	Gallegly	LaTourette
Bunning	Gejdenson	Laughlin
Burr	Gekas	Lazio
Burton	Gephardt	Leach
Buyer	Geren	Lewis (CA)
Callahan	Gibbons	Lewis (KY)
Calvert	Gilchrest	Lightfoot
Canady	Gillmor	Linder
Castle	Gilman	Lipinski
Chabot	Gonzalez	Livingston
Chambliss	Goodlatte	LoBiondo
Chapman	Goss	Longley
Christensen	Graham	Lucas
Chrysler	Green	Manton
Clement	Greenwood	Manzullo
Clinger	Gunderson	Matsui
Clyburn	Gutknecht	McCollum
Coble	Hall (OH)	McCrery
Coburn	Hall (TX)	McDade
Coleman	Hamilton	McHale
Collins (GA)	Hancock	McHugh
Combest	Hansen	McInnis
Condit	Harman	McIntosh
Cox	Hastert	McKeon
Cramer	Hastings (FL)	McNulty
Crane	Hastings (WA)	Meek
Cremins	Hayes	Metcalf
Cubin	Hayworth	Meyers
Cunningham	Hefley	Mica
Davis	Hefner	Miller (FL)
de la Garza	Heineman	Mineta
Deal	Herger	Mink
DeLauro	Hilleary	Molinari
DeLay	Hobson	Mollohan

Montgomery
Moorhead
Moran
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (FL)
Pickett
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Regula
Richardson
Roberts
Rogers
Rohrabacher

Ros-Lehtinen
Rose
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Scott
Seastrand
Shadeegg
Shaw
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin

Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Traficant
Visclosky
Vucanovich
Walker
Walsh
Wamp
Ward
Waters
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff

NAYS—125

Ackerman	Ganske	Peterson (MN)
Andrews	Gordon	Petri
Baldacci	Gutierrez	Poshard
Barrett (WI)	Hilliard	Rahall
Beilenson	Hinchey	Ramstad
Berman	Hoekstra	Rangel
Bonior	Jackson-Lee	Reed
Borski	Johnson (SD)	Riggs
Brown (CA)	Johnston	Rivers
Brown (FL)	Kanjorski	Roemer
Brown (OH)	Klecicka	Roth
Bryant (TX)	Klug	Roukema
Camp	LaFalce	Roybal-Allard
Cardin	Lantos	Rush
Chenoweth	Levin	Sabo
Clay	Lewis (GA)	Sanders
Clayton	Lincoln	Sawyer
Collins (IL)	Lofgren	Schroeder
Collins (MI)	Lowey	Schumer
Conyers	Luther	Sensenbrenner
Cooley	Markey	Serrano
Costello	Martinez	Shays
Coyne	Martini	Skaggs
Crapo	Mascara	Slaughter
Danner	McCarthy	Stark
DeFazio	McDermott	Stokes
Dellums	Meehan	Studds
Deutsch	Menendez	Stupak
Doggett	Mfume	Torricelli
Doyle	Miller (CA)	Upton
Durbin	Minge	Velazquez
Ehlers	Nadler	Vento
Engel	Neal	Volkmer
Evans	Oberstar	Watt (NC)
Fattah	Obey	Waxman
Fields (LA)	Olver	Williams
Filner	Orton	Wise
Flake	Owens	Woolsey
Foglietta	Pallone	Wyden
Frank (MA)	Pastor	Yates
Franks (NJ)	Payne (NJ)	Zimmer
Furse	Pelosi	

NOT VOTING—15

Becerra	Jefferson	Reynolds
Bishop	Maloney	Sisisky
Dingell	McKinney	Towns
Dunn	Moakley	Tucker
Goodling	Morella	Waldholtz

□ 1847

Clerk announced the following pair on this vote:

Mrs. Waldholtz for, with Mrs. Maloney against.

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.