

to correct this inconsistency; we have the responsibility.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER].

The question was taken; and the Chair announced that the noes appeared to have it.

Mrs. SCHROEDER. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the order of the House of today, further proceedings on the amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER] will be postponed.

The point no quorum is considered as having been withdrawn.

Mr. MOORHEAD. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. DREIER) having assumed the chair, Mr. EWING, 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. 1170) to provide that cases challenging the constitutionality of measures passed by State referendum be heard by a 3-judge panel, had come to no resolution thereon.

GENERAL LEAVE

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1170, the bill just considered.

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

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the House will stand in recess until 3 p.m. today.

Accordingly (at 1 o'clock and 59 minutes p.m.), the House stood in recess until 3 p.m.

□ 1502

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RIGGS) at 3 o'clock and 2 minutes p.m.

THREE-JUDGE COURT FOR CERTAIN INJUNCTIONS

The SPEAKER pro tempore (Mr. RIGGS). Pursuant to House Resolution 227 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 1170.

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 further consideration of the bill (H.R. 1170) to provide that cases challenging the constitutionality of measures passed by State referendum be heard by a three-judge court, with Mr. EWING in the Chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER] had failed by voice vote and a request for a recorded vote had been postponed.

AMENDMENT OFFERED BY MRS. SCHROEDER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER] on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

RECORDED VOTE

The vote was taken by electronic device, and there were—ayes 177, noes 248, not voting 9, as follows:

[Roll No. 692]

AYES—177

Abercrombie	Fazio	Manton
Ackerman	Fields (LA)	Markey
Baldacci	Filner	Martinez
Barcia	Flake	Mascara
Barrett (WI)	Foglietta	Matsui
Becerra	Ford	McCarthy
Beilenson	Frank (MA)	McDermott
Bentsen	Frost	McHale
Berman	Furse	McKinney
Bevill	Gejdenson	Meehan
Bishop	Gephardt	Meek
Bonior	Gibbons	Menendez
Borski	Gonzalez	Mfume
Boucher	Green	Miller (CA)
Browder	Gutierrez	Mineta
Brown (CA)	Hall (OH)	Minge
Brown (FL)	Hamilton	Mink
Brown (OH)	Harman	Moakley
Bryant (TX)	Hastings (FL)	Mollohan
Cardin	Hefner	Moran
Chapman	Hilliard	Murtha
Clay	Hinches	Nadler
Clayton	Holden	Neal
Clement	Houghton	Oberstar
Clyburn	Hoyer	Obey
Coleman	Jackson-Lee	Ortiz
Collins (MI)	Jacobs	Owens
Costello	Jefferson	Pallone
Coyne	Johnson (SD)	Pastor
Cramer	Johnson, E. B.	Payne (NJ)
Danner	Johnston	Payne (VA)
de la Garza	Kanjorski	Pelosi
DeFazio	Kaptur	Peterson (FL)
DeLauro	Kennedy (MA)	Pickett
Dellums	Kennedy (RI)	Pomeroy
Deutsch	Kennelly	Poshard
Dicks	Kildee	Rahall
Dingell	Kleczka	Rangel
Dixon	Klink	Reed
Doggett	LaFalce	Richardson
Dooley	Lantos	Rivers
Doyle	Levin	Rose
Durbin	Lewis (GA)	Roybal-Allard
Edwards	Lincoln	Rush
Engel	Lipinski	Sabo
Eshoo	Lofgren	Sanders
Evans	Lowe	Sawyer
Farr	Luther	Schroeder
Fattah	Maloney	Schumer

Scott  
Serrano  
Skaggs  
Skelton  
Slaughter  
Spratt  
Stark  
Stokes  
Studds  
Stupak

Tanner  
Thompson  
Thurman  
Torres  
Torricelli  
Towns  
Velazquez  
Vento  
Visclosky  
Volkmer

Ward  
Waters  
Watt (NC)  
Waxman  
Williams  
Wise  
Woolsey  
Wyden  
Wynn  
Yates

NOES—248

Allard  
Andrews  
Archer  
Armey  
Bachus  
Baesler  
Baker (CA)  
Baker (LA)  
Ballenger  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bass  
Bereuter  
Bilbray  
Bilirakis  
Bliley  
Blute  
Boehlert  
Boehner  
Bonilla  
Bono  
Brewster  
Brownback  
Bryant (TN)  
Bunn  
Bunning  
Burr

Ganske  
Gekas  
Geren  
Gilchrest  
Gillmor  
Gilman  
Goodlatte  
Goodling  
Gordon  
Goss  
Graham  
Greenwood  
Gunderson  
Gutknecht  
Hall (TX)  
Hancock  
Hansen  
Hastert  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Heineman  
Herger  
Hilleary  
Hobson  
Hoekstra  
Hoke  
Horn

Ney  
Norwood  
Nussle  
Orton  
Oxley  
Packard  
Parker  
Paxon  
Peterson (MN)  
Petri  
Pombo  
Porter  
Portman  
Pryce  
Quillen  
Quinn  
Radanovich  
Ramstad  
Regula  
Riggs  
Roberts  
Roemer  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Roth  
Roukema  
Royce  
Salmon  
Sanford  
Saxton  
Scarborough  
Schaefer  
Schiff  
Seastrand  
Sensenbrenner  
Shadegg  
Shaw  
Shays  
Shuster  
Sisisky  
Skeen  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Solomon  
Souder  
Spence  
Stearns  
Stenholm  
Stockman  
Stump  
Talent  
Tate  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Thomas  
Thornberry  
Thornton  
Tiahrt  
Trafigant  
Upton  
Vucanovich  
Waldholtz  
Walker  
Walsh  
Wamp  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Wilson  
Wolf  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

Burton  
Buyer  
Callahan  
Calvert  
Camp  
Canady  
Castle  
Chabot  
Chambliss  
Chenoweth  
Christensen  
Chrysler  
Clinger  
Coble  
Coburn  
Collins (GA)  
Combust  
Condit  
Cooley  
Cox  
Crane  
Crapo  
Cremeans  
Cubin  
Cunningham  
Davis  
Deal  
DeLay  
Diaz-Balart  
Dickey  
Doolittle  
Dornan  
Dreier  
Dunn  
Ehlers  
Ehrlich  
Emerson  
English  
Ensign  
Everett  
Ewing  
Fawell  
Fields (TX)  
Flanagan  
Foley  
Forbes  
Fowler  
Fox  
Franks (CT)  
Franks (NJ)  
Frelinghuysen  
Frisa  
Funderburk  
Gallegly

Hostettler  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Johnson (CT)  
Johnson, Sam  
Jones  
Kasich  
Kelly  
Kim  
King  
Kingston  
Klug  
Knollenberg  
Kolbe  
LaHood  
Largent  
Latham  
LaTourrette  
Laughlin  
Lazio  
Leach  
Lewis (CA)  
Lewis (KY)  
Lightfoot  
Linder  
Livingston  
LoBiondo  
Longley  
Lucas  
Manzullo  
Martini  
McCollum  
McCrery  
McDade  
McHugh  
McInnis  
McIntosh  
McKeon  
McNulty  
Metcalf  
Meyers  
Mica  
Miller (FL)  
Molinari  
Montgomery  
Moorhead  
Morella  
Myers  
Myrick  
Nethercutt  
Neumann

## NOT VOTING—9

Bateman	Duncan	Tejeda
Collins (IL)	Olver	Torkildsen
Conyers	Reynolds	Tucker

□ 1523

Mr. FLANAGAN and Mr. ROTH changed their vote from "aye" to "no."

Ms. KAPTUR, Mr. GENE GREEN of Texas, and Mr. SPRATT changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. WATT OF NORTH CAROLINA

Mr. WATT of North Carolina. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WATT of North Carolina: Page 3, beginning on line 1, strike "each of the several States and the District of Columbia;" and insert "the State of California;"

Page 3, line 4, strike "a" and replace with "the".

Page 3, line 5, strike "a" and replace with "the".

Mr. WATT of North Carolina. Mr. Chairman, I am offering this amendment to restrict the effect of this bill to the State of California, rather than to the entire United States, because the bill is being offered to address a specific problem.

□ 1530

This is a terrible bill, my colleagues. If we have a terrible bill, it seems to me that the least we ought to try to do is limit it to as small an area as we can possibly limit it to.

This bill comes forward simply because some of the folks in California do not like the results of a lawsuit that was filed and a court decision that was entered in California which declared the results of a referendum unconstitutional under the Federal Constitution of the United States.

There is not but one other instance, one instance in the law now where a three-judge panel of judges is required, and that is in the area of voting rights. The effect of this bill would be to create a three-judge panel every time a constitutional issue was raised where a referendum has been conducted in a State. It makes no sense to do that.

We had a law on the books from approximately 1945 to 1976 which required three-judge panels. It was taken off of the books, repealed because the judiciary, lawyers, and the general public all concluded that it was the worst part of the judicial system that existed at that time.

Now we are being called upon simply because some of the representatives in California do not like the results of a lawsuit to put that law back on the books to apply to every State in the Union. The effect of this bill would be to require three judges to decide a case when one judge has been deciding it in the past.

Once we start doing it in referendum cases, then I am not sure how we restrict it.

My colleagues, this is a bad, bad bill. It is bad, bad public policy. We should be serious about it if we are interested in saving taxpayers money. We have been here trying to balance the budget, we say. Yet, in this one instance to play politics with one person from California, we are getting ready to add substantial cost to the judiciary and make a public policy decision that makes absolutely no sense.

A State court judge held the referendum in this case unconstitutional. A Federal court judge held the referendum and the results of that referendum unconstitutional. It would not have mattered who decided this case; the issue on that referendum was unconstitutional. To go back and try to address that by changing the process makes no sense.

To say that we are going to convene three Federal judges to come together in one location, when we have the substantial backlog in our courts that we have, every time we got some referendum that somebody does not like the results of, we have got to convene three Federal judges, take up their time, take up their clerk's time, expose the taxpayers to this additional expense, I submit to my colleagues is very, very, very bad public policy.

I understand why the gentleman from California is offering this. It is good politics at home. He can go home tomorrow and say, look, I got something for the State of California and I can deliver. I am a Member of Congress now. But it is our responsibility as Members of this body to set good public policy.

I want to say, this amendment would limit this abomination of a bill to the State of California.

Mr. MOORHEAD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, with apologies to my good friend, the gentleman from North Carolina, California is still in the Union. This is kind of the silly season because it gives us an opportunity, I guess, to redebate a bill which has already been debated for well over an hour.

This is a good bill. Anyone that has listened to the debate understands that we are protecting the rights of every citizen nationwide to the right to have their vote protected when they vote on a referendum. This bill is for all voting citizens, not just those living in California. The procedure already exists for similar cases and is used more in Voting Rights Act cases and apportionment cases than it would be in referendum cases, but it is an important procedure.

The procedure is already set up. It is one which will not affect 187 in California. There is no relationship to this bill and 187 in California, because the bill is gone. It is defeated. We cannot go back to it. We will not go back to it. It will only protect the rights of people for the future.

Mr. Chairman, I yield to the gentleman from Illinois [Mr. HYDE].

Mr. HYDE. Mr. Chairman, I just want to say, sort of in passing, to my friend from North Carolina [Mr. WATT], who is one of the most valuable members of the House Committee on the Judiciary, but I was taken aback by his remarks about the extra cost and the burden on the court. I was somewhat taken aback by the gentleman from North Carolina's concern about the extra burden on the courts for convening a three-judge panel to decide a State referendum or initiative that the constitutionality, because my memory could be faulty, I concede that, but I do not recall the gentleman being at the point in habeas corpus reform where cases go up and down and up and down and up and down. I can think of one that lasted 14 years, with 52 appeals. I just do not recall the gentleman being a leader in trying to reform that burden on the courts.

Mr. WATT of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I yield to the gentleman from North Carolina.

Mr. WATT of North Carolina. Mr. Chairman, I want to respond to the chairman that the last time I checked the Constitution, there is nothing in the Constitution that guarantees anybody a three-judge panel. There is something that talks about habeas corpus and the writ of habeas corpus.

Mr. HYDE. Mr. Chairman, if the gentleman will continue to yield, justice delayed is justice denied. If it takes 14 years to process a habeas corpus petition and 52 appeals, there is something very wrong. I would expect the gentleman who is sensitive about burdens on the court to help us lead that fight.

Mr. MOORHEAD. Mr. Chairman, I yield to the gentleman from California [Mr. BONO].

Mr. BONO. Mr. Chairman, I rise in opposition to the amendment, and I want to thank the gentleman from North Carolina [Mr. WATT] for giving me the distinction of bringing forth the worst bill he has ever heard of in his life.

However, it is a bill that I am very proud of and simply for this reason: We are here to represent the people. And why do they have a referendum? Because sometimes people are not represented so they can do that themselves.

Five million people from a State speak and feel that they have been the victim of an injustice. And I have heard the Constitution brought up over and over and over. But nobody brings up that our State has been suffering from crime, from illegal aliens. That means against the law. So I think that carries a weight as well as the Constitution does.

So, we have people that continue to violate the law. The State is up to here with it. They wanted it ended. Government did not end it. So they decided to end it themselves. I respect their position. After they ended it, again they were duped. And now they are the victims of this dupe.

Mr. BUYER. Mr. Chairman, I move to strike the last word.

PARLIAMENTARY INQUIRY

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

The CHAIRMAN. The gentleman will state it.

Mr. MFUME. Mr. Chairman, is it not parliamentary procedure that, when the time on one side has expired, the Chair acknowledges for recognition those seeking time on the other side?

The CHAIRMAN. The gentleman was the first one seeking recognition. The Chair will alternate. There was no committee member seeking recognition on the gentleman's side that came to the attention of the Chair.

Mr. MFUME. Mr. Chairman, if I might respectfully disagree with the Chair, the Chair's call for the culmination of the gentleman's time was so fast and the time that he recognized the other gentleman, that there were persons on this side that did not even know that the Chair was seeking other Members.

The CHAIRMAN. The Chair will alternate between sides.

The gentleman from Indiana [Mr. BUYER] is recognized for 5 minutes.

Mr. BUYER. Mr. Chairman, I would like to make several points. I will not take the full 5 minutes.

That is, I think the 1965 Voting Rights Act rightfully mandates the three-judge panel to pass judgment on issues dealing with voting rights. When we have a State acting as one voice in a State referendum, there is a proper nexus between the State's voice and that of issues of voting rights under the Voting Rights Act. So with that proper nexus, I think it is a very good issue for this Congress to take.

So what we are saying here, in fact we are going to always mandate in a voting rights case so that it be decided by three Federal judges and now the nexus, it is not also proper for us to have a three-judge panel decide the issues of a State referendum on the issues of constitutionality?

□ 1545

I would submit that, yes, it is, because we do not want to take such a paramount issue and allow it to be decided by one.

Now one can debate on either side whether it is arbitrary or capricious. I think it is extremely important to move to the three-judge panel, especially when we are talking about the people's voice. It is the people's voice under the law. The people's voice under the law is the protection of the minority, and I think that is what is so wonderful about our country and society as a republic, a nation of laws, not people, and I compliment the gentleman from California. It is a side issue to talk about, well, what is the underlying reason. I think that this is a good bill and should be applied across to all States.

Mr. Chairman, that is why I rise in opposition to the gentleman's amendment and say, oh, we are just going to

allow it to apply to California. No, we should apply this to any State out there, so let us vote down the gentleman's amendment, and let us side with ration and reason and not with the side of politics.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. WATT].

The amendment was rejected.

The CHAIRMAN. Are there further amendments?

If there are no other amendments, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HEFLEY) having assumed the chair, Mr. EWING, 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. 1170) to provide that cases, challenging the constitutionality of measures passed by State referendum be heard by a three-judge court, pursuant to House Resolution 227, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute 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.

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

RECORDED VOTE

Mrs. SCHROEDER. Mr. Speaker, I demand a recorded vote.

A record vote was ordered.

The vote was taken by electronic device, and there were—ayes 266, noes 159, not voting 9, as follows:

[Roll No. 693]  
AYES—266

Allard	Bereuter	Buyer
Andrews	Bilbray	Callahan
Archer	Bilirakis	Calvert
Armey	Bliley	Camp
Bachus	Blute	Canady
Baessler	Boehler	Castle
Baker (CA)	Boehner	Chabot
Baker (LA)	Bonilla	Chambliss
Ballenger	Bono	Chapman
Barcia	Brewster	Chenoweth
Barr	Brownback	Christensen
Barrett (NE)	Bryant (TN)	Chrysler
Bartlett	Bunn	Clement
Barton	Bunning	Clinger
Bass	Burr	Coble
Bateman	Burton	Coburn

Collins (GA)	Horn	Poshard
Combest	Hostettler	Pryce
Condit	Houghton	Quillen
Cooley	Hunter	Quinn
Costello	Hutchinson	Radanovich
Cox	Hyde	Ramstad
Cramer	Inglis	Regula
Crane	Istook	Riggs
Crapo	Johnson (CT)	Roberts
Cremeans	Johnson, Sam	Rogers
Cubin	Jones	Rohrabacher
Cunningham	Kasich	Ros-Lehtinen
Danner	Kim	Roth
Davis	King	Roukema
Deal	Kingston	Royce
DeLay	Klug	Salmon
Diaz-Balart	Knollenberg	Sanford
Dickey	Kolbe	Saxton
Dooley	LaHood	Scarborough
Doolittle	Largent	Schaefer
Dornan	Latham	Schiff
Dreier	LaTourette	Seastrand
Duncan	Laughlin	Sensenbrenner
Dunn	Lazio	Shadegg
Ehlers	Leach	Shaw
Ehrlich	Lewis (CA)	Shays
Emerson	Lewis (KY)	Shuster
English	Lightfoot	Sisisky
Ensign	Linder	Skeen
Everett	Lipinski	Skelton
Ewing	Livingston	Smith (MI)
Fawell	LoBiondo	Smith (NJ)
Fields (TX)	Longley	Smith (TX)
Flanagan	Lucas	Smith (WA)
Foley	Luther	Solomon
Forbes	Manzullo	Souder
Fowler	Martini	Spence
Fox	McCollum	Stearns
Franks (CT)	McCrery	Stenholm
Franks (NJ)	McDade	Stockman
Frelinghuysen	McHugh	Stump
Frisa	McInnis	Talent
Funderburk	McIntosh	Tanner
Gallely	McKeon	Tate
Ganske	McNulty	Tauzin
Gekas	Metcalf	Taylor (MS)
Geran	Meyers	Taylor (NC)
Gilchrest	Mica	Thomas
Gillmor	Miller (CA)	Thornberry
Gilman	Miller (FL)	Thornton
Goodlatte	Minge	Tiahrt
Goodling	Molinari	Torricelli
Gordon	Montgomery	Traficant
Goss	Moorhead	Upton
Graham	Morella	Vucanovich
Green	Myers	Waldholtz
Greenwood	Myrick	Walker
Gunderson	Nethercutt	Walsh
Gutknecht	Neumann	Wamp
Hall (TX)	Ney	Watts (OK)
Hancock	Norwood	Weldon (FL)
Hansen	Nussle	Weldon (PA)
Hastert	Orton	Weller
Hastings (WA)	Oxley	White
Hayes	Packard	Whitfield
Hayworth	Parker	Wicker
Hefley	Paxon	Wilson
Heineman	Peterson (MN)	Wolf
Herger	Petri	Young (AK)
Hilleary	Pombo	Young (FL)
Hobson	Pomeroy	Zeliff
Hoekstra	Porter	Zimmer
Hoke	Portman	

NOES—159

Abercrombie	Conyers	Ford
Ackerman	Coyne	Frank (MA)
Baldacci	de la Garza	Frost
Barrett (WI)	DeFazio	Furse
Becerra	DeLauro	Gejdenson
Beilenson	Dellums	Gephardt
Berman	Deutsch	Gibbons
Bevill	Dicks	Gonzalez
Bishop	Dingell	Gutiérrez
Bonior	Dixon	Hall (OH)
Borski	Doggett	Hamilton
Boucher	Doyle	Harman
Browder	Durbin	Hastings (FL)
Brown (CA)	Edwards	Hefner
Brown (FL)	Engel	Hilliard
Brown (OH)	Eshoo	Hinchen
Bryant (TX)	Evans	Holden
Cardin	Farr	Hoyer
Clay	Fattah	Jackson-Lee
Clayton	Fazio	Jacobs
Clyburn	Fields (LA)	Jefferson
Coleman	Filner	Johnson (SD)
Collins (IL)	Flake	Johnson, E. B.
Collins (MI)	Foglietta	Johnston

Kanjorski	Moakley	Sawyer
Kaptur	Mollohan	Schroeder
Kennedy (RI)	Moran	Schumer
Kennelly	Murtha	Scott
Kildee	Nadler	Serrano
Klecza	Neal	Skaggs
Klink	Oberstar	Slaughter
LaFalce	Obey	Spratt
Lantos	Olver	Stark
Levin	Ortiz	Stokes
Lewis (GA)	Owens	Studds
Lofgren	Pallone	Stupak
Lowey	Pastor	Thompson
Maloney	Payne (NJ)	Thorman
Manton	Payne (VA)	Torres
Markey	Pelosi	Towns
Martinez	Peterson (FL)	Velazquez
Mascara	Pickett	Vento
Matsui	Rahall	Vislosky
McCarthy	Rangel	Ward
McDermott	Reed	Waters
McHale	Richardson	Watt (NC)
McKinney	Rivers	Waxman
Meehan	Roemer	Williams
Meek	Rose	Wise
Menendez	Roybal-Allard	Woolsey
Mfume	Rush	Wyden
Mineta	Sabo	Wynn
Mink	Sanders	Yates

## NOT VOTING—9

Bentsen	Lincoln	Torkildsen
Kelly	Reynolds	Tucker
Kennedy (MA)	Tejeda	Volkmer

□ 1606

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

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

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "A bill to provide that an application for an injunction restraining the enforcement, operation, or execution of a State law adopted by referendum may not be granted on the ground of the unconstitutionality of such law unless the application is heard and determined by a 3-judge court."

A motion to reconsider was laid on the table.

#### CONFERENCE REPORT ON H.R. 1976, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mr. SKEEN submitted the following conference report and statement on the bill (H.R. 1976) making appropriations for Agriculture, rural development, Food and Drug Administration, and related agencies programs for the fiscal year ending September 30, 1996, and for other purposes.

##### CONFERENCE REPORT (H. REPT. 104-268)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 1976) "making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1996, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 3, 4, 9, 11, 14, 21, 39, 45, 50, 55, 61, 69, 70, 71, 74, 75, 81, 84, 85, 86, 90, 94, 95,

98, 99, 102, 106, 111, 113, 116, 123, 127, 129, 130, 132, 139, 144, 145, 147, 148, 151, 153, 155, 156, 157, 158, and 159.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 7, 10, 13, 19, 22, 24, 27, 30, 46, 52, 53, 54, 56, 58, 60, 63, 64, 66, 67, 73, 76, 77, 79, 80, 82, 83, 88, 97, 101, 110, 112, 115, 120, 133, 138, 140, 141, 142, 143, 146, 149, 150, 154, and agree to the same.

## Amendment number 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment, insert: *\$7,500,000*; and the Senate agree to the same.

## Amendment number 8:

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and the matter inserted by said amendment, insert: *\$3,797,000*. *Provided, That no other funds appropriated to the Department in this Act shall be available to the Department for support of activities of congressional relations: Provided further, That not less than \$2,355,000 shall be transferred to agencies funded in this Act to maintain personnel at the agency level; and the Senate agree to the same.*

## Amendment number 12:

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$710,000,000*; and the Senate agree to the same.

## Amendment number 15:

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$168,734,000*; and the Senate agree to the same.

## Amendment number 16:

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$20,497,000*; and the Senate agree to the same.

## Amendment number 17:

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$27,735,000*; and the Senate agree to the same.

## Amendment number 18:

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$49,846,000*; and the Senate agree to the same.

## Amendment number 20:

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$96,735,000*; and the Senate agree to the same.

## Amendment number 23:

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$650,000*; and the Senate agree to the same.

## Amendment numbered 25:

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$8,100,000*; and the Senate agree to the same.

## Amendment numbered 26:

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment, insert: *\$9,200,000*; and the Senate agree to the same.

## Amendment numbered 28:

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$10,337,000*; and the Senate agree to the same.

## Amendment numbered 29:

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$421,929,000*; and the Senate agree to the same.

## Amendment number 31:

That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$268,493,000*; and the Senate agree to the same.

## Amendment number 32:

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$60,510,000*; and the Senate agree to the same.

## Amendment number 33:

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$2,943,000*; and the Senate agree to the same.

## Amendment number 34:

That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$7,782,000*; and the Senate agree to the same.

## Amendment number 35:

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$936,000*; and the Senate agree to the same.

## Amendment number 36:

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$11,065,000*; and the Senate agree to the same.

## Amendment number 37:

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert: *\$1,203,000*; and the Senate agree to the same.