

The vote was taken by electronic device, and there were—yeas 282, nays 110, not voting 40, as follows:

[Roll No. 640]

YEAS—282

Abercrombie	Goode	Nethercutt
Aderholt	Goodlatte	Ney
Allen	Goodling	Northup
Andrews	Gordon	Norwood
Archer	Goss	Oberstar
Armey	Graham	Obey
Bachus	Granger	Oxley
Baldacci	Greenwood	Packard
Ballenger	Gutierrez	Pallone
Barcia	Gutknecht	Pappas
Barrett (NE)	Hall (OH)	Parker
Barrett (WI)	Hall (TX)	Pascarel
Barton	Hamilton	Pastor
Bass	Hansen	Paxton
Bateman	Harman	Pelosi
Bentsen	Hastert	Peterson (MN)
Bereuter	Hastings (WA)	Peterson (PA)
Berman	Hayworth	Pickering
Berry	Hefner	Pitts
Bilbray	Hill	Pomeroy
Bilirakis	Hinojosa	Porter
Bishop	Hobson	Portman
Bliley	Hoekstra	Poshard
Boehlert	Holden	Price (NC)
Boehner	Hooley	Quinn
Bonilla	Horn	Radanovich
Bono	Hoyer	Rahall
Borski	Hulshof	Ramstad
Boswell	Hunter	Redmond
Boyd	Hutchinson	Regula
Brady	Hyde	Reyes
Brown (CA)	Jenkins	Riggs
Bunning	John	Rogan
Burr	Johnson (CT)	Rogers
Burton	Johnson (WI)	Ros-Lehtinen
Buyer	Johnson, Sam	Rothman
Callahan	Kanjorski	Roukema
Calvert	Kasich	Royal-Allard
Camp	Kelly	Sabo
Canady	Kennelly	Sanchez
Cannon	Kildee	Sandlin
Cardin	Kim	Sawyer
Carson	Kind (WI)	Saxton
Castle	Kingston	Schaffer, Bob
Chambliss	Kleckza	Schumer
Clement	Klink	Sessions
Collins	Klug	Shadegg
Condit	Knollenberg	Shaw
Cook	Kolbe	Shays
Cooksey	LaHood	Sherman
Costello	Lampson	Shimkus
Cramer	Lantos	Sisisky
Cunningham	Latham	Skaggs
Danner	LaTourette	Skeen
Davis (FL)	Lazio	Skelton
Davis (VA)	Leach	Slaughter
Delahunt	Lewis (CA)	Smith (MI)
DeLay	Lewis (KY)	Smith (NJ)
Deutsch	Linder	Smith (TX)
Diaz-Balart	Livingston	Smith, Adam
Dicks	LoBiondo	Snowbarger
Dingell	Lofgren	Snyder
Dixon	Lowey	Solomon
Doggett	Luther	Souder
Dooley	Maloney (CT)	Spence
Doyle	Manton	Spratt
Dreier	Markey	Stabenow
Dunn	Martinez	Stenholm
Edwards	Mascara	Strickland
Ehrlich	Matsui	Sununu
Emerson	McCarthy (MO)	Talent
English	McCarthy (NY)	Tanner
Eshoo	McCollum	Tauscher
Etheridge	McCrery	Tauzin
Evans	McDade	Thomas
Everett	McGovern	Thornberry
Farr	McHale	Thune
Fawell	McHugh	Tiahrt
Fazio	McIntyre	Tierney
Foley	McKeon	Torres
Forbes	McNulty	Turner
Fossella	Menendez	Upton
Fox	Metcalf	Vento
Frank (MA)	Mica	Visclosky
Franks (NJ)	Miller (FL)	Walsh
Frelinghuysen	Minge	Wamp
Gallegly	Mink	Weldon (FL)
Ganske	Moakley	Weldon (PA)
Gekas	Mollohan	Weller
Gilchrest	Moran (VA)	Weygand
Gillmor	Morella	Whitfield
Gilman	Murtha	Wicker

Wise	Woolsey	Young (AK)
Wolf	Wynn	Young (FL)

NAYS—110

Barr	Gejdenson	Olver
Bartlett	Gephardt	Owens
Becerra	Gibbons	Paul
Blunt	Hastings (FL)	Payne
Bonior	Heffley	Pease
Brown (FL)	Herger	Petri
Brown (OH)	Hilleary	Pombo
Bryant	Hilliard	Rangel
Campbell	Hinchey	Rivers
Chabot	Hostettler	Rodriguez
Christensen	Inglis	Rohrabacher
Coburn	Istook	Royce
Cox	Jackson (IL)	Rush
Coyne	Jackson-Lee	Ryun
Crane	Clyburn (TX)	Salmon
Crapo	Jefferson	Sanders
Cummings	Johnson, E. B.	Sanford
Davis (IL)	Jones	Scarborough
Deal	Kaptur	Schaefer, Dan
Defazio	Kennedy (MA)	Scott
DeGette	Kennedy (RI)	Sensenbrenner
DeLauro	Kilpatrick	Serrano
Dellums	Kucinich	Smith, Linda
Doolittle	Largent	Stearns
Duncan	Levin	Stokes
Engel	Defazio	Stump
Ensign	McKinney	Thurman
Fattah	Meehan	Towns
Filner	McDonald	Traficant
Ford	Moran (KS)	Velazquez
Frost	Nadler	Waters
Furge	Neumann	Watt (NC)

NOT VOTING—40

The clerk announced the following pairs:

On this vote:

Mr. Ortiz for, with Mr. Roemer against.
Mr. Riley for, with Mr. Yates against.

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed bills and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 1564. An act to provide redress for inadequate restitution of assets seized by the United States Government during World War II which belonged to victims of the Holocaust, and for other purposes.

S. 1565. An act to make technical corrections to the Nicaraguan Adjustment and Central American Relief Act.

S. Con. Res. 69. Concurrent resolution to correct the enrollment of the bill S. 830.

S. Con. Res. 70. Concurrent resolution to correct a technical error in the enrollment of the bill S. 1026.

FURTHER CONTINUING APPROPRIATIONS, 1998

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations be discharged from further consideration of the joint resolution (H.J.Res. 106) making further continuing appropriations for the fiscal year 1998, and for other purposes, and that the House immediately consider and pass the joint resolution.

The Clerk read the title of the joint resolution.

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

Mr. OBEY. Reserving the right to object, Mr. Speaker, I would ask the gentleman from Louisiana if he would explain what the effect of this new continuing resolution is.

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

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

Mr. LIVINGSTON. Mr. Speaker, I would be happy to explain.

The continuing resolution offers a 12-day continuing resolution so that the President may act on the bills that have been passed. In the meantime, I am happy to announce that we have concluded all action on the fiscal year 1998 appropriations bills, and this is the first time in 3 years that we will present to the President 13 individual appropriations bills, and I might add that they are all within the congressional budget.

The continuing resolution again represents a 10-day extension, but 12 when we consider Sundays, of the existing CR for those remaining bills so that they can be enrolled by a clerk and presented to the President. Ten days is the time span specified by the Constitution, and although I have every indication that the President will sign the bills that are on his desk, we should pass the simple extension out of comity.

I urge the adoption of the resolution.

Mr. OBEY. Mr. Speaker, further reserving the right to object, let me simply say that with respect to some of the priorities in the bills that we passed, I am reminded of the question asked by Peggy Lee, "Is that all there is?" But, nonetheless, I guess at this point we cannot do anything to change those priorities. This simply extends the date, as I understand it, to the 26th of November, and we have no objection on this side of the aisle.

Mr. LIVINGSTON. Mr. Speaker, will the gentleman yield for a question?

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

Mr. LIVINGSTON. Is that Peggy Lee or Pinky Lee?

Mr. OBEY. Peggy. Pinky is more the gentleman's type.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 106

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 106(3) of Public Law 105-46 is further amended by striking "November 14, 1997" and inserting in lieu thereof "November 26, 1997", and each provision amended by sections 122 and 123 of such public law shall be applied as if "November 26, 1997" was substituted for "October 23, 1997".

The SPEAKER pro tempore. Without objection, the joint resolution is considered and passed.

There was no objection.

A motion to reconsider was laid on the table.

□ 2215

ENVIRONMENTAL POLICY AND CONFLICT RESOLUTION ACT OF 1997

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that the Committee on Education and the Workforce be discharged from further consideration of the bill (H.R. 3042) to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to establish the United States Institute for Environmental Conflict Resolution to conduct environmental conflict resolution and training, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

Mr. PASTOR. Mr. Speaker, reserving the right to object, we have cleared this bipartisan bill through our side of the aisle. I would like to thank the gentleman from Alaska, Chairman YOUNG, the gentleman from California, Mr. MILLER, and my colleague, the gentleman from Arizona, Mr. KOLBE, for helping us with this legislation.

Mr. KOLBE. Mr. Speaker, will the gentleman yield?

Mr. PASTOR. I yield to the gentleman from Arizona.

Mr. KOLBE. Mr. Speaker, I would also like to thank the chairman of the Committee on Resources, the gentleman from Alaska [Mr. YOUNG] for his cooperation on this. This fulfills a commitment that this body made several years ago when we created the Udall Foundation, to provide for them an authorization for them to do mediation on environmental disputes between Federal agencies and other Federal agencies, State or local agencies, as well as private businesses.

Mr. Speaker, I think this is a step in the right direction to get litigation out of the courtroom and into mediation. I

think it can serve us very well in our goals of trying to protect the environment, and also provide for economic growth in this country. I strongly support this.

Mr. PASTOR. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3042

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Environmental Policy and Conflict Resolution Act of 1997".

SEC. 2. DEFINITIONS.

Section 4 of the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5602) is amended—

(1) by redesignating paragraphs (4), (5), (6), and (7) as paragraphs (5), (9), (7), and (8), respectively;

(2) by inserting after paragraph (3) the following:

"(4) the term 'environmental dispute' means a dispute or conflict relating to the environment, public lands, or natural resources;";

(3) by inserting after paragraph (5) (as redesignated by paragraph (1)) the following:

"(6) the term 'Institute' means the United States Institute for Environmental Conflict Resolution established pursuant to section 7(a)(1)(D);";

(4) in paragraph (7) (as redesignated by paragraph (1)), by striking "and" at the end;

(5) in paragraph (8) (as redesignated by paragraph (1)), by striking the period at the end and inserting "and"; and

(6) in paragraph (9) (as redesignated by paragraph (1))

(A) by striking "fund" and inserting "Trust Fund"; and

(B) by striking the semicolon at the end and inserting a period.

SEC. 3. BOARD OF TRUSTEES.

Section 5(b) of the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5603(b)) is amended—

(i) in the matter preceding paragraph (1) of the second sentence, by striking "twelve" and inserting "thirteen"; and

(2) by adding at the end the following:

"(7) the chairperson of the President's Council on Environmental Quality, who shall serve as a nonvoting, ex officio member and shall not be eligible to serve as chairperson.";

SEC. 4. PURPOSE.

Section 6 of the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5604) is amended—

(1) in paragraph (4), by striking "an Environmental Conflict Resolution" and inserting "Environmental Conflict Resolution and Training";

(2) in paragraph (6), by striking "and" at the end;

(3) in paragraph (6), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

"(8) establish as part of the Foundation the United States Institute for Environmental Conflict Resolution to assist the Federal Government in implementing section 101 of the National Environmental Policy Act of 1969 (42 U.S.C. 4331) by providing assessment,

mediation, and other related services to resolve environmental disputes involving agencies and instrumentalities of the United States; and

"(9) complement the direction established by the President in Executive Order 12988 (61 Fed. Reg. 4729; relating to civil justice reform)."

SEC. 5. AUTHORITY.

Section 7(a) of the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5605(a)) is amended—

(1) in paragraph (1), by adding at the end the following:

"(D) INSTITUTE FOR ENVIRONMENTAL CONFLICT RESOLUTION.—

"(i) IN GENERAL.—The Foundation shall—

"(I) establish the United States Institute for Environmental Conflict Resolution as part of the Foundation; and

"(II) identify and conduct such programs, activities, and services as the Foundation determines appropriate to permit the Foundation to provide assessment, mediation, training, and other related services to resolve environmental disputes.

"(ii) GEOGRAPHIC PROXIMITY OF CONFLICT RESOLUTION PROVISION.—In providing assessment,

mediation, training, and other related services under clause (i) (II) to resolve environmental disputes, the Foundation shall consider, to the maximum extent practicable, conflict resolution providers within the geographic proximity of the conflict.";

(2) in paragraph (7), by inserting "and Training" after "Conflict Resolution".

SEC. 6. ENVIRONMENTAL DISPUTE RESOLUTION FUND.

(a) REDESIGNATION.—Sections 10 and 11 of the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5608, 5609) are redesignated as sections 12 and 13 of that Act, respectively.

(b) ENVIRONMENTAL DISPUTE RESOLUTION FUND.—The Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 et seq.) (as amended by subsection (a)) is amended by inserting after section 9 the following:

SEC. 10. ENVIRONMENTAL DISPUTE RESOLUTION FUND.

"(a) ESTABLISHMENT.—There is established in the Treasury of the United States an Environmental Dispute Resolution Fund to be administered by the Foundation. The fund shall consist of amounts appropriated to the Fund under section 13(b) and amounts paid into the Fund under section 11.

"(b) EXPENDITURES.—The Foundation shall expend from the Fund such sums as the Board determines are necessary to establish and operate the Institute, including such amounts as are necessary for salaries, administration, the provision of mediation and other services, and such other expenses as the Board determines are necessary.

"(c) DISTINCTION FROM TRUST FUND.—The Fund shall be maintained separately from the Trust Fund established under section 8.

"(d) INVESTMENT OF AMOUNTS.—

"(i) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

"(2) INTEREST-BEARING OBLIGATIONS.—Investments may be made only in interest-bearing obligations of the United States.

"(3) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under paragraph (1), obligations may be acquired—

"(A) on original issue at the issue price; or

"(B) by purchase of outstanding obligations at the market price.