

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, 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.

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.

Mr. CLAY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 343, nays 60, not voting 30, as follows:

[Roll No. 138]

YEAS—343

Abercrombie	Costello	Goodlatte
Allen	Coyne	Goodling
Archer	Cramer	Gordon
Army	Cubin	Graham
Bachus	Cummings	Granger
Baesler	Cunningham	Green
Baldacci	Danner	Greenwood
Barcia	Davis (FL)	Gutknecht
Barrett (NE)	Davis (VA)	Hall (OH)
Barrett (WI)	Deal	Hamilton
Bartlett	DeFazio	Hansen
Bass	Delahunt	Harman
Bateman	DeLauro	Hastert
Becerra	DeLay	Hastings (FL)
Bentsen	Dellums	Hastings (WA)
Bereuter	Deutsch	Herger
Berman	Diaz-Balart	Hill
Berry	Dicks	Hilleary
Bilbray	Dingell	Hilliard
Bilirakis	Dixon	Hinchey
Bishop	Doggett	Hinojosa
Blagojevich	Dooley	Hobson
Bliley	Doyle	Hoekstra
Blumenauer	Dreier	Holden
Blunt	Dunn	Hooley
Boehner	Edwards	Horn
Bonilla	Ehlers	Houghton
Bonior	Ehrlich	Hoyer
Bono	Engel	Hunter
Borski	English	Inglis
Boswell	Ensign	Jackson (IL)
Boucher	Eshoo	Jackson-Lee
Boyd	Etheridge	(TX)
Brady	Evans	Jenkins
Brown (CA)	Ewing	John
Brown (FL)	Farr	Johnson (CT)
Bryant	Fattah	Johnson (WI)
Bunning	Fawell	Johnson, E.B.
Burr	Fazio	Johnson, Sam
Buyer	Filner	Kanjorski
Calvert	Foglietta	Kaptur
Camp	Foley	Kasich
Canady	Forbes	Kelly
Capps	Ford	Kennedy (MA)
Cardin	Fowler	Kennedy (RI)
Carson	Fox	Kennelly
Castle	Frank (MA)	Kildee
Chabot	Franks (NJ)	Kilpatrick
Chambliss	Frelinghuysen	Kim
Christensen	Frost	Kind (WI)
Clay	Furse	Klecza
Clayton	Gallegly	Klug
Clement	Ganske	Knollenberg
Clyburn	Gejdenson	Kolbe
Coburn	Gekas	Kucinich
Combest	Gibbons	LaFalce
Condit	Gilchrest	Lampson
Conyers	Gilman	Lantos
Cooksey	Gonzalez	Largent

Latham	Nussle	Shimkus
LaTourette	Oberstar	Shuster
Lazio	Obe	Sisisky
Leach	Olver	Skaggs
Levin	Ortiz	Skeen
Lewis (CA)	Owens	Slaughter
Lewis (GA)	Oxley	Smith (MI)
Linder	Pallone	Smith (NJ)
Lipinski	Parker	Smith (OR)
Livingston	Pascrell	Smith (TX)
Lofgren	Pastor	Smith, Adam
Lowe	Paxon	Snowbarger
Lucas	Payne	Snyder
Luther	Pease	Souder
Maloney (CT)	Pelosi	Spence
Maloney (NY)	Peterson (MN)	Spratt
Markey	Peterson (PA)	Stabenow
Martinez	Pickering	Stark
Mascara	Pickett	Stenholm
Matsui	Pitts	Stokes
McCarthy (MO)	Pomeroy	Strickland
McCarthy (NY)	Porter	Stupak
McCollum	Portman	Sununu
McCrery	Poshard	Tanner
McDade	Price (NC)	Tauscher
McDermott	Pryce (OH)	Tauzin
McGovern	Rahall	Taylor (NC)
McHale	Ramstad	Thomas
McHugh	Rangel	Thompson
McInnis	Regula	Thornberry
McIntosh	Reyes	Thurman
McIntyre	Riggs	Tiahrt
McKeon	Rivers	Tierney
McKinney	Rodriguez	Torres
McNulty	Roemer	Trafigant
Meehan	Rogers	Turner
Meek	Rohrabacher	Upton
Menendez	Ros-Lehtinen	Velazquez
Mica	Rothman	Vento
Millender-McDonald	Roukema	Visclosky
Miller (FL)	Roybal-Allard	Walsh
Minge	Rush	Waters
Mink	Ryun	Watt (NC)
Moakley	Sabo	Waxman
Mollohan	Sanchez	Weldon (PA)
Moran (KS)	Sanders	Weller
Moran (VA)	Sandlin	Wexler
Morella	Sawyer	Weygand
Myrick	Saxton	White
Nadler	Schaffer, Bob	Whitfield
Neal	Schumer	Wise
Nethercutt	Scott	Wolf
Ney	Serrano	Woolsey
Northup	Shaw	Wynn
Norwood	Shays	Yates
	Sherman	Young (AK)

NAYS—60

Aderholt	Goss	Radanovich
Barr	Hall (TX)	Riley
Burton	Hayworth	Rogan
Callahan	Hefley	Royce
Campbell	Hostettler	Salmon
Cannon	Hulshof	Sanford
Chenoweth	Hutchinson	Scarborough
Coble	Hyde	Schaefer, Dan
Collins	Jones	Sensenbrenner
Cook	King (NY)	Sessions
Cox	Kingston	Shadegg
Crane	LaHood	Smith, Linda
Crapo	Lewis (KY)	Solomon
Davis (IL)	Manzullo	Stearns
Dickey	Metcalfe	Stump
Doolittle	Neumann	Talent
Duncan	Pappas	Taylor (MS)
Emerson	Paul	Thune
Everett	Petri	Wamp
Goode	Pombo	Weldon (FL)

NOT VOTING—30

Ackerman	Gillmor	Murtha
Andrews	Gutierrez	Packard
Baker	Hefner	Quinn
Ballenger	Istook	Schiff
Barton	Jefferson	Skelton
Boehlert	Klink	Towns
Brown (OH)	LoBiondo	Watkins
DeGette	Manton	Watts (OK)
Flake	Miller (CA)	Wicker
Gephardt	Molinari	Young (FL)

□ 1258

Mr. WELDON of Florida and Mr. DUNCAN changed their vote from "yea" to "nay."

Messrs. HINCHEY, TIAHRT and BARTLETT of Maryland changed their 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.

# AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1385, EMPLOYMENT, TRAINING, AND LITERACY ENHANCEMENT ACT OF 1997

Mr. McKEON. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 1385, the Clerk be authorized to make technical corrections and conforming changes to the bill.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentleman from California?

There was no objection.

## GENERAL LEAVE

Mr. McKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1385, the bill just passed.

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

There was no objection.

# APPOINTMENT OF CONFEREES ON H.R. 1469, 1997 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR RECOVERY FROM NATURAL DISASTERS, AND FOR OVERSEAS PEACEKEEPING EFFORTS, INCLUDING THOSE IN BOSNIA

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1469) making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

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

There was no objection.

□ 1300

## MOTION TO INSTRUCT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Speaker, I offer a motion to instruct.

The Clerk read as follows:

Ms. KAPTUR moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 1469, be instructed to insist on the House position with respect to funding for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), providing a funding level of \$76,000,000, to ensure no reduction in the number of participants being served by this program.

The SPEAKER pro tempore [Mr. HASTINGS of Washington]. The gentlewoman from Ohio [Ms. KAPTUR] will be recognized for 30 minutes, and the gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 30 minutes.

The Chair recognizes the gentlewoman from Ohio [Ms. KAPTUR].

Ms. KAPTUR. Mr. Speaker, I yield myself such time as I may consume.

In view of the time, I think it is our intention to be respectful to the Members and their needs to catch their flights. Our motion instructs conferees to simply insist that the funding level of \$76 million provided in the House-passed bill for the WIC Program, which was agreed to overwhelmingly by this body yesterday, prevailed in conference with the Senate.

The Senate version of the bill includes only \$58 million for the WIC Program, and in its statement of administration policy on the Senate version of the bill, the administration estimated that the number of women, infants, and children served would be reduced by 75,000 to 100,000 participants if the \$58 million number prevailed.

So we ask, Mr. Speaker, that we have this motion to instruct the conferees, and I reserve the balance of my time.

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

Mr. Speaker, it was my own position that this money was not needed, that there was ample money in the pipeline for all of the deserving recipients of WIC funds. However, my personal position was different from the vote of the House yesterday which supported the position stated by the gentlewoman from Ohio [Ms. KAPTUR]. That vote was 338 to 89. So in view of that vote, I believe that we should indeed be instructed and would intend to support the House position of \$76 million versus the Senate position of \$58 million.

Mr. Speaker, I would accept the amendment. However, before doing so, I yield such time as he may consume to the gentleman from Georgia [Mr. KINGSTON].

Mr. KINGSTON. Mr. Speaker, perhaps the ranking member and I could have a slight dialog on this.

Last night we had discussed the possibility of an amendment or warning to the bill to make sure that the money only goes to the families and the children rather than to the bureaucracy to the extent that it can, and my colleague had raised some concerns about the administrative costs being high.

There is about, as my colleague knows, \$15 million in the \$76 million that will go straight to administration. I think it is the desire of many people to say that if we are increasing the money, let us not feed the bureaucrat, the bureaucracy; let us feed the children.

And so my question to my colleague, not amending the bill, but would the minority side work in the spirit of the intention of the amendment to say that as much money as possible goes to

children and women and not to the bureaucracy?

Ms. KAPTUR. Mr. Speaker, will the gentleman yield?

Mr. KINGSTON. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Speaker, we absolutely want to keep with the purposes of the program.

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

Ms. KAPTUR. Mr. Speaker, I yield as much time as he may consume to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, let me simply say that I think we need to understand, if I can get the attention of the gentleman from Georgia [Mr. KINGSTON], using the term "administrative uses" is a very tricky way to go about this. We do not want in any way under the guise of preventing this money from going to bureaucratic convenience, we do not want in any way, and I am sure that Members on both sides of the House will not want in any way, to have a proposition which expresses concern that we do not want money to go to administrative costs to mean that that will get in the way of implementing cost containment to recover \$1 billion from infant formula rebates.

We do not regard the administrative expenses as items such as blood tests to determine whether a woman is anemic, or we do not believe that it is administrative funding to provide counseling for pregnant women on the dangers of alcohol and drugs to their unborn children. We do not think that it is administrative expenses to promote breast-feeding on the part of new mothers. We certainly do not want to interfere with the printing of vouchers.

And the problem is that the way "administrative expenses" are defined could very well preclude all of those activities, which would absolutely gut the purposes expressed yesterday. And so we will be very willing to look at the legitimate efforts to see that this goes only to provide needed services or evaluation or needed outreach for and to the populations who were meant to be served. But we do not want a definition of "administrative services" that, under the guise of limiting administrative services, actually cuts out needed services to people.

Ms. KAPTUR. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Speaker, I want to associate myself with the remarks of the gentleman from Wisconsin [Mr. OBEY], and I talked with my colleague and friend from Georgia [Mr. KINGSTON] on this question of the administrative costs, and I do think that he agrees with us.

There are questions of bureaucracy here, but the wording "administrative" should in no way be used to dilute these essential services which, by anybody's definition, are really delivery of services to these women and children that are in great need.

But I support this motion to instruct, and I am sure that in the conference the language can be looked at, and how one defines that bureaucracy is one thing, but if it is left open ended and it actually is a dilution of services, then of course we would all have to oppose that.

Ms. KAPTUR. Reclaiming my time, Mr. Speaker, I would just like to say that when we are offering this motion to instruct, it is simply on the language that was adopted here yesterday. We appreciate the gentleman's concerns, and in view of the time, I think the membership would like a vote on this.

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

Mr. LIVINGSTON. Mr. Speaker, I yield 1 minute to the gentleman from Georgia [Mr. KINGSTON].

Mr. KINGSTON. Mr. Speaker, let me, in response to the ranking members's comments on the complete agreement, that which is legitimately needed to make the program work; I agree that it is not administrative costs. The intention with the amendment was to have it broad enough so that the USDA could define those essential services. We are in agreement on that. I just want to make sure that as much money as possible goes to the end user and as little as necessary goes to bureaucrats.

Mr. Speaker, I think we have had enough discussion on this.

Mr. LIVINGSTON. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Speaker, I thank the distinguished chairman of the House Committee on Appropriations.

Mr. Speaker, let me just say that I think this is an issue that should have been addressed in conference. It is fundamentally the purpose of a conference committee between the House and the Senate, but now the gentlewoman and the distinguished ranking member of the committee have offered this motion to instruct, I intend to support it.

As I said yesterday, I am accepting the administration's assertion on good faith that we need a minimum of \$76 million to ensure full enrollment, full participation, in the program this year.

However, to address the concerns, the very legitimate concerns, of the appropriators regarding the status and the future of this program, we are going to be looking at this fall in the context of reauthorization all the issues that have been identified in the letter to the GAO, to the Comptroller General of the United States, requesting a management audit of this particular program. Those issues include determining the reasons why some States are not spending all of their Federal program funding; ascertaining the number of women, infants, and children who are eligible to participate in the program and the extent to which they actually participate in the program; assessing the extent to which ineligible persons

are receiving program benefits as a result of inadequate income documentation and verification; identifying those State practices that significantly enhance or diminish the effective and efficient operation of the program; assessing the extent to which program benefits are accessible to eligible working women and their children; assessing the effect of competitive bidding contracts for infant formula on non-WIC consumers of infant formula and the percentage market share of commodities to determine other possible products where cost savings could be realized through competitive bidding without cost shifting effect on non-WIC customers; and, last, assessing the effect of this requirement that WIC products be purchased in individual serving quantities on cost savings and program integrity.

The time to address these issues is when the GAO has had a chance to report back to Congress, will be looking at their findings and recommendations in the context of the reauthorization debate this fall.

Mr. Speaker, I support again full funding for the current year and, therefore, intend to support the motion to instruct.

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

Ms. KAPTUR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, just wanted to thank the gentleman from California [Mr. RIGGS] from the authorizing committee and say we will welcome the work of his committee later this fall.

In addition to that, I think WIC is one of the most audited and studied programs in the entire Government of the United States. There are currently four studies ongoing on the program which I know will enlighten the gentleman's work, including one that the Committee on the Budget is doing in conjunction with the GAO.

Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I would just like to take 30 seconds to reiterate, this motion to instruct is a motion to instruct on the amendment as it passed the House last night, period, with no games played on the question of administrative costs which in any way could undercut the delivery of services to one deserving or eligible human being under the WIC Program.

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

Mr. LIVINGSTON. Mr. Speaker, does the gentlewoman have any additional speakers?

Ms. KAPTUR. I have no additional speakers.

Mr. LIVINGSTON. Then, Mr. Speaker, the gentleman from Louisiana yields himself such time as he may consume to simply point out that all of the speakers have made their points. It would be the position of this gentleman to press the case advanced by the gentleman from Georgia, but in view of all

of the statements here and the vote last night of, again, 338 to 89, we have no objection, the majority has no objection, to the motion to instruct advanced by the gentlewoman.

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

Ms. KAPTUR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to thank the gentleman for his consideration. We very much want the House to instruct the conferees to be very vigilant in maintaining the language as passed here yesterday, and I would ask the membership to support the full funding level for all participants in WIC.

Ms. VELÁZQUEZ. Mr. Speaker, even though many Republicans finally realized the error of their ways and joined the Democrats to restore \$76 million for basic nutrition for America's poorest babies—we can't claim victory yet. The Senate has only set aside \$58 million for WIC. Right now, the fate of 85,000 women and children will be decided by a Republican-dominated conference.

When negotiation on the lives of infants and mothers begins next week, I would urge the conferees to maintain the full \$76 million for WIC. America will be watching. If you try to use smoke and mirrors to deny these children food, we will know.

My colleagues, the supplemental already hurts American families by freezing funding for education. After weeks of fighting, we have to stick to our guns. We must give all 180,000 women, children and infants the proper nutrition they need.

Ms. KAPTUR. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentlewoman from Ohio [Ms. KAPTUR].

The motion was agreed to.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Messrs. LIVINGSTON, MCDADE, YOUNG of Florida, REGULA, LEWIS of California, PORTER, ROGERS, SKEEN, WOLF, KOLBE, PACKARD, CALLAHAN, WALSH, TAYLOR of North Carolina, OBEY, YATES, STOKES, MURTHA, SABO, FAZIO of California, HOYER, MOLLOHAN, Ms. KAPTUR, and Ms. PELOSI.

There was no objection.

□ 1315

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The Chair will entertain 1-minute requests.

#### MIND OF A DEMOCRAT MILLIONAIRE

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, I say to my friends, have they ever wondered what it is like to be a Democrat millionaire? Well, if we look in Congressional Daily on page 4 today, we can get some insight into the mind of a Democrat millionaire.

We have a Senator, Senator KERRY on the other side, who was in danger of receiving a parking ticket for having the family car parked in front of a fire hydrant. I do not know if he got a parking ticket or not, but what did he do? He moved his family's millions to move the fire hydrant.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman will suspend. The gentleman will try to avoid making references to Members of the other body.

Mr. KINGSTON. Mr. Speaker, if one has millions and millions of dollars and if one parks in front of a fire hydrant, do not worry about a ticket, just pay to have the hydrant moved.

So in the exclusive Beacon Hill area of Boston, the civic association says, this has never, ever happened before. A guy named Peter Thompson said, this is a first even for Beacon Hill. Remember that. If you have lots of money and want to park in front of a hydrant, just pay to have the hydrant moved.

#### VOTING FOR LIBERTARIANISM IS VOTING FOR LIBERTY

(Mr. PAUL asked and was given permission to address the House for 1 minute.)

Mr. PAUL. Mr. Speaker, we have just finished the debate on the jobs programs bill, and in the discussion I was referred to as a libertarian, but a very consistent one that voted the same way on each type of legislation.

I would like to remind my colleagues that voting for libertarianism is voting for liberty. Also it is a very consistent vote with the doctrine of enumerated powers. It is said in the Constitution that we can only do here in the Congress which is enumerated by the clauses within the document. So therefore, if it is said that I am very consistent and want to be labeled as libertarian, that is one thing, I do not deny that. But in the other sense, I am a strict constitutionalist that obeys and listens very carefully to my pledge to the Constitution as well as paying close attention to the ninth and tenth amendment.

#### ENVIRONMENTAL EXTREMISTS FAVOR BEETLES OVER PEOPLE

(Mr. SCARBOROUGH asked and was given permission to address the House for 1 minute.)

Mr. SCARBOROUGH. Mr. Chairman, I have had a fairly good environmental rating over the past couple of years, but what happened last week shows us how far environmentalists will go; actually, not even environmentalists, but