

[Roll No. 432]

YEAS—309

Abercrombie	Ford	McKinney
Ackerman	Fowler	McNulty
Aderholt	Frank (MA)	Meehan
Allen	Franks (NJ)	Meek
Andrews	Frelinghuysen	Menendez
Archer	Frost	Metcalf
Bachus	Furse	Mica
Baesler	Gallegly	Millender-
Baker	Ganske	McDonald
Baldacci	Gekas	Miller (FL)
Ballenger	Gephardt	Mink
Barrett (NE)	Gilchrest	Moakley
Bartlett	Gillmor	Mollohan
Bass	Gilman	Moran (VA)
Bateman	Goodlatte	
Bentsen	Gordon	Murtha
Bereuter	Goss	Nadler
Berman	Granger	Neal
Bilbray	Greenwood	Nethercutt
Bishop	Gutknecht	
Blagojevich	Hall (OH)	Northup
Bliley	Hamilton	Norwood
Blumenauer	Hansen	Oberstar
Boehlert	Hastert	Obey
Boehner	Hefner	Olver
Bonior	Herger	Ortiz
Bono	Hilliard	Owens
Borski	Hinchey	Oxley
Boswell	Hinojosa	Packard
Boucher	Hobson	Pallone
Boyd	Hoekstra	Pappas
Brown (CA)	Holden	Pascarell
Brown (FL)	Horn	Pastor
Brown (OH)	Houghton	Paxon
Burton	Hoyer	Payne
Buyer	Hyde	Pelosi
Callahan	Istook	Peterson (PA)
Calvert	Jackson (IL)	Petri
Camp	Jackson-Lee	Pickering
Campbell	(TX)	Pickett
Canady	Jefferson	Pitts
Cannon	Jenkins	Pombo
Capps	John	Pomeroy
Cardin	Johnson (CT)	Porter
Castle	Johnson (WI)	Price (NC)
Chambliss	Johnson, Sam	Pryce (OH)
Christensen	Kanjorski	Quinn
Clay	Kaptur	Rahall
Clayton	Kelly	Rangel
Collins	Kennedy (MA)	Redmond
Combest	Kennedy (RI)	Regula
Cook	Kennelly	Reyes
Cooksey	Kildee	Riggs
Coyne	Kilpatrick	Rivers
Cramer	Kim	Rodriguez
Crane	King (NY)	Rogan
Crapo	Kingston	Rogers
Cubin	Klecza	Rohrabacher
Cummings	Klink	Ros-Lehtinen
Cunningham	Klug	Rothman
Danner	Knollenberg	Roybal-Allard
Davis (FL)	Kolbe	Ryun
Davis (VA)	LaFalce	Sabo
Deal	LaHood	Sanchez
DeGette	Lantos	Sanders
Delahunt	Latham	Sandlin
DeLauro	LaTourette	Sawyer
DeLay	Lazio	Saxton
Dellums	Leach	Scott
Diaz-Balart	Levin	Serrano
Dickey	Lewis (CA)	Sessions
Dicks	Lewis (GA)	Shaw
Dingell	Linder	Shuster
Dixon	Lipinski	Sisisky
Dooley	Livingston	Skaggs
Doolittle	Lowey	Skeen
Doyle	Lucas	Smith (NJ)
Dreier	Maloney (NY)	Smith (TX)
Duncan	Manton	Smith, Adam
Dunn	Manzullo	Snowbarger
Edwards	Markey	Snyder
Ehlers	Martinez	Solomon
Ehrlich	Mascara	Spence
Engel	Matsui	Stokes
English	McCarthy (MO)	Sununu
Etheridge	McCarthy (NY)	Talent
Evans	McCollum	Tanner
Everett	McCrery	Tauzin
Ewing	McDade	Taylor (NC)
Farr	McDermott	Thomas
Fattah	McGovern	Thornberry
Fawell	McHugh	Thune
Fazio	McInnis	Tiahrt
Filner	McIntosh	Tierney
Foley	McIntyre	Torres
Forbes	McKeon	Towns

Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watt (NC)

Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Whitfield
Wicker

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

The vote was taken by electronic device, and there were—ayes 82, noes 325, not voting 26, as follows:

[Roll No. 433]

AYES—82

Ackerman	Ford	Moakley
Allen	Frank (MA)	Myrick
Andrews	Furse	Nadler
Barrett (WI)	Gejdenson	Neal
Bartlett	Gephardt	Obey
Becerra	Harman	Olver
Berry	Hefner	Pallone
Blumenauer	Hostettler	Pascarell
Bonior	Jefferson	Pelosi
Borski	Johnson (WI)	Rodriguez
Brown (OH)	Johnson, E. B.	Sawyer
Cardin	Kaptur	Scott
Clay	Kennedy (MA)	Slaughter
Clyburn	Kennedy (RI)	Stark
Conyers	Kennelly	Strickland
Coyne	Kilpatrick	Stupak
Davis (FL)	Kind (WI)	Tauscher
DeFazio	Lampson	Thompson
Delahunt	Levin	Tierney
DeLauro	Lewis (GA)	Torres
Deutsch	Lowey	Towns
Doggett	Maloney (NY)	Visclosky
Eshoo	McDermott	Waters
Evans	McGovern	Waxman
Farr	McNulty	Woolsey
Fattah	Meehan	Yates
Fazio	Miller (CA)	
Filner	Mink	

NOES—325

Abercrombie	Cunningham	Hilliard
Aderholt	Danner	Hinchey
Archer	Davis (IL)	Hinojosa
Armey	Davis (VA)	Hobson
Bachus	Deal	Hoekstra
Baker	DeGette	Holden
Baldacci	DeLay	Hooley
Ballenger	Dellums	Horn
Barcia	Diaz-Balart	Houghton
Barr	Dickey	Hoyer
Barrett (NE)	Dicks	Hulshof
Barton	Dingell	Hutchinson
Bass	Dixon	Inglis
Bateman	Dooley	Istook
Bentsen	Doolittle	Jackson (IL)
Bereuter	Doyle	Jackson-Lee
Bilbray	Dreier	(TX)
Bilirakis	Duncan	Jenkins
Bishop	Dunn	John
Blagojevich	Edwards	Johnson (CT)
Bliley	Ehlers	Johnson, Sam
Blunt	Ehrlich	Jones
Boehlert	Emerson	Kanjorski
Boehner	Engel	Kasich
Bono	English	Kelly
Boswell	Ensign	Kildee
Boucher	Etheridge	Kim
Boyd	Everett	King (NY)
Brady	Ewing	Kingston
Brown (CA)	Fawell	Klecza
Brown (FL)	Foley	Klink
Bryant	Forbes	Klug
Bunning	Fowler	Knollenberg
Burton	Fox	Kolbe
Callahan	Franks (NJ)	Kucinich
Calvert	Frelinghuysen	LaFalce
Camp	Gallegly	LaHood
Campbell	Ganske	Lantos
Canady	Gibbons	Largent
Cannon	Gilchrest	Latham
Capps	Gillmor	LaTourette
Carson	Gilman	Lazio
Castle	Goode	Leach
Chabot	Goodlatte	Lewis (CA)
Chambliss	Goodling	Lewis (KY)
Chenoweth	Gordon	Linder
Christensen	Goss	Lipinski
Clayton	Graham	Livingston
Clement	Granger	LoBiondo
Coble	Green	Lofgren
Coburn	Gutknecht	Lucas
Collins	Hall (OH)	Luther
Combest	Hall (TX)	Maloney (CT)
Condit	Hamilton	Manton
Cook	Hansen	Manzullo
Costello	Hastert	Mascara
Cox	Hastings (WA)	Matsui
Cramer	Hayworth	McCarthy (MO)
Crane	Hefley	McCarthy (NY)
Crapo	Herger	McCollum
Cubin	Hill	McCrery
Cummings	Hilleary	McDade

NAYS—106

Barcia	Harman	Royce
Barr	Hastings (WA)	Rush
Barrett (WI)	Hayworth	Salmon
Barton	Hefley	Sanford
Becerra	Hill	Scarborough
Berry	Hilleary	Schaefer, Dan
Bilirakis	Hooley	Schaffer, Bob
Blunt	Hostettler	Schumer
Brady	Hulshof	Sensenbrenner
Bryant	Hutchinson	Shadegg
Bunning	Johnson, E. B.	Shays
Burr	Jones	Sherman
Carson	Kind (WI)	Shimkus
Chabot	Kucinich	Skelton
Chenoweth	Lampson	Slaughter
Clement	Largent	Smith (MI)
Clyburn	Lewis (KY)	Smith, Linda
Coburn	LoBiondo	Souder
Condit	Lofgren	Stabenow
Conyers	Luther	Stark
Costello	Maloney (CT)	Stearns
Cox	McHale	Stenholm
Davis (IL)	Miller (CA)	Strickland
DeFazio	Minge	Stump
Deutsch	Moran (KS)	Stupak
Doggett	Myrick	Tauscher
Ensign	Neumann	Taylor (MS)
Eshoo	Nussle	Thompson
Fox	Paul	Thurman
Gejdenson	Pease	Trafficant
Gibbons	Poshard	Turner
Goode	Radanovich	Watkins
Goodling	Ramstad	Watts (OK)
Green	Riley	Weller
Gutierrez	Roemer	
Hall (TX)	Roukema	

NOT VOTING—18

Armey	Gonzalez	Parker
Bonilla	Graham	Peterson (MN)
Coble	Hastings (FL)	Portman
Emerson	Hunter	Schiff
Flake	Inglis	Smith (OR)
Foglietta	Kasich	Spratt

□ 1341

Ms. SLAUGHTER, Mrs. MYRICK, Mrs. TAUSCHER, and Messrs. BRYANT, DAVIS of Illinois, RILEY, SKELTON, GIBBONS, and HILLEARY, Ms. EDDY BERNICE JOHNSON of Texas, Ms. ESHOO, and Messrs. COX of California, BARR of Georgia, LAMPSON, SMITH of Michigan, FOX of Pennsylvania, CLEMENT, and HAYWORTH changed their vote from “yea” to “nay.”

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.

MOTION TO ADJOURN

Mr. TIERNEY. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The question is on the motion to adjourn offered by the gentleman from Massachusetts [Mr. TIERNEY].

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

RECORDED VOTE

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

A recorded vote was ordered.

McHale	Portman	Smith (MI)
McHugh	Poshard	Smith (NJ)
McInnis	Price (NC)	Smith (OR)
McIntosh	Pryce (OH)	Smith (TX)
McIntyre	Quinn	Smith, Adam
McKeon	Radanovich	Smith, Linda
McKinney	Rahall	Snowbarger
Meek	Ramstad	Snyder
Menendez	Rangel	Solomon
Metcalf	Redmond	Souder
Mica	Regula	Spence
Millender-	Reyes	Spratt
McDonald	Riggs	Stabenow
Miller (FL)	Riley	Stearns
Minge	Rivers	Stenholm
Mollohan	Roemer	Stokes
Moran (KS)	Rogan	Stump
Moran (VA)	Rogers	Sununu
Morella	Rohrabacher	Talent
Murtha	Ros-Lehtinen	Tanner
Nethercutt	Rothman	Tauzin
Neumann	Roybal-Allard	Taylor (MS)
Ney	Royce	Thomas
Northup	Rush	Thornberry
Norwood	Ryun	Thune
Nussle	Salmon	Thurman
Oberstar	Sanchez	Tiahrt
Ortiz	Sandlin	Trafficant
Owens	Sanford	Turner
Oxley	Saxton	Upton
Packard	Scarborough	Velazquez
Pappas	Schaefer, Dan	Walsh
Parker	Schaffer, Bob	Wamp
Pastor	Schumer	Watkins
Paul	Sensenbrenner	Watt (NC)
Paxon	Serrano	Watts (OK)
Payne	Sessions	Weldon (FL)
Pease	Shadegg	Weller
Peterson (MN)	Shaw	Weygand
Peterson (PA)	Shays	White
Petri	Sherman	Whitfield
Pickering	Shimkus	Wicker
Pickett	Shuster	Wise
Pitts	Sisisky	Wolf
Pombo	Skaggs	Wynn
Pomeroy	Skeen	Young (AK)
Porter	Skelton	Young (FL)

NOT VOTING—26

Baesler	Gekas	Roukema
Berman	Gonzalez	Sabo
Bonilla	Greenwood	Sanders
Burr	Gutierrez	Schiff
Buyer	Hastings (FL)	Taylor (NC)
Cooksey	Hunter	Vento
Flake	Hyde	Weldon (PA)
Foglietta	Markey	Wexler
Frost	Martinez	

□ 1402

Mr. THUNE and Ms. HOOLEY of Oregon changed their vote from "aye" to "no."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 2267, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 239 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 239

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. 2267) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending

September 30, 1998, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 or 6 of rule XXI are waived. Before consideration of any other amendment it shall be in order to consider the amendment numbered 1 in part 2 of the report of the Committee on Rules, if offered by the Member designated in the report, which may amend portions of the bill not yet read for amendment. The amendments printed in part 2 of the report of the Committee on Rules may be offered only by a Member designated in the report and, except for the amendment numbered 1, may be offered only at the appropriate point in the reading of the bill. The amendments in part 2 of the report of the Committee on Rules 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, 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 amendment numbered 2 in part 2 of the report of the Committee on Rules are waived. Points of order against the amendments numbered 1 and 3 in part 2 of the report of the Committee on Rules for failure to comply with clause 2 of rule XXI are waived. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. 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 fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from California [Mr. DREIER] is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my very good friend, the gentleman from Dayton, OH [Mr. HALL], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. DREIER asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. DREIER. Mr. Speaker, this rule makes in order H.R. 2267, the Departments of Commerce, Justice and State, and related agencies appropriations bill for fiscal year 1998 under an open rule. It waives all points of order against provisions of the bill as amended by this rule, containing unauthorized appropriations or constituting legislation in appropriations bills.

The rule self-executes the adoption of an amendment contained in the Committee on Rules report providing for judicial review of census sampling. It also makes in order three additional amendments contained in the report and provides the appropriate waivers. The rule also contains the standard procedures for priority recognition of amendments and the rolling of votes on amendments, as the reading clerk has outlined.

Mr. Speaker, this is a very reasonable rule that allows the House to work its will on a number of very contentious issues. It provides several options for dealing with the issue of reimbursing individuals paid by the Clerk of the House for legal expenses in conjunction with an unjustified Department of Justice prosecution.

It provides for the consideration of compromise language in the form of an amendment by the gentleman from Indiana [Mr. BURTON], the chairman of the Committee on Government Reform and Oversight, dealing with the Legal Services Corporation.

The rule also provides for a Mollohan-Shays alternative on funding for Census 2000 and the use of funds for activities related to sampling.

At the request of the minority, the Committee on Rules increased the debate time on that amendment from 30 minutes to 80 minutes.

Mr. Speaker, we have every right to be concerned about the Census Bureau's proposal to use statistical sampling to determine our Nation's population, especially since our U.S. Constitution very specifically states actual enumeration should take place. Statistical sampling is fraught with the potential for abuse.

One can only imagine how an administration policy which has actually led to the registration of noncitizens with criminal records to vote could also potentially lead to the abuse of statistical sampling.

I would like to commend the gentleman from Kentucky [Mr. ROGERS], the chairman, for his tremendous effort in putting together a bill that reflects our Nation's values and priorities. It provides additional funding for State and local law enforcement, juvenile crime control, State prison grants and drug enforcement, including efforts to stop drug trafficking across our borders.

The bill recognizes the ongoing financial burden that States bear for incarceration of illegal aliens. States such