

□ 1801

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, 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 amend the Immigration and Nationality Act to exempt internationally adopted children 10 years of age or younger from the immunization requirement in section 212(a)(1)(A)(ii) of such Act."

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. FORD. Mr. Speaker, on rollcall Nos. 515 and 516, I was unavoidably detained.

On rollcall 515 I would have voted: "no";

On rollcall 516 I would have voted: "yes".

## ANNOUNCEMENT OF THE CONFIRMATION OF REPRESENTATIVE THOMAS FOGLIETTA AS AMBASSADOR TO ITALY

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

Mr. MURTHA. Mr. Speaker, it is my pleasure to announce to the House of Representatives that the gentleman from Pennsylvania [Mr. FOGLIETTA] has now been confirmed by the other body, the Senate, as the Ambassador to Italy. The gentleman from Texas [Mr. DELAY] says, "Make your reservations early."

## PRESIDENTIAL AND EXECUTIVE OFFICE FINANCIAL ACCOUNTABILITY ACT OF 1997

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1962, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. HORN] that the House suspend the rules and pass the bill, H.R. 1962, as amended.

The question was taken.

## RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 413, noes 3, not voting 17, as follows:

[Roll No. 517]

AYES—413

Abercrombie	Baldacci	Bentsen
Ackerman	Ballenger	Bereuter
Aderholt	Barcia	Berman
Allen	Barr	Berry
Andrews	Barrett (WI)	Billbray
Archer	Bartlett	Bilirakis
Armey	Barton	Bishop
Bachus	Bass	Blagojevich
Baesler	Bateman	Bliley
Baker	Becerra	Blumenauer

Blunt	Frost	Luther
Boehert	Furse	Maloney (CT)
Boehner	Gallegly	Maloney (NY)
Bonilla	Ganske	Manzullo
Bonior	Gejdenson	Markey
Borski	Gekas	Martinez
Boswell	Gephardt	Mascara
Boucher	Gibbons	Matsui
Boyd	Gilchrest	McCarthy (MO)
Brady	Gilman	McCarthy (NY)
Brown (CA)	Goode	McCollum
Brown (FL)	Goodlatte	McCrery
Brown (OH)	Goodling	McDade
Bryant	Gordon	McDermott
Bunning	Goss	McGovern
Burr	Graham	McHale
Burton	Granger	McHugh
Buyer	Green	McInnis
Callahan	Greenwood	McIntyre
Calvert	Gutierrez	McKeon
Camp	Gutknecht	McKinney
Campbell	Hall (OH)	McNulty
Canady	Hall (TX)	Meehan
Cannon	Hamilton	Meek
Capps	Hansen	Menendez
Cardin	Harman	Metcalf
Carson	Hastert	Mica
Castle	Hastings (FL)	Millender-
Chabot	Hastings (WA)	McDonald
Chambliss	Hayworth	Miller (CA)
Chenoweth	Hefley	Miller (FL)
Christensen	Hefner	Minge
Clay	Herger	Mink
Clayton	Hill	Moakley
Clement	Hilleary	Mollohan
Clyburn	Hilliard	Moran (KS)
Coburn	Hinche	Moran (VA)
Collins	Hinojosa	Morella
Combest	Hobson	Murtha
Condit	Hoekstra	Myrick
Conyers	Holden	Nadler
Cook	Hooley	Nethercutt
Cooksey	Horn	Neumann
Costello	Hostettler	Ney
Cox	Houghton	Northup
Coyne	Hoyer	Norwood
Cramer	Hulshof	Nussle
Crane	Hunter	Oberstar
Crapo	Hutchinson	Obey
Cummings	Inglis	Olver
Cunningham	Istook	Ortiz
Danner	Jackson (IL)	Owens
Davis (FL)	Jackson-Lee	Oxley
Davis (IL)	(TX)	Packard
Davis (VA)	Jenkins	Pallone
Deal	John	Pappas
DeFazio	Johnson (CT)	Parker
DeGette	Johnson (WI)	Pascrell
DeLauro	Johnson, E. B.	Pastor
DeLay	Johnson, Sam	Paxon
Deutsch	Jones	Payne
Diaz-Balart	Kanjorski	Pease
Dickey	Kaptur	Pelosi
Dicks	Kasich	Peterson (MN)
Dingell	Kelly	Peterson (PA)
Dixon	Kennedy (MA)	Petri
Dooley	Kennedy (RI)	Pickering
Doolittle	Kennelly	Pickett
Doyle	Kildee	Pitts
Dreier	Kilpatrick	Pombo
Duncan	Kim	Pomeroy
Dunn	Kind (WI)	Porter
Edwards	King (NY)	Portman
Ehlers	Kingston	Poshard
Ehrlich	Klecza	Price (NC)
Emerson	Klink	Pryce (OH)
Engel	Klug	Quinn
English	Knollenberg	Radanovich
Ensign	Kolbe	Rahall
Eshoo	Kucinich	Ramstad
Etheridge	LaFalce	Rangel
Evans	LaHood	Redmond
Everett	Lampson	Regula
Ewing	Largent	Reyes
Farr	Latham	Riggs
Fattah	LaTourette	Riley
Fawell	Lazio	Rivers
Fazio	Leach	Rodriguez
Filner	Levin	Roemer
Flake	Lewis (CA)	Rogan
Foglietta	Lewis (GA)	Rogers
Foley	Lewis (KY)	Rohrabacher
Forbes	Linder	Ros-Lehtinen
Ford	Lipinski	Rothman
Fox	Livingston	Roukema
Frank (MA)	LoBiondo	Roybal-Allard
Franks (NJ)	Lofgren	Royce
Frelinghuysen	Lowey	Rush
	Lucas	Ryun

Sabo	Smith (TX)	Torres
Salmon	Smith, Adam	Towns
Sanchez	Smith, Linda	Trafficant
Sanders	Snowbarger	Turner
Sandlin	Snyder	Upton
Sanford	Solomon	Velazquez
Sawyer	Souder	Vento
Saxton	Spence	Visclosky
Scarborough	Spratt	Walsh
Schaefer, Dan	Stabenow	Wamp
Schaffer, Bob	Stark	Waters
Schumer	Stearns	Watt (NC)
Scott	Stenholm	Waxman
Sensenbrenner	Stokes	Weldon (FL)
Serrano	Strickland	Weldon (PA)
Sessions	Stump	Weller
Shadegg	Stupak	Wexler
Shaw	Sununu	Weygand
Shays	Tanner	White
Sherman	Tauscher	Whitfield
Shimkus	Tauzin	Wicker
Shuster	Taylor (MS)	Wise
Sisisky	Taylor (NC)	Wolf
Skaggs	Thomas	Woolsey
Skeen	Thompson	Wynn
Skelton	Thornberry	Yates
Slaughter	Thune	Young (AK)
Smith (MI)	Thurman	Young (FL)
Smith (NJ)	Tiahrt	
Smith (OR)	Tierney	

## NOES—3

Coble	Manton	Paul
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## NOT VOTING—17

Barrett (NE)	Gillmor	Neal
Bono	Gonzalez	Schiff
Cubin	Hyde	Talent
Dellums	Jefferson	Watkins
Doggett	Lantos	Watts (OK)
Fowler	McIntosh	

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So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, 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 for a Chief Financial Officer in the Executive Office of the President."

A motion to reconsider was laid on the table.

## PARTIAL-BIRTH ABORTION BAN ACT—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105-158)

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

*To the House of Representatives:*

I am returning herewith without my approval H.R. 1122, which would prohibit doctors from performing a certain kind of abortion. I am returning H.R. 1122 for exactly the same reasons I returned an earlier substantially identical version of this bill, H.R. 1833, last year. My veto message of April 10, 1996, fully explains my reasons for returning that bill and applies to H.R. 1122 as well. H.R. 1122 is a bill that is consistent neither with the Constitution nor sound public policy.

As I stated on many occasions, I support the decision in *Roe v. Wade* protecting a woman's right to choose. Consistent with that decision, I have long opposed late-term abortions, and I continue to do so except in those instances necessary to save the life of a woman or prevent serious harm to her

health. Unfortunately, H.R. 1122 does not contain an exception to the measure's ban that will adequately protect the lives and health of the small group of women in tragic circumstances who need an abortion performed at a late stage of pregnancy to avert death or serious injury.

I have asked the Congress repeatedly, for almost 2 years, to send me legislation that includes a limited exception for the small number of compelling cases where use of this procedure is necessary to avoid serious health consequences. When Governor of Arkansas, I signed a bill into law that barred third-trimester abortions, with an appropriate exception for life or health. I would do so again, but only if the bill contains an exception for the rare cases where a woman faces death or serious injury. I believe that Congress should work in a bipartisan manner to fashion such legislation.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *October 10, 1997.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal, and the message and bill will be printed as a House document.

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Mr. CANADY of Florida. Mr. Speaker, I ask unanimous consent that the message of the President and the bill be referred to the Committee on the Judiciary.

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

Mr. SCOTT. Reserving the right to object, Mr. Speaker, I yield to the gentleman from Florida [Mr. CANADY] to explain his request.

Mr. CANADY of Florida. Mr. Speaker, I thank the gentleman for yielding to me. This unanimous-consent request would send the veto message of the President and the bill to the Committee on the Judiciary.

Mr. SCOTT. Further reserving the right to object, Mr. Speaker, considering that this bill was vetoed because it lacked a health exception, does the subcommittee chairman intend to process similar legislation which exempts from the bill's coverage cases where it is necessary to protect the health of the mother, which provision, of course, is necessary in order for the bill to meet constitutional muster so that we can actually have a bill?

Mr. CANADY of Florida. Mr. Speaker, if the gentleman will continue to yield, the legislation which the President has again vetoed seeks to ban the procedure known as partial-birth abortion. The procedure is performed several thousand times each year, primarily in the fifth and sixth months of pregnancy, on healthy babies of healthy mothers. To the victims of partial-birth abortion, this is no rhetorical campaign statement, as some have said. Instead, it is a means, partial-birth abortion is a means to a brutal death.

According to the American Medical Association, which supports H.R. 1122, partial-birth abortion is not an accepted medical practice. Hundreds of obstetricians and gynecologists and fetal maternal specialists, along with former Surgeon General C. Everett Koop have come forward to unequivocally state that partial-birth abortion is never medically necessary to protect the mother's health or her future fertility.

In fact, the procedure can significantly threaten a mother's health or ability to carry future children to term. In conclusion, the health exception sought by the President would be both unnecessary and dangerous. We want to enact a meaningful ban on partial-birth abortions that will protect innocent babies from a brutal death. That is exactly what the bill does. No changes in the bill are necessary.

Mr. SCOTT. Mr. Speaker, further reserving the right to object, since it is clear that the constitutionally required health exception will probably not be included and so that we can determine the effect of the motion to refer and because it would seem useless to have this bill just gathering dust in the Committee on the Judiciary until we engage in another futile political exercise during next year's campaign, I would ask the gentleman when we could expect a bill to be considered by the House?

Mr. CANADY of Florida. Mr. Speaker, again, if the gentleman will continue to yield, I reject certain premises contained in the gentleman's question. I believe that this bill is constitutional. It does not fall within the scope of *Roe v. Wade*. *Roe v. Wade* dealt with the status of the unborn child. I disagree with the court's decision in *Roe v. Wade*, but I do not believe that that decision covers the case of a partially born child. This is different in that regard.

I think it is clearly distinguishable from what the court dealt with in *Roe v. Wade*. On the question of timing, it would be the intention of the committee to bring this back to the floor for a vote on overriding the veto sometime next year before the conclusion of this Congress. We do not have a date established for action.

Mr. SCOTT. Further reserving the right to object, Mr. Speaker, I would just say that we disagree on the constitutionality of a bill without the health exception and several State bills very similar to this have been already thrown out just this year.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The SPEAKER pro tempore. The veto message and the bill will be referred to the Committee on the Judiciary.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2595

Mr. BERRY. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor of H.R. 2595.

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

There was no objection.

#### COAST GUARD AUTHORIZATION ACT OF 1997

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 265 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2204.

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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 consideration of the bill (H.R. 2204) to authorize appropriations for fiscal years 1998 and 1999 for the Coast Guard, and for other purposes, with Mr. DICKY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Maryland [Mr. GILCHREST] and the gentleman from Tennessee [Mr. CLEMENT], each will control 30 minutes.

The Chair recognizes the gentleman from Maryland [Mr. GILCHREST].

Mr. GILCHREST. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of H.R. 2204. Before I discuss this bill, I would like to thank the distinguished chairman of the full committee, the gentleman from Pennsylvania [Mr. SHUSTER], our ranking minority member, the gentleman from Wisconsin [Mr. OBERSTAR], and the ranking minority member of the Subcommittee on Coast Guard and Maritime Transportation, the gentleman from Tennessee [Mr. CLEMENT], and their staff for their help and cooperation on this legislation. H.R. 2204 was developed in a bipartisan manner and deserves the support of all the Members.

The primary purpose of H.R. 2204 is to authorize funds for the United States Coast Guard for fiscal years 1998, 1999. Title I of this bill authorizes \$3.9 billion for Coast Guard activities in fiscal year 1998 and \$4 billion in fiscal year 1999. The fiscal year 1998 authorization contains an increase over the level requested by the President for the Coast Guard of approximately \$97 million. These funds primarily support additional Coast Guard efforts to interdict illegal drugs before they reach the United States.

The fiscal year 1999 authorization contains additional funds for drug interdiction and for other Coast Guard