RECESS

The SPEAKER pro tempore (Mr. RIGGS). Pursuant to clause 12, rule I, the Chair declares the House in recess until 5 p.m.

Accordingly (at 4 o'clock and 20 minutes p.m.) the House stood in recess until 5 p.m.

□ 1704

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. EWING] at 5 o'clock and 4 minutes p.m.

APPOINTMENT OF CONFEREES ON H.R. 889, EMERGENCY SUPPLEMENTAL APPROPRIATIONS AND RESCISSIONS FOR THE DEPARTMENT OF DEFENSE FOR FISCAL YEAR 1995

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 889) making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, 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.

MOTION TO INSTRUCT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. OBEY 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. 889, be instructed to form a conference agreement that does not add to the national deficit in the current fiscal year and cumulatively through fiscal year 1999.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] will be recognized for 30 minutes, and the gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I yield myself 8 minutes.

Mr. Speaker, under ordinary circumstances, I would not be here making this motion that I am making today, because I think that under ordinary circumstances the administration would have every right to request an emergency appropriation for these items and the Congress would have every right to consider them on an emergency basis. In plain language, considering them on an emergency basis means that we would not have to offset the expenditures in this bill, and they could be treated as an emergency and could, therefore, add to the deficit and still be within the rules of the House.

The problem, however, is that while I personally feel that under normal circumstances it would be perfectly appropriate for these items not to be offset, I do not think we are operating under ordinary circumstances. In fact, we have seen this House pass a constitutional amendment to balance the budget, even though the other body has not concurred, and we have seen a great deal of effort expended over the past 60 days on efforts that were described as efforts to ''reduce the deficit.'' But in fact those efforts have not done that.

So I am offering this proposal today in the spirit of truth in advertising. It simply directs the House conferees to produce a conference report that does not add to the deficit, period. Now, we have had two recent examples that illustrate the need for the motion which I am making today.

First of all, when this bill first passed the House, we were told by the committee that even though the bill was not balanced on the outlay side, it was in fact balanced in budget authority and did not add to the deficit.

The problem, however, is that after the bill passed, the committee's own documents which the committee produced showed that the bill added over $250 million in outlays and $186 million in budget authority to the deficit, and over 5 years, added to the deficit to the tune of $650 million. So I think that was misstatement No. 1 on the way to a so-called balanced budget.

Last week on the rescission bill, in order to get the votes for the rescission bill that targeted kids and old folks for major reductions, the Republican leadership said, after first having all of the Republicans vote against the Murtha amendment in committee, the Republican leadership then did an about face and indicated that they would in fact use the dollars produced in that rescission bill last week, the dollars that were not going to be used for the California earthquake relief, that they would use the remainder of those dollars for deficit reduction. But after the rule had passed, the chairman of the Committee on the Budget then was reported to say that the action in indicating that those funds would be used to reduce the deficit was just a game, and that in fact they were going to be allocated to finance the tax cuts, which contain a number of items which many of us on this side of the aisle feel are simply rewards for the wealthy that we cannot afford at a time of multibillion-dollar deficits.

Despite the fact that that money which was indicated would go for deficit reduction for one day, and then was later used for tax cuts, we were still given lectures about deficit reduction. It seems to me what we need to do is to cut through those lectures and get to a real intent to reduce the deficit, or at least certainly not to add to it.

This bill itself was produced out of subcommittee 1 day after the House passed the balanced budget constitutional amendment, and the bill as it left the committee, as I said, added significantly to the deficit, some $650 million over 5 years.

In contrast to the House bill, the Senate bill, which we will meet when we go to conference, is fully offset. It does not add one dime to the deficit, and in my view, if the other body can produce a bill for conference which does not add one dime to the deficit, the House ought to be able to do the same thing.

Now, this motion makes one concession. It does not even require that all of the amounts be totally offset within the defense function of the budget. It simply says that all of the funds should be offset, period. While I certainly do not approve of using domestic reductions in order to offset Defense Department add-ons, as an indication of conciliatory spirit I am willing to offer a motion that simply says the funds should be fully offset so they do not add one dime to the deficit.

Mr. Speaker, it just seems to me that after the House has, in my view, been misled twice about whether or not funds in legislation before this House would add to the deficit or would reduce the deficit, it seems to me, after the House has been misled twice on it, the House finally needs to make a statement with great clarity that we do not want this process used to in any way add to the deficit.

As I said originally, under ordinary circumstances, absent the great pressure on the deficit and absent the House action in passing the constitutional amendment on the balanced budget, I would not be here insisting that this bill be fully offset, because I think in the real world there are emergencies which require emergency treatment. But the House has indicated that it is going to be in pursuit of deficit reduction, and it seems to me if that is the case, we ought to get on to it, and we certainly should not produce a conference report which will add to the deficit either on the budget authority side or the outlay side. That is the reason I make this motion this afternoon.

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

GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks, and that I might include tabular and extraneous material.

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

There was no objection.

Mr. LIVINGSTON. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, I rise to oppose the motion to instruct conferees. The gentleman's motion would instruct the conferees to bring back a conference agreement that was offset not only in budget authority, but in outlays as

well. This instruction would indeed inhibit the full and free nature of the conference.

My friend, the gentleman from Florida [Mr. YOUNG], who sits here, has pointed out that the gentleman who just spoke before me, the distinguished ranking minority member of the committee, often talks about posing for holy pictures. I have to say that I think that this motion to instruct is kind of an exercise in connoisseurship of holy pictures.

In just the last 2 months this Republican majority has done more than almost all the previous Congresses to provide offsets. Never before has the Democrat majority in previous Congresses ever offset a supplemental request of any magnitude.

The fact is that the Senate amendments to H.R. 889 contain many spending reductions that are going to be unacceptable to the House. If the conferees are instructed to achieve outlay neutrality, then there must be a source of acceptable spending reductions. I think it will be very difficult to find such a source in the Senate aamendments. The only other way to find acceptable spending cuts would be to go beyond the scope of the bill and the Senate amendments. We should not accept an instruction that encourages that approach.

□ 1715

Mr. Speaker, the gentleman from Louisiana is strongly for deficit reduction. I think the record of the Committee on Appropriations, as I have pointed out, for the 104th Congress speaks for itself in this area. The House has already passed over $20 billion of spending reductions. When viewed in total we have more than offset over $8.7 billion in supplemental appropriations. So during the conference on this bill, I will try to achieve outlay neutrality. It will be difficult. I hope we can do it. But this instruction should not be accepted. We should not straitjacket ourselves.

It is getting later in the fiscal year. Achieving significant outlay savings gets harder and harder. We hear that agencies are spending money rapidly so we are not sure how much is available as a source of offsets.

The instruction would put forward constraints that may not be achievable or which would severely restrict our ability to provide the necessary support for our national security needs.

Mr. Speaker, the Department of Defense needs this emergency supplemental appropriation now. They need it right away. They needed it yesterday. We should not suggest needless or impossible procedural hurdles that would delay or make more difficult our ability to achieve a good conference agreement on this bill, which si something that the Democratic administration wants.

We should stop fooling around and get on with this very, very important conference.

I urge the body to reject this motion to instruct.

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

Mr. OBEY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I do not regard the motion that I am making today as ''fooling around.''

What I do regard as fooling around is the action of the House leadership in twice over the last month talking about deficit reduction but, in fact, producing bills which either add to the deficit or, after they have promised that the funds would be used to reduce the deficit, instead announcing a day later that they really did not mean it. They simply said that to get votes and that what they are really going to do is to use it for their tax cut package for very wealthy people.

I would also point out that I do not think that this motion to instruct is in any significant way delaying our ability to go to conference and produce a bill in a timely fashion. As far as I am concerned, if this motion to go to conference is passed by the House today, we could go into conference at 5 or at 6 tonight. We certainly can deal in conference with the issue tomorrow. And we can produce a bill in plenty of time, if Members are serious, both about providing the Pentagon the funds they need and, if they are serious about it, deficit reduction.

I thank it is, frankly, nonsense to suggest that this motion in any way prevents our being able to produce that bill in a timely fashion.

I would point out that suggesting that this motion in any way delays our ability to produce a bill is about like saying that after a basketball coach takes a 20-second time-out, with 1 minute left to go in the game, that somehow that is the reason that you had a 4-hour basketball game.

The fact is this bill has already taken an unusually long period of time to move through each stage of the process, compared to past supplemental appropriation bills. A good example is the emergency supplemental bill our committee moved through the process just 1 year ago.

The chairman will recall that conferees met during snowstorms that paralyzed this city and produced a conference report in short order because of the urgency of the matter at hand. Last year's emergency supplemental took a total of 19 calendar days to move through the entire process. The bill we have before us today, by contrast, has been lingering for some 60 calendar days, three times as long.

I would suggest that the most rapid way for us to reach agreement in conference, since the Senate has already, in my judgment, met its responsibility by providing full offsets for the new spending that they contemplate in their bill, I would suggest the fastest way for us to get an agreeable result in the conference is for the House to do the same. And that is why I am offering my motion.

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

I simply point out that actually we could have gone to conference yesterday, but the gentleman objected on Friday. So I do not think that the question is whether or not we are taking an inordinately lengthy period of time. The question is whether we are going to put ourselves in a straitjacket that prevents us from expeditiously getting this matter resolved as quickly as possible. If we do not get it resolved, if it does get hog-tied in the rigors of internal legislative warfare, I would like to request the gentleman from Florida to rise and I would like him to tell us some of the problems that the Defense Department will face.

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

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding time to me.

First I would like to make the comment that we have run out of time on this issue. The Army, the Navy, the Marine Corps, the Air Force and the Coast Guard have spent the money for these contingency operations that we are trying to replace now. I do not recall anybody coming here from the administration to check with Congress to see if it was okay to go to Rwanda or to Somalia or to Bosnia or any of those contingencies. But yet they did it. And we are being asked to pay the bill. We are prepared to do that. We understand the importance.

The House, despite what the gentleman from Wisconsin has just implied, the House subcommittee on national security passed out this bill on January 27. That was even before we got the official request from the administration. And within 2 weeks we had gone through the full committee and were on the way to the House floor. And the House has expedited this entire issue, as it needs to be expedited.

And when the gentleman suggests that there has been delay and the bill has been held out there, he should point the finger at where it belongs. The House has moved expeditiously to meet this responsibility and here is why, in response to my distinguished chairman, the gentleman from Louisiana [Mr. LIVINGSTON].

Based on a January public hearing with Secretary Perry and the Chairman of the Joint Chiefs, General Shalikashvili, here is what we were told, and the commanders in chief, and field commanders have confirmed this throughout the hearing process since we voted this emergency supplemental out of subcommittee.

Unless we get this money appropriated and quick, all U.S.-based units under the Forces Command will have to stop most major training by May 31.

The National Training Center rotations and JCS exercises will be canceled. Flight hours and spare parts stocks will be cut, and all active Army divisions will be degraded in readiness.

I do not want that to happen. I do not think my colleagues in the House want that to happen.

In the Navy, four carrier airwings will be forced to stand down. The first stand down will happen in April. More than 500 aircraft would have to be grounded, and 30,000 flight hours cut.

Required maintenance on two carriers and seven other ships will be deferred or reduced and ship and aviation spare parts reserves will be drawn down by 30 days worth of requirement.

The Marine Corps, since unfunded contingency requirements equate to approximately 80 percent of the Marine Corps's operation forces budget, the corps will see severe readiness impact starting in July. Training for Marine expeditionary forces, in both the Atlantic and Pacific, with the exception of those forces already deployed, will be halted.

All categories of training as well as maintenance and spare parts will face deep reductions, and marine air squadrons will be forced to stand down and suffer reduced readiness.

For the Air Force, flight hours for fighter, bomber, tanker, and airlift squadrons will have to be reduced by 50 percent over a 12-week period. Ten JCS and tactical training exercises will be canceled. Over 24,000 permanent change of station moves will be frozen and aircraft and engine repair as well as scheduled runway and real property maintenance will be deferred.

Mr. Speaker, those are just the highlights of what we are talking about if we do not replace this money. When I say ''replace,'' that is exactly what I mean, because the money to pay for the contingencies in Bosnia, Rwanda and Somalia and Cuba and Haiti and Korea, et cetera, has already been borrowed from those training and those operation and maintenance accounts.

What we are trying to do is pay it back before the services have to stand down their training. And would it not be a shame to stand down the training and then have to turn around and stand it back up again with a tremendous additional cost. And what happens if a young soldier out there, his training is not maintained and he is not quite up to par because of the lack of training? What if he gets hurt or what if he hurts someone else because his training is not at the level that it should be?

I do not think any of us what to carry that burden on our shoulders. We want readiness today. We want readiness in the mid-term. And we want readiness for our forces in the long-term.

This is one of the first major steps that we have to take to provide that readiness.

It is time to get on with this business. The gentleman from Wisconsin [Mr. OBEY] is exactly right. This has dragged on too long. Not because of any fault of the House of Representatives, but it has dragged on too long.

We should have this bill completed by Thursday of this week, on the President's desk by Friday morning, if that is possible, and I think that it is.

But Mr. OBEY's motion to instruct will certainly carry on this delay considerably further than we would like it to. I say let us vote against the Obey motion and get on with the conference.

Mr. OBEY. Mr. Speaker, I yield myself 2 minutes and 30 seconds.

Mr. Speaker, one of the worst things that can happen to you in this town is you begin to believe your own baloney. I have just heard an awful lot of baloney, with all the due respect to my good friend.

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

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

Mr. YOUNG of Florida. The baloney, if you are talking about the information that I read here, came from the Chairman of the Joint Chiefs of Staff.

Mr. OBEY. No, with all due respect, the baloney that I am hearing is coming from a different source. It is not the Chairman of the Joint Chiefs of Staff.

Let me suggest, no one is suggesting, not one person in this House is suggesting that this money not be replaced. We are simply suggesting that it be replaced in a way which does not add to the deficit. That is all we are saying. There are not going to be any aircraft that are required to stand down. There will not be any maintenance that will not be provided because we are asking the House to do what the Senate did, which is to simply pay for the bill before us.

The gentleman from Louisiana suggests that somehow if we pass this motion to instruct that we will be putting the Congress in a straitjacket.

My God, I thought we did that when this House passed the balanced budget amendment to the Constitution. That document requires us to balance the budget. I assume an awful lot of Members of this House are going to proceed to try to deal with fiscal matters as though the budget should be balanced. If that is the case, why start in the hereafter? Why not start in the here and now? Why not start with this bill?

That is all we are saying. We are saying do not add to the deficit.

I would point out that the Senate bill does exactly what we are asking. For 1995, the Senate bill cuts the deficit by $72 million; whereas, the House adds to the deficit to the tune of $250 million. Over 5 years the Senate bill cuts the deficit by $341 million; whereas, the House bill adds $650 million to the deficit.

□ 1730

That is a swing of nearly $1 billion. All we are suggesting, Mr. Speaker, is that the House on this bill show the same degree of fiscal discipline shown by the other body, even though I will readily grant that the other body added a number of items which do not appropriately belong in this conference, and they ought to be taken out.

However, in spite of that mistake, the Senate has at least met its obligation not to add to the deficit. I do not think the House is any less capable of doing that. That is the purpose of my motion.

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

Mr. Speaker, I would simply say that this administration's Defense Department has expressed to us vociferously and repeatedly that they like our bill, they do not like the Senate bill. Moreover, I might add, I think it is ironical to start straitjacketing the Republican majority when in fact the Democrats were in control of this House of Representatives for 40 years and never employed the principle devised by the gentleman's motion.

Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I urge a ''no'' vote on the motion to instruct.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I would simply say that, with all due respect, our good friends from the Department of Defense do not have to vote on budgets. The Chairman of the Joint Chiefs does not have to go to constituents and explain why the budget is not balanced. We do.

It seems to me, given that difference in responsibilities, we ought to meet our responsibilities to the Department of Defense to reimburse them for the funds that they have had to expend, but we ought to do it in a way which does not add to the deficit. That is all I ask.

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

The SPEAKER pro tempore (Mr. EWING). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Wisconsin [Mr. OBEY].

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

Mr. OBEY. 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.

This is a 17-minute vote.

The vote was taken by electronic device, and there were—yeas 179, nays 240, not voting 15, as follows:

[Roll No. 270]

YEAS—179

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Cardin
Chabot
Chapman
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Danner
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Durbin
Edwards
Ehlers
Engel
Ensign
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Frank (MA)
Franks (NJ)
Frost
Furse
Gejdenson
Gibbons
Gordon
Green
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Morella
Neal
Neumann
Oberstar
Obey
Olver
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pomeroy
Poshard
Rahall
Ramstad
Rangel
Reed
Reynolds
Rivers
Roemer
Roybal-Allard
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Shays
Skaggs
Slaughter
Smith (MI)
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Tucker
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wyden
Wynn
Yates
Zimmer

NAYS—240

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
de la Garza
DeLay
Diaz-Balart
Dickey
Dicks
Doolittle
Dornan
Dreier
Dunn
Ehrlich
Emerson
English
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Moran
Murtha
Myers
Myrick
Nethercutt
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Paxon
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Regula
Richardson
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Shadegg
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—15

Bryant (TX)
Clay
Clayton
Ford
Gephardt
Gutierrez
Hayes
Hefner
Jefferson
Nadler
Orton
Rose
Rush
Velazquez
Wilson

□ 1751

Messrs. MOLLOHAN, TAUZIN, BEVILL, and CRAMER changed their vote from ''yea'' to ''nay.''

Ms. BROWN of Florida and Mr. DUNCAN changed their vote from ''nay'' to ''yea.''

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. EWING). Without objection, the Chair appoints the following conferees:

For consideration of Senate amendments numbered 3, 5, 6, 7, and 10 through 25, and the Senate amendment to the title of the bill:

Messrs. LIVINGSTON, MYERS of Indiana, YOUNG of Florida, REGULA, LEWIS of California, PORTER, ROGERS, and WOLF, Mrs. VUCANOVICH, and Messrs. CALLAHAN, OBEY, YATES, STOKES, WILSON, HEFNER, COLEMAN, and MOLLOHAN.

For consideration of Senate amendments numbered 1, 2, 4, 8, and 9:

Messrs. YOUNG of Florida, MCDADE, LIVINGSTON, LEWIS of California, SKEEN, HOBSON, BONILLA, NETHERCUTT, NEUMANN, MURTHA, DICKS, WILSON, HEFNER, SABO, and OBEY.

There was no objection.

MOTION OFFERED BY MR. LIVINGSTON TO CLOSE PORTIONS OF CONFERENCE MEETINGS

Mr. LIVINGSTON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Livingston moves pursuant to rule XXVIII, clause 6(a) of the House rules that the conference meetings between the House and the Senate on the bill (H.R. 889) making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes, relating to amendments numbered 1, 2, 4, 8, and 9, be closed to the public at such times as classified national security information is under consideration; provided, however, that any sitting Member of Congress shall have the right to attend any closed or open meeting.

The SPEAKER pro tempore. Pursuant to clause 6, rule XXVIII the vote on this motion must be a rollcall vote.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 403, nays 14, not voting 17, as follows:

[Roll No. 271]

YEAS—403

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Conyers
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Fields (TX)
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam

Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Reynolds
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Sabo
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Vento
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wise
Wolf
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—14

Brown (OH)
DeFazio
Filner
Hinchey
Kennedy (MA)
Lincoln
Lofgren
Mink
Roybal-Allard
Sanders
Schroeder
Slaughter
Waters
Woolsey

NOT VOTING—17

Bilbray
Bryant (TX)
Clay
Clayton
Condit
Frank (MA)
Gephardt
Graham
Hilliard
Jefferson
Nadler
Orton
Pryce
Rose
Rush
Velazquez
Wilson

□ 1809

So the motion was agreed to.

The result of the vote was announced as above recorded.

APPOINTMENT OF CONFEREES ON H.R. 831, PERMANENT EXTENSION OF THE HEALTH INSURANCE DEDUCTION FOR THE SELF-EMPLOYED

Mr. ARCHER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 831) to amend the Internal Revenue Code of 1986 to permanently extend the deduction for the health insurance costs of self-employed individuals, to repeal the provision permitting nonrecognition of gain on sales and exchanges effectuating policies of the Federal Communications Commission, 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 Texas?

PARLIAMENTARY INQUIRY

Mr. GIBBONS. Reserving the right to object, Mr. Speaker, I only reserve the right to object to propound a parliamentary inquiry.

The SPEAKER pro tempore (Mr. EWING). The gentleman from Florida will state his parliamentary inquiry.

Mr. GIBBONS. Mr. Speaker, I have a motion to instruct conferees, and will I be recognized, if this unanimous consent request is agreed to, to then present my motion to instruct conferees?

The SPEAKER pro tempore. The gentleman is correct; yes, he will.

Mr. GIBBONS. Mr. Speaker, I do not object, and I withdraw my reservation of objection.

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

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. GIBBONS

Mr. GIBBONS. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. GIBBONS moves that the Managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 831 be instructed to agree to the provisions contained in section 5 of the Senate amendment which change the tax treatment of U.S. citizens relinquishing their citizenship.

The SPEAKER pro tempore. Under the rule, the gentleman from Florida [Mr. GIBBONS] will be recognized for 30 minutes, and the gentleman from Texas [Mr. ARCHER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. GIBBONS].

PARLIAMENTARY INQUIRY

Mr. GIBBONS. Mr. Speaker, may I propound a parliamentary inquiry at this point?

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GIBBONS. Mr. Speaker, do I understand in this debate I have the right to close?

The SPEAKER pro tempore. The gentleman is correct.

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

(Mr. GIBBONS asked and was given permission to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, I am going to depart from my usual practice of speaking extemporaneously and read a statement because the statement is so serious and the names that I will mention here are names of Americans and I do not want to defame them, I want to be very accurate in what I say, and so I am going to read from a prepared statement these remarks.

□ 1815

Mr. Speaker, section 5 of the Senate amendment to H.R. 831 changes the tax treatment of U.S. citizens who renounce their citizenship. Under the Senate proposal, individuals who renounce their citizenship would be subject to income taxes on the unrealized gains which they accrued while they enjoyed the benefits of being a U.S. citizen.

Mr. Speaker, this is a serious loophole in our tax laws, and is one that the Senate has picked up and one that we must close immediately, because the amounts of money here are large, and the equities are very unfair.

Mr. Speaker, I believe that these provisions should be enacted for two reasons. The Senate provisions, first, as a matter of fairness, individuals who have enjoyed the benefits of being a citizen of the United States and who have amassed enormous fortunes should not be permitted to not pay taxes on these gains by merely renouncing their citizenship. Mr. Speaker, this proposal that the Senate has put forward that I ask the Members to instruct the conferees to adopt, this proposal does not punish anyone for renouncing their citizenship. But it merely ensures that these people who renounce their citizenship will pay a tax comparable to that paid by many patriotic wealthy individuals who have not abrogated their responsibility through renouncing their citizenship. In other words, Mr. Speaker, there are many wealthy and fine patriotic Americans who pay their taxes. They do not like them. I do not blame them. But they pay them. There are only a few who escape paying their regular taxes by renouncing their citizenship.

Second, Mr. Speaker, this amendment raises substantial amounts of revenue that should be devoted to deficit reduction as intended by the Senate. The Joint Committee on Taxation has estimated that these provisions will raise $3.6 billion over the 10-year period. I want to repeat that, Mr. Speaker: This is not a small loophole. This is not just a careless amount of money. Our joint committee estimates that the savings from this to the rest of us American taxpayers will amount to $3.6 billion over 10 years.

Mr. Speaker, last week we debated welfare reform which reduced Federal