

Above everything else, the number one issue that we have to face as Members of the United States Congress and on this very amendment that is in front of us today is will we or will we not honor our treaty agreement with the native Americans. If you vote yes on this amendment, you once again walk away from the native Americans of this country. Vote "no" on DeFazio.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon [Mr. DEFAZIO].

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

RECORDED VOTE

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 151, noes 275, not voting 8, as follows:

[Roll No. 484]

AYES—151

|              |                |               |
|--------------|----------------|---------------|
| Abercrombie  | Goodlatte      | Poshard       |
| Ackerman     | Gordon         | Rahall        |
| Andrews      | Green          | Rangel        |
| Barcia       | Gutierrez      | Reed          |
| Barrett (WI) | Hamilton       | Rivers        |
| Becerra      | Harman         | Roemer        |
| Bentsen      | Hinchey        | Rohrabacher   |
| Berman       | Hoyer          | Roybal-Allard |
| Boehrlert    | Jackson-Lee    | Royce         |
| Bonior       | Jacobs         | Rush          |
| Borski       | Johnson, E. B. | Sabo          |
| Brown (FL)   | Johnston       | Salmon        |
| Brown (OH)   | Kaptur         | Sanders       |
| Bryant (TX)  | Kennedy (MA)   | Sawyer        |
| Cardin       | Kennelly       | Schroeder     |
| Chabot       | Klecza         | Schumer       |
| Chapman      | Klug           | Scott         |
| Clayton      | LaFalce        | Sensenbrenner |
| Coble        | LaHood         | Serrano       |
| Coleman      | Levin          | Shaw          |
| Collins (IL) | Lewis (GA)     | Shays         |
| Collins (MI) | Lipinski       | Skaggs        |
| Conyers      | LoBiondo       | Slaughter     |
| Cooley       | Lofgren        | Smith (MI)    |
| Costello     | Lowe           | Solomon       |
| DeFazio      | Luther         | Souder        |
| DeLauro      | Maloney        | Stark         |
| Dellums      | Manzullo       | Stenholm      |
| Deutsch      | Markey         | Stockman      |
| Dingell      | Matsui         | Stokes        |
| Doggett      | McCarthy       | Studds        |
| Dooley       | McDermott      | Stupak        |
| Duncan       | McIntosh       | Tanner        |
| Durbin       | Meehan         | Thorman       |
| Edwards      | Meek           | Torres        |
| Engel        | Menendez       | Torricelli    |
| Eshoo        | Mfume          | Towns         |
| Evans        | Miller (CA)    | Tucker        |
| Farr         | Mineta         | Upton         |
| Fattah       | Minge          | Velazquez     |
| Fields (LA)  | Mink           | Vento         |
| Filner       | Moran          | Ward          |
| Flake        | Nadler         | Waters        |
| Ford         | Neal           | Watt (NC)     |
| Frank (MA)   | Ney            | Waxman        |
| Furse        | Obey           | Woolsey       |
| Gejdenson    | Owens          | Wyden         |
| Gephardt     | Payne (VA)     | Wynn          |
| Geren        | Pelosi         | Zimmer        |
| Gilchrest    | Peterson (MN)  |               |
| Gilman       | Petri          |               |

NOES—275

|              |           |             |
|--------------|-----------|-------------|
| Allard       | Bass      | Boucher     |
| Archer       | Bateman   | Brewster    |
| Armey        | Beilenson | Browder     |
| Bachus       | Bereuter  | Brown (CA)  |
| Baesler      | Bevill    | Brownback   |
| Baker (CA)   | Bilbray   | Bryant (TN) |
| Baker (LA)   | Bilirakis | Bunn        |
| Baldacci     | Bishop    | Bunning     |
| Ballenger    | Bliley    | Burr        |
| Barr         | Blute     | Burton      |
| Barrett (NE) | Boehner   | Buyer       |
| Bartlett     | Bonilla   | Callahan    |
| Barton       | Bono      | Calvert     |

|               |              |               |
|---------------|--------------|---------------|
| Camp          | Hefner       | Oxley         |
| Canady        | Heineman     | Packard       |
| Castle        | Herger       | Pallone       |
| Chambliss     | Hillery      | Parker        |
| Chenoweth     | Hilliard     | Pastor        |
| Christensen   | Hobson       | Paxon         |
| Chrysler      | Hoekstra     | Payne (NJ)    |
| Clay          | Hoke         | Peterson (FL) |
| Clement       | Holden       | Pickett       |
| Clinger       | Hyde         | Pombo         |
| Clyburn       | Hostettler   | Pomeroy       |
| Coburn        | Houghton     | Porter        |
| Collins (GA)  | Hunter       | Portman       |
| Combest       | Hutchinson   | Pryce         |
| Condit        | Hyde         | Quillen       |
| Cox           | Inglis       | Quinn         |
| Coyne         | Istook       | Radanovich    |
| Cramer        | Johnson (CT) | Ramstad       |
| Crane         | Johnson (SD) | Regula        |
| Crapo         | Johnson, Sam | Richardson    |
| Creameans     | Jones        | Riggs         |
| Cubin         | Kanjorski    | Roberts       |
| Cunningham    | Kasich       | Rogers        |
| Danner        | Kelly        | Ros-Lehtinen  |
| Davis         | Kennedy (RI) | Rose          |
| de la Garza   | Kildee       | Roth          |
| Deal          | Kim          | Roukema       |
| DeLay         | King         | Sanford       |
| Diaz-Balart   | Kingston     | Saxton        |
| Dickey        | Klink        | Schaefer      |
| Dicks         | Knollenberg  | Schiff        |
| Dixon         | Kolbe        | Seastrand     |
| Doolittle     | Lantos       | Shadegg       |
| Dornan        | Largent      | Shuster       |
| Doyle         | Latham       | Sisisky       |
| Dreier        | LaTourette   | Skeen         |
| Dunn          | Laughlin     | Skelton       |
| Ehlers        | Lazio        | Smith (NJ)    |
| Ehrlich       | Leach        | Smith (TX)    |
| Emerson       | Lewis (CA)   | Smith (WA)    |
| English       | Lewis (KY)   | Spence        |
| Ensign        | Lightfoot    | Spratt        |
| Everett       | Lincoln      | Stearns       |
| Ewing         | Linder       | Stump         |
| Fawell        | Livingston   | Talent        |
| Fazio         | Fazio        | Tate          |
| Fields (TX)   | Lucas        | Tauzin        |
| Flanagan      | Manton       | Taylor (MS)   |
| Foglietta     | Martinez     | Taylor (NC)   |
| Foley         | Martini      | Tejeda        |
| Forbes        | Mascara      | Thomas        |
| Fowler        | McCollum     | Thompson      |
| Fox           | McCrery      | Thornberry    |
| Franks (CT)   | McDade       | Thornton      |
| Franks (NJ)   | McHale       | Tiahrt        |
| Frelinghuysen | McHugh       | Torkildsen    |
| Frisa         | McInnis      | Traficant     |
| Funderburk    | McKeon       | Visclosky     |
| Galleghy      | McNulty      | Volkmer       |
| Ganske        | Metcalf      | Vucanovich    |
| Gekas         | Meyers       | Waldholtz     |
| Gibbons       | Mica         | Walker        |
| Gillmor       | Miller (FL)  | Walsh         |
| Gonzalez      | Molinar      | Wamp          |
| Goodling      | Mollohan     | Watts (OK)    |
| Goss          | Montgomery   | Weldon (FL)   |
| Graham        | Moorhead     | Weldon (PA)   |
| Greenwood     | Morella      | Weller        |
| Gunderson     | Murtha       | White         |
| Gutknecht     | Myers        | Whitfield     |
| Hall (TX)     | Myrick       | Wicker        |
| Hancock       | Hancock      | Williams      |
| Hansen        | Neumann      | Wilson        |
| Hastert       | Norwood      | Wise          |
| Hastings (FL) | Nussle       | Wolf          |
| Hastings (WA) | Oberstar     | Young (AK)    |
| Hayes         | Olver        | Young (FL)    |
| Hayworth      | Ortiz        | Zeliff        |
| Hefley        | Orton        |               |

NOT VOTING—8

|           |          |             |
|-----------|----------|-------------|
| Frost     | McKinney | Scarborough |
| Hall (OH) | Moakley  | Yates       |
| Jefferson | Reynolds |             |

□ 1653

The Clerk announced the following pair: On this vote:

Mr. Yates for, with Mr. Scarborough against.

Mr. ROSE and Mr. DIXON changed their vote from "aye" to "no."

Messrs. DEUTSCH, CONYERS, LAHOOD, KLUG, RAHALL, GILCHREST, TOWNS, and GILMAN changed their vote from "no" to "aye."

So the amendment was rejected. The result of the vote was announced as above recorded.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore. (Mr. CAMP) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1996

AMENDMENT OFFERED BY MR. BARTON OF TEXAS  
Mr. BARTON of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:  
Amendment offered by Mr. BARTON of Texas: On page 24, after line 18, insert:

Sec. . Appropriations made available by the Energy and Water Development Act, 1995 (P.L. 103-316), for a medical treatment facility at the site of the terminated Superconducting Super Collider project shall be rescinded on the thirtieth day after the date of enactment of this Act if: (1) the withdrawal by the State of Texas of its application to the Department of Energy for a contribution to the completion of such facility remains in effect on such thirtieth day, and (2) prior to such thirtieth day, the Attorney General of the United States has determined that the United States has constitutional authority to rescind such appropriation.

In the fiscal year 1995 Energy and Water Development Appropriations Act, Congress permitted the Department of Energy to make \$65 million of previously appropriated funds available to the State of Texas for a one-time contribution for the construction of a medical treatment facility at the site of the terminated Superconducting Super Collider. The Committee understands that the State recently withdrew its application to the Department of Energy for the \$65 million grant. Accordingly, the Committee has included language to rescind the \$65 million, provided that: (1) the State's withdrawal of its application remains in effect thirty days after the enactment of this act, and (2) the Attorney General of the United States determines that the funds are subject to rescission.

Mr. BARTON of Texas (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MYERS of Indiana. Mr. Chairman, I reserve a point of order on the amendment.

Mr. BARTON of Texas. Mr. Chairman, last year on August 10 before this