Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
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Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
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Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
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Menendez
Metcalf
Mfume
Mica
Miller (CA)
Miller (FL)
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Molinari
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
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Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Upton
Velázquez
Vento
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (FL)
Zeliff
Zimmer

NAYS—1

Franks (CT)

NOT VOTING—24

Becerra
Coburn
Flake
Ford (TN)
Green
Hall (OH)
Hoke
Hoyer
Jefferson
Johnson, Sam
Lazio
Lowey
Meyers
Moakley
Mollohan
Obey
Pelosi
Reynolds
Stark
Stockman
Thurman
Tucker
Volkmer
Young (AK)

□ 1902

Mr. ZELIFF and Mr. OWENS changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to House Resolution 201 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2099.

□ 1904

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 further consideration of the bill (H.R. 2099) making appropriations for the the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes, with Mr. COMBEST in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, title V was open for amendment at any point.

Are there further amendments to title V?

AMENDMENT OFFERED BY MR. DORNAN

Mr. DORNAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DORNAN:

Amendment No. 71: Page 88, after line 3, add ''Sec. 519. None of the funds under this Act shall be used for the Senior Environmental Employment Program.''

PARLIAMENTARY INQUIRY

Mr. SCHUMER. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. SCHUMER. Mr. Chairman, it is my understanding we were going to vote on the two previous amendments, the Durbin-Dingell and one other, and then go to amendments on VA–HUD. Could the membership be informed as to what the plan is? I understand there needs to be some time to count votes and things; that is fine. But just what is the specific plan?

The CHAIRMAN. The plan is, as the Chair announced, to consider amendments to title V that were earlier not offered because Members were not present, and at the point that those amendments have been voted upon, then consider all of the remaining amendments to the bill.

Mr. SCHUMER. So, just to continue my parliamentary inquiry, does this mean all votes, including the Durbin-Wilson-Dingell and Ensign amendments, and votes on additional amendments, will be rolled until the end of the bill?

The CHAIRMAN. That may happen. The Chair cannot totally restrict the offering of amendments after that block of votes in that title V of the bill would still be open for amendment until the Committee rises. The Chair could not restrict Members from having the authority to offer those amendments.

Mr. SCHUMER. Mr. Chairman, I am not asking if Members will be restricted in offering amendments. I am simply asking when we can expect the next block of votes.

The CHAIRMAN. The Chair was simply trying to state that following the amendments that would be offered now, they will be taken in order, the three the gentleman from New York [Mr. SCHUMER] mentioned plus others that may be offered on which votes are called.

Mr. SCHUMER. Just extending my inquiry, Mr. Chairman, does that mean, if, say, there is a vote on the amendment being offered by the gentleman from California [Mr. DORNAN] which will be debated very soon, will we vote on that immediately after the debate on that amendment, or will that be pushed to the back like these amendments, the Durbin-Wilson-Dingell and Ensign amendments?

The CHAIRMAN. If requested, a rollcall vote on the amendment offered by the gentleman from California [Mr. DORNAN] would come at the end of the three which have already been postponed, and the further amendments would then come in order as well.

Mr. SCHUMER. So in other words, Mr. Chairman, it would be fair to say that we are going to roll all votes until we finish debating all the amendments?

The CHAIRMAN. It would be fair to state that that is correct.

The Chair would make this exception:

If after the series of votes taken on all amendments on which votes have been requested, if there were amendments which were in order that were offered, then the Chair would obviously recognize those.

So the Chair is only stating there could possibly be amendments offered after the votes.

Mr. SCHUMER. Understood, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Chairman, this is a cost-saving measure that would be on page 88 at the very end of the bill. It would simply say that in creating a new section 509 that none of the funds under this act shall be used for the Senior Environmental Employment

Program. This is a program that is not offered, that will be removed in the authorization process. Again, we have the appropriating process without authorization. It is $55 million, and, when I became aware of it, it was breathtaking to see that six groups of senior citizens, and only six, selected in a very partisan way. It is a disguised form of patronage, that six senior citizen groups, and only six, would get grants, dozens of grants, totaling up to over $54 million, to be hired with taxpayers' money as so-called volunteers, all at the call of the Environmental Protection Agency to put them wherever they want and to spend these grants in any way they want without any oversight.

So I think it is time, in a reduction of taxpayers' spending in our Government, that we take out these $55 million of funds now by just merely denying that any of these funds shall be spent under the act to fund the Senior Environmental Employment Program.

Mr. LEWIS of California. Mr. Chairman, my colleagues, I rise in opposition to this amendment, but I do so with some serious reservations.

As the Members know, as we reviewed this bill, because it was a brand new ball game in which money was flowing through to several accounts following this recent election year. There were areas of the bill that justified consideration for adjustment, or perhaps even termination. Because of that we sought out those people who were working on the policy side of the House, the authorizing committees, working very closely to try to determine which programs might very well be reduced, changed, or otherwise.

□ 1915

Mr. Chairman, this was a program that I personally looked at rather closely. We did not come to an agreement with the authorizing committee regarding this amount. Because of that, I am only resisting my colleague's position because it does not have the approval of the authorizing committee, and therefore probably should not be a part of this bill. That is the basis of my resistance.

Mr. DORNAN. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of California. I yield to the gentleman from California.

Mr. DORNAN. Mr. Chairman, if the authorizing committee, and it would start with the subcommittee, chaired by our colleague, the gentleman from California [Mr. ROHRABACHER], terminated this Senior Environmental Employment Program, would the gentleman support that, as a Member, at the authorizing level?

Mr. LEWIS of California. I would want to evaluate it at a lot more depth than I have before. I certainly would be inclined in that direction. If the gentleman would decide to withdraw his amendment, I would be happy to work with him.

Mr. DORNAN. If the gentleman would further yield, Mr. Chairman, he has done such an outstanding job managing this bill, and has put so much effort into it and burned the midnight oil so much, that I will gladly accept that offer to work together on this, and withdraw the amendment.

Mr. LEWIS of California. I would very much appreciate my colleague's cooperation in that connection, Mr. Chairman. It would certainly help the House.

Mr. DORNAN. Mr. Chairman, the Senior Environmental Employment [SEE] Program at the EPA is the most egregious example of what's wrong with how things work in Washington. The SEE Program is little more than a relic of the Tammany Hall era.

Every year six and only six liberal special interest groups catering to senior citizens pay salaries to hundreds of their members to work at EPA facilities all over the country. The employee's salary, fringe benefits, travel expenses, registration fees, and medical monitoring are all covered by the liberal special interest group. The groups provide the jobs and their members are grateful.

The only problem with this cozy scenario is that none of the money used by the special interest groups to pay their members is their own money. All the money used in the SEE Program comes from taxpayers.

This means that lobbying groups such as AARP and the National Council of Senior Citizens [NCSC] receive millions of tax dollars each year to give patronage jobs to their members. And on top of it all, these groups get to keep up to 45 percent of these tax dollars for administrative and related costs.

In 1994 alone, the AARP received nearly $25 million from taxpayers to hire their membership for positions at EPA facilities all around the Nation. Of this $25 million AARP kept $10 million for itself. NCSC kept $3 million out of $9 million for its operations.

This is a patronage jobs program and nothing less.

The Dornan amendment to H.R. 2099, the VA, HUD, and Independent Agencies appropriations bill would strike $55 million for the express purpose of defunding the SEE Program at EPA.

Mr. Chairman, just a moment to explain how the program works. The EPA awards cooperative agreements to the six and only six, special interest groups throughout the United States to recruit older workers for temporary and part-time positions. The older Americans—55 years or older—who are selected to join the program are called SEE enrollees and they receive compensation from the grantee organization. They are not Federal employees. The grantee organization works with the requesting EPA office to develop appropriate part-time or temporary assignments as support staff in designated EPA offices. The grantee recipient of our taxpayers money is responsible for recruiting, screening and compensating the SEE enrollees. Once enrollees are placed, an EPA employee monitors their activities.

The only requirements for participation in the program are that the applicant be at least 55 years of age and the applicant must operate through one of the six grantee organizations. SEE enrollees receive hourly compensation and are entitled to the fringe benefits offered by the grantee organization.

By law, only certain private, nonprofit organizations designated by the Secretary of Labor under title V of the Older Americans Act of 1965 are eligible. These eligible grantees are limited to just six: First, American Association of Retired Persons [AARP] Senator SIMPSON to the rescue, please; second, National Council of Senior Citizens [NCSC]; third, National Council on Aging [NCA]; fourth, National Caucus and Center on Black Aged [NCCBA]; fifth, National Association for Hispanic Elderly [NAHE]; and sixth, National Pacific/Asian Resource Center on Aging [NPARCA].

No other seniors organizations are eligible as grantees. All older Americans wanting to participate in the SEE Program must work through one of these six grantees. Listen as I read the numbers of grants awarded along with the tax dollars given just in 1994 to these special interests.

Group	AARP	NCSC	NCA	NCCBA	NAHE	NPARCA
No. of grants	128	53	11	66	23	26
Total dollars	24,882,366	9,035,147	1,030,506	7,380,675	4,688,178	3,544,841

The SEE Program issued 307 grants totaling over $50 million in 1994. SEE grants to AARP and NCSC amounted to 67 percent of all SEE grants issued comprising 59 percent of all SEE funding. AARP and NCSC are the only two grantees with registered House lobbyists, 52 and 9 respectively.

Mr. Chairman, grantees are allowed to keep a certain percentage of SEE funds allocated for related costs of providing employment for each enrollee. These add-ons include: fringe benefits, travel, training and registration fees, medical monitoring, and administrative costs. Each grantee is allowed up to 15 percent for administrative costs.

What this means, Mr. Chairman, is that on top of the 15 percent for administrative costs that each of these six grantees can charge taxpayers, they also are able to charge taxpayers for all sorts of benefits for their enrollees.

As a result, AARP skims 40 percent off of each grant. NCSC takes 33 percent. NCA grabs 30 percent. NCCBA snatches 17 off the top. NAHE squeezes 35 percent from taxpayers. And NPARCA siphons off a monumental 45 percent.

In 1994, those indirect costs amounted to $10 million for AARP, $3 million for NCSC, $300,000 for NCA, $2 million for NCCBA, $1.6 million for NAHE, and another $1.6 million for NPARCA.

Mr. Chairman, if we want to come up with a workfare jobs program for seniors, certainly we could do a much better job than the SEE Program at EPA. Older Americans involved in the SEE Program would actually be much better off if the Federal Government just gave them the money directly rather than funneling

the money through six Great Society lobby groups.

Why not take the $50 million paid to the SEE Program in 1994 and just disperse it out evenly to all American seniors, rather than route the money through select liberal special-interest groups to a few select patrons? The AARP and the National Council of Senior Citizens alone skimmed $13 million off the top of the $50 million issued by the program in 1994. Thirty-seven percent of all the SEE money in 1994 went to cover the overhead of just six special interest lobbies who hold an iron grip monopoly on the program.

Why aren't my few opponents to this amendment looking for private sector ways to meet the legitimate needs of senior citizens? The United Seniors Association and 60Plus are two seniors groups which support my amendment. But, or course, they don't have any vested interest in the success of the SEE Program. It is not coincidental that the only voices you'll hear in opposition to my amendment are voices protecting wallets being lined with tax dollars from this program.

Mr. Chairman, I urge my colleagues to put an end to patronage jobs at EPA, and vote "yes" on the Dornan amendment.

My amendment has the full support of: United Seniors Association; the 60Plus Association; Citizens Against Government Waste; the National Tax Limitation Committee; Americans for Tax Reform; National Legal and Policy Center; the National Right to Work Committee; and the American Conservative Union.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

AMENDMENT NO. 70 OFFERED BY MR. WELDON OF FLORIDA

Mr. WELDON of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WELDON of Florida: At the end of the bill, add the following new title:

TITLE VI—ADDITIONAL PROVISIONS
DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MAJOR PROJECT

(INCLUDING TRANSFER OF FUNDS)

For construction of a medical facility in Brevard County, Florida, to be derived by transfer from the amount provided in title III of this Act under the heading ''Federal Emergency Management Agency—Disaster Relief'', $154,700,000.

Mr. LEWIS of California. Mr. Chairman, I reserve a point of order on the amendment.

Mr. WELDON of Florida. Mr. Chairman, I ask unanimous consent that I be given 6 minutes to explain my amendment, 3 minutes of which I will yield to the gentlewoman from Florida [Ms. BROWN].

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

There was no objection.

The CHAIRMAN. The gentleman from Florida [Mr. WELDON] will be recognized for 3 minutes, and the gentlewoman from Florida [Ms. BROWN], will be recognized for 3 minutes.

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

Mr. WELDON. Mr. Chairman, I rise today, with my colleague from Florida, to urge you to join me in providing a hospital for east-central Florida's veterans. This project has been on the books at the VA for over a decade.

My amendment transfers $154.7 million from the Federal Emergency Management Administration [FEMA] to the Veterans' Administration's major construction account.

As a veteran and a doctor who has served many of these veterans, I understand their need firsthand.

While the veteran population in most of the country has declined, Florida has seen a 25-percent increase over the last 10 years. Yet, the availability of veterans medical facilities has not kept pace with the influx.

This will restore funding for the east-central Florida hospital at the President's 1996 budget request. This funding will complete a project that received $17.2 million in design money last year.

There is money available in FEMA's budget. In addition to the $235 million appropriated for FEMA disaster assistance in the bill before us, the Committee report states that:

There is a significant unobligated balance of disaster relief funds made available in prior years as well as a fiscal year 1995 supplemental appropriation of $6.55 billion for past and anticipated disaster relief.

Today 100 veterans will move from New York, Wisconsin, Michigan, Ohio, Pennsylvania, Illinois, New Jersey, and other States to Florida. Tomorrow another 100 will come.

The influx of veterans hasn't stopped, but the VA's ability to provide these veterans with medical care has. Florida's medical facilities also serve thousands of veterans who come to Florida for the winter. To my colleagues, I would say that many of these veterans are your constituents and this hospital will serve their needs.

Florida ranks 2d in the Nation in veterans population, but 46th in medical care expenditure by the Veterans' Administration.

Florida has virtually no long-term psychiatric beds and the fewest total psychiatric beds per 1,000 veterans. The proposed veterans hospital is designed to serve this need. Veterans in my district needing long-term psychiatric care must go to northern Georgia some 500 miles away.

This amendment is about fairness. It's about guaranteeing our Nation's veterans, who happen to live in Florida, access to the same type of medical care that is available to veterans in other parts of the Nation.

Please vote for this amendment and help us serve all of our Nation's veterans.

Ms. BROWN of Florida. Mr. Chairman, I rise today on behalf of veterans throughout this Nation and especially in Florida. The Weldon-Brown amendment will restore $154,700,000 for a VA Medical Center in Brevard County, FL. This authorized project, included in President Clinton's budget for fiscal year 1996, has been planned for over 10 years.

Right now we have a disaster in Florida because Congress has not lived up to its commitment to veterans. The funds for this project will come from the Federal Emergency Agency Disaster Relief which has more than $7 billion and currently has $700,000 in discretionary funds.

Perhaps it was an oversight that the House Appropriations subcommittee decided to cut this funding. The 470 bed VA hospital will provide 240 acute care beds and 230 beds for Florida's mentally ill veterans.

Here are some of the shocking facts about Florida veterans:

First, one in every two veterans who moved last year, moved to Florida.

Second, Florida ranks second in the Nation in veterans population, but 46th in medical care funding by the VA.

Third, Florida has more than twice the national average of veterans per hospital.

Fourth, Florida VA facilities do not have long term beds for the mentally ill.

The Brevard VA Medical Center will greatly assist in caring for veterans, especially mentally ill veterans—many of whom are fragile and aging World War II and Korean conflict veterans. These, and all, veterans should expect and receive good care. If we cannot protect veterans in their time of need, how can we ask them to stand in harms way to protect us?

We all know that American men and women—in the prime of their lives—willingly go to remote parts of the world to defend this country. Sometimes they do not return. Sometimes they return wounded. Sometimes they return with wounds that do not surface until years later. War is never without human cost.

There can be no backing down on this matter. A vote to keep this veterans' project is a vote to keep a promise to our veterans. This project is critically necessary to Florida veterans. We must fund this project. We owe this to our veterans.

I have in my hand a copy of a letter from the Secretary of Veterans Affairs, Mr. Jesse Brown, to Chairman JERRY LEWIS. The letter is dated May 10, 1995. A part of the letter reads:

The need for additional VA hospital beds in Florida has been documented since December 1982, when VA completed the congressionally mandated ''Thirty-Year Study of the Needs of Veterans in Florida.'' This and subsequent analyses support the need for the Brevard facility and identify a significant population of veterans with inadequate access to care. The nearest inpatient facilities are approximately 120 miles from the Brevard County population center. The Brevard hospital will provide primary and secondary medical and surgical services and

help fill a great need as a statewide referral center for chronically mentally ill veterans. The administration included in our fiscal year 1966 budget $154.7 million, which represents full funding to complete construction of the Brevard County VA Medical Center, because of the unique need for a new hospital in this area and our desire to avoid the need for repeated, partial requests in the future. We have been moving forward with the advance planning for the project I believe we have demonstrated the value and need for this project. It is the right thing to do, and it is particularly appropriate that this project be allowed to move forward at a time when a grateful Nation is commemorating the 50th Anniversary of the end of World War II.

I have a letter from Major General Earl Peck, Executive Director, Department of Florida Veterans' Affairs, dated July 27, 1995, which reads in part: ''The veterans of Florida deeply appreciate the extraordinary efforts you and DAVE WELDON are making to save the Brevard VA Medical Center. It would be patently unfair for the Congress to terminate all VA construction and, thus, freeze Florida veterans in a permanently disadvantaged status.''

Mr. Chairman, I submit for the RECORD the letter from the Secretary of Veterans Affairs, as well as the letter from General Earl Peck, Executive Director, Department of Florida Veterans Affairs, dated July 27, 1995, and the Department of Veterans Affairs fiscal year 1995 budget submission, ''Construction Appropriations and Authorization,'' pages 2–6, 2–7, 2–8, 2–9, the Department of Veterans Affairs fiscal year 1996 Budget Submission, ''Construction Appropriation and Authorization'', page 2–11, 2–12, 2–13, and the Public Law referred to previously.

The material referred to is as follows:

THE SECRETARY OF VETERANS AFFAIRS,
Washington, May 10, 1995.

Hon. JERRY LEWIS,
Chairman, Subcommittee on VA, HUD, and Independent Agencies, Committee on Appropriations, House of Representatives, Washington, DC.

DEAR CHAIRMAN LEWIS: I am following up on my March 13, 1995, letter requesting approval of our proposal to reprogram $10 million from the Major Construction Working Reserve to the Advance Planning Fund. Of the $10 million proposed for reprogramming, a total of $5.5 million is needed to continue with our planning for the new Medical Center in Brevard County, Florida. I have not yet received an answer from you approving our proposal. Rather, we have been advised by Subcommittee staff that the reprogramming is not being approved for the Brevard project. As a result, as of May 1, the funding source for the Design Development of the Brevard County VAMC was exhausted, and we were forced to shut down this effort. We strongly urge your approval of the reprogramming so that further delay and disruption can be avoided on this extremely important project.

The need for additional VA hospital beds in Florida has been documented since December 1982, when VA completed the Congressionally mandated ''Thirty-Year Study of the Needs of Veterans in Florida'' (Public Law 97–101). This and subsequent analyses support the need for the Brevard facility and identify a significant population of veterans with inadequate access to care. The ratio of VA hospital beds to veterans is only 1.4/1000 for Florida, while it is 2.02/1000 nationally. When the Brevard VAMC is completed the ratio for Florida will still be only 1.69/1000. The nearest inpatient facilities to Brevard are Tampa and West Palm Beach, both approximately 120 miles from the Brevard County population center. The nearest outpatient facility is in Orlando, approximately 50 miles distant.

The Brevard hospital will provide primary and secondary medical and surgical services and help fill a great need as a statewide referral center for chronically mentally ill veterans. Florida VA hospitals have a much smaller percentage of psychiatry beds than VA hospitals nationwide and *no* psychiatry beds for the chronically mentally ill. Private providers and insurance coverage simply do not offer the range of treatment and services necessary for veterans with chronic psychiatric disorders. Even if these services were available from the private sector, reimbursement costs would be significantly higher than care through a VA facility. In 1989, the average cost of veteran admissions to non-VA hospitals in East Central Florida was 35.6 percent higher than care in VA hospitals. A similar study in Palm Beach County, using 1990 data, showed private sector costs were 35 percent to 113 percent higher than similar care in VA hospitals. Hospitalization in a VA medical center is cost-effective treatment.

Plans for Brevard include a 120-bed nursing home on the grounds. Florida has the highest percentage of veterans 65 years and older in the nation. They currently represent 30 percent of the state's veteran population and the numbers are increasing. Based upon the 1990 census, approximately 1,100 VA-operated nursing home care beds will be needed in Florida by FY 2005. VA currently operates 840.

In keeping with the fundamental changes which are taking place in modern health care, VA is moving vigorously toward outpatient treatment in lieu of hospitalization wherever medicine allows it. We are working to expand the number of cost-effective ambulatory care centers which provide primary and urgent care to veterans. However, both ambulatory care centers and nursing homes must be supported by modern inpatient services or they fail to offer the continuum of care necessary for the effective care of our veterans.

The Administration included in our FY 1996 budget $154.7 million, which represents full funding to complete construction of the Brevard County VAMC, because of the unique need for a new hospital in this area and our desire to avoid the need for repeated, partial requests in the future. We have been moving forward with the advance planning for the project; and, at this time, our architects have developed and evaluated several schemes for the new medical center. We have selected the architectural proposal which will best meet the needs of our veterans, in the most cost-effective manner. The land, as you may know, has already been donated to the Federal Government, thus further reducing the cost of the project.

In FY 1995, the Congress provided $17.2 million for preparation of Construction Documents; but, before they can be started, we must finish the earlier design stages which are paid for from the Advance Planning Fund. VA has already obligated about $1.945 million out of the Advance Planning Fund for Schematic Design and site surveys. We now need to move into Design Development, and the reprogramming is necessary in order to fund this part of the work. Any further delay in the reprogramming will threaten the continuity of planning and design and thereby may compromise the quality of the product produced by the architectural office, since they will soon be forced to disband the design team to other projects. It will also delay the schedule, forcing our veterans to wait longer for accessible medical care, and will increase the project cost through inflation.

I believe we have demonstrated the value and need for this project. Therefore, I urge you to act promptly to authorize us to continue our mission to our Nation's veterans by addressing recognized needs of Florida's veterans. It is the right thing to do, and it is particularly appropriate that this project be allowed to move forward at a time when a grateful Nation is commemorating the 50th Anniversary of the end of World War II.

Sincerely,

JESSE BROWN.

STATE OF FLORIDA, DEPARTMENT OF VETERANS' AFFAIRS, OFFICE OF THE EXECUTIVE DIRECTOR
St. Petersburg, FL, July 27, 1995.

Hon. CORRINE BROWN,
House of Representatives,
Washington, DC.

DEAR CONGRESSWOMAN BROWN: The veterans of Florida deeply appreciate the extraordinary efforts you and Dave Weldon are making to save the Brevard VAMC. It would be patently unfair for the Congress to terminate all VA construction and, thus, freeze Florida veterans in a permanently disadvantaged status. Until we enjoy something approaching equitable access to VA health care, selected construction projects and resource reallocation must be fostered.

Thank you for the proposed amendment to HR2099 and your continuing support for Florida veterans.

Sincerely,

E.G. PECK, MGen USAF (Ret),
Executive Director.

DEPARTMENT OF VETERANS AFFAIRS FISCAL YEAR 1996 BUDGET SUBMISSION
BREVARD COUNTY, FL, NEW MEDICAL CENTER AND NURSING HOME

Proposal is to construct a new medical center with ambulatory care facilities and a nursing home.

I. Budget authority.—

Total estimated cost	$171,900,000
Available through 1995	17,200,000
1996 request	154,700,000
1997 or future	

II. Priority score.—9.08.

III. Description of Project.—A new 470-bed medical center and 120-bed nursing home care unit will be constructed. The new hospital will provide 135 internal medicine, 60 intermediate care, 45 surgical and 230 psychiatric beds and an ambulatory care clinic to serve the veteran population in this newly defined distributed population planning base (DPPB) area. All associated site work, including surface parking spaces, is included in this project. An environmental impact statement has been accomplished in compliance with the National Environment Policy Act.

IV. Priorities/deficiencies addressed.—Provision of comprehensive primary care services will ensure equity of access to America's veterans irrespective of residence. The East Central Florida area has been identified for over ten years as a critically underserved area with a growing population of retired, limited income veterans. The project will provide capacity for comprehensive basic services. Service delivery will be organized around the managed care concept with primary and preventive care as a foundation.

V. Alternatives to construction considered.—In 1988, VA sent letters to hospitals located in the counties where construction of this new medical center was being considered. The purpose was to investigate potential opportunities to acquire by lease or purchase existing hospitals as an alternative to

VA construction. No favorable responses were received.

VI. Mission/background.—The proposed new medical center in Brevard County, Florida will be part of the Florida/Puerto Rico network. This network currently consists of five existing medical centers in Florida and one medical center in San Juan. Studies conducted in the early 1980's and revalidated in 1992, showed that, by the year 2005, VA will need approximately 1,000 additional hospital beds in the State of Florida to meet the veteran demand. The new 400-bed medical center in Palm Beach addresses a portion of the need for additional beds. The studies showed that a medical center in the East Central Florida area would serve a significant number of veterans that currently have no reasonable access to veterans health services. In March 1993, the Secretary of Veterans Affairs announced plans to construct new medical facilities to serve an expanding veteran population. Consideration was given to patient utilization and demographics, accessibility to other VA medical centers and projected patient lengths of stay. As a result, a site in Brevard County, near Rockledge, was chosen for construction of a VA medical center.

The new medical center will consist of 470 hospital beds and provide primary and secondary general medical and surgical care and acute psychiatric care. The medical center will have full ambulatory care capability. In addition, a 120-bed nursing home care unit will be constructed to address the critical need for nursing home care beds in the State of Florida.

VII. Affiliations sharing agreements.—This facility will not be affiliated with any medical schools.

VIII. Demographic data.—

	Current	Projected (2005)
Authorized beds:		
Hospital	0	470
Nursing home care	0	120
Outpatient visits	0	126,000

Veteran Population Projections

1992	282,620
2000	275,258
2005	257,952

IX. Schedule.—

Complete design development	Feb 1996
Complete construction	Dec 1999

X. Project cost summary.—

New construction 792,524 gross square feet @ $127.94	$101,397,000
Alterations	N/A
Subtotal	101,397,000
Other costs:	
Site work, utilities, demolition and surface parking	13,057,000
Allowance for specialized equipment	507,000
120-bed nursing home care unit (57,886 gsf)	7,293,000
Energy plant (22,945 gsf @ $482.47/gsf)	11,625,000
Total other costs	32,482,000
Total estimated base construction cost	133,879,000
Construction contingency (5 percent)	6,694,000
Technical services (10 percent)	14,057,000
Construction management firm costs	4,113,000
Utilities agreements	2,200,000
Total estimated base cost	160,943,000
Inflation allowance to construction contract award	10,957,000
Total estimated project cost	171,900,000

XI. Annual operating staff and equipment costs.—

	Project activation costs	Present facility operating costs
Equipment costs	$30,000,000	(1)
One time non-recurring cost	14,928,000	(1)
Recurring costs:		
Additional manpower FTE: 1,329	73,760,000	(1)
Other recurring	14,928,000	(1)
Total recurring	88,688,000	(1)

[1] Not applicable.

DEPARTMENT OF VETERANS AFFAIRS FISCAL YEAR 1995 BUDGET SUBMISSION

BREVARD COUNTY, FL—NEW MEDICAL CENTER AND NURSING HOME

Proposal is to construct a new medical center with ambulatory care facilities and a nursing home as a joint venture with Patrick Air Force Base Medical Command.

I. Budget authority.—

Total estimated cost	$171,900,000
Available through 1994	
1995 request	[1] 17,200,000
1996 or future	154,700,000

[1] Funds requested in 1995 are for design only.

II. Priority score.—12.95.

III. Description of project.—A new 470-bed medical center and 120-bed nursing home care unit will be constructed. The new hospital will provide 135 internal medicine, 60 intermediate care, 45 surgical and 230 psychiatric beds and an ambulatory care clinic to serve the veteran population in this newly defined distributed population planning base (DPPB) area. All associated site work, including approximately 1,300 surface parking spaces, is included in this project. An environmental impact statement has been accomplished in compliance with the National Environment Policy Act.

IV. Priorities/deficiencies addressed.—Only availability of comprehensive primary care services will ensure equity of access to America's veterans irresponsible of residence. The East Central Florida area has been identified for over ten years as a critically underserved area with a growing population of retired, limited income veterans. An opportunity has been identified through a joint venture with Patrick Air Force Base to correct equity of access issues in a cost-effective manner. The project will provide capacity for comprehensive basic services. Service delivery will be organized around the managed care concept with primary and preventive care as a foundation.

V. Alternatives to construction considered.—In 1988 VA sent letters to hospitals located in the counties where construction of this new medical center was being considered. The purpose was to investigate potential opportunities to acquire by lease or purchase existing hospitals as an alternative to VA construction. No favorable responses were received. Land has been donated for this project near Patrick Air Force Base, which provided an ideal opportunity for cost-effective sharing arrangements with Patrick Air Force Base and joint venture construction.

VI. Mission/background.—The proposed new medical center in Brevard County, Florida will be part of the Florida/Puerto Rico network. This network currently consists of five existing medical centers in Florida and one medical center in San Juan. Studies conducted in the early 1980's and revalidated in 1992, showed that, by the year 2005, VA will meet approximately 1,000 additional hospital beds in the State of Florida to meet the veteran demand. A new 400-bed medical center currently under construction in Palm Beach addresses a portion of the need for additional beds. The studies showed that a medical center in the East Central Florida area would serve a significant number of veterans that currently have no reasonable access to veterans health services. In March 1993, the Secretary of Veterans Affairs announced plans to construct new medical facilities to serve an expanding veteran population. Consideration was given to patient utilization and demographics, accessibility to other VA medical centers and projected patient lengths of stay. As a result, a site in Brevard County, near Rockledge, was chosen for construction of a VA medical center. Patrick Air Force Base is located approximately seven miles to the southeast, so that this site is conducive to a VA/Air Force joint venture.

The new medical center will consist of 470 hospital beds and provide primary and secondary general medical and surgical care and acute psychiatric care. The medical center will have full ambulatory care capability. In addition, a 120-bed nursing home care unit will be constructed to address the critical need for nursing home care beds in the State of Florida.

VII. Affiliations/sharing agreements.—This facility will not be affiliated with any medical schools. Discussions to share services are part of the project development efforts in progress with the Air Force.

VIII. Demographic data.—

	Current	Projected (2005)
Authorized beds:		
Hospital	0	470
Nursing home care	0	120
Outpatient visits	0	126,000

Veteran Population Projections

1992	282,620
2000	275,258
2005	257,952

IX. Schedule.—

Complete schematics/design development	July 1995
Complete construction	Sept. 1999

X. Project cost summary.—

Phase I (Nursing Home, energy plant, foundation, substructure, and superstructure for main building)

New construction (NHC) 49,600 gross square feet @ $135.00	$6,696,000
Alterations	N/A
Subtotal	6,696,000
Other costs:	
Site work, utilities, demolition and surface parking	4,172,000
Energy plant (21,400 gsf)	10,431,000
Main building (foundation, substructure, superstructure)	20,547,000
Pre-design development allowance (10 percent)	4,184,000
Total other costs	39,334,000
Total estimated base construction cost	46,030,000
Construction contingency (5 percent)	2,302,000
Technical services (10 percent)	4,833,000

Construction management firm costs	1,367,000
Total estimated base cost	54,532,000
Inflation allowance to construction contract award	2,068,000
Total estimated project cost	56,600,000
Phase II (Remainder of main building)	
New construction (Hospital) 716,800 gross square feet @ $100.96	72,366,000
Alterations	N/A
Subtotal	72,366,000
Other costs:	
Site work, utilities, demolition and surface parking	10,029,000
Allowance for specialized equipment	464,000
Pre-design development allowance (10 percent)	8,286,000
Total other costs	18,779,000
Total estimated base construction cost	91,145,000
Construction contingency (5 percent)	4,557,000
Technical services (10 percent)	9,570,000
Impact cost allowance	1,600,000
Construction management firm costs	2,752,000
Total estimated base cost	109,624,000
Inflation allowance to construction contract award	5,676,000
Total estimated project cost	115,300,000

XI. Annual operating, staff and equipment costs.—

	Project activation costs	Present facility operating costs
Equipment cost	$30,000,000	(1)
One time non-recurring cost	17,937,420	(1)
Recurring costs:		
Staffing FTE: 1,329	78,381,870	$0
Other recurring	17,584,390	0
Total recurring	95,966,260	0

[1] Not applicable.

This notification is made in accordance with Public Law 102–389, Title V, Section 516.

LEASE NOTIFICATION—ALL LEASES OVER $300,000

[Dollars in Thousands]

Location	Description	Fully serviced annual rent
Bay Pines (Fort Myers), FL	Satellite Outpatient Clinic	$1,036
Denver, CO	Distribution Center/Expansion (GSA).	1,426
Hilo, HI	Residential Facility	419
New York, NY	Footwear Center	662
Rochester, NY	Outpatient Clinic/Relocation	667
San Diego, CA	Outpatient Clinic/VBA Regional Office.	3,750

Title 38, United States Code, Sections 8104(a)(2) (as amended by section 301(a), Public Law 102–405) requires statutory authorization for all major medical facility construction projects and major medical facility leases exceeding $300,000 (including parking facilities) prior to appropriation of funds. In accordance with Title 38, United States Code, Section 8104(h) prospectuses for the construction projects are reflected on pages 2–11 through 2–26 and 2–31 through 2–34. Prospectuses for the VA direct leases are reflected on pages 11–4 through 11–7. Authorization for construction of the Replacement Bed Building/Ambulatory Care Facility at Reno, NV, the VA/AF Joint venture at Travis, CA, the lease for the Residential Facility at Hilo, HI, and the lease for the Outpatient Clinic portion of the San Diego Collocation is not required under the exemption noted on page 11 (Paragraph 2). The Ambulatory Care Addition at Boston, MA and the Outpatient Clinic/Relocation lease at Rochester, NY were authorized in a prior year. VA is not requesting authorization for leases acquired through the General Services Administration (GSA).

FISCAL YEAR 1996 CONSTRUCTION, MAJOR PROJECT LEASE AUTHORIZATION

[Dollars in thousands]

Location	Description	Authorization Request
MAJOR CONSTRUCTION		
Replacement and Modernization:		
Brevard County, FL	New Medical Center/NHCU	$154,700
Patient Environment:		
Lebanon, PA	Renovate Nursing Units	9,000
Marion, IL	Environmental Improvements.	11,500
Marion, IN	Replace Psychiatric Beds	17,300
Perry Point, MD	Renovatre Psychiatic Wards	15,100
Salisbury, NC	Environmental Enhancements.	17,200
	Total-Major	224,800
Leases:		
Bay Pines (Ft. Myers), FL.	Satellite Outpatient Clinic	1,736
New York, NY	National Footwear Clinic	1,054
Total Leases		2,790

AN ACT To amend title 38, United States Code, to extend certain expiring veterans' health care programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans Health Programs Extension Act of 1994''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. References to title 38, United States Code.
TITLE I—GENERAL MEDICAL AUTHORITIES
Sec. 101. Sexual trauma counseling and services.
Sec. 102. Research relating to women veterans.
Sec. 103. Extension of expiring authorities.
Sec. 104. Facilities in Republic of the Philippines.
Sec. 105. Savings provision.
TITLE II—CONSTRUCTION AUTHORIZATION
Sec. 201. Authorization of major medical facility projects and major medical facility leases.
Sec. 202. Authorization of appropriations.

SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

TITLE I—GENERAL MEDICAL AUTHORITIES

SEC. 101. SEXUAL TRAUMA COUNSELING AND SERVICES.

(a) AUTHORITY TO PROVIDE TREATMENT SERVICES FOR SEXUAL TRAUMA; REPEAL OF LIMITATION ON TIME TO SEEK SERVICES.—Subsection (a) of section 1720D is amended—

(1) by striking out paragraph (2); and

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) During the period referred to in paragraph (1), the Secretary may provide appropriate care and services to a veteran

* * * * *

affect women or members of minority groups, as the case may be, differently than other persons who are subjects of the research.''.

(b) HEALTH RESEARCH.—(1) Such section is further amended by adding after subsection (c), as added by subsection (a), the following new subsection:

''(d)(1) The Secretary, in carrying out the Secretary's responsibilities under this section, shall foster and encourage the initiation and expansion of research relating to the health of veterans who are women.

''(2) In carrying out this subsection, the Secretary shall consult with the following to assist the Secretary in setting research priorities:

''(A) Officials of the Department assigned responsibility for women's health programs and sexual trauma services.

''(B) The members of the Advisory Committee on Women Veterans.

''(C) Members of appropriate task forces and working groups within the Department (including the Women Veterans Working Group and the Task Force on Treatment of Women Who Suffer Sexual Abuse).''.

(2) Section 109 of the Veterans Health Care Act of 1992 (Public Law 102–585; 38 U.S.C. 7303 note) is repealed.

(c) POPULATION STUDY.—Section 110(a) of the Veterans Health Care Act of 1992 (Public Law 102–585; 106 Stat. 4948) is amended by adding at the end of paragraph (3) the following: ''If it is feasible to do so within the amounts available for the conduct of the study, the Secretary shall ensure that the sample referred to in paragraph (1) constitutes a representative sampling (as determined by the Secretary) of the ages, the ethnic, social and economic backgrounds, the enlisted and officer grades, and the branches of service of all veterans who are women.''.

SEC. 103. EXTENSION OF EXPIRING AUTHORITIES.

(a) AUTHORITY TO PROVIDE PRIORITY HEALTH CARE FOR VETERANS EXPOSED TO TOXIC SUBSTANCES.—Chapter 17 is amended—

(1) in section 1710(e)(3)—

(A) by striking out ''June 30, 1994'' and inserting in lieu thereof ''June 30, 1995''; and

(B) by striking out ''December 31, 1994'' and inserting in lieu thereof ''December 31, 1995''; and

(2) in section 1712(a)(1)(D), by striking out ''December 31, 1994'' and inserting in lieu thereof ''December 31, 1995''.

(b) DRUG AND ALCOHOL ABUSE AND DEPENDENCE.—Section 1720A(e) is amended by striking out ''December 31, 1994'' and inserting in lieu thereof ''December 31, 1995''.

(c) PILOT PROGRAM FOR NONINSTITUTIONAL ALTERNATIVES TO NURSING HOME CARE.—(1) Effective as of October 1, 1994, subsection (a) of section 1720C is amended by striking out ''During the four-year period beginning on October 1, 1990,'' and inserting in lieu thereof ''During the period through September 30, 1995,''.

(2) Such subsection is further amended by striking out ''care and who—'' and inserting in lieu thereof ''care. The Secretary shall give priority for participation in such program to veterans who—''.

(d) ENHANCED-USE LEASES OF REAL PROPERTY.—Section 8169 is amended by striking out ''December 31, 1994'' and inserting in lieu thereof ''December 31, 1995''.

(e) AUTHORITY FOR COMMUNITY-BASED RESIDENTIAL CARE FOR HOMELESS CHRONICALLY MENTALLY ILL VETERANS AND OTHER VETERANS.—Section 115(d) of the Veterans' Benefits and Services Act of 1988 (38 U.S.C. 1712 note) is amended by striking out ''September 30, 1994'' and inserting in lieu thereof ''September 30, 1995''.

(f) DEMONSTRATION PROGRAM OF COMPENSATED WORK THERAPY.—Section 7(a) of Public Law 102–54 (105 Stat. 269; 38 U.S.C. 1718 note) is amended by striking out ''1994'' and inserting in lieu thereof ''1995''.

(g) REPORT DEADLINES.—Section 201(b) of the Department of Veterans Affairs Nurse Pay Act of 1990 (Public Law 101–366; 38 U.S.C. 1720C note) is amended by striking out ''February 1, 1994,'' and inserting in lieu thereof ''February 1, 1995,''.

SEC. 104. FACILITIES IN REPUBLIC OF THE PHILIPPINES.

Notwithstanding section 1724 of the title 38, United States Code, the Secretary of Veterans Affairs may contract with facilities in the Republic of the Philippines other than the Veterans Memorial Medical Center to furnish, during the period from February 28, 1994, through June 1, 1994, hospital care and medical services to veterans for nonservice-connected disabilities if such veterans are unable to defray the expenses of necessary hospital care. When the Secretary determines it to be most feasible, the Secretary may provide medical services under the preceding sentence to such veterans at the Department of Veterans Affairs Outpatient Clinic at Manila, Republic of the Philippines.

SEC. 105. RATIFICATION OF ACTIONS DURING PERIOD OF LAPSED AUTHORITY.

Any action of the Secretary of Veterans Affairs under section 1710(e) of title 38, United States Code, during the period beginning on July 1, 1994, and ending on the date of the enactment of this Act is hereby ratified.

TITLE II—CONSTRUCTION AUTHORIZATION

SEC. 201. AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECTS AND MAJOR MEDICAL FACILITY LEASES.

(a) PROJECTS AUTHORIZED.—The Secretary of Veterans Affairs may carry out the major medical facility projects for the Department of Veterans Affairs, and may carry out the major medical facility leases for that Department, for which funds are requested in the budget of the President for fiscal year 1995. The authorization in the preceding sentence applies to projects and leases which have not been authorized, or for which funds have not been appropriated, in any fiscal year before fiscal year 1995 and to projects and leases which have been authorized, or for which funds were appropriated, in fiscal years before fiscal year 1995.

* * * * *

Mr. SHAW. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to compliment both of my colleagues from Florida on their tireless efforts to see that the veterans of Florida, the many thousands that are moving to Florida each and every week, are properly cared for. There is no question but there is a crying need for these facilities. I would, however, oppose this amendment very strongly, and particularly tonight, in that the funding would come out of FEMA.

As we are seated in this Chamber tonight, a hurricane is bearing down on south Florida. That hurricane, we do not know whether it will come in somewhere in the Florida Keys, or whether it will come in somewhere south of Sebastian, but right now it is predicted it is going to hit somewhere in south Florida. This would make a drastic need for FEMA and the funds that it carries, and it also, I think, really amplifies the need not to raid FEMA.

Several amendments have been offered under this bill that would raid these funds that will be desperately needed one day. Hopefully, south Florida will be spared tomorrow from the rages of this hurricane, but, nonetheless, it should underline to us our dependence in time of disaster upon FEMA.

I would, therefore, reluctantly, but very strongly, oppose this amendment.

Ms. BROWN of Florida. Mr. Chairman, will the gentleman yield?

Mr. SHAW. I yield to the gentlewoman from Florida.

Ms. BROWN of Florida. Mr. Chairman, the gentleman is from Florida, and he knows we already have a disaster in Florida as far as the veterans and our lack of health care facilities in Florida. In the FEMA funds there is over $7 billion and an additional $700 million in discretionary funds.

Mr. SHAW. Mr. Chairman, If the gentlewoman has completed her remarks, I think it is just a question that the timing is entirely wrong. The funding for FEMA is too important. I would urge a ''no'' vote.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from California [Mr. LEWIS] insist on his point of order?

Mr. LEWIS of California. Yes. I do, Mr. Chairman.

I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill, and, therefore, violates clause 2 of rule XI. The rule states no amendment to a general appropriations bill shall be in order if it is changing existing law. I ask for a ruling of the Chair.

The CHAIRMAN. Does the gentleman from Florida wish to be heard on the point of order?

Mr. WELDON of Florida. Yes, Mr. Chairman, I wish to be heard on the point of order.

Ms. BROWN of Florida. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair will protect the gentlewoman's right. The gentleman from Florida [Mr. WELDON] is recognized.

Mr. WELDON of Florida. Mr. Chairman, I believe that this project is an authorized project. Section 201 of Public Law 103–452, signed into law on November 2, 1994, states:

> The Secretary of Veterans Affairs may carry out the major medical facility projects for the Department of Veterans Affairs, and may carry out the major medical facility leases for that Department, for which funds are requested in the budget of the president for fiscal year 1995.

In the President's fiscal year 1995 congressional submission for VA construction, major projects, pages 2–7 through 2–9, the budget requests $17.2 million for the design phase and $154.7 million for fiscal year 1996 and beyond for the complete construction. The budget submission goes on to describe the proposed hospital.

It's clear to this Member that section 201 of the public law specifically authorizes all projects for which any funds were requested in the President's fiscal year 1995 budget request. Under this reading of the law, the committee, through Public Law 103–452, clearly provides an authorization for the full hospital, not simply the first phase—the design phase.

Section 201 clearly authorizes the Secretary to carry out the major medical facility projects for which funds are requested. The President's fiscal year 1995 budget requests funds for the VA hospital in Brevard.

Additionally, with regard to the chairman's statements that section 202 places a limitation on section 201. I strongly disagree with his interpretation.

The limitation may apply to the amounts that can be appropriated for these accounts in fiscal year 1995, however, the limitation in no way restricts the authorization of the project. This limitation is clearly limited only to the amount authorized in fiscal year 1995, not 1996 and beyond. The authorization for fiscal year 1996 and beyond remains intact. Section 202 does not affect this.

On this basis, I ask the chair to rule against the point of order and allow for consideration of the amendment.

□ 1930

Ms. BROWN of Florida. Mr. Chairman, I also want to go on record as saying this Brevard County project is more in order than other back-door projects that have been allowed by the chairman and that are not authorized. I submit these projects for the RECORD. I know they are all worthwhile. However, they have not been authorized for this year. I am submitting those 5 projects.

Further, I quote from the joint statement of the Committee on Veterans' Affairs which appears in the RECORD on October 7, 1994, regarding Public Law 103–452 title II, construction authorization: ''The committee notes that some major medical facility projects in the VA fiscal year 1995 budget submission were authorized or partially funded in a prior year and therefore do not require authorization under section 8014 (a)(2) of title 38.''

Mr. Chairman, it is a known fact that the hospital at Brevard County was partially funded in prior years. Therefore, based upon these facts, there should be no further need for authorization.

I also submit a letter from General Earl Peck and a letter from Secretary Jesse Brown to Chairman LEWIS stressing the need for this project.

The CHAIRMAN (Mr. COMBEST). The Chair is prepared to rule.

The gentleman from California makes a point of order that the amendment offered by the gentleman from Florida violates clause 2 of rule XXI by providing an unauthorized appropriation.

The amendment proposes to insert a new paragraph at the end of the bill that would reduce the amount provided for Federal Emergency Management Agency—Disaster Relief and provide appropriations to the Department of Veterans Affairs for the construction of a medical facility in Brevard County, FL.

The gentleman from Florida has not met his burden of proving that appropriations for fiscal year 1996 for the medical facility in Brevard County are authorized. Section 8104(a)(2) of title 38 precludes the appropriation of funds for a major medical facility project unless funds for that project have been specifically authorized by law. Section 201(a) of Public Law 103–452 authorizes any major medical facility project submitted by the President for fiscal year 1995. As mentioned by the gentleman from Florida, the Brevard County project was submitted in the President's 1995 budget request, as well as in his 1996 budget request. However, the authorization carried in section 201(a) of Public Law 103–452 is constrained by an accompanying limitation in section 202(b), which states that such projects may ''only be carried out using funds appropriated for fiscal year 1995,'' thus limiting all authorizations for appropriations to fiscal year 1995 funds.

The Chair has not been provided with any documentation indicating that the medical facility in Brevard County is exempt from section 202 of Public Law 103–452, which limits authorization of appropriations for such project to fiscal year 1995.

The works-in-progress exception provided for in clause 2(a) of rule XXI may not be invoked for this project because the project is governed by a lapsed authorization and because actual construction has not yet begun.

Accordingly, the Chair sustains the point of order.

Are there other amendments to title V?

Mr. BARRETT of Wisconsin. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have an amendment at the desk that the gentleman from Wisconsin [Mr. KLECZKA] and I had planned to offer.

Last week I asked the Committee on Rules to craft the VA–HUD rule in a manner that would give the Members of this House the opportunity to vote up or down on our proposal. Unfortunately my request was denied. Because Members will not be permitted to vote on this issue, I would like to just take a moment to explain why it was proposed.

Last year thousands of workers in my community got a major slap in the face when their employer told them their jobs would be moved to another part of the country.

If that was not bad enough, these loyal employees had salt rubbed in their wounds a short time later when they learned that their own Federal tax dollars would be used to help move their jobs elsewhere. Nearly a quarter of a million dollars in Community Development Block Grant money would be used to help the company they worked for expand a plant and move the jobs to another State.

Earlier this year, we learned that another company would be relocating its production facility to another State. At that time, it was announced that $500,000 in CDBG funds would be used as part of the incentive package which lured the company to move these jobs.

These actions are dead wrong. The CDBG Program is designed to Foster Community and Economic Development, not to help move jobs around the country. Although we cannot reverse what has already happened, our amendment would stop this from happening again.

Our amendment would add an antipiracy provision to the Community Development Block Grant Program administered by the Department of Housing and Urban Development. It would prevent the use of Federal funds from being used to move jobs from one part of the country to another.

Congress and the executive branch have recognized the importance of preventing this type of economic relocation in the past. Similar antipiracy provisions are currently in effect for Economic Development Administration grants, Small Business Administration programs, and grant programs for dislocated workers.

And, as you may recall, our amendment received solid bipartisan support and passed the House as part of a bill reauthorizing HUD programs last year.

More recently, the White House Conference on Small Business overwhelminingly passed a resolution in June calling on Congress to ban the direct or indirect use of Federal funds of any kind that would lure existing jobs and businesses from one area to another. This issue is now one of 60 national issues endorsed by the Conference.

Mr. Chairman, I believe the Members of the House should have been given the opportunity to vote on this important initiative. If adopted, Wisconsin taxpayers and other taxpayers across our country would no longer be forced to pick up the tab for transferring jobs from their State.

Mr. Chairman, I yield to the gentleman from Wisconsin [Mr. KLECZKA].

Mr. KLECZKA. Mr. Chairman, it is too bad that the amendment before us is not in order on this bill. Let me just say a couple of words about the Community Development Block Grant Program.

We are not here to decry the benefits because in our State and many other States it has worked so well. But it is not and it has never been incepted to be used as raiding jobs from one State to another. Last year it happened in Wisconsin on a couple of occasions. Maybe if it happens to the State of California and New York and some other States, we will get more support on the House floor to change this. I would hope the chairman of the committee, not only the appropriation committee but also the authorizing committee, will look at this and deem it to be an essential part of any reform of the CDBG Program.

Again, it was never authorized and never meant to be a means of raiding jobs from one State to another. Maybe when it happens to Members from other States, you might be taking the floor and helping us out getting this amendment passed in a more appropriate way.

I thank my colleague from Wisconsin for yielding.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to the order of the House of Thursday, July 27, 1995 and today proceedings will now resume on those amendments on which further proceedings were postponed in the following order: Amendment No. 7 offered by the gentleman from Illinois [Mr. DURBIN]; amendment No. 38 offered by the gentleman from Michigan [Mr. DINGELL]; and an unnumbered amendment offered by the gentleman from Nevada [Mr. ENSIGN].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 7 OFFERED BY MR. DURBIN

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois [Mr. DURBIN] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. DURBIN: Page 59, line 3, insert before the period the following:

''*: Provided further*, That any limitation set forth under this heading on the use of funds shall not apply when it is made known to the Federal official having authority to obligate or expend such funds that the limitation would restrict the ability of the Environmental Protection Agency to protect humans against exposure to arsenic, benzene, dioxin, led, or any known carcinogen''.

Mr. VOLKMER. Mr. Chairman, I would like to take this opportunity to correct the numerous factual errors committed by the gentleman from Texas last Friday during last weeks debate on the Durbin-Wilson amendment to H.R. 2099.

First, I would like to tell the distinguished gentleman from Texas that the Continental Cement plant he referred to is not located in Hanover, MO. In fact, there is no Hanover, MO. It is located in my hometown of Hannibal. However, this error was only the first of many in his statement about Continental Cement.

The gentleman from Texas stated the EPA standard for arsenic emission is .4 parts per million and in 1993 the actual emission of the

plant was 97 parts per mission. He goes on to state the EPA standard for lead is 400 parts per million and the plant's actual emission in 1993 was 2,700 parts per million. I would invite the gentleman from Texas to share his data with me on the 1993 test burn because the EPA did not even conduct arsenic or lead emissions tests at Continental Cement in 1993.

The test burn my colleague from Texas is referring to occurred in May of 1992. This type of EPA test required thousands of gallons of waste material containing heavy metals to be pumped into the kiln. This procedure is known as ''spiking the kiln'' and under normal operating conditions the plant would never burn such a concentration of heavy metals. During the test the EPA allowed Continental to emit 241 parts per million of lead and 2,198 parts per million of arsenic.

The kiln actually emitted 199.36 parts per million of lead and 33.83 parts per million of arsenic. Both arsenic and lead levels were well within the guidelines established by the EPA for the test burn and show that Continental Cement in Hannibal is not shirking its responsibility to the people or the environment.

Mr. GILLMOR. Mr. Chairman, I rise in opposition to this amendment and in support of the committee's provisions dealing with the combustion strategy. Let me briefly outline three reasons why.

First, the committee's language reaffirms the original congressional intent. When Congress passed the 1990 Clean Air Act which directed EPA to establish a combustion strategy and maximum achievable control technology, we did not intend for EPA to circumvent the legal and procedural safeguards the law requires. Currently, EPA is operating under an open process which allows all parties to comment on these proposed rules. This is ''Big Brother'' government at its worst.

Second, EPA has been zealous at best in setting standards for hazardous waste combustion that combine the authority of two dissimilar laws, one dealing with clean air and the other with recycling. The House Commerce Committee is slated to work on both bills this Congress. The power to draft the executive branch's enforcement options and procedures rests, constitutionally, with the Congress, not with the EPA by default.

Finally, this Congress is, if nothing else, skeptical of further regulation. The Wilson amendment reinforces EPA's ability to regulate, obfuscate, and eventually strangulate at will. We should not allow EPA, through the combustion strategy, to go above and beyond its regulatory parameters. Congress must do more than provide a Band-Aid fix to an agency that requires major surgery.

I urge my colleagues to oppose this amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to the order of the House of Thursday, July 27, 1995, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on each amendment on which the Chair has postponed further proceedings.

The vote was taken by electronic device, and there were—ayes 188, noes 228, not voting 18, as follows:

[Roll No. 602]

AYES—188

Abercrombie
Ackerman
Andrews
Baldacci
Barcia
Barrett (WI)
Beilenson
Berman
Bevill
Bishop
Blute
Boehlert
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Cardin
Castle
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
Davis
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dixon
Doggett
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Forbes
Fox
Franks (CT)
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Gutierrez
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Horn
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klug
LaFalce
Lantos
Lazio
Leach
Levin
Lewis (GA)
Lincoln
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McDermott
McHale
McInnis
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moran
Morella
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Peterson (MN)
Pomeroy
Porter
Poshard
Quinn
Rahall
Ramstad
Rangel
Reed
Richardson
Rivers
Roemer
Roukema
Roybal-Allard
Sabo
Sanders
Sanford
Sawyer
Saxton
Schroeder
Schumer
Scott
Serrano
Shays
Skaggs
Slaughter
Smith (NJ)
Spratt
Stokes
Studds
Stupak
Taylor (MS)
Thompson
Torkildsen
Torres
Torricelli
Towns
Upton
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
Weldon (PA)
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Zimmer

NOES—228

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bilbray
Bilirakis
Bliley
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Fowler
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gillmor
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klink
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Longley
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Petri
Pickett
Pombo
Portman
Pryce
Quillen
Radanovich
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Royce
Salmon
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Tiahrt
Traficant
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Young (FL)
Zeliff

NOT VOTING—18

Becerra
Dingell
Flake
Ford
Frank (MA)
Green
Hall (OH)
Hoke
Hoyer
Laughlin
Meyers
Moakley
Reynolds
Rush
Stark
Thurman
Tucker
Young (AK)

□ 1957

Mr. EDWARDS changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 38 OFFERED BY MR. DINGELL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan [Mr. DINGELL] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 155, noes 261, not voting 18, as follows:

[Roll No. 603]

YEAS—155

Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Beilenson
Bentsen
Berman
Bishop
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers

Coyne
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dingell
Dixon
Doggett
Doyle
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilchrest
Gonzalez
Gordon
Gutierrez
Hamilton
Harman
Hefner
Hilliard
Hinchey
Holden
Horn
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Mascara
Matsui
McDermott
McHale
McKinney
Meehan
Menendez
Mfume
Miller (CA)
Mineta
Moran
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Roukema
Roybal-Allard
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Shays
Sisisky
Skaggs
Slaughter
Stokes
Studds
Stupak
Thompson
Thornton
Torres
Torricelli
Towns
Traficant
Upton
Velázquez
Vento
Visclosky
Ward
Watt (NC)
Waxman
Weldon (PA)
Williams
Wilson
Wise
Wyden
Wynn
Zimmer

NAYS—261

Abercrombie
Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeLay
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martinez
Martini
McCarthy
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Meek
Metcalf
Mica
Miller (FL)
Minge
Mink
Molinari
Mollohan
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Torkildsen
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Waters
Watts (OK)
Weldon (FL)
White
Whitfield
Wicker
Wolf
Woolsey
Young (FL)
Zeliff

NOT VOTING—18

Becerra
Edwards
Ewing
Flake
Ford
Green
Hall (OH)
Hoke
Meyers
Moakley
Reynolds
Rush
Stark
Thurman
Tucker
Weller
Yates
Young (AK)

□ 2004

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ENSIGN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Nevada [Mr. ENSIGN] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were ayes 121, noes 296, not voting 17, as follows:

[Roll No. 604]

AYES—121

Ackerman
Allard
Bilbray
Bishop
Bonior
Brown (FL)
Brown (OH)
Brownback
Bryant (TX)
Burr
Camp
Canady
Chabot
Chambliss
Chenoweth
Christensen
Clyburn
Coble
Coburn
Collins (GA)
Collins (MI)
Condit
Conyers
Costello
Coyne
Crapo
Cremeans
Danner
DeFazio
DeLauro
Dickey
Dingell
Durbin
Edwards
Engel
Ensign
Evans
Fattah
Fields (LA)
Filner
Foglietta
Fox
Frost
Furse
Gejdenson
Gephardt
Geren
Gilman
Goodlatte
Goodling
Gordon
Gutierrez
Hall (TX)
Hamilton
Hefner
Heineman
Herger
Hilleary
Holden
Hostettler
Hutchinson
Jacobs
Johnson (SD)
Jones
Kelly
Kennedy (RI)
Kildee
Kleczka
Latham
Lipinski
LoBiondo
Maloney
Manton
Martinez
McHugh
McInnis
McIntosh
McNulty
Menendez
Mink
Molinari
Montgomery
Myers
Norwood
Obey
Orton
Owens
Pallone
Pastor
Payne (VA)
Peterson (MN)
Pomeroy
Poshard
Rahall
Ramstad
Reed
Riggs
Rivers
Roemer
Sanders
Saxton
Skelton
Smith (MI)
Stenholm
Stupak
Tate
Tejeda
Thompson
Thornton
Traficant
Velazquez
Volkmer
Vucanovich
Ward
Waters
Watts (OK)
Weller
Whitfield
Wise
Woolsey
Wyden

NOES—296

Abercrombie
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Bryant (TN)
Bunn
Bunning
Burton
Buyer
Callahan
Calvert
Cardin
Castle
Chapman
Chrysler
Clay
Clayton
Clement
Clinger
Coleman
Collins (IL)
Combest
Cooley
Cox
Cramer
Crane
Cubin
Cunningham
Davis
de la Garza
Deal
DeLay
Dellums
Deutsch
Diaz-Balart
Dicks
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Eshoo
Everett
Ewing
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gonzalez
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hilliard
Hinchey
Hobson
Hoekstra
Horn
Houghton
Hoyer
Hunter
Hyde
Inglis
Istook
Jackson-Lee
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Johnston
Kanjorski
Kaptur
Kasich
Kennedy (MA)
Kennelly
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
Lofgren
Longley
Lowey
Lucas
Luther
Manzullo
Markey
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McKeon
McKinney
Meehan
Meek
Metcalf
Mfume
Mica
Miller (CA)
Miller (FL)
Mineta
Minge
Mollohan
Moran
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Nussle
Oberstar
Olver
Ortiz
Oxley
Packard
Parker
Paxon
Payne (NJ)
Pelosi
Peterson (FL)
Petri
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Rangel
Regula
Richardson
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce

Sabo
Salmon
Sanford
Sawyer
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stockman
Stokes
Studds
Stump
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Upton
Vento
Visclosky
Waldholtz
Walker
Walsh
Wamp
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
White
Wicker
Williams
Wilson
Wolf
Wynn
Young (FL)
Zeliff
Zimmer

NOT VOTING—17

Becerra
Farr
Flake
Ford
Green
Hall (OH)
Hoke
Meyers
Moakley
Moorhead
Reynolds
Rush
Stark
Thurman
Tucker
Yates
Young (AK)

☐ 2011

Mr. FATTAH changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. FARR. Mr. Chairman, I was unavoidably detained during rollcall No. 604. Had I been present, I would have cast my vote in the affirmative.

PERSONAL EXPLANATION

Mr. FILNER. Mr. Chairman, I was unavoidably detained from voting last Friday, and had I been here, I would have voted on rollcall 596 ''yes,'' rollcall 597 ''yes,'' rollcall 598 ''no,'' rollcall 599, ''yes,'' and rollcall 600 ''no.''

Mr. BOEHLERT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it is my understanding that in a few minutes the House will be asked to vote again on the amendment I offered with the gentleman from Ohio [Mr. STOKES] last Friday, an amendment that passed 212 to 206.

Just to remind my colleagues, in case you missed what took place across America this weekend, every major television network, every major newspaper in America, just to remind my colleagues, this amendment struck provisions that would have prohibited, prohibited the Environmental Protection Agency from enforcing provisions of the Clean Water Act, the Clean Air Act, the Safe Drinking Water Act, and several other statutes that deal with the health and safety of the American family.

This House sent the American public a clear, unequivocal bipartisan message on Friday, and it was this: The Congress cares about the environment. Republicans care about the environment. Democrats care about the environment. All Americans care about the environment.

I think that that was a important message to send, and it was a message that caught the attention of the American people.

I hope we repeat that message this evening. If we do not, if we fail, the burden will be on those who switched their votes.

Exactly what did these Members learn over the weekend?

☐ 2015

Did the environment suddenly become less fragile over the weekend? Did their constituents lose their fondness for clean air and water? Do their constituents no longer expect the Federal Government to ensure that the air that they breath and the water that they drink and the food that they eat will not injure them? I do not think so.

Mr. Chairman, I urge my colleagues to follow their principles and once again, to prove to the American people that this Congress, and particularly the Republicans in this Congress, are committed to open political processes and environmental safeguards. Vote yes, once again, on the Stokes-Boehlert amendment.

Mr. CASTLE. Mr. Chairman, will the gentleman yield?

Mr. BOEHLERT. I yield to my colleague from Delaware [Mr. CASTLE], the former governor of Delaware and a trusted and loyal supporter of worthy causes, particularly those involving the environment.

Mr. CASTLE. I thank the gentleman for yielding, and I will be very brief. I rise in support of the Stokes-Boehlert amendment. I went home too, and we need to understand what this bill does. Basically the bill itself cuts funding for the EPA by 34 percent. It cuts funding for enforcement by the EPA by 50 percent. But the amendment before us would make sure that we do not cut 17 programs, because the bill itself also has in it 17 programs that will not be enforced by the EPA if the amendment does not get passed. We would not be able to enforce standards of air emissions, storm water runoff, wetlands, sewer overflows, and another 13 or so numbers which are in that particular bill.

Mr. Chairman, the time has come for us to pay attention to our environment. This bill as it is written now effectively eliminates environmental enforcement on a Federal level. America must not tolerate this. We must support the Stokes-Boehlert amendment.

Mr. BOEHLERT. Mr. Chairman, let me tell you, it has been suggested that we get on with it, and we will be glad to get on with it. We are dealing with the people's business.

Mr. Chairman, I could bring before this body right now member after member that would give the same testimonial that was given by the gentleman from Delaware [Mr. CASTLE] and by others who support the Stokes-Boehlert amendment. If you voted yes on Friday, vote yes today for America.

Mr. STOKES. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to take a moment to firstly express my appreciation to the gentleman from New York [Mr. BOEHLERT] for the strong leadership that he has given to the coalition force between the Democrats and Republicans of this House.

Mr. Chairman, on Friday we saw one of those rare moments in the House where the Members of this body rose above partisan politics and put the people of this Nation first. We saw the environment of this Nation put above party politics. We saw men and women in this body who expressed themselves in a way that is seldom seen in this House. On both sides, we saw people who really cared about the people in this country.

Mr. Chairman, when this matter is revoted, people in this country are going to be watching. All over the Nation this past weekend, as the gentleman from New York said, the Nation watched what happened here Friday. They are going to be watching again tonight, to see how many of us stand up for the principles that we showed here on Friday.

This vote will never go away. Mr. Chairman, this vote is going to live with all of us for a long time. I would urge those Members who stood up on principle and put environment above party to stand up once again tonight and show that you care about clean water and clean air and pure food for the people of this country. I urge my colleagues to stand up as they did on Friday in support of the Stokes-Boehlert amendment.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it should be noted, and I appreciate the gentleman from California recognizing, that there is a very serious issue that is contained in the housing portion of this bill that affects 900,000 poor families in this country that benefit from the project-based Section 8 program. Many of those families are elderly people. Under the wording that is contained in this bill, there is a presumption that it is cheaper to voucher these families out.

Mr. Chairman, it is very important that we take action that sends a signal to HUD that they should only take actions that are going to provide protections to the families at risk at the cheapest possible cost to this Government. We should not be vouchering families out of project-based Section 8 housing if in fact that project-based Section 8 is cheaper than the vouchering-out process.

Mr. Chairman, I want to make it very clear, and I appreciate the gentleman from California, Chairman LEWIS, making it very clear to HUD and to all of those associated with this program, that actions taken by this House do not in any way send a signal that people should be thrown out or moved out of project-based Section 8 just for the sake of getting rid of the project-based Section 8. So we ought to

be providing the cheapest possible protection for the greatest number of tenants in this country as our Nation's housing policy.

Mr. LEWIS of California. Mr. Chairman, this will not take very long. I do want the House to know that my colleague from Massachusetts brings up a very, very important point. It is an item that I have been concerned about in my own county in California. Literally, it is not our objective, as we try to streamline housing and the programs to negatively impact those people in Section 8 housing. There is little doubt that our bill moves in the direction of providing the kind of flexibility the gentleman is calling for within the department to ensure that they select those options that will not be less expensive, but also serve people better.

So Mr. Chairman, I want to express my appreciation to my colleague and also say that we will evaluate this in depth and work with you as we go between here and conference.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I appreciate the chairman's comments and look forward to working with him and other members of the committee.

Mrs. ROUKEMA. Mr. Chairman, during debate on the VA/HUD appropriations bill, I have discussed several of its provisions with my colleague Mrs. WATERS, with whom I worked last year when I was the ranking member of the Subcommittee on Housing and Community Development. I would like to assure my colleague that the rent reform provisions contained in H.R. 2099 are very similar though not identical to those contained in H.R. 3838.

First, Federal preferences have been eliminated in favor of local preferences, enabling PHAs to establish a preference for working families. Second, ceiling rents have been included in the legislation so that families who live in public housing will never have to pay more of their income than the apartment is actually worth. These provisions will have several very important effects: working families will be encouraged to remain in public housing, providing role models for children as well as additional rental income for PHAs. Additionally Federal micromanagement of public housing will be reduced in favor of local decision-making.

As the former ranking member of the Housing Subcommittee, I worked hard to include these provisions in last year's housing bill, H.R. 3838. Unfortunately, H.R. 3838 did not become law because the legislation passed in the House but not the Senate. I was pleased, therefore, to see that the appropriations bill started the process of reforming this part of the public and assisted housing programs. It is my understanding that additional reforms will come when a comprehensive housing bill is introduced by Mr. LAZIO, the new chairman of the subcommittee.

In my statements last week, I also mentioned that the rent increases in the section 8 program did not affect the Section 202 and Section 811 elderly and disabled housing programs. I want the record to be extremely clear. Though the vast majority of these projects have been built with grants, some buildings were financed with Section 8 assistance. Only those projects financed with Section 8 will receive rent increases estimated to be about $12/month. This appropriations bill does not recognize the distinctions between the new grant program and the old Section 8 financing system. I believe this was an oversight. Nevertheless, rent increases would be inappropriate, and I will work assertively to see that they are dropped in the final conference report.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will not take any time, but my colleagues, if you will, this has been a very very tough bill. The only chair that I would prefer not to be sitting near besides my own would be that of the gentleman who had the chair through this arduous process. I hope the entire House gives appreciation to the gentleman from Texas, LARRY COMBEST, for truly a tremendous job, and we appreciate it.

Mr. Chairman, during the consideration of this bill by the full committee, an amendment offered by Mr. COLEMAN to the VA part of the report was adopted. This language was inadvertently omitted in the printing of the report. The VA is to treat the following language as if it had been printed in House Report 104–201:

EL PASO VA STAFFING FLEXIBILITY

The Committee is aware of the difficulty in staffing several Veterans Administration Medical Facilities in the southwest, particularly El Paso, Texas. This situation is compounded by the budgetary constraints the VA faces in allocating FTEEs among its facilities. The Committee urges that the VA Regional Sectors, especially its Southern Regional Sector, engage in intra-region FTEE transfers during the fiscal year for purposes of staffing as warranted by changing circumstances in VA medical facilities. The Committee urges the VA to review the staffing situation in El Paso and to move personnel as necessary to meet the new service demands that will exist if veterans are not required to travel to other VA facilities for treatment.

The CHAIRMAN. The Chair is much appreciative.

If there are no further amendments, the Clerk will read the final three lines of the bill.

The Clerk read as follows;

This Act may be cited as the ''Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996''.

The CHAIRMAN. Under the rule, the committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HASTINGS of Washington) having assumed the chair, Mr. COMBEST, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2099), making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes, pursuant to House Resolution 201, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. LEWIS of California. Mr. Speaker, I demand a separate vote on the Amendment No. 66, the so-called Stokes amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put the remaining amendments en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Page 53, line 18, strike '': *Provided*'' amd all that follows through ''appropriate'' on page 55, line 9.

Page 55, line 19, strike ''*Provided*'' and all that follows through ''concerns'' on page 59, line 3.

The SPEAKER pro tempore. The question is on the amendment.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 210, noes 210, not voting 14, as follows:

[Roll No. 605]

YEAS—210

Abercrombie	English	Kelly
Ackerman	Eshoo	Kennedy (MA)
Andrews	Evans	Kennedy (RI)
Baldacci	Farr	Kennelly
Barcia	Fattah	Kildee
Barrett (WI)	Fawell	Kleczka
Bass	Fazio	Klink
Beilenson	Fields (LA)	Klug
Bentsen	Filner	LaFalce
Bereuter	Foglietta	Lantos
Berman	Forbes	LaTourette
Bevill	Fox	Lazio
Bishop	Frank (MA)	Leach
Boehlert	Franks (CT)	Levin
Bonior	Franks (NJ)	Lewis (GA)
Borski	Frost	Lipinski
Boucher	Furse	LoBiondo
Brown (CA)	Gejdenson	Lofgren
Brown (FL)	Gephardt	Longley
Brown (OH)	Gibbons	Lowey
Bryant (TX)	Gilchrest	Luther
Cardin	Gillmor	Maloney
Castle	Gilman	Manton
Clay	Gonzalez	Markey
Clayton	Gordon	Martinez
Clement	Goss	Martini
Clyburn	Greenwood	Mascara
Coleman	Gutierrez	Matsui
Collins (IL)	Hamilton	McCarthy
Collins (MI)	Harman	McDermott
Conyers	Hastings (FL)	McHale
Costello	Hefner	McKinney
Coyne	Hilliard	McNulty
DeFazio	Hinchey	Meehan
DeLauro	Holden	Meek
Dellums	Horn	Menendez
Deutsch	Houghton	Mfume
Diaz-Balart	Hoyer	Miller (CA)
Dicks	Jackson-Lee	Mineta
Dingell	Jacobs	Mink
Dixon	Jefferson	Moran
Doggett	Johnson (CT)	Morella
Doyle	Johnson (SD)	Murtha
Durbin	Johnson, E. B.	Nadler
Ehlers	Johnston	Neal
Ehrlich	Kanjorski	Oberstar
Engel	Kaptur	Obey

Olver
Orton
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Pomeroy
Porter
Quinn
Ramstad
Rangel
Reed
Regula
Richardson
Rivers
Ros-Lehtinen
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schiff
Schroeder
Schumer
Scott
Serrano
Shaw
Shays
Skaggs
Slaughter
Smith (NJ)
Spratt
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Thompson
Thornton
Torkildsen
Torres
Torricelli
Towns
Upton
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
Weldon (PA)
White
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Young (FL)
Zimmer

NAYS—210

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bilbray
Bilirakis
Bliley
Blute
Boehner
Bonilla
Bono
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Dickey
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards
Emerson
Ensign
Everett
Ewing
Fields (TX)
Flanagan
Foley
Fowler
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Goodlatte
Goodling
Graham
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kim
King
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Minge
Molinari
Mollohan
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pickett
Pombo
Portman
Poshard
Pryce
Quillen
Radanovich
Rahall
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Roth
Royce
Salmon
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Traficant
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Zeliff

NOT VOTING—14

Becerra
Flake
Ford
Green
Hall (OH)
Hoke
Meyers
Moakley
Reynolds
Stark
Thurman
Tucker
Yates
Young (AK)

☐ 2043

So the amendment was rejected.

The result of the vote was announced as above recorded.

☐ 2045

The SPEAKER pro tempore (Mr. HASTINGS of Washington). 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.

MOTION TO RECOMMIT OFFERED BY MR. STOKES

Mr. STOKES. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. STOKES. Mr. Speaker, I am opposed to the bill.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. STOKES. Moves to recommit the bill to the Committee on Appropriations with instructions to report it back forthwith with an amendment, as follows:

Page 59, line 3, before the period insert the following:

: *Provided further*, That any limitation set forth under this heading on the use of funds shall not apply when it is made known to the Federal official having authority to obligate or expend such funds that the limitation would restrict the ability of the Environmental Protection Agency to protect humans against exposure to arsenic, benzene, dioxin, lead, or any known carcinogen.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. STOKES] is recognized for 5 minutes on his motion to recommit.

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

Mr. Speaker, the motion to recommit we submit is essentially the Durbin amendment, which was offered in the Committee of the Whole earlier.

Mr. Speaker, I yield 4 minutes to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Speaker, the House has now acted and reversed the position taken by a majority of the Members last Friday. Those who took the position that we should have 17 individual riders in this bill, which virtually weaken the environmental protection for families across America, have prevailed. They have had a big weekend. They have reached Members to solidify their votes and other Members to win their votes, but unfortunately, the real losers here are the families which count on this Government to protect them from unseen hazards in air and water.

If we have made the decision this evening that this Environmental Protection Agency will not enforce the law, the question on this vote is whether or not this Environmental Protection Agency will still be able to protect American families from the dangers of cancer-causing substances: Arsenic, dioxin, benzene, lead, and known carcinogens.

Mr. Speaker, it is clear that lobbyists and special interests are playing fast and loose with cancer and lead contamination. In the name of ending regulation, we are leaving American families vulnerable. We are exposing them to the risk of cancer, and our children to the danger of lead poisoning.

For those who argue, Mr. Speaker, that this is part of the new revolution, let me tell them this is a no-course-correction when it comes to regulation. It is a full-scale retreat from environmental safeguards which have been accepted by responsible businesses, which have been implemented by public health officials across the Nation, and have been counted on by American families to protect them from these dangers. These Republican-inspired proposals will reduce environmental standards on deadly chemicals like arsenic, benzene, dioxin, lead, and other cancer-causing substances.

This particularly endangers children in America and the elderly. They are the first to be vulnerable to this contamination. We now have a chance to at least demonstrate some conscience when it comes to environmental safeguards.

For those who voted against my amendment earlier, the amendment offered by the gentleman from Texas [Mr. WILSON], and I, saying the 167 riders have been stricken, they are back in the bill; 17 exceptions, 17 exceptions for special interest groups that want to get off the hook. We cannot get off the hook. We have to face the music. What we are facing here are the kinds of dangers which in fact will take human lives.

I beg the Members, at the very least, make it clear. The Environmental Protection Agency can establish these standards and protect our families. Say to the lobbyists and special interest groups, We are going to draw the line at cancer. We are going to draw the line at contamination by lead poisoning. We are going to draw the line when it comes to the public health of America. That is the least we can do this evening. The question now for each of us is whether or not we can stand for that safeguard. I hope that we will.

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

Mr. Speaker, a few moments ago the Stokes-Boehlert amendment failed, but we did not really lose. We win anytime we stand up for people in this country. That is what we did. We stood up for the people in this country. The people who won on that amendment were the polluters of this Nation. They won that vote, and the people of this Nation lost, but I am going to tell the Members, as I said earlier, this is one that is not going to go away. People are going to remember this vote for a long time.

This bill is bad enough with these riders stripped from the bill. Mr. Speaker, there is no way to vote for this bill now, with these riders in this bill. I urge my colleagues to recommit

this bill, and then if that fails, to defeat this bill on passage.

The SPEAKER pro tempore. The gentleman from California [Mr. LEWIS] is recognized for 5 minutes in opposition to the motion to recommit.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do not rise to contest the comments of my colleague, the gentleman from Ohio, LOU STOKES, for we have worked extremely well together on this measure. His amendment was a very, very close amendment. I have not seen one closer since I have been in this body.

However, having said that, the item that is before us by way of this recommital motion is an item that we did vote on earlier this evening. It is an item that gives EPA more authority, not less authority; more regulation, not less regulation. The House defeated that amendment by a vote of 228 to 189. I would suggest that we repeat that, get on with final passage, and move on to other business.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. STOKES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 198, nays 222, not voting 14, as follows:

[Roll No. 606]

YEAS—198

Abercrombie
Ackerman
Andrews
Baldacci
Barcia
Barrett (WI)
Bass
Beilenson
Bereuter
Berman
Bevill
Bishop
Blute
Boehlert
Bonior
Borski
Boucher
Browder
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Cardin
Castle
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Durbin
Ehlers
Ehrlich
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Forbes
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Greenwood
Gutierrez
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Horn
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Leach
Levin
Lewis (GA)
Lincoln
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moran
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Orton
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Peterson (MN)
Pomeroy
Porter
Poshard
Quinn
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sanford
Sawyer
Saxton
Schroeder
Schumer
Scott
Serrano
Shays
Sisisky
Skaggs
Slaughter
Smith (NJ)
Spratt
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Thompson
Thornton
Torkildsen
Torres
Torricelli
Towns
Upton
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
Weldon (PA)
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Zimmer

NAYS—222

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bentsen
Bilbray
Bilirakis
Bliley
Boehner
Bonilla
Bono
Brewster
Brown (CA)
Brownback
Bryant (TN)
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Fowler
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gillmor
Goodlatte
Goodling
Goss
Graham
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Parker
Paxon
Payne (VA)
Petri
Pickett
Pombo
Portman
Pryce
Quillen
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Traficant
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)
Zeliff

NOT VOTING—14

Becerra
Flake
Ford
Green
Hall (OH)
Hoke
Meyers
Moakley
Reynolds
Stark
Thurman
Tucker
Yates
Young (AK)

□ 2110

Mr. DOYLE changed his vote from ''yea'' to ''nay.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 228, nays 193, not voting 13, as follows:

[Roll No. 607]

YEAS—228

Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bilbray
Bilirakis
Bliley
Blute
Boehner
Bonilla
Bono
Boucher
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Fowler
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Goss
Graham
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Mollohan
Montgomery
Moorhead
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Scarborough
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw

Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)
Zeliff
Zimmer

NAYS—193

Abercrombie
Ackerman
Allard
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Beilenson
Bereuter
Berman
Bevill
Bishop
Boehlert
Bonior
Borski
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Castle
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Costello
Coyne
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Forbes
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilchrest
Gordon
Greenwood
Gutierrez
Hamilton
Harman
Hastings (FL)
Hefley
Hefner
Hilliard
Hinchey
Holden
Horn
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McDermott
McHale
McInnis
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Molinari
Moran
Morella
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Poshard
Quinn
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Saxton
Schaefer
Schroeder
Schumer
Scott
Serrano
Shays
Skaggs
Slaughter
Spratt
Stark
Stokes
Studds
Stupak
Tanner
Tejeda
Thompson
Thornton
Torkildsen
Torres
Torricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Weldon (PA)
Williams
Wilson
Wise
Woolsey
Wyden
Wynn

NOT VOTING—13

Becerra
Flake
Ford
Green
Hall (OH)
Hoke
Meyers
Moakley
Reynolds
Thurman
Tucker
Yates
Young (AK)

□ 2128

Ms. JACKSON-LEE and Mr. MATSUI changed their vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

POSTPONING VOTES DURING CONSIDERATION OF H.R. 2126, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 2126, the Defense Appropriations Act of 1996, pursuant to the provisions of House Resolution 205, the Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment, and that the Chairman of the Committee of the Whole may reduce to not less than 5 minutes the time for voting by electronic vote on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall not be less than 15 minutes.

□ 2130

Mr. Speaker, in explanation of that unanimous-consent request, I would like the Members to be advised that this evening we will conduct general debate on this bill and debate amendments in title I and title II. We will also consider the C–17 amendment in title III, and after conclusion of the C–17 amendment, then the Committee will rise.

We have no expectation of any further recorded votes this evening.

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

There was no objection.

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the H.R. 2126, making appropriations for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes, and that I be permitted to include tabular and extraneous material.

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

There was no objection.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. Pursuant to House Resolution 205 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. 2126.

□ 2131

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. 2126) making appropriations for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes with Mr. SENSENBRENNER 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 Florida [Mr. YOUNG] and the gentleman from Pennsylvania [Mr. MURTHA] will each be recognized for 30 minutes.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, first, I would like to thank all of the members of the subcommittee who have spent the better part of this year in hearings and in markups for the preparation and the presentation of this bill to the full House.

This is a good bill providing for the national defense of our Nation. Mr. Chairman, there are many areas of legislative activity in which the Federal Government finds itself a player, many of which could be done equally as well, if not better, by the States or by the local governments. Mr. Chairman, if there is any one responsibility of the Federal Government, it is to provide for the defense of our Nation and to provide for the security of our national interests wherever they might lie.

The bill we present this evening totals $244.1 billion in budget authority and $244.2 billion in outlays. Compared to the fiscal year 2995 level, we are $2.5 billion higher in budget authority, but $5.4 billion less in outlays. We are above the President's budget request, but we are $2.2 billion less than the authorization bill which passed the House on June 15.

A strong theme of this bill is to provide readiness for U.S. forces should they be called upon to perform in an arena of hostility and to provide some quality of life for those men and women who serve in our uniformed services who are prepared to do just that.

Procurement has been reduced over the last 10 years by 70 percent.

This bill does a little bit to turn that around. While we do provide an increase for procurement, we also add funds for readiness and cost-of-living adjustments, pay raises for people in uniforms, and things of this type.

We have reduced over 120 programs from the amounts requested by the President. We have fully funded the military pay raise, and have also added $90 million for housing allowances. We have added $1 billion for real property maintenance, and much of that goes for the renovation and the repair of our barracks. Many of our soldiers are today living in World War II barracks that are pretty rundown, and we need to make a considerable change there. This bill does that.

Mr. Chairman, there were several philosophies involved here. One was