

□ 1408

The SPEAKER pro tempore (Mr. BUNNING of Kentucky). On this rollcall, 403 Members have recorded their presence by electronic device, a quorum.

Under the rule, further proceedings under the call are dispensed with.

PERSONAL EXPLANATION

Mr. GILMAN. Mr. Speaker, I regret that my being involved in an event at the White House prevented me from voting on rollcall No. 698, a quorum call. Had I been able to vote I would have voted "present."

CONFERENCE REPORT ON H.R. 2126, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. The gentleman from Florida [Mr. YOUNG] has 5 minutes remaining.

Mr. YOUNG of Florida. Mr. Speaker, I yield the balance of my time to the gentleman from Louisiana [Mr. LIVINGSTON], the distinguished chairman of the Committee on Appropriations.

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

Mr. LIVINGSTON. Mr. Speaker, I would like to inquire of the gentleman from Pennsylvania, if this bill goes down, what does he think the next one is going to look like?

Mr. MURTHA. Mr. Speaker will the gentleman yield?

Mr. LIVINGSTON. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Speaker, the problem, as I see it, is, we had over 2000 suggestions and recommendations to the bill. Obviously, we had to make a judgment on each of those recommendations as we went through the bill. Certainly, it would be a problem because as it gets involved in negotiations, there will be less of everything available. So there is no question in my mind, that there will be some substantial changes in the bill.

Mr. LIVINGSTON. Mr. Speaker, I thank the gentleman. There was some clapping when the gentleman said that. Some Members believe that what the gentleman from Pennsylvania said is a good thing. As a matter of fact, the gentleman from Wisconsin [Mr. OBEY] spoke against the bill. He thinks that there is too much spending. The gentleman, various other folks on the other side of the aisle and on this side of the aisle have spoken against the bill for various reasons.

We got a letter here from Alice Rivlin, dated today, saying the President of the United States is going to veto this bill because it is too much spending. I know that that represents a large sentiment in the minority, the minority.

My colleagues, I address these comments to my friends on this side, we are the majority. We have been elected to set the agenda. One of the planks in the Contract With America was to provide for a strong national defense.

Now, there are those among us who came to Congress with one issue or two issues in mind that had nothing whatsoever to do with the strong national defense. And I agree with them on those issues. Some want to balance the budget. Some believe that the protection of innocent life is the most important thing in this world. I agree with them. I have got a 100 percent pro-life record. But I also think that we as elected Members of the House of Representatives have the responsibility to represent our mutual constituents. We have the responsibility of representing every live: man, woman and child in our districts, every man, woman and child in America. Under the Constitution of the United States, one of our primary, if not our primary, responsibilities is to provide for an adequate defense for this Nation.

The House Committee on Appropriations and the Senate Committee on Appropriations have met in conference and we have produced a conference report in bipartisan fashion which provides for not only an adequate defense but for a better defense than the President of the United States was prepared to provide if his numbers had governed.

Last year in the rose garden in front of the White House, the President of the United States, surrounded by people with medals of all sorts, his Joint Chiefs of Staff, said his plan to reduce the military, the pentagon, had gone so far that he was \$25 billion short, short in his plans to protect the sanctity of the United States to provide for the national defense. And, therefore, he was going to recommend that we spend \$25 billion more.

Guess what? The check never arrived. It never came. In his budget proposal in February, he provided for spending on defense of \$7 billion less than last year, \$7 billion less than last year.

This conference committee, in conjunction with the Senate, said, no, Mr. President. We are going to hold you to your promise. We are going to provide exactly, not more, not less, but exactly what we provided last year. We are going to stem the flow. We realize that defense has been the scapegoat for every domestic program on earth for 11 straight years, that for the last 11 years procurement has gone down by almost 75 percent, that in real terms, spending on defense has gone down by nearly 30 percent, and that it is time to stand up for the young men and women in uniform in this country and provide the basic services, the basic maintenance, the basic operations, the basic training that they need to do their job.

□ 1415

Now the President of the United States, the President of the United States, may well come to us in a few weeks and say he wants to send 25,000, or any number, of troops to Bosnia, and some of my colleagues want to put a preemption in there and say, "No, Mr. President, you can't do that." I suggest to my colleagues that we can do that,

that he must come to Congress, that he cannot ignore us, but to take the unheard-of-step, unconstitutional step, of binding him before he has taken that action, is to play in the hands of the foolish of the world who believe that it is in the best interest of the pacifists of the world to simply bind the President in future events. How in the world can we really seriously say that no matter what happens in this world, no matter how much more peaceful in this world the President can make Europe by helping Bosnia, that we are going to cut it off today without knowing what is going to happen tomorrow and that under no circumstances can we put 10 troops in Bosnia, let alone 25,000?

Let us cross that bridge when we come to it. Let us not unconstitutionally bind the President of the United States. Let us pass a good defense bill, even with last year. Let us not get hung up on pro-life issues that are important to all of us who are pro-life, but let us not forget that our first responsibility is to provide for an adequate national defense for every man, woman, and child in America today.

This is a good bill. Pass it.

Mr. WATTS of Oklahoma. Mr. Speaker, I stand before this House and offer a pledge of allegiance. However, unlike the pledge we take each morning, this pledge of allegiance is to those who are not yet born.

Simply said, I pledge allegiance to the right to life.

My belief in the right to life is not debatable, it is not contestable, it is not even open to discussion. It is an issue that simply offers no compromise and yet, today we face a dilemma.

That dilemma surrounds our vote on the 1996 Department of Defense Appropriations Act conference report. That report contains a provision that prohibits funds from being made available to perform abortions at DOD medical facilities only if specifically authorized in the National Defense Authorization Act. The Appropriations Committee has now placed a burden of responsibility squarely on the shoulders of those on the authorization committee.

Well, I accept that responsibility. And as I cast my vote for the appropriations conference report, I clearly understand that I must work hard to make certain the 1996 DOD authorization language directs that those facilities will not be used for abortions. At the same time, a vote for the appropriations conference report is a vote of support for our national defense and the needs of our Nation's military.

The correct forum to fight the battle against performing abortions in DOD facilities is in the authorization conference committee. As such, I encourage my colleagues to support the appropriations conference report.

Vote today for the conference report but I implore each and everyone in this chamber to support the design of language that prohibits this unacceptable procedure in our 1996 Defense Authorization Act.

Ms. PELOSI. Mr. Speaker, I rise today to oppose the conference report accompanying H.R. 2126, the Defense appropriations bill for fiscal year 1996. My colleagues, this conference agreement appropriates a total of \$243.3 billion for defense programs—\$6.9 billion more than the administration's request

and \$1.7 billion more than was appropriated in fiscal year 1995.

When combined with the monies appropriated under the defense-related provisions in the energy and water appropriations bill and those provided by the military construction appropriations bill, the total amount appropriated by the House of Representatives during fiscal year 1996 for Defense programs will be \$264.6 billion.

Mr. Speaker, I support a level of defense spending adequate to meet our legitimate national security needs. However, when we spend billions of dollars on elaborate new weapons systems, millions of Americans go without health care insurance, decent housing, and an opportunity to seek a higher education.

During the last several months, we have seen funding levels slashed for environmental and health protections, student loans, school lunches, Medicare, and numerous other governmental programs which make up the social welfare safety net. Increasing the funding levels for the Department of Defense while inflicting painful cuts on every other item in the Federal budget is both inequitable and harmful to our overall strength as a Nation.

Mr. Speaker, I urge my colleagues to join me in opposing this conference agreement. This conference agreement offers only a grand illusion of greater national security. Vote "no" on the conference report.

Mr. HOBSON. Mr. Speaker, I rise in strong support of the fiscal year 1996 Defense appropriations conference report.

This agreement provides \$243 billion for the Department of Defense including \$69 billion for military personnel, \$81.5 billion for operation and maintenance, and \$44.4 billion for procurement. Total funding is \$746 million less than the House-passed bill and \$1.7 billion more than enacted in fiscal year 1995.

As the No. 2 member of the Budget Committee, I can confirm that the Defense appropriations conference report is in line with the balanced budget priorities we established in the budget resolution. There should be no fiscal objection to this conference agreement. It is one which everybody can support.

As a member of the conference committee, I can attest that the House conferees stood up for the priorities established in the House bill, especially the military readiness and quality of life improvements which our servicemen and women deserve. Readiness is funded at \$647 million more than the President's request and quality of life improvements are funded at \$332 million more than the President's request. These increases are responsible and needed to cover our Nation's legitimate military requirements.

This is a conference report which protects the troops who protect us. It has my wholehearted support and should have the support of all my colleagues as well.

The SPEAKER pro tempore (Mr. BUNNING). All time has expired.

Without objection, the previous question is ordered on the conference report.

Mr. YOUNG of Florida. Mr. Speaker, reserving the right to object, I want to point out that when the gentleman from Wisconsin [Mr. OBEY] makes the motion to recommit with instructions, that we intend to defeat it.

Mr. Speaker, I withdraw my reservation of objection.

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

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

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. OBEY. I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. OBEY moves to recommit the conference report to accompany the bill H.R. 2126 to the Committee of Conference with instructions to include in the conference report the following modification to Section 8108 of the House bill:

None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an executive or managerial employee when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee such as payments under post retirement income plans, payments of deferred compensation, payments under performance incentive compensation plans, and payments pursuant to termination benefit agreements; and

(2) such costs are part of restructuring costs associated with a business combination resulting from a change in control of the employee's company.

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.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 176, noes 240, answered "present" 1, not voting 17, as follows:

[Roll No. 699]

AYES—176

Abercrombie
Ackerman
Allard
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bilirakis
Bonior
Borski
Boucher
Browder
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (MI)

Condit
Conyers
Costello
Coyne
Danner
de la Garza
DeFazio
DeLauro
Dellums
Dingell
Dixon
Doggett
Doyle
Duncan
Durbin
Edwards
Ehrlich
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Flyburn
Foglietta
Ford

Frank (MA)
Franks (NJ)
Furse
Gejdenson
Gephardt
Geren
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hastings (FL)
Hefley
Hefner
Hilliard
Hinchesy
Holden
Jackson-Lee
Jacobs
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly

Kildee
Klecza
LaFalce
Lantos
Lazio
Leach
Levin
Lewis (GA)
Lincoln
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McDermott
McInnis
McKinney
Meehan
Menendez
Mfume
Miller (CA)
Minge
Mink
Moakley

Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Petri
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano

Shays
Skaggs
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Thornton
Thurman
Torres
Torrice
Townes
Velazquez
Vento
Visclosky
Volkmeyer
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wyden
Wynn
Yates
Zimmer

NOES—240

Andrews
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Brown (FL)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combust
Cooley
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Dornan
Dreier
Dunn
Ehlers
Emerson

English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gibbons
Gilchrist
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe

LaHood
Largent
Latham
LaTourette
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Longley
Lucas
Manzullo
McCollum
McCrery
McDade
McHale
McIntosh
McKeon
McNulty
Meek
Metcalfe
Meyers
Mica
Miller (FL)
Molinar
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Peterson (FL)
Pickett
Pombo
Portman
Pryce
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rohrabacher
Ros-Lehtinen
Rose
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer

Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder

ANSWERED "PRESENT"—1

Mineta

NOT VOTING—17

Brown (CA)
Callahan
Collins (IL)
DeLay
Deutsch
Fields (LA)

Frost
Hoyer
McHugh
Porter
Quillen
Reynolds

□ 1438

The Clerk announced the following pair:

On this vote:

Mr. Deutsch for, with Mr. Porter against.

Mr. GEJDENSON and Mr. HEFNER changed their vote from "no" to "aye."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. BUNNING of Kentucky). The question is on the conference report.

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

The vote was taken by electronic device, and there were—yeas 151, nays 267, answered "present" 1, not voting 15, as follows:

[Roll No. 700]

YEAS—151

Abercrombie
Archer
Army
Bachus
Baesler
Baker (LA)
Ballenger
Barr
Bateman
Bilbray
Bishop
Blute
Boehlert
Boehner
Bonilla
Bono
Boucher
Brewster
Brown (FL)
Callahan
Calvert
Castle
Chambliss
Clinger
Clyburn
Coleman
Cox
Cramer
Davis
DeLauro
DeLay
Dicks
Dixon
Dooley
Dreier
Dunn
Edwards
Ehrlich
Everett
Farr

Fawell
Fazio
Fields (TX)
Foley
Fowler
Franks (CT)
Frelinghuysen
Gallegly
Gejdenson
Gekas
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Goss
Greenwood
Gunderson
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hefner
Hobson
Horn
Houghton
Hoyer
Hunter
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Kasich
Kelly
Kennedy (RI)

Waldholtz
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff

Salmon
Saxton
Scarborough
Schiff
Scott
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (MI)

NAYS—267

Ackerman
Allard
Andrews
Baker (CA)
Baldacci
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilirakis
Billey
Bonior
Borski
Browder
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Camp
Canady
Cardin
Chabot
Chapman
Chenoweth
Christensen
Chryslers
Clay
Clayton
Clement
Coble
Coburn
Collins (GA)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Coyne
Crane
Crapo
Cremean
Cubin
Cunningham
Danner
de la Garza
Deal
DeFazio
Dellums
Diaz-Balart
Dickey
Dingell
Doggett
Doolittle
Dornan
Doyle
Duncan
Durbine
Ehlers
Emerson
Engel
English
Ensign
Eshoo
Evans
Ewing
Fattah
Finler
Flake
Flanagan
Foglietta
Forbes
Ford

Smith (TX)
Solomon
Spence
Stenholm
Stump
Tanner
Thomas
Thornberry
Thurman
Torkildsen
Traficant

Fox
Frank (MA)
Franks (NJ)
Frisa
Funderburk
Furse
Ganske
Gephardt
Goodlatte
Gordon
Graham
Green
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hilliard
Hinchee
Hoekstra
Hoke
Holden
Hostettler
Hutchinson
Hyde
Inglis
Jackson-Lee
Johnson (SD)
Johnston
Jones
Kanjorski
Kaptur
Kennedy (MA)
Kildee
King
Kingston
Klecza
Klug
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Levin
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
McCarthy
McDermott
McInnis
McIntosh
McKinney
Meehan
Menendez
Metcalf
Mfume
Mica
Miller (CA)
Minge
Mink
Moorhead
Morella
Myers
Myrick

Visclosky
Waldholtz
Walsh
Ward
Watts (OK)
Weldon (PA)
White
Wilson
Young (FL)

Nadler
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Petri
Pombo
Pomeroy
Portman
Poshard
Rahall
Ramstad
Rangel
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Ros-Lehtinen
Roth
Roukema
Roybal-Allard
Royce
Rush
Saboo
Sanders
Sanford
Sawyer
Schaefer
Schroeder
Schumer
Seastrand
Sensenbrenner
Serrano
Shadegg
Shays
Skaggs
Slaughter
Smith (NJ)
Smith (WA)
Souder
Spratt
Stark
Stearns
Stockman
Stokes
Studds
Stupak
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thornton
Tiahrt
Torres
Torricelli
Towns
Upton
Velazquez
Vento
Volkmer
Vucanovich
Wamp
Waters
Watt (NC)
Waxman
Weldon (FL)
Weller
Whitfield
Wicker
Williams

Wise
Wolf
Woolsey

Wyden
Wynn
Yates

Young (AK)
Zeliff
Zimmer

ANSWERED "PRESENT"—1

Mineta

NOT VOTING—15

Brown (CA)
Collins (IL)
Deutsch
Fields (LA)
Frost

LaFalce
McHugh
Meek
Porter
Quillen

Reynolds
Tejeda
Thompson
Tucker
Walker

□ 1457

The Clerk announced the following pair:

On this vote:

Mr. Porter for, with Mr. Deutsch against.

Messrs. LUTHER, COMBEST, and NEY, Mrs. CUBIN, Mr. WHITFIELD, and Mr. SPRATT changed their vote from "yea" to "nay."

Mr. FARR and Mr. STENHOLM changed their vote from "nay" to "yea."

So the conference report was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DEUTSCH. Mr. Speaker, I would like to make a statement for the RECORD that I missed rollcall vote No. 699 and No. 700 in order to be home to fulfill religious and personal obligations. Had I been present, I would have voted "aye" to recommit with instructions and "nay" against the conference report on H.R. 2126, Defense appropriation for fiscal year 1996. I wish this statement to be placed in the RECORD immediately following the recorded vote.

LEGISLATIVE PROGRAM

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

The SPEAKER pro tempore. Without objection, the gentleman from Texas is recognized for 1 minute.

There was no objection.

Mr. ARMEY. Mr. Speaker, I wish to update the Members on today's working schedule.

Mr. Speaker, we have been in contact with the other body. They are taking an assessment at this time to determine the progress they may be making relative to the CR. I will go over and try to make sure that I can get some defining language and report back to the Members. At this point, though, I still cannot advise the Members about the circumstance of the CR in the other body, and we have nothing definitive to report.

As soon as we know something definite, we will advise the floor and advise the Members through a whip call. As soon as I can have that information, I will share it with the Members.

As it is now, we simply must continue to wait on the other body and try to do what work we can in the meantime.