Finally, there were two settlements of claims of dual nationals, which resulted in awards on agreed terms. They are *Dora Elghanayan, et al.* v. *The Islamic Republic of Iran* (AAT 576–800/801/802/803/804–3), in which Iran agreed to pay the claimants $3,150,000, and *Lilly Mythra Fallah Lawrence* v. *The Islamic Republic of Iran* (ATT 577–390/391–1), in which Iran agreed to pay the claimant $1,000,000.

5. The situation reviewed above continues to implicate important diplomatic, financial, and legal interests of the United States and its nationals and presents an unusual challenge to the national security and foreign policy of the United States. The Iranian Assets Control Regulations issued pursuant to Executive Order 12170 continue to play an important role in structuring our relationship with Iran and in enabling the United States to implement properly the Algiers Accords. I shall continue to exercise the powers at my disposal to deal with these problems and will continue to report periodically to the Congress on significant developments.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 13, 1997.*

HOUSING OPPORTUNITY AND RESPONSIBILITY ACT OF 1997

The SPEAKER pro tempore. Pursuant to House Resolution 133 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for further consideration of the bill, H.R. 2.

□ 1607

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. 2) to repeal the United States Housing Act of 1937, deregulate the public housing program and the program for rental housing assistance for low-income families, and increase community control over such programs, and for other purposes, with Mr. LAHOOD Chairman pro tempore in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Thursday, May 8, 1997, title VI was open for amendment at any point.

Are there any amendments to title VI?

Mr. LAZIO of New York. Mr. Chairman, I ask unanimous consent to protect two amendments in title VI, if we are to close this title, amendment No. 7 by the gentleman from Illinois [Mr. GUTIERREZ], and amendment No. 54 by the gentleman from Michigan [Mr. SMITH]. I ask unanimous consent that if it is the expectation of the Chair that we will close title VI, that there be permission on the part of the Chair to entertain these 2 amendments.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN pro tempore. Are there other amendments to title VI?

The Clerk will designate title VII.

The text of title VII is as follows:

TITLE VII—AFFORDABLE HOUSING AND MISCELLANEOUS PROVISIONS

SEC. 701. RURAL HOUSING ASSISTANCE.

The last sentence of section 520 of the Housing Act of 1949 (42 U.S.C. 1490) is amended by inserting before the period the following: ‘‘, and the city of Altus, Oklahoma, shall be considered a rural area for purposes of this title until the receipt of data from the decennial census in the year 2000’’.

SEC. 702. TREATMENT OF OCCUPANCY STANDARDS.

The Secretary of Housing and Urban Development shall not directly or indirectly establish a national occupancy standard.

SEC. 703. IMPLEMENTATION OF PLAN.

(a) IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall implement the Ida Barbour Revitalization Plan of the City of Portsmouth, Virginia, in a manner consistent with existing limitations under law.

(2) WAIVERS.—In carrying out paragraph (1), the Secretary shall consider and make any waivers to existing regulations and other requirements consistent with the plan described in paragraph (1) to enable timely implementation of such plan, except that generally applicable regulations and other requirements governing the award of funding under programs for which assistance is applied for in connection with such plan shall apply.

(b) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act and annually thereafter through the year 2000, the city described in subsection (a)(1) shall submit a report to the Secretary on progress in implementing the plan described in that subsection.

(2) CONTENTS.—Each report submitted under this subsection shall include—

(A) quantifiable measures revealing the increase in homeowners, employment, tax base, voucher allocation, leverage ratio of funds, impact on and compliance with the consolidated plan of the city;

(B) identification of regulatory and statutory obstacles that—

(i) have caused or are causing unnecessary delays in the successful implementation of the consolidated plan; or

(ii) are contributing to unnecessary costs associated with the revitalization; and

(C) any other information that the Secretary considers to be appropriate.

SEC. 704. INCOME ELIGIBILITY FOR HOME AND CDBG PROGRAMS.

(a) HOME INVESTMENT PARTNERSHIPS.—The Cranston-Gonzalez National Affordable Housing Act is amended as follows:

(1) DEFINITIONS.—In section 104(10) (42 U.S.C. 12704(10))—

(A) by striking ‘‘income ceilings higher or lower’’ and inserting ‘‘an income ceiling higher’’;

(B) by striking ‘‘variations are’’ and inserting ‘‘variation is’’; and

(C) by striking ‘‘high or’’.

(2) INCOME TARGETING.—In section 214(1)(A) (42 U.S.C. 12744(1)(A))—

(A) by striking ‘‘income ceilings higher or lower’’ and inserting ‘‘an income ceiling higher’’;

(B) by striking ‘‘variations are’’ and inserting ‘‘variation is’’; and

(C) By striking ‘‘high or’’.

(3) RENT LIMITS.—In section 215(a)(1)(A) (42 U.S.C. 12745(a)(1)(A))—

(A) By striking ‘‘income ceilings higher or lower’’ and inserting ‘‘an income ceiling higher’’;

(B) By striking ‘‘variations are’’ and inserting ‘‘variation is’’; and

(C) by striking ‘‘high or’’.

(b) CDBG.—Section 102(a)(20) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(20)) is amended by striking subparagraph (B) and inserting the following new subparagraphs:

‘‘(B) The Secretary may—

‘‘(i) with respect to any reference in subparagraph (A) to 50 percent of the median income of the area involved, establish percentages of median income for any area that are higher or lower than 50 percent if the Secretary finds such variations to be necessary because of unusually high or low family incomes in such area; and

‘‘(ii) with respect to any reference in subparagraph (A) to 80 percent of the median income of the area involved, establish a percentage of median income for any area that is higher than 80 percent if the Secretary finds such variation to be necessary because of unusually low family incomes in such area.’’.

SEC. 705. PROHIBITION OF USE OF CDBG GRANTS FOR EMPLOYMENT RELOCATION ACTIVITIES.

Section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305) is amended by adding at the end the following new subsection:

‘‘(h) PROHIBITION OF USE OF ASSISTANCE FOR EMPLOYMENT RELATION ACTIVITIES.—Notwithstanding any other provision of law, no amount from a grant under section 106 made in fiscal year 1997 or any succeeding fiscal year may be used for any activity (including any infrastructure improvement) that is intended, or is likely, to facilitate the relocation of expansion of any industrial or commercial plant, facility, or operation, from one area to another area, if the relocation or expansion will result in a loss of employment in the area from which the relocation or expansion occurs.’’.

SEC. 706. USE OF AMERICAN PRODUCTS.

(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 707. CONSULTATION WITH AFFECTED AREAS IN SETTLEMENT OF LITIGATION.

In negotiating any settlement of, or consent decree for, any litigation regarding public housing or rental assistance (under title III of this Act or the United States Housing Act of 1937, as in effect before the effective date of the repeal under section 601(b) of this Act) that involves the Secretary and any public housing agency or any unit of general local government, the Secretary shall consult with any units of general local government and public housing agencies having jurisdictions that are adjacent to the jurisdiction of the public housing agency involved.

SEC. 708. USE OF ASSISTED HOUSING BY ALIENS.

Section 214 of the Housing and Community Development Act of 1980 (42 U.S.C. 1436a) is amended—

(1) in subsection (b)(2), by striking ‘‘Secretary of Housing and Urban Development’’ and inserting ‘‘applicable Secretary’’;

(2) in subsection (c)(1)(B), by moving clauses (ii) and (iii) 2 ems to the left;

(3) in subsection (d)—

(A) in paragraph (1)(A)—

(i) by striking ''Secretary of Housing and Urban Development'' and inserting ''applicable Secretary''; and

(ii) by striking ''the Secretary'' and inserting ''the applicable Secretary'';

(B) in paragraph (2), in the matter following subparagraph (B)—

(i) by inserting ''applicable'' before ''Secretary''; and

(ii) by moving such matter (as so amended by clause (i)) 2 ems to the right;

(C) in paragraph (4)(B)(ii), by inserting ''applicable'' before ''Secretary'';

(D) in paragraph (5), by striking ''the Secretary'' and inserting ''the applicable Secretary''; and

(E) in paragraph (6), by inserting ''applicable'' before ''Secretary'';

(4) in subsection (h) (as added by section 576 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public 104–208))—

(A) in paragraph (1)—

(i) by striking ''Except in the case of an election under paragraph (2)(A), no'' and inserting ''No'';

(ii) by striking ''this section'' and inserting ''subsection (d)''; and

(iii) by inserting ''applicable'' before ''Secretary''; and

(B) in paragraph (2)—

(i) by striking subparagraph (A) and inserting the following new subparagraph:

''(A) may, notwithstanding paragraph (1) of this subsection, elect not to affirmatively establish and verify eligibility before providing financial assistance''; and

(ii) in subparagraph (B), by striking ''in complying with this section'' and inserting ''in carrying out subsection (d)''; and

(5) by redesignating subsection (h) (as amended by paragraph (4)) as subsection (i).

SEC. 709. PROTECTION OF SENIOR HOMEOWNERS UNDER REVERSE MORTGAGE PROGRAM.

(a) DISCLOSURE REQUIREMENTS; PROHIBITION OF FUNDING OF UNNECESSARY OR EXCESSIVE COSTS.—Section 255(d) of the National Housing Act (12 U.S.C. 1715z–20(d)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

''(C) has received full disclosure of all costs to the mortgagor for obtaining the mortgage, including any costs of estate planning, financial advice, or other related services; and'';

(2) in paragraph (9)(F), by striking ''and'';

(3) in paragraph (10), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(11) have been made with such restrictions as the Secretary determines to be appropriate to ensure that the mortgagor does not fund any unnecessary or excessive costs for obtaining the mortgage, including any costs of estate planning, financial advice, or other related services; such restrictions shall include a requirement that the mortgage ask the mortgagor about any fees that the mortgagor has incurred in connection with obtaining the mortgage and a requirement that the mortgagee be responsible for ensuring that the disclosures required by subsection (d)(2)(C) are made.''.

(b) IMPLEMENTATION.—

(1) NOTICE.—The Secretary of Housing and Urban Development shall, by interim notice, implement the amendments made by subsection (a) in an expeditious manner, as determined by the Secretary. Such notice shall not be effective after the date of the effectiveness of the final regulations issued under paragraph (2) of this subsection.

(2) REGULATIONS.—The Secretary shall, not later than the expiration of the 90-day period beginning on the date of the enactment of this Act, issue final regulations to implement the amendments made by subsection (a). Such regulations shall be issued only after notice and opportunity for public comment pursuant to the provisions of section 553 of title 5, United States Code (notwithstanding subsections (a)(2) and (b)(B) of such section).

SEC. 710. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect on the date of the enactment of this Act.

The CHAIRMAN pro tempore. Are there any amendments to title VII?

Mr. LAZIO of New York. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we are now near the end, I believe, of consideration of amendments to H.R. 2, and at this point I think it is appropriate that we reflect on the fact that the central tenets of the bill and the themes of the bill are left intact by one of the actions of the House to this point, and that is mainly to create an environment where we can begin to successfully address core issues of poverty.

H.R. 2 says, in a very significant way, that we will not be able to end poverty or legislate the end of poverty from Washington or from any of the State capitols. In fact, if we are to make progress in our war against poverty, if we are to begin to transform communities, if we are to begin to empower communities and individuals and families, that will happen because we create the right set of incentives for responsibility, for work, for family, for economic development, for jobs, for empowerment, for rebuilding communities.

That will happen at the grassroots level, and it will happen because we empower and we create incentives so leaders of the community will arise and begin to form coalitions and groups that begin to transform their own backyard.

In this bill that we have before the House right now, Mr. Chairman, we begin that process by removing the disincentives to work which exist right now, by allowing local housing authorities more responsibility in meeting their local concerns and challenges, by ensuring that we maintain the synergy of having the working class, the working poor, living side by side with those that are unemployed; not because we want to deny benefits to people who are unemployed, but because we understand that it has been a disastrous experience to superconcentrate poverty in certain areas.

When I think back to some of the trips that I have made throughout the country to meet with people of low-income areas, and I think about places like State Street in Chicago, there are 4½ straight miles of nothing but public housing, 20-story buildings one after another, where because of Federal policy we have superconcentrated poverty, creating an environment where virtually everybody is unemployed, and I mean the unemployment rate is approximately 99 percent, Mr. Chairman; creating an environment where halls are sealed off so criminal activity can take place, terrorizing the law-abiding that are trying to live by the rules that happen to be in public housing.

We are saying in H.R. 2 we are going to put an end to that, we are going to stop looking the other way, we are going to stop tolerating that. We are going to look forward to the fact that we expect levels of responsibility, that we are going to expect people who are law-abiding to be protected, that we are not going to be standing with the people who are breaking the law, who are terrorizing those who are trying to live peaceably. We are going to be standing with the families, with the people that have the capacity to take a job, and who want to take a job and want to earn more money for their families. We are going to be standing with them, so we eliminate the rules that punish them and that work against them.

We are going to be standing with the communities that want the empowerment, that want that flexibility in order to remake themselves, to reconnect themselves with their own civic responsibility, and yes, we are for community service. We believe that is an important part of all this, because we think out there, Mr. Chairman, that there are hundreds of thousands of tenants in low-income areas in public housing that, not because of legislation in Washington, not because of legislation in the State capitols, but because it is the right thing to do, will begin the process of transforming their own communities.

We are not asking people to serve Big Brother, we are not asking people to serve some far-off master or some State capitol decision. We are asking people to give of themselves in their own community and in their own building, in their own hallway. These are the things that we are asking in H.R. 2, to enable communities to assume responsibility for their own destiny, to give them the right set of incentives so they can meet those to allow people to be everything they can be; not to punish work, but rather to create the incentives for the people who can work, want to work, have the ability to work, who can do that, so we do not close them out.

□ 1615

I know that the gentleman from Massachusetts [Mr. KENNEDY] has been deeply committed to many of these same goals of creating mixed income and creating environments where we can begin to try and attack the core issues of poverty. I know the gentleman would certainly agree that it is both cost-effective and far more humane to begin to get to the root causes of poverty, to begin to address them. That is what the people in the community

need. That is what the people of low income need and certainly, I think, what taxpayers want. They want to know that they are getting value for the dollar and they want to see that the people who have ability to transition back into the work force or to transition back to market-rate units can do that.

Although we have had some concerns about how we get there, I know when this is said and done, this bill is up for final passage, that we will be able to move forward and achieve those goals.

AMENDMENT OFFERED BY MR. KENNEDY OF MASSACHUSETTS

Mr. KENNEDY of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KENNEDY of Massachusetts:

Page 287, after line 15, insert the following:

''(6) COMMUNITY WORK REQUIREMENT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), as a condition of continued assistance under any existing contract for section 8 project-based assistance and of entering into any new or renewal contract for such assistance, each adult owner of the housing subject to (or to be subject to) the contract shall contribute not less than 8 hours of work per month (not including political activities) within the community in which the housing is located, which may include work performed on locations other than the housing.

''(B) EXEMPTIONS.—The requirement under subparagraph (A) shall not apply to any owner who is an individual who is—

''(i) an elderly person;

''(ii) a person with disabilities;

''(iii) working, attending school or vocational training, or otherwise complying with work requirements applicable under other public assistance programs (as determined by the agencies or organizations responsible for administering such programs); or

''(iv) otherwise physically impaired to the extent that they are unable to comply with the requirement, as certified by a doctor.

''(C) DEFINITION.—For purposes of this paragraph, the term 'owner' includes any individual who is the sole owner of housing subject to a contract referred to in subparagraph (A), any member of the board of directors of any for-profit or nonprofit corporation that is an owner of such housing, and any general partner or limited partner of any partnership that is an owner of such housing.''.

Page 287, line 16, strike ''(6)'' and insert ''(7)''.

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

The CHAIRMAN pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LAZIO of New York. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN pro tempore. A point of order is reserved.

The Chair recognizes the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Chairman, we have debated long and hard on this bill, the idea of a mandatory work requirement that is referred to as mandatory voluntarism. We have spent hours debating the provision in H.R. 2 which would require public housing residents, including mothers of young children, to perform 8 hours of community service each month. Whether this represents mandatory voluntarism, as Democrats have charged, or work for benefit, as Republicans have claimed, the sponsors of H.R. 2 were adamant that public housing residents who are not employed should be required to perform community service or be evicted from public housing.

Well, fair is fair. This amendment would take the very same requirement, the very same idea, the very same sense of giving back something to our country and apply it to owners of section 8 housing.

These owners get a clear financial benefit from the Government, federally subsidized rents on projects owned by such owners. Without such assistance, many such properties would go bankrupt, potentially bankrupting their owners.

Therefore, all this amendment says is that, if public housing residents who get a financial benefit from the Government should perform community service, so should the landlords. Please note that my amendment contains identical language and the provisions as those contained in H.R. 2 in the section dealing with public housing residents. We include exceptions for the elderly. We include exceptions for the disabled. And we include exceptions for anyone working or complying with welfare requirements.

This amendment only applies to idle landlords, those who simply collect rent checks from the Federal Government or spend their days watching Oprah Winfrey or playing golf all day. In other words, basically what we are suggesting here, Mr. Chairman, is what is good for the goose is good for the gander. What we want to do is make certain that this is not a punitive provision that is contained in H.R. 2, which would suggest only people in public housing who get a benefit from the Government who are not working should go ahead and volunteer but, rather, anyone who gets a benefit from public housing programs who does not work ought to also volunteer as well.

I hope that the gentleman from New York would consider accepting this amendment in the spirit of voluntarism which he has so adeptly included in the rest of this bill.

The CHAIRMAN pro tempore. Does the gentleman from New York [Mr. LAZIO] withdraw his point of order?

Mr. LAZIO of New York. Mr. Chairman, I withdraw my point of order.

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

This amendment is offered obviously in response to the various attempts to strike the community service requirement in the bill and in fact, if adopted, would have the counterproductive effect of discouraging additional units of housing for low income people under the section 8 program.

The differentiation is, in this case, the program was created in order to encourage owners to develop properties and to dedicate their units to service for people of low income, low and moderate income.

So in that sense, there is very much a public mission involved in this. We are not extending a benefit to owners of low-income housing, which only moves one way, in the direction of the owner. In fact, in this sense there is a sense of reciprocity, that the benefit, to the extent that there is one, is the incentive to develop properties for low-income individuals and that in exchange for these incentives that the owner would commit by law to ensure that those units in his building or her building were only available to those of low income or moderately low income.

Of course, the adoption of this amendment, as I say, is in response, I believe, to the actions of this House in defense of the community service requirement but would have the perverse effect, in the end, of potentially undermining our ability to expand our affordable housing stock, ensuring that we have fewer owners who are participating in this program. And I would say, Mr. Chairman, in the end as we begin to think about restructuring this entire section 8 portfolio, which is an exceptional challenge, that the timeliness of such an amendment could not be worse in terms of trying to preserve the affordability of certain of these amendments.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. LAZIO of New York. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I appreciate the gentleman yielding to me. I would point out to the gentleman that it seems to me that we were talking about an awfully important lofty principle last week in terms of making certain that people get a benefit from the Government in the form of subsidized housing ought to be required to give something back to the country in terms of volunteering.

We are not suggesting that anybody that is working or anybody that is elderly or anybody that is disabled should be covered by this amendment. We are saying if you are a coupon clipper, if you are just sitting back at home and you have instructed some——

Mr. LAZIO of New York. Reclaiming my time, Mr. Chairman, let me say to the gentleman, the difference is clearly here that we are, the community is receiving something back from the owners. They are receiving the commitment by the owners that they will develop property and they will make all the units available to people of low and moderate income. So there is a sense of reciprocity.

In fact, when we did do the community service, we did have a hearing in this House over the community service amendments, there was a sense on the

part of this House that we thought that it was entirely appropriate for people who were residents in public housing who were tenants and who received the benefit of public housing and very often had their utilities paid for, that they could, that we would ask the nonelderly, the nondisabled, the people that are not involved in educational or work experiences to give of themselves to help rebuild their own communities; 2 hours a week, 8 hours a month, 15 hours a day, an entirely reasonable request in return for the benefit.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. LAZIO of New York. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, does the gentleman feel that only the poor should be required to give something back to their country?

Mr. LAZIO of New York. Reclaiming my time, Mr. Chairman, I would say to the gentleman, wherever there is a one-way street, wherever an individual, no matter what income, is receiving the benefit and giving nothing back to the community, then in those situations we believe community service and community work are appropriate. In those situations, as in the case of owners of section 8 housing, where we have encouraged them, the Federal Government went on and encouraged, enticed them to make the commitment to build affordable units, that is a two-way street.

The real bottom line here is that we have an enormous human potential of hundreds of thousands of Americans who are tenants in public housing that can be marshaled to bring about the level of change where we can begin to attack these core issues of poverty because in the end we have a great deal of talent at our disposal. We are not going to legislate the end of poverty. We are going to have change in our communities because people in these communities can begin to transform their own backyards.

Mr. NADLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Chairman, I appreciate the gentleman from New York yielding to me.

I would just like to point out that this is a very clear and, I think, important amendment. It is establishing, I think, a reasonable principle, that just because you have money in America does not mean you should be exempted from these requirements that we seem to be so intent on putting on the poor, that the poor should work, that the poor are really the root cause of the moral decay of America because they are on welfare or because they accept public housing, that that is really the problem, the cancer that is eating at the soul of America.

I would just suggest that, having spent enough time around these so-called hallowed halls of justice in Washington, DC, that we see every bit as much immorality take place on this floor or around this city as we do any place else in America. I do not think that it is right that we say, listen, if you are a passive investor, we are not suggesting if you are actually managing the project, if you are working in the community, if you are actually building the housing, if you are involved in some way, that you should be covered under this requirement. We are just saying, if you are simply a passive investor, if you are not working in any other cause of employment, if you are just sitting back at home clipping coupons and investing and getting almost a guaranteed give-back from the Federal Government for providing project based section 8s, one of the richest programs in this country, one of the programs that the other side of the aisle suggests needs to be reformed, and I could not agree with more, we need to reform it. I have worked with Secretary Cuomo very closely. I have worked with the gentleman from California [Mr. LEWIS] on the Committee on Appropriations in trying to fashion some new ways of dealing with the overrich subsidies that go to some of the landlords that invest in the project based section 8 programs.

All we are suggesting is, hey, look, you want to sit back and get 20, 30, 40 percent on your money at taxpayer subsidy and then not do any work for it and you are not working in any other job throughout the year, maybe, just maybe it ought to be a reasonable premise that we expect you to do some volunteer work. It is only 8 hours a month, as the gentleman points out, only 15 minutes a day. All we want these passive investors, these coupon clippers to do is give us 15 minutes a day of volunteer work.

I would hope that the gentleman from New York would be willing to stand up to some of the wealthy and powerful investors and landlords of this country just as we are willing to stand up to those poor people that live in public housing and ask those wealthy and powerful individuals to give just as much back to America who are getting so much out of America. If you look at the kinds of subsidies that are received in terms of the amount of money that an individual who occupies a single unit of public housing receives versus the kind of money that comes back to passive investors in the project based section 8 program lining their pockets, believe me, a lot more money flows into the back pockets of project based section 8s than it does of public housing.

Mr. LAZIO of New York. Mr. Chairman, will the gentleman yield?

Mr. NADLER. I yield to the gentleman from New York.

Mr. LAZIO of New York. Mr. Chairman, I would just mention that in my background the only kind of coupon clipping that I was ever aware of was when my mom clipped the coupons for the supermarket.

Mr. KENNEDY of Massachusetts. Mr. Chairman, if the gentleman will continue to yield, I am glad that the gentleman now knows that there are other kinds of coupons that are clipped in America.

□ 1630

Because, believe me, if we are going to sit in the Congress of the United States, we should know that there are other people that are picking the pockets of those kind of coupon clippers that the gentleman grew up with.

I would suggest to the gentleman that it is important that we be aware of just how much they get out of this country and how many hundreds of billions of dollars comes out of the Congress of the United States that goes into their back pockets. Because that is really what goes on in this Chamber and that is really where the dollars need to be saved if we are to balance the budget.

We have cut the housing budget from $28 billion a year down to $20 billion a year. We have cut the homeless spending by a quarter. And what we do is we are going to say then that we are going to jack up the rents on the people that go into public housing, we are going to increase the incomes on the people that go into public housing, we will not do anything for the very poor that will no longer be eligible for public housing. They will not be taken care of; we will not even provide them with homeless programs. But boy, oh, boy, we should certainly not ask the landlords that are profiting so much on these projects, we should not ask them that are not working, are not disabled, are not elderly to just give 15 minutes a day, 15 minutes a day to volunteer on behalf of helping others.

I do not think it is a lot to ask. I think we are asking the same thing of people involved in public housing themselves, and I would hope, again, that the gentleman from New York would end up accepting this very small requirement.

The CHAIRMAN pro tempore (Mr. LAHOOD). The question is on the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY].

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

Mr. KENNEDY of Massachusetts. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 133, further proceedings on the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY] will be postponed.

Are there further amendments?

AMENDMENT OFFERED BY MR. NADLER

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

The Clerk read as follows:

Amendment offered by Mr. NADLER:

Page 335, after line 6, insert the following new section:

SEC. 709. TRANSFER OF SURPLUS REAL PROPERTY FOR PROVIDING HOUSING FOR LOW- AND MODERATE-INCOME FAMILIES.

(a) IN GENERAL.—Notwithstanding any other provision of law (including the Federal

Property and Administrative Services Act of 1949), the property known as 252 Seventh Avenue in New York County, New York is authorized to be conveyed in its existing condition under a public benefit discount to a nonprofit organization that has among its purposes providing housing for low-income individuals or families provided, that such property is determined by the Administrator of General Services to be surplus to the needs of the government and provided it is determined by the Secretary of Housing and Urban Development that such property will be used by such non-profit organization to provide housing for low- and moderate-income families or individuals.

(b)(1) PUBLIC BENEFIT DISCOUNT.—The amount of the public benefit discount available under this section shall be 75 percent of the estimated fair market value of the property, except that the Secretary may discount by a greater percentage if the Secretary, in consultation with the Administrator, determines that a higher percentage is justified due to any benefit which will accrue to the United States from the use of such property for the public purpose of providing low- and moderate-income housing.

(2) REVERTER.—The Administrator shall require that the property be used for at least 30 years for the public purpose for which it was originally conveyed, or such longer period of time as the Administrator feels necessary, to protect the Federal interest and to promote the public purpose. If this condition is not met, the property shall revert to the United States.

(3) DETERMINATION OF FAIR MARKET VALUE.—The Administrator shall determine estimated fair market value in accordance with Federal appraisal standards and procedures.

(4) DEPOSIT OF PROCEEDS.—The Administrator of General Services shall deposit any proceeds received under this subsection in the special account established pursuant to section 204(h)(2) of the Federal Property and Administrative Services Act of 1949.

(5) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Administrator considers appropriate to protect the interests of the United States and to accomplish a public purpose.

Mr. NADLER (During the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. NADLER. Mr. Chairman, I rise today to offer this amendment to H.R. 2. I would like to thank first of all the gentleman from New York [Mr. LAZIO], the gentleman from Massachusetts [Mr. KENNEDY], the chairman of the Committee on Government Reform and Oversight, the gentleman from Indiana [Mr. BURTON], and the chairman of the Subcommittee on Government Management, Information and Technology, the gentleman from California [Mr. HORN], and their staffs for their hard work and cooperation on this amendment. I deeply appreciate the bipartisan goodwill that was demonstrated in the process of bringing this amendment to the floor.

In this era of severely limited resources, we must do all we can with what we have to create affordable housing in both the public and private sectors. This amendment will do just that in a little way. This amendment will give the General Services Administration and the Department of Housing and Urban Development the option to transfer a parcel of surplus property in my district in New York to a nonprofit agency to provide low- and moderate-income housing.

The parameters laid out in the amendment are strict. The nonprofit agency must be experienced in the provision of housing for low-income families or individuals. The property must be used for low- and moderate-income housing for at least 30 years. If it is not, its title will revert back to the United States.

The Department of Housing and Urban Development will be allowed to require any additional terms and conditions, such as, for example, evidence of adequate financing, evidence of financial responsibility and so forth, that it deems necessary to protect the interests of the United States and to accomplish the goals of providing low- to moderate-income housing.

While this amendment does not mandate the General Services Administration to transfer this property in so many words, it is our intent to strongly encourage GSA to allow for the conversion of this space to affordable housing.

Let me make it quite clear that such a transfer is the intent of this amendment. This amendment does not mandate the GSA to transfer the property, only to allow for the unlikely possibility that no proposal meets the strict requirements set forth in the amendment, although we believe that there will be such a proposal.

I again thank my colleagues on both sides of the aisle for the degree of collegiality and cooperation they have shown in bringing this amendment to the floor.

Mr. LAZIO of New York. Mr. Chairman, I rise in support of the gentleman's amendment, and I congratulate the gentleman from New York for bringing forth this amendment. We have had a chance to work together and I want to thank him for his cooperation in working with the committee staff.

I believe this is an appropriate and positive reuse for this particular property, and I am supportive of the gentleman's efforts and will be supportive of this amendment when it comes to a vote.

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

I wanted to just get clear on how long a period of time. We have already, as I understand it, about a 60-day set-aside for homeless programs that are able to bid on these properties. I wondered if the gentleman from New York has any idea of what time period that the properties would then be held for.

First, let me say that I think the intent of the gentleman from New York is something I very strongly would favor, I think he is doing the people that are providing low-income housing a real service in terms of providing this amendment on the House floor, and I very much appreciate the gentleman's thoughtful and helpful suggestions.

I want to just try to understand how long the properties themselves, if the gentleman has an understanding of how long those might be tied up for.

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

Mr. KENNEDY of Massachusetts. I yield to the gentleman from New York.

Mr. NADLER. Mr. Chairman, it is one piece of property, first of all. This only applies to one piece of property, by its terms. A particular address is set in the bill. This particular piece of property has already been declared not usable for McKinney Act purposes. So that is not a question.

It is our belief that this will be transferred within a period of months, hopefully, to the agency for low income cooperative housing, and that it will proceed to develop it for such purposes.

Mr. KENNEDY of Massachusetts. Mr. Chairman, reclaiming my time, I appreciate the gentleman's clarification. This is just for this single piece of property; it is not a provision across the board?

Mr. NADLER. If the gentleman would continue to yield, yes, that is correct.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I appreciate the gentleman's clarification.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New York [Mr. NADLER]).

The amendment was agreed to.

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

Mr. Chairman, I wish to engage in a colloquy with the gentleman from New York [Mr. LAZIO], the distinguished chairman of the Subcommittee on Housing and Community Opportunity, and the gentleman from California [Mr. CALVERT].

Mr. Chairman, one of the primary purposes of the bill we are discussing today is to provide affordable housing for Americans. Certainly one major source of affordable, quality and unsubsidized housing is manufactured housing. At an average cost of $37,000, manufactured housing provides ownership opportunities to a wide range of Americans, including single parents, first-time home buyers, senior citizens, and young families, and now represents one out of every three new homes sold in the United States of America.

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

Mr. ROEMER. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chairman, although the manufactured housing program is largely financed through industry-funded label fees and currently has a surplus of $7.5 million, there are significant staffing shortfalls in the Manufactured Housing and Standards Division in the Department of Housing and

Urban Development. Currently there are only 10 professional and 3 clerical staff administering the entire program, compared with the staffing level of 35 in 1984 when production levels were significantly lower.

Even though these personnel costs are primarily funded by the manufactured housing industry, and there are more than enough funds to pay for some reasonable personnel additions, program staffing levels are subject to overall HUD and OMB salary and expense caps.

Mr. ROEMER. Mr. Chairman, reclaiming my time, I would add that while there is not necessarily a need to return to the 1984 staffing levels, there is concern that the basic functions of the manufactured housing programs, such as issuing interpretations and updating even noncontroversial standards, are falling behind schedule.

In order to provide adequate staffing and administration of this program, I would like to work with the gentleman from New York [Mr. LAZIO], the gentleman from California [Mr. CALVERT], and other Members of this body, including the gentleman from Massachusetts [Mr. KENNEDY], in a bipartisan manner to set separate and distinct salary and expense caps for the manufactured housing program.

Mr. LAZIO of New York. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from New York.

Mr. LAZIO of New York. Mr. Chairman, I wanted to thank both the gentleman from California and the gentleman from Indiana for their interest and commitment to manufactured housing. It is one of the preeminent affordable housing tools that we have in America, and I want to say that we should be taking every reasonable action to preserve the Federal manufactured housing program.

In order to provide for the adequate staffing of the manufactured housing program, which is largely, as the gentleman said, self-funded through industry label fees and currently has a surplus in excess of $7 million, I recognize that it may be necessary to exempt the manufactured housing program from overall HUD and OMB salary and expense caps and create separate and distinct caps for the program. That would only be fair and reasonable under the circumstances. In fact, I circulated a letter to Secretary Cuomo signed by 72 Democrats and Republicans in the House expressing support for such changes.

I certainly look forward to working with my colleagues to make this important modification, and would tell both the gentleman from California and the gentleman from Indiana that, in addition, we have been working with the gentleman from Indiana [Mr. MCINTOSH], on this, and that I greatly appreciate their interest and commitment to this and look forward to working together in a collaborative way to make sure these changes take place.

Mr. ROEMER. Mr. Chairman, reclaiming my time, I thank the chairman and the gentleman from California and the gentleman from Massachusetts for their help on this very important issue to my district, to Indiana and to America, and look forward to working in a bipartisan way to solve this problem.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I just want to thank my good friend from Indiana for the work he has done. He has brought this to a lot of people's attention in the past and hosted meetings and the like trying to make certain that manufactured housing folks get the necessary personnel they need out of HUD, and we appreciate the gentleman's hard work on this issue.

The CHAIRMAN pro tempore. Are there further amendments?

AMENDMENT NO. 53 OFFERED BY MR. TOWNS

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

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 53 offered by Mr. TOWNS:

Page 256, after line 9, insert the following:

''(10) Whether the agency has conducted and regularly updated an assessment to identify any pest control problems in the public housing owned or operated by the agency and the extent to which the agency is effective in carrying out a strategy to eradicate or control such problems, which assessment and strategy shall be included in the local housing management plan for the agency under section 106.''.

Page 256, line 10, strike ''(10)'' and insert ''(11)''.

Mr. TOWNS. Mr. Chairman, in a study released last week, scientists reported that children who are allergic to cockroaches and heavily exposed to other insects were three times more likely to be hospitalized than other asthmatic youth. Many of these youngsters live in the poorest areas of our Nation, areas with a high concentration of public housing units.

In response to the findings of this study, I rise today to offer an amendment which will help to save the lives of many asthmatic children who live in public housing. We all know that asthma is one of the most common chronic childhood diseases and we know now that there is a strong link between cockroaches and asthma. According to the New England Journal of Medicine, cockroaches cause one quarter of all asthma in inner cities. Asthma is increasing in cities and in suburbs, but it is especially bad in our inner cities.

My amendment would permit the Secretary to provide for assessments to identify any pest control programs and evaluate the performance of public housing agencies as it relates to the eradication or control of the pest problem in public housing.

This year in the Committee on Commerce we have had numerous hearings on ozone and particulate matter and its possible effects on children with asthma. As we try to find reasonable solutions to this environmental issue, let us take this opportunity to solve a problem that we know is a major cause of asthma in inner city children.

I would also like to point out that in 1990, and we are spending a lot more now than then, that we spent $6.2 billion in terms of dealing with asthma. Now that we know that cockroaches have a lot to do with it, we will be able to save some money. So I am hoping that my colleagues will join me in supporting this amendment because this is a money-saving amendment that also makes it possible to improve the quality of life for so many people.

□ 1645

I urge the adoption of this amendment because it saves money and it also protects lives and improves the quality of health.

Mr. LAZIO of New York. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to thank the gentleman from New York [Mr. TOWNS] for offering this amendment. It is in response, I believe in part, certainly to the experiences of the gentleman in traveling around various urban areas and also to the recent articles that have been published with respect to the incidence of asthma among young people, among children in particular, who have been in contact with cockroaches. The very fact that certain housing developments have infestations of cockroaches and other pests, and I have been in some of the units where there has been what can only be described as sort of a proliferation of these pests where they are overrunning the unit. It is unbelievable that in America we tolerate this, but it is also a reflection of the fact that there has been some very poor performance on the part of certain housing authorities in ensuring that this is taken care of.

Although I compliment the gentleman, we should not need to have legislation in order to deal with this problem. This should be expected in terms of the performance of the housing authorities to ensure that there are healthy and sanitary conditions in these units. In fact, this is a significant problem. It is a significant problem, especially among inner city populations, but not only among inner city populations.

Therefore, it is entirely appropriate that the gentleman offers this amendment, that this subject be part of the evaluation that takes place when we determine how well a housing authority is doing in discharging its basic duties. I offer my basic support and expect to be voting in favor of this amendment.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I just want my colleagues to know that my good friend from New York, in promoting the so-

called RADAC this evening, has once again shown that he is interested in cleaning up the house. The gentleman from New York [Mr. TOWNS] has always been dedicated to serving the needs of some of the very poor people in his district he has very, very well represented and fought for here in the Congress. He is a close friend of mine, someone whose work I deeply admire. I appreciate the fact that he is trying to make sure that people who live in public housing are not forced to live in the conditions that all too often find themselves infested with cockroaches. Once again leading the charge on cleaning up the house is the gentleman from New York [Mr. TOWNS].

The CHAIRMAN pro tempore [Mr. LAHOOD]. The question is on the amendment offered by the gentleman from New York [Mr. TOWNS].

The amendment was agreed to.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike the last word to join in a colloquy with the gentleman from New York [Mr. LAZIO], the chairman.

Mr. Chairman, I am very concerned about where we go on section 8 project housing. As we have reviewed this issue in the Committee on the Budget over the last several years, it probably presents one of the toughest issues facing Congress. Left unchecked, section 8 contracts will deplete significantly our HUD funds. I did take to the desk an amendment that would have limited subsidies to section 8 housing contracts that were in excess of 120 percent of the fair market rental rates. The fact is that we need legislation that will end excessive taxpayer subsidies to landlords and bring back into line these excessive subsidies of rents.

We have made many contractors and landlords millionaires while shortchanging low income renters and the American taxpayer. We need legislation that will end excessive taxpayer subsidies to landlords and bring back into line excessive subsidized rents. Out-of-wack rents that Uncle Sam pays must be brought into line with what everyone else pays.

These out-of-wack rents for section 8 assisted housing, often are more than twice as high as fair market rents. In Las Vegas, the average federally assisted apartment is $820, while the private market rate is $380. Section 8 project owners have hit the jackpot here. In Pittsburgh, the comparison is $773 to $397. In Detroit, it's $751 to $479.

Expiring subsidy contracts on FHA insured section 8 project-based properties is one of the toughest issues facing Congress. Let unchecked section 8 contracts will deplete all HUD funds for affordable housing and community development in a few years. Equally important is the portfolio restructuring—thousands of families are at risk of losing affordable housing.

This year a record number of project-based and tenant-based section 8 contracts will expire. And between 1998 and 2002 section 8 budget authority will need to almost double from $9.2 billion to $18.1 billion. By 2002, approximately 2.7 million units or over 5 million low-income individuals will be affected.

PORTFOLIO RESTRUCTURING

The Congress and the administration are working together to reform section 8 FHA insured housing units. Unfortunately, the value of many properties in the insured section 8 portfolio is lower than the actual mortgages on the properties. Four objectives should be paramount—

First, reducing the Federal Government's exposure to default, waste, and other expenses;

Second, restructuring should be fair to the taxpayer;

Third, insuring peace of mind and security for current residents of section 8 housing; and

Fourth, ending rent subsidies that are higher than fair market value.

LEGISLATIVE ACTION NEEDED

I have suggested limiting Federal payments to 120 percent of fair market rents and giving HUD authority to renegotiate section 8 mortgages. We need to provide tax provisions that allow section 8 owners to not be penalized, and insure that owners agree in exchange to preserve affordable units for low-income families.

I would just like to inquire of the chairman of what he sees as the progress of legislation dealing with this issue, since the bill before us today does not deal with that issue.

Mr. LAZIO of New York. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Michigan. I yield to the gentleman from New York.

Mr. LAZIO of New York. Mr. Chairman, as the gentleman realizes, this problem was created not last year or 2 years ago or 5 years ago, but over 20 years ago when the section 8 program was created. At that time the Federal Government, in its infinite wisdom to encourage people to invest in low-income housing and develop housing that moved away from public housing to a more appropriate blend of private and public partnership, created the section 8 program.

Unfortunately, when they created that program, we ended up on both sides of the deal, so to speak. By that I mean that we guaranteed mortgages through the FHA fund at the Federal Government for 40 years, but we guaranteed cash flow through the section 8 program for 20 years to the owners. So we are on both ends of the deal. To the extent that we rachet down the annual costs to keep up the units precipitously, which I believe we all would like, I certainly would like to see that happen, we risked that certain of these properties would end up in default as owners simply walk away from them, because these loans are guaranteed 100 cents on the dollar by the Federal Government. That simply means that the Federal Government would receive the property back and would be stuck for the entire bill because it would be responsible for repaying the bank for any money that is owed because we have guaranteed that mortgage. It is an enormous problem, I would say to the gentleman, because we have at-risk people there, we have seniors and disabled, we have people who are very vulnerable who are in section 8 project-based assistance where apartments are subsidized. There is an effect on the community in terms of stabilization, and there is a potential effect on assessments in the area as a poorly maintained property could have a very deleterious effect on the surrounding community.

Mr. SMITH of Michigan. If I can reclaim my time for a question, is there a timetable? Does the gentleman plan to bring out a bill dealing with this problem?

Mr. LAZIO of New York. I would say to the gentleman, bills have already been introduced to deal with this problem. There is one bill that has been introduced by myself at the request of the administration which I think has some merit, that we have some disagreements with, but I think is appropriate in the sense that it moves toward the same themes of mixed income that we have been talking about in the context of H.R. 2, the bill before us today.

There is another bill that has been introduced by the gentlewoman from Ohio [Ms. PRYCE] and the gentleman from Virginia [Mr. MORAN] that seeks to deal with this. My staff in working with the Senate has been working on this for months. It is a very difficult problem in the sense that there are tax consequences involved in this, there are potential issues of phantom income, there are potential consequences to the community in terms of assessments and tax bases. There are States involved in this program through risk sharing. Their ability to be properly rated is affected. It is a very, very complex problem that we want to completely understand. We are hampered, I would say to the gentleman, by an unbelievable lack of data on the part of HUD in order to make reasonable assumptions to have good policy.

Mr. SMITH of Michigan. I thank the gentleman.

AMENDMENT NO. 54 OFFERED BY MR. SMITH OF MICHIGAN

Mr. SMITH of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 54 offered by Mr. SMITH of Michigan:

Page 294, strike line 5 and all that follows through page 297, line 4, and insert the following:

SEC. 622. PET OWNERSHIP BY ELDERLY PERSONS AND PERSONS WITH DISABILITIES.

Section 227 of the Housing and Urban-Rural Recovery Act of 1983 (12 U.S.C. 1701r–1) is amended to read as follows:

"SEC. 227. PET OWNERSHIP BY ELDERLY PERSONS AND PERSONS WITH DISABILITIES IN FEDERALLY ASSISTED RENTAL HOUSING.

''(a) RIGHT OF OWNERSHIP.—A resident of a dwelling unit in federally assisted rental housing who is an elderly person or a person with disabilities may own common household pets or have common household pets present in the dwelling unit of such resident, subject to the reasonable requirements of the owner of the federally assisted rental

housing and providing that the resident maintains the animals responsibly and in compliance with applicable local and State public health, animal control, and anticruelty laws. Such reasonable requirements may include requiring payments of a nominal fee and pet deposit by such residents owning or having pets present, to cover the operating costs to the project relating to the presence of pets and to establish an escrow account for additional such costs not otherwise covered, respectively. Notwithstanding section 225(d) of the Housing Opportunity and Responsibility Act of 1997, a public housing agency may not grant any exemption under such section from payment, in whole or in part, of any fee or deposit required pursuant to the preceding sentence.

''(b) PROHIBITION AGAINST DISCRIMINATION.—No owner of federally assisted rental housing may restrict or discriminate against any elderly person or person with disabilities in connection with admission to, or continued occupancy of, such housing by reason of the ownership of common household pets by, or the presence of such pets in the dwelling unit of such person.

''(c) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) FEDERALLY ASSISTED RENTAL HOUSING.—The term 'federally assisted rental housing' means any multifamily rental housing project that is—

''(A) public housing (as such term is defined in section 103 of the Housing Opportunity and Responsibility Act of 1997);

''(B) assisted with project-based assistance pursuant to section 601(f) of the Housing Opportunity and Responsibility Act of 1997 or under section 8 of the United States Housing Act of 1937 (as in effect before the effective date of the repeal under section 601(b) of the Housing Opportunity and Responsibility Act of 1997);

''(C) assisted under section 202 of the Housing Act of 1959 (as amended by section 801 of the Cranston-Gonzalez National Affordable Housing Act);

''(D) assisted under section 202 of the Housing Act of 1959 (as in effect before the enactment of the Cranston-Gonzalez National Affordable Housing Act);

''(E) assisted under title V of the Housing Act of 1949; or

''(F) insured, assisted, or held by the Secretary or a State or State agency under section 236 of the National Housing Act.

''(2) OWNER.—The term 'owner' means, with respect to federally assisted rental housing, the entity or private person, including a cooperative or public housing agency, that has the legal right to lease or sublease dwelling units in such housing (including a manager of such housing having such right).

''(3) ELDERLY PERSON AND PERSON WITH DISABILITIES.—The terms 'elderly person' and 'persons with disabilities' have the meanings given such terms in section 102 of the Housing Opportunity and Responsibility Act of 1997.

''(d) REGULATIONS.—Subsections (a) through (c) of this section shall take effect upon the date of the effectiveness of regulations issued by the Secretary to carry out this section. Such regulations shall be issued no later than the expiration of the 1-year period beginning on the date of the enactment of the Housing Opportunity and Responsibility Act of 1997 and after notice and opportunity for public comment in accordance with the procedure under section 553 of title 5, United States Code, applicable to substantive rules (notwithstanding subsections (a)(2), (b)(B), and (d)(3) of such section).''.

AMENDMENT NO. 54, AS MODIFIED, OFFERED BY MR. SMITH OF MICHIGAN

Mr. SMITH of Michigan. Mr. Chairman, I ask unanimous consent that the changes at the desk to that amendment be accepted as the amendment under consideration.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Amendment No. 54, as modified, offered by Mr. SMITH of Michigan:

Page 294, strike line 5 and all that follows through page 297, line 4, and insert the following:

SEC. 622. PET OWNERSHIP BY ELDERLY PERSONS AND PERSONS WITH DISABILITIES.

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''(a) RIGHT OF OWNERSHIP.—A resident of a dwelling unit in federally assisted rental housing who is an elderly person or a person with disabilities may own common household pets or have common household pets present in the dwelling unit of such resident, subject to the reasonable requirements of the owner of the federally assisted rental housing and providing that the resident maintains the animals responsibly and in compliance with applicable local and State public health, animal control, and anticruelty laws. Such reasonable requirements may include requiring payment of a nominal fee and pet deposit by such residents owning or having pets present, to cover the operating costs to the project relating to the presence of pets and to establish an escrow account for additional such costs not otherwise covered, respectively. Notwithstanding section 225(d) of the Housing Opportunity and Responsibility Act of 1997, a public housing agency may not grant any exemption under such section from payment, in whole or in part, of any fee or deposit required pursuant to the preceding sentence.

''(b) PROHIBITION AGAINST DISCRIMINATION.—No owner of federally assisted rental housing may restrict or discriminate against any elderly person or person with disabilities in connection with admission to, or continued occupancy of, such housing by reason of the ownership of common household pets by, or the presence of such pets in the dwelling unit of, such person.

''(c) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

''(1) FEDERALLY ASSISTED RENTAL HOUSING.—The term 'federally assisted rental housing' means any multifamily rental housing project that is—

''(A) public housing (as such term is defined in section 103 of the Housing Opportunity and Responsibility Act of 1997);

''(B) assisted with project-based assistance pursuant to section 601(f) of the Housing Opportunity and Responsibility Act of 1997 or under section 8 of the United States Housing Act of 1937 (as in effect before the effective date of the repeal under section 601(b) of the Housing Opportunity and Responsibility Act of 1997);

''(C) assisted under section 202 of the Housing Act of 1959 (as amended by section 801 of the Cranston-Gonzalez National Affordable Housing Act);

''(D) assisted under section 202 of the Housing Act of 1959 (as in effect before the enactment of the Cranston—Gonzalez National Affordable Housing Act);

''(E) assisted under section 811 of the Cranston-Gonzalez National Affordable Housing Act;

''(F) assisted under title V of the Housing Act of 1949; or

''(G) insured, assisted, or held by the Secretary of a State or State agency under section 236 of the National Housing Act.

''(2) OWNER.—The term 'owner' means, with respect to federally assisted rental housing, the entity or private person, including a cooperative or public housing agency, that has the legal right to lease or sublease dwelling units in such housing (including a manager of such housing having such right).

''(3) ELDERLY PERSON AND PERSON WITH DISABILITIES.—The terms 'elderly person' and 'persons with disabilities' have the meanings given such terms in section 102 of the Housing Opportunity and Responsibility Act of 1997.

''(d) REGULATIONS.—Subsections (a) through (c) of this section shall take effect upon the date of the effectiveness of regulations issued by the Secretary to carry out this section. Such regulations shall be issued not later than the expiration of the 1-year period beginning on the date of the enactment of the Housing Opportunity and Responsibility Act of 1997 and after notice and opportunity for public comment in accordance with the procedure under section 553 of title 5, United States Code, applicable to substantive rules (notwithstanding subsections (a)(2), (b)(B), and (d)(3) of such section).''.

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

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SMITH of Michigan. Mr. Chairman, this is at the very least a sensitive amendment. I think the question is not whether or not we support pets. The question is: Should we pass a new Federal law that mandates an extension and expansion of existing law that pets be allowed in all subsidized housing?

Currently the law allows pets for individuals that are senior citizens and individuals that are disabled citizens, and the bill before us expands that to every renter in every subsidized housing.

I think the question before us is should the Federal Government pass a law making it less attractive for local landlords to participate in housing programs for low income to the extent that our mandates under Federal law limit the number of people willing to pursue our goal of providing affordable housing for individuals.

Again, I would remind my colleagues that the bill before us expands current law tenfold. My proposed amendment, in effect, continues the existing law that pets be allowed for senior citizens and for the disabled. It actually expands the number of seniors and disabled that would be allowed to have pets. I am suggesting to my colleagues that we should not so drastically expand present law with strong arm mandates of Federal Government. Applying so many regulations and so many rules, discourage many local landlords from participating in a program to provide low-income housing. We acknowledge that it is advisable to allow pet

ownership in housing projects, but that decision deserves local input.

In the private sector, pets are often allowed. It is reasonable to assume that all of those affordable housing facilities that can accommodate pets will accommodate pets because it is reasonable, it is often healthful and it is the desire of those renters to have that kind of freedom.

So Mr. Chairman, I would hope that we consider passing legislation that leaves the law substantially as it is and does not so greatly expand that law with more mandates from Washington.

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

Mr. Chairman, we went through an extended debate on this issue last year. I appreciate the fact that the gentleman from New York [Mr. LAZIO], the chairman, has seen the light and I think recognizes that the issue of whether or not we ought to be able to have pets in our subsidized housing or public housing is one that really ought to be left up to the individual resident.

I think, after an enormously informative and entertaining debate last year, the Congress overwhelmingly endorsed that policy; and I think the good chairman has seen fit to include the expanded policy in the underlying bill and it is something that I believe most Members of the House strongly endorse.

My understanding is that the amendment actually would, in some difference to the way it was described, would actually expand to public housing as well as section 8. Current law, obviously, is only in the public housing, it does not include the section 8 portion. But I do think that this is an issue that all families and people, whether they are residents of public housing, private housing, or any housing, can recognize some wonderful benefits of having a dog or a cat or a fish, everything but a cockroach, according to the gentleman from New York [Mr. TOWNS].

So I think what we ought to do here is try to make certain that we have an expansive policy on this issue. I do not think that there is any clear reasoning why we should not allow people to have whatever reasonable pets they want.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY of Massachusetts. I yield to the gentleman from Michigan.

Mr. SMITH of Michigan. Mr. Chairman, it is not a question that does not seem to me as allowing people to have those pets. What it is is a mandate that every landlord has to allow regardless of the facility, regardless of the conditions, that those tenants have a pet if they want a pet. So the latitude of describing that pet is also broad.

I would also like to call to the attention of my colleague, the gentleman from Massachusetts [Mr. KENNEDY], that I did not intend to call for a RECORD rollcall vote on this. I think there is a feeling that if you love a pet, somehow you are going to say there should be a Federal mandate that should require the landlords to allow pets.

Mr. KENNEDY of Massachusetts. Mr. Chairman, reclaiming my time, I appreciate the gentleman's clarification on the issue. I would just suggest that if the landlords wanted the tenants well enough, they ought to be willing to accept the pets as well.

There are provisions that allow for how those pets would be treated and under what terms and conditions are allowed under the legislation that has been proposed. I very much appreciate Chairman LAZIO's efforts on this issue.

I think, in particular, I want to acknowledge the efforts of the gentlewoman from New York [Mrs. MALONEY], who I think the Chairman would acknowledge was really the driving force behind a lot of these policy changes and someone who, although she cannot be on the floor at the moment, I think strongly supports the chairman's position on this issue. I look forward to moving on to other issues as quickly as possible.

□ 1700

Mr. LAZIO of New York. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY of Massachusetts. I yield to the gentleman from New York.

Mr. LAZIO of New York. Mr. Chairman, I just wanted to mention obviously this particular issue was debated thoroughly last year, and I know the gentleman from Massachusetts recalls my position on this, but the House has worked its will, and I respect that and have reflected both the act of last year in approving the amendment on the floor and a sort of sense of fairness that, if we are going to allow that in public housing, if we are going to allow pets in public housing, then so should people in section 8 struggle with that same problem.

Mr. KENNEDY of Massachusetts. Or solution.

Mr. LAZIO of New York. Or solution.

The CHAIRMAN. The question is on the amendment, as modified, offered by the gentleman from Michigan [Mr. SMITH].

The amendment, as modified, was rejected.

The CHAIRMAN. Are there further amendments?

AMENDMENT OFFERED BY MR. DAVIS OF ILLINOIS

Mr. DAVIS of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Illinois: Page 275, after line 17, insert the following:

''(g) OPTION TO EXEMPT APPLICABILITY OF CERTAIN REQUIREMENTS.—If the Secretary takes possession of an agency or any developments or functions of an agency pursuant to subsection (b)(2) or has possession of an agency or the operational responsibilities of an agency pursuant to the United States Housing Act of 1937 (as in effect before the repeal under section 601(b) of this Act), the Secretary may provide that, with respect to such agency (or the Secretary acting in the place of such agency), the public housing developments and residents of such agency, and the choice-based housing assistance provided by the agency and the assisted families receiving such assistance, as appropriate, the following provisions shall not apply:

''(1) COMMUNITY WORK.—The provisions of section 105(a) (relating to community work), any provisions included in a community work and family self-sufficient agreement pursuant to section 105(d) regarding such community work requirements, and any provisions included in lease pursuant to section 105(e) regarding such community work requirements.

''(2) TARGET DATE FOR TRANSITION OUT OF ASSISTED HOUSING.—The provisions of section 105(b) (relating to agreements establishing target dates for transition out of assisted housing) and any provisions included in a community work and family self-sufficiency agreement pursuant to section 105(d) regarding such target date requirements.

''(3) MINIMUM RENTS.—The provisions of sections 225(c) and 322(b)(1) (regarding minimum rental amounts and minimum family contributions, respectively).''.

Page 275, line 18, strike ''(g)'' and insert ''(h)''.

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

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Chairman, today I rise on behalf of a constituency that during the past few weeks we have heard a great deal about but very little from, and as I sat watching and listening to the debate, as I listened to many of the myths and stereotypes of poor people which have sprung up because their voices often are not heard in the great decision and influence making centers of our society, I wondered why. As I sat and watched and listened, I found myself wondering why the gallery was not filled with poor people and with advocates for the poor, with lobbyists pushing their position. I wondered why there were not thousands of people surrounding the Capitol or holding meetings and rallies in public housing developments throughout the land.

Then it occurred to me that public housing residents are oftentimes easy targets, oftentimes poor, uneducated, unemployed, unskilled, unorganized, unregistered, underfed, undernourished and physically segregated. Therefore, many of the people see no need to challenge the myths, stereotypes, preconceptions, misconceptions and erroneous notions about who they are and how they live in public housing.

As my wife and I were having Mother's Day dinner on Sunday, we met a lady who was helping to serve. She was bubbling over with enthusiasm and told us that her daughter had just graduated from SIU, Southern Illinois University, with a law degree. Then she said that she lived in Cabrini Green Housing Development and that she was proud of all her children. Her son had earned a doctorate degree and was

teaching. Another son was working at the Post Office, and another one at Northwestern Hospital, all raised in Cabrini Green.

So, Mr. Chairman, life for many residents is more than an 8-second sound bite on the evening news. Public housing residents do not all belong to gangs, are not all unemployed, do not all sit around daily living the good life, sleeping late, eating ham hocks, doing drugs and watching Oprah. They are not all lazy, shiftless and immoral. They do have commendable values and a sense of community.

Having created a stereotypical, fantasized world, afflicted with fantasy problems, it becomes easy to design fantasy solutions if we have already determined that public housing residents live in public housing because they do not want to work and have nothing to do all day. Then it makes sense and is easy to prescribe a little therapeutic required volunteerism as a solution.

Why then should we be concerned about the increase in numbers of people who are condemned to a career as a temporary worker without benefits or minimum wage workers, people who work every day and still need public help?

If my colleagues think that public housing residents are addicted to free housing, then it makes perverted sense to require that they simply cut it out, just say no. If my colleagues feel that people who live in public housing are just social misfits, then they believe that they can be improved by getting rid of them, just put them out.

We have a public housing system which for a variety of reasons, none of which are addressed in H.R. 2, we have a public housing system which has often failed to meet the needs of residents or the needs of our Nation. It has become commonplace to proclaim that the problem is with too much government, that government is too big, it helps the poor too much, that public housing residents have their hands out. When we hand out $150 billion in corporate welfare each year, we do not call it welfare or handouts. We call it stimulating the economy.

H.R. 2 demands public service from public housing residents. Fine. But let us also demand some public services from those receiving corporate welfare. H.R. 2 demands personal responsibility contracts from public housing residents. Fine. But let us also demand written contracts detailing how those receiving corporate welfare would get out of the public trough. H.R. 2 demands higher minimum rents from those in public housing. Fine. But let us also develop minimum social paybacks from those receiving corporate welfare.

Mr. Chairman, our society, our economy grows strongly in direct proportion to how well we involve every member in the productive process. Let us be fair. Let us have a uniform set of rules for everyone.

Mr. Chairman, this amendment is designed to give public housing authorities the flexibility to make their own individual decisions about whether or not to implement the most onerous portions of H.R. 2. I think it is a good way to give those individuals who have been most abused an opportunity for redress.

Mr. LAZIO of New York. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I could not think of a better example of why we believe in community service and why we believe in the maintenance of H.R. 2 of mixed income and removing the work disincentives that are in current law of creating the incentives for entrepreneurial activity than Chicago itself.

Now, it is true that throughout the entire Nation virtually every community, especially communities that are particularly underserved or that are particularly challenged by poverty, will benefit under the terms of H.R. 2. But in Chicago, they stand probably to gain the most.

I just want to refer, if I can, attention and recommend to the Members a recent report which I would be glad to make available to any Member who is interested, and it is from the Institute of Metropolitan Affairs of Roosevelt University, and it has to do with the ranking of the poorest neighborhoods in America, and it is interesting because 11 of the 15 poorest communities in the Nation are in Chicago. One might think if they posed that question they would find it somewhere in the deep South or some State that has a very low median income or some other place that one does not ordinarily think of when they think of the Gold Coast in Chicago and one of the Nation's largest cities. But in fact there has been exceptional failure in terms of addressing poverty in Chicago, and it has been a combination of things, a combination of looking the other way, of tolerating failure, of not seizing the housing authority when we should have done it over a decade ago, of moving slowly, of looking the other way.

In just one of these examples, Stateway Gardens in Chicago had a 42 percent drop in per capita income in the 10 years between 1979 and 1989, 42 percent drop in income in what was already one of the poorest of the poor neighborhoods. The consequence of that has been that we continue to concentrate poverty, that we create environments where virtually everybody is unemployed, where there are no working role models, where we do not have any services.

I am familiar with many of these neighborhoods in Chicago that are listed in the survey because I have been there, and I will tell my colleagues that the consequences of our policy have been that there are no supermarkets, that there are no banks, that there are no laundromats, there are no services that help keep the working poor, the working class in and around these communities that are under siege.

Mr. Chairman, this House needs to come to grips with the fact that we have failed these residents, that we have created disincentives to work and to family, that we have contributed to the pathologies that have undermined the ability to turn these communities around, and through the programs that we have in H.R. 2, not the least of which is the community service program, where we can begin to mobilize not people from Washington or the State capital or from some other State to go in from the outside and come in and pose what they think is a right solution for their own communities, but we mobilize the people in their own backyards, these same people of low income whose talents are untapped, whose potential is significant to begin to transition and transform their own communities by working with each other, by marshaling their services, by having common goals, setting objectives and making the changes; we believe in this because we know that the end of poverty will not come because of the bill that we have in this House or in the other body, we know that it will not be something that was signed into law, and we know that it will not happen because of some leader, elected leader, in the State capital or even in the city, some mayor. It will happen because of the dynamic, charismatic people in and of the community that begin to transform their own neighborhoods, their own backyards, their own buildings.

Mr. Chairman, this is the change that we are looking for, this is the change in H.R. 2, and it is well time that we stop tolerating the failure that exists in Chicago and all the other Chicagos that we have around the Nation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. DAVIS].

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

Mr. DAVIS of Illinois. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 133, further proceedings on the amendment offered by the gentleman from Illinois [Mr. DAVIS] will be postponed.

Are there further amendments to title VII?

Are there further amendments to the bill?

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 133, proceedings will now resume on those amendments on which further proceedings were postponed on May 8 and May 9, 1997, in the following order: Amendment No. 12 offered by the gentleman from Massachusetts [Mr. KENNEDY], amendment No. 13 offered by the gentleman from Massachusetts [Mr. KENNEDY], amendment No. 25 offered by the gentleman from Minnesota

[Mr. VENTO]; also, the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY] and the amendment offered by the gentleman from Illinois [Mr. DAVIS].

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

PARLIAMENTARY INQUIRY

Mr. KENNEDY of Massachusetts. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I just want to know what is happening with the suspension votes. Does that come before or after all these votes?

The CHAIRMAN. The suspension votes will be after these votes.

AMENDMENT NO. 12 OFFERED BY MR. KENNEDY OF MASSACHUSETTS

The CHAIRMAN. The unfinished business is the demand for a recorded vote on amendment No. 12 offered by the gentleman from Massachusetts [Mr. KENNEDY] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. KENNEDY of Massachusetts:

Page 174, line 20, insert ''VERY'' before ''LOW-INCOME''.

Page 175, line 11, insert ''very'' before ''low-income''.

Page 187, line 5, insert ''VERY'' before ''LOW-INCOME''.

Page 187, line 10, insert ''very'' before ''low-income''.

Page 187, strike lines 13 through 22 and insert the following:

(b) INCOME TARGETING.—

(1) PHA-WIDE REQUIREMENT.—Of all the families who initially receive housing assistance under this title from a public housing agency in any fiscal year of the agency, not less than 75 percent shall be families whose incomes do not exceed 30 percent of the area median income.

(2) AREA MEDIAN INCOME.—For purposes of this subsection, the term ''area median income'' means the median income of an area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than the percentages specified in subsection (a) if the Secretary finds determines that such variations are necessary because of unusually high or low family incomes.

Page 205, line 7, insert ''very'' before ''low-income''.

Page 205, line 24, insert ''very'' before ''low-''.

Page 211, line 6, insert ''very'' before ''low-income''.

Page 214, line 1, insert ''very'' before ''low-income''.

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 162, noes 260, not voting 11, as follows:

[Roll No 119]

AYES—162

Ackerman
Allen
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blumenauer
Bonior
Borski
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Costello
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hilliard
Hinojosa
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kanjorski
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Luther
Maloney (CT)
Maloney (NY)
Markey
Martinez
Matsui
McCarthy (MO)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Poshard
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Scott
Serrano
Skaggs
Slaughter
Snyder
Spratt
Stark
Stokes
Strickland
Tanner
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Waters
Watt (NC)
Waxman
Wexler
Weygand
Woolsey
Yates

NOES—260

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kim
King (NY)
Klink
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Manton
Manzullo
Mascara
McCarthy (NY)
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Ortiz
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stabenow
Stearns
Stenholm
Stump
Stupak
Sununu
Talent
Tauzin
Taylor (MS)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Wynn
Young (FL)

NOT VOTING—11

Abercrombie
Blagojevich
Conyers
Hefner
Hinchey
Kingston
Rush
Schiff
Skelton
Taylor (NC)
Young (AK)

□ 1734

Mr. LATHAM and Mr. GREENWOOD changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. KINGSTON. Mr. Chairman, I missed rollcall No. 119, due to airplane mechanical problems. Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Mr. ABERCROMBIE. Mr. Chairman, I was unavoidably detained on rollcall 119. Had I been present, I would have voted ''yes.''

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. Pursuant to the rule, 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 consideration.

AMENDMENT NO. 13 OFFERED BY MR. KENNEDY OF MASSACHUSETTS

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on amendment No. 13 offered by the gentleman from Massachusetts [Mr. KENNEDY] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KENNEDY of Massachusetts:

Page 220, strike line 12 and all that follows through line 12 on page 237 (and redesignate subsequent provisions and any references to such provisions, and conform the table of contents, accordingly).

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 153, noes 270, not voting 10, as follows:

[Roll No. 120]

AYES—153

Ackerman
Allen
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Berman
Berry
Bishop
Blumenauer
Bonior
Borski
Boswell
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cummings
Davis (IL)
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dingell
Dixon
Doyle
Engel
Ensign
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Gutierrez
Hall (OH)
Harman
Hastings (FL)
Hilliard
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lantos
Levin
Lewis (GA)
Lowey
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Moakley
Mollohan
Nadler
Neal
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Poshard
Price (NC)
Rahall
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Sanchez
Sanders
Sawyer
Schumer
Scott
Serrano
Skaggs
Slaughter
Smith, Adam
Spratt
Stabenow
Stark
Stokes
Stupak
Thompson
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Waters
Watt (NC)
Waxman
Wexler
Weygand
Woolsey
Yates

NOES—270

Abercrombie
Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boucher
Boyd
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeLay
Diaz-Balart
Dickey
Dicks
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hinojosa
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Klug
Knollenberg
Kolbe
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Manzullo
Matsui
McCarthy (MO)
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Minge
Mink
Molinari
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Sabo
Salmon
Sandlin
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stearns
Stenholm
Strickland
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Wynn
Young (FL)

NOT VOTING—10

Blagojevich
Hefner
Hinchey
Kingston
Rangel
Rush
Schiff
Skelton
Taylor (NC)
Young (AK)

□ 1744

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. KINGSTON. Mr. Chairman, I missed rollcall No. 120 due to airplane mechanical problems. Had I been present, I would have voted ''no.''

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Chairman, during consideration of H.R. 2 on the Kennedy amendment, recorded vote number 120 on Amendment #13, I inadvertently cast my vote against this amendment. On this particular vote I meant to cast a ''yes'' vote.

AMENDMENT NO. 25 OFFERED BY MR. VENTO

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

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 25 offered by Mr. VENTO: Page 244, strike line 1 and all that follows through line 8 on page 254, and insert the following:

Subtitle C—Public Housing Management Assessment Program

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 200, noes 228, not voting 5, as follows:

[Roll No. 121]

AYES—200

Abercrombie
Ackerman
Allen
Andrews
Bachus
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Dooley
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefley
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E.B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sisisky
Skaggs
Slaughter
Smith, Adam
Smith, Linda
Snyder
Spratt

Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Traficant
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOES—228

Aderholt
Archer
Armey
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Luther
Manzullo
Mascara
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Molinari
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)

NOT VOTING—5

Hefner
Rush
Schiff
Skelton
Young (AK)

□ 1754

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

PARLIAMENTARY INQUIRY

Mr. KENNEDY of Massachusetts. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN pro tempore. The gentleman will state it.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I request that the Chair could verify that the coming amendment is the one that would impose the same 8-hour per month voluntary work requirement imposed in H.R. 2 on public housing residents to investors in the section 8 project-based housing.

The CHAIRMAN pro tempore. The gentleman from Massachusetts is not stating a parliamentary inquiry.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I was wondering what the next amendment might be.

The CHAIRMAN pro tempore. The next amendment is the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY] on which further proceedings were postponed and on which the noes prevailed by a voice vote, and the Chair is ready to call for a recorded vote.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I have a further parliamentary inquiry. Is that the amendment which imposes a work requirement on investors in section 8 project-based housing?

The CHAIRMAN pro tempore. The gentleman is not stating a further parliamentary inquiry, and the gentleman knows that he was not making a parliamentary inquiry.

AMENDMENT OFFERED BY MR. KENNEDY OF MASSACHUSETTS

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

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 87, noes 341, not voting 5, as follows:

[Roll No. 122]

AYES—87

Abercrombie
Allen
Becerra
Bishop
Blagojevich
Blumenauer
Bonior
Brown (FL)
Brown (OH)
Carson
Clay
Clayton
Clyburn
Conyers
Coyne
Cummings
Davis (IL)
DeGette
Delahunt
Dellums
Duncan
Edwards
Evans
Fattah
Filner
Flake
Foglietta
Ford
Frank (MA)
Furse
Gejdenson
Gonzalez
Green
Gutierrez
Hilliard
Hinchey
Hinojosa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kennedy (MA)
Kennedy (RI)
Kilpatrick
Kleczka
Kucinich
Lantos
Lewis (GA)
Markey
Martinez
McGovern
McKinney
Meehan
Meek
Millender-McDonald
Mink
Moakley
Neal
Oberstar
Olver
Owens
Pastor
Payne
Pelosi
Pomeroy
Rahall
Rangel
Rodriguez
Roybal-Allard
Sanchez
Sanders
Scott
Serrano
Slaughter
Stark
Stokes
Strickland
Stupak
Thompson
Tierney
Torres
Towns
Velazquez
Vento
Waters
Wynn
Yates

NOES—341

Ackerman
Aderholt
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
DeFazio
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Dunn
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Everett
Ewing
Farr
Fawell
Fazio
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McNulty
Menendez
Metcalf
Mica
Miller (CA)
Miller (FL)
Minge
Molinari
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Obey
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Poshard
Price (NC)

Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Reyes
Riggs
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun
Sabo
Salmon
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Young (FL)

NOT VOTING—5

Hefner
Rush
Schiff
Skelton
Young (AK)

□ 1805

Messrs. BERRY, KILDEE, and FARR of California changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DAVIS OF ILLINOIS

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

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 145, noes 282, not voting 6, as follows:

[Roll No. 123]

AYES—145

Abercrombie
Ackerman
Allen
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berry
Bishop
Blumenauer
Bonior
Borski
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capps
Carson
Clay
Clayton
Clyburn
Conyers
Costello
Coyne
Cummings
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Dicks
Engel
Eshoo
Evans
Farr
Fattah
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Gutierrez
Hall (OH)
Hamilton
Harman
Hilliard
Hinchey
Hinojosa
Hooley
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (WI)
Johnson, E. B.
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lantos
Lewis (GA)
Lipinski
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Markey
Martinez
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Miller (CA)
Mink
Moakley
Mollohan
Murtha
Nadler
Neal
Northup
Obey
Olver
Owens
Pallone
Pastor
Payne
Pelosi
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Sabo
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Skaggs
Slaughter
Snyder
Stabenow
Stark
Stokes
Thompson
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wise
Woolsey
Wynn
Yates

NOES—282

Aderholt
Archer
Armey
Bachus
Baesler
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berman
Bilbray
Bilirakis
Blagojevich
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Boswell
Boucher
Boyd
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cannon
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Crapo
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
Deutsch
Diaz-Balart
Dickey
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Etheridge
Everett
Ewing
Fawell
Fazio
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kim
King (NY)
Kingston
Klink
Klug
Knollenberg
Kolbe
LaHood
Lampson
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Luther
Manton
Manzullo
Mascara
Matsui
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McIntyre
McKeon
Metcalf
Mica
Miller (FL)
Minge
Molinari
Moran (KS)
Moran (VA)
Morella
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Paul
Paxon
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanchez
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wolf
Young (FL)

NOT VOTING—6

Gekas
Hefner
Rush
Schiff
Skelton
Young (AK)

□ 1813

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1815

Mr. LAZIO of New York. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I know that this body will be gravely disappointed to know that this bill is nearing conclusion. I understand that all titles have been closed, is that correct, Mr. Chairman, if that is appropriate to direct that question to the Chair?

The CHAIRMAN pro tempore (Mr. LAHOOD). Title VII is open at any point.

Mr. LAZIO of New York. I would ask that after the close of title VII that I be permitted to offer a unanimous-consent request pursuant to the discussions that we have had with the gentleman from Massachusetts concerning time limitations. I will be making a motion to rise at the end of this, and we will probably resume again on Thursday to take up the substitute and to take up final passage. At that time I understand that there has been some agreement on time limitations involving the Kennedy substitute. The suggestion would be that there would be 60 minutes for the substitute, 30 minutes controlled by the gentleman from Massachusetts [Mr. KENNEDY], 30 minutes controlled by myself, and I just wanted to inquire if that was the understanding of the gentleman from Massachusetts [Mr. KENNEDY] and if he would be concurring with that time limitation.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. LAZIO of New York. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I had spoken with the chairman's staff and we had indicated that because of the large number of speakers and because this bill has been so much fun for the last 3 weeks that we would not necessarily want to cut the debate short on Thursday morning, but we are looking forward to perhaps finding a way to achieve a limitation on

Thursday. But I would rather wait until then to determine the level of intensity on our side.

Mr. LAZIO of New York. If I could just reclaim my time, is the gentleman saying that an hour would not be an appropriate amount of time to debate the substitute?

Mr. KENNEDY of Massachusetts. I am hopeful we can reach agreement on an hour, but I would like to reserve that right until Thursday and make that determination at that time.

Mr. OXLEY. Mr. Speaker, I rise today in support for H.R. 2, the Housing Opportunity and Responsibility Act. As a cosponsor of this important legislation I believe that it will go a long way toward reforming our current public housing system. I am particularly enthusiastic about Title IV, the Home Rule Flexible Grant Option, portion of the overall legislation. The provisions included in Title IV would provide local government leaders with the flexibility to implement new locally developed proposals for meeting the specific housing needs of their communities.

Whereas under our current system Public Housing Authorities administer all aspects of sometimes highly regulated Federal housing programs, this new grant would give interested localities the flexibility to implement new innovative programs targeted to meet the housing needs of their own citizens.

In the city of Lima, a town in my district, a situation has developed recently that has divided local housing authorities and local government leaders. The situation began when the city's Public Housing Authority went forward with plans to build 28 scattered-site low-income public housing units. With city officials contending that these units are not scattered, and in fact concentrated in one particular area of the city, they filed suit contending that the Public Housing Authority broke Ohio law by not presenting the project to the Lima Planning Commission before going ahead with construction. In an effort to bring both sides together and resolve their differences, at my request, a meeting was set up between HUD officials and officials from the Lima City Council. In fact, a public meeting was also held on this issue, again with HUD officials being present. While HUD officials soon agreed with city officials that indeed they had some legitimate concerns on the 28 scattered-site housing units being congested in one area, ultimately no concrete resolutions came out of these meetings.

Unfortunately, the situation worsened. With no resolution from the meetings, and with the city proceeding with the lawsuit, city officials soon found themselves receiving a letter of warning from HUD. The letter stated that as a result of the city's lawsuit against the Public Housing Authority, the department would therefore be withholding funds for both the city's Community Development Block Grant and HOME Programs.

Clearly this situation should never have developed to the point where HUD bureaucrats would feel the need to threaten to withhold funds for programs that have absolutely nothing to do with the city's initial lawsuit. In fact, had all sides sat down and actually addressed each others concerns in the first place, all of this could have possibly been resolved.

It is this exact situation that Title IV of H.R. 2 aims to address. By encouraging city officials and Public Housing Authorities to work together to meet the housing needs of their community, conflicts such as the one taking place in Lima today can be averted. While both sides in this dispute clearly have the best interests of community in mind, it is the current housing program framework itself that has pitted both sides against one another. It is clear to me that the Home Rule Flexible Grant Option provisions in this bill would help to encourage greater cooperation between Public Housing Authorities and local elected officials.

As one who has witnessed first-hand the negative consequences of having local Public Housing Authorities and local government leaders work at odds with each other, it is clear to me that this new approach is needed. For these reasons I urge all Members to support passage of the Housing Opportunity and Responsibility Act.

Mr. LAZIO of New York. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. KOLBE] having assumed the chair, Mr. LAHOOD, Chairman pro tempore 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. 2) to repeal the United States Housing Act of 1937, deregulate the public housing program and the program for rental housing assistance for low-income families, and increase community control over such programs, and for other purposes, had come to no resolution thereon.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 590

Mr. BLUMENAUER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. JOHNSON] be removed as a cosponsor of H.R. 590.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 695

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 695.

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

There was no objection.

INDIVIDUALS WITH DISABILITIES EDUCATION ACT AMENDMENTS OF 1997

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 5, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the gentleman from Pennsylvania [Mr. GOODLING] that the House suspend the rules and pass the bill, H.R. 5, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 420, nays 3, not voting 10, as follows:

[Roll No. 124]

YEAS—420

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Filner
Flake
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E.B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica