greatest military in the world, we cannot continue the erosion of our national security capabilities without assuming greater risk in our ability to meet the many and varied challenges of America's security interests. The Joint Chiefs have all testified that we can still get the job done under this budget, but the associated risk factor to meet the national threat assessment continues to increase. The unfunded requirements also continue to grow, amounting to $54 billion over the next 5 years according to the Chiefs. These unfunded requirements range from the modernization of key weapon systems, to real property maintenance backlogs, to quality of life issues effecting the dedicated military personnel and their families. In addition to these massive unmet requirements, the Congressional Budget Office has indicated that Clinton's 5-year defense budget will not even keep pace with today's mild rate of inflation. This fact broadens the defense budget problems by another $54.4 billion shortfall between now and fiscal 2003.

These sobering realities of the defense budget are important to note, because this administration continues to task the military with countless forward deployments while failing to provide the resources necessary to conduct these missions. The Op Tempo rate of our military personnel is at the breaking point. The Bosnia peacekeeping mission and Operation Southern Watch in Iraq continue to sap the readiness accounts of the services, requiring Congress to approve last-minute emergency supplemental appropriations bills to pay for critical training accounts depleted by these foreign policy forays. These trends are an indication of poor management of the country's national defense.

With that said, I must commend Chairman SPENCE and the subcommittee chairman for their work in crafting this bill under these difficult circumstances. We have been able to provide additional funds for key weapon systems procurement like the UH–60 Black Hawk helicopters and Javelin precision guided missiles and speed up the testing and development of the RAH–66 Comanche, while also adding critical funds to help improve and maintain the infrastructure on our military installations. I urge all members to support the bill.

Mr. UNDERWOOD. Mr. Chairman, I join my colleagues today in support of H.R. 3616, the FY 1999 Defense Authorization Bill. This bipartisan effort has been well received and will do much to ensure that the security of the United States and its territories will be preserved.

Mr. Chairman, these are dangerous times. Today, the United States is faced with multifaceted threats from all corners of the globe. The list is enormous: illicit Ballistic Missile technology transfers from Russia and China, North Korean and Iranian ballistic missile development, a potential nuclear arms race in South Asia, continuing strife in Bosnia, Iraq's failure to completely comply with U.N. weapons inspectors, rioting, oppression, and a secession crisis in Indonesia, a seemingly insurmountable international narcotrafficking problem and the specter of global and domestic terrorism. Our military forces are being stretched to the limit, being forced to do more with less. These threats matched against our Nation's shrinking defense budget all create a tense security environment that our Nation must contend with.

But, Mr. Chairman, H.R. 3616 is not just about outfitting our military with the best equipment and training to meet these challenges, it is also about doing more for our uniformed men and women. H.R. 3616 includes several measures that I introduced that enhances the lives of our service personnel. I was able to obtain language that would allow National Guardsmen to have equal PX/BX and Commissary privileges as the active duty servicemen when called up for duty during a federally declared disaster. We learned of this inequity only too well when Typhoon Paka struck Guam last December. Additionally, I reintroduced an amendment that will authorize the reimbursement for the cost of a rental car, after a permanent change of station transfer to a new duty station overseas under the travel automobile rental allowance authorized to service members. This provision would apply only to service members whose motor vehicle has not arrived by the promised shipping date. This initiative, suggested to me by Colonel Adolf Sgambelluri of Guam, became a reality after working closely with Congressman STEVE BUYER and Congressman GENE TAYLOR.

Mr. Chairman, the House National Security Committee also manages a vital oversight function over the Department of Defense. My colleagues and I treat this responsibility very seriously. Two oversight initiatives that I had included in this bill are (1) to secure directive report language that requires the Department of Defense to report to Congress on the reasons that led to the establishment of Department of Defense Dependents School (DoDDS), their plan of reintegration between the DoDDS and the public school system on Guam, and report on the specific plans to construct any structure on Guam for the expressed purpose of housing DoDDS facilities on Guam; and (2) to require the Department of Defense to report to Congress their proposed plan for privatization of public (departmental and military) owned electric and water utilities and the real property that these utilities are located on. The report also requires that DoD describe the criterion where such a conveyance will not be made on the grounds of national security. I worked closely with Chairman JOEL HEFLEY on this initiative and would like to thank him for his foresight in including this important initiative.

Mr. Chairman, one note of dissent, I am not in support of this bill's provision that will mandate gender-separate training and barracks for all services of the armed forces during basic training. I have often commented on the growing rift in military/civilian relations. I believe that for 50 years the armed forces has been the most successful institution that promotes inclusion of both race and gender. To reverse that noble history, which this measure will certainly do, is to run the risk of dangerously turning our military into an organization that will be further separated from the society that it is charged to defend.

Finally, Mr. Chairman, I am deeply concerned with the Department of Defense's continuing utilization of the A–76 process in its quest to mete out savings and increase productivity. While I recognize that the Department can no longer conduct business the way it had during the Cold War, it seems shortsighted and thankless to potentially lay off thousands of government employees who have served for so long. Despite that the A–76 process, at a minimum, provides a chance for Government employees to compete, we must recognize that this is an inglorious method to show our gratitude for all their years of public service. I believe that the Department of Defense is relying too heavily on A–76, privatization and other outsourcing initiatives to provide sorely needed savings for their programs. I remain skeptical over the estimates that DoD claims they will reap from these processes.

Essentially, I am concerned that the retirement benefit packages of Federal employees is penalized severely for early retirement. Currently, there is no provision to protect the full receipt of benefits if the employee is displaced by a private sector worker as a result of A–76. The devastating inequity of A–76 is that a federal worker who is 2 to 3 years away from retirement will lose out on a full pension through no fault of their own. In conclusion, it is my hope that the Department will seriously review the process to protect its loyal employees and the retirement benefits that they were promised.

Mrs. FOWLER. 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. GIBBONS) having assumed the chair, Mr. PEASE, 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. 3616) to authorize appropriations for fiscal year 1999 for military activities of Department of Defense, to prescribe military personnel strengths for fiscal year 1999, and for other purposes, had come to no resolution thereon.

NOTICE OF INTENT TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 2400, BUILDING EFFICIENT SURFACE TRANSPORTATION AND EQUITY ACT OF 1998

Mr. MINGE. Mr. Speaker, pursuant to clause 1(c) of House Rule XXVIII, I hereby notify the House of my intention tomorrow to offer the following motion to instruct House conferees on H.R. 2400, Building Efficient Surface Transportation and Equity Act of 1998:

I move the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 2400, be instructed to ensure that spending for highways and transit programs authorized in the conference agreement on H.R. 2400 is fully paid for using estimates of the Congressional Budget Office, to reject the use of estimates from any other source, to reject any method of budgeting that departs from the budget enforcement principles currently in effect, or the use of the budget surplus to pay for spending on highways or transit programs.

MOTION TO INSTRUCT CONFEREES ON H.R. 2400, BUILDING EFFICIENT SURFACE TRANSPORTATION AND EQUITY ACT OF 1998

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

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

The Clerk read as follows:

Mr. OBEY moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 2400, be instructed to insist that no provisions to prohibit or reduce service-connected disability compensation to veterans for smoking-related illnesses be included in the conference report on H.R. 2400 to offset spending for highway or transit programs.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) and the gentleman from Wisconsin (Mr. PETRI) each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this motion to instruct conferees is very simple. It instructs the House conferees to protect veterans' health care by rejecting any reduction in service-connected disability compensation to veterans for tobacco-related illnesses and then using those cuts to pay for increased highway and transit spending.

Mr. Speaker, we all know that when the transportation bill passed, it was a bloated budget-busting bill that staked a claim on more than $217 billion in Federal resources for roads, bridges, and mass transit over the next 6 years, 40 percent more than the levels provided in the previous legislation.

The bill, as it left the House, is not paid for at all. So it is no surprise that BESTEA conferees have been struggling for weeks to find the ways to pay the check now that it has to be paid.

Mr. Speaker, even though conferees have apparently trimmed the total tab on the bill to somewhere around $200 billion, it is clear that they are having trouble finding the funds they need to pay for the bill.

We know that BESTEA conferees evidently planned to use a combination of directed scorekeeping provisions, smoke and mirrors, and what is the unkindest cut of all, a reduction in veterans' compensation for smoking-related illnesses.

Mr. Speaker, the Minge amendment which has just been noticed will be offered tomorrow because, as you know, the Office of Management and Budget has estimated that savings of $17 billion over 6 years could be achieved by eliminating existing smoking-related disability benefits to veterans who became addicted to nicotine during military service but whose disability occurred only after they left military service.

The Congressional Budget Office has disputed the OMB estimates. Their savings estimates are only about $10.5 billion, and many people believe that, based on VA's current claims, that even the CBO estimate may be too high.

Nonetheless, the Senate budget resolution counted the OMB savings as an offset for the increased highway and transit spending, and the conferees on the final version of the highway bill are apparently about to adopt this overblown savings estimate, even though neither the House nor the Senate-passed highway bills included any provision to cut veterans' compensation.

What that directed scorekeeping means in plain English is that the Congress would be able to bust the budget by billions of dollars and hide the fact from the general public. That is why the gentleman from Minnesota (Mr. MINGE) wants to offer the motion tomorrow in order to try to prevent that.

Meanwhile, we are trying today in this motion to deal with the parallel problem. Apparently, the conferees on the transportation bill have decided to spend $9 billion on over 1,500 pork barrel projects included in the House bill and a nondetermined number of Senate pork projects, and would pay for that pork by cutting health care benefits for veterans.

In short, Mr. Speaker, apparently the conferees would produce a product which would commit highway robbery on veterans' health care.

Mr. Speaker, over 50 veterans groups and other groups oppose these cuts in disability benefits to sick and disabled veterans, or to sick and disabled veterans who have legitimate service-connected claims. The organizations that oppose this action are the Veterans of the Vietnam War; Vietnam Era Veterans Association; Vietnam Veterans of America; the Air Force Sergeants Association; American Ex-Prisoners Of War; American Paraplegia Society; Association of the U.S. Army; Blinded Veterans Association; Brotherhood Rally of all Veterans Organization; Catholic War Veterans, U.S.A.; The Enlisted Association of the National Guard of the United States; Jewish War Veterans of the U.S.A.; Legion of Valor of the U.S.A.; Military Chaplains Association of the U.S.A.; Military Order of the Purple Heart; National Amputation Foundation; National Association for Uniformed Services; National Association of County Veterans Service Officers; National Association Of Military Widows; National Coalition For Homeless Veterans; Noncommissioned Officers Association; Nurses Organization of Veterans Affairs; Polish Legion of American Veterans; The Retired Officers Association; Society Of Military Widows; U.S. Merchant Marine Veterans of World War II, and so on, and so on.

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Also I have received a number of letters today from organizations that I did not mention, including the American Legion. I would quote briefly from some of these letters.

The letter from the American Legion says:

Simply put, Members who support rescinding future veterans benefits to pay for highways and mass transit projects should be ashamed of their actions.

The Disabled Americans Veterans letter reads in part as follows:

Your effort to introduce a motion to instruct the House conferees on H.R. 2400 not to use so-called ''savings'' from disability compensation for the highway fund is greatly appreciated.''

AMVETS, they say as follows:

AMVETS strongly supports your motion to instruct conferees on H.R. 2400 not to use veterans' money to pay for these highway projects.

Vietnam Veterans of America:

We feel very strongly that this anti-veteran provision must be stricken from the ISTEA conference report. The fact that Congress is considering taking $16 billion away from veterans compensation in order to increase spending in the Intermodal Surface Transportation and Efficiency Act is an affront to every American who served in the military.

The VFW says as follows:

All Members of the House and Senate must certainly be aware by now of the VFW's outrage regarding the initiative to deprive veterans of the VA compensation to which they are now entitled. This callous assault on veterans in need is made all the more egregious by the fact that the resulting savings are being used to pay for pork-barrel spending in the budget-busting transportation bill.

I have a number of other letters which I will submit for the RECORD.

I would simply ask the House, Mr. Speaker, to vote for this amendment, and I would ask those who vote for it not to do so if they then intend to allow the conferees to come back and, through indirection, accomplish indirectly what we are trying to prohibit directly here today.

Mr. Speaker, this highway bill should not be paid for by cutting back veterans' compensation or veterans' health care benefits. The House originally said when it passed this bill it would not do that. The chairman of the committee put out a press release indicating that he was strongly opposed to doing that. I would hope, therefore, that the committee would stick to their original promise and not in fact allow it to happen, what we have been told from a number of sources they intend to let happen without this motion.

Mr. Speaker, I include for the RECORD the letters from veterans groups referred to earlier:

THE AMERICAN LEGION,
OFFICE OF THE NATIONAL COMMANDER,
Washington, DC, May 20, 1998.

DAVID R. OBEY,
Ranking Minority Member, House Committee on Appropriations, Washington, DC.

DEAR REPRESENTATIVE OBEY: The American Legion fully supports your motion to instruct House Conferees on H.R. 2400, Building Efficient Surface Transportation and Equity Act (BESTEA) of 1998, that insist no provisions to prohibit or reduce service-connected disability compensation to veterans for tobacco-related illnesses be included in the conference report on H.R. 2400 to offset spending for highway or transit programs.

Your motion would uphold Congress' moral, ethical and legal responsibilities with regard to veterans service-connected injuries or illnesses that resulted from addiction to tobacco while serving in the armed forces. Furthermore, your motion would uphold the Sense of the Congress language, contained in section 1001 in the House passed BESTEA legislation, ''to not include any provision

making a change in programs or benefits administered by the Secretary of Veterans Affairs.''

Simply put, members who support rescinding future veterans benefits to pay for highways and mass transit projects should be ashamed of their actions. The American Legion appreciates your leadership, commitment and dedication to ensure Congress remains the protector and guardian of veterans benefits and not reckless financial raiders.

Sincerely,

ANTHONY G. JORDAN,
National Commander.

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
Washington, DC, May 20, 1998.

Hon. DAVID OBEY
U.S. House of Representatives, Washington, DC.

DEAR MR. OBEY: All members of the House and Senate must certainly be aware by now of the VFW's outrage regarding the initiative to deprive veterans of the VA compensation to which they are now entitled for their smoking-related disabilities. It is for this reason that we strongly support and applaud your motion to instruct the Conferees to the Transportation Bill that no savings realized by prohibiting or reducing veterans service-connected disability compensation be used to offset spending for highway or transit programs.

This callous assault on veterans in need is made all the more egregious by the fact that the resulting savings are used to pay for pork barrel spending in the budget busting Transportation Bill. We emphasize our amazement and chagrin that the language to change the law and deny such VA compensation as contained in the Transportation Conference Report is in clear violation of House Rules. It clearly usurps the authority and jurisdiction of the Veterans' Affairs Committee. This action further violates House rules in that neither the House nor State version of this bill contains such a provision.

We are both incredulous and outraged that certain lawmakers would so distort and violate House rules for the sole purpose of denying veterans earned compensation. That the resultant savings are to be used to pay for excessive spending brought about by their own vote-buying pork is scandalous. The VFW salutes you for your courage in resisting this anti-veteran assault and pledge to work together with you in seeing its defeat.

Sincerely,

JOHN E. MOON,
Commander-in-Chief.

DISABLED AMERICAN VETERANS,
Washington, DC, May 20, 1998.

Hon. DAVID OBEY,
Ranking Democratic Member, House Appropriations Committee, Washington, DC.

DEAR REPRESENTATIVE OBEY: Veterans across this Nation are outraged that Congress would consider robbing veterans' disability compensation programs to fund an already bloated transportation program. Your effort to introduce a Motion to Instruct the House Conferees on H.R. 2400 not to use so-called ''savings'' from disability compensation for the highway fund is greatly appreciated.

On behalf of the more than one million members of the Disabled American Veterans (DAV), I commend you for your efforts to protect veterans and their dependents and survivors.

We will be calling upon all DAV and Auxiliary members to contact their elected officials to encourage their Representative to support your motion.

Thank you for your efforts on behalf of America's sick and disabled veterans.

Sincerely,

HARRY R. MCDONALD, Jr.,
National Commander.

VIETNAM VETERANS OF AMERICA, INC.,
Washington, DC, May 20, 1998.

Hon. DAVID OBEY,
Ranking Democratic Member, House Committee on Appropriations, Washington, DC.

DEAR REPRESENTATIVE OBEY: On behalf of the membership of Vietnam Veterans of America (VVA), I write to strongly support your motion to instruct the House conferees on H.R. 2400, related to the provision which would prohibit service-connected disability compensation for veterans with tobacco-related illnesses. VVA feels very strongly that this anti-veteran provision MUST be stricken from the ISTEA conference report.

The fact that Congress is considering taking $16 billion away from veterans compensation programs in order to increase spending in the Intermodal Surface Transportation and Efficiency Act (ISTEA) is an affront to every American who served in the military. And the fact that Congress may cut veterans disability compensation only days before the national celebration of Memorial Day is an outrage. This is outright disregard of the service and sacrifice made by these veterans and their families.

Holding a vote on your motion to instruct conferees is the only way we can put House members on record for making this choice—pork-barrel transportation projects versus veterans disability and health care programs. VVA strongly urges every member of the House of Representatives to vote for your motion, Mr. OBEY. Our members will look to this vote as a definitive indication of each elected House member's support for veterans—or lack of support.

VVA greatly appreciates your initiative and support on behalf of our nation's 25 million veterans and their families. We are very hopeful that you will prevail in this effort to insist that no provisions are included in the ISTEA conference report to prohibit or reduce service-connected veterans disability benefits.

Sincerely,

GEORGE C. DUGGINS,
National President.

AMVETS,
NATIONAL HEADQUARTERS,
Lanham, MD, May 20, 1998.

Hon. DAVID OBEY,
U.S. House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE OBEY: As you are already aware, there is an outrageous proposal to terminate benefits for service-connected disabled veterans to increase spending on pork barrel highway projects. We ask you to vigorously oppose this scheme.

AMVETS strongly supports your motion to instruct conferees on H.R. 2400 not to use veterans' money to pay for these highway projects. The Senate Budget Resolution and some members of the conference committee on Intermodal Surface Transportation Efficiency Act (ISTEA) want to create $10.5 billion in savings by eliminating compensation and resulting priority VA health care for veterans with illnesses associated with addiction to nicotine which occurred during military service.

Denying these benefits is an unprecedented move. But worse, many in the House and Senate want to use the $10.5 billion as offsets to increase highway spending above levels set last year in the Balanced Budget Act.

Supporters of this ''grab'' for veterans dollars have spread many false and misleading facts about the impact of terminating these service-connected benefits. This is not a new benefit and it will affect more veterans than just those suffering from smoking related illnesses. We see this as a way for the Department of Veterans Affairs to begin disallowing claims of other veterans like Atomic veterans, Agent Orange exposure and Persian Gulf illnesses. Think about it, if someone has lung cancer and the VA can show that he or she smoked, they can deny the claim because they believe the cancer was caused from smoking.

We ask you to strongly object to this proposal and we thank you for your support on this issue.

Sincerely,

JOSEPHUS C. VANDENGOORBERGH,
AMVETS National Commander.

NON COMMISSIONED OFFICERS ASSOCIATION OF THE UNITED STATES OF AMERICA,
Alexandria, VA, May 20, 1998.

Hon. DAVID OBEY,
Ranking Member, Committee on Appropriations, House of Representatives, Washington, DC.

DEAR MR. OBEY: The Non Commissioned Officers Association of the USA (NCOA) is writing to state its strong support for your Motion to Instruct House Conferees on H.R. 2400 to insist that no provisions to prohibit or reduce service-connected disability compensation to veterans for smoking-related illnesses be included to offset spending for highway or transit programs.

This Association is outraged that a veteran entitlement is proposed to be summarily taken away in order to offset a bill that is undeniably loaded with waste and election year politics. It is NCOA's understanding that veteran's disability compensation is not the only offset, and now estimated at $16 billion, that is under consideration. It is painfully clear that veterans have been once again, unfairly singled out and targeted.

NCOA salutes your leadership on the Motion to Instruct and this Association is dedicated to ensuring that the veteran offset is not a part of the conference report on H.R. 2400.

Sincerely,

LARRY D. RHEA,
Deputy Director of Legislative Affairs.

BLINDED VETERANS ASSOCIATION,
Washington, DC, May 20, 1998.

Hon. DAVID R. OBEY,
Rayburn House Office Building,
Washington, DC.

DEAR MR. OBEY: The Blinded Veterans Association (BVA), strongly supports your motion to instruct the House Conferees on H.R. 2400. This motion, to insist that no provisions to prohibit or reduce service-connected disability compensation to veterans for smoking-related illnesses, has our full backing. BVA deeply appreciates your efforts to protect Veteran's programs and services from the egregious offset contained in the conference report. It is outrageous that Veteran's programs are targeted at all for offsets for transportation. It is even more unconscionable to learn veterans are the only offset contained in the Report.

Again we applaud your motion and will do all we can to assure its adoption.

Very sincerely,

THOMAS H. MILLER,
Executive Director.

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

Mr. PETRI. Mr. Speaker, I yield 1½ minutes to the gentleman from Arizona (Mr. HAYWORTH).

Mr. HAYWORTH. Mr. Speaker, I thank both my colleagues from Wisconsin, because a bit of recent history may be in order here.

Mr. Speaker, I appreciate the efforts of my friend on the other side of the aisle, the gentleman from Wisconsin (Mr. OBEY), to restate what essentially we have done.

I would remind the House, Mr. Speaker, that in passing the rule for the authorization bill there was a self-executing amendment sponsored by myself, by the chairman of the Committee on Veterans' Affairs, the gentleman from Arizona (Mr. STUMP), and my colleague the gentleman from Washington (Mr. REDMOND) celebrating his one year anniversary of service in this House today.

Perhaps this will afford other Members who perhaps failed to vote for the rule an opportunity to join with us to stand firm to protect veterans' programs, as we stated in the rule. So, in that spirit of bipartisanship, if this would afford Members who avoided voting for the rule on authorization, if they want a second bite at the apple, well, that is fine, because it also restates the intent of a majority of us who have gone on record in this House with a vote to say absolutely, keep veterans' programs intact; do not even contemplate spending any of that money.

So, in that sense I am very grateful if Members from the other side want to join with us, and perhaps some of those Members have reconsidered their notion with the rule. So I say thank you, and I look forward to having so many other Members stand with us.

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

Mr. Speaker, I would simply say that despite that interesting rewrite of history on the rule, the fact is a good many of us, you bet, did vote against the rule on the highway bill because that rule provided for the consideration of a bill which spent over $200 billion without telling the country in the slightest where they were going to get the money to pay for the excess in that bill.

So the fact is, Mr. Speaker, that because that rule was self-executing, Members never had a chance to vote specifically on that provision. We are certainly giving them one now.

But do not kid yourself, the vote on the rule was cast against that rule by most Members of the House who voted against it because of our objection to the sleight-of-hand approach by which the committee was going to be able to bring a bill to the House floor without saying how its budget-busting was going to be paid for.

I make no apology whatsoever for the Members who voted against that rule. It was the right thing to do from the standpoint of protecting the taxpayers.

Mr. Speaker, I yield 30 seconds to the gentleman from Arizona.

Mr. HAYWORTH. Mr. Speaker, I want to state for the record that I am pleased so many want to join us again in restating our intent to say that veterans' funds are off limits. I have no quarrel with that with the gentleman, but, again, we may differ on our interpretations of history. I came to the well of this House and offered this amendment specifically for this reason. To the extent my friend wants to join me now and restate it in a motion to instruct conferees, I welcome that.

Mr. OBEY. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, again, I find that to be an irrelevancy. The fact is that my only concern with the gentleman's remarks relates not to his position on veterans' health care. It did relate to the gentleman's description of the vote against the rule, which was, in my view, a very large misdescription.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Illinois, (Mr. EVANS) the ranking Democrat on the Committee on Veterans' Affairs.

(Mr. EVANS asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. EVANS. Mr. Speaker, I rise in support of the motion offered by the gentleman from Wisconsin (Mr. OBEY).

Mr. Speaker, there are many reasons for my support for the motion to instruct the conferees on H.R. 2400, offered by the gentleman from Wisconsin, Mr. OBEY, the ranking Democratic member of the House Committee on Appropriations. These reasons include the following:

As approved by the House, H.R. 2400 contained a provision to prevent a reduction in or the elimination of any current veterans benefit to provide ''savings'' needed to pay for or offset an increase in spending for highways and transit programs authorized by H.R. 2400. The language of H.R. 2400 as approved by the House and the intent of the House on this issue is not in doubt.

Recently, the chairman of the House Veterans Affairs Committee, the gentleman from Arizona, BOB STUMP, and I sent a letter to Speaker GINGRICH, Minority Leader GEPHARDT and every House member of the Conference Committee on H.R. 2400. Twenty-two of our colleagues who are Members of the House Committee on Veterans Affairs joined us in sending those letters. I ask that the text of these letters be included in the RECORD as part of my statement.

Our letters to Speaker GINGRICH, Minority Leader GEPHARDT and every House member of the Conference Committee reaffirmed the provisions in H.R. 2400 as approved by the House which prevents a reduction in or the elimination of any current veterans benefit to provide ''savings'' needed to pay for highways and transit programs authorized by H.R. 2400.

Additionally, as our letters note, measures relating to veterans benefits under the rules of the House are, generally, within the jurisdiction of the Committee on Veterans' Affairs, not the Committee on Transportation and Infrastructure. I am sure the chairman of the Committee on Transportation and Infrastructure understands that the jurisdiction of that committee does not include veterans' matters.

Our country is the most wealthy nation on the face of the planet. We enjoy liberties and freedoms enjoyed by few others and envied by most. It is our Nation's veterans to whom we are all indebted for the freedoms we enjoy and too often take for granted. While I strongly support the reauthorization of the Intermodal Surface Transportation Efficiency Act of 1998, our Nation can pay for new roads without committing highway robbery of veterans benefits.

In recent weeks, an aggressive print and radio advertising campaign by leading veterans groups has pleaded with Congress to not ''rob our veterans again!'' to offset major spending increases for highway and transportation programs.

The concerns expressed by these veterans advocates are unfortunately all too real.

The Congressional Budget Office [CBO] has estimated that spending for veterans benefits will be reduced by $10.5 billion over the next 5 fiscal years by eliminating existing smoking-related disability benefits to veterans able to show they became addicted to nicotine while in the military. Terminating this benefit and using these ''savings'' to offset nonveteran major spending increases is, in plain terms, a money grab at the expense of veterans. And it stands a good chance of succeeding unless the Republican leadership takes action during negotiations over the long overdue highway bill in the coming days to prevent this daylight robbery.

Congress should reject a transportation funding approach which effectively ends an existing veterans benefit. With the Congressional Budget Office [CBO] projecting a surplus of as much as $63 billion for this fiscal year—instead of the $15 billion projected when the House approved its version of the highway bill—it's simply not necessary to eliminate a veterans' benefits to provide much-needed funds for roads and bridges.

If this daylight robbery is permitted to happen, sick and disabled veterans—unlike recipients of Social Security disability benefits—would no longer be eligible for compensation benefits for nicotine addiction and resulting illnesses. This, despite the undeniable role our Government and tobacco companies have played facilitating—if not encouraging—veterans to smoke during their military service.

Total cigarette sales soared in the 1940's. During what a 1949 Fortune magazine article called ''the war boom in cigarette demand,'' tobacco giant Philip Morris recorded record sales in the fiscal year ending March 31, 1945. Nearly one-third of its sales went to our Nation's Armed Forces.

As many as 75 percent of our World War II veterans began smoking during their military service, a number perhaps not surprising given that cigarettes were routinely distributed free of charge to members of the Armed Forces as part of their ''C-rations.'' Military exchanges sold cigarettes at dramatically reduced prices. From the time of the Civil War until 1956, the Army was required by law to provide a cheap and nearly endless supply of tobacco to its enlisted men.

During my own service as an enlisted Marine in the Vietnam-era, smoke breaks and ''smoke 'em if you got 'em'' was the way of military life.

Given this backdrop, it's not hard to understand how many veterans began smoking and developed an addiction to nicotine during their military service. In my view, and in the view of

many who served, they did so in large part because our Government and tobacco companies made cigarettes so accessible and easy to smoke.

But while common sense and the current public debate over tobacco would suggest that our Government should own up to its responsibilities to American veterans on this issue, Washington politics has unnecessarily clouded this issue for some Members of Congress.

In an era where most people are now willing to concede that the tobacco industry is at least partly to blame for marketing to vulnerable populations and for concealing the dangers of smoking from the public at large, some in Congress apparently believe America's veterans singularly had a unique ability to accurately foresee the consequences of their tobacco use. At a time when documents uncovered during recent tobacco litigation confirm long-held suspicions that for years big tobacco knowingly concealed the dangers of smoking from the public, the administration and some in Congress appear poised to take the hypocritical view that veterans—unlike other Americans—should have known better than to become addicted to nicotine during their military service.

Veterans deserve the benefit of the doubt, not the short end of the stick, on this issue. The conferees on the highway bill should stick to House language which, as Transportation Committee Chairman BUD SHUSTER (R-PA) says, "does not touch veterans benefits." Veterans programs or benefits should not be used to offset spending increases in the highway bill. There are better ways to pave roads than to break the promises we as a nation have made to America's veterans.

Mr. PETRI. Mr. Speaker, I yield 2 minutes to our distinguished colleague, the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, it is always interesting, those that say they want to save taxpayer dollars, for 40 years big government, higher taxes, more spending. I even remember a $16 billion pork-barrel package when the Democrats were in power for parking garages in Puerto Rico and sickle fin fishes in dictionaries.

But that is not the issue at hand. The issue is veterans' health care. The FEHBP is a far bigger issue than to pay for smoking for our veterans. Right now, civilians have the right to a wraparound program when they come under Medicare and they can take up FEHBP. The same person in an office in the Pentagon, a secretary gets that but someone in the military does not get FEHBP.

There is going to be a bill on the floor that really helps, instead of a Band-Aid, fix FEHBP. Many of us under the Watts-Moran bill want the $100 million the first year and then to be escalated. That takes away a Band-Aid fix.

If you are really interested in helping the military, let us not only vote for the manager's amendment, let us support it and let us increase it. That will add to TRICARE, it will help subvention, it will help Medicare for the military, and it will give them FEHBP which they should have gotten a long time ago. It is far more important than this in the transportation bill which some are demagoging.

Mr. OBEY. Mr. Speaker, I yield four minutes to the distinguished gentleman from Texas (Mr. EDWARDS), the former ranking member of the Subcommittee on Veterans' Health Care.

Mr. EDWARDS. Mr. Speaker, it is not good enough for Members of Congress to just honor veterans on Veterans Day and Memorial Day. We should honor them today, now, with this vote. Veterans may appreciate our speeches next week on Memorial Day, but today veterans need and they deserve our vote.

Today we have a choice. It is a clear choice. We can choose to defend veterans' health care programs or we can vote in a few moments to allow millions, if not billions of health care dollars going to veterans to be spent on our highway program. Personally, I think it would be a sad day if less than one week before Memorial Day this House votes to allow veterans' health benefits to be cut.

But, Mr. Speaker, the voice that needs to be heard today on the floor of this House is not my voice. The voice that deserves to be heard is the voice of our Nation's veterans.

Let me turn to several of the letters, some of which were referred to by the gentleman from Wisconsin (Mr. OBEY) in his comments.

First, the Vietnam Veterans of America said this: "On behalf of the membership of Vietnam Veterans of America, I write to strongly support your motion to instruct the House conferees on H.R. 2400. The fact that Congress may cut veterans disability compensation only days before the national celebration of Memorial Day is an outrage. This is outright disregard of the service and sacrifice made by these veterans and their families."

Signed by George Duggins, National President of Vietnam Veterans of America.

The Veterans of Foreign Wars of the United States, signed by Mr. John Moon, Commander-in-chief, said this: "We are both incredulous and outraged that certain lawmakers would so distort and violate House rules for the sole purpose of denying veterans earned compensation."

Mr. Speaker, let us listen to the voice of Disabled American Veterans, veterans who have continued to pay the price of war long after the ceasefire was concluded. Harry McDonald, National Commander of DAV, said this: "We will be calling upon all DAV and Auxiliary members to contact their elected officials to encourage their Representative to support your motion," the Obey motion.

Mr. Speaker, let us listen to the Members of the American Legion, Anthony Jordan, National Commander: "The American Legion fully supports," Mr. Obey, "your motion to instruct House conferees on H.R. 2400. Your motion would uphold Congress' moral, ethical and legal responsibilities with regard to veterans service-connected injuries or illnesses that resulted from addiction to tobacco while serving in the armed forces."

Let us listen to the voice, Mr. Speaker, of America's AMVETS. "This is not a new benefit and it will affect more veterans than just those suffering from smoking-related illnesses." They go on in their letter to support Mr. Obey's motion.

Finally, let us hear from the voice of blinded Americans, the Blinded Veterans Association. Its director, Thomas Miller, said this: "The Blinded Veterans Association strongly supports," Mr. Obey, "your motion to instruct the House conferees on H.R. 2400.

□ 1800

"It is outrageous that veterans' programs are targeted at all for offsets for transportation. It is even more unconscionable to learn veterans are the only offset contained in the report."

Mr. Speaker, I hope in a few moments the Members of this House, most of whom will go home to speak with veterans on Memorial Day, will listen now to the voices of our veterans who have served our country.

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

Mr. OBEY. Mr. Speaker, do I have the right to close?

The SPEAKER pro tempore (Mr. GIBBONS). The gentleman from Wisconsin (Mr. OBEY) has the right to close.

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

Let me be very brief, and perhaps those speakers will not be back by the time I finish and we can wrap it up with concluding remarks.

Mr. Speaker, I want to report that the bipartisan leadership of our committee, the gentleman from Wisconsin (Mr. OBERSTAR) and the gentleman from West Virginia (Mr. RAHALL), as well as myself and the gentleman from Pennsylvania (Mr. SHUSTER), our chairman, have been working hard in a number of conference meetings, not of the full conference, but of the leadership of the full committee in the House and the other body. As the dean of my delegation knows, conferences are a very difficult thing involving a lot of give and take, and we appreciate the advice of our colleagues as we attempt to work things out. We certainly are very aware of the concern that we all share that we are fair to the veterans of our country.

The bill is close to being concluded, but not there. The amendment that has been offered, or the motion to instruct that has been offered before us is one that is helpful in that the structure of any offset has not been determined. There are negotiations going on with OMB and the other body and a variety of people to try to see if we cannot be sure that there are some improvements for our veterans in this bill if they are dealt with at all.

We were under instructions to try to stick within the budget agreement, not

use any offsets that could not be defended, and to minimize, to the extent we possibly can, offsets that the administration had indicated they were going to come forward with through their budget process for other programs.

In that spirit, we have cut back significantly on the size of this bill. When it passed the House it was at $217 billion, it is currently being contemplated and scored at about $200 billion over 6 years, all of which would come in gas tax revenue, paid at the pump for transportation by the American motorists. The actual scoring effort should mean that we would be within that figure, but still keep the principle that new money coming in in user fee revenues be used to try to make our highways more safe, save lives and improve our Nation's competitiveness.

Again, these motions can be offered to conferences. They have been offered in the past by members of my party when the roles were reversed, and we appreciate the concern that the motion represents, and it is a give and take process. We are going to do the best we can, but we are going to try to come back with a product at the end of the day that is an improvement over current law and that all Members will be proud to support.

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

Mr. OBEY. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) has 16 minutes remaining.

Mr. OBEY. Mr. Speaker, I do not intend to use all the time, but let me yield myself such time as I may consume to simply recount what is happening here.

When this bill first came to the floor, a number of us warned at the time that if the rule was adopted for the consideration of the bill, and if the bill was passed, we would set in motion a series of events that would be totally unpredictable. The bill did not tell us how the overage, above the amount allowed in the budget that this Congress so vociferously adopted last year, the bill did not tell us how that overage would be paid for; it left it silent. We warned at the time the bill was being considered that there were rumors that it would be paid for by reductions in veterans' health care; we warned that there were also rumors that it might be paid for, in part, by eliminating the President's education initiatives, and we urged Members not to vote for a bill until they knew where the money was coming from to pay for it. The House disregarded those warnings and they voted for the bill.

Now, we are being told by many sources that the conferees in fact do intend to pay for the excess above the amount allowed in last year's budget agreement by in fact directing scoring on this veterans' health care item, and therefore, they intend to pay for approximately $16 billion in highway funds by the same long-term cutbacks in veterans' health care. We are told that that is virtually the only item at this point that has been tentatively agreed to by the conferees.

Now, that is why we are bringing this motion, because we have moved from the general concern to the specific.

I would ask every Member of this House who cares about our commitment to veterans to vote for this motion, but I would ask the committee not to accept this motion if they intend to accept it, pat the House on the head, simply give Members a vote to cover their tails on veterans' health care issues, and then proceed to come back to the House with a bill that does something similar to what we are trying to prohibit in this motion.

If we intend to in fact reduce benefits for veterans, then do not, I would say to the committee, encourage Members to vote for this motion today. Let us play it on the square. This motion should be passed and the conferees should not, in fact, bring a bill back to the House which does violence to the instruction contained therein.

Mr. EDWARDS. Mr. Speaker, will the gentleman yield?

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

Mr. EDWARDS. Mr. Speaker, if I could just ask the distinguished gentleman one question. In my 8 years in the House, I do not think there has been anything close to a proposed $15 billion cut in veterans' programs. I know the gentleman has been here a number of years longer than I have, and my question to the gentleman would be, in all of the years he has been in this body, has there ever been a proposal passed that would have cut as much as $15 billion out of veterans' health care programs?

To my knowledge, that has never occurred, and if that is true, what the gentleman is basically trying to stop today and what Members are going to vote on in just a minute is whether or not they want to allow the largest single cut in our time for veterans' health care benefits.

Mr. OBEY. Mr. Speaker, reclaiming my time, I would simply say to the gentleman from Texas, I certainly do not know of any time in the time that I have been in this Congress when we have even contemplated reducing veterans' benefits by such a large amount, and I would hope that we see nothing like that in the bill that is being reported by the committee, or that will be reported by the committee very shortly.

Mr. EDWARDS. Mr. Speaker, if the gentleman would further yield, I appreciate the gentleman's comments and his leadership in defending veterans programs.

Mr. OBEY. Mr. Speaker, if I could continue, I would simply say that I believe strongly in additional funds for highway construction. I have led the fight early and often, both in the legislature and in the Congress, for a greater commitment to transportation infrastructure development and certainly to highways. I take a back seat to no one in placing highways as a high priority on my scale, but they are not my only priority, and I certainly would not rank them above veterans' health care. I find it especially disturbing that these veterans' health care cuts apparently are being contemplated in order to pay for a record number of special projects for Members and their districts.

NOTICE OF INTENTION TO OFFER MOTION TO INSTRUCT ON H.R. 2400, BUILDING EFFICIENT SURFACE TRANSPORTATION AND EQUITY ACT OF 1998

Mr. OBEY. Mr. Speaker, before I yield back the remainder of my time, pursuant to clause 1(c) of House rule XXVIII, I hereby notify the House of my intention tomorrow to offer the following motion to instruct House conferees on H.R. 2400, Building Efficient Surface Transportation and Equity Act of 1998.

To wit: I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill, H.R. 2400, be instructed to limit the aggregate number of earmarked highway demonstration projects included in the conference report on H.R. 2400 to a number that does not exceed the aggregate number of such highway demonstration projects earmarked during the 42 years since the enactment of the Highway Trust Fund in 1956.

In other words, I do not believe that veterans' health care should be cut back in order to provide funding for the amount of highway projects which exceeds the total of all special projects provided in that bill in the 42 years since the enactment of the Highway Trust Fund.

Having given that notice, I would urge an ''aye'' vote on this motion.

Mr. RODRIGUEZ. Mr. Speaker, I rise in strong support for the Motion to Instruct Conferees offered by the gentleman from Wisconsin, Mr. OBEY.

This motion instructs BESTEA conferees not to cut benefits for veterans to pay for the transportation bill.

The House already agreed with this position last month when we passed H.R. 2400. Our version of BESTEA included language that called for any increased spending by conferees not change any veterans programs.

I believe in BESTEA. I voted for BESTEA. I think a strong transportation system is vital to our continued economic development and our national security.

However, we owe a debt to our veterans. We cannot let them down by denying currently available benefits to fund even the worthiest projects.

The transportation bill is not the place to modify veterans benefits. That is an issue under the jurisdiction of the Veterans' Affairs Committee. Any changes should be for the benefit of the veterans.

Over the last several months, the DAV, the VFW, the American Legion, and all of the major veterans' service organizations, have urged Congress to reject the VA's proposal to

deny service-connected disability compensation for disabilities related to tobacco use.

They want to know why service-connected disability compensation should be taken away from seriously ill veterans or their survivors. They want to know why these benefits are seen as a waste.

After all, these benefits are not just given to each and every veteran that smoked. Veterans must undergo a rigorous claims process to establish their entitlement to these benefits. So far, only 299 veterans even qualify for this benefit.

It is unfair to ask those who have already served to keep making sacrifices time and time again.

Veterans are already being asked to forego long overdue increases for veterans programs: increases in Montgomery GI funding to keep up with the rising costs of education; certain survivors' benefits; improved disability benefits.

What are we going to tell our veterans?

I urge passage of the motion.

Mr. ABERCROMBIE. Mr. Speaker, I rise in support of the Obey motion to instruct the highway authorization conferees not to allocate veteran program benefits to offset part of the cost of the highway bill.

We must recognize for the first time in 50 years the United States has realized a budget surplus. Although funding for the Social Security must be the highest priority, there should be sufficient funds for other important programs, such as the highway bill.

I am deeply concerned this provision is an attempt to make the benefits of those who have served us so well in our fight for the preservation of freedom a repository to be tapped. The military encouraged the tobacco habit by issuing cigarettes to its members as part of their rations. The Services encouraged the smoking habit before they knew the consequences of this action. This provision as written could deny veterans medical health care. So how can we, as a nation which cherishes its democracy, not take responsibility for our action. We must also recognize that the Veterans Administration is being deliberate in granting service connected compensation for tobacco related illnesses. Veterans must prove that the addiction to nicotine in these cases occurred prior to separation from the service. To date there have been approximately 9,000 claims for tobacco related illness and of those 9,000, 4,000 have been denied; and a maximum of 299 allowed.

We, as a nation owe a great debt of thanks to those who have served in our military and in return promised to provide for their medical needs for life. Let us not renege on our promise. Veterans did not question when they were asked to go into combat and risk their lives to defend this great nation and the value it still stands for. Veterans met the challenge laid before them and continue to contribute to the betterment of their communities. It is an egregious act to offset the BESTEA reauthorization bill on the backs of our faithful veterans who have defended us in our time of need. I support the Obey motion to instruct the BESTEA conferees to refrain in the use of the veteran compensation provision as an offset. To deny veterans compensation for tobacco related illness to pay for the transportation bill is an insult to those who stood in the gap; placing their lives on the line to preserve the freedom, this democracy, we so cherish.

Let us search for a solution that keeps promises we made to veterans.

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

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

There was no objection.

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

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

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 10, as follows:

[Roll No. 174]

YEAS—422

Abercrombie
Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
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
Castle
Chabot
Chambliss
Chenoweth
Christensen
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
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
Foley
Forbes
Ford
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
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
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
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 (FL)
Menendez
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—10

Bateman
Carson
Clay
Gonzalez
Harman
Meeks (NY)
Pelosi
Pryce (OH)
Schumer
Stabenow

□ 1831

Messrs. GILCHREST, COBURN, GANSKE, and RIGGS changed their vote from ''nay'' to ''yea.''

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.