

Chabot  
Chambliss  
Chenoweth  
Clay  
Clayton  
Clement  
Clyburn  
Coble  
Coburn  
Collins  
Combust  
Condit  
Conyers  
Cook  
Cooksey  
Costello  
Cox  
Coyne  
Cramer  
Crane  
Crowley  
Cubin  
Cummings  
Cunningham  
Danner  
Davis (FL)  
Davis (IL)  
Davis (VA)  
Deal  
DeGette  
Delahunt  
DeLauro  
DeLay  
DeMint  
Deutsch  
Diaz-Balart  
Dickey  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Everett  
Ewing  
Farr  
Fattah  
Filner  
Fletcher  
Foley  
Forbes  
Ford  
Fossella  
Fowler  
Frank (MA)  
Franks (NJ)  
Frelinghuysen  
Frost  
Gallegly  
Ganske  
Gejdenson  
Gekas  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Gonzalez  
Goode  
Goodlatte  
Goodling  
Gordon  
Goss  
Graham  
Green (TX)  
Green (WI)  
Greenwood  
Gutierrez  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hansen  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hefley

Herger  
Hill (IN)  
Hill (MT)  
Hilleary  
Hilliard  
Hinchev  
Hinojosa  
Hobson  
Hoeffel  
Hoekstra  
Holden  
Holt  
Hooley  
Horn  
Hostettler  
Houghton  
Hoyer  
Hulshof  
Hunter  
Hutchinson  
Hyde  
Inslie  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Jenkins  
John  
Johnson (CT)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Kasich  
Kelly  
Kennedy  
Kildee  
Kilpatrick  
Dooley  
King (NY)  
Kingston  
Klecicka  
Klink  
Knollenberg  
Kolbe  
Kucinich  
Kuykendall  
LaFalce  
LaHood  
Lampson  
Lantos  
Largent  
Larson  
Latham  
LaTourette  
Lazio  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
Livingston  
LoBiondo  
Lowey  
Lucas (KY)  
Lucas (OK)  
Luther  
Maloney (CT)  
Manzullo  
Markey  
Martinez  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCrery  
McDermott  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
McKinney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Metcalf  
Mica  
Millender  
McDonald

Miller (FL)  
Miller, Gary  
Minge  
Mink  
Moakley  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Morella  
Murtha  
Myrick  
Napolitano  
Nethercutt  
Ney  
Northup  
Norwood  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Ose  
Owens  
Oxley  
Packard  
Pallone  
Pascrell  
Pastor  
Paul  
Payne  
Pease  
Pelosi  
Peterson (MN)  
Peterson (PA)  
Petri  
Phelps  
Pickering  
Pickett  
Pitts  
Pombo  
Pomeroy  
Porter  
Portman  
Price (NC)  
Pryce (OH)  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Reyes  
Reynolds  
Riley  
Rivers  
Rodriguez  
Roemer  
Rogan  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rothman  
Roukema  
Roybal-Allard  
Royce  
Ryan (WI)  
Ryun (KS)  
Sabo  
Salmon  
Sanchez  
Sanders  
Sandlin  
Sanford  
Sawyer  
Saxton  
Scarborough  
Schaffer  
Schakowsky  
Scott  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shows  
Shuster  
Simpson  
Sisisky  
Skeen  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)

Smith (WA)  
Snyder  
Souder  
Spence  
Stabenow  
Stark  
Stearns  
Stenholm  
Strickland  
Stump  
Stupak  
Sununu  
Sweeney  
Talent  
Tancredo  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)

Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thune  
Thurman  
Tiahrt  
Tierney  
Toomey  
Towns  
Traficant  
Turner  
Udall (CO)  
Udall (NM)  
Upton  
Velazquez  
Vento  
Visclosky  
Walden  
Walsh

Wamp  
Waters  
Watkins  
Watt (NC)  
Watts (OK)  
Waxman  
Weiner  
Weldon (FL)  
Weldon (PA)  
Wexler  
Whitfield  
Wicker  
Wilson  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)

NAYS—1

Barr  
NOT VOTING—18

Ackerman  
Barrett (WI)  
Carson  
DeFazio  
Gephardt  
Granger

Lofgren  
Maloney (NY)  
McIntosh  
Miller, George  
Nadler  
Neal

Rush  
Spratt  
Thornberry  
Weller  
Weygand  
Wise

□ 1755

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE JOINT RESOLUTION 7

Mrs. EMERSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) be removed as a cosponsor of H.J. Res. 7. His name was inadvertently added on February 2.

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

There was no objection.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 41

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 41, the Mass Immigration Reduction Act.

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

There was no objection.

#### AUTHORIZING FLAGS LOCATED IN THE CAPITOL COMPLEX TO BE FLOWN AT HALF-STAFF IN MEMORY OF R. SCOTT BATES, LEGISLATIVE CLERK OF THE UNITED STATES SENATE

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 6) authorizing flags located in the Capitol complex to be flown at half-staff in memory of R. Scott Bates, Legislative Clerk of the United States Senate, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore. The Clerk will report the Senate concurrent resolution.

The Clerk read as follows:

S. CON. RES. 6

*Resolved by the Senate (the House of Representatives concurring).* That, as a mark of respect to the memory of R. Scott Bates, Legislative Clerk of the United States Senate, all flags of the United States located on Capitol Buildings or on the Capitol grounds shall be flown at half-staff on the day of his interment.

□ 1800

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

Mr. HOYER. Mr. Speaker, reserving my right to object, obviously I will not object, but under my reservation, I am pleased to yield to the gentleman from California (Mr. THOMAS), chairman of the House Committee on Administration.

Mr. THOMAS. Mr. Speaker, I thank the ranking member, the gentleman from Maryland (Mr. HOYER), for yielding.

Obviously, the purpose of the reservation is to let all Members understand that, at the request of the Senate, and quite properly so, Senate Concurrent Resolution 6 requests that we lower to half mast the flags on the Capitol, and it is to recognize the service of Scott Bates to the Senate and, as a matter of fact, to the United States of America.

Mr. Bates, at the time of his tragic death, was struck by an automobile on February 5th. Incidentally, his wife was also seriously injured, but she is expected to recover.

Scott was 50 at the time that he died, and for 30 years he served the United States Senate. The recognition of the service to the Senate over those 30 years is indeed not nearly enough but entirely appropriate that we lower the flags around the Capitol in memory and in recognition of R. Scott Bates.

Mr. HOYER. Mr. Speaker, reclaiming my time under my reservation, I certainly join the chairman, the gentleman from California (Mr. THOMAS), in his remarks.

It is entirely appropriate that the House join the Senate, expressing its regrets to the Senate, expressing its profound regret to the family of Scott Bates, who, as the chairman indicated, served with distinction for over three decades the United States Senate and this country. It is a loss not only for the Senate, not only for the Congress, but for our country as well.

Mr. Speaker, reserving my right to object, I am pleased to yield to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, the Bateses were constituents of mine. They were dedicated to this institution and, most importantly, what they knew this institution can do for this country. They were terrific people, fully involved in their community. They gave and they did not take.

This is a true tragedy, and I appreciate the fact that it is being recognized by the Senate and now by the House. I will not delay it any further but to say that there are a great many of us who knew Scott Bates and what he stood for and are very proud that he chose to serve this institution.

Mr. HOYER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from California?

There was no objection.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

#### DISTRICT OF COLUMBIA MANAGEMENT RESTORATION ACT OF 1999

Mr. DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the bill (H.R. 433) to restore the management and personnel authority of the Mayor of the District of Columbia, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

Ms. NORTON. Mr. Speaker, reserving the right to object, although I do not intend to object, I yield to the gentleman from Virginia (Mr. DAVIS) for the purpose of explaining the bill.

(Mr. DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Virginia. Let me say, Mr. Speaker, this is a new era in the District of Columbia; and it is my strong belief that the time has come to shift substantial authority from the Control Board back to the city's elected mayor and give the elected mayor the greater flexibility he has sought over top personnel. This bill gives Mayor Williams the tools he needs to do the job.

H.R. 433 does not alter the time period or the conditions for the Control Board to function in an active phase. The bill takes nothing away from the Control Board's ability to intervene if necessary during a control period which still exists, but it does give the mayor direct control over the reporting and the hiring authority of some of his top personnel.

If we want democracy to succeed, we need to allow the elected leadership in the cities to start making decisions, standing behind those decisions, without being second-guessed every step of the way.

My thanks also to the gentlewoman from Maryland (Mrs. MORELLA) for being the original cosponsor in the legislation, along with the gentlewoman from the District of Columbia (Ms. NORTON), and of course to my friend the gentleman from Virginia (Mr.

MORAN) and the gentleman from California (Mr. HORN) and the gentleman from Florida (Mr. SCARBOROUGH), who I am requesting be added as sponsors today.

The Congressional Budget Office has certified this bill would not affect the Federal budget. I would urge passage of H.R. 433.

(Ms. NORTON asked and was given permission to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, reclaiming my time under my reservation, I would like to say a few words in support of this bill.

Mr. Speaker, my special thanks to the gentleman from Indiana (Mr. BURTON), the chairman, the gentleman from California (Mr. WAXMAN), the ranking member, and the gentleman from Virginia (Mr. DAVIS) for the priority they have each given to H.R. 433.

Our bill returns full legal authority over nine agencies to the Mayor and unfettered authority to confirm the mayor's appointees to the City Council. Both Mayor Tony Williams and the council will be able to carry out their responsibilities as elected officials without risk of being overruled.

It is important to note that this House was not responsible for withdrawing this authority. A Senator's attachment to the President's all-important revitalization package that was incorporated into the 1997 Balanced Budget Act was responsible.

It is now appropriate for the House to initiate action to devolve democratic control to locally-elected officials, and all indications are that the Senate is prepared to do the same and empower the new Mayor and the revitalized City Council.

The gentleman from Virginia (Mr. DAVIS) deserves credit for carving H.R. 433 out of my D.C. Democracy 2000 Act. H.R. 433 is the first part of that act. The chairman and I are in agreement that the second part of the act to retire the Control Board a year early must await the building of a track record by the new Mayor and council.

I thank the House leadership and the gentleman from Indiana (Mr. BURTON) and the gentleman from Virginia (Mr. DAVIS) for bringing H.R. 433 to the floor as one of the first bills of the 106th Congress. In doing so, the House has shown, as nothing else could, that this body is prepared to build a new relationship with the District of Columbia.

I want to thank Speaker DENNIS HASTERT, Democratic Leader DICK GEPHARDT, and Chairman TOM DAVIS for their leadership in bringing the "District of Columbia Management Restoration Act of 1999" to the House floor today. This bill incorporates key provisions of my bill, H.R. 214, the District of Columbia Democracy 2000 Act (D.C. Democracy 2000), which return to the Office of the Mayor authority over the city's nine largest agencies and the ability to hire and fire senior managers in the government, and return to the City Council full authority to approve mayoral appointees without control board intervention. I am especially grateful to Mr. DAVIS for taking Section

3 of D.C. Democracy 2000, the only section that is ripe for consideration at this time. The bill accomplishes this transfer of power through repeal of the Faircloth attachment to the District of Columbia Revitalization and Self-Government Improvement Act of 1997, which had vested control of the management reform of the city's nine largest agencies with the District of Columbia Financial Responsibility and Management Assistance Authority (Authority).

The purpose of the District of Columbia Management Restoration Act of 1999 is to ensure that the new city administration has sufficient control of the District government to be held accountable in preparation for the expiration of the control period. This bill carries out the purpose of the Authority Act "to ensure the most efficient and effective delivery of services, by the District government during a period of fiscal emergency." P.L. 104-8, Title I §2(b)(2). On January 2nd, Alice Rivlin, for the Authority, signed a memorandum of agreement (MOA) delegating authority to the Mayor to run the District government to the fullest extent allowed by existing law. Viewed from the front lines of the District government's present progress, the Authority's considered judgment was that a transition to Home Rule through the delegation of power to the new Mayor was necessary in advance of the transfer of ultimate power at the end of the control period; a clean line of reporting authority unmistakably identifying the responsible officials was necessary for efficient and effective government operational reform; and Mayor Williams, in his role as Chief Financial Officer, had already demonstrated his capacity to administer complicated operations.

This section amends existing law to complete a transfer of power that the Authority desired but could not make because of the wording of the statute and, in effect, to place in law the MOA. The Authority transferred to the Mayor its jurisdiction over nine operating agencies, but believed it was unable to return the authority to hire and fire department heads. In returning this power, the bill seeks to enhance and facilitate the Mayor's ability to control managers. It eliminates the possibility of an illusion of an appeal to a higher authority beyond the Mayor to acquire or retain a position.

The advantage of having a government that knows that it and it alone will be fully accountable cannot be overestimated in a democracy. Whatever justification some may have found for the denial of self-government has been stripped away by the growing fiscal health of the District government and its prudence in management of its finances and operations. Beyond securing more revenue, city officials have already shown that they know what to do with it. Their decision to use surplus revenues to pay down the city's accumulated deficit demonstrates they can and will make tough financial choices. In the face of the sacrifices that District residents have made and the unanticipated surpluses that have been produced, there is no justification for delaying a return to coherent and fully accountable self-government.

I urge my colleagues to support this bill crucial to the continued revitalization of the nation's capital.

Mr. Speaker, continuing my reservation of objection, I yield to the gentleman from Virginia (Mr. MORAN) for a brief statement.