

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

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AUTHORIZING THE CLERK TO
MAKE CORRECTIONS IN EN-
GROSSMENT OF H.R. 1555, INTEL-
LIGENCE AUTHORIZATION ACT
FOR FISCAL YEAR 2000

Mr. GOSS. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 1555, just passed, that the Clerk be authorized to make such technical and conforming changes as necessary to reflect the actions of the House.

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

There was no objection.

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GENERAL LEAVE

Mr. GOSS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1555, the bill just considered and passed.

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

There was no objection.

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MOTION TO INSTRUCT CONFEREES
ON H.R. 1141, 1999 EMERGENCY
SUPPLEMENTAL APPROPRIA-
TIONS ACT

Mr. UPTON. Mr. Speaker, under section 7(c), rule XXII, I offer a motion to instruct conferees on the bill (H.R. 1141) making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes.

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

The CLERK read as follows:

Mr. UPTON moves that the managers on the part of the House at the conference on the disagreeing votes of the 2 Houses on the Senate amendment to the bill H.R. 1141 be instructed to insist that no provision—

(1) not in H.R. 1141, when passed by the House,

(2) not in H.R. 1664 when passed by the House or directly related to H.R. 1664,

(3) not in the Senate amendment to H.R. 1141, as passed by the Senate,

be agreed to by the managers on the part of the House.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. UPTON) and the gentleman from Florida (Mr. DEUTSCH) each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. UPTON).

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

Over the last couple of weeks this House has passed two supplemental ap-

propriations bills. I voted for each of the two bills. I thought that they were very important and truly emergency spending resolutions that we needed to agree on and pass.

Mr. Speaker, we passed both these resolutions here in the House, and clearly they were urgent, and clearly they were necessary. Many of us in the last week or two, when we supported particularly the second resolution, helping our readiness, helping our troops all over the world, decided that that was the wisest course to take. When we passed those two bills, we did not include the traditional pork barrel projects that are sometimes, more often than not, added onto these bills.

But sadly, the other body took a different course. Yesterday when I introduced this resolution, we indicated that we should not exceed the scope of the bills passed in the House and Senate. This is a step in the right direction.

Frankly, I would like to do a lot more. I would like to get all of the pork, all of these pork barrel projects that are not emergency, out of the bill. But lo and behold when I get home at night, as I did last night, and I turn on C-Span, it is really a big bazaar. It is Members of Congress in the House or the Senate, it does not matter which party, trading projects back and forth, back and forth.

Mr. Speaker, I can remember the staffer in the Reagan administration looking at some of these appropriation conference bills. The House would pass a bill at this level, the Senate would be a little higher, and we would end up with a bill that was higher than both of them. The same thing is happening again.

This has got to stop. This is taking money away from social security. This clearly has an impact on the surplus or the deficit, the long-term debt. It is wrong.

This is an emergency. We need only to deal with the emergency items, whether they be the tornado, the awful tornado that struck in Oklahoma, whether they be Hurricane Mitch, whether it be our readiness. All of those things I can understand, and I think the taxpayers across the country can understand.

But when they start seeing a bridge here, an armory here, some special environmental rider here or there, lots of things added to this bill, none of which were ever intended, particularly by the leaders of this House when we passed those bills, both in March and April, we have to draw the line.

What this resolution does, Mr. Speaker, is say, they have got to go. This is our instructions to our conferees that have now been working for some 3 weeks, that it is time to put their feet to the fire and say no to these special interests, no to these special projects, bring a bill back for the House and Senate to agree to that does not include all of these pork barrel items.

Mr. Speaker, we have a number of speakers that want to speak on this issue this afternoon, so I reserve the balance of my time.

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

Mr. Speaker, I appreciate the effort of the gentleman from Michigan (Mr. UPTON) in this area. This House is the people's House, and we are here to do the people's business. For any of the people of America who were watching C-Span last night and watching the conference report, I do not think they were watching the people's business. I think it was an unfortunate public example of what we know goes on privately many, many times.

There is a statute which talks about emergencies. We are literally dealing with the most serious things this Congress can talk about and deal with, literally, a military operation going on in Kosovo, American men and women whose lives are in harm's way today, and then by I guess it is just the arrogance of power, just absolute arrogance is the only way I can describe some of my colleagues, particularly in the Senate, in the other body, that want to put in just absolutely awful, obscene, terrible, self-centered special interest riders onto legislation dealing with a true crisis.

Think about how outrageous what is going on in this building today is. In the 7 years that I have been here, this is the worst example. We have seen special interests, we have seen pork barrel stuff, but what hypocrisy, what tragic, absolutely beyond-the-pale arrogance, when men and women of our armed forces are in harm's way, to play these games.

This is not a game. There are some of my colleagues who might believe that it is a game, but it is not a game. Yet, that is exactly what is going on. Shame on those Members, and hopefully more people are watching on C-Span and more people are seeing what they are going to do, and guarantee that those people who are involved in this shameful activity never return to this Congress or to the United States Senate.

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

Mr. UPTON. Mr. Speaker, I yield 3 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Speaker, let me first associate myself with the comments of the gentleman from Michigan when he opened this legislation, and with the gentleman from Florida. I am as concerned as they are, and perhaps even more so. I think the process that we have adopted with respect to these so-called emergency spending bills is itself a disaster. Frankly, I think we need to do something about it in a hurry.

First of all, we do not, in the Congress of the United States, unlike virtually every State in the country now, have any kind of an emergency spending process by which we set aside

money in case there are emergencies. It is ad hoc. You come in here, you declare something to be an emergency, if you can get a majority of your brethren to agree with you, then you can get a vote on it.

The problem is, it goes through the Senate and then it goes into conference. What we have seen in recent days in the conference, with behavior from both sides of the aisle, particularly in the Senate, is to try to put everything in it you possibly can. It happens on every single emergency spending bill that goes through here. They become Christmas trees automatically. Everyone tries to put their own particular ornament on that Christmas tree. That process simply must stop.

This is a wonderful idea that the gentleman from Michigan (Mr. UPTON) has put forward. That is that we will take what passed in the House, we will take what passed in the Senate, and we will cut off everything else. We will just say no more, no mas, that is it, we are not going to do it. I think we should pass it as soon as we possibly can.

Just remember, every time we add another dollar here, we are taking a dollar away from helping with the social security problem, because now we cannot retire the debt of the social security with those dollars that we are putting into some of these projects which come along.

Mr. Speaker, I personally believe that the caps are a problem. I personally believe there is some spending we need to do in the area of education, particularly defense, and some things that are not being addressed, and we should not try to do it in emergency legislation.

These are very good causes, but they should not be part of an emergency spending package, as we have seen here in the House so far. To add these things on is a terrible tragedy.

□ 1415

Some of the riders that are being considered are parochial by nature. They are not of an emergency nature. They do not benefit the country generally. There is just absolutely no excuse to include them in legislation such as this other than one is dealing usually with a powerful Senator who one needs in order to get it through. That is a terrible way to do business.

So we should change the process. We should certainly pass these instructions that the gentleman from Michigan (Mr. UPTON) has put forward. We should stand united that we are going to make absolutely sure that we are putting an end to this, to go about doing what we have the money to do now, balancing our budget, taking care of the problems of Social Security and Medicare, and perhaps even providing for a tax cut, and making sure that our soldiers and sailors and Air Force and all our other military people are provided for, as they should be.

It can be done if we sit down and do it together. But do not do it through

this emergency bill. Follow these motions to instruct.

Mr. DEUTSCH. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Mr. Speaker, I want to rise very quickly in support of the Upton motion to instruct. Regardless of whether we are fighting for deficit reduction or to reduce the debt or to save Social Security or just trying to save dollars for other worthy purposes, this motion makes a lot of sense.

We should not stack nonemergency items onto an emergency bill and try to bogged them through the process without giving them all of the consideration that the committee process requires. I want to congratulate the gentleman from Michigan (Mr. UPTON) on his motion. I strongly urge my colleagues to support the motion.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. BOEHLERT) to engage in a colloquy.

Mr. BOEHLERT. Mr. Speaker, I want to congratulate the gentleman from Michigan (Mr. UPTON) for offering this motion which would strengthen the House position in conference. The House leadership and the House Committee on Appropriations I think have done an excellent job on holding the line on extraneous matters, and this motion should help. So the gentleman's motion will be helpful.

I note, however, that, for drafting reasons, the gentleman's motion deals only with one set of problems we are facing in conference; namely, the addition of items that were never passed by either body.

But we also face another set of problems in conference because the Senate-passed version of the supplemental also contains numerous extraneous detrimental riders, many of them dealing with sensitive environmental matters.

I ask the gentleman from Michigan (Mr. UPTON) what does he believe our posture should be toward those items?

Mr. Speaker, I yield to the gentleman from Michigan (Mr. UPTON) for a response.

Mr. UPTON. Mr. Speaker, I thank the gentleman from New York for his comments, and I believe that the House in the conference must oppose all detrimental riders, including those that were passed by the other body.

I would just like to add as well that we were really under the gun when we introduced this motion yesterday. Under the House Rules, it has to be introduced when we are in session. Because the legislative activity yesterday went a little bit faster than usual, and we were in fear that the conference would be finished even last night or today, we had to be very quick in drafting this.

I view this as a first step. I think we ought to go a lot further and take a lot of the junk out that the Senate put in. I would completely agree with the gentleman from New York with regard to

the environmental riders and would hope that they would be stripped out. I know for me, as a Member, if they are not, I will be voting "no" when this bill comes back.

Mr. BOEHLERT. Mr. Speaker, reclaiming my time, I thank the gentleman from Michigan for clarifying this point, the supplemental which deals mainly with legitimate emergencies and gives an appropriate response. But I think that is going to be in jeopardy if it is used as a way to pass major policy decisions which normally would be subjected to greater scrutiny and fuller debate here in the people's House.

I know that our leadership is well aware of that and has been working hard to keep the supplemental clean. They must succeed. I urge the support of the motion.

Mr. DEUTSCH. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman from Florida yielding me this time.

One of the low points for me in my tenure in Congress is what we have visited as the Congress adjourned last fall. We dealt with an omnibus spending bill. I think people on both sides of the aisle, people of all different philosophical orientations were frustrated that we were doing the people's business in this fashion with billions of dollars, nobody really knowing what was in it; and it was something that none of us would be proud of back home in the smallest city or county.

I personally feel that we need to take each opportunity to recommit ours to a thoughtful, reasonable, effective bipartisan approach to dealing with the people's money. I strongly support the motion to instruct by the gentleman from Michigan. I am pleased to hear that he does not think it goes quite far enough. I appreciated the colloquy clarifying the intent on some of these very destructive environmental riders.

My sincere hope is that this will be the beginning in this Congress of our having a bipartisan approach to make sure that we do handle the budget in a more thoughtful fashion.

I commend the gentleman from Michigan (Mr. UPTON) for his efforts. I like the spirit of bipartisanship that has been advanced. I hope that we can take every opportunity in the days ahead to follow up on this, because I think we can do a better job of discharging our responsibilities, getting more out of the tax dollar, and making people feel better about this institution.

I think this is a very important part in this effort, and I look forward to it leading to new steps for our being able to work together to put more integrity in the budgetary process.

Mr. UPTON. Mr. Speaker, I appreciate the statement of the gentleman from Oregon (Mr. BLUMENAUER).

Mr. Speaker, I yield 2 minutes to the gentleman from New Hampshire (Mr. BASS).

Mr. BASS. Mr. Speaker, I congratulate the gentleman from Michigan (Mr. UPTON) for this very timely motion. I see this as a motion to support our conferees, to give them the kind of support that they need dealing with what is, in effect, a pork fest going on over in the Senate.

It is a question of priorities. Are we for saving Social Security? Are we for tax relief for working Americans or eliminating the marriage tax penalty? Are we for tax dividend, or all the other issues that we have been dealing with? Are we for special education funding, these types of priorities? Or are we for a system that sets caps that are possibly unreasonably low, and then have individual Senators come in with their own pet projects in the name of an emergency in order to boost the budget? Is that the way we are going to set priorities in 1999? Shame on the process for doing that.

I would suggest to the Congress that if we cannot move forward on this emergency supplemental as it has been sent to the Senate, that we throw it out and we start all over again because there is no way that we are going to accede to an emergency supplemental that contains 99 and counting pieces of special legislation for Senators.

If this is the charade that we have to play in the name of looking like budget hawks, I do not want to have any part of it.

So I commend the gentleman from Michigan (Mr. UPTON) for his courage in bringing this motion to our attention. I hope it receives a unanimous vote.

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

Mr. Speaker, I am going to try to maybe point out specific things. I actually wonder about commercial fishing in Glacier Bay, if that really fits the criteria of emergency criteria under the statute that we have. To hold off funding our troops in Kosovo, bringing that as an issue, I do not know, I just find it shocking. I mean, that is the only words that I can think of. I use Yiddish on the floor, chutzpah. I mean it really is chutzpah.

Everybody in America knows what chutzpah is. One does not have to speak Yiddish to understand. It is amazing that they would have that.

Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

I congratulate the gentleman from Michigan (Mr. UPTON) on this motion to instruct. It is a good start to begin to strip out some of the extraordinary special interest riders that have been piggybacked on an ostensible emergency spending bill.

Now I have got to depart from the majority of my colleagues here in that I voted against the entire package. The money for the military should come out of the Pentagon. The money for other purposes should come out of the

appropriate budgets. We should not be spending the Social Security Trust Fund, which is what we are dipping into here, which both the Republican leaders and the President promised to safeguard for these purposes.

But absent that, even worse than the fact that we went from \$7 billion to \$11 billion, and all these other things were larded into the bill, even worse, we have an attack on the environment in this legislation. The 1872 mining law is not enough of a giveaway?

Multinational mining companies acquire land in the western United States worth billions of dollars for \$2.50 an acre with not a penny in royalties to the Federal taxpayers. That is running government like a business? But that is not bad enough. We cannot reform that law here. We know that. There is a majority that supports the continued giveaways.

But this bill goes even further. It waives provisions that have ridiculous, inadequate, antiquated law so that an open pit mine, heap leach mining, can go forward in Washington State. Cut off the top of a mountain and for every 16,000 tons of ore, one dumps cyanide on it, which it tends to get into the water table, and one gets an ounce of gold. This is prospecting, modern times.

But that requires a waiver, and the waiver is in this bill. What does that have to do with emergencies? What does it have to do with Kosovo? Nothing. It has to do with the fact that Senators can do whatever they want behind closed doors and try and muscle the House and intimidate the President into signing the bill.

I certainly know that President Clinton will stand strong against these environmental riders as he has stood so steadfast in the past against similar riders. I urge him to veto this bill if we are not successful in our efforts today.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, I like the analogy of the gentleman from Florida (Mr. DEUTSCH). It does take chutzpah to have something that is truly an emergency and to pile riders and special interest just so that we have to vote for it to get it through is absolutely wrong. I support and I thank the gentleman.

None of us mind paying our tax dollars when we have farmers in trouble, we have an earthquake, we have floods. We support that. But this is wrong. I think most of us that watched television last night were appalled. It made the term "good government" an oxymoron. It is bad government when this comes to pass.

But what we are trying to do is fund our men and women and the needs. When the White House does have our people go into war, then we need to provide the equipment, the training, so that they can not only do their job, but win and come back safely. That is what the initial bill was for, not to pile on this stuff.

But I would also like to say, why are we paying so high? General Clark told me we are fighting 86 percent of all the missions. Ninety percent of the ordinance dropped is from the United States at a million and 2 million and half a million apiece.

There are 18 other Nations. Our supplemental should be a check from NATO to have them pay their fair share in the first place, not our taxpayers, and not cut money out of Social Security. The President, when he gets us into this thing, every penny of this comes out of the supplemental.

Both sides said for different reasons that they want to support Social Security and Medicare and education. I want to double medical research, and I want a tax relief for working families.

But by having us in Kosovo and extended, we paid \$16 billion in Bosnia. We are still spending \$25 million a year in Haiti building roads and schools. Enough is enough.

I support the gentleman's motion, and I will vote against the bill if it ends up with this pork, and I am one of the biggest supporters of the military.

Mr. DEUTSCH. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, I rise in vigorous support for this motion. Perhaps I will give my colleagues a new Member's perspective. I have only been here for about 3 months now, and I have learned that, in all human perceptions and endeavors, sometimes one can get worn down. One can get worn down by some of the worst habits in American democracy.

But I want to tell my colleagues I am not worn down. As a new Member, I stand here freshly outraged at the most grievous abuse of the democratic process I have seen since I got here 3 months ago.

For the other Chamber, noble as it is, to try to land a sucker punch on the environment in the middle of the night, to hold hostage our fighting men and women, is an outrage. All of us ought to come forward, whether we have been here 3 months or 30 years and say that.

It is an outrage because the American people have got to know, and they have heard about this bill. This bill is starting to have a certain odoriferous character about it, because the American people have learned that it has been larded up with various pork projects.

□ 1430

I want the American people to know it is not just lard, it is going backwards on the environment. Not just in one little district here or there, where a particular Senator had an interest. On the mining law, under the cover of darkness, under the cover of this war, folks who want to besmirch the environment have tried to rewrite the entire 1872 Mining Act, not to go forward in time but back to the previous millennium in time and have more giveaways to the mining industry. This is broad based.

I want to say one more thing. I am happy we are standing here on a bipartisan basis. Because I think no matter what we think of issues like the environment or the war or whatever, as House Members we have something at stake here, and that is our ability to stand up and be counted, which is going to be stripped away from us by the other Chamber if we yield on this.

Congratulations to the makers of this amendment. Let us pass it.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Speaker, I thank the gentleman from Michigan for yielding me this time.

I rise in strong support of the motion to instruct conferees by the gentleman from Michigan.

The idea behind this motion is simple, and it deserves our support. When a conference committee is meeting they should not insert provisions into the bill before them that were not in either the House or the Senate bills. We are a deliberative body that demands debate. To subvert this process by inserting provisions into a conference agreement not properly considered for the House or Senate is clearly wrong.

These emergency supplementals are important and have my full support. We cannot allow disaster relief and the support for our troops in the Balkans to be delayed in any way. But if riders are going to be inserted into these emergency bills that were not considered by either side of Congress we are doing a great disservice to the American people.

The big oink the American public hears is not coming from the House or Senate vote. I ask my colleagues on both sides of the aisle to join me in support of this stand we are taking to ensure that the legislative process is not subverted.

Mr. DEUTSCH. Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I thank the gentleman from Florida for yielding me this time and for his leadership on this issue.

I also rise in support of this resolution and commend my friend, the gentleman from Michigan (Mr. UPTON) for bringing this at a very timely moment.

I would have phrased the resolution a little bit differently however. I understand why my friend from Michigan had to file the resolution and the phraseology in the resolution the way he did. I would have phrased it a little bit differently and would have gone a little farther. I would have indicated that no issues unrelated to our troops' mission in Kosovo, the disaster relief for the victims of Hurricane Mitch or the disaster that is happening throughout rural America on our farms would be appropriate or made in order or accepted in this emergency supplemental bill.

Those are the three areas that we should be dealing with and those are

the three areas we should keep our eye on, rather than loading it up with extraneous, nonemergency, unrelated matters, as is happening right now in conference and jeopardizing its chances to pass.

I am still relatively new in this place, just in my second term. I have experienced just a couple of emergency spending bills before. What I have seen, quite frankly, has been a joke. It is an ugly process. It is one that does not make any sense, and it is something that repeats itself time and time again.

One would think that this institution, in matters of war and peace, life and death, dealing with natural disasters, we could play it straight, we could get it right and get it done efficiently, in a bipartisan fashion, with very little controversy and in an expeditious manner. One would think that that is the least that we can do for the American people, those who we are here to represent.

But time and time again we fail that call, we fail that obligation, especially in emergency situations, and that is unfortunate.

I will not be here if the supplemental happens to come up later tonight or sometime tomorrow. I have to go back home to western Wisconsin to help bury Chief Warrant Officer Kevin Reichert who, along with Officer David Gibbs, lost their lives during their training mission with an Apache helicopter last week in Albania. It is the hardest thing that I have had to do thus far in Congress.

If this place wants to truly honor those officers who gave their lives in the call of duty, performing their mission under dangerous circumstances, then we should get this emergency supplemental right. We should be able to do this in a noncontroversial fashion by keeping our eye on the ball and by getting whatever supplies and resources that our troops need to carry out this mission in Kosovo as soon as possible. That is what we can do in honor of those two officers, in honor of their families and, perhaps most importantly, to do right by those troops who are in harm's way right now in Kosovo and their families, so they can carry out their mission effectively and as safely as possible.

We are still trying to determine the cause of the Apache crash last week. There is some indication that it might have been mechanical failure. I do not know if I could or if my colleagues could live with ourselves if, because of a dispute in an emergency spending bill, that we are not able to get the supplies or the needed parts or the maintenance that is required to prevent future accidents like the one last week. That would be uncalled for. And shame on all of us if that, in fact, were to be the case.

I beseech my colleagues: We still have time to do this right, to pare down the supplemental bill. Let us focus on the real issue here, and that is the troops in Kosovo, the disaster relief

that is needed for both Hurricane Mitch and on the farms, and let us try to get this straight. Let us try to play it straight for the sake of war and peace, for the sake of life and death, and for the sake of Officer Reichert and Officer Gibbs, who answered their call to duty and paid the supreme sacrifice for their country.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BILBRAY), and I want to say that we all appreciate the statement of the gentleman from Wisconsin.

Mr. BILBRAY. Mr. Speaker, I rise in support of the Upton motion to instruct the conferees.

The instruction is very, very moderate in this motion. In fact, it does not go as far as most of us would like to go.

I think all of us agree that the other House has taken an emergency funding bill and added on so many items to it that it looks more like a Christmas tree than an emergency funding source.

Mr. Speaker, I stand here asking us both on the Democratic side and the Republican side to use this resolution in an effort to send a clear message from the House of Representatives not just to the Senate but also to the entire United States that this body will no longer stand by and allow anybody to be able to take an emergency funding bill and use it for special interest legislation.

Our chance here is now to have a bipartisan message, very clear to the conferees, both House and Senate, that we are no longer going to tolerate utilizing emergency spending bills as a trough in which to pour pork into.

I ask us all to look at this resolution and say it may not be all we want, but it is our one chance to send a clear message to those conferees that if they bring back a bill to this floor that is loaded with pork, it will be dead on arrival.

Mr. DEUTSCH. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Speaker, I, too, want to extend my thanks to my colleague, the gentleman from Michigan (Mr. UPTON), and thank the gentleman from Florida (Mr. DEUTSCH) for yielding me time to speak on the emergency supplemental.

The gentleman from California (Mr. BILBRAY) misspoke briefly and mentioned referees rather than conferees, and I thought at the time maybe we need more referees over there than conferees to get us back on track.

The conferees have been working to combine two emergency supplemental appropriations bills, one to fund our ongoing military activities in the Balkans and another that will provide humanitarian relief to the victims of Hurricane Mitch as well as vital assistance to hard-pressed farmers here at home. These are important purposes. But, once again, there has been an attempt to take them hostage by some who want to load up the bill with unrelated riders that would not pass alone.

The list is long, but I wanted to mention a couple of these riders, just two examples of egregious things that should not be in the bill and should not be approved.

One rider would overturn a court decision reducing by millions of dollars the refunds that natural gas companies now owe to consumers in 23 States, including Colorado. Another would reverse a Department of the Interior decision that says the mining law of 1872 should limit the amount of materials that a mine can dump on adjacent public lands.

In other words, both of these provisions would legislatively override current law to benefit certain well-connected parties at the expense of the public, the public that we represent here; and in the case of the mining law rider, apparently at the expense of the environment as well.

To add a note of irony, in this case we would be overriding part of the 1872 mining law that is backed by some of the people who have repeatedly opposed attempts to reform that statute, which is antique at best.

Mr. Speaker, we do not yet know just what the conference report will include, but this we do know: Humanitarian assistance is one thing, sweetheart deals are another. Holding aid money hostage in order to deliver this kind of deal is bad policy, and we should reject it.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Speaker, I thank the gentleman from Michigan for yielding me this time.

Mr. Speaker, at this point the American people are asking: "Is it business as usual in Congress?"

I am proud of serving this institution. I am proud of doing what is right for the country, what is right for my State, and what is right for my district. I am not necessarily proud of the American public viewing this process and saying it is business as usual, where political influence and seniority still supersedes rigorous mental effort and accountability.

The American people want a thinking Congress, not a self-serving Congress. We are looked upon in Congress, in general, as the lower House. Well, on this particular issue, Mr. Speaker, we are really on the high side.

The democratic process, which I explain to my constituents every time I go home, is an exchange of information, with a sense of tolerance for somebody else's opinion, and then we vote. Well, on this particular motion the House of Representatives, I urge, will send a strong, clear, unanimous vote to the conferees that this emergency supplemental is for military emergencies, people suffering from hurricane devastation, and the hard-pressed American farmers that have experienced a very, very difficult year.

I urge my colleagues to vote for this motion, and I am proud of the gen-

tleman from Michigan for bringing this to our attention.

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

Mr. Speaker, one of my colleagues on the other side of the aisle, I think the gentleman from California (Mr. BILBRAY), used the expression of a Christmas tree. I think what we have here is not just a Christmas tree but a Christmas tree forest. This is beyond the Christmas tree.

Again, I appreciate the gentleman from Michigan (Mr. UPTON) bringing this as a motion to instruct, because I think what is going on in the conference at this point does not really withstand the light of day. And the more the light of day that we in this Chamber put on this, the less chance this will occur.

This morning's New York Times editorial read, "Trifling With Humanitarian Aid." I think that really is a headline of a story which we need to think about, "Trifling With Humanitarian Aid."

We have had some, I think, very thoughtful and very emotional statements by some of my colleagues. I cannot think of anything more powerful than the statement by my colleague and my good friend, the gentleman from Wisconsin (Mr. KIND). This is serious business. This is not a joke.

Are we going to be able to get our friend, our campaign supporter, a little more money by changing the mining laws or by giving them some additional fishing rights in Glacier Bay or by doing some kickback in terms of loan guarantees for certain mining interests? Literally, I think we should all think about what is going on here. It is absurd.

I wish there was someone here against the bill, to try to defend this in a public setting really. Because what we are talking about are the types of things that cannot be defended in a public setting. They cannot be defended in a public setting.

And let no one forget or misinterpret what is going on here. This is a gamesmanship thing. People understand that we need to support the operation in Kosovo in terms of our men and women who are in harm's way; and, in fact, two of whom have literally lost their lives in this operation already to this date; and we have been blessed that we have not lost more in terms of the operations that have been going on.

□ 1445

So there is this incredible understanding that we need to do something, that the way in passing the supplemental not just on Kosovo but the three issues which truly are emergencies, now I think there is a clear consensus that fit the criteria of emergency. One this House passed literally over a month ago, the October Hurricane Mitch that devastated Central America that we have talked about, that we understand that if we do not deal with that emergency the repercus-

sions are severe not just for the people that live in Central America but for ourselves in terms of our borders, in terms of what will happen, in terms of what has happened, the positive things in Central America, and the farmers who are also dealing with the crisis across this country.

These other issues are not emergencies. And to use the leverage, because that is what it is, to use the leverage of a power position in the dark of night to put them into a bill and then come to the floor, because we can write the script today, we know what the script is, the script is that it is going to come to the floor with some of these, hopefully none of them, but the script that is being written by the conferees is that it is going to come to the floor with some of these items. And although none of us are going to say we like these items and in a sense we do not know where they came from, they came by magic, by thin air, or by individual Senators who have a specific interest that in their State it is okay. But from a national perspective, it is totally inappropriate, that now we have a choice, we are going to be faced with a choice. We can accept this pork, that trifling with humanitarian aid, or we can reject it and reject the operation and the need to deal with that.

And I would tell my colleagues, I say to them that we need to tell them, and the President needs to be clear on this, that we cannot let our process of this Government be used as a game, that the President has the ability to draw the line right now and say he will not accept that, that in 1 hour, if he vetoes this, we will sustain that veto, we can come back in 1 hour and take the junk out and pass a clean bill that deals with true emergencies that the American people want to see happen.

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

Mr. UPTON. Mr. Speaker, I yield 2 minutes to my friend from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I thank the gentleman for yielding me the time, and I also thank him for offering this motion. I also thank my colleague on the other side of the aisle, the gentleman from Florida (Mr. DEUTSCH) for his support of this motion.

It is unusual but extraordinarily satisfying to be part of a bipartisan House effort that involves not just Democrats and Republicans, but liberal, moderate, and conservative Members, who I am glad to say are repulsed by what they are seeing take place in a conference that is spending money that we have not in any way authorized in either bill that has passed in the House or the Senate.

This is a bipartisan resolution that should be a matter of law and House rules: that no authorization or appropriation can become part of a conference report that is not part of either the House or Senate bill that caused the conference report.

It boggles my mind that we are inventing things that neither passed the

House nor the Senate and tying them into two bills that are absolutely essential, the Hurricane Mitch supplemental and the Kosovo supplemental.

So, again, I thank my colleagues on both sides of the aisle. I thank particularly the gentleman from Michigan (Mr. UPTON) for coming forward with this resolution. And I hope that it not only passes unanimously, but that if we are sent a conference report that does not abide by what we are saying here, that we vote against it and defeat it.

Mr. UPTON. Mr. Speaker, I yield 2 minutes to my colleague, the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, I thank the gentleman from Michigan for yielding me the time.

Mr. Speaker, we sent a clear bill through this chamber. Through this House, we sent to the other body a clean bill that was focused on making certain that our troops had the munitions that they would need in the field. We were told that our troops were short on issues like cruise missiles, that our fighter pilots needed precision bombs. We were told there are plenty of dumb bombs, there are plenty of cluster bombs in the arsenal but to give them the weapons that will cause least collateral damage in these operations, to give them the weapons that are safest for them to use, that we needed to pass out a supplemental bill, an emergency bill, which we did in this House, a clean bill to make certain that our troops had every piece of weaponry and every bit of training they needed for this operation.

And now, after sending that message that our troops were our first priority, we find that the other body and in conference included provisions in this bill having nothing to do with true emergencies, having nothing to do with support of our troops in the field, that they had added pork in this bill.

Well, I rise today to support the motion of the gentleman from Michigan. I rise to support the motion which instructs the conferees not to accept any provisions not already in the House or Senate passed supplemental bills and to put this House on record against any new projects or other type of non-emergency spending.

I urge all my colleagues in this Chamber to support this motion today.

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

As we are debating this at this moment, conferees are still meeting and maybe brainstorming more things that they can put into this bill before it finally gets to the floor. It is not the way things should be, and it is not the way they have to be, and we have the power to stop them. And on occasion, as a Chamber, we have stopped it. We have rejected these types of things before. And if it comes to us, as has been said by several of my colleagues, we ought to reject it today.

I am just going to read through some things that, again through press ac-

counts or other accounts, are still being talked about or being discussed.

Extending a freeze on the pending regulation on environmental and reclamation standards at mines on Federal land. I would challenge any of my colleagues in this Chamber to come to this floor to defend that as an issue related to emergency spending. I would challenge anyone in a public setting to even attempt to say that that belongs on this bill. And it very well might be on this bill.

A delay in the Clinton administration's plan to reclaim the value of royalties paid on oil and gas production on Federal lands. Again, on the Kosovo funding bill, on the emergency funding bill, allowing States to keep all of the \$246 billion promised by tobacco companies in settlements of lawsuits. The transfer of a \$100 million from Forest Service wildfire management operations to an Agriculture Department fund for restoration of national forestlands.

I am sure someone wants that. I am sure they can articulate a policy reason for it. But does it really belong on this piece of legislation and is it really the right policy?

I guess maybe because it is simple to understand and apparently, according to press accounts, it is actually in the bill, is the Glacier Bay commercial fishing issue. That one, I mean, it is simple. Maybe sometimes when we stop talking about billions of dollars or tens of billions of dollars or trillions of dollars we can understand this process maybe a little bit more.

My understanding is that the conferees have actually agreed to restrict commercial or actually to allow commercial fishing in Glacier Bay, which had been stopped by previous negotiations and rulings by the Forest Service and they have actually provided \$26 million, again small by our standard in a bill of \$13 billion or \$14 billion, but \$26 million literally that was not in either bill that just came in to provide, to buy up some of the people that might not be making as much money as they could have been because of the policy ruling regarding Glacier Bay. And men and women are in harm's way in Kosovo.

As again at this point, my understanding is the conferees have agreed to accept Senator BYRD's amendment regarding steel subsidies in the hundreds of millions. So now we are not talking about 26 million anymore, we are talking about hundreds of millions of dollars.

My understanding also is there is an issue, which I still do not understand, about livestock reindeer that is either in the bill or about to be put in the bill or it is being discussed as an additional rider to provide funding issues for livestock reindeer.

And what also has been reported as part of the supplemental issue is the so-called general's aircrafts.

I urge my colleagues to support the Upton amendment. But I think more

than just supporting the Upton amendment, I think that all of us need to not just be on record as a vote today but as a message to our conferees and to the Senate conferees that there are many of us, and I would hope a majority of us, on this floor who will reject a bill, who will not allow this thing to be gamed, who will say that the issues that we are dealing with are significant enough. And I really urge the President, because he holds many of the cards in this whole thing and he has the ability to take the high road and he has the ability to say and to stare down those people and those individual Senators who are trying to do this outrageous activity and say to them they cannot and he will not let them.

And I guarantee to the President that, on both sides of the aisle, and this is I think one of the really good days in the Congress in a sense, that this is totally a bipartisan issue, that I think a clear majority from both sides of the aisle do not want to see this legislation happen in this way.

I will tell the President, I will tell him again directly, that that will not occur, that we will be able to sustain a veto like that.

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

Mr. UPTON. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, first of all, I want to commend my friend, the gentleman from Florida (Mr. DEUTSCH) and all the speakers who have spoken this afternoon on both sides of the aisle. We know what the right vote is. That is a "yes" vote on this resolution. We have had enough.

Frankly, the appropriators I think all of us wish had depleted their work a long time ago. The emergencies are well-known. Many of these pork barrel projects should have been stripped from the very beginning. And I would hope that today's vote not only will pass but will send a very strong signal to those conferees that enough is enough, no more of this pork ought to be added to bills that really must pass.

My friend, the gentleman from Wisconsin (Mr. KIND) talked about going to the funeral this weekend or maybe perhaps tonight or tomorrow with regard to the brave helicopter pilot who died from Wisconsin. As I think about his message, I think about my weekend this weekend when I am going to go visit some almost 200 reservists who are leaving from Kalamazoo Battle Creek and will be leaving this weekend, Air Force reservists, to go to the Balkans.

And as I talk to other military folks from around the world, the Air Force colonel who just came back from a tour in Hungary 6 months, living in a tent that was so old that the fire retardant was not good anymore and they were wondering how it was going to last another winter with the heater that they might have in it.

The mother that I talked to this last weekend in Michigan, whose son is a

Trident submarine trainee who does not have the books or can pay literally for the uniform they need to wear. I think about the woman that I talked to from Oklahoma City the other day who, after surviving the tornado, talked to me a little bit about her experience there and how it came so close to Tinker Air Force Base. And my comment was, boy, they must have looked like Chicago O'Hare with all those planes taking off so that we did not end up with a complete disaster there. And her response was, "No, they do not have enough crews to fly those planes out. It could have been another Pearl Harbor, even worse than the situation there."

□ 1500

We need to help our troops as they prepare for whatever lies ahead of them, that their life is as good as we can make it with housing and everything else. For this bill to come back cluttered from the Senate, filled with these items, whether they be environmental or other junk, is not right. It would be a travesty for us to recede to the Senate in a number of these issues. I would hope we could pass this resolution to send it back to both chambers clean, and that the emergency measures in both bills that all of us agree to here, Republicans and Democrats, would come back unfettered, that we would be proud to vote for this thing.

I think the signal that we are sending to our leadership and really to the rest of the country is if it does come back with a lot of these projects, then in fact the vote that I cast a couple of weeks ago, a "yes" vote for this, will in fact be reversed and I will vote "no."

Mr. Speaker, I ask my colleagues to vote for this motion.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). The Chair reminds all Members that it is not in order to cast personal aspersions on the Senate or its Members, individually or collectively, and that they must address the Chair and not the President.

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 Michigan (Mr. UPTON).

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

Mr. UPTON. 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 381, nays 46, answered "present" 1, not voting 5, as follows:

[Roll No. 130]

YEAS—381

Abercrombie	Doolittle	Klink
Ackerman	Doyle	Knollenberg
Allen	Dreier	Kolbe
Andrews	Duncan	Kuykendall
Archer	Dunn	LaFalce
Armey	Edwards	LaHood
Bachus	Ehlers	Lampson
Baird	Ehrlich	Lantos
Baldacci	Emerson	Largent
Baldwin	Engel	Larson
Ballenger	English	Latham
Barcia	Eshoo	LaTourette
Barr	Etheridge	Lazio
Barrett (NE)	Evans	Leach
Barrett (WI)	Ewing	Lee
Bartlett	Fattah	Levin
Barton	Filner	Lewis (GA)
Bass	Fletcher	Linder
Bateman	Foley	Lipinski
Becerra	Forbes	LoBiondo
Bentsen	Ford	Lofgren
Bereuter	Fossella	Lowey
Berkley	Fowler	Lucas (KY)
Berry	Frank (MA)	Lucas (OK)
Biggett	Franks (NJ)	Luther
Bilbray	Frelinghuysen	Maloney (CT)
Bilirakis	Frost	Maloney (NY)
Bishop	Ganske	Manzullo
Blagojevich	Gejdenson	Markey
Bliley	Gekas	Martinez
Blumenauer	Gibbons	Mascara
Blunt	Gilchrest	Matsui
Boehlert	Gillmor	McCarthy (MO)
Boehner	Gilman	McCarthy (NY)
Bonilla	Gonzalez	McCollum
Bonior	Goode	McDermott
Bono	Goodlatte	McGovern
Borski	Goodling	McHugh
Boswell	Gordon	McInnis
Brady (PA)	Goss	McIntosh
Brady (TX)	Graham	McIntyre
Brown (FL)	Granger	McKeon
Brown (OH)	Green (TX)	McKinney
Bryant	Green (WI)	McNulty
Burr	Greenwood	Meehan
Burton	Gutierrez	Meeks (NY)
Buyer	Gutknecht	Menendez
Calvert	Hall (OH)	Metcalf
Camp	Hall (TX)	Mica
Campbell	Hansen	Millender-
Canady	Hastings (FL)	McDonald
Cannon	Hayes	Miller (FL)
Capps	Hayworth	Miller, Gary
Capuano	Hefley	Miller, George
Cardin	Heger	Minge
Carson	Hill (IN)	Mink
Castle	Hill (MT)	Moakley
Chabot	Hilleary	Moore
Chambless	Hinche	Morella
Clay	Hinojosa	Myrick
Clayton	Hobson	Nadler
Clement	Hoeffel	Napolitano
Coble	Hoekstra	Neal
Coburn	Holden	Nethercutt
Collins	Holt	Ney
Combest	Hooley	Northup
Condit	Horn	Norwood
Conyers	Hostettler	Nussle
Cook	Houghton	Olver
Cooksey	Hulshof	Ortiz
Costello	Hunter	Ose
Cox	Hutchinson	Owens
Coyne	Hyde	Oxley
Crane	Inslee	Pallone
Crowley	Isakson	Pascarell
Cubin	Istook	Paul
Cummings	Jackson (IL)	Pease
Cunningham	Jackson-Lee	Peterson (MN)
Danner	(TX)	Peterson (PA)
Davis (FL)	Jefferson	Petri
Davis (IL)	Jenkins	Phelps
Davis (VA)	John	Pickering
Deal	Johnson (CT)	Pickett
DeFazio	Johnson, E. B.	Pitts
DeGette	Johnson, Sam	Pomeroy
Delahunt	Jones (NC)	Porter
DeLauro	Kanjorski	Portman
DeLay	Kaptur	Price (NC)
DeMint	Kasich	Pryce (OH)
Deutsch	Kelly	Radanovich
Diaz-Balart	Kennedy	Ramstad
Dickey	Kildee	Rangel
Dingell	Kind (WI)	Regula
Dixon	King (NY)	Reyes
Doggett	Kingston	Reynolds
Dooley	Kleczka	Rivers

Rodriguez	Simpson	Thornberry
Roemer	Sisisky	Thune
Rogan	Skeen	Thurman
Rogers	Skelton	Tierney
Rohrabacher	Slaughter	Toomey
Rothman	Smith (MI)	Towns
Roukema	Smith (NJ)	Turner
Roybal-Allard	Smith (TX)	Udall (CO)
Royce	Smith (WA)	Udall (NM)
Rush	Snyder	Upton
Ryan (WI)	Souder	Velazquez
Salmon	Spence	Walden
Sanchez	Spratt	Walsh
Sanders	Stabenow	Wamp
Sandlin	Stark	Watkins
Sanford	Stearns	Watt (NC)
Sawyer	Stenholm	Watts (OK)
Saxton	Strickland	Waxman
Scarborough	Stump	Weiner
Schaffer	Sununu	Weldon (FL)
Schakowsky	Sweeney	Weldon (PA)
Scott	Talent	Weller
Sensenbrenner	Tancredo	Wexler
Sessions	Tanner	Weygand
Shadegg	Tauscher	Whitfield
Shaw	Tauzin	Wicker
Shays	Taylor (MS)	Wilson
Sherman	Taylor (NC)	Wolf
Sherwood	Terry	Woolsey
Shimkus	Thomas	Wu
Shows	Thompson (CA)	Wynn
Shuster	Thompson (MS)	

NAYS—46

Aderholt	Kilpatrick	Pombo
Baker	Kucinich	Rahall
Berman	Lewis (CA)	Riley
Boyd	Lewis (KY)	Ryun (KS)
Callahan	McCrery	Sabo
Chenoweth	Meek (FL)	Serrano
Clyburn	Mollohan	Stupak
Cramer	Moran (KS)	Tiahrt
Dicks	Moran (VA)	Trafficant
Everett	Murtha	Vento
Farr	Oberstar	Visclosky
Gallely	Obey	Waters
Hastings (WA)	Packard	Wise
Hilliard	Pastor	Young (AK)
Hoyer	Payne	
Jones (OH)	Pelosi	

ANSWERED "PRESENT"—1

Young (FL)

NOT VOTING—5

Boucher	Gephardt	Ros-Lehtinen
Brown (CA)	Quinn	

□ 1525

Ms. KILPATRICK, Mrs. JONES of Ohio and Messrs. PAYNE, RYUN of Kansas and EVERETT changed their vote from "yea" to "nay."

Messrs. GEJDENSON, GREENWOOD and PICKETT 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.

Stated for:

Ms. ROS-LEHTINEN. Mr. Speaker, I was unavoidably detained and wish to be recorded as a "yes" vote on the motion to instruct conferees on the Emergency Supplemental Appropriations for FY 1999 H.R. 1141, rollcall 130.

LEGISLATIVE PROGRAM

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

Mr. BONIOR. Mr. Speaker, I ask for this 1 minute to inquire of the distinguished majority leader the schedule for today and the remainder of the week.