

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

Mr. McNULTY. 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 130, nays 297, not voting 6, as follows:

[Roll No. 365]

YEAS—130

|               |              |              |
|---------------|--------------|--------------|
| Aderholt      | Green (WI)   | Regula       |
| Andrews       | Gutknecht    | Riley        |
| Baker         | Hall (TX)    | Rivers       |
| Barcia        | Hansen       | Rogan        |
| Barr          | Hayes        | Rohrabacher  |
| Bartlett      | Hayworth     | Ros-Lehtinen |
| Barton        | Hefley       | Rothman      |
| Bilirakis     | Hill (MT)    | Royce        |
| Bonilla       | Hilleary     | Ryun (KS)    |
| Bonior        | Hoekstra     | Sanchez      |
| Bono          | Holden       | Sanders      |
| Brown (OH)    | Hostettler   | Saxton       |
| Bryant        | Hunter       | Scarborough  |
| Burton        | Hutchinson   | Schaffer     |
| Buyer         | Hyde         | Serrano      |
| Canady        | Jackson-Lee  | Shadegg      |
| Carson        | (TX)         | Shuster      |
| Chabot        | Jenkins      | Slaughter    |
| Chenoweth     | Johnson, Sam | Smith (NJ)   |
| Coble         | Jones (NC)   | Smith (TX)   |
| Coburn        | Kasich       | Souder       |
| Collins       | Kelly        | Spence       |
| Cook          | Kennedy      | Stearns      |
| Costello      | King (NY)    | Strickland   |
| Cox           | Kingston     | Stump        |
| Cunningham    | LaHood       | Stupak       |
| Davis (VA)    | Lazio        | Sweeney      |
| Deal          | LoBiondo     | Talent       |
| Diaz-Balart   | Lofgren      | Taylor (NC)  |
| Doolittle     | Martinez     | Thornberry   |
| Duncan        | McColum      | Thune        |
| Ehrlich       | McIntyre     | Towns        |
| Emerson       | McKinney     | Trafficant   |
| English       | McNulty      | Turner       |
| Everett       | Menendez     | Velazquez    |
| Forbes        | Mica         | Vento        |
| Frelinghuysen | Miller (FL)  | Visclosky    |
| Gibbons       | Miller, Gary | Wamp         |
| Gillmor       | Norwood      | Weldon (FL)  |
| Gilman        | Paul         | Weldon (PA)  |
| Goode         | Pelosi       | Wolf         |
| Goodling      | Pombo        | Wu           |
| Graham        | Porter       | Young (AK)   |
| Green (TX)    | Radanovich   |              |

NAYS—297

|              |             |           |
|--------------|-------------|-----------|
| Abercrombie  | Berry       | Camp      |
| Ackerman     | Biggart     | Campbell  |
| Allen        | Bishop      | Cannon    |
| Archer       | Blagojevich | Capps     |
| Armey        | Bliley      | Capuano   |
| Bachus       | Blumenauer  | Cardin    |
| Baird        | Blunt       | Castle    |
| Baldacci     | Boehlert    | Chambliss |
| Baldwin      | Boehner     | Clay      |
| Ballenger    | Borski      | Clayton   |
| Barrett (NE) | Boswell     | Clement   |
| Barrett (WI) | Boucher     | Clyburn   |
| Bass         | Boyd        | Combust   |
| Bateman      | Brady (PA)  | Condit    |
| Becerra      | Brady (TX)  | Conyers   |
| Bentsen      | Brown (FL)  | Cooksey   |
| Bereuter     | Burr        | Coyne     |
| Berkley      | Callahan    | Cramer    |
| Berman       | Calvert     | Crane     |

|                |                |               |
|----------------|----------------|---------------|
| Crowley        | Kilpatrick     | Pomeroy       |
| Cubin          | Kind (WI)      | Portman       |
| Cummings       | Kleccka        | Price (NC)    |
| Danner         | Klink          | Pryce (OH)    |
| Davis (FL)     | Knollenberg    | Quinn         |
| Davis (IL)     | Kolbe          | Rahall        |
| DeFazio        | Kucinich       | Ramstad       |
| DeGette        | Kuykendall     | Rangel        |
| Delahunt       | LaFalce        | Reyes         |
| DeLauro        | Lampson        | Reynolds      |
| DeLay          | Largent        | Rodriguez     |
| DeMint         | Larson         | Roemer        |
| Deutsch        | Latham         | Rogers        |
| Dickey         | LaTourette     | Roukema       |
| Dicks          | Leach          | Roybal-Allard |
| Dingell        | Lee            | Rush          |
| Dixon          | Levin          | Ryan (WI)     |
| Doggett        | Lewis (CA)     | Sabo          |
| Dooley         | Lewis (GA)     | Salmon        |
| Doyle          | Lewis (KY)     | Sandlin       |
| Dreier         | Linder         | Sanford       |
| Dunn           | Lipinski       | Sawyer        |
| Edwards        | Lowey          | Schakowsky    |
| Ehlers         | Lucas (KY)     | Scott         |
| Engel          | Lucas (OK)     | Sensenbrenner |
| Eshoo          | Luther         | Sessions      |
| Etheridge      | Maloney (CT)   | Shaw          |
| Evans          | Maloney (NY)   | Shays         |
| Ewing          | Manzullo       | Sherman       |
| Farr           | Markey         | Sherwood      |
| Fattah         | Mascara        | Shimkus       |
| Filner         | Matsui         | Shows         |
| Fletcher       | McCarthy (MO)  | Simpson       |
| Foley          | McCarthy (NY)  | Sisisky       |
| Ford           | McCrery        | Skeen         |
| Fossella       | McGovern       | Skelton       |
| Fowler         | McHugh         | Smith (MI)    |
| Frank (MA)     | McInnis        | Smith (WA)    |
| Franks (NJ)    | McIntosh       | Snyder        |
| Frost          | McKeon         | Spratt        |
| Gallegly       | Meehan         | Stabenow      |
| Ganske         | Meeke (FL)     | Stark         |
| Gejdenson      | Meeks (NY)     | Stenholm      |
| Gekas          | Millender-     | Sununu        |
| Gephardt       | McDonald       | Tancredo      |
| Gilchrist      | Miller, George | Tanner        |
| Gonzalez       | Minge          | Tauscher      |
| Goodlatte      | Mink           | Tauzin        |
| Gordon         | Moakley        | Taylor (MS)   |
| Goss           | Moore          | Terry         |
| Granger        | Moran (KS)     | Thomas        |
| Greenwood      | Moran (VA)     | Thompson (CA) |
| Gutierrez      | Morella        | Thompson (MS) |
| Hall (OH)      | Murtha         | Thurman       |
| Hastings (FL)  | Myrick         | Tiahrt        |
| Hastings (WA)  | Nadler         | Tierney       |
| Herger         | Napolitano     | Toomey        |
| Hill (IN)      | Neal           | Udall (CO)    |
| Hilliard       | Nethercutt     | Udall (NM)    |
| Hinchey        | Ney            | Upton         |
| Hinojosa       | Northup        | Vitter        |
| Hobson         | Nussle         | Walden        |
| Hoefel         | Oberstar       | Walsh         |
| Holt           | Obey           | Waters        |
| Hooley         | Olver          | Watkins       |
| Horn           | Ortiz          | Watt (NC)     |
| Houghton       | Ose            | Watts (OK)    |
| Hoyer          | Owens          | Waxman        |
| Hulshof        | Oxley          | Weiner        |
| Inslie         | Packard        | Weller        |
| Isakson        | Pallone        | Wexler        |
| Istook         | Pascrell       | Weygand       |
| Jackson (IL)   | Pastor         | Whitfield     |
| Jefferson      | Payne          | Wicker        |
| John           | Pease          | Wilson        |
| Johnson (CT)   | Peterson (MN)  | Wise          |
| Johnson, E. B. | Petri          | Woolsey       |
| Jones (OH)     | Phelps         | Wynn          |
| Kanjorski      | Pickering      | Young (FL)    |
| Kaptur         | Pickett        |               |
| Kildee         | Pitts          |               |

NOT VOTING—6

|         |           |               |
|---------|-----------|---------------|
| Bilbray | McDermott | Mollohan      |
| Lantos  | Metcalf   | Peterson (PA) |

□ 1722

Mr. DAVIS of Illinois and Mr. POMEROY changed their vote from "yea" to "nay."

Messrs. HAYWORTH, KINGSTON, STRICKLAND, GIBBONS, ROTHMAN, BUYER, SMITH of Texas, and WELDON of Florida changed their vote from "nay" to "yea."

So the joint resolution was not passed.

The result of the vote was announced as above recorded.

Mr. SERRANO. Mr. Speaker, on rollcall no. 365, it has been brought to my attention that I was recorded as voting AYE. I seem to recall pressing the red button for a NAY vote. So that there is no misunderstanding of my position, I wish for the record to indicate that I should be recorded as a NO vote.

APPOINTMENT OF CONFEREES ON H.R. 2587, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2587) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. BURR of North Carolina). Is there objection to the request of the gentleman from Oklahoma?

Mr. MORAN of Virginia. Mr. Speaker, reserving the right to object, we have no objection to this motion. We do want to use this opportunity, though, to thank the gentleman from Oklahoma (Chairman ISTOOK) and congratulate him for the 333 to 92 vote on final passage of the D.C. appropriations bill.

I do not know that anybody in this body is aware of this, but over the past 20 years, no D.C. appropriations bill has ever passed the House of Representatives with a higher margin of votes. This strong bipartisan support reflects a vote of confidence on a number of positive developments in the district. It is important to understand that that was unprecedented, virtually unprecedented to get that kind of margin of support for a D.C. appropriations bill.

It is really for three reasons, a strong fiscal picture that includes a budget surplus that will make it possible for the first time in a decade to cut any taxes for D.C. businesses and residents. We have got a new mayor and city council who are committed to revitalizing the district, its businesses, its infrastructure and schools, and its public services.

Thirdly, we have a new chairman who has made every effort to familiarize himself with the affairs of the District and played a fair and an even hand with District officials, with the gentlewoman from the District of Columbia (Ms. NORTON), and with myself.

I believe the strong bipartisan support, however, also reflects confidence that at least two of the riders that both the administration and many in Congress have objected to can be modified in conference.

I am speaking of the commitment of the gentleman from Oklahoma (Chairman ISTOOK) to revisit provisions restricting the District from using even its own funds to pursue legal redress in Federal court on its voting rights claim.

□ 1730

The amendment of the gentlewoman from the District of Columbia (Ms. NORTON) to allow local funds to be used on this lawsuit lost on a tie vote, and the chairman of the appropriations subcommittee has given us a commitment that he will try to fix that because it was so close in the House.

The second issue is the needle exchange program. As my colleagues know, the amendment offered by the gentleman from Kansas (Mr. TIAHRT) prohibits the use of Federal or local funds for any needle exchange program in the District. The amendment goes even further to prevent any private organization or individual from offering a needle exchange program if they are in receipt of other Federal funds.

This amendment ties the hands of the District to respond to a public health crisis. D.C. has the highest rate of HIV infection in the United States, and intravenous drug use is the second leading cause. It is the most likely cause that we can reduce with action that we might take, or at least enabling the District to take such action.

It is wrong that the District suffers from the most restrictive language of any other city in the country, hampering its ability to stem the spread of AIDS. No such ban would ever be considered in any other jurisdiction where the other 113 needle exchange programs are operated throughout the country.

Since the Senate is silent on restricting the District's needle exchange program, many are confident that this language will be modified in conference. I hope this will be the case so that the final conference report will be a document we can all support and, thus, will be signed by the President.

Mr. Speaker, I thank the chairman for letting us express our views on this again. We are not going to try to instruct the conferees. We had an overwhelmingly positive vote, I hope we can continue that spirit in conference, and I hope we can bring back a bill to this floor that will get the same type of overwhelming vote in support of it and get a bill signed by the President.

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

Mr. MORAN of Virginia. I yield to the gentleman from Oklahoma.

Mr. ISTOOK. Mr. Speaker, I very much appreciate the gentleman's very positive comments, and like him, I am committed to accenting the positive on this bill.

As we know, I certainly made a commitment, which I intend to honor fully, regarding working something out on the local funding of the litigation that the gentleman described.

We are both aware of the issues surrounding the needle program, and there

is a privately funded needle program operated. We certainly do not intend anything that would go beyond the language the President signed into law last year.

I do not think we are in a position where he would take the extreme action of vetoing something, but I look forward to working with the gentleman on this and all other issues in this conference.

Mr. MORAN of Virginia. Mr. Speaker, reclaiming my time, I will just conclude that the President has indicated that if we could get that language that said no Federal funds could be used for such a program, that would certainly be acceptable to him, and I believe to the body of this House, in the conference report.

But again let me conclude where I started. I thank the chairman for his cooperation and his leadership on this bill.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. BURR of North Carolina). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. ISTOOK, CUNNINGHAM, TIAHRT, ADERHOLT, Mrs. EMERSON, and Messrs. SUNUNU, YOUNG of Florida, MORAN of Virginia, DIXON, MOLLOHAN and OBEY.

There was no objection.

#### ANNOUNCEMENT OF PASSING OF ROBERT H. MOLLOHAN, FORMER MEMBER OF THE HOUSE FROM WEST VIRGINIA

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

Mr. RAHALL. Mr. Speaker, it is with a great deal of sorrow that I rise to announce to the body the passing of a former Member of the House of Representatives from West Virginia, Robert H. Mollohan.

Bob Mollohan served the United States Senate early in his career as Clerk of the Senate Committee on the District of Columbia from 1949 to 1952. He was elected to this body in 1953, where he served until 1957, at which time he ran for governor of West Virginia.

He returned to the House in the 91st Congress, serving from 1969 to 1983 when he retired, and returned to the family insurance business in Fairmont, West Virginia.

Bob Mollohan is the father of our distinguished colleague and dear friend, ALAN B. MOLLOHAN, who succeeded his father when he was first elected to fill his seat in 1982.

Robert Mollohan served with distinction during his time in the House, working for the people of his Congressional District for 17 years. He was a compassionate and caring representative of his people, and a pillar of his community throughout his lifetime.

Indeed, Mr. Speaker, it was not until he retired from this body that this corner back here became known as the Pennsylvania Corner. Prior to that, it was known only as the West Virginia Corner.

He will be sorely missed by West Virginians who will remember his dedication, his compassion, and his thoughtful, caring nature. Robert Mollohan was greatly beloved by his people for his tireless efforts to bring quality and dignity to the lives of West Virginians, and for his deep personal commitment to making sure that their government served them well.

But more, he will be missed by his family. Our thoughts and prayers go out to Mrs. Robert, Helen, Mollohan, who survives her husband, and to his son, Representative ALAN B. MOLLOHAN, his wife, Barbara, and children, and to other family members as they mourn the great loss of a husband, father, and grandfather, Robert H. Mollohan.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2670, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 106-284) on the resolution (H.Res. 273) providing for the consideration of the bill (H.R. 2670) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary and related agencies for the fiscal year ending September 30, 2000, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### WORKPLACE PRESERVATION ACT

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 271 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 271

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 987) to require the Secretary of Labor to wait for completion of a National Academy of Sciences study before promulgating a standard or guideline on ergonomics. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule for a period not to exceed two hours. The bill shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be