GRAY of Pennsylvania. The Gray amendment would prohibit new investment in South Africa not only by banks, but by American firms and individuals as well. The $2.6 billion investment in this nation of apartheid by more than 300 American subidiaries most certainly helps to make legitimate a racist regime. By prohibiting such investment in the future, we will send a strong economic message to a government which denies full human rights to the 75 percent of its population which is nonwhite.

I urge support of the Gray amendment, and a yes vote on H.R. 3231.●

Mr. BONKER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. FOLEY) having assumed the chair, Mr. SEIBERLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3231) to amend the authorities contained in the Export Administration Act of 1979, and for other purposes, had come to no resolution thereon.

ELECTION OF HON. JIM WRIGHT AS SPEAKER PRO TEMPORE DURING THE ABSENCE OF THE SPEAKER

Mr. LONG of Louisiana. Mr. Speaker, I send to the desk a privileged resolution (H. Res. 325) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 325

Resolved, That the Honorable Jim Wright, a Representative from the State of Texas, be, and he is hereby, elected Speaker pro tempore during the absence of the Speaker.

Resolved, That the President and the Senate be notified by the Clerk of the election of the Honorable Jim Wright as Speaker pro tempore during the absence of the Speaker.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SWEARING IN OF HON. JIM WRIGHT AS SPEAKER PRO TEMPORE DURING THE ABSENCE OF THE SPEAKER

The SPEAKER pro tempore. The gentleman from Texas will take the chair and be sworn in by the Dean of the House, the distinguished gentleman from Mississippi (Mr. WHITTEN).

Mr. WRIGHT assumed the chair and took the oath of office administered to him by the gentleman from Mississippi (Mr. WHITTEN).

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Sparrow, one of its clerks announced that the Senate had passed with amendments in which the concurrence of the House is requested bills of the House of the following titles:

H.R. 3813. An act to amend the International Coffee Agreement Act of 1980; and

H.R. 3929. An act to extend the Federal Supplemental Compensation Act of 1982, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 3929) entitled "An Act to extend the Federal Supplemental Compensation Act of 1982, and for other purposes", requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. DOLE, Mr. ARMSTRONG, Mr. ROTH, Mr. CHAFEE, Mr. LONG, Mr. MOYNIHAN, and Mr. BOREN to be the conferees on the part of the Senate.

CONFERENCE REPORT ON HOUSE JOINT RESOLUTION 368, CONTINUING APPROPRIATIONS, 1984

Mr. WHITTEN submitted the following conference report and statement on the joint resolution (H.J. Res. 368) making continuing appropriations for the fiscal year 1984, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 98-397)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 368) "making continuing appropriations for the fiscal year 1984, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 13, 15, 16, 17, 18, 19, 20, 21, 23, 25, and 26.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 8, and 12, and agree to the same.

Amendment numbered 5:

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same, with an amendment, as follows:

In lieu of the matter proposed by said amendment insert: *: Provided further, That for the purposes of this joint resolution, when an Act listed in this subsection has been reported to the Senate but not passed by the Senate as of October 1, 1983, it shall be deemed as having been passed by the Senate*; and the Senate agree to the same.

Amendment numbered 10:

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows:

In lieu of the subsection designation in said amendment insert: *(h)*; and the Senate agree to the same.

Amendment numbered 11:

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows:

In lieu of the subsection designation in said amendment insert: *(i)*; and the Senate agree to the same.

Amendment numbered 22:

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows:

In lieu of the subsection designation "(i)" in said amendment insert: *(g)*; and the Senate agree to the same.

Amendment numbered 24:

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows:

In lieu of the section designation in said amendment insert: *112*; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 6, 7, 9, and 14.

JAMIE L. WHITTEN,
EDWARD P. BOLAND,
WILLIAM H. NATCHER,
NEAL SMITH,
JOSEPH P. ADDABBO,
SIDNEY R. YATES,
EDWARD R. ROYBAL,
SILVIO O. CONTE,
JOSEPH M. MCDADE,
JACK EDWARDS,
JOHN T. MYERS,
Managers on the Part of the House.

MARK O. HATFIELD,
TED STEVENS,
LOWELL P. WEICKER, JR.,
JAMES A. MCCLURE,
PAUL LAXALT,
THAD COCHRAN,
JAMES ABDNOR,
R. W. KASTEN,
JOHN C. STENNIS,
DANIEL K. INOUYE,
THOMAS F. EAGLETON,
LAWTON CHILES,
DENNIS DECONCINI,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers of the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H.J. Res. 368) making continuing appropriations for the fiscal year 1984, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

Amendment No. 1: Technical restoration due to conference action on subsequent Senate amendments.

Amendment No. 2: Deletes House language for District of Columbia programs which are provided for in Amendment No. 10 at the rate of the recent conference agreement.

Amendment No. 3: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken by said amendment insert: *Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Act, 1984 (H. Rept. 98-357, S. Rept. 98-247) under the terms and conditions provided in such Act for fiscal year 1983; and*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement provides for projects and activities funded in the Labor, Health and Human Services, Education and Related Agencies Appropriation Act at the House or Senate amount, whichever is lower, and under the terms and conditions which existed in fiscal year 1983. In subsection 101(b), the House had provided for the Labor-HHS-Education Act as passed the

use and the Senate had provided for the t as reported to the Senate, under the terms and conditions which existed in fiscal 1983.

In agreeing to the lesser of the House or Senate rates, the managers note that final action is anticipated shortly on the regular Labor, Health and Human Services, Education and Related Agencies Appropriation Act for fiscal year 1984. Thus, the action of the conference on this continuing resolution should not prejudice the decisions to be made by Congress in consideration of the regular appropriations bill. The managers direct that the departments and agencies funded under this appropriation take no actions regarding staffing or program levels or procurement that would preempt congressional prerogatives on the regular appropriations bill.

With respect to national activities under the Job Training Partnership Act, the conferees direct the Department of Labor to maintain current funding levels for all recurring categories of projects during the period of this Continuing resolution, including specifically 70001 Ltd., the Human Resources Development Institute, and the National Displaced Homemaker's Network. In addition, the Department is drected to provide funds, at the rate provided in H.R. 3913 as passed by the House of Representatives, for rural concentrated employment programs serving service delivery areas under section 101(a)(4)(A)(ii) of the Job Training Partnership Act. These funds are in addition to amounts otherwise provided under sections 202 and 251(b) of such Act under this resolution. The purpose is to provide funds to each rural concentrated employement program to maintain as nearly as possible the fiscal year 1983 funding levels.

The conferees have deleted language proposed by the House and stricken by the Senate concerning the Military Construction Act. That Act is provided for in subsection 101(i) at the rate of the recent conference agreement.

Amendment No. 4: Inserts language, proposed by the Senate, which provides that projects or activities funded in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Act, 1984 be provided for under section 101(a) of the continuing resolution at the House or Senate level, whichever is lower. The House had proposed that projects or activities funded in such Act be provided for under section 101(b) of the continuing resolution. The Senate amendment also includes language providing that authorities contained in Public Law 96-132, the "Department of Justice Appropriation Authorization Act, Fiscal Year 1980" shall remain in effect until the termination date of the continuing resolution or the effective date of a general Department of Justice Authorization Act, whichever is earlier.

Amendment No. 5: Provides that when an appropriation Act listed in subsection 101(a) has been reported to the Senate but not passed by the Senate as of October 1, 1983, it shall be deemed as having passed the Senate. The Senate amendment applied to Acts in both the House and the Senate. The House has no similar provision.

Amendment No. 6: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

(b) Such amounts as may be necessary for projects or activities not otherwise specifically provided for in this joint resolution and for which appropriations, funds, or other authority would be available in the following appropriation Acts:

Agriculture, Rural Development, and Related Agencies Appropriation Act, 1984 at a rate for operations and to the extent and in the manner provided for in the Act as passed the House of Representatives as of October 1, 1983: Provided, That appropriations or loan authorization for the following agencies or activities are available at not to exceed the following annual rates and the totals are adjusted accordingly:

Agricultural Research Service:	
Salaries and Expenses	*$478,000,000*
Buildings and Facilities	*28,602,000*
Cooperative State Research Service:	
Special grants	*25,234,000*
Competitive grants	*17,000,000*
Animal health and disease grants	*5,760,000*
Animal and Plant Health Inspection Service: Salaries and Expenses	*263,259,000*
Federal Crop Insurance Corporation:	
Administrative and operating expenses	*200,000,000*
FCIC Fund	*110,000,000*
Office of Rural Development Policy	*2,000,000*
Rural Housing Insurance Fund: Moderate income loans	*0*
Agricultural Credit Insurance Fund:	
Insured soil and water loans	*30,000,000*
Economic emergency loans	*0*
Rural Development Insurance Fund: Water and waste disposal loans	*270,000,000*
Rural Water and Waste Disposal Grants	*90,000,000*
Rural Electrification Administration: Guaranteed loans, not less than	*3,360,000,000*
Commodity Futures Trading Commission:	
Salaries and Expenses	*26,400,000*
ADP Limitation	*3,626,000*

:Provided further, That notwithstanding any other provison of law or this joint resolution, section 184 of the Omnibus Budget Reconciliation Act of 1982 (96 Stat. 785), is amended by inserting before the period at the end of paragraph (b) the following: ", or for the first three months of the fiscal year ending September 30, 1984": Provided further, That notwithstanding any other provision of law or this joint resolution, the provisions of subsections (f) and (i) of section 3 and section 10 of the Food Stamp Act of 1977, as amended, concerning private, nonprofit drug addiction or alcoholic treatment and rehabilitation programs, shall also be applicable to publicly operated community health centers: Provided further, That notwithstanding any other provision of this joint resolution, no part of any of the funds appropriated or otherwise made available by this or any other Act may be used to implement mandatory monthly reporting-retrospective budgeting for the food stamp program during the first three months of the fiscal year ending September 30, 1984: Provided further, That, hereafter, in order to restore and maintain U.S. share of world markets and to restore capital of the Corporation for its operations, any restrictions or limitations on the authorities and obligations of the Commodity Credit Corporation to sell in world markets, as provided by its Charter, may be waived or suspended by the Secretary of Agriculture; and Department of Interior and Related Agencies Appropriation Act, 1984 (H.R. 3363), notwithstanding any other provision of this joint resolution, except section 102, such sums as may be necessary for programs, projects, or activities provided for in such Act (H.R. 3363), to the extent and in the manner provided for in the conference report and joint explanatory statement of the Committee of Conference filed in the House of Representatives, as if such Act had been enacted into law.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conference agreement replaces House language which provided for programs or activities under four appropriation bills as they passed the House and Senate language which provided for programs or activities under three appropriation bills as they passed the Senate.

Under the conference agreement, the Agriculture bill is provided for as herein described.

The Interior bill is provided for in accordance with the conference agreement filed on the regular annual bill.

The Commerce, Justice, State, and the Judiciary bill is provided for in amendments numbered 4 and 9.

The Labor, Health and Human Services, and Education bill is provided for in amendment numbered 3.

AGRICULTURE, RURAL DEVELOPMENT, AND RELATED AGENCIES

The conference agreement for rates of operation for the Department of Agriculture and the related agencies uses the House passed bill as the base, with adjustments to reflect Senate action and the most current information regarding program needs. Where lower levels have been selected it is generally to reflect information provided to the conferees that such levels are all that can be effectively used during the period of this resolution or during the fiscal year. The conferees expect that funds made available by this resolution shall be made available immediately and in no cases shall personnel ceilings be used to limit program or funding levels provided by this resolution.

RELIEF NEEDED FOR AGRICULTURE

In order to restore the purchasing power of American agriculture, maintain the normal volume of domestic agricultural production, and protect our largest dollar earner in world trade, the conferees will expect the Secretary of Agriculture to immediately take the following necessary steps. First, as authorized by the Commodity Credit Corporation Charter, the Agriculture and Food Act of 1981 (Public Law 97-98), and other Acts, the Secretary of Agriculture should set target prices that accurately reflect increase in cost of production. The Secretary should also set production targets at levels that meet domestic needs, allow for adequate reserves, and provide a dependable market for world demand at competitive prices as authorized by the Charter of the Commodity Credit Corporation. Second, to prevent otherwise unavoidable shortages of food and fiber for the consumer, the Secretary should make disaster loans or payment and/or provide feed grains promptly from the Commodity Credit Corporation to farmer-producers and ranchers who have suffered from the recent disastrous drought in order to assist such farmer-producers and ranchers to remain in business. Delays in processing disaster applications are inexcusable in view of the severity of the drought. The conferees believe the Secretary must act expeditiously to prevent widespread bankruptcies of farmer-producers and ranchers and to assure adequate

supplies of food and fiber for the Nation's consumers.

AGRICULTURAL RESEARCH SERVICE

BUILDINGS AND FACILITIES

The conference agreement provides for the following facilities:

Old West Vet. School in Nebraska	$12,050,000
Children's Nutrition Research Center at Houston	5,500,000
Virginia-Maryland Vet. School at VPI	4,500,000
Plant Stress and Soil Moisture Lab at Lubbock, Texas	500,000
Technology Transfer Center in southeast Oklahoma	375,000
Forage Seed Center at Corvallis, Oregon	4,000,000
Metabolism and Radiation Research Lab in North Dakota	850,000
National Soil Tilth Center at Ames, Iowa	827,000
Total	$28,602,000

COOPERATIVE STATE RESEARCH SERVICE

The conference agreement provides for special research grants at the following annual rates:

Dairy goats	$100,000
Integrated production system	200,000
Horticultural studies	50,000
Sunflower insects	150,000
Biomass energy	800,000
Biocontrol of grasshoppers	50,000
Wool research	150,000
Agricultural policy institute	450,000
All other studies	23,284,000
Total	$25,234,000

EXTENSION SERVICE

The conferees will expect the Extension Service to maintain the fiscal year 1983 program level for the renewable resources extension program out of total funds available to the Agency.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

The conference agreement includes funding for the screwworm program at an annual rate of $50,000,000 and funding for the brucellosis program at an annual rate of not less than $69,500,000. The conferees have received assurances that brucellosis state agreements and indemnity rates will not be reduced at this level of funding.

FEDERAL CROP INSURANCE CORPORATION

Funding requirements for the Federal Crop Insurance Corporation for fiscal year 1984 are based largely on participation in the program in fiscal year 1983. The conference agreement reflects reductions that are possible because assumptions regarding the rate of growth of the crop insurance program have not been realized. The conferees have been advised that the recommended funding level will allow the Corporation to maintain a favorable cash position, including ample funding to cover drought losses.

ECONOMIC EMERGENCY LOANS

The conference agreement defers funding for economic emergency loans, since these loans are not authorized by law. Once the program is authorized, supplemental funding will be considered.

RURAL ELECTRIFICATION ADMINISTRATION

The conference agreement provides for guaranteed loans at the annual rate proposed in the Senate bill. The conferees have been advised that the higher levels proposed in the House bill are unnecessary, especially in light of the levels provided for direct loans.

DEPARTMENT OF DEFENSE

Amendment No. 7: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

(c) Pending enactment of the Department of Defense Appropriation Act, 1984, such amounts as may be necessary for continuing activities, not otherwise specifically provided for elsewhere in this joint resolution, which were conducted in fiscal year 1983, for which provision was made in the Department of Defense Appropriation Act, 1983, but such activities shall be funded at not to exceed an annual rate for new obligationnal authority of $247,000,000,000, which is an increase above the current rate, and this level shall be distributed on a pro rata basis to each appropriation account utilizing the fiscal year 1984 amended budget request as the base for such distribution and shall be available under the terms and conditions provided for in the applicable appropriation Acts for fiscal year 1983: Provided, That no appropriation or funds made available or authority granted pursuant to this subsection shall be used to initiate multiyear procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later: Provided further, That none of the funds appropriated or made available pursuant to this subsection shall be available for the conversion of any full time positions in support of the Army Reserve, Air Reserve, Army National Guard, and Air National Guard by Active or Reserve Military Personnel, from civilian positions designated "military technicians" to military positions: Provided further, That no appropriation or funds made available or authority granted pursuant to this subsection shall be used to initiate or resume any project, activity, operation or organization which is defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for investment items is further defined as a P-1 line item in a budget activity within an appropriation account and an R-1 line item which includes a program element and subprogram element within an appropriation account, for which appropriations, funds, or other authority were not available during the fiscal year 1983: Provided further, That notwithstanding any other provision of this joint resolution, $5,000,000 is appropriated for the XXIII Olympiad as authorized by Section 304 of Public Law 98-94, and in addition the Department of Defense may provide support to the Los Angeles Olympic Organizing Committee on a reimbursable basis, with the proceeds to be credited to the current applicable appropriation accounts of the Department.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees agree that the Department of Defense may fund continuing activities at an annual rate for new obligational authority at not to exceed $247,000,000,000, and that such amount shall be distributed on a pro rata basis to each appropriation account utilizing the fiscal year 1984 amended budget request as the basis for such distribution. The rate provided does not include sums for a pay raise that may be appropriated at a later date. The House version had provided funding at the fiscal year 1983 level or the budget estimate whichever was lower. The Senate version of this joint resolution had recommended funding at a rate of $253,000,000,000, until the fiscal year 1984 Department of Defense Appropriation Act had been reported by either the House or Senate and then at the lower rate of either bill and under the more restrictive terms and conditions.

The conferees further agree to prohibit initiation of new multiyear procurements utilizing advance procurement funding for economic quantity procurement as proposed in the fiscal year 1984 Defense budget, and to prohibit conversion of any full time positions in support of the Guard and Reserves from civilian positions designated "military technicians" to military positions, as proposed by the House, during the period of time covered by this joint resolution.

The conferees also agree to accept the House prohibition against initiation and resumption of projects or activities as specifically defined in the House version of this joint resolution. The conferees agree to delete the House language relating to increases in production rates above those sustained with fiscal year 1983 funds. The purpose in deleting this more restrictive language was to protect planned increases in such programs as the C-5B aircraft firm fixed price production and increased funding planned for the Trident II missile full scale engineering development, the contracts for which early awards are scheduled. The Department of Defense is placed on notice that by deleting the language it was not the intention of the conferees that the Department has the authority to increase generally production rates on programs other than those mentioned, pending enactment of the regular Defense Appropriation Bill for fiscal year 1984. The conferees agree that the Appropriations Committees of the House and Senate should monitor the Department's use of this authority. Any abuse of that authority, particularly in programs which are clearly subject to congressional revision or disapproval, will result in appropriate additional restrictions and limitations of funding and authority in subsequent appropriations measures.

In lieu of general funding authority provided in the Senate amendment, the conferees agree to an appropriation of $5,000,000 as an initial portion of the $50,000,000 authorized for Department of Defense security support to the XXIII Olympic games in Los Angeles, California. The conferees further agree to provide authority for Department support on a reimbursable basis to the Olympic games when special resources are required. Such reimbursable support may be provided only in response to a direct written request from the Los Angeles Olympic Organizing Committee. Since the conferees had agreed to delete the Senate language concerning the necessity for the Department to adhere to the levels in either the House or Senate bills as reported and then the lower of the two, the conferees found it necessary to include the provision on partial funding for support of the Olympics in order to avoid the Department embarking on unnecessary and wasteful bookkeeping exercises during the time period of this joint resolution.

Subsection 101(f) permits the Army National Guard and Army Reserve operation and maintenance and National Guard and Reserve equipment procurement to proceed at the fiscal year 1983 rate for those accounts instead of at the rate proposed in the fiscal year 1984 Defense budget which is lower. This provision in no way addresses

er activities of the Department of De- e generally.

The conferees agree that the language of section 101(e) of the continuing resolution is sufficient to continue the spending and borrowing authority of the Export-Import Bank during the life of the continuing resolution.

The conferees have deferred consideration, without prejudice, of additional funding for the CRBR project. Until Congress acts, the Department should maintain all options and not undertake any new activities relating to CRBR including an initiation of any construction.

Amendment No. 8: Deletes language proposed by the House in section 101(f) relating to Rehabilitation and handicapped research activities. The conferees are agreed that these activities are covered by section 101(a) which would provide for a rate of operations not exceeding the current rate.

Amendmenmt No. 9: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate amended to read as follows:

Restore the matter stricken by said amendment, amended to read as follows:

(g) Such amounts as may be necessary for the following projects or activities, which were provided for in H.R. 3222, the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Act, 1984, as reported to the House of Representatives on June 3, 1983, to the extent and in the manner provided for in such Act, and at a rate for operations, notwithstanding section 15(a) of the State Department Basic Authorities Act of 1956 and ction 701 of the United States Information d Educational Exchange Act of 1948, as llows:

Department of Commerce: General Administration, "Special Foreign Currency Program", $693,000;

Economic and Statistical Analysis, "Salaries and Expenses", $39,337,000;

Economic Development Administration: "Economic Development Assistance Programs", $250,000,000; "Salaries and Expenses", $30,141,000;

International Trade Administration, "Operations and Administration", $169,893,000;

National Oceanic and Atmospheric Administration: "Operations, Research, and Facilities", $942,871,000; "Fisheries Loan Fund", $5,000,000;

Federal Communications Commission, "Salaries and Expenses", $86,383,000;

Federal Trade Commission, "Salaries and Expenses", $63,500,000: Provided, That these funds are subject to the limitations and provisions of sections 10(a) and 10(c) (notwithstanding section 10(e)), 11(b), 18 and 20 of the Federal Trade Commission Improvements Act of 1980 (Public Law 96-252; 94 Stat. 374), notwithstanding the previous provisions of this subsection;

International Trade Commission, "Salaries and Expenses", $20,737,000;

Securities and Exchange Commission, "Salaries and Expenses", $92,500,000;

Small Business Administration, "Salaries and Expenses", $236,000,000;

Department of Justice: Immigration and Naturalization Service, "Salaries and Expenses", $527,257,000;

Notwithstanding the previous provisions of this subsection, Legal Services Corporation, "Payment to the Legal Services Corporation", $275,000,000:

Provided, That none of the funds appropriated in the Act for the Legal Services Corporation shall be expended to provide legal assistance for or on behalf of any alien unless the alien is a resident of the United States and is—

(1) an alien lawfully admitted for permanent residence as an immigrant as defined by sections 101(a)(15) and 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15), (20));

(2) an alien who is either married to a United States citizen or is a parent or an unmarried child under the age of twenty-one years of such a citizen and who has filed an application for adjustment of status to permanent resident under the Immigration and Nationality Act, and such application has not been rejected;

(3) an alien who is lawfully present in the United States pursuant to an admission under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157, relating to refugee admissions) or who has been granted asylum by the Attorney General under such Act; or

(4) an alien who is lawfully present in the United States as a result of the Attorney General's withholding of deportation pursuant to section 243(h) of the Immigration and Nationality Act (8 U.S.C. 1253(h)).

An alien who is lawfully present in the United States as a result of being granted conditional entry pursuant to section 203(a)(7) of the Immigration and Nationality Act (8 U.S.C. 1153(a)(7)) before April 1, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion or because of being uprooted by catastrophic natural calamity shall be deemed, for purposes of section 1007(b)(11) of the Legal Services Corporation Act, to be an alien described in subparagraph (C) of such section: Provided further, That none of the funds appropriated in this Act for the Legal Services Corporation shall be used by the Corporation in making grants or entering into contracts for legal assistance unless the Corporation insures that the recipient is either (a) a private attorney or attorneys (for the sole purpose of furnishing legal assistance to eligible clients) or (b) a qualified nonprofit organization chartered under the laws of one of the States for the primary purpose of furnishing legal assistance to eligible clients, the majority of the board of directors or other governing body of which organization is comprised of attorneys who are admitted to practice in one of the States and who are appointed to terms of office on such board or body by the governing bodies of State, county, or municipal bar associations the membership of which represents a majority of the attorneys practicing law in the locality in which the organization is to provide legal assistance: Provided further, That none of the funds appropriated in this Act shall be expended by the Legal Services Corporation to participate in litigation unless the Corporation or a recipient of the Corporation is a party, or a recipient is representing an eligible client in litigation in which the interpretation of this title or a regulation promulgated under this title is an issue, and shall not participate on behalf of any client other than itself: Provided further, That none of the funds appropriated in this Act shall be available to any recipient to be used—

(A) to pay for any personal service, advertisement, telegram, telephone communication, letter, printed or written matter, or other device, intended or designed to influence any decision by a Federal, State, or local agency, except where legal assistance is provided by an employee of a recipient to an eligible client on a particular application, claim, or case, which directly involves the client's legal rights and responsibilities, or

(B) to influence any Member of Congress or any other Federal, State, or local elected official to favor or oppose any Acts, bills, resolutions, or similar legislation, or any referendum, initiative, constitutional amendment, or any similar procedure of the Congress, any State legislature, any local council, or any similar governing body, except that this subsection shall not preclude such funds from being used in connection with communications made in response to any Federal, State, or local official, upon the formal request of such official: Provided further, That none of the funds appropriated in this Act for the Legal Services Corporation shall be used to bring a class action suit against the Federal government or any State or local government unless (1) the project director of a recipient has expressly approved the filing of such an action in accordance with policies established by the governing body of such recipient; (2) the class relief which is the subject of such an action is sought for the primary benefit of individuals who are eligible for legal assistance; and (3) that prior to filing such an action, the recipient project director has determined that the government entity is not likely to change the policy or practice in question, that the policy or practice will continue to adversely affect eligible clients, that the recipient has given notice of its intention to seek class relief and that responsible efforts to resolve without litigation the adverse effects of the policy or practice have not been successful or would be adverse to the interest of the clients: Provided further, That none of the funds appropriated in this Act for the Legal Services Corporation shall be expended for any purpose prohibited or limited by or contrary to section 11 of H.R. 3480, as passed the House of Representatives on June 18, 1981: Provided further, That notwithstanding any regulation, guideline, or rule of the Corporation, the funds appropriated in this Act for the Legal Services Corporation shall be used by the Corporation in making grants or entering into contracts under section 1006(a) (1) and (3) so as to insure that funding for each such current grantee and contractor is maintained in 1984 at the annualized level at which each such grantee and contractor was funded in 1983, or in the same proportion which total appropriations to the Corporation in fiscal year 1984 bear to the total appropriations to the Corporation in fiscal year 1983, until action is taken by directors of the Corporation who have been confirmed in accordance with section 1004(a) of the Legal Services Corporation Act: Provided further, That no member of the Board of Directors of the Legal Services Corporation shall be compensated for his services to the Corporation except for the payment of an attendance fee at meetings of the Board at a rate not to exceed the highest daily rate for grade fifteen (15) of the General Schedule and necessary travel expenses to attend Board meetings in accordance with the Standard Government Travel Regulations: Provided further, That no officer or employee of the Legal Services Corporation or a recipient program shall be reimbursed for membership in a private club, or be paid severance pay in excess of what would be paid a Federal employee for comparable service;

Department of State: Administration of Foreign Affairs: "Salaries and Expenses", $1,120,000,000; "Reopening Consulates", $2,500,000; "Representation Allowances", $4,148,000; "Acquisition, Operation, and Maintenance of Buildings Abroad", $202,889,000; "Acquisition, Operation, and Maintenance of Buildings Abroad (Special Foreign Currency Program)", $10,012,000; "Payment to the American Institute in Taiwan", $9,380,000; "Payment to the Foreign Service Retirement and Disability Fund", $102,753,000;

International Organizations and Conferences: "Contributions to International Organizations", $520,515,000;

International Commissions: International Boundary and Water Commission, United States and Mexico, "Construction", $672,000; "American Sections, International Commissions", $3,426,000; "International Fisheries Commissions", $8,876,000;

Other: "Asia Foundation", $9,900,000;

United States Information Agency: "Salaries and Expenses (Special Foreign Currency Program)", $10,450,000; "Center for Cultural and Technical Interchange Between East and West", $18,362,000; "Acquisition and Construction of Radio Facilities", $34,013,000.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 10: Provides continuing authority for programs under the District of Columbia Appropriation Act at the rate of the conference agreement as proposed by the Senate, amended to conform subsection designation.

Amendment No. 11: Provides continuing authority for programs under the Military Construction Appropriation Act at the rate of the conference agreement as proposed by the Senate, amended to conform subsection designation.

Amendment No. 12: Inserts November 10, 1983 as the termination date of the joint resolution as proposed by the Senate, instead of November 15, 1983 as proposed by the House.

Amendment No. 13: Provides that the subsidy to the Postal Service be sufficient to continue postal rates for preferred-rate mailers at the rates in effect on September 1, 1983 (step 14) as proposed by the House, instead of increased to step 15 as proposed by the Senate.

Amendment No. 14: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows:

SEC. 109. Funds shall be available for school assistance in federally affected areas authorized by title I of the Act of September 30, 1950, and the Act of September 23, 1950, at an annual rate of $585,000,000, under the terms and conditions provided in the applicable appropriation Act for fiscal year 1983; and funds shall be available for Departmental Management, "Salaries and Expenses" under the Department of Education at the current rate of operations.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees expect that no reductions-in-force will occur in the Department of Education as a result of the funding authority provided by this joint resolution.

Amendment No. 15: Restores section number proposed by the House.

Amendment No. 16: Deletes language proposed by the Senate which would have limited pay increases for certain prevailing rate employees in the wage area described in section 780 of Public Law 97-114. The House had no comparable provision.

Amendment No. 17: Restores subsection designation proposed by the House.

Amendment No. 18: Deletes language proposed by the Senate which would have limited pay increases Department of Defense overseas teachers to the overall average percentage adjustment in the General Schedule during fiscal year 1984.

Amendments No. 19, 20 and 21: Adjust subsection designations.

Amendment No. 22: Inserts language proposed by the Senate, amended to change subsection designation, which provides that limitations imposed on prevailing rate pay may not apply to wage adjustments for prevailing rate supervisors. The pay increase for the supervisors will be in accordance with the supervisory pay plan published in the Federal Register. The House had no comparable provision.

Amendment No. 23: Restores section number proposed by the House.

Amendment No. 24: Inserts validating clause carried in previous continuing resolutions as proposed by the Senate, amended to change section number.

Amendment No. 25: Deletes language proposed by the Senate which would have prevented the initiation or resumption of projects or activities which were not conducted during fiscal year 1983.

Amendment No. 26: Deletes language proposed by the Senate applicable to certain provisions in appropriations acts affecting more than one account.

JAMIE L. WHITTEN,
EDWARD P. BOLAND,
WILLIAM H. NATCHER,
NEAL SMITH,
JOSEPH P. ADDABBO,
SIDNEY R. YATES,
EDWARD R. ROYBAL,
SILVIO O. CONTE,
JOSEPH M. MCDADE,
JACK EDWARDS,
JOHN T. MYERS,
Managers on the Part of the House.

MARK O. HATFIELD,
TED STEVENS,
LOWELL P. WEICKER, Jr.,
JAMES A. MCCLURE,
PAUL LAXALT,
THAD COCHRAN,
JAMES ABDNOR,
ROBERT W. KASTEN,
JOHN C. STENNIS,
DANIEL K. INOUYE,
THOMAS F. EAGLETON,
LAWTON CHILES,
DENNIS DECONCINI,
Managers on the Part of the Senate.

Mr. WHITTEN. Mr. Speaker, pursuant to the order of the House yesterday, I call up the conference report on the joint resolution (H.J. Res. 368) making continuing appropriations for the fiscal year 1984, and for other purposes.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to the order of the House of September 29, the conference report is considered as having been read.

The gentleman from Mississippi (Mr. WHITTEN) will be recognized for 30 minutes, and the gentleman from Massachusetts (Mr. CONTE) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Mississippi (Mr. WHITTEN).

GENERAL LEAVE

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report on House Joint Resolution 368 and amendments thereto in disagreement, and that I may include extraneous and tabular matter.

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

There was no objection.

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

Mr. Speaker, we bring you the continuing resolution, House Joint Resolution 368, to enable the Government to operate until November 10 or until regular appropriations bills are enacted into law—if that is done prior to November 10.

It has become necessary because we have been delayed in getting appropriations bills through the Congress and enacted into law primarily because authorizations have not been passed.

□ 1610

As I pointed out when we considered this matter earlier, there is no need at this time to discuss further why we are in this position except I can point out that, in most cases, the authorizations have been delayed in being approved by the Congress, and for that reason appropriations are not technically in order.

May I say to the Members that we have agreed with the Senate position to keep this bill clean and substantially go with the House bill. We have had certain changes in amounts with some of which I personally differ, for in the original resolution which I introduced, the amount was fixed at a lower figure than is in the conference report.

I introduced the House joint resolution with the intent of asking for a rule permitting me to offer this resolution as a substitute for House Joint Resolution 367—to which 19 amendments were approved by the Appropriations Committee most of which were legislation.

When the Speaker referred House Joint Resolution 367 as amended to the Legislative Committee on Foreign Affairs, it was decided to request a rule enabling us to bring up House Joint Resolution 368 without amendment—holding spending virtually in line with the existing rate for Government spending. The defense item, though 14 billion under the President budget, is substantially higher than House Joint Resolution 368 which I introduced. At this time four bills have been enacted into law, and nine are included in this resolution.

The House, as you recall, provided that this continuing resolution last through November 15. That has been changed here by the other body, and we went along in conference, based on the fact that the 10th of November would be more practical. We agreed with the Senate proposal to make the termination date, November 10. The reason for that, the tentative hope of adjournment is for November 18, and it was thought that the November 10 date would give adequate time to handle our problems before the tentative adjournment date of November 18.

I call attention to the fact that section 102 of the resolution provides temporary funding through November 10 or until the regualr bills are enacted into law. The resolution provides that when regular bills are signed into

law, they automatically disengage from the provisions of the resolution.

The resolution also provides for the continuation of existing provisions of law regarding the prohibition of federally funded abortions and prohibition against preventing the implementation of programs of voluntary school prayer and meditation in the public schools.

May I say again that one of our problems was what to tie this continuing resolution to, in view of the different status of the various bills in the legislative process. For the information of my colleagues, the rates for the District of Columbia, Interior, and Military Construction are the conference agreement level. Those bills should be signed soon.

At the lower of House or Senate bill rate we recommend Commerce-Justice-State, with certain exceptions, and Labor-HHS-Education, with certain exceptions.

The House-passed bill rate is carried for Agriculture, with certain reductions.

Carried at the current rate is the Treasury-Postal Service Appropriations Act, and at the lower of the current rate or the budget estimate, is Foreign Operation.

May I say that in all of this, and as I described it the other day, we have made exceptions where there was [illegible] reason. The bill for Commerce, [illegible], and Justice, if you recall, had [illegible] of the major items go out on technical points of order because no rule waiving points of order had been obtained. We have had to take care of that.

But in general, what we bring you is a continuation of essential Government services until November 10. Again all you have to do to come out from under this resolution is to agree on the regular bills and get them signed into law. So this is basically a holding action, operating pretty much as we have all throughout the year for most programs and activities. But, again, when we do pass the bills—and we hope we will get them through—they will take over and we will come out from under the provisions we have here.

I know of no further statements that I can make except, as I have pointed out here, there are a few exceptions. The Chicago problem that our friend from Chicago (Mr. YATES) has brought to our attention has been addressed. There are two or three other relatively minor provisions.

In the case of Agriculture, which has passed the House and Senate, we took the House-passed version and made a limited number of adjustments to reflect Senate action and the most current information regarding program [illegible]s. Some reductions were made in [illegible] loans since the higher levels are not required. We were also able to adjust some other programs because of carryover funds from the jobs bill.

I think, so far as I can understand, that we bring you a resolution that we should not have any trouble getting signed by the President. Insofar as any commitments, we have none from the President, but we do give consideration to his recommendations to the budget, and we retain to the Congress the right to deal with individul items. But insofar as the totals are concerned, we are well within our section 302 allocations allocated to the Appropriations Committee under the budget resolution adopted by the Congress and the amounts recommended by the President.

So, again, it continues the operation of Government except military at approximately present levels until November 10, or until the departments' and agencies' regular bills become law.

Questions as to detail will be handled by the subcommittee chairmen of the various subcommittees.

The SPEAKER pro tempore (Mr. WRIGHT). The gentleman from Mississippi (Mr. WHITTEN) has consumed 7 minutes.

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

(Mr. CONTE asked and was given permission to revise and extend his remarks.)

Mr. CONTE. Mr. Speaker, although Thanksgiving is on your calendar as November 24, let me tell you that we can all give thanks today, and that no turkey will be served.

Your conferees have met and resolved the differences between the House and the Senate on the first continuing resolution for fiscal 1984.

This is an historic resolution.

It passed the House without amendment.

It passed the Senate floor with only one floor amendment in addition to the amendments reported from committee.

All of the differences were fully and fairly resolved. There are no amendments in true disagreement. There are no "killer" issues in the conference agreement.

I can recommend the adoption of this conference agreement without qualification.

And I can also tell you that many people share the credit.

Mr. Speaker, JAMIE WHITTEN, had the courage to bring a clean resolution to the floor, after the first resolution had been mangled by the committee.

The leadership, and the members of the Rules Committee, on both sides of the aisle, gave us a closed rule.

After the resolution had gone to the other body, I was asked by Chairman HATFIELD to work for House consideration of the 1984 supplemental. I talked with JAMIE WHITTEN; he wrote to the Committee on Rules, and that committee has scheduled a hearing on the supplemental for next Tuesday.

Finally, and most astonishing of all, the resolution passed the Senate floor with only one amendment. We should pay the highest possible tribute to the leadership of the Senate, and of the Senate Committee on Appropriations.

For the first time in a long time, we can pass a continuing resolution, and go home and be proud to face our constituents. I will review for my colleagues the principal recommendations of the conferees.

First, the conferees agreed with the Senate position that the resolution extend through November 10. The Senate argued, and we agreed, that we should leave some breathing room between the termination date of the continuing resolution, and the target date for sine die adjournment.

Second, we agreed on rates of spending for each bill covered by the continuing resolution.

Agriculture programs are continued at the rate and under the conditions of the House-passed bill. Specific dollar levels are provided for several activities.

Programs in the Commerce-Justice bill are continued at the lower of the House or the Senate rate, except for those activities which were stricken from the House floor on a point of order. Those activities are funded at specific dollar levels in the resolution.

The Defense rate is $247 billion, the amount provided in the House subcommittee markup concluded yesterday.

House restrictions on new starts during the life of the resolution remain in effect. No activity or project not funded in fiscal 1983 can be initiated under the terms of the resolution. For example, since binary gas was not produced using 1983 funds, none can be produced under the terms of the continuing resolution.

Five million dollars is made available for the start of defense security and other activities at the summer Olympics.

Activities in the Interior, Military Construction, and District of Columbia bills are continued at the rates and under the conditions provided in the conference reports on those bills.

Programs in Labor, Health and Human Services are continued at the lower of the House or Senate rate, and under the terms and conditions provided in the 1983 act.

This means we are extending current law on such issues as abortion, busing, and school prayer.

The rates for Treasury and foreign aid were not changed by the Senate, and were not in conference.

Those rates were, and remain, the current rate for Treasury, and for foreign aid the 1983 continuing resolution and the 1983 supplemental, or the budget estimate, whichever is lower, and the more restrictive authority.

COMMERCE, JUSTICE, STATE

The conference report provides funding for most programs and activities of the Departments of Commerce, Justice, and State, the judiciary and related agencies at the House-passed levels in H.R. 3222, fiscal year 1984 ap-

propriations bill, or the Senate-reported levels in S. 1721, fiscal year 1984 appropriations bill, whichever is lower for each account. The remaining programs and activities of these departments and agencies are provided for at specified levels in section 101(g) of the resolution.

Several issues in this section of the report are of particular interest to many of the Members, and I will briefly describe the actions of the conferees in regard to those items.

The conference report includes $275 million for the Legal Services Corporation. This is a reduction of $21 million below the House amount and an increase of $18 million over the Senate amount. Language included in the conference report places exactly the same restrictions on the Corporation that are now in place. Those restrictions include limitations on assistance to illegal aliens, on lobbying, on class action suits, and on excessive compensation or reimbursement for Corporation officers.

The conference report includes $63.5 million for the Federal Trade Commission. This is a reduction of $1.6 million below the House amount and an increase of $4 million over the Senate amount. Again, the conferees have agreed to impose the same restrictions on the FTC's operations as were in effect in fiscal 1983, including the prohibitions on activities affecting agricultural cooperatives and trademarks.

The conference report includes $250 million for economic development administration programs. This is $51 million more than the Senate amount and $65 million below the House amount.

In total, the conference report would provide $10.2 billion for the programs and activities of these departments and agencies. This is almost exactly the same amount as provided in fiscal 1983, and it is a reduction of $540 million below the House amount.

DISTRICT APPROPRIATIONS

In the section dealing with appropriations for the District of Columbia, the conferees agreed to a subsection which provides for appropriations to the District of Columbia in the manner provided for in the conference report for that bill which passed the House yesterday afternoon, September 29.

INTERIOR—RELATED AGENCIES

The conference agreement provides funding for the Department of the Interior and related agencies at levels provided for in last night's fiscal year 1984 Interior conference.

The conference agreement on H.R. 3363, the Interior appropriations bill, cuts $128.2 million out of the measure as passed by the House. House and Senate conferees have agreed to provide the Department of the Interior and related agencies $7.95 billion in new budget authority.

We have recommended an additional [illegible].8 million over the House-passed level for the Interior Department. This new level of funding provides $538.8 million for the Bureau of Land Management, $353.2 million for the Fish and Wildlife Service, $163.6 million for minerals management, $136.4 million for the Bureau of the Mines, $969.1 million for the Bureau of Indian Affairs, $191.4 million for territorial and international affairs, and $87.9 million for secretarial offices.

In title I, we have had to reduce from House-passed levels, funding for other Interior Department programs. The agreement provides $847.2 million for the National Park Service, $367.1 million for the Geological Survey, and $294.7 million for the Office of Surface Mining Reclamation and Enforcement.

For title II programs, we recommend a level of funding which is $147.9 million below the level as passed by the House. Funds have been added to the Forest Service to provide $1.354 billion, and to the Navajo and Hopi Indian Relocation Commission to provide $18.8 million. New levels of funding provide $1.2 billion for the Department of Energy, $824 million for Indian Health, $166.8 million for the Smithsonian Institution, $162 million for the National Endowment for the Arts, and $140 million for the National Endowment for the Humanities.

LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION

The basic funding mechanism agreed to in conference for the programs in the Departments of Labor, Health and Human Services, and Education, and related agencies is that programs will be funded at the lower of the House-passed or Senate-reported funding levels provided in H.R. 3913, under the terms and conditions applicable in fiscal year 1983. In addition, the statement of the managers directs the departments and agencies to take no actions regarding staffing or program levels or procurements that would pre-empt congressional prerogatives on the regular appropriations bill. This specifically prohibits any procurement action in the Social Security Administration, particularly relating to social security cards, that would not meet the terms of applicable provisos in H.R. 3913 as passed by the House.

Vocational rehabilitation programs are funded at the current rate.

Impact aid is funded at an annual rate of $585 million, under the terms and conditions applicable in fiscal year 1983.

Other programs on which action was deferred in H.R. 3913 are funded at the current rate.

Salaries and expenses for the Department of Education are provided for at the current rate.

TREASURY/POSTAL SERVICE

Under those sections pertaining to Treasury/Postal Service and general Government appropriations, the conferees have taken action on a few specific items.

In funding for revenue foregone for the Postal Service, the conferees have provided for a freezing of preferred class rates at the step 14 level for such users as nonprofit organizations, veterans' magazine publishers, charity groups, and so forth.

The revenue foregone appropriations make up for the revenue the Postal Service might otherwise realize if it were delivering certain types of mail at higher rates.

The conference agreement also provides for continued 6-day delivery and rural delivery, and for free mailing for overseas voting for the blind.

In another area, under a pay raise limitation provision for certain Federal workers, the conferees have eliminated the application of the cap for schoolteachers who teach overseas for the Department of Defense. Pursuant to the elimination of that provision, DOD teachers employed overseas will be eligible for pay raises along the lines of those granted to teachers in the United States.

The conferees also exempted Federal blue collar supervisors from pay raise limitations so as to bring that group more into line with their private sector counterparts.

The implementation of this provision began during fiscal year 1983, under section 107(f) of Public Law 97-377 which provided an exemption from the fiscal year 1983 pay limitation for this purpose. The administration contends that to include this provision in this continuing resolution will maintain the continuity of its 2-year phase-in plan for putting blue collar supervisors on a par with their private sector counterparts.

Mr. Speaker, at this point, I would like to express my strong concern over a matter I consider to be very important. That matter pertains to personnel levels at the Customs Service.

Twice this year, in two separate fiscal year 1984 markups, the Treasury/Postal Service Subcommittee has specifically taken action to restore some 2,000 positions to the Customs Service which were proposed for elimination by the Office of Management and Budget. The Senate has specifically stipulated that 1,600 of those 2,000 positions are to be retained.

It has been the position of both the House and Senate that the high level of drug smuggling and related crime in this country dictates the need for a strong law enforcement effort to stem the tide of illicit drugs coming into this country.

In addition to the crime problem, personnel reductions could slow down the processing of visitors into the United States, as well as reduce the efficiency of processing incoming and outgoing commerce.

Further, there is strong feeling that personnel reductions would be counterproductive to ongoing primary border inspection function consolidation efforts which the committee has strongly indicated it wants accomplished in the near future.

For all of these reasons, I strongly urge the Office of Management and Budget to refrain from any efforts to begin reducing personnel levels at the Customs Service as any such move would be premature, and counter to the expressed positions of both the House and Senate Committees on Appropriations.

The statement of managers contains language indicating that the conferees have deferred consideration, without prejudice, of additional funding for the Clinch River Breeder Reactor project. Until Congress acts further on this question, the Department of Energy is directed to maintain all options and not undertake any new activities relating to the reactor, especially including any initiation of construction.

My colleagues know that I have been a long-standing opponent of the Clinch River reactor project, and they have my assurance that his language will not permit any further work to be done on the project unless there is additional funding by the Congress. As my colleagues know, there was no money provided for Clinch River in the fiscal year 1984 energy and water development appropriations bill.

I believe that this neutral language is appropriate while Congress continues to consider whether any further funding should be provided for the project.

In order to insure continuity of operation for the important programs of the Export Import Bank, the conferees are agreed that the language of section 101(e) of the continuing resolution is, and shall be construed to be, sufficient to continue the spending and borrowing authority of the Bank during the period covered by the continuing resolution.

In the provision dealing with prevailing rate (blue collar) pay, the conferees agreed to delete Senate language which would have limited pay increases for certain prevailing rate employees in the wage area described in Public Law 97-114, and to delete Senate language which would have limited the pay increase for Department of Defense overseas teachers.

However, the conferees agreed to Senate language which provides that limitations imposed on prevailing rate pay would not apply to wage adjustments for prevailing rate supervisors.

Mr. Speaker, that concludes my summary of the specific recommendations of your conferees.

This is a good conference agreement, which I can recommend to Members of both parties. We have continued Federal activities at the minimum responsible levels which reflect the actions of the House and the Senate.

In the case of both Labor-HHS and Commerce-Justice, the conferees agreed on the lower of the House or Senate rate, which is the more traditional continuing resolution formula.

Some of the levels in the Labor-HHS bill will be too low, in my opinion. However, the way to solve that problem is to pass the appropriation bill and send it to the President.

Ordinarily, at this point I would talk about the possibility that the Government will shut down, and that we will lose social security payments, the Department of Defense, food stamps, and other critical programs.

Today I am not going to do so. Both bodies have acted with exceptional restraint and responsibility, and I think we will continue to do so.

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

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

Mr. CONTE. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, will the gentleman explain to me an issue that I understand did arise in the conference with regard to section 101(b)(1), which was beyond the scope of the conference, which delays for 3 months an antifraud requirement in the food stamp program?

Mr. CONTE. We accepted an amendment in conference for a cash program for food stamps for Puerto Rico.

Mr. WALKER. My understanding of the matter is that it was beyond the scope of the conference and that this refers to the monthly reporting retrospective budgeting, and that it would have an impact on the entire food stamp program and not just on Puerto Rico?

Mr. CONTE. That was not my understanding.

I yield to my good friend, the gentleman from California (Mr. PANETTA).

Mr. PANETTA. I thank the gentleman for yielding.

Mr. Speaker, basically, what it does is, it allows Puerto Rico to continue to operate for 3 months on a cash program. It does not affect any other part of the food stamp program, that particular amendment.

Mr. WALKER. If the gentleman from Massachusetts will yield further, do I understand, then, that any concern with regard to the fact that this 3-month delay in the antifraud provisions that would extend beyond the Puerto Rico experience, it is not the intention of the committee to move forward, that the committee intends for this to apply only to the Puerto Rico situation and does not intend it to go beyond that into the total program?

□ 1620

Mr. CONTE. That is exactly right.

Mr. WALKER. I thank the gentleman.

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

Mr. CONTE. I yield to my good friend, the gentleman from California.

Mr. PANETTA. I thank the gentleman for yielding.

Mr. Speaker, I believe the gentleman from Pennsylvania is confusing two different amendments. One is an amendment which extends the period for cash payments, a special program that Puerto Rico has for 3 months, instead of having to come back onto the regular food stamp program. That deals solely and specifically with Puerto Rico.

The second amendment, however, deals with postponing the monthly reporting requirements for 3 months, and in that instance that applies to the entire program because a number of States have indicated they need additional time in order to comply with that requirement.

Mr. WALKER. If the gentleman will yield further, then, we are talking about the fact that there is a 3-month delay in the conference report on an antifraud provision that was first adopted as a part of the reconciliation in 1981 and that we are delaying, as a part of this conference report, that reporting requirement?

Mr. CONTE. It is my understanding that it only applies to retrospective reporting.

Mr. WALKER. That is my information, too. It refers to monthly reporting for restrospective budgeting, which was an antifraud provision.

Mr. PANETTA. If the gentleman will yield further to me, basically what has happened here is that all of the States are having a difficult time meeting this monthly reporting requirement which goes into effect supposedly on October 1. All of them have asked for waivers.

The Department, in fact, has indicated that for the month of October they will, in effect, waive this particular requirement. So what we are doing in this instance is extending it for a couple of additional months so that the States can adequately prepare for that requirement.

Mr. WALKER. If the gentleman will yield further, my question was: Is that issue not an issue that was beyond the scope of the conference to consider?

Mr. CONTE. I do not think so. No.

Mr. WALKER. I thank the gentleman.

Mr. OTTINGER. Mr. Speaker, will the gentleman from Mississippi yield to me?

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

Mr. OTTINGER. I thank the gentleman for yielding.

Mr. Speaker, I ask the gentleman to yield to give us an explanation of the language on page 19 of the statement of managers with respect to the Clinch River breeder reactor project, which says that the conferees have deferred consideration without prejudice of additional funding for the CRBR project. Until the Congress acts, the Department should maintain all options and not undertake any new activities relating to CRBR, including an initiation of construction.

What concerns me is that the Secretary had written to Chairman JOHN DINGELL in a letter dated September 16, 1983, which says that if action is

not taken to provide added funding for the project on or before October 1, 1983, the project would effectively be termination and contractors would have to be notified on October 1, 1983, that funds were not available and this would place the project in constructive termination. While there will be $45 million in uncosted obligations at the end of fiscal year 1983, most of these are for subcontracts and represent hard commitments. These subcontracts would have to be terminated. There are no funds appropriated to cover termination costs and such funds would need to be immediately requested unless provided by Congress.

My question is: Is the language of the managers of the conference intended to be totally neutral with respect to Clinch River and not intended in any way to overcome this statement and the letter?

Mr. WHITTEN. It is intended to be neutral. On the House side, as the gentleman may remember, we provided no money at all for the Clinch River project but agreed that in the event funds were provided for CRBR that we would bring it back and subject it to a House floor vote.

The Senate majority leader is from Tennessee, and I can see the problems he has. I can understand his situation in not wanting to let it go by without comment, so what this is is a comment to the effect that nothing is being done one way or the other, but the situation is being left just as it is.

Mr. OTTINGER. I thank the chairman. Is that the understanding of the ranking minority member, the gentleman from Massachusetts (Mr. CONTE)?

Mr. CONTE. That is right.

Mr. OTTINGER. I thank the gentleman. That is all I need.

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

Mr. WHITTEN. I yield to the gentleman from Maryland.

Mr. DYSON. I thank the gentleman.

Mr. Speaker, I would like to engage in a colloquy with the chairman of the Subcommittee on Commerce, State, Justice, and related agencies.

Mr. WHITTEN. I yield to the gentleman from Iowa.

Mr. DYSON. Was it the intention of the conference committee conferees to remove language from the continuing resolution with respect to construction differential subsidy paybacks so the question could be resolved within the Congress when the Congress considers the Commerce, State, Justice appropriation?

Mr. SMITH of Iowa. Yes; it is our intention that that question will be settled either in the conference on the regular bill or in the next continuing resolution and that this matter not be prejudiced one way or the other in this bill.

Mr. DYSON. Mr. Chairman, is it your intention and that of the House conferees that the Secretary of Transportation not take any action to promulgate or implement any proposed rule change with respect to the repayment of construction differential subsidies during the period covered by the continuing resolution?

Mr. SMITH of Iowa. It was our understanding and intention that what we are doing would not prejudice it one way or the other, and that the matter could be resolved at a later point.

Mr. DYSON. I thank the chairman.

● Mr. FRENZEL. Mr. Speaker, the House managers of House Joint Resolution 368 are now telling us that this continuing resolution is free of adornment, will allow spending in the functions covered at rates substantially below our budget resolutions.

I commend the managers for their achievements. This is obviously a better resolution than we have seen for many years around here. On the other hand, just because it is better does not mean it is good.

It still has the $20 million for the Chicago school problem. It still funds unauthorized items. It still comes to us shrouded in mystery. We have no precise definition of how much money is in this bill. I have confidence in our managers, but I will not vote in the dark even for a 6-week period.

House Joint Resolution 368 is a great improvement, but it does not yet warrant an affirmative vote.●

Mr. WHITTEN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

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

Mr. FRENZEL. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and I 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 electronic device, and there were—yeas 232, nays 136, not voting 65, as follows:

[Roll No. 374]

YEAS—232

Ackerman
Akaka
Andrews (NC)
Andrews (TX)
Annunzio
Anthony
Barnard
Barnes
Bateman
Beilenson
Bennett
Bereuter
Berman
Biliey
Boehlert
Boggs
Boner
Bonker
Borski
Bosco
Boucher
Breaux
Brooks
Brown (CA)
Burton (CA)
Byron
Campbell
Carney
Chandler
Chappell
Clarke
Clinger
Coelho
Coleman (TX)
Collins
Conte
Cooper
Coughlin
Courter
Coyne
Crockett
D'Amours
Daniel
de la Garza
Dicks
Dixon
Dowdy
Downey
Duncan
Dwyer
Dymally
Dyson
Edwards (AL)
Edwards (CA)
Erdreich
Erlenborn
Fascell
Fazio
Ferraro
Fiedler
Fish
Flippo
Florio
Foglietta
Foley
Ford (MI)
Forsythe
Fowler
Franklin
Frost
Fuqua
Garcia
Gaydos
Gejdenson
Gephardt
Gilman
Gonzalez
Gore
Gradison
Gray
Green
Guarini
Hall (IN)
Hall, Sam
Harrison
Hatcher
Hawkins
Hefner
Hightower
Hillis
Holt
Horton
Howard
Hoyer
Huckaby
Hutto
Hyde
Ireland
Jeffords
Johnson
Jones (NC)
Jones (TN)
Kastenmeier
Kazen
Kemp
Kennelly
Kindness
Kogovsek
Kolter
LaFalce
Lantos
Leath
Lehman (CA)
Lehman (FL)
Lent
Levin
Levine
Levitas
Lewis (CA)
Lipinski
Livingston
Lloyd
Long (LA)
Long (MD)
Lott
Lujan
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McColium
McDade
McGrath
McHugh
McKernan
McKinney
McNulty
Mica
Michel
Mikulski
Mineta
Minish
Mitchell
Molinari
Mollohan
Montgomery
Moody
Morrison (CT)
Morrison (WA)
Mrazek
Murphy
Murtha
Myers
Natcher
Neal
Nowak
O'Brien
Oberstar
Obey
Olin
Ortiz
Ottinger
Owens
Oxley
Panetta
Parris
Patterson
Perkins
Price
Rangel
Ray
Regula
Ridge
Rinaldo
Robinson
Rodino
Roe
Rogers
Rose
Rostenkowski
Roukema
Rowland
Roybal
Sabo
Sawyer
Scheuer
Schneider
Schumer
Seiberling
Shelby
Sisisky
Skeen
Smith (FL)
Smith (IA)
Smith (NE)
Smith (NJ)
Solarz
Spratt
Staggers
Stratton
Sundquist
Swift
Synar
Tallon
Taylor
Thomas (GA)
Torres
Torricelli
Udall
Valentine
Vander Jagt
Vandergriff
Vento
Watkins
Wheat
Whitehurst
Whitley
Whitten
Williams (MT)
Wilson
Winn
Wise
Wolf
Wortley
Wright
Yates
Yatron
Young (AK)
Young (FL)
Young (MO)
Zablocki

NAYS—136

Applegate
Archer
Badham
Bartlett
Bates
Bethune
Bilirakis
Brown (CO)
Broyhill
Bryant
Burton (IN)
Carper
Carr
Chappie
Coats
Coleman (MO)
Conyers
Craig
Crane, Philip
Dannemeyer
Daub
Dellums
DeWine
Dickinson
Donnelly
Dorgan
Dreier
Durbin
Early
Eckart
Edgar
Edwards (OK)
Emerson
English
Evans (IA)
Evans (IL)
Feighan
Fields
Frank
Frenzel
Gekas
Glickman
Goodling
Gunderson
Hall (OH)
Hall, Ralph
Hansen (ID)
Hansen (UT)
Harkin
Hayes
Hertel
Hiler
Hopkins
Hubbard
Hughes
Hunter
Kaptur
Kasich
Kildee
Kostmayer
Lagomarsino
Leach
Leland
Lewis (FL)
Loeffler
Lowery (CA)
Lowry (WA)
Lundine
Mack
MacKay
Madigan
Markey
Marlenee
Martin (IL)
Martin (NC)
McCain
McCurdy
McEwen
Miller (OH)
Moore
Moorhead
Nelson
Nielson
Oakar
Packard
Pashayan
Patman
Pease
Penny
Petri
Porter
Rahall
Reid
Richardson
Ritter
Roberts
Roemer
Roth
Russo
Savage
Schaefer
Schroeder
Schulze
Sensenbrenner
Shannon
Sharp
Shaw
Shumway
Sikorski
Siljander
Slattery
Smith, Denny
Smith, Robert
Snowe
Snyder
Solomon
Spence
Stangeland
Stark
Stenholm
Stump
Tauke
Tauzin
Towns
Volkmer
Vucanovich

Walgren	Weiss	Wyden
Walker	Whittaker	Zschau
Weaver	Wirth	
Weber	Wolpe	

NOT VOTING—65

Addabbo	Dingell	Moakley
Albosta	Ford (TN)	Nichols
Alexander	Gibbons	Paul
Anderson	Gingrich	Pepper
Aspin	Gramm	Pickle
AuCoin	Gregg	Pritchard
Bedell	Hamilton	Pursell
Bevill	Hammerschmidt	Quillen
Biaggi	Hance	Ratchford
Boland	Hartnett	Rudd
Bonior	Heftel	Shuster
Boxer	Jacobs	Simon
Britt	Jenkins	Skelton
Broomfield	Jones (OK)	St Germain
Cheney	Kramer	Stokes
Clay	Latta	Studds
Conable	Luken	Thomas (CA)
Corcoran	Lungren	Traxler
Crane, Daniel	Marriott	Waxman
Daschle	Martin (NY)	Williams (OH)
Davis	McCandless	Wylie
Derrick	Miller (CA)	

□ 1640

The Clerk announced the following pairs:

On this vote:

Mr. Addabbo for, with Mr. AuCoin against.

Mr. Derrick for, with Mr. Hance against.

Mr. Skelton for, with Mr. Daniel B. Crane against.

Mr. Bonior of Michigan for, with Mr. Hartnett against.

Mr. Nichols for, with Mr. McCandless against.

Mr. Pepper for, with Mr. Shuster against.

Mr. Wylie for, with Mr. Thomas of California against.

Mr. Broomfield for, with Mr. Paul against.

Mr. Conable for, with Mr. Pursell against.

Mr. Rudd for, with Mr. Latta against.

Mr. Williams of Ohio for, with Mr. Kramer against.

Mr. Pritchard for, with Mr. Cheney against.

Mr. Quillen for, with Mr. Corcoran against.

Messrs. HUNTER, HALL of Ohio, LELAND, WOLPE and HAYES changed their votes from "yea" to "nay."

Mr. McCOLLUM changed his vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER pro tempore. The Clerk will designate the first amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 3: Page 2, strike out line 8.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 3 and concur therein with an amendment, as follows: In lieu of the matter stricken by said amendment insert: "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Act, 1984 (H. Rept. 98-357, S. Rept. 98-247) under the terms and conditions provided in such Act for fiscal year 1983; and".

Mr. CONTE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 6: Page 3, strike out all after line 10, over to and including line 11 on page 4, and insert:

(b)(1) Such amounts as may be necessary for projects or activities, not otherwise specifically provided for in this joint resolution, at a rate for operations and to the extent and in the manner provided for in the following appropriations Acts as passed by the Senate as of October 1, 1983:

Agriculture, Rural Development, and Related Agencies Appropriation Act, 1984: *Provided*, That notwithstanding any other provision of law or this joint resolution, section 184 of the Omnibus Budget Reconciliation Act of 1982 (96 Stat. 785), is amended by inserting before the period at the end of paragraph (b) the following: ", or for the first three months of the fiscal year ending September 30, 1984": *Provided further*, That notwithstanding any other provision of law or this joint resolution, the provisions of subsections (f) and (i) of section 3 and section 10 of the Food Stamp Act of 1977, as amended, concerning private, nonprofit drug addiction or alcoholic treatment and rehabilitation programs, shall also be applicable to publicly operated community health centers;

Department of the Interior and Related Agencies Appropriation Act, 1984: *Provided*, That no funds provided in this or any other Act to agencies funded by the Interior and Related Agencies Appropriation Act, 1983 (Public Law 97-394) may be expended to take actions related to termination of programs or closure of facilities until enactment of the Interior and Related Agencies Appropriation Act, 1984; and

Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriation Act, 1984, under the terms and conditions provided in such Act for fiscal year 1983.

(2) For the purposes of this joint resolution, when an Act listed in this subsection has been reported to the Senate but not passed by the Senate as of October 1, 1983, it shall be deemed as having been passed by the Senate.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 6 and concur therein with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

(b) Such amounts as may be necessary for projects or activities not otherwise specifically provided for in this joint resolution and for which appropriations, funds, or other authority would be available in the following appropriation Acts:

Agriculture, Rural Development, and Related Agencies Appropriation Act, 1984 at a rate for operations and to the extent and in the manner provided for in the Act as passed the House of Representatives as of October 1, 1983: *Provided*, That appropriations or loan authorzation for the following agencies or activities are available at not to exceed the following annual rates and the totals are adjusted accordingly:

Agricultural Research Service:	
Salaries and Expenses	$478,000,000
Buildings and Facilities	28,602,000
Cooperative State Research Service:	
Special grants	25,234,000
Competitive grants	17,000,000
Animal health and disease grants	5,760,000
Animal and Plant Health Inspection Service: Salaries and Expenses	263,259,000
Federal Crop Insurance Corporation:	
Administrative and operating expenses	200,000,000
FCIC Fund	110,000,000
Office of Rural Development Policy	2,000,000
Rural Housing Insurance Fund: Moderate income loans	0
Agricultural Credit Insurance Fund:	
Insured soil and water loans	30,000,000
Economic emergency loans	0
Rural Development Insurance Fund: Water and waste disposal loans	270,000,000
Rural Water and Waste Disposal Grants	90,000,000
Rural Electrification Administration: Guaranteed loans, not less than	3,360,000,000
Commodity Futures Trading Commission:	
Salaries and Expenses	26,400,000
ADP Limitation	3,626,000

Provided further, That notwithstanding any other provision of law or this joint resolution, section 184 of the Omnibus Budget Reconciliation Act of 1982 (96 Stat. 785), is amended by inserting before the period at the end of paragraph (b) the following, ", or for the first three months of the fiscal year ending September 30, 1984": *Provided further*, that notwithstanding any other provision of law or this joint resolution, the provisions of subsections (f) and (i) of section 3 and section 10 of the Food Stamp Act of 1977, as amended, concerning private, nonprofit drug addiction or alcoholic treatment and rehabilitation programs, shall also be applicable to publicly operated community health centers, *Provided further*, That notwithstanding any other provision of this joint resolution, no part of any of the funds appropriated or otherwise made available by this or any other Act may be used to implement mandantory monthly reporting-retrospective budget for the food stamp program during the first three months of the fiscal year ending September 30, 1984: *Provided further*, That, hereafter, in order to restore and maintain in U.S. share of world markets and to restore capital of the Corporation for its operations, any restrictions or limitations on the authorities and obligations of the Commodity Credit Corporation to sell in world markets, as provided by its Charter, may be waived or suspended by the Secretary of Agriculture; and

Department of Interior and Related Agencies Appropriations Act, 1984 (H.R. 3363), notwithstanding any other provision of this joint resolution, except section 102, such sums as may be necessary for programs,

projects, or activities provided for in such Act (H.R. 3363), to the extent and in the manner provided for in the conference report and joint explanatory statement of the Committee of Conference filed in the House of Representatives, as if such Act had been enacted into law.

Mr. CONTE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Does the gentleman from Massachusetts seek time on the motion?

Mr. CONTE. Yes, I do, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. CONTE) is recognized for 30 minutes.

Mr. CONTE. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. WALKER).

Mr. WALKER. Mr. Speaker, this is the amendment to which I referred in the course of the general debate on the bill. The language that has been included under this amendment would allow a 3-month delay in the antifraud requirement that was originally put into the 1981 reconciliation bill. The requirement is supposed to go into effect tomorrow.

The antifraud amendment is called the monthly reporting retrospective budgeting. It mandates that States have to require recipients to fill out forms telling what their previous month's income was. Under current law all they have to do is provide a periodic estimate. Under that, recipients have just had to provide us with a guesstimate. What we have found in the past audits is that they can actually lie.

This provision was supposed to be effective as of October 1, 1983. The attempt was to tighten up the food stamp program.

This language was put in during the conference. It was put into a provision that was to provide a 3-month delay for Puerto Rico only; however, this additional language is going to apply to all States of the Union. It is because some States have found it impossible to comply, but I remind the House that this was first put into law in 1981, so the States have had plenty of time to prepare for putting it into effect.

□ 1650

I am going to get a vote on this particular amendment if possible, because it seems to me what the House wants to do is go on record that we are for tough antifraud provisions in the food stamp program. That is what this particular amendment would delete. I hope that the House will vote not to recede and concur with the Senate on this amendment.

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

(Mr. CONTE asked and was given permission to revise and extend his remarks.)

Mr. CONTE. Very briefly, Mr. Speaker, and Members of the House, I hope that they will not upset this apple cart and ask for a rollcall vote on this issue. This does not delete that provision. It merely postpones that provision for 3 months. I imagine nearly everyone in this House has gotten a call from their States asking for this delay. And that is the reason that is in here. We have gotten this avalanche of calls from all over the country, the South, Midwest, Northeast, to delay this for 3 months so they can put their house in order. It is only a delay. I hope at this late hour we do not get a rollcall on this.

Mr. COLEMAN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Missouri.

Mr. COLEMAN of Missouri. I would only want to point out regardless of the merits as to whether or not this is an effective proposal we also wrote into that law that the Senate has the discretion to provide waivers to States if it is not cost effective. So all of the States that have been calling you could also call the Secretary of Agriculture and have a waiver if it is meritorious instead of us changing the law here, because in some cases it can save money and can cut down on fraud. That is for the Secretary to determine.

I think the real reason this is in here is a foot in the door, a foot in the door to abolish the entire section of the law that we passed in reconciliation. It is not necessary to do that. The discretion is with the Secretary. He can provide waivers. I would suggest that where and if this is cost effective and can cut down on fraud, let it work. Where it cannot, the Secretary should grant those waivers. But we cannot decide which States can or cannot here on the floor. And that is why I think maybe the gentleman from Pennsylvania has an argument we ought to listen to, especially since we did not even vote on this thing in the House.

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

Mr. CONTE. I yield to the gentleman from Indiana.

Mr. MYERS. I thank the ranking member for yielding.

What the gentleman from Missouri has been speaking about here is absolutely true. There have been 28 States plus the District of Columbia that have already requested waivers pursuant to this, most of them an extension of time. And that is all this is doing. There is no intention by the language here to strike the intention of Congress to have this reporting and to tighten up the food stamp program, no intention by your committee to do this. But if you vote no on this particular amendment, you are not just knocking the language out that the gentleman from Pennsylvania refers to.

You are knocking all the money out for the Department of Agriculture and all its related programs. You are knocking out the Department of Interior.

You just cannot take pieces of this. We are talking about the entire amendment here. As the gentleman, our ranking member from Massachusetts said, you are upsetting the apple cart.

Now, if it is that important, your committee this morning would have objected, too. But this is only a technical disagreement, not in disagreement about what the intent of Congress is. There was no intention by your appropriation conferees this morning in trying to circumvent the law, trying to do something that the House and the Congress has not already decided. Only a delay so that States could do a better job, to do a more thorough job.

If the gentleman will continue to yield, right now, there is a pilot project being conducted in Illinois to find out just how much this is going to cost, how effective the procedure is going to be. We are all hopeful that it will be cost effective. But at this point, we do not know. But in any event, the delay may give more chance for us to have a feedback.

Again, there is no intention of circumventing the law and try not to have this reporting.

Mr. CONTE. I want to thank the gentleman from Indiana for his most valuable contribution. He is absolutely right. We are not doing away with the law. This is merely a postponement, give them a little elbow room to work this out. There are 28 States who have asked for waivers on this thing.

Mr. MYERS. Some have already been granted different types of waivers. But all the States I think are having trouble with this compliance. But they are not suggesting they do not want to comply, but they have difficulty in doing the right kind of job in the limited time they have had.

Mr. COLEMAN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Missouri.

Mr. COLEMAN of Missouri. The gentleman makes a very good point. I do not think we are disagreeing. But I want to make sure the gentleman would vigorously support the language of the present law if it is cost effective. In other words, this 3 months is a time period in which you suggest that more information will be gained through the studies, but at the same time he understands and supports the underlying intent of the original amendment.

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

Mr. CONTE. I yield to the gentleman from Indiana.

Mr. MEYERS. I thank the gentleman for yielding.

There is no intention by your committee, as I said previously, to circumvent the law or try to escape any provision of the law. I might add your Committee on Agriculture has been

one of the toughest on fraud and the wrong use of food stamps. We have tried to tighten it up through the years. We have been supporting this type of legislation. I must say that we probably are not going to wait for that study to be complete in Illinois. But nevertheless by the time we act next year, we should have that experience of the pilot in Illinois to fall back on. Nevertheless the law is the law. It does not waive the law, merely delays application.

Mr. CONTE. I might assure the gentleman further that I agree with what Mr. MYERS said. And if it does prove that it is cost effective in these 3 months, I will be with you fighting to retain it.

Mr. COLEMAN of Missouri. I appreciate that.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mississippi (Mr. WHITTEN).

Mr. WHITTEN. Mr. Speaker, I think this has been adequately handled by my colleague from Indiana and by the ranking Member.

Our committee and subcommittee has worked hard trying to bring some order out of chaos. We welcome the help of the legislative committee and others. Certainly this reporting requirement is in order.

When the Department, however, has already given a 30-day waiver to a number of States, we thought that a total of 90-days delay, which had been requested by the States, would come nearer to giving them the time they need to put in place the new requirements. We have a long and tedious record of trying out best to get a grasp on this. I think this reporting is absolutely essential. I think it will be better to do as we suggest, let them set it up in a proper and orderly way so it will bring in the maximum results.

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

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

Mr. McHUGH. I thank the gentleman for yielding.

I hope that the Members, if it comes to a record vote, will support the committee position. As others have said, this is a 90-day delay which is to reserve to the States the option either to participate or not during these 90 days in this monthly reporting and retrospective accounting procedure.

The reason this provision is in the conference report is that at least 30 States have come to us indicating that to mandate the implementation of this procedure now would pose a major problem of State administration and would not be cost effective. It would actually cost money to do so.

With respect to the Department of Agriculture granting waivers, many of the States have asked the Department for waivers based on the same argument that I have just given you, that is, it is not cost effective to implement the procedures at this time, and therefore they should have the option of doing or not doing it. The Department has not granted waivers. They are simply not acting on these waivers which have been requested. And that is the reason that the 90-day delay in implementation is included in the conference report.

One final point, Mr. Speaker.

The authorizing subcommittee of the Agriculture Committee, which is chaired by LEON PANETTA, has been holding hearings on this issue to gather information from the States and to flesh out some of these arguments pro and con. Those hearings have not been completed. The subcommittee has not reached its final conclusion. For that reason alone, in deference to the authorizing subcommittee and Mr. PANETTA, I would hope that we would go along with this provision which effects a delay only for 90 days. Congress can make a final determination on monthly reporting and retrospective accounting at a later date.

Mr. WHITTEN. Mr. Speaker, I hope we will support the committee in this instance.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi. (Mr. WHITTEN).

The question was taken; and on a division (demanded by Mr. WALKER) there were—yeas 106, nays 14.

□ 1700

Mr. WALKER. 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. The Chair will count. Two hundred twenty Members are present, a quorum.

So the motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment number 7: Page 4, strike out all after line 11, over to and including line 19 on page 5, and insert:

(c) Pending enactment of the Department of Defense Appropriation Act, 1984, such amounts as may be necessary for continuing activities, not otherwise specifically provided for in this joint resolution, which were conducted in fiscal year 1983, for which provision was made in the Department of Defense Appropriation Act, 1983, but such activities shall be funded at not to exceed an annual rate for new obligational authority of $253,000,000,000, which is an increase above the current rate, and this level shall be distributed on a pro rata basis to each appropriation account and shall be available under the terms and conditions provided for in the applicable appropriation Acts for fiscal year 1983: Provided, That at such time as a Department of Defense Appropriation Act, 1984, is reported in the House of Representatives or in the Senate, the foregoing provision shall become inapplicable and the amounts and authority provided by this joint resolution shall be those that would be granted under the Act as reported, or, when such Act has been reported in both Houses, at the lower amount and more restrictive authority of each version: Provided further, That none of the funds provided by this joint resolution shall be obligated prior to November 17, 1983, to initiate production of a major weapons system, as defined in section 139a(a) of title 10, United States Code, if funds were not obligated in fiscal year 1983 or prior years for production of such weapons system.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 7 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following:

(c) Pending enactment of the Department of Defense Appropriation Act, 1984, such amounts as may be necessary for continuing activities, not otherwise specifically provided for elsewhere in this joint resolution, which were conducted in fiscal year 1983, for which provision was made in the Department of Defense Appropriation Act, 1983, but such activities shall be funded at not to exceed an annual rate for new obligational authority of $247,000,000,000, which is an increase above the current rate, and this level shall be distributed on a pro rata basis to each appropriation account utilizing the fiscal year 1984 amended budget request as the base for such distribution and shall be available under the terms and conditions provided for in the applicable appropriation Acts for fiscal year 1983: *Provided*, That no appropriation or funds made available or authority granted pursuant to this subsection shall be used to initiate multiyear procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later: *Provided further*, That none of the funds appropriated or made available pursuant to this subsection shall be available for the conversion of any full time positions in support of the Army Reserve, Air Reserve, Army National Guard, and Air National Guard by Active or Reserve Military Personnel, from civilian positions designated "military technicians" to military positions: *Provided further*, That no appropriation or funds made available or authority granted pursuant to this subsection shall be used to initiate or resume any project, activity, operation or organization which is defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for investment items is further defined as a P-1 line item in a budget activity within an appropriation account and an R-1 line item which includes a program element and subprogram element within an appropriation account, for which appropriations, funds, or other authority were not available during the fiscal year 1983: *Provided further*, That notwithstanding any other provision of this joint resolution, $5,000,000 is appropriated for the XXIII Olympiad as authorized by Section 304 of Public Law 98-94, and in addition the Department of Defense may provide support to the Los Angeles Olympic Organizing Committee on a reimbursable basis, with the proceeds to be credited to the current applicable appropriation accounts of the Department.

Mr. CONTE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

Mr. WALKER. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue to read.

The Clerk concluded the reading of the motion.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. WHITTEN).

The question was taken; and on a division (demanded by Mr. WALKER) there were—yeas 171, nay 4.

Mr. WALKER. 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. The Chair will count. One hundred eighty-four Members are present, not a quorum.

Mr. WALKER. Mr. Speaker, I withdraw my request for a roll call.

The SPEAKER pro tempore. The Chair has already announced that a quorum is not present, and the roll call is automatic.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 232, nays 65, not voting 136, as follows:

[Roll No. 375]

YEAS—232

Akaka
Andrews (NC)
Andrews (TX)
Annunzio
Archer
Badham
Barnard
Barnes
Bateman
Bennett
Bereuter
Bilirakis
Bliley
Boehlert
Boggs
Bonker
Borski
Bosco
Breaux
Brooks
Broyhill
Bryant
Burton (CA)
Burton (IN)
Byron
Campbell
Carney
Carper
Carr
Chandler
Chappell
Chappie
Clarke
Clinger
Coats
Coleman (MO)
Coleman (TX)
Collins
Conte
Courter
Coyne
Craig
Crane, Philip
D'Amours
Daniel
Dannemeyer
Daub
DeWine
Dickinson
Dicks
Dixon
Dowdy
Dreier
Duncan
Dyson
Early
Eckart
Edwards (AL)
Edwards (CA)
Edwards (OK)
Emerson
English
Erdreich
Evans (IA)
Fascell
Fields
Fish
Foley
Franklin
Frenzel
Frost
Fuqua
Gephardt
Glickman
Gonzalez
Gore
Gradison
Gray
Guarini
Hall (IN)
Hall, Ralph
Hansen (ID)
Harkin
Harrison
Hatcher
Hawkins
Hightower
Hiler
Hillis
Holt
Hopkins
Horton
Howard
Hoyer
Hubbard
Hughes
Hunter
Hutto
Hyde
Johnson
Jones (TN)
Kasich
Kazen
Kemp
Kennelly
Kindness
Lagomarsino
Lantos
Lent
Levitas
Lewis (CA)
Lewis (FL)
Livingston
Lloyd
Loeffler
Lott
Lowery (CA)
Lujan
Mack
MacKay
Marlenee
Martin (IL)
Martin (NC)
Martin (NY)
Martinez
Matsui
Mavroules
Mazzoli
McCain
McCollum
McDade
McEwen
McGrath
McHugh
McKernan
McKinney
McNulty
Mica
Michel
Mikulski
Miller (OH)
Mineta
Mitchell
Molinari
Mollohan
Moody
Moore
Moorhead
Morrison (WA)
Murphy
Myers
Natcher
Neal
Nelson
Nielson
O'Brien
Oakar
Olin
Ortiz
Oxley
Packard
Patman
Patterson
Pease
Perkins
Porter
Price
Ray
Ridge
Rinaldo
Robinson
Rodino
Roemer
Rogers
Rose
Rostenkowski
Roth
Roukema
Rowland
Sawyer
Schaefer
Scheuer
Sensenbrenner
Sharp
Shelby
Shumway
Siljander
Sisisky
Skeen
Smith (IA)
Smith (NE)
Smith (NJ)
Smith, Denny
Smith, Robert
Snowe
Snyder
Solarz
Solomon
Spence
Stenholm
Stratton
Stump
Sundquist
Swift
Synar
Tauke
Tauzin
Taylor
Thomas (GA)
Torricelli
Udall
Valentine
Vander Jagt
Vandergriff
Vento
Volkmer
Vucanovich
Walker
Watkins
Wheat
Whitten
Wilson
Winn
Wise
Wolf
Wortley
Wright
Yatron
Young (AK)
Young (FL)
Zablocki
Zschau

NAYS—65

Ackerman
Bates
Beilenson
Berman
Bethune
Brown (CO)
Conyers
Coughlin
Crockett
Donnelly
Dorgan
Durbin
Evans (IL)
Feighan
Garcia
Gejdenson
Goodling
Green
Gunderson
Hall (OH)
Hayes
Hertel
Jeffords
Kaptur
Kastenmeier
Kildee
Kogovsek
Kostmayer
Leach
Lehman (FL)
Leland
Levin
Levine
Lowry (WA)
Lundine
Markey
McCloskey
Morrison (CT)
Mrazek
Oberstar
Obey
Ottinger
Penny
Petri
Rangel
Ritter
Russo
Sabo
Schneider
Schroeder
Schumer
Shannon
Sikorski
Slattery
Spratt
Staggers
Stark
Torres
Towns
Walgren
Weiss
Williams (MT)
Wirth
Wolpe
Wyden

NOT VOTING—136

Addabbo
Albosta
Alexander
Anderson
Anthony
Applegate
Aspin
AuCoin
Bartlett
Bedell
Bevill
Biaggi
Boland
Boner
Bonior
Boucher
Boxer
Britt
Broomfield
Brown (CA)
Cheney
Clay
Coelho
Conable
Cooper
Corcoran
Crane, Daniel
Daschle
Davis
de la Garza
Dellums
Derrick
Dingell
Downey
Dwyer
Dymally
Edgar
Erlenborn
Fazio
Ferraro
Fiedler
Flippo
Florio
Foglietta
Ford (MI)
Ford (TN)
Forsythe
Fowler
Frank
Gaydos
Gekas
Gibbons
Gilman
Gingrich
Gramm
Gregg
Hall, Sam
Hamilton
Hammerschmidt
Hance
Hansen (UT)
Hartnett
Hefner
Heftel
Huckaby
Ireland
Jacobs
Jenkins
Jones (NC)
Jones (OK)
Kolter
Kramer
LaFalce
Latta
Leath
Lehman (CA)
Lipinski
Long (LA)
Long (MD)
Luken
Lungren
Madigan
Marriott
McCandless
McCurdy
Miller (CA)
Minish
Moakley
Montgomery
Murtha
Nichols
Nowak
Owens
Panetta
Parris
Pashayan
Paul
Pepper
Pickle
Pritchard
Pursell
Quillen
Rahall
Ratchford
Regula
Reid
Richardson
Roberts
Roe
Roybal
Rudd
Savage
Schulze
Seiberling
Shaw
Shuster
Simon
Skelton
Smith (FL)
St Germain
Stangeland
Stokes
Studds
Tallon
Thomas (CA)
Traxler
Waxman
Weaver
Weber
Whitehurst
Whitley
Whittaker
Williams (OH)
Wylie
Yates
Young (MO)

□ 1720

Messrs. LELAND, KOSTMAYER, LEACH of Iowa, OBEY, KOGOVSEK, OTTINGER, HAYES, COUGHLIN, SCHUMER, RITTER, BERMAN, MRAZEK, ACKERMAN, LEVIN of Michigan, PETRI, and LEHMAN of Florida and Mrs. SCHNEIDER changed their votes from "yea" to "nay."

Mr. MOORE changed his vote from "nay" to "yea."

□ 1730

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 9: Page 8, strike out all after line 15 over to an including line 15 on page 9.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate Numbered 9 and concur therein with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

(g) Such amounts as may be necessary for the following projects or activities, which were provided for in H.R. 3222, the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Act, 1984, as reported to the House of Representatives on June 3, 1983, to the extent and in the manner provided for in such Act, and at a rate for operations, notwithstanding section 15(a) of the State Department Basic Authorities Act of 1956 and section 701 of the United States Information and Educational Exchange Act of 1948, as follows:

Department of Commerce: General Administration, "Special Foreign Currency Program", $693,000;

Economic and Statistical Analysis, "Salaries and Expenses", $39,337,000;

Economic Development Administration: "Economic Development Assistance Programs", $250,000,000; "Salaries and Expenses", $30,141,000;

International Trade Administration, "Operations and Administration", $169,893,000;

National Oceanic and Atmospheric Administration: "Operations, Research, and Facilities", $942,871,000; "Fisheries Loan Fund", $5,000,000;

Federal Communications Commission, "Salaries and Expenses", $86,383,000;

Federal Trade Commission, "Salaries and Expenses", $63,500,000: *Provided*, That these funds are subject to the limitations and provisions of sections 10(a) and 10(c) (notwithstanding section 10(e)), 11(b), 18 and 20 of the Federal Trade Commission Improvements Act of 1980 (Public Law 96-252; 94 Stat. 374), notwithstanding the previous provisions of this subsection; International Trade Commission, "Salaries and Expenses", $20,737,000;

Securities and Exchange Commission, "Salaries and Expenses", $92,500,000;

Small Business Administration, "Salaries and Expenses", $236,000,000;

Department of Justice: Immigration and Naturalization Service, "Salaries and Expenses", $527,257,000;

Notwithstanding the previous provisions of this subsection, Legal Services Corporation, "Payment to the Legal Services Corporation", $275,000,000:

Provided, That none of the funds appropriated in this Act for the Legal Services Corporation shall be expended to provide legal assistance for or on behalf of any alien unless the alien is a resident of the United States and is—

(1) an alien lawfully admitted for permanent residence as an immigrant as defined by sections 101(a)(15) and 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15), (20));

(2) an alien who is either married to a United States citizen or is a parent or an unmarried child under the age of twenty-one years of such a citizen and who has filed an application for adjustment of status to permanent resident under the Immigration and Nationality Act, and such application has not been rejected;

(3) an alien who is lawfully present in the United States pursuant to an admission under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157, relating to refugee admissions) or who has been granted asylum by the Attorney General under such Act; or

(4) an alien who is lawfully present in the United States as a result of the Attorney General's withholding of deportation pursuant to section 243(h) of the Immigration and Nationality Act (8 U.S.C. 1253(h)).

An alien who is lawfully present in the United States as a result of being granted conditional entry pursuant to section 203(a)(7) of the Immigration and Nationality Act (8 U.S.C. 1153(a)(7)) before April 1, 1980, because of persecution or fear of persecution on account of race, religion, or political opinion or because of being uprooted by catastrophic natural calamity shall be deemed, for purposes of section 1007(b)(11) of the Legal Services Corporation Act, to be an alien described in subparagraph (C) of such section: *Provided further*, That none of the funds appropriated in this Act for the Legal Services Corporation shall be used by the Corporation in making grants or entering into contracts for legal assistance unless the Corporation insures that the recipient is either (a) a private attorney or attorneys (for the sole purpose of furnishing legal assistance to eligible clients) or (b) a qualified nonprofit organization chartered under the laws of one of the States for the primary purpose of furnishing legal assistance to eligible clients, the majority of the board of directors or other governing body of which organization is comprised of attorneys who are admitted to practice in one of the States and who are appointed to terms of office on such board or body by the governing bodies of State, county, or municipal bar associations the membership of which represents a majority of the attorneys practicing law in the locality in which the organization is to provide legal assistance: *Provided further*, That none of the funds appropriated in this Act shall be expended by the Legal Services Corporation to participate in litigation unless the Corporation or a recipient of the Corporation is a party, or a recipient is representing an eligible client in litigation in which the interpretation of this title or a regulation promulgated under this title is an issue, and shall not participate on behalf of any client other than itself: *Provided further*, That none of the funds appropriated in this Act shall be available to any recipient to be used—

(A) to pay for any personal service, advertisement, telegram, telephone communication, letter, printed or written matter, or other device, intended or designed to influence any decision by a Federal, State, or local agency, except where legal assistance is provided by an employee of a recipient to an eligible client on a particular application, claim, or case, which directly involves the client's legal rights and responsibilities, or

(B) to influence any Member of Congress or any other Federal, State, or local elected official to favor or oppose any Acts, bills, resolutions, or similar legislation, or any referendum, initiative, constitutional amendment, or any similar procedure of the Congress, any State legislature, any local council, or any similar governing body, except that this subsection shall not preclude such funds from being used in connection with communications made in response to any Federal, State, or local official, upon the formal request of such official: *Provided further*, That none of the funds appropriated in this Act for the Legal Services Corporation shall be used to bring a class action suit against the Federal government or any State or local government unless (1) the project director of a recipient has expressly approved the filing of such an action in accordance with policies established by the governing body of such recipient: (2) the class relief which is the subject of such an action is sought for the primary benefit of individuals who are eligible for legal assistance; and (3) that prior to filing such an action, the recipient project director has determined that the government entity is not likely to change the policy or practice in question, that the policy or practice will continue to adversely affect eligible clients, that the recipient has given notice of its intention to seek class relief and that responsible efforts to resolve without litigation the adverse effects of the policy or practice have not been successful or would be adverse to the interest of the clients: *Provided further*, That none of the funds appropriated in this Act for the Legal Services Corporation shall be expended for any purpose prohibited or limited by or contrary to section 11 of H.R. 3480, as passed the House of Representatives on June 18, 1981: *Provided further*, That notwithstanding any regulation, guideline, or rule of the Corporation, the funds appropriated in this Act for the Legal Services Corporation shall be used by the Corporation in making grants or entering into contracts under section 1006(a)(1) and (3) so as to insure that funding for each such current grantee and contractor is maintained in 1984 at the annualized level at which each such grantee and contractor was funded in 1983, or in the same proportion which total appropriations to the Corporation in fiscal year 1984 bear to the total appropriations to the Corporation in fiscal year 1983, until action is taken by directors of the Corporation who have been confirmed in accordance with section 1004(a) of the Legal Services Corporation Act: *Provided further*, That no member of the Board of Directors of the Legal Services Corporation shall be compensated for his services to the Corporation except for the payment of an attendance fee at meetings of the Board at a rate not to exceed the highest daily rate for grade fifteen (15) of the General Schedule and necessary travel expenses to attend Board meetings in accordance with the Standard Government Travel Regulations: *Provided further*, That no officer or employee of the Legal Services Corporation or a recipient program shall be reimbursed for membership in a private club, or be paid severance pay in excess of what would be paid a Federal employee for comparable service;

Department of State: Administration of Foreign Affairs: "Salaries and Expenses", $1,120,000,000; "Reopening Consulates", $2,500,000; "Representation Allowances", $4,148,000; "Acquisition, Operation, and Maintenance of Buildings Abroad", $202,889,000; "Acquisition, Operation, and Maintenance of Buildings Abroad (Special Foreign Currency Program)", $10,012,000; "Payment to the American Institute in Taiwan", $9,380,000; "Payment to the Foreign Service Retirement and Disability Fund", $102,753,000;

International Organizations and Conferences: "Contributions to International Organizations", $520,515,000;

International Commissions: International Boundary and Water Commission, United States and Mexico, "Construction", $672,000; "American Sections, International Commissions", $3,426,000; International Fisheries Commissions", $8,876,000;

Other: "Asia Foundation", $9,900,000;

United States Information Agency: "Salaries and Expenses (Special Foreign Currency Program)", $10,450,000; "Center for Cultural and Technical Interchange Between East and West", $18,362,000; "Acquistion and Construction of Radio Facilities", $34,013,000.

Mr. CONTE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will designate the final amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 14: Page 11, strike out all after line 20 over to and including line 2 on page 12.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate Numbered 14 and concur therein with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

SEC. 109. Funds shall be available for school assistance in federally affected areas authorized by title I of the Act of September 30, 1950, and the Act of September 23, 1950, at an annual rate of $585,000,000, under the terms and conditions provided in the applicable appropriation Act for fiscal year 1983; and funds shall be available for Departmental Management, "Salaries and Expenses" under the Department of Education at the current rate of operations.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Mississippi (Mr. WHITTEN).

The question was taken; and on division (demanded by Mr. WALKER) there were—nays 143, yeas 5.

So the motion was agreed to.

A motion to reconsider was laid on the table.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H.J. Res. 137. Joint resolution authorizing and requesting the President to issue a proclamation designating the period from October 2, 1983, through October 8, 1983, as "National Schoolbus Safety Week of 1983".

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 216. "An act to amend title 18, United States Code, to combat, deter, and punish individuals who tamper with household products with intent to cause personal injury, death, or other harm, and for other purposes.

The message also announced that the Senate had passed with amendments in which the concurrence of the House requested, bills of the House of the following titles:

H.R. 1556. An act to authorize the conveyance of the Liberty ship John W. Brown; and

H.R. 2077. An act to amend title 5, United States Code, to extend the Federal Physicians comparability Allowance Act of 1978, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 552. An act to designate the Federal Building in Fort Myers, Fla., as the "George W. Whitehurst Federal Building and U.S. Courthouse";

S. 1424. An act to amend Public Law 92-444 to reflect the change in the name of the Pacific Tuna Development Foundation to the Pacific Fisheries Development Foundation;

S. 1499. An act to settle certain claims of the Mashantucket Pequot Indians;

S. 1530. An act to make technical amendments to the Indian Self-Determination and Education Assistance Act and other Acts;

S. 1852. An act to extend the expiration date of the Defense Production Act of 1950;

S. 1837. An act to designate the Federal Building in Seattle, Wash., as the "Henry M. Jackson Federal Building"; and

S. 1894. An act to designate the Foundation for the Advancement of Military Medicine as the "Henry M. Jackson Foundation for the Advancement of Military Medicine," and for other purposes.

ETHICS IN GOVERNMENT ACT AMENDMENTS

Mr. MAZZOLI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 461), an act to extend the authorization of appropriations for the Office of Government Ethics for 5 years, with a Senate amendment to the House amendments thereto, and to concur in the Senate amendment to the House amendments with amendments.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The Clerk will report the proposed amendments.

The Clerk read the Senate amendment to House amendments and the House amendments to the Senate amendment to the House amendments, as follows:

Senate amendments to House amendments: In lieu of the matter proposed to be inserted by the House amendments to the text of the bill, insert:

AMENDMENTS TO ETHICS IN GOVERNMENT ACT OF 1978

SECTION 1. Except as otherwise expressly provided in this Act, whenever an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provisions, the reference shall be considered to be made to a section or other provision of the Ethics in Government Act of 1978.

FIVE-YEAR TERM FOR AND REMOVAL OF THE DIRECTOR

SEC. 2. Section 401(b) is amended by adding at the end thereof the following: "Effective with respect to any individual appointed or reappointed by the President as Director on or after October 1, 1983, the term of service of the Director shall be five years. Upon removal of the Director prior to the expiration of his term, the President shall communicate in writing the reasons for such removal to the committees of the Senate and House exercising jurisdiction over this Act.

AUTHORITY TO ISSUE REGULATIONS

SEC. 3. (a) Section 402(a) is amended by striking out ", under the general supervision of the Office of Personnel Management,".

(b) Section 402(b) is amended—

(1) in paragraph (1)—

(A) by striking out "and recommending to the Office of Personnel Management"; and

(B) by striking out "President or the Office of Personnel Management" and inserting in lieu thereof "President or the Director";

(2) in paragraph (2)—

(A) by striking out "and recommending to the Office of Personnel Management"; and

(B) by striking out "President or the Office of Personnel Management" and inserting in lieu thereof "President or the Director";

(3) in paragraph (6) striking out "Office of Personnel Management" and inserting in lieu thereof "Director";

(4) in paragraph (12) by striking out "Office of Personnel Management" and inserting in lieu thereof "Director"; and

(5) in paragraph (15) by striking out "and recommending for promulgation by the Office of Personnel Management" and inserting in lieu thereof "and promulgating".

(c) Section 404 is amended by striking out "Office of Personnel Management" and inserting in lieu thereof "Director".

(d)(1) Any rules or regulations issued under section 402 of the Ethics in Government Act of 1978 which are in effect immediately before the effective date of the amendments made by this Act shall remain in effect according to their terms until modified, superseded, set aside, or revoked on or after such effective date.

(2) The responsibilities of the Director of the Office of Government Ethics under paragraphs (6) and (12), respectively, of section 402(b) of the Ethics in Government Act of 1978, with respect to rules and regulations issued by the Office of Personnel Management before the effective date of the amendments made by this Act shall not be affected by this Act or any of the amendments made by this Act.

SEPARATE BUDGET LINE ITEM FOR OFFICE OF GOVERNMENT ETHICS

SEC. 4. Title IV is amended by adding at the end thereof the following new section:

"SUBMISSION OF BUDGET

"SEC. 407. (a) In the budget submitted to the Congress pursuant to section 1105(a) of title 31, United States Code, the President shall include estimated expenditures and proposed appropriations the President decides are necessary to support the Office of Government Ethics in the fiscal year for which the budget is submitted and the four fiscal years after that year.

"(b) In the statement of changes submitted to Congress with respect to the budget pursuant to section 1106(b) of title 31, United States Code, the President shall specify the effect of such changes on the information submitted pursuant to subsection (a) of this section.".

REQUEST ASSISTANCE FROM INSPECTORS GENERAL

SEC. 5. Section 403 is amended by inserting at the end thereof the following:

"The authority of the Director under this section includes the authority to request assistance from the inspector general of an agency in conducting investigations pursuant to subsections (b)(3) and (b)(4) of section 402.".

RECOMMENDED REDESIGNATION OF AGENCY ETHICS OFFICIAL

SEC. 6. Section 402(b) is amended by—

(1) striking out "and" at the end of clause (14);

(2) striking out the period at the end of clause (15) and inserting in lieu thereof "; and"; and

(3) adding at the end thereof the following:

"(16) recommending the redesignation of an agency ethics official where such official fails to properly and effectively perform his or her duties.".

OFFICE OF GOVERNMENT ETHICS REVIEW OF FINANCIAL DISCLOSURE REPORTS OF HIGH LEVEL WHITE HOUSE AIDES

SEC. 7. Section 203(c) is amended by adding after "designated agency officials," the following: "employees described in section 105(a)(2) (A) (B), 106(a)(1) (A) or (B), or 107(a)(1)(A) or (B)(1)(A)(i), of title 3, United States Code.".

LIMIT ON OUTSIDE EARNED INCOME FOR HIGH LEVEL WHITE HOUSE AIDES

SEC. 8. Section 210 is amended to read as follows:

"OUTSIDE EARNED INCOME

"SEC. 210. Except where the employee's agency or department shall have more restrictive limitations on outside earned income, all employees covered by this title—

"(1) who are compensated at a pay grade in the General Schedule of grade GS-16 or above and who occupy nonjudicial full-time positions, appointments to which are required to be made by the President by and with the advice and consent of the Senate, or

"(2) employees of the White House Office who are compensated at rates equivalent to level II of the Executive Schedule under section 5313 of title 5, United States Code,

may not have in any calendar year outside earned income attributable to such calendar year which is in excess of fifteen percent of their salary.".

REPORTS BY PRESIDENTIAL NOMINEES

SEC. 9. Section 201(b) is amended—

(1) by inserting "(1)" immediately after "(b)";