

the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc., Model 214ST Helicopters (RIN: 2120-AA64), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2508. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747-100, 747-200, and 747-300 Series Airplanes (RIN: 2120-AA64), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2509. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (RIN: 2120-AA65), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2510. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier Model 328-100 Series Airplanes (RIN: 2120-AA64), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2511. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter Deutschland GmbH (ECD) Model BO-105, BO-105A, BO-105C, BO-105S, and BO-105LS A-1 Helicopters (RIN: 2120-AA64) pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2512. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Equal Employment Opportunity on Federal and Federal-Aid Construction Contracts (Including Supportive Services); Report Requirements (RIN: 2125-AB15), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2513. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (RIN: 2120-AA65), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2514. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Lockheed Model L-1011-385 Series Airplanes (RIN: 2120-AA64), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2515. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747-400, 757, and 767 Series Airplanes (RIN: 2120-AA64), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2516. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—General Material Requirements; Warranty Clauses (RIN: 2125-AD61), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2517. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Design Standards for Highways; Geometric Design of Highways and Streets (RIN: 2125-AD38), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2518. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (RIN: 2120-AS65), pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2519. A letter from the Secretary of Health and Human Services, transmitting the Department's report on Federal agency drug-free workplace plans, pursuant to Public Law 100-71, section 503 (a)(1)(A) (101 Stat. 468); jointly, to the Committees on Government Reform and Oversight and Appropriations.

¶46.4 COMMITTEES TO SIT

On motion of Mr. GOSS, by unanimous consent, the following committees and their subcommittees were granted permission to sit today during the 5-minute rule: the Committee on Agriculture, the Committee on Banking and Financial Services, the Committee on Commerce, the Committee on Economic and Educational Opportunities, the Committee on Government Reform and Oversight, the Committee on International Relations, the Committee on the Judiciary, the Committee on National Security, the Committee on Resources, the Committee on Science, the Committee on Transportation and Infrastructure, and the Committee on Veterans' Affairs.

¶46.5 MESSAGE FROM THE SENATE

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

S. Con. Res. 54. Concurrent resolution to correct the enrollment of the bill S. 735, to prevent and punish acts of terrorism, and for other purposes; and

S. Con. Res. 55. Concurrent resolution to correct the enrollment of the bill S. 735, to prevent and punish acts of terrorism, and for other purposes.

¶46.6 PROVIDING FOR THE

CONSIDERATION OF H.J. RES. 175

Mr. DREIER, by direction of the Committee on Rules, called up the following resolution (H. Res. 411):

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 175) making further continuing appropriations for the fiscal year 1996, and for other purposes, modified by striking title II of the joint resolution. The joint resolution as modified shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the joint resolution as modified to final passage without intervening motion except one motion to recommit. The motion to recommit may include instructions only if offered by the minority leader or his designee.

When said resolution was considered.

After debate,

On motion of Mr. DREIER, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶46.7 CORRECT ENROLLMENT—S. 735

On motion of Mr. LUCAS, by unanimous consent, the Committee on the

Judiciary was discharged from further consideration of the following concurrent resolution of the Senate (S. Con. Res. 55):

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate, in the enrollment of the bill (S. 735) shall make the following corrections:

(a) In the table of contents of the bill, strike the item relating to section 431 and redesignate the items relating to sections 432 through 444 as relating to sections 431 through 443 respectively.

(b) Strike section 1605(g) of title 28, United States Code, proposed to be added by section 221 of the bill, and insert the following:

“(g) LIMITATION ON DISCOVERY.—

“(1) IN GENERAL.—(A) Subject to paragraph (2), if an action is filed that would otherwise be barred by section 1604, but for subsection (a)(7), the court, upon request of the Attorney General, shall stay any request, demand, or order for discovery on the United States that the Attorney General certifies would significantly interfere with a criminal investigation or prosecution, or a national security operation, related to the incident that gave rise to the cause of action, until such time as the Attorney General advises the court that such request, demand, or order will no longer so interfere.

“(B) A stay under this paragraph shall be in effect during the 12-month period beginning on the date on which the court issues the order to stay discovery. The court shall renew the order to stay discovery for additional 12-month periods upon motion by the United States if the Attorney General certifies that discovery would significantly interfere with a criminal investigation or prosecution, or a national security operation, related to the incident that gave rise to the cause of action.

“(2) SUNSET.—(A) Subject to subparagraph (B), no stay shall be granted or continued in effect under paragraph (1) after the date that is 10 years after the date on which the incident that gave rise to the cause of action occurred.

“(B) After the period referred to in subparagraph (A), the court, upon request of the Attorney General, may stay any request, demand, or order for discovery on the United States that the court finds a substantial likelihood would—

“(i) create a serious threat of death or serious bodily injury to any person;

“(ii) adversely affect the ability of the United States to work in cooperation with foreign and international law enforcement agencies in investigating violations of United States law; or

“(iii) obstruct the criminal case related to the incident that gave rise to the cause of action or undermine the potential for a conviction in such case.

“(3) EVALUATION OF EVIDENCE.—The court's evaluation of any request for a stay under this subsection filed by the Attorney General shall be conducted ex parte and in camera.

“(4) BAR ON MOTIONS TO DISMISS.—A Stay of discovery under this subsection shall constitute a bar to the granting of a motion to dismiss under rules 12(b)(6) and 56 of the Federal Rules of Civil Procedure.

“(5) CONSTRUCTION.—Nothing in this subsection shall prevent the United States from seeking protective orders or asserting privileges ordinarily available to the United States.”

(c) In section 620G(a), proposed to be inserted after section 620F of the foreign Assistance Act of 1961, by section 325 of the bill, strike “may” and insert “shall”.

(d) In section 620H(a), proposed to be inserted after section 620G of the Foreign Assistance Act of 1961, by section 326 of the bill—

(1) strike "may" and insert "shall";
 (2) strike "shall be provided"; and
 (3) insert "section" before "6(j)".
 (e) In section 219, proposed to be inserted in title II of the Immigration and Nationality Act, by section 302 of the bill—
 (1) in subsection (a)(1), insert "foreign" before "terrorist organization";
 (2) in subsection (a)(2)(A)(i), strike "an" before "organization under" and insert "a foreign";
 (3) in subsection (a)(2)(C), insert "foreign" before "organization"; and
 (4) in subsection (a)(4)(B), insert "foreign" before "terrorist organization".
 (f) In section 2339B(g), proposed to be added at the end of chapter 113B of title 18, United States Code, by section 303 of the bill, strike paragraph (5) and redesignate paragraphs (6) and (7) as paragraphs (5) and (6), respectively.
 (g) In section 2332d(a), proposed to be added to chapter 113B of title 18, United States Code, by section 321(a) of the bill—
 (1) strike "by the Secretary of State" and insert "by the Secretary of the Treasury";
 (2) strike "with the Secretary of the Treasury" and insert "with the Secretary of State"; and
 (3) add the words "the government of" after "engaged in a financial transaction with".
 (h) At the end of section 321 of the bill, add the following:
 "(c) EFFECTIVE DATE.—The amendments made by this section shall become effective 120 days after the date of enactment of this Act."
 (i) In sections 414(b) and 422(c) of the bill, strike "90" and insert "180".
 (j) In section 40A(b), proposed to be added to chapter 3 of the Arms Export Control Act, by section 330 of the bill strike "essential" and insert "important".
 (k) In section 40A(b), proposed to be added to chapter 3 of the Arms Export Control Act, by section 330 of the bill, strike "security".
 (l) Strike section 431 of the bill and redesignate sections 432 through 444 as sections 431 through 443, respectively.
 (m) In section 511(c) of the bill, strike "amended—" and all that follows through "(2)" and insert "amended".
 (n) In section 801 of the bill, strike "subject to the concurrence of" and insert "in consultation with".
 (o) In section 443, by striking subsection (d) in its entirety and inserting:
 "(d) EFFECTIVE DATE.—The amendments made by this section shall become effective no later than 60 days after the publication by the Attorney General of implementing regulations that shall be published on or before January 1, 1997."

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶46.8 FURTHER CONTINUING APPROPRIATIONS, FY 1996

Mr. LIVINGSTON, pursuant to House Resolution 411, called up the joint resolution (H.J. Res. 129) making further continuing appropriations for fiscal year 1996, and for other purposes.

When said joint resolution was read twice.

Pursuant to House Resolution 411, the joint resolution was modified by striking title II.

When said joint resolution, as modified, was considered.

After debate,
 Pursuant to House Resolution 411, the previous question was ordered on said joint resolution, as modified.

The joint resolution, as modified, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,
 Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. RADANOVICH, announced that the yeas had it.

Mr. OBEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 400
 affirmative Nays 14

¶46.9 [Roll No. 129] YEAS—400

- Abercrombie Collins (MI) Furse
- Ackerman Combest Gallegly
- Andrews Condit Ganske
- Archer Conyers Gejdenson
- Armey Cooley Gekas
- Bachus Costello Gephardt
- Baessler Cox Geren
- Baker (CA) Cramer Gilchrist
- Baker (LA) Crane Gillmor
- Baldacci Crapo Gilman
- Ballenger Cremeans Gonzalez
- Barcia Cubin Goodlatte
- Barr Cunningham Goodling
- Barrett (NE) Danner Gordon
- Barrett (WI) Davis Goss
- Bartlett de la Garza Graham
- Bass Deal Green (TX)
- Bateman DeFazio Greene (UT)
- Beilenson DeLauro Greenwood
- Bentsen DeLay Gunderson
- Bereuter Dellums Gutierrez
- Bevill Deutsch Gutknecht
- Bilbray Diaz-Balart Hall (OH)
- Bilirakis Dickey Hall (TX)
- Bishop Dicks Hamilton
- Bliley Dingell Hancock
- Blute Dixon Hansen
- Boehlert Doggett Harman
- Boehner Dooley Hastert
- Bonilla Doolittle Hastings (WA)
- Bonior Dornan Hayes
- Bono Doyle Hayworth
- Borski Dreier Hefley
- Boucher Duncan Hefner
- Brewster Dunn Heineman
- Browder Durbin Herger
- Brown (CA) Edwards Hilleary
- Brown (FL) Ehlers Hilliard
- Brown (OH) Ehrlich Hinchey
- Brownback Emerson Hobson
- Bryant (TN) Engel Hoekstra
- Bunn English Hoke
- Bunning Ensign Holden
- Burr Eshoo Horn
- Burton Evans Hostettler
- Buyer Everett Houghton
- Callahan Ewing Hoyer
- Calvert Farr Hunter
- Camp Fattah Hutchinson
- Campbell Fawell Inglis
- Canady Fields (LA) Istook
- Cardin Fields (TX) Jackson (IL)
- Castle Filner Jackson-Lee
- Chabot Flake (TX)
- Chambliss Flanagan Jacobs
- Chapman Foley Jefferson
- Chenoweth Forbes Johnson (CT)
- Christensen Ford Johnson (SD)
- Chrysler Fowler Johnson, E. B.
- Clay Fox Johnson, Sam
- Clayton Frank (MA) Jones
- Clement Franks (CT) Kanjorski
- Clinger Franks (NJ) Kaptur
- Coburn Frelinghuysen Kasich
- Coleman Frisa Kelly
- Collins (GA) Frost Kennedy (MA)
- Collins (IL) Funderburk Kennedy (RI)

- Kennelly Moran Shadegg
- Kildee Morella Shaw
- Kim Murtha Shays
- King Myers Shuster
- Kingston Myrick Sisisky
- Kleczka Nadler Skaggs
- Klink Neal Skeen
- Klug Nethercutt Skelton
- Knollenberg Neumann Slaughter
- Kolbe Ney Smith (MI)
- LaFalce Norwood Smith (NJ)
- LaHood Nussle Smith (TX)
- Lantos Oberstar Smith (WA)
- Largent Obey Solomon
- Latham Olver Souder
- LaTourette Ortiz Spence
- Lazio Orton Spratt
- Leach Packard Stark
- Levin Pallone Stenholm
- Lewis (CA) Pastor Stockman
- Lewis (GA) Paxon Stokes
- Lewis (KY) Payne (NJ) Studds
- Lightfoot Payne (VA) Stump
- Lincoln Pelosi Stupak
- Linder Peterson (FL) Talent
- Lipinski Peterson (MN) Tanner
- Livingston Petri Tate
- LoBiondo Pickett Tauzin
- Lofgren Pombo Taylor (MS)
- Longley Pomeroy Taylor (NC)
- Lowe Porter Tejada
- Lucas Portman Thomas
- Luther Poshard Thompson
- Maloney Pryce Thornberry
- Manton Quillen Thornton
- Manzullo Quinn Tiaht
- Markey Radanovich Torkildsen
- Martinez Rahall Torres
- Martini Ramstad Torricelli
- Mascara Rangel Traficant
- Matsui Reed Upton
- McCarthy Regula Visclosky
- McCullum Richardson Volkmer
- McCreery Rivers Vucanovich
- McDermott Roberts Walker
- McHugh Roemer Walsh
- McInnis Rogers Wamp
- McIntosh Rohrabacher Ward
- McKeon Ros-Lehtinen Waters
- McKinney Rose Watt (NC)
- McNulty Roth Watts (OK)
- Meehan Roukema Waxman
- Meek Roybal-Allard Weldon (FL)
- Metcalf Royce Weldon (PA)
- Meyers Rush Weller
- Mica Sabo White
- Millender-Salmon Whitfield
- McDonald Sanders Wicker
- Miller (CA) Sanford Wise
- Miller (FL) Sawyer Wolf
- Minge Saxton Woolsey
- Mink Schiff Wynn
- Moakley Schumer Yates
- Molinari Scott Young (AK)
- Mollohan Seastrand Young (FL)
- Montgomery Sensenbrenner Zeliff
- Moorhead Serrano Zimmer

NAYS—14

- Barton Hastings (FL) Stearns
- Becerra Hyde Thurman
- Clyburn McHale Velazquez
- Coble Owens Williams
- Gibbons Scarborough

NOT VOTING—18

- Allard Johnston Riggs
- Berman Laughlin Schaefer
- Bryant (TX) McDade Schroeder
- Coyne Menendez Towns
- Fazio Oxley Vento
- Foglietta Parker Wilson

So the joint resolution was passed.
 A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶46.10 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. PACKARD, by unanimous consent,

Ordered, That in the engrossment of the foregoing joint resolution the Clerk