

## ¶33.29 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

41. By the SPEAKER: Memorial of the Legislature of the Commonwealth of Virginia, relative to Senate Joint Resolution No. 365 urging Congress to repeal section 13612(a)(C) of the Omnibus Budget Reconciliation Act of 1993; to the Committee on Commerce.

42. Also, memorial of the Legislature of the State of Idaho, relative to Senate Joint Resolution No. 102 urging Congress to pass, and send to the legislatures of the States for ratification, an amendment to the Constitution requiring, in the absence of a national emergency, that the total of all appropriations may not exceed the total of all estimated Federal revenues; to the Committee on the Judiciary.

43. Also, memorial of the Legislature of the State of Idaho, relative to Senate Joint Resolution No. 103 requesting that Congress and the President of the United States amend the Internal Revenue Code so that the maximum tax rate on long-term capital gains be lowered to 14 percent; to the Committee on Ways and Means.

## ¶33.30 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 143: Mr. NUSSLE, Mr. BENTSEN, Ms. KILPATRICK, Mrs. KELLY, Mr. TOWNS, Mr. COYNE, Ms. ESHOO, Mr. GALLEGLY, Mr. PORTMAN, Mr. CAMPBELL, Mr. FROST, and Mr. WOLF.

H.R. 144: Mr. TALENT.

H.R. 165: Mr. STUPAK.

H.R. 213: Mr. WEYGAND.

H.R. 273: Ms. SLAUGHTER.

H.R. 339: Mr. MCINTYRE.

H.R. 383: Mr. GALLEGLY and Mr. MCINTYRE.

H.R. 399: Ms. KAPTUR.

H.R. 411: Ms. WOOLSEY.

H.R. 437: Mr. BILIRAKIS.

H.R. 453: Mrs. TAUSCHER, Mr. FRANK of Massachusetts, Mrs. MINK of Hawaii, and Mr. MARKEY.

H.R. 500: Mr. TORRES.

H.R. 521: Mr. COOK, Mr. BAESLER, and Mr. FRANK of Massachusetts.

H.R. 536: Mr. DINGELL, Mr. TOWNS, and Mr. LANTOS.

H.R. 629: Mr. SANDLIN.

H.R. 638: Mr. ENGLISH of Pennsylvania.

H.R. 641: Mr. MCINTOSH and Mr. WATTS of Oklahoma.

H.R. 647: Mr. SOUDER.

H.R. 648: Mr. KUCINICH, Mr. OWENS, Mrs. MALONEY of New York, Ms. NORTON, Mr. DAVIS of Illinois, Mr. KIND of Wisconsin, Mr. DEFAZIO, Ms. SLAUGHTER, and Mr. BARRETT of Wisconsin.

H.R. 653: Mr. BARRETT of Wisconsin.

H.R. 688: Mr. PASTOR, Mr. BARRETT of Nebraska, and Mr. TIAHRT.

H.R. 695: Mrs. LINDA SMITH of Washington.

H.R. 715: Mr. WELLER and Mr. SOUDER.

H.R. 716: Mr. DEAL of Georgia and Mr. OXLEY.

H.R. 744: Mr. OWENS, Mr. YATES, Mr. WEXLER, Mr. PAYNE, Mr. DELLUMS, Mrs. CLAYTON, Mr. MANTON, Mr. BOUCHER, Mr. GONZALEZ, Mr. DELAHUNT, Mr. OLVER, Ms. LOFGREN, and Mr. WEYGAND.

H.R. 745: Mr. NEUMANN and Mr. SMITH of New Jersey.

H.R. 755: Ms. CHRISTIAN-GREEN.

H.R. 767: Mr. THUNE.

H.R. 789: Mr. CAMP and Mr. CONDIT.

H.R. 805: Mr. EWING.

H.R. 811: Mr. KUCINICH.

H.R. 813: Mr. ADERHOLT.

H.R. 815: Mr. BALDACCI, Ms. PRYCE of Ohio, Mr. KASICH, Mr. COOKSEY, Mr. DEFAZIO, Mr.

MARKEY, Mr. FATTAH, Mr. HUTCHINSON, Mr. SAWYER, Mr. SKAGGS, Mr. FRANK of Massachusetts, Mr. MASCARA, Mr. KOLBE, Mr. FOGLIETTA, Mr. GUTIERREZ, Ms. BROWN of Florida, Mr. KLINK, Mr. MCHALE, and Mr. SANDERS.

H.R. 816: Mr. KINGSTON and Mr. GRAHAM.

H.R. 878: Mr. EVANS, Mr. NADLER, and Ms. CHRISTIAN-GREEN.

H.R. 900: Mr. MCGOVERN, Mr. MCNULTY, Mr. FRANKS of New Jersey, Mr. COYNE, Mr. LAMPSON, Mr. PALLONE, Mr. SPRATT, Mr. HASTINGS of Florida, Ms. ESHOO, Mr. SHERMAN, Ms. HOOLEY of Oregon, Mr. LUTHER, Mr. PRICE of North Carolina, Mr. KIND of Wisconsin, Mr. CAMPBELL, Mr. ROEMER, Mr. KLECZKA, Ms. NORTON, Mr. DIXON, Mr. ALLEN, Mr. ACKERMAN, and Mr. BARRETT of Wisconsin.

H.R. 925: Mr. KUCINICH, Mr. OWENS, Mr. KIND of Wisconsin, Mr. DAVIS of Illinois, Mr. BARRETT of Wisconsin, and Ms. SLAUGHTER.

H.R. 947: Mr. BROWN of California.

H.R. 950: Mr. GUTIERREZ, Mr. OBERSTAR, Ms. WOOLSEY, Mr. BORSKI, Mr. KUCINICH, Mr. LEWIS of Georgia, Ms. LOFGREN, and Mr. JACKSON.

H.R. 956: Mr. DREIER and Mr. PICKERING.

H.R. 965: Mr. GALLEGLY and Mrs. CUBIN.

H.R. 981: Mr. SCHUMER and Ms. HOOLEY of Oregon.

H.R. 982: Mr. SCHUMER.

H.R. 1010: Mr. BERRY, Mr. TURNER, and Mr. NETHERCUTT.

H.R. 1033: Mr. CALVERT and Mr. RADANOVICH.

H.R. 1039: Ms. LOFGREN and Mr. MEEHAN.

H.R. 1053: Mr. FRANK of Massachusetts, Mr. STARK, and Mr. HOBSON.

H.R. 1071: Mr. ACKERMAN and Mr. MCINTYRE.

H.R. 1079: Mr. TRAFICANT, Mr. SABO, Mr. LIPINSKI, Mr. DELLUMS, Mr. BECERRA, Mr. OLVER, Mr. EVANS, Mr. DEFAZIO, Mr. DAVIS of Illinois, Mr. STARK, Ms. CARSON, Mr. VENTO, Mr. LEWIS of Georgia, Ms. CHRISTIAN-GREEN, Mrs. MEEK of Florida, Mr. RAHALL, Mr. STUPAK, Mr. PASCARELL, Mr. KUCINICH, Mrs. MINK of Hawaii, Mr. CONYERS, Ms. MCKINNEY, Mr. NADLER, Mr. YATES, Ms. KAPTUR, Mr. OWENS, Mr. HINCHEY, Mr. GONZALEZ, Mr. HOLDEN, Mr. BOYD, Mr. MCGOVERN, Mr. TIERNEY, Ms. SLAUGHTER, Mr. CLYBURN, Mr. BROWN of Ohio, Mr. MASCARA, Mr. RUSH, Mr. PALLONE, Ms. NORTON, and Mr. TORRES.

H.R. 1126: Mr. LAZIO of New York.

H.R. 1132: Mr. OLVER, Mr. MEEHAN, Mrs. KELLY, Mr. LEWIS of Georgia, Mr. DELLUMS, Mr. YATES, Ms. SLAUGHTER, Mr. ROTHMAN, Mr. ABERCROMBIE, Ms. MCKINNEY, and Mr. GUTIERREZ.

H.R. 1134: Mr. BILILEY.

H.R. 1138: Mr. CHABOT, Mr. DEFAZIO, Mr. COX of California, Mrs. CHENOWETH, Mr. CAMP, and Mr. POMBO.

H.R. 1161: Ms. LOFGREN.

H.R. 1166: Mr. BERMAN, Mr. EVANS, Mr. MCNULTY, Mr. DICKS, Mr. CARDIN, Mr. FROST, Mr. MCDERMOTT, Mr. DELAHUNT, Mr. LEWIS of Georgia, Mr. KILDEE, Mr. KENNEDY of Rhode Island, Mrs. MINK of Hawaii, Ms. CHRISTIAN-GREEN, Mr. GREEN, and Mr. PASCARELL.

H.R. 1169: Mr. WELDON of Florida.

H.R. 1227: Mr. CALVERT and Mr. RADANOVICH.

H.R. 1232: Mr. FOLEY, Mr. CUNNINGHAM, Mr. DEAL of Georgia, and Mr. MCHUGH.

H.R. 1247: Mr. YOUNG of Alaska and Mr. PAPPAS.

H.R. 1263: Mr. DELAHUNT, Mr. LIPINSKI, Mr. MEEHAN, Mr. BALDACCI, Mr. FRANK of Massachusetts, and Mr. DELLUMS.

H.R. 1288: Mr. FILNER, Mr. TOWNS, Ms. LOFGREN, Ms. CHRISTIAN-GREEN, Ms. DELAURO, Mr. FROST, and Mr. DEFAZIO.

H.J. Res. 54: Mr. SMITH of Michigan.

H. Con. Res. 6: Mr. DINGELL.

H. Con. Res. 8: Mr. UNDERWOOD.

H. Con. Res. 55: Mrs. MORELLA, Mr. DOYLE, Mr. MCHUGH, Mr. TORRES, Mr. WALSH, Mr. KNOLLENBERG, Mr. FARR of California, and Mr. NORWOOD.

H. Res. 98: Mr. ABERCROMBIE.

## WEDNESDAY, APRIL 17, 1997 (34)

## ¶34.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. KOLBE, who laid before the House the following communication:

WASHINGTON, DC,

April 17, 1997.

I hereby designate the Honorable JIM KOLBE to act as Speaker pro tempore on this day.

NEWT GINGRICH,

*Speaker of the House of Representatives.*

## ¶34.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. KOLBE, announced he had examined and approved the Journal of the proceedings of Tuesday, April 16, 1997.

Ms. JACKSON-LEE, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, *viva voce*, Will the House agree to the Chair's approval of said Journal?

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

Ms. JACKSON-LEE objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. KOLBE, pursuant to clause 5, rule I, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

## ¶34.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

2851. A letter from the Director, Defense Finance and Accounting Service, Department of Defense, transmitting notification that the Defense Finance and Accounting Service [DFAS] is initiating a cost comparison of all Department of Defense [DOD] transportation accounting functions, pursuant to 10 U.S.C. 2304 note; to the Committee on National Security.

2852. A letter from the Secretary of the Army, transmitting notification that certain major defense acquisition programs have breached the unit cost by more than 25 percent, pursuant to 10 U.S.C. 2431(b)(3)(A); to the Committee on National Security.

2853. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation entitled "Revisions to the Appointment of Members to the National Ocean Research Leadership Council"; to the Committee on National Security.

2854. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize a food cost based basic allowance for subsistence for enlisted military personnel; to the Committee on National Security.

2855. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to authorize the U.S. participation in and appropriations for the U.S. contribution to the 11th replenishment of the resources of the International

Development Association, pursuant to 31 U.S.C. 1110; to the Committee on Banking and Financial Services.

2856. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to authorize consent to and authorize appropriations for a U.S. contribution to the interest subsidy account of the successor to the enhanced structural adjustment facility of the International Monetary Fund, pursuant to 31 U.S.C. 1110; to the Committee on Banking and Financial Services.

2857. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to authorize appropriations to pay for the U.S. capital subscription as part of the eight general capital increase of the Inter-American Development Bank, pursuant to 31 U.S.C. 1110; to the Committee on Banking and Financial Services.

2858. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to authorize U.S. participation in and appropriations for the U.S. contribution to the sixth replenishment of the resources of the Asian Development Fund, pursuant to 31 U.S.C. 1110; to the Committee on Banking and Financial Services.

2859. A letter from the Acting General Counsel, Department of Energy, transmitting a draft of proposed legislation entitled the "Powerplant and Industrial Fuel Use Repeal Act"; to the Committee on Commerce.

2860. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's "Major" final rule—Rulemaking To Amend Parts 1, 2, 21, and 25 of the Commission's Rules to Redesignate the 27.5-29.5 GHz Frequency Band, To Establish Rules and Policies for Local Multipoint Distribution Service and for Fixed Satellite Services [CC Docket No. 92-297] received April 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2861. A letter from the Chair, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Statement of Compliance with Section 223 of the Small Business Regulatory Enforcement Fairness Act of 1996 [Docket No. RM97-2-000; Order No. 594] received April 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2862. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a draft of proposed legislation to authorize appropriations for the Nuclear Regulatory Commission for fiscal year 1998, pursuant to 31 U.S.C. 1110; to the Committee on Commerce.

2863. A letter from the Secretary of Health and Human Services, transmitting the 11th, 12th and 13th annual reports to Congress of the Orphan Products Board [OPB]; pursuant to 42 U.S.C. 236(e); to the Committee on Commerce.

2864. A letter from the Secretary of Health and Human Services, transmitting the Department's "Major" final rule—Individual Market Health Insurance Reform: Portability from Group to Individual Coverage; Federal Rules for Access in the Individual Market; State Alternative Mechanisms to Federal Rules [BPD-882-IFC] (RIN: 0938-AH75) received April 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2865. A letter from the Director of Congressional Relations, U.S. Consumer Product Safety Commission, transmitting the Commission's annual report for fiscal year 1996, pursuant to 15 U.S.C. 2076(j); to the Committee on Commerce.

2866. A letter from the Secretary of Commerce, transmitting a report regarding highly migratory species, pursuant to 16 U.S.C. 971; to the Committee on Resources.

2867. A letter from the Secretary of Health and Human Services, transmitting the 29th in a series of reports on refugee resettlement in the United States covering the period October 1, 1994, through September 30, 1995, pursuant to 8 U.S.C. 1523(a); to the Committee on the Judiciary.

2868. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report on settlements for calendar year 1996 for damages caused by the FBI, the Drug Enforcement Administration, the U.S. Marshals Service, and the Immigration and Naturalization Service, pursuant to 31 U.S.C. 3724(b); to the Committee on the Judiciary, April 17, 1997.

2869. A letter from the Secretary, Judicial Conference of the United States, transmitting recommendations for the uniform percentage adjustment of each dollar amount specified in title 11 regarding bankruptcy administration and in 28 U.S.C. 1930 with respect to bankruptcy fees, pursuant to 11 U.S.C. 104 note; to the Committee on the Judiciary.

2870. A letter from the Secretary, Judicial Conference of the United States, transmitting a draft of proposed legislation to authorize the appointment of additional bankruptcy judges and for other purposes, pursuant to 28 U.S.C. 152(b)(2); to the Committee on the Judiciary.

2871. A letter from the Secretary, Judicial Conference of the United States, transmitting the report of the Judicial Conference of the United States on the Confidentiality of Communications Between Sexual Assault Victims and Their Counselors, pursuant to 42 U.S.C. 13942 (c); to the Committee on the Judiciary.

2872. A letter from the Assistant Secretary of the Army (Civil Works), Department of Army, transmitting the Department's final rule—Danger Zones and Restricted Areas (U.S. Army Corps of Engineers) [33 CFR Part 334] received April 14, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2873. A letter from the Acting Administrator, General Services Administration, transmitting an informational copy of the construction prospectus for the U.S. Secret Service classroom building in Beltsville, MD, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

2874. A letter from the Secretary of Veterans Affairs, transmitting a report covering the disposition of cases granted relief from administrative error, overpayment and forfeiture by the Administrator in 1996, pursuant to 38 U.S.C. 210(c)(3)(B); to the Committee on Veterans' Affairs.

2875. A letter from the Assistant Attorney General, Department of Justice, transmitting a draft of proposed legislation to allow the Director of the Federal Bureau of Investigation to permit Federal Bureau of Investigation employees to participate in leave sharing programs with employees of other Department of Justice components and other Federal agencies; jointly, to the Committees on Government Reform and Oversight and the Judiciary.

2876. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to reauthorize and make reforms to programs authorized by the Public Works and Economic Development Act of 1965; jointly, to the Committees on Transportation and Infrastructure and Banking and Financial Services.

2877. A letter from the Director, U.S. Arms Control and Disarmament Agency, transmitting a draft of proposed legislation to implement the obligations of the United States under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their

Destruction, known as "the Chemical Weapons Convention" and opened for signature and signed by the United States on January 13, 1993; jointly, to the Committees on International Relations, the Judiciary, and Government Reform and Oversight.

34.4 MESSAGE FROM THE SENATE

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

H.R. 1003. An Act to clarify Federal law with respect to restricting the use of Federal funds in support of assisted suicide.

The message also announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 914. An Act to make certain technical corrections in the Higher Education Act of 1965 relating to graduation data disclosures.

34.5 WORDS TAKEN DOWN

Mr. LEWIS of Georgia during one minute speeches addressed the House and, during the course of his remarks,

Mr. SOLOMON demanded that certain words be taken down.

The Clerk read the words taken down as follows:

I am surprised to see my Republican colleagues on the floor today congratulating Speaker NEWT GINGRICH for doing something he should have done months ago, paying \$300,000 for lying to Congress. Speaker GINGRICH admitted to bringing discredit on the House of Representatives. He has admitted to lying to this House.

The SPEAKER pro tempore, Mr. KOLBE, held the words taken down to be unparliamentary, and said:

"The words of the gentleman from Georgia [Mr. LEWIS] constitute a personality against the Speaker. Under the precedents, the debate should not go to the official conduct of a Member where that question is not pending as a question of privilege on the House floor. The fact that the House has addressed a Member's conduct at a prior time does not permit this debate at this time. Therefore, the gentleman's words are out of order.

"Without objection, the gentleman's words will be stricken from the Record."

Mr. DOGGETT objected to the words being stricken from the Congressional Record.

The question being, Will the gentleman's words be stricken from the Congressional Record?

The question being put, viva voce, Will the gentleman's words be stricken from the Congressional Record?

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

Mr. DOGGETT demanded a recorded vote on agreeing to the gentleman's words being stricken from the Congressional Record, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

When there appeared ... { Yeas ..... 227  
 Nays ..... 190  
 Answered present 3

34.6 [Roll No. 82]  
 AYES—227

Aderholt	Gillmor	Packard
Archer	Gilman	Pappas
Armey	Goodlatte	Parker
Bachus	Goodling	Paul
Baker	Goss	Paxon
Ballenger	Graham	Pease
Barr	Granger	Peterson (PA)
Barrett (NE)	Greenwood	Petri
Bartlett	Gutknecht	Pickering
Barton	Hall (OH)	Pitts
Bass	Hansen	Pombo
Bateman	Hastert	Porter
Bereuter	Hastings (WA)	Portman
Bilbray	Hayworth	Pryce (OH)
Bilirakis	Hefley	Quinn
Bliley	Herger	Radanovich
Blunt	Hill	Ramstad
Boehler	Hilleary	Regula
Boehner	Hobson	Riggs
Bonilla	Hoekstra	Riley
Bono	Horn	Rogan
Brady	Hostettler	Rogers
Bryant	Houghton	Rohrabacher
Bunning	Hulshof	Ros-Lehtinen
Burr	Hunter	Roukema
Burton	Hutchinson	Royce
Buyer	Hyde	Ryun
Callahan	Inglis	Salmon
Calvert	Jenkins	Sanford
Camp	Johnson (CT)	Saxton
Campbell	Johnson, Sam	Scarborough
Canady	Jones	Schaefer, Dan
Cannon	Kasich	Schaffer, Bob
Castle	Kelly	Sensenbrenner
Chabot	Kim	Sessions
Chambliss	Kind (WI)	Shadegg
Chenoweth	King (NY)	Shaw
Christensen	Kingston	Shays
Coble	Klug	Shimkus
Coburn	Knollenberg	Shuster
Collins	Kolbe	Skaggs
Combest	LaHood	Skeen
Cook	Largent	Smith (MI)
Cooksey	Latham	Smith (NJ)
Cox	LaTourette	Smith (OR)
Crapo	Lazio	Smith (TX)
Cubin	Leach	Smith, Linda
Cunningham	Lewis (CA)	Snowbarger
Davis (VA)	Lewis (KY)	Solomon
Deal	Linder	Souder
DeLay	Livingston	Spence
Diaz-Balart	LoBiondo	Stearns
Dickey	Lucas	Stump
Doolittle	Luther	Sununu
Dreier	Manzullo	Talent
Duncan	McCollum	Tauzin
Dunn	McCrery	Taylor (NC)
Ehlers	McDade	Thomas
Ehrlich	McHugh	Thornberry
Emerson	McInnis	Thune
English	McIntosh	Tiahrt
Ensign	McKeon	Traficant
Everett	Metcalf	Upton
Ewing	Mica	Walsh
Fawell	Miller (FL)	Wamp
Foley	Minge	Watkins
Forbes	Molinari	Watts (OK)
Fowler	Moran (KS)	Weldon (FL)
Fox	Myrick	Weldon (PA)
Franks (NJ)	Nethercutt	Weller
Frelinghuysen	Neumann	White
Galleghy	Ney	Wicker
Ganske	Northup	Wolf
Gekas	Norwood	Young (AK)
Gibbons	Nussle	Young (FL)
Gilchrest	Oxley	

NOES—190

Abercrombie	Borski	Condit
Ackerman	Boswell	Conyers
Baesler	Boucher	Coyne
Baldacci	Boyd	Cramer
Barcia	Brown (CA)	Cummings
Barrett (WI)	Brown (FL)	Danner
Becerra	Brown (OH)	Davis (FL)
Bentsen	Capps	DeFazio
Berry	Carson	DeGette
Bishop	Clay	Delahunt
Blagojevich	Clayton	DeLauro
Blumenauer	Clement	Dellums
Bonior	Clyburn	Deutsch

Dicks	Kilpatrick	Pomeroy
Dingell	Klecza	Poshard
Dixon	Klink	Price (NC)
Doggett	Kucinich	Rahall
Dooley	LaFalce	Rangel
Doyle	Lampson	Reyes
Edwards	Lantos	Rivers
Engel	Levin	Roemer
Eshoo	Lewis (GA)	Rothman
Etheridge	Lipinski	Roybal-Allard
Evans	Lofgren	Rush
Farr	Lowey	Sabo
Fattah	Maloney (CT)	Sanchez
Fazio	Maloney (NY)	Sanders
Filner	Manton	Sandlin
Flake	Markey	Schumer
Foglietta	Martinez	Scott
Ford	Masara	Serrano
Frank (MA)	Matsui	Sherman
Frost	McCarthy (MO)	Sisisky
Furse	McCarthy (NY)	Skelton
Gedjenson	McDermott	Slaughter
Gephardt	McGovern	Smith, Adam
Gonzalez	McHale	Snyder
Goode	McIntyre	Spratt
Gordon	McKinney	Stabenow
Green	McNulty	Stark
Gutierrez	Meehan	Stenholm
Hall (TX)	Meek	Stokes
Hamilton	Menendez	Strickland
Hastings (FL)	Millender-McDonald	Stupak
Hefner	Miller (CA)	Tanner
Hilliard	Mink	Tauscher
Hinchey	Moakley	Taylor (MS)
Hinojosa	Mollohan	Thompson
Holden	Moran (VA)	Thurman
Hooley	Murtha	Torres
Hoyer	Nadler	Towns
Jackson (IL)	Neal	Turner
Jackson-Lee (TX)	Oberstar	Velazquez
Jefferson	Obey	Vento
John	Olver	Visclosky
Johnson (WI)	Ortiz	Waters
Johnson, E. B.	Pallone	Watt (NC)
Kanjorski	Pascrell	Waxman
Kaptur	Pastor	Wexler
Kennedy (MA)	Payne	Weygand
Kennedy (RI)	Pelosi	Wise
Kennelly	Peterson (MN)	Woolsey
Kildee	Pickett	Wynn
		Yates

ANSWERED "PRESENT"—3

Berman	Cardin	Sawyer
Allen	Davis (IL)	Owens
Andrews	Harman	Schiff
Costello	Istook	Tierney
Crane	Morella	Whitfield

NOT VOTING—12

So, the motion to strike the words from the Congressional Record was agreed to.

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

The SPEAKER pro tempore, Mr. KOLBE, by unanimous consent, recognized Mr. LEWIS of Georgia to proceed in order.

Mr. SOLOMON objected to the gentleman of Georgia [MR. LEWIS] proceeding in order.

Mr. DOGGETT moved that the gentleman be allowed to proceed in order.

Mr. SOLOMON moved to lay the motion on the table.

The question being put, viva voce, Will the House lay on the table the motion to allow the gentleman of Georgia [Mr. LEWIS] to proceed in order?

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

Mr. DOGGETT demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... { Yeas ..... 223  
 Nays ..... 199

34.7 [Roll No. 83]  
 AYES—223

Aderholt	Gilchrest	Parker
Archer	Gillmor	Paul
Armey	Gilman	Paxon
Bachus	Goodlatte	Pease
Baker	Goodling	Peterson (PA)
Ballenger	Goss	Petri
Barr	Graham	Pickering
Barrett (NE)	Granger	Pitts
Bartlett	Greenwood	Pombo
Barton	Gutknecht	Porter
Bass	Hansen	Portman
Bateman	Hastert	Pryce (OH)
Bereuter	Hastings (WA)	Quinn
Bilbray	Hayworth	Radanovich
Bilirakis	Hefley	Ramstad
Bliley	Herger	Regula
Blunt	Hill	Riggs
Boehler	Hilleary	Riley
Boehner	Hobson	Rogan
Bonilla	Hoekstra	Rogers
Bono	Horn	Rohrabacher
Brady	Hostettler	Ros-Lehtinen
Bryant	Houghton	Roukema
Bunning	Hulshof	Royce
Burr	Hunter	Ryun
Burton	Hutchinson	Salmon
Buyer	Hyde	Sanford
Callahan	Inglis	Saxton
Calvert	Jenkins	Scarborough
Camp	Johnson (CT)	Schaefer, Dan
Campbell	Johnson, Sam	Schaffer, Bob
Canady	Jones	Sensenbrenner
Cannon	Kasich	Sessions
Castle	Kelly	Shadegg
Chabot	Kim	Shaw
Chambliss	King (NY)	Shays
Chenoweth	Kingston	Shimkus
Christensen	Klug	Shuster
Coble	Knollenberg	Skeen
Coburn	Kolbe	Smith (MI)
Collins	LaHood	Smith (NJ)
Combest	Largent	Smith (OR)
Cook	Latham	Smith (TX)
Cooksey	LaTourette	Smith, Linda
Cox	Lazio	Snowbarger
Crapo	Leach	Solomon
Cubin	Lewis (CA)	Souder
Cunningham	Lewis (KY)	Spence
Davis (VA)	Linder	Stearns
Deal	Livingston	Stump
DeLay	LoBiondo	Sununu
Diaz-Balart	Lucas	Talent
Dickey	Manzullo	Tauzin
Doolittle	McCollum	Taylor (NC)
Dreier	McCrery	Thomas
Duncan	McDade	Thornberry
Dunn	McHugh	Thune
Ehlers	McInnis	Tiahrt
Ehrlich	McIntosh	Traficant
Emerson	McKeon	Upton
English	Metcalf	Walsh
Ensign	Mica	Wamp
Everett	Miller (FL)	Watkins
Ewing	Molinari	Watts (OK)
Fawell	Moran (KS)	Weldon (FL)
Foley	Myrick	Weldon (PA)
Forbes	Nethercutt	Weller
Fowler	Neumann	White
Fox	Ney	Whitfield
Franks (NJ)	Northup	Wicker
Frelinghuysen	Norwood	Wolf
Galleghy	Nussle	Young (AK)
Ganske	Oxley	Young (FL)
Gekas	Packard	
Gibbons	Pappas	

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Abercrombie	Boucher	Danner
Ackerman	Boyd	Davis (FL)
Allen	Brown (CA)	Davis (IL)
Baesler	Brown (FL)	DeFazio
Baldacci	Brown (OH)	DeGette
Barcia	Capps	Delahunt
Barrett (WI)	Cardin	DeLauro
Becerra	Carson	Dellums
Bentsen	Clay	Deutsch
Berman	Clayton	Dicks
Berry	Clement	Dingell
Bishop	Clyburn	Dixon
Blagojevich	Condit	Doggett
Blumenauer	Conyers	Dooley
Bonior	Coyne	Doyle
Borski	Cramer	Edwards
Boswell	Cummings	Engel

Eshoo  
Etheridge  
Evans  
Fattah  
Fazio  
Filner  
Flake  
Foglietta  
Ford  
Frank (MA)  
Frost  
Furse  
Gejdenson  
Gephardt  
Gonzalez  
Goode  
Gordon  
Green  
Gutierrez  
Hall (OH)  
Hall (TX)  
Hamilton  
Hastings (FL)  
Hefner  
Hilliard  
Hinchee  
Hinojosa  
Holden  
Hooley  
Hoyer  
Jackson (IL)  
Jackson-Lee  
(TX)  
John  
Johnson (WI)  
Johnson, E. B.  
Kanjorski  
Kaptur  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kilpatrick  
Kind (WI)  
Klecza  
Klink  
Kucinich  
LaFalce  
Lampson  
Lantos

Levin  
Lewis (GA)  
Lipinski  
Lofgren  
Lowey  
Luther  
Maloney (CT)  
Maloney (NY)  
Manton  
Markey  
Martinez  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McDermott  
McGovern  
McHale  
McIntyre  
McKinney  
McNulty  
Meehan  
Meek  
Menendez  
Millender-  
McDonald  
Miller (CA)  
Minge  
Mink  
Moakley  
Mollohan  
Moran (VA)  
Murtha  
Nadler  
Neal  
Oberstar  
Obey  
Olver  
Ortiz  
Owens  
Pallone  
Pascrell  
Pastor  
Payne  
Pelosi  
Peterson (MN)  
Pickett  
Pomeroy  
Poshard  
Price (NC)

Rahall  
Rangel  
Reyes  
Rivers  
Roemer  
Rothman  
Roybal-Allard  
Rush  
Sabo  
Sanchez  
Sanders  
Sandlin  
Sawyer  
Schumer  
Scott  
Serrano  
Sherman  
Sisisky  
Skaggs  
Skelton  
Slaughter  
Smith, Adam  
Snyder  
Spratt  
Stabenow  
Stark  
Stenholm  
Stokes  
Strickland  
Stupak  
Tanner  
Tauscher  
Taylor (MS)  
Thompson  
Thurman  
Torres  
Towns  
Turner  
Velazquez  
Vento  
Visclosky  
Waters  
Watt (NC)  
Waxman  
Wexler  
Weygand  
Wise  
Woolsey  
Wynn  
Yates

NOT VOTING—10

Andrews  
Castello  
Crane  
Farr

Harman  
Istook  
Jefferson  
Morella

Schiff  
Tierney

So, the motion to lay on the table the motion for the gentleman of Georgia [Mr. LEWIS] to proceed in order was agreed to.

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

34.8 UNFINISHED BUSINESS—APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. KOLBE, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, April 16, 1997.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

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

Mr. DAVIS of Virginia demanded a recorded vote on the Chair's approval of the Journal, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 317 Nays ..... 100

34.9 [Roll No. 84] AYES—317

Aderholt  
Allen  
Archer  
Armey  
Bachus  
Baesler  
Baker  
Ballenger  
Barr  
Barrett (NE)  
Barrett (WI)  
Bartlett  
Barton  
Bass  
Bateman  
Bentsen  
Bereuter  
Berman  
Billbray  
Bilirakis  
Blagojevich  
Bliley  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Boswell  
Boucher  
Boyd  
Brady  
Brown (FL)  
Bryant  
Bunning  
Burr  
Burton  
Calvert  
Camp  
Campbell  
Canady  
Cannon  
Capps  
Cardin  
Carson  
Castle  
Chabot  
Chambliss  
Chenoweth  
Christensen  
Clayton  
Clement  
Coble  
Coburn  
Collins  
Combest  
Condit  
Conyers  
Cook  
Cooksey  
Cox  
Coyne  
Cramer  
Crapo  
Cubin  
Cummings  
Cunningham  
Danner  
Davis (IL)  
Davis (VA)  
Deal  
DeLay  
Diaz-Balart  
Dickey  
Dicks  
Dingell  
Dixon  
Dooley  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Ehlers  
Ehrlich  
Emerson  
Etheridge  
Evans  
Everett  
Fawell  
Foley  
Forbes  
Fowler  
Fox  
Franks (NJ)

Stump  
Sununu  
Talent  
Tanner  
Tauzin  
Taylor (NC)  
Thomas  
Thornberry  
Thune  
Thurman  
Tiahrt  
Torres

Towns  
Traficant  
Turner  
Upton  
Vento  
Walsh  
Wamp  
Waters  
Watkins  
Watts (OK)  
Waxman  
Weldon (FL)

NOES—100

Abercrombie  
Ackerman  
Baldacci  
Barcia  
Berry  
Bishop  
Bonior  
Borski  
Brown (OH)  
Buyer  
Callahan  
Clayburn  
Davis (FL)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Deutsch  
Doggert  
Edwards  
Engel  
English  
Ensign  
Fattah  
Fazio  
Filner  
Flake  
Foglietta  
Ford  
Frank (MA)  
Frost  
Furse

NOT VOTING—15

Andrews  
Becerra  
Bono  
Brown (CA)  
Castello  
Crane  
Eshoo  
Ewing  
Farr  
Gekas  
Istook  
Morella  
Sabo  
Schiff  
Tierney

So the Journal was approved.

34.10 COMMUNICATION FROM THE CLERK—CERTIFICATE OF ELECTION

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, April 17, 1997.

Hon. NEWT GINGRICH,  
The Speaker, U.S. House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a copy of the original certificate of election from the Honorable Antonio O. Garza, Jr., Secretary of State, State of Texas, indicating that, at a special run-off election held on Saturday, April 12, 1997, the Honorable Ciro D. Rodriguez was duly elected to the Office of Representative in Congress from the Twenty-eighth Congressional District, State of Texas.

With warm regards,  
ROBIN H. CARLE.

34.11 MEMBER-ELECT SWORN

Mr. CIRO D. RODRIGUEZ of the 28th District of Texas, presented himself at the bar of the House and took the oath of office prescribed by law.

34.12 POINT OF PERSONAL PRIVILEGE

The SPEAKER rose to a question of personal privilege.

The SPEAKER pro tempore, Mr. KOLBE, pursuant to rule IX, recognized the SPEAKER for one hour.

The SPEAKER made the following statement:

Mr. Speaker, I am standing here in the People's House at the center of freedom, and it is clear to me that for America to be healthy, our House of Representatives must be healthy. The Speaker of the House has a unique responsibility in this regard.

When I became Speaker of the House, it was the most moving day I could have imagined. It was the culmination of a dream. Little did I know that only 2 years later, I would go through a very painful time.

During my first 2 years as Speaker, 81 charges were filed against me. Of the 81 charges, 80 were found not to have merit and were dismissed as virtually meaningless. But the American public might wonder what kind of man has 81 charges brought against him?

Under our system of government, attacks and charges can be brought with impunity against a Congressman, sometimes with or without foundation. Some of these charges involved a college course I taught about renewing American civilization.

I am a college teacher by background. After years of teaching, it never occurred to me that teaching a college course about American civilization and the core values that have made our country successful could become an issue. However, as a precaution, I received the Committee on Standards of Official Conduct's approval in advance for teaching the course, and I accepted no payment for teaching the course.

Nonetheless, the course became embroiled in controversy. The most significant problem surfaced not from teaching the course but from answering the Committee on Standards of Official Conduct's inquiries.

Before the 1994 election, the committee asked questions, and I submitted a letter in response. The committee agreed that this letter was accurate. Later, I hired a law firm to assist me in answering additional questions coming from the committee. A letter developed by the law firm became the heart of the problem. I signed that letter, and it became the basis for a later, longer letter signed by an attorney. I was deeply saddened to learn almost 2 years later that these letters were inaccurate and misleading.

While the letters were developed and drafted by my former attorneys, I bear the full responsibility for them, and I accept that responsibility.

Those letters should not have been submitted. The members of the Committee on Standards of Official Conduct should never have to worry about the quality and accuracy of information that that committee receives. Mainly because these two letters contradicted my own earlier and correct letter, the Committee on Standards of Official Conduct spent a great deal of time and money to figure out exactly what happened.

For this time and effort, for which I am deeply sorry and deeply regret, I

have agreed to reimburse the American taxpayers \$300,000 for legal expenses and costs incurred by the committee in its investigation.

It was the opinion of the committee and my own opinion that had accurate information been submitted in those two letters, the investigation would have ended much sooner with less cost to the taxpayer. It was not based on violation of any law or for the misuse of charitable contributions. There was no finding by the committee that I purposely tried to deceive anyone. To me, it simply seemed wrong to ask the taxpayers to pay for an investigation that should have been unnecessary. That is why I voluntarily agreed to reimburse the taxpayers.

Never before in history has a Member of Congress agreed to be responsible for the cost of an investigation conducted by a committee of the House. This \$300,000 reimbursement is not a fine, as some have asserted. The settlement itself and the report of the Committee on Standards of Official Conduct makes it clear that it is a reimbursement of legal expenses and costs only.

The committee and its special counsel did not stipulate how the reimbursement should be paid. One option is to pay completely with campaign funds. As a matter of law, the attorneys tell me there is little question that my campaign has the legal authority under existing law and committee rules to pay the reimbursement.

The second option is to pay by means of a legal defense fund. The committee has previously determined that Members may set up such a fund.

A third option is to sue the law firm and apply the proceeds to the reimbursement.

And the fourth option is to pay completely with personal funds.

As we considered these options, we sought to do what was right for the House as it relates to future precedents and for reestablishing the trust of the American people in this vital institution. My campaign could have paid the entire amount, and it would have been legal and within past precedents of the House. Yet, on reflection, it was clear that many Americans would have regarded this as another example of politics as usual and of avoiding responsibility.

1200

A lawsuit against the lawyers who prepared the two documents is a future possibility for me as a citizen, but that option could take years in court. A legal trust fund was in many ways the most appealing. There is more than adequate precedent for such a fund. Many friends from across the entire country had called to offer contributions. Many of my colleagues on both sides of the aisle felt that this was the safest approach. Yet on reflection it was clear that a legal trust fund would simply lead to a new controversy over my role.

I have a higher responsibility as Speaker to do the right thing in the

right way and to serve responsibly. I also must consider what the personal payment precedent would mean to this House as an institution. Many Members in this Chamber, on both sides of the aisle, have raised serious concerns, citing the fear that a personal payment will establish a precedent that could financially ruin Members who were assessed costs incurred by special counsels. In the current environment, who could feel safe? There should be no precedent that penalizes the spouses and children of our Members, but that is what this option could effectively do. This is something we must address.

Yet the question still remains. What is the right decision for me and my wife personally, for my family, for this institution, and for the American people?

Marianne and I have spent hours and hours discussing these options. She is here too today. Let me just say that I have never been prouder of Marianne than over the last few months. Her ability to endure the press scrutiny, to live beyond the attacks, to enjoy life despite hostilities, has been a remarkable thing to observe and a wonderful thing to participate in. But she always came back to the same key question: What is the right thing to do for the right principles? Through the difficult days and weeks as we reviewed the options, it was the courage of her counsel which always led me to do my best. Marianne and I decided whatever the consequences, we had to do what was best, what was right, morally and spiritually. We had to put into perspective how our lives had been torn apart by the weight of this decision. We had to take into account the negative feelings that Americans have about government, Congress, and scandals. We had to take into account the responsibility that the Speaker of the House has to a higher standard.

That is why we came to the conclusion, of our own choice without being forced, that I have a moral obligation to pay the \$300,000 out of personal funds; that any other step would simply be seen as one more politician shirking his duty and one more example of failing to do the right thing.

Therefore, as a person of limited means, I have arranged to borrow the money from Bob Dole, a close personal friend of impeccable integrity, and I will personally pay it back. The taxpayers will be fully reimbursed. The agreement will be completely honored. The integrity of the House ethics process will have been protected. This is my duty as Speaker, and I will do it personally.

I will also ask the House to pass a resolution affirming that this is a voluntary action on my part and that it will establish no precedent for any other Member in the future. It is vital that we not go down the road of destroying middle-class Members by establishing any personal burden in a nonjudicial system.

It is important to put decisions about politics and Government in perspec-

tive. This past year I have experienced some personal losses. I lost my father, and my mother lost her husband of 50 years. My mother, due to serious health problems, is being forced to move into assisted living. My mother has lost her home, her husband, and her life as she knew it.

This week before making this decision I visited my mother in her hospital in Harrisburg. I should say she is now out and is in the assisted living facility. I asked her how she could handle these setbacks with such a positive attitude. She said,

Newtie—she still calls me that. I do not think I am ever going to get to Mr. Speaker with my mother—she says, Newtie, you just have to get on with life.

Coming back from Harrisburg, I realized that she gave me strength and made me realize that for Marianne and myself, moving on with our lives, in the right way, by doing the right thing was our most important goal.

Let me make clear: We endure the difficulties, and the pain of the current political process, but we believe renewing America is the great challenge for our generation. I said on the day I became Speaker for the second time that we should focus on the challenges of race, drugs, ignorance and faith. Over the past few months, I have met with Americans of all backgrounds and all races as we discussed new approaches and new solutions. I am convinced that we can enter the 21st century with a renewed America of remarkable power and ability.

This is a great country, filled with good people. We do have the capacity to reform welfare and help every citizen move from welfare to work. We do have the potential to help our poorest citizens move from poverty to prosperity. We do have the potential to replace quotas with friendship and set-asides with volunteerism. We can reach out to every American child of every ethnic background, in every neighborhood, and help them achieve their Creator's endowed unalienable right to pursue happiness. We cannot guarantee happiness, but we can guarantee the right to pursue.

Recently, I had a chance to have breakfast with the fine young men and women of the 2d Infantry Division in Korea where my father had served. Today South Korea is free and prosperous because young Americans, for 47 years, have risked their lives in alliance with young Koreans.

I was reminded on that morning that freedom depends on courage and integrity; that honor, duty, country is not just a motto, it is a way of life. We in this House must live every day in that tradition. We have much to do to clean up our political and governmental processes. We have much to do to communicate with our citizens and with those around the world who believe in freedom and yearn for freedom. Everywhere I went recently, in Hong Kong, Beijing, Shanghai, Taipei, Seoul, and Tokyo, people talked about freedom of speech, free elections, the rule of law,

an independent judiciary, the right to own private property, and the right to pursue happiness through free markets.

We in this House are role models. People all over the world watch us and study us. When we fall short, they lose hope. When we fail, they despair.

To the degree I have made mistakes, they have been errors of implementation but never of intent. This House is at the center of freedom, and it deserves from all of us a commitment to be worthy of that honor.

Today, I am doing what I can to personally live up to that calling and that standard. I hope my colleagues will join me in that quest.

May God bless this House, and may God bless America.

#### ¶34.13 PROVIDING FOR THE CONSIDERATION OF H.R. 400

Mr. MCINNIS, by direction of the Committee on Rules, called up the following resolution (H. Res. 116):

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 400) to amend title 35, United States Code, with respect to patents, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified as specified in section 2 of this resolution. The committee amendment in the nature of a substitute, as modified, shall be considered as read. All points of order against the committee amendment in the nature of a substitute, as modified, are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute, as modified. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in H.R. 400 is modified as follows:

(a) page 14, line 19, after "at" insert "a rate not to exceed"; and

(b) page 46, line 15, strike "activities" and insert in lieu thereof "activities, subject to the submission of a plan to the Committees on Appropriations of the House and Senate in accordance with the procedures set forth in section 605 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act 1997".

When said resolution was considered.

After debate,

On motion of Mr. MCINNIS, 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.

#### ¶34.14 PATENT SYSTEM IMPROVEMENTS

The SPEAKER pro tempore, Mr. HOBSON, pursuant to House Resolution 116 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 400) to amend title 35, United States Code, with respect to patents, and for other purposes.

The SPEAKER pro tempore, Mr. HOBSON, by unanimous consent, designated Mr. LAHOOD as Chairman of the Committee of the Whole.

The Acting Chairman, Mr. CAMP assumed the Chair; and after some time spent therein,

#### ¶34.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. ROHRBACHER:

Strike all after the enacting clause and insert the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Patent Rights and Sovereignty Act of 1997".

##### SEC. 2. FINDINGS.

The Congress finds that—

(1) the right of an inventor to secure a patent is assured through the authorization powers of the Congress contained in Article I, section 8 of the Constitution, has been consistently upheld by the Congress, and has been the stimulus to the unique technological innovativeness of the United States;

(2) the right must be assured for a guaranteed length of time in the term of the issued patent and be further secured by maintaining absolute confidentiality of all patent application data until the patent is granted if the applicant is timely prosecuting the patent;

(3) the quality of United States patents is also an essential stimulus for preserving the technological lead and economic well-being of the United States in the next century;

(4) the process of examining and issuing patents is an inherently governmental function that must be performed by Federal employees acting in their quasi-judicial roles under regular executive and legislative oversight; and

(5) the quality of United States patents is inextricably linked to the professionalism of

patent examiners and the quality of the training of patent examiners as well as to the resources supplied to the Patent and Trademark Office in the way of adequate manpower, appropriately maintained search files, and other needed professional tools.

### SEC. 3. SECURE PATENT EXAMINATION.

Section 3 of title 35, United States Code, is amended by adding at the end thereof the following:

“(f) All examination and search duties for the grant of United States patents are sovereign functions which shall be performed within the United States by United States citizens who are employees of the United States Government.”.

### SEC. 4. MAINTENANCE OF EXAMINERS' SEARCH FILES.

Section 9 of title 35, United States Code, is amended—

(1) by striking “may revise and maintain” and inserting “shall maintain and revise”; and

(2) by adding at the end thereof the following: “United States patents, and all such other patents and printed publications shall be maintained in the examiners' search files under the United States Patent Classification System.”.

### SEC. 5. PATENT EXAMINER TRAINING.

(a) IN GENERAL.—Chapter 1 of title 35, United States Code, is amended by adding at the end the following new section:

#### “§ 15. Patent examiner training

“(a) IN GENERAL.—All patent examiners shall spend at least 5 percent of their duty time per annum in training to maintain and develop the legal and technological skills useful for patent examination.

“(b) TRAINERS OF EXAMINERS.—The Patent and Trademark Office shall develop an incentive program to retain as employees patent examiners of the primary examiner grade or higher who are eligible for retirement, for the sole purpose of training patent examiners who have not achieved the grade of primary examiner.”.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 1 is amended by adding at the end the following:

“15. Patent examiner training.”

### SEC. 6. ADMINISTRATIVE MATTERS.

(a) LIMITATIONS ON PERSONNEL.—Section 3(a) of title 35, United States Code, is amended by adding at the end thereof the following: “The Office shall not be subject to any administratively or statutorily imposed limitation on positions or personnel, and no positions or personnel of the Office shall be taken into account for purposes of applying any such limitation.”.

(b) RETENTION OF FEES.—(1) Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905(g)(1)(A)) is amended by inserting after the item relating to the National Credit Union Administration, credit union share insurance fund, the following new item: “Patent and Trademark Office”.

(2) Section 10101(b)(2)(B) of the Omnibus Budget Reconciliation Act of 1990 (35 U.S.C. 41 note) is amended by striking “, to the extent provided in appropriation Acts,” and inserting “without appropriation”.

(3) Section 42(c) of title 35, United States Code, is amended by striking the first sentence and inserting the following: “Revenues from fees shall be available to the Commissioner to carry out the activities of the Patent and Trademark Office, in such allocations as are approved by Act of Congress. Such revenues shall not be made available for any purpose other than that authorized for the Patent and Trademark Office.”.

(c) USE OF FEES.—Section 42(c) of title 35, United States Code, is amended by adding at the end thereof the following: “All patent

application fees collected under paragraphs (1), (3)(A), (3)(B), and (4) through (8) of section 41(a), and all other fees collected under section 41 for services or the extension of services to be provided by patent examiners shall be used only for the pay and training of patent examiners.”.

(d) PUBLICATIONS.—Section 11 of title 35, United States Code, is amended by adding at the end thereof the following:

“(c) The Patent and Trademark Office shall make available for public inspection during regular business hours all solicitations issued by the Office for contracts for goods or services and all contracts for goods or services entered into by the Office.

“(d) Notice of a proposal to change United States patent law that will be made on behalf of the United States to a foreign country or international body shall be published in the Federal Register before, or at the same time as, the proposal is transmitted.”.

### SEC. 7. GAO STUDY AND REPORT.

(a) IN GENERAL.—The Comptroller General shall conduct a study of—

(1) the total number of patents applied for, issued, abandoned, and pending in the period of the study;

(2) the classification of the applicants for patents in terms of the country they are a citizen of and whether they are an individual inventor, small entity, or other;

(3) the pendency time for applications for patents and such other time and tracking data as may indicate the effectiveness of the amendments made by this Act;

(4) the number of applicants for patents who also file for a patent in a foreign country, the number of foreign countries in which such filings occur and which publish data from patent applications in English and make it available to citizens of the United States through governmental or commercial sources;

(5) a summary of the fees collected by the Patent and Trademark Office for services related to patents and a comparison of such fees with the fully allocated costs of providing such services; and

(6) recommendations regarding—

(A) a revision of the organization of the Patent and Trademark Office with respect to its patent functions, and

(B) improved operating procedures in carrying out such functions,

and a cost analysis of the fees for such procedures and the impact of the fees.

(b) ADDITIONAL STUDY MATTER.—The Committees on Appropriations, Judiciary, and Small Business of the House of Representatives and the Senate may, no later than 12 months after the beginning of the study under subsection (a), direct the Comptroller General to include other matters relating to patents and the Patent and Trademark Office in the study conducted under subsection (a).

(c) REPORT.—Upon the expiration of 36 months after the beginning of the study under subsection (a), the Comptroller General shall report the results of the study to the Congress.

### SEC. 8. PATENT TERMS.

(a) AMENDMENT OF TITLE.—Effective on the date of the enactment of this Act, section 154 of title 35, United States Code, as amended by the Uruguay Round Agreements Act, is amended—

(1) in paragraph (2) of subsection (a), by striking “and ending” and all that follows in that paragraph and inserting “and ending—

“(A) 17 years from the date of the grant of the patent, or

“(B) 20 years from the date on which the application for the patent was filed in the United States, except that if the application contains a specific reference to an earlier filed application or applications under sec-

tion 120, 121, or 365(c) of this title, 20 years from the date on which the earliest such patent application was filed, whichever is later.”.

(2) in subsection (c)(1), by striking “shall be the greater of the 20-year term as provided in subsection (a), or 17 years from grant” and inserting “shall be the term provided in subsection (a)”.

(b) TECHNICAL AMENDMENT.—Section 534(b) of the Uruguay Round Agreements Act is amended by striking paragraph (3).

### SEC. 9. DEFINITION OF SPECIAL CIRCUMSTANCES TO PROTECT THE CONFIDENTIALITY STATUS OF APPLICATIONS.

Section 122 of title 35, United States Code, is amended by striking “as may be determined by the Commissioner” and inserting “as in any of the following:

“(1) In the case of an application under section 111(a) for a patent for an invention for which the applicant intends to file or has filed an application for a patent in a foreign country, the Commissioner may publish, at the discretion of the Commissioner and by means determined suitable for the purpose, no more than that data from such application under section 111(a) which will be made or has been made public in such foreign country. Such a publication shall be made only after the date of the publication in such foreign country and shall be made only if the data is not available, or cannot be made readily available, in the English language through commercial services.

“(2)(A) If the Commissioner determines that a patent application which is filed after the date of the enactment of this paragraph—

“(i) has been pending more than 5 years from the effective filing date of the application,

“(ii) has not been previously published by the Patent and Trademark Office,

“(iii) is not under any appellate review by the Board of Patent Appeals and Interferences,

“(iv) is not under interference proceedings in accordance with section 135(a),

“(v) is not under any secrecy order pursuant to section 181,

“(vi) is not being diligently pursued by the applicant in accordance with this title, and

“(vii) is not in abandonment,

the Commissioner shall notify the applicant of such determination.

“(B) An applicant which received notice of a determination described in subparagraph (A) may, within 30 days of receiving such notice, petition the Commissioner to review the determination to verify that subclauses (i) through (vii) are all applicable to the applicant's application. If the applicant makes such a petition, the Commissioner shall not publish the applicant's application before the Commissioner's review of the petition is completed. If the applicant does not submit a petition, the Commissioner may publish the applicant's application no earlier than 90 days after giving such a notice.

“(3) If after the date of the enactment of this paragraph a continuing application has been filed more than 6 months after the date of the initial filing of an application, the Commissioner shall notify the applicant under such application. The Commissioner shall establish a procedure for an applicant which receives such a notice to demonstrate that the purpose of the continuing application was for reasons other than to achieve a delay in the time of publication of the application. If the Commissioner agrees with such a demonstration by the applicant, the Commissioner shall not publish the applicant's application. If the Commissioner does not agree with such a demonstration by the applicant or if the applicant does not make an

attempt at such a demonstration within a reasonable period of time as determined by the Commissioner, the Commissioner shall publish the applicant's application.

The Commissioner shall ensure that publications under paragraph (1), (2), or (3) will not result in third-party pre-issuance oppositions which will delay or interfere with the issuance of the patents whose applications' data will be published."

**SEC. 10. INVENTION DEVELOPMENT SERVICES.**

(a) INVENTION DEVELOPMENT SERVICES.—Part I of title 35, United States Code, is amended by adding after chapter 4 the following new chapter:

**"CHAPTER 5—INVENTION DEVELOPMENT SERVICES**

"Sec.

"51. Definitions.

"52. Contracting requirements.

"53. Standard provisions for cover notice.

"54. Reports to customer required.

"55. Mandatory contract terms.

"56. Remedies.

"57. Records of complaints.

"58. Fraudulent representation by an invention developer.

"59. Rule of construction.

**"§ 51. Definitions**

"For purposes of this chapter—

"(1) the term 'contract for invention development services' means a contract by which an invention developer undertakes invention development services for a customer;

"(2) the term 'customer' means any person, firm, partnership, corporation, or other entity who is solicited by, seeks the services of, or enters into a contract with an invention promoter for invention promotion services;

"(3) the term 'invention promoter' means any person, firm, partnership, corporation, or other entity who offers to perform or performs for, or on behalf of, a customer any act described under paragraph (4), but does not include—

"(A) any department or agency of the Federal Government or of a State or local government;

"(B) any nonprofit, charitable, scientific, or educational organization, qualified under applicable State law or described under section 170(b)(1)(A) of the Internal Revenue Code of 1986; or

"(C) any person duly registered with, and in good standing before, the United States Patent and Trademark Office acting within the scope of that person's registration to practice before the Patent and Trademark Office; and

"(4) the term 'invention development services' means, with respect to an invention by a customer, any act involved in—

"(A) evaluating the invention to determine its protectability as some form of intellectual property, other than evaluation by a person licensed by a State to practice law who is acting solely within the scope of that person's professional license;

"(B) evaluating the invention to determine its commercial potential by any person for purposes other than providing venture capital; or

"(C) marketing, brokering, licensing, selling, or promoting the invention or a product or service in which the invention is incorporated or used, except that the display only of an invention at a trade show or exhibit shall not be considered to be invention development services.

**"§ 52. Contracting requirements**

"(a) IN GENERAL.—(1) Every contract for invention development services shall be in writing and shall be subject to the provisions of this chapter. A copy of the signed written contract shall be given to the customer at the time the customer enters into the contract.

"(2) If a contract is entered into for the benefit of a third party, such party shall be considered a customer for purposes of this chapter.

"(b) REQUIREMENTS OF INVENTION DEVELOPER.—The invention developer shall—

"(1) state in a written document, at the time a customer enters into a contract for invention development services, whether the usual business practice of the invention developer is to—

"(A) seek more than 1 contract in connection with an invention; or

"(B) seek to perform services in connection with an invention in 1 or more phases, with the performance of each phase covered in 1 or more subsequent contracts; and

"(2) supply to the customer a copy of the written document together with a written summary of the usual business practices of the invention developer, including—

"(A) the usual business terms of contracts; and

"(B) the approximate amount of the usual fees or other consideration that may be required from the customer for each of the services provided by the developer.

"(c) RIGHT OF CUSTOMER TO CANCEL CONTRACT.—(1) Notwithstanding any contractual provision to the contrary, a customer shall have the right to terminate a contract for invention development services by sending a written letter to the invention developer stating the customer's intent to cancel the contract. The letter of termination must be deposited with the United States Postal Service on or before 5 business days after the date upon which the customer or the invention developer executes the contract, whichever is later.

"(2) Delivery of a promissory note, check, bill of exchange, or negotiable instrument of any kind to the invention developer or to a third party for the benefit of the invention developer, without regard to the date or dates appearing in such instrument, shall be deemed payment received by the invention developer on the date received for purposes of this section.

**"§ 53. Standard provisions for cover notice**

"(a) CONTENTS.—Every contract for invention development services shall have a conspicuous and legible cover sheet attached with the following notice imprinted in bold-face type of not less than 12-point size:

"YOU HAVE THE RIGHT TO TERMINATE THIS CONTRACT. TO TERMINATE THIS CONTRACT, YOU MUST SEND A WRITTEN LETTER TO THE COMPANY STATING YOUR INTENT TO CANCEL THIS CONTRACT. THE LETTER OF TERMINATION MUST BE DEPOSITED WITH THE UNITED STATES POSTAL SERVICE ON OR BEFORE FIVE (5) BUSINESS DAYS AFTER THE DATE ON WHICH YOU OR THE COMPANY EXECUTE THE CONTRACT, WHICHEVER IS LATER.

"THE TOTAL NUMBER OF INVENTIONS EVALUATED BY THE INVENTION DEVELOPER FOR COMMERCIAL POTENTIAL IN THE PAST FIVE (5) YEARS IS \_\_\_\_\_. OF THAT NUMBER, \_\_\_\_\_ RECEIVED POSITIVE EVALUATIONS AND \_\_\_\_\_ RECEIVED NEGATIVE EVALUATIONS.

"IF YOU ASSIGN EVEN A PARTIAL INTEREST IN THE INVENTION TO THE INVENTION DEVELOPER, THE INVENTION DEVELOPER MAY HAVE THE RIGHT TO SELL OR DISPOSE OF THE INVENTION WITHOUT YOUR CONSENT AND MAY NOT HAVE TO SHARE THE PROFITS WITH YOU.

"THE TOTAL NUMBER OF CUSTOMERS WHO HAVE CONTRACTED WITH THE INVENTION DEVELOPER IN THE PAST FIVE (5) YEARS IS \_\_\_\_\_. THE TOTAL NUMBER OF CUSTOMERS KNOWN BY THIS INVENTION DEVELOPER TO HAVE RE-

CEIVED, BY VIRTUE OF THIS INVENTION DEVELOPER'S PERFORMANCE, AN AMOUNT OF MONEY IN EXCESS OF THE AMOUNT PAID BY THE CUSTOMER TO THIS INVENTION DEVELOPER IS \_\_\_\_\_.

"THE OFFICERS OF THIS INVENTION DEVELOPER HAVE COLLECTIVELY OR INDIVIDUALLY BEEN AFFILIATED IN THE LAST TEN (10) YEARS WITH THE FOLLOWING INVENTION DEVELOPMENT COMPANIES: (LIST THE NAMES AND ADDRESSES OF ALL PREVIOUS INVENTION DEVELOPMENT COMPANIES WITH WHICH THE PRINCIPAL OFFICERS HAVE BEEN AFFILIATED AS OWNERS, AGENTS, OR EMPLOYEES). YOU ARE ENCOURAGED TO CHECK WITH THE UNITED STATES PATENT AND TRADEMARK OFFICE, THE FEDERAL TRADE COMMISSION, YOUR STATE ATTORNEY GENERAL'S OFFICE, AND THE BETTER BUSINESS BUREAU FOR ANY COMPLAINTS FILED AGAINST ANY OF THESE COMPANIES.

"YOU ARE ENCOURAGED TO CONSULT WITH AN ATTORNEY OF YOUR OWN CHOOSING BEFORE SIGNING THIS CONTRACT. BY PROCEEDING WITHOUT THE ADVICE OF AN ATTORNEY REGISTERED TO PRACTICE BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE, YOU COULD LOSE ANY RIGHTS YOU MIGHT HAVE IN YOUR IDEA OR INVENTION."

"(b) OTHER REQUIREMENTS FOR COVER NOTICE.—The cover notice shall contain the items required under subsection (a) and the name, primary office address, and local office address of the invention developer, and may contain no other matter.

"(c) DISCLOSURE OF CERTAIN CUSTOMERS NOT REQUIRED.—The requirement in the notice set forth in subsection (a) to include the 'TOTAL NUMBER OF CUSTOMERS WHO HAVE CONTRACTED WITH THE INVENTION DEVELOPER IN THE PAST FIVE (5) YEARS' need not include information with respect to customers who have purchased trade show services, research, advertising, or other nonmarketing services from the invention developer, nor with respect to customers who have defaulted in their payments to the invention developer.

**"§ 54. Reports to customer required**

"With respect to every contract for invention development services, the invention developer shall deliver to the customer at the address specified in the contract, at least once every 3 months throughout the term of the contract, a written report that identifies the contract and includes—

"(1) a full, clear, and concise description of the services performed to the date of the report and of the services yet to be performed and names of all persons who it is known will perform the services; and

"(2) the name and address of each person, firm, corporation, or other entity to whom the subject matter of the contract has been disclosed, the reason for each such disclosure, the nature of the disclosure, and complete and accurate summaries of all responses received as a result of those disclosures.

**"§ 55. Mandatory contract terms**

"(a) MANDATORY TERMS.—Each contract for invention development services shall include in boldface type of not less than 12-point size—

"(1) the terms and conditions of payment and contract termination rights required under section 52;

"(2) a statement that the customer may avoid entering into the contract by not making a payment to the invention developer;

"(3) a full, clear, and concise description of the specific acts or services that the inven-

tion developer undertakes to perform for the customer;

“(4) a statement as to whether the invention developer undertakes to construct, sell, or distribute one or more prototypes, models, or devices embodying the invention of the customer;

“(5) the full name and principal place of business of the invention developer and the name and principal place of business of any parent, subsidiary, agent, independent contractor, and any affiliated company or person who it is known will perform any of the services or acts that the invention developer undertakes to perform for the customer;

“(6) if any oral or written representation of estimated or projected customer earnings is given by the invention developer (or any agent, employee, officer, director, partner, or independent contractor of such invention developer), a statement of that estimation or projection and a description of the data upon which such representation is based;

“(7) the name and address of the custodian of all records and correspondence relating to the contracted for invention development services, and a statement that the invention developer is required to maintain all records and correspondence relating to performance of the invention development services for such customer for a period of not less than 2 years after expiration of the term of such contract; and

“(8) a statement setting forth a time schedule for performance of the invention development services, including an estimated date in which such performance is expected to be completed.

“(b) INVENTION DEVELOPER AS FIDUCIARY.—To the extent that the description of the specific acts or services affords discretion to the invention developer with respect to what specific acts or services shall be performed, the invention developer shall be deemed a fiduciary.

“(c) AVAILABILITY OF INFORMATION.—Records and correspondence described under subsection (a)(7) shall be made available after 7 days written notice to the customer or the representative of the customer to review and copy at a reasonable cost on the invention developer's premises during normal business hours.

#### “§ 56. Remedies

“(a) IN GENERAL.—

“(1) VOIDABLE CONTRACT.—Any contract for invention development services that does not comply with the applicable provisions of this chapter shall be voidable at the option of the customer.

“(2) RELIANCE ON FALSE, FRAUDULENT, OR MISLEADING INFORMATION.—Any contract for invention development services entered into in reliance upon any material false, fraudulent, or misleading information, representation, notice, or advertisement of the invention developer (or any agent, employee, officer, director, partner, or independent contractor of such invention developer) shall be voidable at the option of the customer.

“(3) WAIVER.—Any waiver by the customer of any provision of this chapter shall be deemed contrary to public policy and shall be void and unenforceable.

“(4) ACTION BY DEVELOPER.—Any contract for invention development services which provides for filing for and obtaining utility, design, or plant patent protection shall be voidable at the option of the customer unless the invention developer offers to perform or performs such act through a person duly registered to practice before, and in good standing with, the Patent and Trademark Office.

“(b) CIVIL ACTION.—

“(1) IN GENERAL.—Any customer who is injured by a violation of this chapter by an invention developer or by any material false or fraudulent statement or representation, or

any omission of material fact, by an invention developer (or any agent, employee, director, officer, partner, or independent contractor of such invention developer) or by failure of an invention developer to make all the disclosures required under this chapter, may recover in a civil action against the invention developer (or the officers, directors, or partners of such invention developer) in addition to reasonable costs and attorneys' fees, the greater of—

“(A) \$5,000; or

“(B) the amount of actual damages sustained by the customer.

“(2) DAMAGE INCREASE.—Notwithstanding paragraph (1), the court may increase damages to not more than 3 times the amount awarded.

“(c) REBUTTABLE PRESUMPTION OF INJURY.—For purposes of this section, substantial violation of any provision of this chapter by an invention developer or execution by the customer of a contract for invention development services in reliance on any material false or fraudulent statements or representations or omissions of material fact shall establish a rebuttable presumption of injury.

#### “§ 57. Records of complaints

“(a) RELEASE OF COMPLAINTS.—The Director shall make all complaints received by the United States Patent and Trademark Office involving invention developers publicly available, together with any response of the invention developers.

“(b) REQUEST FOR COMPLAINTS.—The Director may request complaints relating to invention development services from any Federal or State agency and include such complaints in the records maintained under subsection (a), together with any response of the invention developers.

#### “§ 58. Fraudulent representation by an invention developer

“Whoever, in providing invention development services, knowingly provides any false or misleading statement, representation, or omission of material fact to a customer or fails to make all the disclosures required under this chapter, shall be guilty of a misdemeanor and fined not more than \$10,000 for each offense.

#### “§ 59. Rule of construction

“Except as expressly provided in this chapter, no provision of this chapter shall be construed to affect any obligation, right, or remedy provided under any other Federal or State law.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part I of title 35, United States Code, is amended by adding after the item relating to chapter 4 the following:

#### “5. Invention Development Services ... 51”.

#### SEC. 11. PROVISIONAL APPLICATIONS, PLANT BREEDER'S RIGHTS, DIVISIONAL APPLICATIONS.

(a) ABANDONMENT.—Section 111(b)(5) of title 35, United States Code, is amended to read as follows:

“(5) ABANDONMENT.—Notwithstanding the absence of a claim, upon timely request and as prescribed by the Director, a provisional application may be treated as an application filed under subsection (a). If no such request is made, the provisional application shall be regarded as abandoned 12 months after the filing date of such application and shall not be subject to revival thereafter.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to any provisional application filed on or after June 8, 1995.

(c) INTERNATIONAL APPLICATIONS.—Section 119 of title 35, United States Code, is amended—

(1) in subsection (a), by inserting “or in a WTO member country” after “the United States” the first place it appears; and

(2) by adding at the end the following new subsections:

“(f) APPLICATIONS FOR PLANT BREEDER'S RIGHTS.—Applications for plant breeder's rights filed in a WTO member country (or in a UPOV Contracting Party) shall have the same effect for the purpose of the right of priority under subsections (a) through (c) of this section as applications for patents, subject to the same conditions and requirements of this section as apply to applications for patents.

“(g) DEFINITIONS.—As used in this section—

“(1) the term ‘WTO member country’ has the same meaning as the term is defined in section 104(b)(2) of this title; and

“(2) the term ‘UPOV Contracting Party’ means a member of the International Convention for the Protection of New Varieties of Plants.”.

(d) PLANT PATENTS.—

(1) TUBER PROPAGATED PLANTS.—Section 161 of title 35, United States Code, is amended by striking “a tuber propagated plant or”.

(2) RIGHTS IN PLANT PATENTS.—The text of section 163 of title 35, United States Code, is amended to read as follows: “In the case of a plant patent, the grant shall include the right to exclude others from asexually reproducing the plant, and from using, offering for sale, or selling the plant so reproduced, or any of its parts, throughout the United States, or from importing the plant so reproduced, or any parts thereof, into the United States.”.

(3) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply on the date of the enactment of this Act. The amendment made by paragraph (2) shall apply to any plant patent issued on or after the date of the enactment of this Act.

(e) ELECTRONIC FILING.—Section 22 of title 35, United States Code, is amended by striking “printed or typewritten” and inserting “printed, typewritten, or on an electronic medium”.

(f) DIVISIONAL APPLICATIONS.—Section 121 of title 35, United States Code, is amended—

(1) in the first sentence by striking “If” and inserting “(a) If”; and

(2) by adding at the end the following new subsections:

“(b) In a case in which restriction is required on the ground that two or more independent and distinct inventions are claimed in an application, the applicant shall be entitled to submit an examination fee and request examination for each independent and distinct invention in excess of one. The examination fee shall be equal to the filing fee, including excess claims fees, that would have applied had the claims corresponding to the asserted independent and distinct inventions been presented in a separate application for patent. For each of the independent and distinct inventions in excess of one for which the applicant pays an examination fee within two months after the requirement for restriction, the Director shall cause an examination to be made and a notification of rejection or written notice of allowance provided to the applicant within the time period specified in section 154(b)(1)(B)(i) of this title for the original application. Failure to meet this or any other time limit set forth in section 154(b)(1)(B) of this title shall be treated as an unusual administrative delay under section 154(b)(1)(A)(iv) of this title.

“(c) An applicant who requests reconsideration of a requirement for restriction under this section and submits examination fees pursuant to such requirement shall, if the requirement is determined to be improper, be entitled to a refund of any examination fees determined to have been paid pursuant to the requirement.”.

SEC. 12. PROVISIONAL RIGHTS.

Section 154 of title 35, United States Code, is amended—

(1) in the section caption by inserting “; **provisional rights**” after “**patent**”; and  
 (2) by adding at the end the following new subsection:

“(d) PROVISIONAL RIGHTS.—  
 “(1) IN GENERAL.—In addition to other rights provided by this section, a patent shall include the right to obtain a reasonable royalty from any person who, during the period beginning on the date of publication of the application for such patent pursuant to the voluntary disclosure provisions of section 122 or the publication provisions of section 122(1) or 122(2) of this title, or in the case of an international application filed under the treaty defined in section 351(a) of this title designating the United States under Article 21(2)(a) of such treaty, the date of publication of the application, and ending on the date the patent is issued—  
 “(A)(i) makes, uses, offers for sale, or sells in the United States the invention as claimed in the published patent application or imports such an invention into the United States; or  
 “(ii) if the invention as claimed in the published patent application is a process, uses, offers for sale, or sells in the United States or imports into the United States products made by that process as claimed in the published patent application; and  
 “(B) had actual notice of the published patent application and, where the right arising under this paragraph is based upon an international application designating the United States that is published in a language other than English, a translation of the international application into the English language.  
 “(2) RIGHT BASED ON SUBSTANTIALLY IDENTICAL INVENTIONS.—The right under paragraph (1) to obtain a reasonable royalty shall not be available under this subsection unless the invention as claimed in the patent is substantially identical to the invention as claimed in the published patent application.  
 “(3) TIME LIMITATION ON OBTAINING A REASONABLE ROYALTY.—The right under paragraph (1) to obtain a reasonable royalty shall be available only in an action brought not later than 6 years after the patent is issued. The right under paragraph (1) to obtain a reasonable royalty shall not be affected by the duration of the period described in paragraph (1).  
 “(4) REQUIREMENTS FOR INTERNATIONAL APPLICATIONS.—The right under paragraph (1) to obtain a reasonable royalty based upon the publication under the treaty defined in section 351(a) of this title of an international application designating the United States shall commence from the date that the Patent and Trademark Office receives a copy of the publication under such treaty of the international application, or, if the publication under the treaty of the international application is in a language other than English, from the date that the Patent and Trademark Office receives a translation of the international application in the English language. The Director may require the applicant to provide a copy of the international publication of the international application and a translation thereof.”

“(A)(i) makes, uses, offers for sale, or sells in the United States the invention as claimed in the published patent application or imports such an invention into the United States; or  
 “(ii) if the invention as claimed in the published patent application is a process, uses, offers for sale, or sells in the United States or imports into the United States products made by that process as claimed in the published patent application; and  
 “(B) had actual notice of the published patent application and, where the right arising under this paragraph is based upon an international application designating the United States that is published in a language other than English, a translation of the international application into the English language.  
 “(2) RIGHT BASED ON SUBSTANTIALLY IDENTICAL INVENTIONS.—The right under paragraph (1) to obtain a reasonable royalty shall not be available under this subsection unless the invention as claimed in the patent is substantially identical to the invention as claimed in the published patent application.  
 “(3) TIME LIMITATION ON OBTAINING A REASONABLE ROYALTY.—The right under paragraph (1) to obtain a reasonable royalty shall be available only in an action brought not later than 6 years after the patent is issued. The right under paragraph (1) to obtain a reasonable royalty shall not be affected by the duration of the period described in paragraph (1).  
 “(4) REQUIREMENTS FOR INTERNATIONAL APPLICATIONS.—The right under paragraph (1) to obtain a reasonable royalty based upon the publication under the treaty defined in section 351(a) of this title of an international application designating the United States shall commence from the date that the Patent and Trademark Office receives a copy of the publication under such treaty of the international application, or, if the publication under the treaty of the international application is in a language other than English, from the date that the Patent and Trademark Office receives a translation of the international application in the English language. The Director may require the applicant to provide a copy of the international publication of the international application and a translation thereof.”

“(A)(i) makes, uses, offers for sale, or sells in the United States the invention as claimed in the published patent application or imports such an invention into the United States; or  
 “(ii) if the invention as claimed in the published patent application is a process, uses, offers for sale, or sells in the United States or imports into the United States products made by that process as claimed in the published patent application; and  
 “(B) had actual notice of the published patent application and, where the right arising under this paragraph is based upon an international application designating the United States that is published in a language other than English, a translation of the international application into the English language.  
 “(2) RIGHT BASED ON SUBSTANTIALLY IDENTICAL INVENTIONS.—The right under paragraph (1) to obtain a reasonable royalty shall not be available under this subsection unless the invention as claimed in the patent is substantially identical to the invention as claimed in the published patent application.  
 “(3) TIME LIMITATION ON OBTAINING A REASONABLE ROYALTY.—The right under paragraph (1) to obtain a reasonable royalty shall be available only in an action brought not later than 6 years after the patent is issued. The right under paragraph (1) to obtain a reasonable royalty shall not be affected by the duration of the period described in paragraph (1).  
 “(4) REQUIREMENTS FOR INTERNATIONAL APPLICATIONS.—The right under paragraph (1) to obtain a reasonable royalty based upon the publication under the treaty defined in section 351(a) of this title of an international application designating the United States shall commence from the date that the Patent and Trademark Office receives a copy of the publication under such treaty of the international application, or, if the publication under the treaty of the international application is in a language other than English, from the date that the Patent and Trademark Office receives a translation of the international application in the English language. The Director may require the applicant to provide a copy of the international publication of the international application and a translation thereof.”

“(A)(i) makes, uses, offers for sale, or sells in the United States the invention as claimed in the published patent application or imports such an invention into the United States; or  
 “(ii) if the invention as claimed in the published patent application is a process, uses, offers for sale, or sells in the United States or imports into the United States products made by that process as claimed in the published patent application; and  
 “(B) had actual notice of the published patent application and, where the right arising under this paragraph is based upon an international application designating the United States that is published in a language other than English, a translation of the international application into the English language.  
 “(2) RIGHT BASED ON SUBSTANTIALLY IDENTICAL INVENTIONS.—The right under paragraph (1) to obtain a reasonable royalty shall not be available under this subsection unless the invention as claimed in the patent is substantially identical to the invention as claimed in the published patent application.  
 “(3) TIME LIMITATION ON OBTAINING A REASONABLE ROYALTY.—The right under paragraph (1) to obtain a reasonable royalty shall be available only in an action brought not later than 6 years after the patent is issued. The right under paragraph (1) to obtain a reasonable royalty shall not be affected by the duration of the period described in paragraph (1).  
 “(4) REQUIREMENTS FOR INTERNATIONAL APPLICATIONS.—The right under paragraph (1) to obtain a reasonable royalty based upon the publication under the treaty defined in section 351(a) of this title of an international application designating the United States shall commence from the date that the Patent and Trademark Office receives a copy of the publication under such treaty of the international application, or, if the publication under the treaty of the international application is in a language other than English, from the date that the Patent and Trademark Office receives a translation of the international application in the English language. The Director may require the applicant to provide a copy of the international publication of the international application and a translation thereof.”

“(A)(i) makes, uses, offers for sale, or sells in the United States the invention as claimed in the published patent application or imports such an invention into the United States; or  
 “(ii) if the invention as claimed in the published patent application is a process, uses, offers for sale, or sells in the United States or imports into the United States products made by that process as claimed in the published patent application; and  
 “(B) had actual notice of the published patent application and, where the right arising under this paragraph is based upon an international application designating the United States that is published in a language other than English, a translation of the international application into the English language.  
 “(2) RIGHT BASED ON SUBSTANTIALLY IDENTICAL INVENTIONS.—The right under paragraph (1) to obtain a reasonable royalty shall not be available under this subsection unless the invention as claimed in the patent is substantially identical to the invention as claimed in the published patent application.  
 “(3) TIME LIMITATION ON OBTAINING A REASONABLE ROYALTY.—The right under paragraph (1) to obtain a reasonable royalty shall be available only in an action brought not later than 6 years after the patent is issued. The right under paragraph (1) to obtain a reasonable royalty shall not be affected by the duration of the period described in paragraph (1).  
 “(4) REQUIREMENTS FOR INTERNATIONAL APPLICATIONS.—The right under paragraph (1) to obtain a reasonable royalty based upon the publication under the treaty defined in section 351(a) of this title of an international application designating the United States shall commence from the date that the Patent and Trademark Office receives a copy of the publication under such treaty of the international application, or, if the publication under the treaty of the international application is in a language other than English, from the date that the Patent and Trademark Office receives a translation of the international application in the English language. The Director may require the applicant to provide a copy of the international publication of the international application and a translation thereof.”

“(A)(i) makes, uses, offers for sale, or sells in the United States the invention as claimed in the published patent application or imports such an invention into the United States; or  
 “(ii) if the invention as claimed in the published patent application is a process, uses, offers for sale, or sells in the United States or imports into the United States products made by that process as claimed in the published patent application; and  
 “(B) had actual notice of the published patent application and, where the right arising under this paragraph is based upon an international application designating the United States that is published in a language other than English, a translation of the international application into the English language.  
 “(2) RIGHT BASED ON SUBSTANTIALLY IDENTICAL INVENTIONS.—The right under paragraph (1) to obtain a reasonable royalty shall not be available under this subsection unless the invention as claimed in the patent is substantially identical to the invention as claimed in the published patent application.  
 “(3) TIME LIMITATION ON OBTAINING A REASONABLE ROYALTY.—The right under paragraph (1) to obtain a reasonable royalty shall be available only in an action brought not later than 6 years after the patent is issued. The right under paragraph (1) to obtain a reasonable royalty shall not be affected by the duration of the period described in paragraph (1).  
 “(4) REQUIREMENTS FOR INTERNATIONAL APPLICATIONS.—The right under paragraph (1) to obtain a reasonable royalty based upon the publication under the treaty defined in section 351(a) of this title of an international application designating the United States shall commence from the date that the Patent and Trademark Office receives a copy of the publication under such treaty of the international application, or, if the publication under the treaty of the international application is in a language other than English, from the date that the Patent and Trademark Office receives a translation of the international application in the English language. The Director may require the applicant to provide a copy of the international publication of the international application and a translation thereof.”

“(A)(i) makes, uses, offers for sale, or sells in the United States the invention as claimed in the published patent application or imports such an invention into the United States; or  
 “(ii) if the invention as claimed in the published patent application is a process, uses, offers for sale, or sells in the United States or imports into the United States products made by that process as claimed in the published patent application; and  
 “(B) had actual notice of the published patent application and, where the right arising under this paragraph is based upon an international application designating the United States that is published in a language other than English, a translation of the international application into the English language.  
 “(2) RIGHT BASED ON SUBSTANTIALLY IDENTICAL INVENTIONS.—The right under paragraph (1) to obtain a reasonable royalty shall not be available under this subsection unless the invention as claimed in the patent is substantially identical to the invention as claimed in the published patent application.  
 “(3) TIME LIMITATION ON OBTAINING A REASONABLE ROYALTY.—The right under paragraph (1) to obtain a reasonable royalty shall be available only in an action brought not later than 6 years after the patent is issued. The right under paragraph (1) to obtain a reasonable royalty shall not be affected by the duration of the period described in paragraph (1).  
 “(4) REQUIREMENTS FOR INTERNATIONAL APPLICATIONS.—The right under paragraph (1) to obtain a reasonable royalty based upon the publication under the treaty defined in section 351(a) of this title of an international application designating the United States shall commence from the date that the Patent and Trademark Office receives a copy of the publication under such treaty of the international application, or, if the publication under the treaty of the international application is in a language other than English, from the date that the Patent and Trademark Office receives a translation of the international application in the English language. The Director may require the applicant to provide a copy of the international publication of the international application and a translation thereof.”

SEC. 13. EFFECTIVE DATE.

Except as otherwise provided, this Act and the amendments made by this Act shall take effect 60 days after the date of the enactment of this Act.

It was decided in the { Yeas ..... 178  
 negative ..... } Nays ..... 227

34.16 [Roll No. 85] AYES—178

- |              |               |               |
|--------------|---------------|---------------|
| Abercrombie  | Hastings (WA) | Norwood       |
| Bachus       | Hayworth      | Oberstar      |
| Baldacci     | Hefley        | Obey          |
| Ballenger    | Herger        | Olver         |
| Barcia       | Hill          | Ortiz         |
| Barr         | Hilleary      | Pallone       |
| Barrett (WI) | Hottel        | Pappas        |
| Bartlett     | Hoyer         | Parker        |
| Bereuter     | Hulshof       | Parsell       |
| Bilirakis    | Hunter        | Paul          |
| Bonilla      | Hutchinson    | Payne         |
| Bonior       | Istook        | Petri         |
| Bono         | Jackson (IL)  | Pickering     |
| Brown (OH)   | Jackson-Lee   | Pombo         |
| Burton       | (TX)          | Poshard       |
| Calvert      | Jones         | Radanovich    |
| Campbell     | Kaptur        | Regula        |
| Cardin       | Kildee        | Riggs         |
| Chambliss    | Kim           | Riley         |
| Chenoweth    | King (NY)     | Rivers        |
| Christensen  | Kingston      | Rohrabacher   |
| Clayton      | Klecza        | Ros-Lehtinen  |
| Coburn       | Klink         | Royce         |
| Collins      | Kucinich      | Ryun          |
| Combest      | LaHood        | Salmon        |
| Condit       | Largent       | Sanders       |
| Cook         | LaTourette    | Sanford       |
| Cooksey      | Lazio         | Saxton        |
| Cox          | Leach         | Scarborough   |
| Coyne        | Lewis (CA)    | Schaffer, Bob |
| Cramer       | Lewis (KY)    | Sessions      |
| Crapo        | Lipinski      | Shadegg       |
| Cubin        | Livingston    | Sherman       |
| Cunningham   | LoBiondo      | Smith (MI)    |
| Danner       | Lucas         | Smith (NJ)    |
| Deal         | Maloney (CT)  | Smith, Linda  |
| DeFazio      | Manzullo      | Snowbarger    |
| Dellums      | Martinez      | Snyder        |
| Diaz-Balart  | Mascara       | Solomon       |
| Dixon        | McCarthy (NY) | Souder        |
| Doolittle    | McDade        | Spence        |
| Doyle        | McHugh        | Stearns       |
| Duncan       | McInnis       | Strickland    |
| Emerson      | McIntosh      | Stump         |
| English      | McIntyre      | Sununu        |
| Ensign       | McKeon        | Talent        |
| Everett      | McKinney      | Taylor (NC)   |
| Filner       | McNulty       | Thomas        |
| Foley        | Menendez      | Thornberry    |
| Forbes       | Metcalf       | Thune         |
| Fowler       | Mica          | Tiahrt        |
| Gallely      | Miller (CA)   | Trafficant    |
| Gephardt     | Miller (FL)   | Walsh         |
| Gibbons      | Mink          | Wamp          |
| Gillmor      | Molinari      | Waters        |
| Goode        | Moran (KS)    | Watts (OK)    |
| Goodling     | Murtha        | Weygand       |
| Goss         | Myrick        | Whitfield     |
| Graham       | Neumann       | Young (AK)    |
| Hansen       | Ney           |               |

NOES—227

- |             |            |               |
|-------------|------------|---------------|
| Ackerman    | Carson     | Frank (MA)    |
| Aderholt    | Castle     | Franks (NJ)   |
| Allen       | Chabot     | Frelinghuysen |
| Archer      | Clement    | Frost         |
| Armey       | Clyburn    | Furse         |
| Baesler     | Coble      | Ganske        |
| Bass        | Conyers    | Gejdenson     |
| Bateman     | Cummings   | Gekas         |
| Becerra     | Davis (FL) | Gilchrest     |
| Bentsen     | Davis (IL) | Gilman        |
| Berman      | Davis (VA) | Gonzalez      |
| Berry       | Delahunt   | Goodlatte     |
| Bilbray     | DeLauro    | Gordon        |
| Bishop      | DeLay      | Granger       |
| Blagojevich | Deutsch    | Green         |
| Bilely      | Dickey     | Greenwood     |
| Blunt       | Dingell    | Gutierrez     |
| Boehlert    | Doggett    | Gutknecht     |
| Boehner     | Dooley     | Hall (OH)     |
| Boswell     | Edwards    | Hall (TX)     |
| Boucher     | Ehlers     | Hamilton      |
| Boyd        | Ehrlich    | Hastert       |
| Brady       | Engel      | Hastings (FL) |
| Brown (CA)  | Eshoo      | Hefner        |
| Brown (FL)  | Evans      | Hilliard      |
| Bryant      | Ewing      | Hinojosa      |
| Burr        | Farr       | Hobson        |
| Buyer       | Fattah     | Hoekstra      |
| Camp        | Fawell     | Holden        |
| Canady      | Fazio      | Hooley        |
| Cannon      | Ford       | Horn          |
| Capps       | Fox        | Houghton      |

- |                |               |             |
|----------------|---------------|-------------|
| Hyde           | Nadler        | Shuster     |
| Inglis         | Neal          | Sisisky     |
| Jefferson      | Nethercutt    | Skaggs      |
| Jenkins        | Northup       | Skeen       |
| John           | Nussle        | Skelton     |
| Johnson (CT)   | Owens         | Slaughter   |
| Johnson (WI)   | Oxley         | Smith (OR)  |
| Johnson, E. B. | Packard       | Smith (TX)  |
| Kanjorski      | Pastor        | Smith, Adam |
| Kasich         | Paxon         | Spratt      |
| Kelly          | Pease         | Stabenow    |
| Kennedy (MA)   | Pelosi        | Stark       |
| Kennedy (RI)   | Peterson (MN) | Stenholm    |
| Kennelly       | Peterson (PA) | Stokes      |
| Kilpatrick     | Pickett       | Stupak      |
| Kind (WI)      | Pitts         | Tanner      |
| Knollenberg    | Pomeroy       | Tauscher    |
| Kolbe          | Porter        | Tauzin      |
| LaFalce        | Portman       | Taylor (MS) |
| Lampson        | Price (NC)    | Thompson    |
| Lantos         | Pryce (OH)    | Thurman     |
| Latham         | Quinn         | Tierney     |
| Levin          | Rahall        | Torres      |
| Lewis (GA)     | Ramstad       | Turner      |
| Linder         | Rangel        | Upton       |
| Lofgren        | Reyes         | Velazquez   |
| Lowe           | Rodriguez     | Vento       |
| Luther         | Roemer        | Visclosky   |
| Maloney (NY)   | Rogan         | Watkins     |
| Manton         | Rogers        | Watt (NC)   |
| Markey         | Rothman       | Waxman      |
| Matsui         | Roukema       | Weldon (FL) |
| McCarthy (MO)  | Roybal-Allard | Weldon (PA) |
| McCollum       | Rush          | Weller      |
| McDermott      | Sabo          | Wexler      |
| McGovern       | Sanchez       | White       |
| McHale         | Sandlin       | Wicker      |
| Meehan         | Sawyer        | Wise        |
| Meek           | Schumer       | Wolf        |
| Minge          | Scott         | Woolsey     |
| Moakley        | Serrano       | Wynn        |
| Mollohan       | Shaw          | Yates       |
| Moran (VA)     | Shays         | Young (FL)  |
| Morella        | Shimkus       |             |

NOT VOTING—28

- |              |           |               |
|--------------|-----------|---------------|
| Andrews      | Crane     | Johnson, Sam  |
| Baker        | DeGette   | Klug          |
| Barrett (NE) | Dicks     | McCrary       |
| Barton       | Dreier    | Millender     |
| Blumenauer   | Dunn      | McDonald      |
| Borski       | Etheridge | Schaefer, Dan |
| Bunning      | Flake     | Schiff        |
| Callahan     | Foglietta | Sensenbrenner |
| Clay         | Harman    | Towns         |
| Costello     | Hinche    |               |

So the amendment in the nature of a substitute was not agreed to.

The SPEAKER pro tempore, Mr. UPTON, assumed the Chair.

When Mr. LAHOOD, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

34.17 COMMITTEE RESIGNATION—MINORITY

The SPEAKER pro tempore, Mr. UPTON, laid before the House the following communication, which were read as follows:

CONGRESS OF THE UNITED STATES,  
 HOUSE OF REPRESENTATIVES,  
 April 17, 1997.

Hon. NEWT GINGRICH,  
 Speaker, U.S. House of Representatives, The Capitol, Washington, DC.

DEAR MR. SPEAKER: I hereby resign from the Committee on Government Reform and Oversight effective April 17, 1997.

Thank you very much for your consideration.

Sincerely,  
 TIM HOLDEN,  
 Member of Congress.

By unanimous consent, the resignation was accepted.

34.18 COMMITTEE RESIGNATION—MINORITY

The SPEAKER pro tempore, Mr. UPTON, laid before the House the fol-

lowing communication, which were read as follows:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, April 17, 1997.*

Hon. NEWT GINGRICH,  
*Speaker, U.S. House of Representatives, Capitol,  
Washington, DC.*

DEAR MR. SPEAKER: I hereby resign from the Committee on Resources, effective April 17, 1997.

Sincerely,

NICK LAMPSON,  
*Member of Congress.*

By unanimous consent, the resignation was accepted.

¶34.19 COMMITTEE RESIGNATION—  
MINORITY

The SPEAKER pro tempore, Mr. UPTON, laid before the House the following communication, which were read as follows:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*April 17, 1997.*

Hon. NEWT GINGRICH,  
*Speaker of the House of Representatives, Wash-  
ington, DC.*

DEAR MR. SPEAKER, I hereby resign from the Committee on Science.

Sincerely,

LLOYD DOGGETT.

By unanimous consent, the resignation was accepted.

¶34.20 DEMOCRACY IN ZAIRE

On motion of Mr. ROYCE, by unanimous consent, the Committee on International Relations was discharged from further consideration of the following resolution (H. Res. 115):

Whereas Zairian President Mobutu Sese Seko's 31-year rule has turned his potentially prosperous country into one of the world's poorest, where human suffering long has been widespread;

Whereas the Mobutu Government has systematically violated the human rights and undermined the security of Zaire's 46,000,000 people;

Whereas the Mobutu Government has proven itself unwilling to allow a genuine transition to multi-party democracy and continues to cling to power against the best interests of Zaire's people;

Whereas the Mobutu Government permitted the circulation of extremist propaganda in the refugee camps that undermined voluntary repatriation efforts of the United Nations High Commission on Refugees;

Whereas the international community is concerned about the humanitarian needs of the hundreds of thousands of refugees and displaced Zairians;

Whereas there are continuing reports of human rights violations by all parties that stem from the continued fighting in Zaire;

Whereas representatives of the Zairian Government and the Alliance of Democratic Forces for the Liberation of Congo-Zaire (ADFL) negotiated in South Africa, under the supervision of the United Nations and the Organization of African Unity, with no cease-fire agreement; and

Whereas the objectives of the United States Government, achieving the cessation of hostilities and achieving political reforms in Zaire, continue to be stymied: Now, therefore, be it

*Resolved, That—*

(1) it is the sense of the House of Representatives that—

(A) President Mobutu Sese Seko of Zaire should immediately resign from the office of

the Presidency of Zaire, leave Zaire, and withdraw from all political activity;

(B) the United States Government should unequivocally call on Mobutu Sese Seko to immediately leave Zaire and withdraw from all political activity;

(C) the United States should continue to distance itself and its foreign policy from President Mobutu and his government in order to hasten his departure from Zaire's government and political life;

(D) the United States should work with all interested African and European nations to oppose the presence in Zaire of foreign government and mercenary forces, halt the flow of arms into the country, and encourage the warring parties to negotiate a cease-fire leading to a lasting peace; and

(E) the United States Government should play a leading role in the international effort in supporting the creation of a broad-based transitional government of national unity composed of all democratic forces in Zaire; and

(2) the House of Representatives supports the creation in Zaire of the enabling environment necessary to conduct democratic, multi-party elections at the earliest feasible time, as well as the necessary conditions to establish the rule of law, respect for human rights, and the effective provision of humanitarian assistance.

When said concurrent resolution was considered.

Mr. ROYCE submitted the following amendment which was agreed to:

Page 3, line 14, strike "and".

Page 3, after line 19, insert the following:

(F) the United States should actively pursue an immediate agreement among the various parties to permit the immediate and unhindered provision of humanitarian relief and the presence of international humanitarian workers to aid refugees and displaced persons in the Zaire; and

The concurrent resolution, as amended, was agreed to.

Mr. ROYCE submitted the following amendment to the preamble, which was agreed to:

After the fifth clause of the preamble, insert the following:

Whereas many thousands of Rwandans seeking to return home are now too ill to walk and scores succumb each day to cholera, malnutrition, malaria, dehydration, and other diseases while awaiting final agreements among parties to the conflict, the Government of Rwanda, and international humanitarian organizations, to permit the organization and implementation of a speedy air evacuation and the regular supply of urgently needed relief supplies and medical care;

Whereas in Zaire there have been numerous attempts to obstruct humanitarian relief to these populations at risk and to hinder relocation of civilians and the repatriation of refugees wishing to return home;

A motion to reconsider the votes whereby said concurrent resolution, as amended, was agreed to and the preamble was amended was, by unanimous consent, laid on the table.

¶34.21 COMMITTEE ELECTIONS—MINORITY

Mr. PALLONE, by unanimous consent, submitted the following resolution (H. Res. 120):

*Resolved, That the following named Members be, and that they are hereby, elected to the following standing committees of the House of Representatives:*

To the Committee on Transportation and Infrastructure: Tim Holden of Pennsylvania; Nick Lampson of Texas.

To the Committee on Science: Ellen Tauscher of California.

To the Committee on International Relations: James Davis of Florida.

To the Committee on National Security: Ciro Rodriguez of Texas.

To the Committee on Resources: Lloyd Doggett of Texas.

To the Committee on Government Reform and Oversight: Harold Ford of Tennessee.

When said resolution was considered and agreed to.

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

¶34.22 ORDER OF BUSINESS—ETHICS  
PROCESS REFORM

On motion of Mr. GOSS, by unanimous consent,

*Ordered, That the order of the House of February 12, 1997, with respect to the Committee on Standards of Official Conduct and related matters of said committee be extended through April 23, 1997.*

¶34.23 ADJOURNMENT OVER

On motion of Mr. GOSS, by unanimous consent,

*Ordered, That when the House adjourns today, it adjourn to meet on Monday, April 21, 1997, at 3 o'clock p.m.*

¶34.24 HOUR OF MEETING

On motion of Mr. GOSS, by unanimous consent,

*Ordered, That when the House adjourns on Monday, April 21, 1997, it adjourn to meet at 2 o'clock p.m. on Wednesday, April 23, 1997.*

¶34.25 CALENDAR WEDNESDAY BUSINESS  
DISPENSED WITH

On motion of Mr. GOSS, by unanimous consent,

*Ordered, That business in order for consideration on Wednesday, April 23, 1997, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.*

¶34.26 ENROLLED BILL SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1003. An Act to clarify Federal law with respect to restricting the use of Federal funds in support of assisted suicide.

¶34.27 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. CRANE, for today;

To Ms. HARMAN, for today after 3 p.m.; and

To Mr. COSTELLO, for today.

And then,

¶34.28 ADJOURNMENT

On motion of Mr. SCARBOROUGH, pursuant to the special order heretofore agreed to, at 8 o'clock and 52 minutes p.m., the House adjourned until 3 p.m. on Monday, April 21, 1997.

34.29 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLILEY: Committee on Commerce. H.R. 688. A bill to amend the Solid Waste Disposal Act to require at least 85 percent of funds appropriated to the Environmental Protection Agency from the leaking underground storage tank trust fund to be distributed to States for cooperative agreements for undertaking corrective action and for enforcement of subtitle I of such act (Rept. No. 105-58 Pt. 1).

34.30 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X the following action was taken by the Speaker:

H.R. 688. Referral to the Committee on Ways and Means extended for a period ending not later than April 17, 1997.

34.31 DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X the Committee on Ways and Means discharged from further consideration. H.R. 688 referred to the Committee of the Whole House on the State of the Union.

34.32 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUYER (for himself, Mr. HAMILTON, Mr. MCINTOSH, Ms. CARSON, Mr. PEASE, Mr. BURTON of Indiana, Mr. ROEMER, Mr. HOSTETTLER, Mr. SOUDER, and Mr. VISCLOSKY):

H.R. 1358. A bill to amend the Solid Waste Disposal Act to permit a Governor to limit the disposal of out-of-State solid waste in the Governor's State, and for other purposes; to the Committee on Commerce.

By Mr. DEFAZIO (for himself, Ms. FURSE, Ms. HOOLEY of Oregon, Ms. CHRISTIAN-GREEN, Mrs. MALONEY of New York, Mr. GUTIERREZ, Mr. HINCHEY, and Mr. LEWIS of Georgia):

H.R. 1359. A bill to amend the Public Utility Regulatory Policies Act of 1978 to establish a means to support programs for electric energy conservation and energy efficiency, renewable energy, and universal and affordable service for electric consumers; to the Committee on Commerce.

By Mr. DIAZ-BALART (for himself, Ms. ROS-LEHTINEN, Mrs. JOHNSON of Connecticut, Mr. BONILLA, Mr. KENNEDY of Rhode Island, Mrs. MEEK of Florida, Mr. MANTON, Mr. MEEHAN, and Ms. CHRISTIAN-GREEN):

H.R. 1360. A bill to amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide for an exception to limited eligibility for SSI and food stamps for certain permanent resident aliens who are unable because of physical or developmental disability or mental impairment to naturalize; to the Committee on Ways and Means, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS (for himself and Mr. PORTER):

H.R. 1361. A bill to prohibit economic support fund assistance under the Foreign As-

sistance Act of 1961 for the Government of Turkey for fiscal year 1998 unless that Government makes certain improvement relating to human rights; to the Committee on International Relations.

By Mr. STUMP (for himself, Mr. EVANS, Mr. STEARNS, Mr. GUTIERREZ, Mr. SMITH of New Jersey, Mr. KENNEDY of Massachusetts, Mr. EVERETT, Mr. FILNER, Mr. QUINN, Mr. CLYBURN, Mr. DAN SCHAEFER of Colorado, Ms. BROWN of Florida, Mr. MORAN of Kansas, Mr. DOYLE, Mr. COOKSEY, Mr. MASCARA, Mr. HUTCHINSON, Mr. PETERSON of Minnesota, Mrs. CHENOWETH, Ms. CARSON, Mr. LAHOOD, Mr. REYES, Mr. HAYWORTH, Mr. SNYDER, and Mr. BARRETT of Nebraska):

H.R. 1362. A bill to establish a demonstration project to provide for Medicare reimbursement for health care services provided to certain Medicare-eligible veterans in selected facilities of Department of Veterans Affairs; to the Committee on Ways and Means, and in addition to the Committees on Commerce, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JOHNSON of Connecticut (for herself, Mr. MATSUI, Mr. RIGGS, Mr. STARK, Mrs. MORELLA, Mr. SHAYS):

H.R. 1363. A bill to provide grants to States to provide uninsured children with access to health care insurance coverage; to the Committee on Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JOHNSON of Connecticut (for herself, Mr. MATSUI, Mr. RIGGS, Mr. STARK, Mrs. MORELLA, Mrs. ROUKEMA, and Mr. MCGOVERN):

H.R. 1364. A bill to provide grants to States to provide uninsured children with access to health care insurance coverage and to amend the Internal Revenue Code of 1986 to increase the excise taxes on tobacco products for the purpose of funding such grants and reducing the deficit; to the Committee on Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARCHER:

H.R. 1365. A bill to amend section 355 of the Internal Revenue Code of 1986 to prevent the avoidance of corporate tax on prearranged sales of corporate stock, and for other purposes; to the Committee on Ways and Means.

By Mr. BAESLER (for himself, Mr. TURNER, Ms. HARMAN, Mr. BERRY, Mr. BOYD, Mr. CONDIT, Mr. CRAMER, Mr. GOODE, Mr. HOLDEN, Mr. JOHN, Mr. LIPINSKI, Mr. MCINTYRE, Mr. MINGE, Mr. PETERSON of Minnesota, Mr. SISISKY, Mr. STENHOLM, Mr. TANNER, and Mr. BLUMENAUER):

H.R. 1366. A bill to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office, and for other purposes; to the Committee on House Oversight.

By Mr. BARRETT of Wisconsin (for himself, Mrs. KELLY, Mr. FRANK of Massachusetts, and Mr. KLECZKA):

H.R. 1367. A bill to prohibit Federal agencies from making available through the Internet certain confidential records with respect to individuals, and to provide for remedies in cases in which such records are made available through the Internet; to the Com-

mittee on Government Reform and Oversight.

By Mr. BRYANT (for himself, Mr. CLEMENT, and Mr. TANNER):

H.R. 1368. A bill to provide that Kentucky may not tax compensation paid to a resident of Tennessee for services at Fort Campbell, KY; to the Committee on the Judiciary.

By Mr. BUNNING of Kentucky:

H.R. 1369. A bill to amend the Internal Revenue Code of 1986 to modify the tax treatment of qualified State tuition programs; to the Committee on Ways and Means.

By Mr. CASTLE (for himself (by request), Mr. FLAKE, Mr. LEACH, Mr. GONZALEZ, Mr. BEREUETER, Mr. LAFALCE, Mr. MANZULLO, Mr. BENTSEN, Mr. GEJDENSON, Mrs. MALONEY of New York, Mr. METCALF, and Mr. GILMAN):

H.R. 1370. A bill to reauthorize the Export-Import Bank of the United States; to the Committee on Banking and Financial Services.

By Mrs. CHENOWETH (for herself and Mr. POMEROY):

H.R. 1371. A bill to amend the Federal Meat Inspection Act to require that imported meat, and meat food products containing imported meat, bear a label identifying the country of origin; to the Committee on Agriculture.

By Mr. COX of California (for himself, Mr. BACHUS, Mr. BAKER, Mr. BALLENGER, Mr. BARR of Georgia, Mr. BARRETT of Nebraska, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. BASS, Mr. BATEMAN, Mr. BEREUETER, Mr. BERRY, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BLUNT, Mr. BOEHLERT, Mr. BONILLA, Mr. BONO, Mr. BRYANT, Mr. BUNNING of Kentucky, Mr. BURR of North Carolina, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALLAHAN, Mr. CALVERT, Mr. CAMP, Mr. CAMPBELL, Mr. CANADY of Florida, Mr. CASTLE, Mr. CHABOT, Mr. CHAMBLISS, Mrs. CHENOWETH, Mr. CHRISTENSEN, Mr. COBLE, Mr. COBURN, Mr. COLLINS, Mr. COMBEST, Mr. CONDIT, Mr. COOK, Mr. COOKSEY, Mr. CRANE, Mr. CRAPO, Mrs. CUBIN, Mr. CUNNINGHAM, Mr. DEAL of Georgia, Mr. DELAY, Mr. DIAZ-BALART, Mr. DICKEY, Mr. DOOLITTLE, Mr. DREIER, Mr. DUNCAN, Ms. DUNN of Washington, Mr. EHLERS, Mr. EHRlich, Mr. ENGLISH of Pennsylvania, Mr. ENSIGN, Mr. EWING, Mr. FOLEY, Mr. FOX of Pennsylvania, Mr. FORBES, Mr. FRANKS of New Jersey, Mr. GALLEGLY, Mr. GANSKE, Mr. GEKAS, Mr. GIBBONS, Mr. GILCREST, Mr. GILLMOR, Mr. GILMAN, Mr. GOODLATTE, Mr. GOODLING, Mr. GOSS, Mr. GRAHAM, Mr. GREENWOOD, Mr. GUTKNECHT, Mr. HALL of Texas, Mr. HANSEN, Ms. HARMAN, Mr. HASTERT, Mr. HASTINGS of Washington, Mr. HAYWORTH, Mr. HEFLEY, Mr. HERGER, Mr. HILL, Mr. HILLEARY, Mr. HOEKSTRA, Mr. HORN, Mr. HOSTETTLER, Mr. HOUGHTON, Mr. HUNTER, Mr. HUTCHINSON, Mr. HYDE, Mr. INGLIS of South Carolina, Mr. ISTOOK, Mrs. JOHNSON of Connecticut, Mr. SAM JOHNSON, Mr. JONES, Mrs. KELLY, Mr. KIM, Mr. KING of New York, Mr. KINGSTON, Mr. KLUG, Mr. KNOLLENBERG, Mr. KOLBE, Mr. LAHOOD, Mr. LARGENT, Mr. LATHAM, Mr. LATOURETTE, Mr. LAZIO of New York, Mr. LEACH, Mr. LEWIS of California, Mr. LEWIS of Kentucky, Mr. LINDER, Mr. LUCAS of Oklahoma, Mr. MCCOLLUM, Mr. MCCRERY, Mr. MCDADE, Mr. MCHUGH, Mr. MCINNIS, Mr. MCINTOSH, Mr. MCINTYRE, Mr. MCKEON, Mr. MANZULLO, Mr. MICA, Mr. MILLER of Florida, Ms. MOLINARI, Mr. MORAN of Kansas, Mrs. MYRICK,

Mr. NETHERCUTT, Mr. NEUMANN, Mr. NEY, Mrs. NORTHUP, Mr. NORWOOD, Mr. OXLEY, Mr. PACKARD, Mr. PAPPAS, Mr. PARKER, Mr. PAXON, Mr. PETERSON of Minnesota, Mr. PETERSON of Pennsylvania, Mr. PETRI, Mr. PICKERING, Mr. PITTS, Mr. POMBO, Mr. PORTMAN, Mr. POSHARD, Ms. PRYCE of Ohio, Mr. QUINN, Mr. RADANOVICH, Mr. RAMSTAD, Mr. RIGGS, Mr. ROGAN, Mr. ROHRABACHER, Ms. ROSLEHTINEN, Mrs. ROUKEMA, Mr. ROYCE, Mr. RYUN, Mr. SALMON, Mr. SANFORD, Mr. SAXTON, Mr. SCARBOROUGH, Mr. DAN SCHAEFER of Colorado, Mr. BOB SCHAEFFER, Mr. SCHIFF, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHADEGG, Mr. SHAW, Mr. SHAYS, Mr. SHUSTER, Mr. SKEEN, Mr. SMITH of Oregon, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SMITH of Michigan, Mr. SNOWBARGER, Mr. SOLOMON, Mr. SOUDER, Mr. SPENCE, Mr. STEARNS, Mr. STENHOLM, Mr. STUMP, Mr. SUNUNU, Mr. TALENT, Mr. TAUZIN, Mr. THOMAS, Mr. THORNBERRY, Mr. THUNE, Mr. TIAHRT, Mr. UPTON, Mr. WALSH, Mr. WAMP, Mr. WATKINS, Mr. WATTS of Oklahoma, Mr. WELDON of Pennsylvania, Mr. WELDON of Florida, Mr. WELLER, Mr. WHITE, Mr. WICKER, Mr. WHITFIELD, and Mr. WOLF):

H.R. 1372. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to reform the budget process, and for other purposes; to the Committee on the Budget, and in addition to the Committees on Rules, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Mr. HOYER, and Mr. MCGOVERN):

H.R. 1373. A bill to establish a grant program to improve the quality and expand the availability of child care services, and of family support services, for families with children less than 3 years of age; to amend the Internal Revenue Code of 1986 to modify the taxation of income of controlled foreign corporations attributable to imported property; to amend the Family and Medical Leave Act of 1993 to cover employers that have more than 20 employees; to amend the Head Start Act to authorize appropriations for fiscal years 1999 through 2002 and to increase the funds reserved for services for families with children less than 3 years of age; and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DELLUMS:

H.R. 1374. A bill to establish a U.S. Health Service to provide high quality comprehensive health care for all Americans and to overcome the deficiencies in the present system of health care delivery; to the Committee on Commerce, and in addition to the Committees on Ways and Means, the Judiciary, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENSIGN (for himself, Mr. SERRANO, Mrs. JOHNSON of Connecticut, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. BAESLER, Mr. BERMAN, Mr. BLAGOJEVICH, Mr. BOEHLERT, Mr. BONIOR, Mr. BORSKI, Mr. BOUCHER, Mr. BROWN of Ohio, Mr. CALVERT, Ms. CHRISTIAN-GREEN, Mrs. CLAYTON, Mr. CLYBURN, Mr. COSTELLO, Mr. COYNE,

Mr. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Mr. ENGEL, Mr. ENGLISH of Pennsylvania, Ms. ESHOO, Mr. EVANS, Mr. FALDOMAEGA, Mr. FLAKE, Mr. FOGLIETTA, Mr. FORD, Mr. FOX of Pennsylvania, Mr. FRANK of Massachusetts, Mr. FROST, Ms. FURSE, Mr. GEJDENSON, Mr. GIBBONS, Mr. GILMAN, Mr. GONZALEZ, Mr. GORDON, Mr. GUTIERREZ, Mr. HALL of Ohio, Mr. HASTINGS of Florida, Mr. HINCHEY, Ms. KAPTUR, Mrs. KELLY, Mr. KENNEDY of Massachusetts, Mr. KILDEE, Mr. KING of New York, Mr. KLUG, Mr. KUCINICH, Mr. LAHOOD, Mr. LAZIO of New York, Mr. LEWIS of Georgia, Mr. MCCRERY, Mr. MCGOVERN, Mrs. MALONEY of New York, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mr. NEAL of Massachusetts, Mr. NADLER, Mr. OLVER, Mr. ORTIZ, Ms. PELOSI, Mr. PETERSON of Minnesota, Ms. PRYCE of Ohio, Mr. RAHALL, Mr. REYES, Ms. RIVERS, Mr. RUSH, Mr. SABO, Mr. SANDERS, Mr. SAWYER, Mr. SCHUMER, Mr. SHAYS, Ms. SLAUGHTER, Mr. ADAM SMITH of Washington, Mr. SNYDER, Mr. SOLOMON, Ms. STABENOW, Mr. TANNER, Mrs. THURMAN, Mr. TIERNEY, Mr. TORRES, Mr. TOWNS, Mr. TRAFICANT, Mr. VENTO, Mr. VISCLOSKEY, Mr. WALSH, Mr. WAXMAN, Mr. WELDON of Florida, Mr. WEYGAND, Mr. WISE, Mr. YATES, Mr. YOUNG of Alaska, Mr. LEACH, Ms. LOFGREN, Mr. DELAHUNT, Mr. NETHERCUTT, Ms. DELAURO, Mr. MALONEY of Connecticut, Mr. PALLONE, and Mrs. MEEK of Florida):

H.R. 1375. A bill to amend title XVIII of the Social Security Act to provide for coverage under part B of the Medicare Program of medical nutrition therapy services furnished by registered dietitians and nutrition professionals; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO (for herself, Mrs. MALONEY of New York, Mr. ACKERMAN, Mr. ANDREWS, Mr. BROWN of California, Mr. BONIOR, Mr. BERMAN, Mr. CAPPS, Mr. CARDIN, Mr. CLAY, Mr. CONYERS, Ms. CHRISTIAN-GREEN, Mr. DAVIS of Illinois, Ms. DELAURO, Mr. DELLUMS, Mr. DELAHUNT, Mr. EVANS, Mr. FARR of California, Mr. FLAKE, Mr. FRANK of Massachusetts, Mr. FROST, Mr. FILNER, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. HINCHEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY of Massachusetts, Ms. KILPATRICK, Mr. KUCINICH, Mr. LANTOS, Mr. LEWIS of Georgia, Ms. LOFGREN, Mrs. LOWEY, Ms. MCKINNEY, Mr. MCGOVERN, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. MORAN of Virginia, Mr. NADLER, Ms. NORTON, Mr. PAYNE, Ms. RIVERS, Ms. ROYBAL-ALLARD, Mr. SANDERS, Mr. SCHUMER, Mr. SERRANO, Mr. SHERMAN, Ms. SLAUGHTER, Mr. STARK, Mr. THOMPSON, Mr. TIERNEY, Ms. VELAZQUEZ, Ms. WATERS, Mr. WAXMAN, Ms. WOOLSEY, and Mr. YATES):

H.R. 1376. A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and related laws to strengthen the protection of native biodiversity and ban clearcutting on Federal lands, and to designate certain Federal lands as Northwest Ancient Forests, roadless areas, and Special Areas where logging and other intrusive activities are prohibited; to the Committee on Agriculture, and in addition to the Committees on Resources, and National Security, for a period to be subsequently determined by

the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FAWELL (for himself, Mr. PAYNE, Mr. GOODLING, Mr. POMEROY, Mr. KNOLLENBERG, Mr. PETRI, Mr. FROST, Mr. CASTLE, Mr. TALENT, Mrs. ROUKEMA, Mr. BALLENGER, Mr. MARTINEZ, Mr. SAXTON, Mr. FATTAH, Mr. HINOJOSA, Mrs. MCCARTHY of New York, Mr. MCKEON, Mr. UPTON, Mrs. KELLY, Mr. TOWNS, Mr. HILLIARD, Ms. NORTON, Mr. MCCOLLUM, Mr. CALVERT, Mr. WELLER, and Ms. WATERS):

H.R. 1377. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to encourage retirement income savings; to the Committee on Education and the Workforce.

By Mr. HAYWORTH (for himself, Mr. ARMEY, Mr. DELAY, Mr. BOEHNER, Mr. PAXON, Mr. LINDER, Mr. HEFLY, Mr. BONILLA, Mr. PITTS, Mr. NETHERCUTT, Mr. TIAHRT, Mr. HUTCHINSON, Mr. STUMP, Mr. KOLBE, Mrs. CUBIN, Mr. EHRlich, Mr. SHADEGG, Mrs. CHENOWETH, Mr. HOEKSTRA, Mr. COBURN, Mr. WICKER, Mr. SALMON, Mr. CUNNINGHAM, Mr. COOKSEY, Mr. HILLEARY, Mr. GANSKE, Mr. SCARBOROUGH, Mrs. MYRICK, Mr. WATTS of Oklahoma, Mr. JONES, Mr. PARKER, Mr. ISTOOK, Mr. TALENT, Mr. LEWIS of Kentucky, Mr. BOB SCHAEFFER, Mr. COBLE, and Mr. CHRISTENSEN):

H.R. 1378. A bill to prohibit discrimination in contracting on federally funded projects on the basis of certain labor policies of potential contractors; to the Committee on Education and the Workforce.

By Mr. HILL:

H.R. 1379. A bill to amend the Internal Revenue Code of 1986 to lower the maximum capital gains rate to 15 percent with respect to assets held for more than 3 years, to replace the estate and gift tax rate schedules, and for other purposes; to the Committee on Ways and Means.

By Mr. HOYER:

H.R. 1380. A bill to amend the Internal Revenue Code of 1986 to reduce estate taxes on family-owned farm businesses and to exclude gain from the sale or exchange of a farming business to the extent of the medical expenses paid by the taxpayer; to the Committee on Ways and Means.

By Mr. KOLBE (for himself and Mr. PASTOR):

H.R. 1381. A bill to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to establish the U.S. Institute for Environmental Conflict Resolution to conduct environmental conflict resolution and training, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LEVIN (for himself and Mr. ENGLISH of Pennsylvania):

H.R. 1382. A bill to amend the Internal Revenue Code of 1986 to provide that certain educational benefits provided by an employer to children of employees shall be excludable from gross income as a scholarship; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia (for himself, Mr. HOUGHTON, Mr. QUINN, Mr. ACKERMAN, Mr. BORSKI, Ms. CHRISTIAN-GREEN, Mr. CUMMINGS, Mr. DELAHUNT, Mr. EDWARDS, Mr. ENGEL, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GEPHARDT, Mr. HINCHEY, Mrs. LOWEY, Mrs. MALONEY of New York, Mr. MANTON, Mr. MCGOVERN, Mr. McNULTY, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. MOAKLEY, Mr. NADLER, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. RAHALL, Mr. SABO, Mr. SCHUMER, Ms.

SLAUGHTER, Mr. TIERNEY, Mr. TOWNS, Mr. TRAFICANT, and Ms. VELAZQUEZ);

H.R. 1383. A bill to designate the Federal building located at 10th Street and Constitution Avenue, NW, in Washington, DC, as the "Robert F. Kennedy Department of Justice Building"; to the Committee on Transportation and Infrastructure.

By Mr. MCHUGH:

H.R. 1384. A bill to amend the Immigration and Nationality Act to establish a telephone reporting system to permit certain individuals traveling by boat to enter the United States from Canada without applying for admission at a port of entry; to the Committee on the Judiciary.

By Mr. MCKEON (for himself, Mr. GOODLING, and Mr. KILDEE):

H.R. 1385. A bill to consolidate, coordinate, and improve employment, training, literacy, and vocational rehabilitation programs in the United States, and for other purposes; to the Committee on Education and the Workforce.

By Mr. METCALF:

H.R. 1386. A bill to require uniform appraisals of certain leaseholds of restricted Indian lands, and for other purposes; to the Committee on Resources.

By Mr. MILLER of Florida (for himself, Mr. SCHUMER, Mr. CHABOT, Mr. QUINN, Mr. FRELINGHUYSEN, Mr. CAMPBELL, Mr. SHAW, Mr. HORN, Mr. KLUG, Mr. BARRETT of Wisconsin, Mr. MCINTOSH, Mr. MCGOVERN, Mr. LOBIONDO, Mr. PORTER, Mr. SENSENBRENNER, Mr. ROHRBACHER, Mr. CASTLE, Mr. ROYCE, Mr. SHAYS, Mr. RAMSTAD, Mrs. ROUKEMA, Mr. KENNEDY of Rhode Island, Mr. FRANKS of New Jersey, Mr. MEEHAN, Mr. CARDIN, Mr. MCHALE, Mr. NEUMANN, Mr. SOUDER, Mr. SANFORD, Mr. ENGLISH of Pennsylvania, Mr. PORTMAN, Mr. FAWELL, Mr. FOGLETTA, Mr. OLVER, Mr. FRANK of Massachusetts, Mr. HINCHEY, Mr. MARKEY, Mr. NADLER, Mr. NEY, Mrs. LOWEY, Mrs. MCCARTHY of New York, Mr. MOAKLEY, Mrs. MALONEY of New York, Mr. DAVIS of Virginia, Mr. WOLF, Mr. GOSS, Mr. ENSIGN, Mr. LIPINSKI, Mr. OWENS, Mr. YATES, Mr. STARK, Mr. GEKAS, Mrs. MORELLA, Mr. PETRI, Mr. KASICH, Mr. VISCLOSKEY, Mr. FORBES, Mr. WAMP, Mr. BASS, Mr. SMITH of New Jersey, and Mr. KOLBE):

H.R. 1387. A bill to amend the Agricultural Market Transition Act to convert the price support program for sugarcane and sugar beets into a system of solely recourse loans and to provide for the gradual elimination of the program; to the Committee on Agriculture.

By Ms. NORTON:

H.R. 1388. A bill to provide authority for leave transfer for Federal employees who are adversely affected by disasters or emergencies, and for other purposes; to the Committee on Government Reform and Oversight.

By Mr. PACKARD:

H.R. 1389. A bill to amend the Internal Revenue Code of 1986 to provide that the amount of the aviation excise taxes for any fiscal year shall equal the expenditures from the Airport and Airway Trust Fund for the prior fiscal year, and for other purposes; to the Committee on Ways and Means.

By Mr. PALLONE (for himself and Mr. MCCOLLUM):

H.R. 1390. A bill to authorize the Government of India to establish a memorial to honor Mahatma Gandhi in the District of Columbia; to the Committee on Resources.

By Mr. PORTMAN (for himself, Mr. CARDIN, Mr. ACKERMAN, and Mrs. KELLY):

H.R. 1391. A bill to amend the Internal Revenue Code of 1986 to provide an exemption

from tax for gain on sale of a principal residence; to the Committee on Ways and Means.

By Mr. REGULA (for himself and Mr. MURTHA):

H.R. 1392. A bill to require the administrator of the Environmental Protection Agency to establish a program under which States may be certified to carry out voluntary environmental cleanup programs and to amend CERCLA regarding the liability of landowners and prospective purchasers; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. RIVERS:

H.R. 1393. A bill to amend the Toxic Substances Control Act to establish certain requirements regarding the approval of facilities for the disposal of polychlorinated biphenyls, and for other purposes; to the Committee on Commerce.

By Ms. ROS-LEHTINEN (for herself and Mr. KENNEDY of Massachusetts):

H.R. 1394. A bill to amend the Internal Revenue Code of 1986 to modify the tax treatment of qualified State tuition programs; to the Committee on Ways and Means.

By Mr. ROTHMAN (for himself, Mr. OLVER, Mr. HINCHEY, and Mr. PASTOR):

H.R. 1395. A bill to assist the States and local governments in assessing and remediating brownfield sites and encouraging environmental cleanup programs, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAXTON (for himself, Mr. SMITH of Michigan, Mr. KOLBE, Mr. PETERSON of Pennsylvania, and Mr. GRAHAM):

H.R. 1396. A bill to require the Board of Governors of the Federal Reserve System to focus on price stability in establishing monetary policy to ensure the stable, long-term purchasing power of the currency, to repeal the Full Employment and Balanced Growth Act of 1978, and for other purposes; to the Committee on Banking and Financial Services, and in addition to the Committees on Education and the Workforce, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SKAGGS (for himself, Mr. EVANS, and Mr. SANDERS):

H.R. 1397. A bill to provide health insurance benefits to certain former employees at defense nuclear facilities of the Department of Energy for injuries caused by exposure to ionizing radiation; to the Committee on Commerce.

By Mr. SMITH of New Jersey (for himself, Mr. SAXTON, Mr. HAYWORTH, Mr. CUNNINGHAM, Mr. STEARNS, Mr. RAHALL, Mr. WELDON of Pennsylvania, Mr. WALSH, Mr. KING of New York, Mr. LAFALCE, Mr. BUNNING of Kentucky, Mr. BOB SCHAFFER, and Mr. NORWOOD):

H.R. 1398. A bill to amend the Public Health Service Act to provide for the establishment of a program for research and training with respect to Parkinson's disease; to the Committee on Commerce.

By Mr. SMITH of New Jersey:

H.R. 1399. A bill to amend title 38, United States Code, to provide a presumption of service connection for injuries classified as cold weather injuries which occur in vet-

erans who while engaged in military operations had sustained exposure to cold weather; to the Committee on Veterans' Affairs.

By Mr. SMITH of Oregon (for himself, Mr. DEFAZIO, Ms. FURSE, Ms. HOOLEY of Oregon, and Mr. BLUMENAUER):

H.R. 1400. A bill to authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to participate in a water conservation project with the Tumalo Irrigation District in the State of Oregon; to the Committee on Resources.

By Mr. THOMAS (for himself, Mr. MATSUI, Mr. NUSSLE, Mr. EHLERS, Ms. DUNN of Washington, Mr. FAZIO of California, Mr. MCDERMOTT, and Mr. MINGE):

H.R. 1401. A bill to amend the Internal Revenue Code of 1986 to provide a 5-year extension of the credit for producing electricity from wind; to the Committee on Ways and Means.

By Mr. TRAFICANT:

H.R. 1402. A bill to establish the Commission on Probabilistic Methods; to the Committee on Transportation and Infrastructure.

By Mr. UNDERWOOD (for himself, Ms. CHRISTIAN-GREEN, Mr. RANGEL, Mr. JEFFERSON, and Mrs. MINK of Hawaii):

H.R. 1403. A bill to extend the supplemental security income benefits program to Guam and the U.S. Virgin Islands; to the Committee on Ways and Means.

By Mr. WAXMAN (for himself, Mr. GEPHARDT, Mr. MILLER of California, Mr. BROWN of California, Mrs. MALONEY of New York, Mr. FLAKE, Mr. FRANK of Massachusetts, Mr. SERRANO, Mr. TIERNEY, Mr. KENNEDY of Rhode Island, Mr. LEWIS of Georgia, Mr. BONIOR, Mr. PALLONE, Ms. PELOSI, and Mr. MCGOVERN):

H.R. 1404. A bill to provide for the defense of the environment, and for other purposes; to the Committee on Rules, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAZIO of New York (for himself, Mr. SPENCE, and Mr. STUMP):

H. Con. Res. 64. Concurrent resolution commending the members of the Armed Forces and civilian personnel of the Government who served the United States faithfully during the cold war; to the Committee on Government Reform and Oversight.

By Mr. PALLONE:

H. Res. 120. Resolution designating minority membership on certain standing committees of the House; considered and agreed to.

By Mr. HORN (for himself, Mr. GILMAN, and Mr. BEREUTER):

H. Res. 121. Resolution expressing the sense of the House of Representatives regarding the March 30, 1997, terrorist grenade attack in Cambodia; to the Committee on International Relations.

By Mr. BAKER (for himself, Mr. MAS-CARA, Mr. BENTSEN, Mr. LAZIO of New York, Mr. KING of New York, Ms. RIVERS, Mr. KANJORSKI, Mr. LAHOOD, Mr. FRANK of Massachusetts, Mr. FROST, Mr. MURTHA, Mr. SCHUMER, Mr. SMITH of New Jersey, Mrs. MALONEY of New York, Mr. STARK, and Mr. RILEY):

H. Res. 122. Resolution expressing the sense of the House of Representatives regarding tactile currency for the blind and visually impaired; to the Committee on Banking and Financial Services.

By Mrs. MORELLA (for herself and Mr. DAVIS of Virginia):

H. Res. 123. Resolution amending the Rules of the House of Representatives to postpone

final House action on legislative branch appropriations for any fiscal year until all other regular appropriations for that fiscal year are enacted into law; to the Committee on Rules.

#### 34.33 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

44. By the SPEAKER. Memorial of the Legislature of the Commonwealth of Virginia, relative to Senate Joint Resolution No. 377 urging Congress to amend the Fair Labor Standards Act to better address the unique characteristics of emergency medical service employees, and to provide and overtime exemption for such employees similar to that provided for fire, police, and corrections employees; to the Committee on Education and the Workforce.

45. Also, memorial of the Legislature of the State of West Virginia, relative to House Concurrent Resolution No. 7 urging Congress to enact legislation that requires the Administrator of the U.S. Environmental Protection Agency to maintain the current national ambient air quality standards for ozone and fine particulate matter until there is a thorough review by the scientific community; to the Committee on Commerce.

46. Also, memorial of the House of Representatives of the State of Georgia, relative to House Resolution 379 urging the U.S. Environmental Protection Agency to reaffirm the existing air quality standards for ozone and particulate matter; to the Committee on Commerce.

47. Also, memorial of the Senate of the State of Oregon, relative to Senate Resolution 3 urging Congress to ensure that Federal agencies operate or direct operation of Klamath project in accordance with Oregon's system for allocation of water rights; to the Committee on Resources.

48. Also, memorial of the Legislature of the Commonwealth of Virginia, relative to Senate Joint Resolution No. 343 urging Congress to proceed immediately with an extension of waivers to the Program for All Inclusive Care for the Elderly [PACE] Program or to pass S. 999, extending provider status to the PACE Program; jointly, to the Committees on Ways and Means and Commerce.

#### 34.34 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 4: Mr. ANDREWS, Mr. COBURN, Mr. DELAHUNT, Mr. ROTHMAN, Mr. JENKINS, Mr. FRANK of Massachusetts, Mr. ACKERMAN, Mr. BLAGOJEVICH, Mr. CAPPS, Mr. SCHUMER, Mr. BROWN of California, Mr. BLUMENAUER, Mr. SMITH of New Jersey, Mr. CAMPBELL, Mr. GIBBONS, Mr. COLLINS, Mr. SCARBOROUGH, Mr. JONES, Mr. MORAN of Kansas, Mr. SOLOMON, Mr. TIERNEY, Mr. MCINTYRE, and Mr. LUCAS of Oklahoma.

H.R. 12: Mr. MEEHAN and Mr. PASCRELL.  
H.R. 14: Mr. WHITFIELD, Mr. EWING, Mr. BARR of Georgia, Mr. KINGSTON, Mr. RILEY, Mr. CAPPS, Mr. SOUDER, and Mr. COOK.

H.R. 15: Mr. LAMPSON, Mr. KIND of Wisconsin, Mr. BUYER, Mr. NUSSLE, Ms. PELOSI, Mr. DUNCAN, Mr. LINDER, Mr. PALLONE, Mr. DAN SCHAEFER of Colorado, Mr. BAESLER, Mr. MANZULLO, Mr. KLINK, Mr. WHITFIELD, Mrs. EMERSON, Mr. SANDERS, and Mr. SOLOMON.

H.R. 66: Mr. TAYLOR of Mississippi, Mr. CALVERT, Mr. THORNBERRY, Mr. COBLE, and Mr. STUMP.

H.R. 80: Mr. FRANKS of New Jersey, Ms. ESHOO, Mr. LARGENT, Mr. DEFAZIO, Mr. CALAHAN, Mr. TAYLOR of Mississippi, Mr. COX of California, Mr. PARKER, Mr. BENTSEN, Mr. MARTINEZ, and Mrs. THURMAN.

H.R. 85: Mr. LIPINSKI, Mr. KUCINICH, and Ms. FURSE.

H.R. 86: Mr. WATKINS.

H.R. 96: Mr. SKELTON, Mr. GOODE, Mr. HILLIARD, and Mr. SNOWBARGER.

H.R. 122: Mr. CHABOT, Mr. TALENT, and Mr. HAYWORTH.

H.R. 123: Mr. TAYLOR of Mississippi.

H.R. 192: Mr. GILLMOR, Mr. DEUTSCH, Mrs. CUBIN, Mr. KIND of Wisconsin, Mr. BROWN of Florida, Mr. ETHERIDGE, Mr. PALLONE, and Mr. BALDACCI.

H.R. 200: Ms. GRANGER, Mr. DEAL of Georgia, and Mr. MCGOVERN.

H.R. 218: Mr. BARR of Georgia, Mr. MCINTYRE, and Mr. HULSHOF.

H.R. 242: Mr. MATSUI.

H.R. 277: Mr. KENNEDY of Massachusetts.

H.R. 279: Mr. GALLEGLY, Ms. ROYBAL-ALLARD, Ms. MOLINARI, Mr. BALLENGER, Mr. GORDON, Mr. BRADY, Mr. MARTINEZ, Mr. SABO, Mrs. EMERSON, Mr. HILLIARD, Ms. CARSON, Mr. STUPAK, Mrs. KENNELLY of Connecticut, Ms. ROS-LEHTINEN, Mr. DIAZ-BALART, Mr. ALLEN, Mr. OXLEY, Mr. LARGENT, Mr. BARCIA of Michigan, Mr. CRANE, Mr. NETHERCUTT, Mr. EVANS, Mr. SHIMKUS, Mr. ADERHOLT, Mr. MALONEY of Connecticut, Mr. RODRIGUEZ, Mr. KINGSTON, Mr. WISE, Mr. BOUCHER, Mr. CRAMER, Mr. DOOLEY of California, Mr. HAMILTON, Mr. BORSKI, Ms. DANNER, Mr. PASCRELL, Mr. POMEROY, Mr. DAVIS of Florida, Mr. FAWELL, Mr. GILCHREST, Mr. PICKETT, Mr. SANDERS, Mrs. FOWLER, Ms. KAPTUR, Mr. BLILEY, Ms. MCCARTHY of Missouri, Mr. WEXLER, Mrs. TAUSCHER, Mr. SKELTON, Mr. STENHOLM, Mr. SESSIONS, Mr. POSHARD, Mr. BATEMAN, Mr. BLUNT, Mr. DEAL of Georgia, Mr. JOHNSON of Wisconsin, Mr. COBLE, and Mr. BARTLETT of Maryland.

H.R. 292: Mr. HILLEARY.

H.R. 304: Mr. LEWIS of Georgia.

H.R. 305: Ms. FURSE, Mr. GUTIERREZ, and Mr. JEFFERSON.

H.R. 306: Mr. FILNER and Mr. MCHUGH.

H.R. 335: Mr. GOODE.

H.R. 367: Mr. ADERHOLT, Mr. PAXON, and Mr. LINDER.

H.R. 414: Mr. DEUTSCH, Ms. BROWN of Florida, Mrs. MEEK of Florida, Mr. PALLONE, and Mr. BALDACCI.

H.R. 415: Mr. WELDON of Florida and Mr. DICKEY.

H.R. 426: Mr. KNOLLENBERG and Mr. CAPPS.

H.R. 437: Mr. CAPPS, Mr. GILLMOR, Mr. CASTLE, Mr. ORTIZ, Mr. CALVERT, Mr. KILDEE, and Mr. SABO.

H.R. 443: Mr. KUCINICH and Mr. GONZALEZ.

H.R. 475: Mr. SMITH of Michigan.

H.R. 492: Ms. BROWN of Florida and Mr. MEEHAN.

H.R. 519: Mr. BLAGOJEVICH.

H.R. 558: Ms. WOOLSEY.

H.R. 561: Ms. CARSON.

H.R. 586: Mr. COOK, Mrs. MCCARTHY of New York, Mr. MCINTYRE, and Mr. MCNULTY.

H.R. 603: Mr. RAMSTAD and Mr. SMITH of New Jersey.

H.R. 623: Mr. WYNN.

H.R. 695: Mr. PAXON and Mr. WELDON of Florida.

H.R. 716: Mr. SNOWBARGER and Mr. BRYANT.

H.R. 753: Ms. ROYBAL-ALLARD, Mr. BARRETT of Wisconsin, Mr. OWENS, Mr. STRICKLAND, and Mr. DELAHUNT.

H.R. 754: Mr. JEFFERSON and Mr. ACKERMAN.

H.R. 775: Mr. DEFAZIO, Mr. GUTIERREZ, Mr. THOMPSON, Ms. WATERS, Mr. TORRES, and Mr. MCGOVERN.

H.R. 820: Mr. DAVIS of Illinois, Mr. STARK, Mr. MATSUI, and Mr. RUSH.

H.R. 857: Mr. MANZULLO and Mr. CRAPO.

H.R. 864: Mrs. MORELLA, Mr. HILLIARD, Mrs. MALONEY of New York, Ms. WATERS, Mr. KILDEE, Mr. RUSH, Mr. FORD, Mr. TOWNS, Mr. DIXON, Ms. LOFGREN, Mr. DEFAZIO, Mr. LATOURETTE, Mr. PAYNE, Mr. LIPINSKI, Mr. TRAFICANT, and Mr. MARTINEZ.

H.R. 865: Mr. CLEMENT.

H.R. 866: Mr. ENGLISH of Pennsylvania, Mr. COBLE, and Mr. WATTS of Oklahoma.

H.R. 867: Mr. HOUGHTON.

H.R. 871: Mr. ADAM SMITH of Washington.

H.R. 872: Mr. BUNNING, Mr. CONDIT, Mrs. CUBIN, Mr. FOX of Pennsylvania, Mr. GILLMOR, Mr. HEFNER, Mr. MCHUGH, Mr. MORAN of Virginia, Mr. PACKARD, Mrs. ROUKEMA, Mr. DAN SCHAEFER of Colorado, Mr. SESSIONS, Mr. STENHOLM, and Mr. TOWNS.

H.R. 875: Mr. SNYDER.

H.R. 895: Mr. DAVIS of Illinois.

H.R. 901: Mr. BURR of North Carolina, Mr. HOBSON, Mr. ROGERS, Mr. ROHRBACHER, Mr. MCCREERY, Mr. MCINTYRE, Mr. SMITH of Texas, and Mr. DEAL of Georgia.

H.R. 911: Mr. BILIRAKIS and Mr. BARR of Georgia.

H.R. 920: Ms. WOOLSEY.

H.R. 928: Mr. LARGENT, Mr. STUMP, Mr. GRAHAM, Mr. SESSIONS, Mr. PAUL, Mr. SOUDER, Ms. DUNN of Washington, and Mrs. CHENOWETH.

H.R. 947: Mr. CARDIN.

H.R. 955: Mr. GIBBONS, Mrs. CHENOWETH, Mr. HEFNER, Mr. SNOWBARGER, and Mr. EHRlich.

H.R. 965: Mr. LINDER, Mr. NETHERCUTT, Mr. LIVINGSTON, Mr. PAXON, Mr. HASTERT, Mr. KING of New York, Mr. CAMP, and Mr. COOK.

H.R. 977: Mr. FAZIO of California, Mr. ABERCROMBIE, Mr. RADANOVICH, and Mr. TRAFICANT.

H.R. 990: Mr. SHAYS.

H.R. 1002: Mr. LEWIS of Georgia, Mr. WEXLER, Mr. WISE, and Mr. FILNER.

H.R. 1009: Mr. BUNNING of Kentucky.

H.R. 1022: Mr. YATES.

H.R. 1047: Mr. DELLUMS, Mr. FORD, and Mr. MEEHAN.

H.R. 1074: Ms. CARSON, Mr. DELLUMS, Mr. DIXON, Ms. ESHOO, Mrs. MALONEY of New York, Mr. KIND of Wisconsin, Mr. FOGLIETTA, Mr. CONYERS, Mr. JACKSON, Ms. NORTON, Mrs. MEEK of Florida, Mrs. CLAYTON, and Ms. JACKSON-LEE.

H.R. 1104: Mr. KENNEDY of Rhode Island, Mr. BOUCHER, Mr. POSHARD, and Mr. WEYGAND.

H.R. 1118: Mrs. MALONEY of New York and Mr. OWENS.

H.R. 1120: Mr. PALLONE and Mr. KENNEDY of Rhode Island.

H.R. 1130: Mr. BONIOR, Mr. MILLER of California, Mr. STARK, Mr. MCDERMOTT, Mr. NEAL of Massachusetts, Mr. WYNN, Ms. VELAZQUEZ, Mr. STUPAK, Ms. HARMAN, Ms. KAPTUR, Mr. FATTAH, Ms. WOOLSEY, Mr. GREEN, Mr. SCHUMER, Mr. WAXMAN, Mr. MOAKLEY, Mr. FRANK of Massachusetts, Mr. HOYER, Mr. KENNEDY of Rhode Island, Mr. THOMPSON, Mr. BERMAN, Mr. HEFNER, Mr. ENGEL, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ROYBAL-ALLARD, Ms. DANNER, Mr. DOOLEY of California, Mr. BROWN of Ohio, Mr. FORD, Mr. LAMPSON, Mr. CRAMER, Mr. BISHOP, Mr. HOLDEN, Mr. WATT of North Carolina, and Mr. MALONEY of Connecticut.

H.R. 1134: Mr. JOHN.

H.R. 1146: Mr. STUMP.

H.R. 1153: Mr. UNDERWOOD and Mr. PICKERING.

H.R. 1161: Mr. CONDIT.

H.R. 1169: Mr. LEWIS of Georgia, Mr. CONDIT, Mr. CARDIN, Mr. GEJDENSON, Mr. FLAKE, Mr. BROWN of Ohio, Mr. FILNER, Mr. LARGENT, Mrs. KELLY, and Mr. KLECZKA.

H.R. 1170: Mr. PACKARD, Mr. ROGAN, Mr. INGLIS of South Carolina, Mr. FOLEY, Mr. LARGENT, and Mr. HUTCHINSON.

H.R. 1178: Mr. MARTINEZ.

H.R. 1188: Mr. LEWIS of Georgia and Mr. DAVIS of Illinois.

H.R. 1189: Mr. STUPAK, Mr. KLUG, Mr. SKELTON, and Mr. MCHUGH.

H.R. 1201: Mr. BORSKI, Mr. DELLUMS, Mr. FLAKE, and Mr. DAVIS of Illinois.

H.R. 1216: Mr. DAVIS of Illinois and Mr. STARK.

H.R. 1219: Mr. COYNE, Mr. DAVIS of Virginia, Ms. LOFGREN, Mrs. MCCARTHY of New York, Ms. PRYCE of Ohio, Mr. RUSH, and Mr. WEXLER.

H.R. 1232: Mr. COBURN.

H.R. 1259: Ms. FURSE, Ms. ESHOO, and Mr. WEXLER.

H.R. 1264: Mr. MEEHAN.

H.R. 1291: Mr. FLAKE.

H.R. 1315: Mr. LATOURETTE, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. JEFFERSON, Mr. TOWNS, and Mr. PARKER.

H.R. 1323: Mr. STARK and Mr. SANDERS.

H.R. 1327: Mr. WATTS of Oklahoma, Mr. METCALF, Mr. DEAL of Georgia, and Mr. WALSH.

H.R. 1340: Mr. SANFORD and Mr. BARRETT of Wisconsin.

H.R. 1353: Mr. POSHARD.

H.J. Res. 26: Mrs. NORTHUP.

H.J. Res. 67: Mr. CRAPO, Mr. PAUL, Mr. CUNNINGHAM, Mr. ENGLISH of Pennsylvania, Mr. CHRISTENSEN, Mr. JENKINS, Mr. TALENT, Mr. BOYD, and Mr. SOUDER.

H. Con. Res. 8: Mr. CAPPS and Mr. SHAW.

H. Con. Res. 10: Mr. COX of California, Mr. HOLDEN, Mr. FAWELL, Mr. McNULTY, and Mr. HOBSON.

H. Con. Res. 13: Mr. WEYGAND, Mr. MENEDEZ, and Ms. ROYBAL-ALLARD.

H. Con. Res. 52: Mr. HOLDEN, Mr. GILLMOR, Mr. TRAFICANT, Mr. MINGE, Mr. WELLER, Mr. BROWN of Ohio, and Mr. BORSKI.

H. Res. 96: Mrs. LOWEY, Mr. STARK, and Ms. CHRISTIAN-GREEN.

H. Res. 110: Mr. TRAFICANT, Mr. PETERSON of Minnesota, Mr. COX of California, Mr. PORTER, and Mr. CAMPBELL.

34.35 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 963: Mr. WYNN.

MONDAY, APRIL 21, 1997 (35)

35.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MILLER of Florida, who laid before the House the following communication:

WASHINGTON, DC,

April 21, 1997.

I hereby designate the Honorable DAN MILLER to act as Speaker pro tempore on this day.

NEWT GINGRICH,

Speaker of the House of Representatives.

35.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MILLER of Florida, announced he had examined and approved the Journal of the proceedings of Thursday, April 17, 1997.

Pursuant to clause 1, rule I, the Journal was approved.

35.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

2878. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Viruses, Serums, Toxins, and Analogous Products; In Vitro Tests for Serial Release [APHIS Docket No. 94-051-3] (RIN: 0579-AA66) received April 18, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2879. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Export Certification of Animal Products [APHIS Docket No. 93-168-2] received April 18, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2880. A letter from the Under Secretary for Acquisition and Technology, Department of Defense, transmitting the Department's 1997 report entitled "International Cooperative Research and Development Program," pursuant to 10 U.S.C. 2350(f)(1); to the Committee on National Security.

2881. A letter from the Assistant Secretary for Force Management Policy, Department of Defense, transmitting notification that the report on military permanent medical nondeployables will be completed by May 31, 1997; to the Committee on National Security.

2882. A letter from the Assistant Secretary for Health Affairs, Department of Defense, transmitting the fiscal year 1996 annual report on the third party collection program, pursuant to section 718 of the fiscal year 1994 National Defense Authorization Act; to the Committee on National Security.

2883. A letter from the Assistant Secretary for Health Affairs, Department of Defense, transmitting an interim report on the progress of a study on the means of improving the provision of uniform and consistent medical and dental care to members of the reserve components serving on active duty; to the Committee on National Security.

2884. A letter from the Secretary of Defense, transmitting a report on the effects of mergers and acquisitions in the defense industry, pursuant to Public Law 104-201, section 826(b) (110 Stat. 2611); to the Committee on National Security.

2885. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting a report on the application of the Electronic Fund Transfer Act to electronic stored-value products, pursuant to Public Law 104-208, section 2601(b) (110 Stat. 3009-469); to the Committee on Banking and Financial Services.

2886. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving United States exports to Poland, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

2887. A letter from the Chairman, National Foundation on the Arts and the Humanities, transmitting the Federal Council on the Arts and Humanities' 21st annual report on the Arts and Artifacts Indemnity Program for fiscal year 1996, pursuant to 20 U.S.C. 959(c); to the Committee on Education and the Workforce.

2888. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; District of Columbia and State of Maryland—1990 Base Year Emission Inventory for the Metropolitan Washington DC Area [DC010-5914a; MD033-7157a; FRL-5814-1] received April 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2889. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Eufaula, Wagoner, Warner, and Sand Springs, Oklahoma) [MM Docket No. 96-94, RM-8790] received April 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2890. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Premont,

Texas) [MM Docket No. 95-120, RM-8650] received April 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2891. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Cawker City, Kansas) [MM Docket No. 96-207, RM-8874] received April 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2892. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Powhatan and Goochland, Virginia) [MM Docket No. 96-167, RM-8843, RM-8899] received April 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2893. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Claremore and Chelsea, Oklahoma) [MM Docket No. 95-167, RM-8699] received April 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2894. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Hilton and Albion, New York) [MM Docket No. 96-125, RM-8807, RM-8861] received April 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2895. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Cambridge and St. Michaels, Maryland) [MM Docket No. 95-291, RM-8133] received April 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2896. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Battle Mountain, Nevada) [MM Docket No. 95-145, RM-8831] received April 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2897. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Alexandria and Ball, Louisiana) [MM Docket No. 95-143, RM-8826, RM-8890] received April 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2898. A letter from the Managing Director, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Zapata, Texas) [MM Docket No. 95-142, RM-8685] received April 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2899. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of 47 CFR Part 1.1200 et seq. Concerning Ex Parte Presentations in Commission Proceedings [GC Docket No. 95-21] received April 21, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2900. A letter from the Assistant Commissioner (Examination), Internal Revenue Service, transmitting the Service's final rule—Pharmaceutical Industry Coordinated Issue: Medicaid Rebates—received April 17, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.