¶72.6 RIEGLE-NEAL CLARIFICATION ACT

On motion of Mrs. ROUKEMA, by unanimous consent, the bill (H.R. 1306) to amend the Federal Deposit Insurance Act to clarify the applicability of host State laws to any branch in such State of an out-of-State bank; together with the following amendments of the Senate thereto, was taken from the Speaker's table:

Page 2, lines 2 and 3, strike out ''Clarification'' and insert ''Amendments''.

Page 2, line 5, before ''Subsection'' insert:

(a) ACTIVITIES OF BRANCHES OF OUT-OF-STATE BANKS.—

Page 3, strike out lines 3 through 7 and insert:

''(3) SAVINGS PROVISION.—No provision of this subsection shall be construed as affecting the applicability of—

''(A) any State law of any home State under subsection (b), (c), or (d) of section 44; or

''(B) Federal law to State banks and State bank branches in the home State or the host State.

Page 3, after line 10 insert:

(b) LAW APPLICABLE TO INTERSTATE BRANCHING OPERATIONS.—Section 5155(f)(1) of the Revised Statutes (12 U.S.C. 36(f)(1)) is amended by adding at the end the following:

''(C) REVIEW AND REPORT ON ACTIONS BY COMPTROLLER.—The Comptroller of the Currency shall conduct an annual review of the actions it has taken with regard to the applicability of State law to national banks (or their branches) during the preceding year, and shall include in its annual report required under section 333 of the Revised Statutes (12 U.S.C. 14) the results of the review and the reasons for each such action. The first such review and report after the date of enactment of this subparagraph shall encompass all such actions taken on or after January 1, 1992.''.

Page 3, after line 10 insert:

SEC. 3. RIGHT OF STATE TO OPT OUT.

Nothing in this Act alters the right of States under section 525 of Public Law 96–221.

Amend the title so as to read: ''An Act to amend Federal law to clarify the applicability of host State laws to any branch in such State of an out-of-State bank, and for other purposes.''.

On motion of Mrs. ROUKEMA, said Senate amendments were agreed to.

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

Ordered, That the Clerk notify the Senate thereof.

¶72.7 ORDER OF BUSINESS—USE OF ROTUNDA AUTHORIZATION

On motion of Mr. THOMAS, by unanimous consent,

Ordered, That the authorization contained in House Concurrent Resolution 216 (passed in the 104th Congress) relating to use of the rotunda for a ceremony to commemorate the placement of the Portrait Monument in the Capitol Rotunda, be extended to the 105th Congress, subject to concurrence by the Senate.

¶72.8 CORRECTIONS CALENDAR

Pursuant to clause 4, rule XIII,

The SPEAKER pro tempore, Mr. RADANOVICH, directed the Corrections Calendar to be called.

When,

¶72.9 LIFE INSURANCE BENEFITS

The Committee of the Whole House on the state of the Union was discharged from further consideration of the bill (H.R. 1316) to amend chapter 87 of title 5, United States Code, with respect to the order of precedence to be applied in the payment of life insurance benefits.

When said bill was considered and read twice.

The SPEAKER pro tempore, Mr. RADANOVICH, pursuant to clause 4 of rule XIII, recognized Mr. MICA and Mr. CUMMINGS, each for 30 minutes.

After debate,

The following amendment recommended by the Committee on Government Reform and Oversight, was submitted:

Strike out all after the enacting clause and insert:

SECTION 1. DOMESTIC RELATIONS ORDERS.

Section 8705 of title 5, United States Code, is amended——

(1) in subsection (a) by striking ''(a) The'' and inserting ''(a) Except as provided in subsection (e), the''; and

(2) by adding at the end the following:

''(e)(1) Any amount which would otherwise be paid to a person determined under the order of precedence named by subsection (a) shall be paid (in whole or in part) by the Office to another person if and to the extent expressly provided for in the terms of any court decree of divorce, annulment, or legal separation, or the terms of any court order or court-approved property settlement agreement incident to any court decree of divorce, annulment, or legal separation.

''(2) For purposes of this subsection, a decree, order, or agreement referred to in paragraph (1) shall not be effective unless it is received, before the date of the covered employee's death, by the employing agency or, if the employee has separated from service, by the Office.

''(3) A designation under this subsection with respect to any person may not be changed except——

''(A) with the written consent of such person, if received as described in paragraph (2); or

''(B) by modification of the decree, order, or agreement, as the case may be, if received as described in paragraph (2).

''(4) The Office shall prescribe any regulations necessary to carry out this subsection, including regulations for the application of this subsection in the event that 2 or more decrees, orders, or agreements, are received with respect to the same amount.''.

SEC. 2. DIRECTED ASSIGNMENT.

Section 8706(e) of title 5, United States Code, is amended——

(1) by striking ''(e)'' and inserting ''(e)(1)''; and

(2) by adding at the end the following:

''(2) A court decree of divorce, annulment, or legal separation, or the terms of a court-approved property settlement agreement incident to any court decree of divorce, annulment, or legal separation, many direct that an insured employee or former employee make an irrevocable assignment of the employee's or former employee's incidents of ownership in insurance under this chapter (if there is no previous assignment) to the person specified in the court order or court-approved property settlement agreement.''.

After debate,

Pursuant to clause 4 of rule XIII, the previous question on the amendment and the bill was considered as ordered.

The question being put, viva voce,

Will the House agree to said amendment?

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

So the amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. RADANOVICH, announced that three-fifths of the Members present had voted in the affirmative.

So, three-fifths of the Members present having voted in favor thereof, the bill was passed.

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

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

¶72.10 MFN—CHINA

Mr. CRANE, pursuant to the order of the House of June 23, 1997, called up the joint resolution (H.J. Res. 79) disapproving the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of the People's Republic of China.

When said joint resolution was considered and read twice.

After debate,

Pursuant to the order of the House of June 23, 1997, the previous question was considered as ordered.

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

The question being put, viva voce,

Will the House pass said joint resolution?

The SPEAKER pro tempore, Mr. LAHOOD, announced that the nays had it.

Mr. BUNNING demanded a recorded vote on passage of said joint resolution, 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 negative ..... { Yeas ..... 173 / Nays 259

¶72.11 [Roll No. 231]

AYES—173

Abercrombie	Coburn	Evans
Aderholt	Collins	Everett
Barcia	Condit	Forbes
Barr	Cook	Fowler
Bartlett	Costello	Frank (MA)
Barton	Coyne	Ganske
Berman	Crapo	Gejdenson
Bishop	Cubin	Gephardt
Blunt	Cummings	Gibbons
Bonior	Danner	Gillmor
Bono	Davis (IL)	Gilman
Borski	Deal	Gonzalez
Brown (OH)	DeFazio	Goode
Bunning	Delahunt	Goodling
Burr	DeLauro	Gordon
Burton	Dellums	Graham
Cardin	Diaz-Balart	Gutierrez
Carson	Dickey	Hall (OH)
Chambliss	Doolittle	Hastings (FL)
Chenoweth	Duncan	Hefley
Clay	Ehrlich	Hefner
Clayton	Engel	Hilleary
Clyburn	Ensign	Hilliard