

Reyes
Riggs
Riley
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Royce
Ryun
Salmon
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster

Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson

Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NAYS—49

Barrett (WI)
Bonior
Brown (CA)
Brown (OH)
Clay
Clayton
Clyburn
Conyers
Cox
Cummings
Davis (IL)
DeGette
Delahunt
Fattah
Furse
Hastings (FL)
Hilliard

Jackson (IL)
Kennedy (RI)
Kilpatrick
LaFalce
Lewis (GA)
Martinez
McDermott
McGovern
McKinney
Meek (FL)
Meeks (NY)
Mink
Mollohan
Oberstar
Owens
Paul
Payne

Rangel
Rivers
Roybal-Allard
Rush
Sabo
Scott
Serrano
Stabenow
Stark
Stokes
Towns
Waters
Watt (NC)
Weygand
Yates

ANSWERED "PRESENT"—1

Kucinich

NOT VOTING—14

Brown (FL)
Ford
Gonzalez
Hall (OH)
Klink

Luther
Mica
Miller (CA)
Nadler
Paxon

Pelosi
Poshard
Sanchez
Schiff

Frank (MA)
Furse
Gejdenson
Gephardt
Green
Greenwood
Gutierrez
Hamilton

So the bill was passed.

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

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

9.14 FEDERAL AGENCY COMPLIANCE

The SPEAKER pro tempore, Mr. BLUNT, pursuant to House Resolution 367 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1544) to prevent Federal agencies from pursuing policies of unjustifiable nonacquiescence in, and relitigation of, precedents established in the Federal judicial circuits.

Mr. LAZIO, Acting Chairman, assumed the chair,

9.15 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. JACKSON-LEE:

Page 3, line 11 strike "or", line 18 strike the period, close quotation marks and period following and insert "; or", and after line 18 insert the following:

"(4) the substance of the agency matter is under consideration by a United States court of appeals and involves issues of civil rights, labor rights, or environmental protection."

It was decided in the { Yeas 164 negative } Nays 253

9.16 [Roll No. 22]

AYES—164

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Brown (CA)
Brown (OH)
Cardin
Carson
Clay
Clayton
Clyburn
Conyers
Coyne
Danner
Davis (IL)
DeFazio
Levin
Lewis (GA)
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Fox
Frank (MA)
Furse
Gejdenson
Gephardt
Green
Greenwood
Gutierrez
Hamilton

Harman
Hastings (FL)
Hefner
Hilliard
Hinchev
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (WI)
Johnson, E. B.
Kapture
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Mink
Moakley
Mollohan
Moran (VA)

Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Skaggs
Slaughter
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tauscher
Thurman
Tierney
Torres
Towns
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOES—253

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berry
Bilbray
Bilirakis
Bishop
Bliley
Blunt
Boehlert
Boehner
Bonilla
Boswell
Boyd
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert

Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Davis (FL)
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey

Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Goodling
Gordon
Goss
Graham

Granger
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
John
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCreery
McDade

McHugh
McInnis
McIntosh
McKeon
Metcalf
Miller (FL)
Minge
Moran (KS)
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Sabo
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan

Shaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Tiahrt
Traficant
Turner
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—13

Brady
Brown (FL)
Ford
Frost
Gonzalez

Klink
Luther
Mica
Miller (CA)
Paxon

Pelosi
Poshard
Schiff

So the amendment was not agreed to.

9.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. JACKSON-LEE:

Page 5, insert after line 20 the following:

SEC. 4. APPLICATION.

The amendments made by sections 2 and 3 shall not apply to an agency in its actions involving a commercial transaction with a business located in a foreign country.

It was decided in the { Yeas 154 negative } Nays 258

9.18 [Roll No. 23]

AYES—154

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Berry
Bilirakis
Blagojevich
Blumenauer
Bonior
Borski
Boucher

Brown (CA)
Brown (OH)
Cardin
Carson
Clay
Clayton
Clyburn
Coyne
Cummings
Danner
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch

Dingell
Dixon
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Frost
Furse
Gejdenson
Gephardt

Green	Mascara	Rodriguez
Gutierrez	McCarthy (MO)	Rothman
Hastings (FL)	McCarthy (NY)	Royal-Allard
Hefner	McDermott	Rush
Hilliard	McGovern	Sabo
Hinchey	McHale	Sanchez
Hinojosa	McIntyre	Sanders
Holden	McKinney	Sandlin
Hooley	McNulty	Sawyer
Hoyer	Meehan	Schumer
Jackson (IL)	Meek (FL)	Scott
Jackson-Lee	Meeks (NY)	Serrano
(TX)	Menendez	Sherman
Jefferson	Millender-	Skaggs
	McDonald	Slaughter
Johnson (WI)	Mink	Stabenow
Johnson, E.B.	Moakley	Stark
Kaptur	Mollohan	Strickland
Kennedy (MA)	Moran (VA)	Stupak
Kennedy (RI)	Nadler	Thompson
Kennelly	Nadler	Thurman
Kildee	Neal	Tierney
Kilpatrick	Oberstar	Torres
Kind (WI)	Obey	Towns
Klecza	Olver	Towns
Kucinich	Ortiz	Trafigant
LaFalce	Owens	Velazquez
Lampson	Pallone	Vento
Lantos	Pascarell	Waters
Levin	Pastor	Watt (NC)
Lewis (GA)	Payne	Waxman
Lofgren	Pomeroy	Wexler
Lowey	Price (NC)	Weygand
Maloney (CT)	Rahall	Wise
Maloney (NY)	Rangel	Woolsey
Markey	Reyes	Wynn
Martinez	Rivers	Yates

NOES—258

Aderholt	Dicks	Johnson, Sam
Archer	Doggett	Jones
Armey	Dooley	Kanjorski
Bachus	Doolittle	Kasich
Baker	Dreier	Kelly
Ballenger	Duncan	Kim
Barr	Dunn	King (NY)
Barrett (NE)	Ehlers	Kingston
Bartlett	Ehrlich	Klug
Barton	Emerson	Knollenberg
Bass	English	Kolbe
Bateman	Ensign	LaHood
Bentsen	Everett	Largent
Bereuter	Ewing	Latham
Berman	Fawell	LaTourette
Bilbray	Foley	Lazio
Bishop	Forbes	Leach
Bliley	Fossella	Lewis (CA)
Blunt	Fowler	Lewis (KY)
Boehlert	Fox	Linder
Boehner	Frank (MA)	Lipinski
Bonilla	Franks (NJ)	Livingston
Boswell	Galleghy	LoBiondo
Boyd	Ganske	Lucas
Brady	Gekas	Manton
Bryant	Gibbons	Manzullo
Bunning	Gilchrest	Matsui
Burr	Gillmor	McCollum
Burton	Gilman	McCrery
Buyer	Goode	McDade
Callahan	Goodlatte	McHugh
Calvert	Goodling	McInnis
Camp	Gordon	McIntosh
Campbell	Goss	McKeon
Canady	Granger	Metcalfe
Cannon	Greenwood	Miller (FL)
Castle	Gutknecht	Minge
Chabot	Hall (OH)	Moran (KS)
Chambliss	Hall (TX)	Morella
Chenoweth	Hamilton	Murtha
Christensen	Hansen	Myrick
Clement	Harman	Nethercutt
Coble	Hastert	Neumann
Coburn	Hastings (WA)	Ney
Collins	Hayworth	Northup
Combest	Hefley	Norwood
Condit	Hergert	Nussle
Cook	Hill	Oxley
Cooksey	Hillery	Packard
Costello	Hoekstra	Pappas
Cox	Horn	Parker
Cramer	Hostettler	Paul
Crane	Houghton	Pease
Crapo	Hulshof	Peterson (MN)
Cubin	Hunter	Peterson (PA)
Cunningham	Hutchinson	Petri
Davis (FL)	Hyde	Pickering
Davis (VA)	Inglis	Pickett
Deal	Istook	Pitts
DeLay	Jenkins	Pombo
Diaz-Balart	John	Porter
Dickey	Johnson (CT)	Portman

Pryce (OH)	Shaw	Tauscher
Quinn	Shays	Tauzin
Radanovich	Shimkus	Taylor (MS)
Ramstad	Shuster	Taylor (NC)
Redmond	Sisisky	Thomas
Regula	Skeen	Thornberry
Riley	Skelton	Thune
Roemer	Smith (MI)	Tiahrt
Rogan	Smith (OR)	Turner
Rogers	Smith (TX)	Upton
Rohrabacher	Smith, Adam	Visclosky
Ros-Lehtinen	Smith, Linda	Walsh
Roukema	Snowbarger	Wamp
Royce	Snyder	Watkins
Ryun	Solomon	Watts (OK)
Salmon	Souder	Weldon (FL)
Sanford	Spence	Weldon (PA)
Saxton	Spratt	Weller
Scarborough	Stearns	White
Schaefer, Dan	Stenholm	Whitfield
Schaffer, Bob	Stump	Wicker
Sensenbrenner	Sununu	Wolf
Sessions	Talent	Young (AK)
Shadegg	Tanner	Young (FL)

NOT VOTING—18

Brown (FL)	Hobson	Pelosi
Conyers	Klink	Poshard
Ford	Luther	Riggs
Frelinghuysen	Mica	Schiff
Gonzalez	Miller (CA)	Smith (NJ)
Graham	Paxon	Stokes

So the amendment was not agreed to. The SPEAKER pro tempore, Mr. WICKER, assumed the Chair.

When Mr. LAZIO, Acting Chairman, pursuant to House Resolution 367, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Agency Compliance Act".

SEC. 2. PROHIBITING INTRACIRCUIT AGENCY NONACQUESCENCE IN APPELLATE PRECEDENT.

(a) IN GENERAL.—Chapter 7 of title 5, United States Code, is amended by adding at the end the following:

"§ 707. Adherence to court of appeals precedent

"(a) Except as provided in subsection (b), an agency (as defined in section 701(b)(1) of this title) shall, in administering a statute, rule, regulation, program, or policy within a judicial circuit, adhere to the existing precedent respecting the interpretation and application of such statute, rule, regulation, program, or policy, as established by the decisions of the United States court of appeals for that circuit. All officers and employees of an agency, including administrative law judges, shall adhere to such precedent.

"(b) An agency is not precluded under subsection (a) from taking a position, either in administration or litigation, that is at variance with precedent established by a United States court of appeals if—

"(1) it is not certain whether the administration of the statute, rule, regulation, program, or policy will be subject to review by the court of appeals that established that precedent or a court of appeals for another circuit;

"(2) the Government did not seek further review of the case in which that precedent was first established, in that court of appeals or the United States Supreme Court, because neither the United States nor any agency or officer thereof was a party to the case or because the decision establishing that preced-

ent was otherwise substantially favorable to the Government; or

"(3) it is reasonable to question the continued validity of that precedent in light of a subsequent decision of that court of appeals or the United States Supreme Court, a subsequent change in any pertinent statute or regulation, or any other subsequent change in the public policy or circumstances on which that precedent was based."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of title 5, United States Code, is amended by adding at the end of following new item:

"707. Adherence to court of appeals precedent."

SEC. 3. PREVENTING UNNECESSARY AGENCY RELITIGATION IN MULTIPLE CIRCUITS.

(a) IN GENERAL.—Chapter 7 of title 5, United States Code, as amended by section 2(a), is amended by adding at the end the following:

"§ 708. Supervision of litigation; limiting unnecessary relitigation of legal issues

"(a) In supervising the conduct of litigation, the officers of any agency of the United States authorized to conduct litigation, including the Department of Justice acting under sections 516 and 519 of title 28, United States Code, shall ensure that the initiation, defense, and continuation of proceedings in the courts of the United States within, or subject to the jurisdiction of, a particular judicial circuit avoids unnecessarily repetitive litigation on questions of law already consistently resolved against the position of the United States, or an agency or officer thereof, in precedents established by the United States courts of appeals for 3 or more other judicial circuits.

"(b) Decisions on whether to initiate, defend, or continue litigation for purposes of subsection (a) shall take into account, among other relevant factors, the following:

"(1) The effect of intervening changes in pertinent law or the public policy or circumstances on which the established precedents were based.

"(2) Subsequent decisions of the United States Supreme Court or the courts of appeals that previously decided the relevant question of law.

"(3) The extent to which that question of law was fully and adequately litigated in the cases in which the precedents were established.

"(4) The need to conserve judicial and other parties' resources.

"(c) The Attorney General shall report annually to the Committees on the Judiciary of the Senate and the House of Representatives on the efforts of the Department of Justice and other agencies to comply with subsection (a).

"(d) A decision on whether to initiate, defend, or continue litigation is not subject to review in a court, by mandamus or otherwise, on the grounds that the decision violates subsection (a)."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of title 5, United States Code, as amended by section 2(b), is amended by adding at the end of following new item:

"708. Supervision of litigation; limiting unnecessary relitigation of legal issues."

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. WICKER, announced that the yeas had it.

Mr. GEKAS demanded a recorded vote on passage of said bill 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 { Yeas 241
affirmative { Nays 176

¶9.19 [Roll No. 24]
AYES—241

Aderholt	Gibbons	Packard
Archer	Gilchrest	Pappas
Armey	Gillmor	Parker
Bachus	Gilman	Pascrell
Baker	Goode	Paul
Ballenger	Goodlatte	Pease
Barrett (NE)	Goodling	Peterson (MN)
Bartlett	Goss	Peterson (PA)
Barton	Graham	Petri
Bass	Granger	Pickering
Bateman	Greenwood	Pickett
Bentsen	Gutknecht	Pitts
Bereuter	Hall (OH)	Pombo
Berry	Hall (TX)	Porter
Bilbray	Hamilton	Pryce (OH)
Bilirakis	Hansen	Ramstad
Bishop	Harman	Redmond
Bliley	Hastert	Regula
Blunt	Hastings (WA)	Riley
Boehkert	Hefley	Roemer
Boehner	Hill	Rogers
Bonilla	Hilleary	Ros-Lehtinen
Boswell	Hobson	Roukema
Boucher	Hoekstra	Ryun
Boyd	Holden	Sanchez
Brady	Horn	Sandlin
Bryant	Houghton	Sanford
Burr	Hoyer	Saxton
Buyer	Hulshof	Schaefer, Dan
Callahan	Hunter	Schaffer, Bob
Camp	Hutchinson	Sensenbrenner
Canady	Hyde	Sessions
Cannon	Inglis	Shaw
Cardin	Istook	Shays
Castle	Jenkins	Sherman
Chabot	John	Shimkus
Chambliss	Johnson (CT)	Shuster
Chenoweth	Johnson, Sam	Sisisky
Christensen	Jones	Skeen
Clement	Kasich	Skelton
Coble	Kelly	Smith (MI)
Coburn	Kim	Smith (OR)
Collins	King (NY)	Smith (TX)
Combest	Klug	Smith, Adam
Condit	Knollenberg	Smith, Linda
Cook	Kolbe	Snowbarger
Cooksey	LaHood	Snyder
Cramer	Largent	Solomon
Crane	Latham	Souder
Crapo	LaTourette	Spence
Cubin	Lazio	Stearns
Cunningham	Leach	Stenholm
Danner	Lewis (KY)	Strickland
Davis (FL)	Linder	Stump
Davis (VA)	Livingston	Sununu
Deal	Lofgren	Talent
DeFazio	Lucas	Tanner
Diaz-Balart	Manzullo	Tauscher
Dickey	Matsui	Tauzin
Dooley	McCarthy (NY)	Taylor (MS)
Doyle	McCollum	Taylor (NC)
Duncan	McCrery	Thornberry
Dunn	McInnis	Thune
Ehlers	McIntosh	Tiahrt
Ehrlich	McKeon	Traficant
Emerson	Metcalfe	Turner
English	Miller (FL)	Upton
Everett	Minge	Walsh
Ewing	Moran (KS)	Watkins
Fawell	Moran (VA)	Watts (OK)
Fazio	Morella	Weldon (FL)
Foley	Murtha	Weldon (PA)
Forbes	Myrick	Weller
Fowler	Nethercutt	White
Fox	Neumann	Whitfield
Franks (NJ)	Ney	Wicker
Frelinghuysen	Northup	Wolf
Furse	Norwood	Young (AK)
Galleghy	Nussle	Young (FL)
Ganske	Ortiz	
Gekas	Oxley	

NOES—176

Abercrombie	Allen	Baessler
Ackerman	Andrews	Baldacci

Barcia	Hinojosa	Owens
Barr	Hooley	Pallone
Barrett (WI)	Hostettler	Pastor
Becerra	Jackson (IL)	Payne
Berman	Jackson-Lee	Pomeroy
Blagojevich	(TX)	Portman
Blumenauer	Jefferson	Price (NC)
Bonior	Johnson (WI)	Quinn
Borski	Johnson, E. B.	Radanovich
Brown (CA)	Kanjorski	Rahall
Brown (OH)	Kaptur	Rangel
Bunning	Kennedy (MA)	Reyes
Burton	Kennedy (RI)	Riggs
Calvert	Kennelly	Rivers
Campbell	Kildee	Rodriguez
Carson	Kilpatrick	Rogan
Clay	Kind (WI)	Rohrabacher
Clayton	Kingston	Rothman
Clyburn	Kleczka	Roybal-Allard
Conyers	Kucinich	Royce
Costello	LaFalce	Rush
Cox	Lampson	Sabon
Coyne	Lantos	Salmon
Cummings	Levin	Sanders
Davis (IL)	Lewis (CA)	Sawyer
DeGette	Lewis (GA)	Scarborough
Delahunt	Lipinski	Schumer
DeLauro	LoBiondo	Scott
DeLay	Lowe	Serrano
Deutsch	Maloney (CT)	Shadegg
Dicks	Maloney (NY)	Skaggs
Dingell	Manton	Slaughter
Dixon	Markey	Spratt
Doggett	Martinez	Stabenow
Doolittle	Mascara	Stark
Dreier	McCarthy (MO)	Stokes
Edwards	McDade	Stupak
Engel	McDermott	Thomas
Ensign	McGovern	Thompson
Eshoo	McHale	Thurman
Etheridge	McHugh	Tierney
Evans	McIntyre	Torres
Farr	McKinney	Towns
Fattah	McNulty	Velazquez
Filner	Meehan	Vento
Fossella	Meeke (FL)	Visclosky
Frank (MA)	Meeke (NY)	Wamp
Frost	Menendez	Waters
Gejdenson	Millender	Watt (NC)
Gephardt	McDonald	Waxman
Green	Mink	Wexler
Gutierrez	Moakley	Weygand
Hastings (FL)	Mollohan	Wise
Hayworth	Nadler	Woolsey
Hefner	Neal	Wynn
Herger	Oberstar	Yates
Hilliard	Obey	
Hinchee	Olver	

NOT VOTING—13

Brown (FL)	Luther	Poshard
Ford	Mica	Schiff
Gonzalez	Miller (CA)	Smith (NJ)
Gordon	Paxon	
Klink	Pelosi	

So the bill was passed.

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

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

¶9.20 PROVIDING FOR THE
CONSIDERATION OF H.R. 2460

Ms. PRYCE, by direction of the Committee on Rules, reported (Rept. No. 105-421) the resolution (H. Res. 368) providing for consideration of the bill (H.R. 2460) to amend title 18, United States Code, with respect to scanning receivers and similar devices.

When said resolution and report were referred to the House Calendar and ordered printed.

¶9.21 COMMITTEE ELECTION—MINORITY

Mr. FAZIO, by direction of the Democratic Caucus, submitted the following privileged resolution (H. Res. 369):

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

Committee on Small Business: Ms. VELAZQUEZ to rank directly above Mr. SISKY.

Committee on Banking and Financial Services: That the powers and duties conferred upon the ranking minority members by House rules shall be exercised by the next senior member until otherwise ordered by the House.

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.

¶9.22 MESSAGE FROM THE PRESIDENT—
NATIONAL EMERGENCY WITH RESPECT
TO CUBA

The SPEAKER pro tempore, Mr. WICKER, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the emergency declared with respect to the Government of Cuba's destruction of two unarmed U.S.-registered civilian aircraft in international airspace north of Cuba on February 24, 1996, is to continue in effect beyond March 1, 1998, to the *Federal Register* for publication.

WILLIAM J. CLINTON.

THE WHITE HOUSE, February 25, 1998.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 105-218).

¶9.23 MESSAGE FROM THE PRESIDENT—
LOAN GUARANTEES TO ISRAEL

The SPEAKER pro tempore, Mr. WICKER, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

The attached report to the Congress on the Loan Guarantees to Israel Program was completed on December 31, 1997. Since then there have been several key, positive economic developments in Israel that I wanted to communicate to the Congress.

The Israeli Knesset passed its 1998 budget on January 5. The final budget adhered to the deficit target of 2.4 percent of gross domestic product (GDP) set by the Israeli Cabinet in August 1997, and established a spending target of 46.3 percent of GDP (down from 47.3 percent in 1997), without resorting to additional taxes. Furthermore, due partially to the mid-year spending cuts discussed in the report, the Government of Israel overperformed the 1997 deficit target of 2.8 percent of GDP by a significant margin; the 1997 budget