

Service's final rule—Source and Grouping Rules for Foreign Sales Corporation Transfer Pricing [Docket No. REG-102144-98] (RIN: 1545-AV90) received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7717. A letter from the Chairman, U.S. Merit Systems Protection Board, transmitting the appropriation justification for the U.S. Merit Systems Protection Board(MSPB) for fiscal year 1999; jointly to the Committees on Government Reform and Oversight and Appropriations.

¶13.4 PROVIDING FOR THE CONSIDERATION OF H.R. 856

Mr. SOLOMON, by direction of the Committee on Rules, called up the following resolution (H. Res. 376):

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. 856) to provide a process leading to full self-government for Puerto Rico. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed ninety minutes equally divided and controlled by Representative Young of Alaska, Representative Miller of California, Representative Solomon of New York, and Representative Gutierrez of Illinois or their designees. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment recommended by the Committee on Resources now printed in the bill, 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 printed in the Congressional Record and numbered 1 pursuant to clause 6 of rule XXIII. That amendment in the nature of a substitute shall be considered as read. Points of order against that amendment in the nature of a substitute for failure to comply with clause 5(a) or rule XXI are waived.

SEC. 2. (a) Before consideration of any other amendment, it shall be in order to consider the amendment printed in the Congressional Record and numbered 3 pursuant to clause 6 of rule XXIII. Consideration of that amendment shall be preceded by an additional period of general debate, which shall be confined to the subject of that amendment and shall not exceed one hour equally divided and controlled by Representative Solomon of New York and a Member opposed to that amendment.

(b) Consideration of the amendment printed in the Congressional Record and numbered 2 pursuant to clause 6 of rule XXIII shall be preceded by an additional period of general debate, which shall be confined to the subject of that amendment and shall not exceed thirty minutes equally divided and controlled by Representative Serrano of New York and a Member opposed to that amendment.

(c) Amendments specified in subsections (a) and (b) of this resolution shall be considered as read and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. Consideration of those amendments, and all amendments thereto, shall not exceed one hour.

SEC. 3. 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 amendment in the nature of a substitute made in order as original text. 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.

When said resolution was considered. After debate,

By unanimous consent, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, *viva voce*,

Will the House agree to said resolution?

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

Mr. WICKER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 370
Nays 41

¶13.5 [Roll No. 27] YEAS—370

Abercrombie
Ackerman
Allen
Andrews
Armey
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bilely
Blumenauer
Blunt
Boehkert
Boehner
Bonilla
Bonior
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bunning
Burr

Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Cardin
Castle
Chambliss
Christensen
Clay
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Cox
Coyne
Cramer
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart

Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Fawell
Fazio
Filner
Foley
Forbes
Ford
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gilchrist
Gillmor
Gilman
Goodlatte

Gordon
Goss
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefner
Herger
Hill
Hilliard
Hinchee
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Klecicka
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
Lampson
Lantos
Largent
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Lucas
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey

Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeke (NY)
Menendez
Mica
Millender
McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Nussle
Oberstar
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Reyes
Riggs
Rivers
Rodriguez
Roemer

NAYS—41

Hefley
Hilleary
Istook
Jenkins
Jones
Kingston
LaHood
Latham
Lewis (KY)
Metcalf
Norwood
Obey
Petri
Regula

Rohrabacher
Rothman
Roukema
Roybal-Allard
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schumer
Scott
Serrano
Shadegg
Shaw
Shays
Sherman
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Snowbarger
Snyder
Solomon
Souder
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tierney
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—19

Table with 3 columns: Name, State (RI), and Name. Includes Chenoweth, Kennedy, Shimkus, Doolittle, Luther, Stark, Ewing, Poshard, Tiahart, Frank (MA), Rogan, Torres, Gibbons, Ros-Lehtinen, Towns, Gonzalez, Scarborough, Harman, Schiff.

So 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.

13.6 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

13.7 PROVIDING FOR THE CONSIDERATION OF H.R. 2369

Ms. PRYCE, by direction of the Committee on Rules, reported (Rept. No. 105-427) the resolution (H. Res. 377) providing for the consideration of the bill (H.R. 2369) to amend the Communications Act of 1934 to strengthen and clarify prohibitions on electronic eavesdropping, and for other purposes.

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

13.8 PROVIDING FOR THE CONSIDERATION OF H.R. 3130

Ms. PRYCE, by direction of the Committee on Rules, reported (Rept. No. 105-428) the resolution (H. Res. 378) providing for consideration of the bill (H.R. 3130) to provide for an alternative penalty procedure for States that fail to meet Federal child support data processing requirements, to reform Federal incentive payments for effective child support performance, and to provide for a more flexible penalty procedure for States that violate inter-jurisdictional adoption requirements.

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

13.9 PUERTO RICO SELF-GOVERNMENT

The SPEAKER pro tempore, Mr. PEASE, pursuant to House Resolution 376 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. 856) to provide a process leading to full self-government for Puerto Rico.

The SPEAKER pro tempore, Mr. PEASE, by unanimous consent, designated Mr. DIAZ-BALART as Chairman of the Committee of the Whole; and after some time spent therein,

13.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. GUTIERREZ to the amendment submitted by Mr. SOLOMON:

Amendment submitted by Mr. GUTIERREZ:

Amendment offered by Mr. GUTIERREZ to the amendment offered by Mr. SOLOMON:

In the amendment proposed to section 4(a) of the bill, in lieu of the text proposed to be

inserted as paragraph (7) of subparagraph C of the referendum language, insert the following:

"(7) Spanish is an official language of Puerto Rico and its only vernacular language and as such is the official language of business and communication—

"(A) in the State government, courts, schools, and agencies; and

"(B) in Federal courts and agencies when such courts and agencies are acting in or with regard to Puerto Rico."

Amendment submitted by Mr. SOLOMON:

At the end of section 2, add the following paragraph:

(16) In 1996, the United States House of Representatives overwhelmingly declared that "the official language of the Federal Government is English". According to the 1990 United States Census, less than 24 percent of the citizens of Puerto Rico speak English fluently. The enhancement of English as the official language of Puerto Rico is consistent not only with this statement of policy, but also with the preservation of our Nation's unity in diversity and the prevention of divisions along linguistic lines. Proficiency in the English language is necessary for all citizens to enjoy the full rights and benefits of their citizenship as guaranteed by the Constitution and to contribute most effectively to the Nation in all aspects. Conducting the business of Federal and State governments in English is the best way to promote efficiency and fairness to every citizen. Only proficiency in English can provide all Americans the enjoyment of the rights and benefits of full participation in the American economy and union.

Strike subsection (b) of section 3 and insert the following new subsection:

(b) OFFICIAL LANGUAGE.—The official language of the Federal Government is English. The legislature of Puerto Rico has established a bilingual policy by making both Spanish and English official languages of Puerto Rico, but has continued to operate its government solely in Spanish, as the majority of the people in Puerto Rico are not proficient in English. In the event that the referenda held under this Act results in approval of a request to Congress that Puerto Rico be admitted to the Union as a State and the Congress approves such statehood, English will be the sole official language of all Federal Government activities in Puerto Rico and, unless otherwise provided by generally applicable Federal law, all communications with the Federal Government by the Government or people of Puerto Rico will be in English. This Act, the procedures authorized by this Act, and the possible accession of Puerto Rico to statehood do not create or alter any rights of a person to government services in languages other than English.

In section 4(a), strike paragraph (7) of subparagraph C of the referendum language and insert the following new paragraph:

"(7) English is the official language of all business and communication of the Federal Government of the United States and all communications with the Federal Government will be in English unless generally applicable Federal law provides otherwise. Puerto Rico, as a State, promotes English as the official language of the State government, courts, and agencies. English is the language of instruction in public schools."

Strike subparagraph (C) of section 4(b)(1) and insert the following new subparagraph:

(C) Additionally, in the event of a vote in favor of United States sovereignty leading to statehood, the President shall include in the transition plan provided for in this Act that the Federal and State governments implement programs and incentives to promote

the acquisition and usage of English by the citizens of Puerto Rico, including but not limited to, teaching in English in public schools, the availability of fellowships and scholarships to increase the opportunities of the people of Puerto Rico to learn to speak, read, write, and understand English, and the provision of educational instruction in English to persons not in schools.

Table with 2 columns: Item and Count. It was decided in the negative 13 Yeas 406 Nays 406 Answered present 1

13.11 [Roll No. 28]

AYES—13

Table with 3 columns: Name, Name, Name. Conyers, Davis (IL), Gutierrez, Kennedy (MA), McKinney, Meeks (NY), Owens, Pastor, Payne, Rush, Serrano, Towns, Velazquez.

NOES—406

Large table with 3 columns: Name, Name, Name. Includes Abercrombie, Ackerman, Aderholt, Allen, Andrews, Archer, Army, Bachus, Baesler, Baker, Baldacci, Ballenger, Barcia, Barr, Barrett (NE), Barrett (WI), Bartlett, Barton, Bass, Bateman, Becerra, Bentsen, Bereuter, Berman, Berry, Bilbray, Bilirakis, Bishop, Blagojevich, Bliley, Blumenauer, Blunt, Boehlert, Boehner, Bonilla, Bonior, Borski, Boswell, Boucher, Boyd, Brady, Brown (CA), Brown (FL), Brown (OH), Bryant, Bunning, Burr, Burton, Buyer, Callahan, Calvert, Camp, Campbell, Canady, Cannon, Cardin, Carson, Castle, Chabot, Chambliss, Chenoweth, Christensen, Clay, Clayton, Clement, Clyburn, Coble, Coburn, Collins, Combust, Condit, Cook, Cooksey, Costello, Cox, Coyne, Cramer, Crane, Crapo, Crub, Cummings, Cunningham, Danner, Davis (FL), Davis (VA), Deal, DeFazio, DeGette, Delahunt, DeLauro, DeLay, Deutsch, Diaz-Balart, Dickey, Dicks, Dingell, Dixon, Doggett, Dooley, Doyle, Dreier, Duncan, Dunn, Edwards, Ehlers, Ehrlich, Emerson, Engel, English, Ensign, Eshoo, Etheridge, Evans, Everett, Ewing, Farr, Fattah, Fawell, Fazio, Filner, Foley, Forbes, Ford, Fossella, Fowler, Fox, Frank (MA), Franks (NJ), Frelinghuysen, Frost, Furse, Gallegly, Ganske, Gejdenson, Gekas, Gephardt, Gibbons, Gilchrest, Gillmor, Gilman, Goode, Goodlatte, Goodling, Gordon, Goss, Graham, Granger, Green, Greenwood, Gutknecht, Hall (OH), Hall (TX), Hamilton, Hansen, Hastert, Hastings (FL), Hastings (WA), Hayworth, Hefley, Hefner, Herger, Hill, Hilleary, Hilliard, Hinchey, Hinojosa, Hobson, Hoekstra, Holden, Hooley, Horn, Hostettler, Houghton, Hoyer, Hulshof, Hunter, Hutchinson, Hyde, Inglis, Istook, Jackson (IL), Jackson-Lee (TX), Jefferson, Jenkins, John, Johnson (CT), Johnson (WI), Johnson, E. B., Johnson, Sam, Jones, Kanjorski, Kaptur, Kasich, Kelly, Kennedy (RI), Kennelly, Kildee, Kim, Kind (WI), King (NY), Kingston, Kleczka, Klink, Klug, Knollenberg, Kolbe, Kucinich, LaFalce, LaHood, Lampson, Lantos, Largent, Latham, LaTourette, Lazio, Leach, Levin, Lewis (CA), Lewis (GA), Lewis (KY), Linder.