

H.R. 2938: Mr. WICKER and Mr. DEUTSCH.

H.R. 2941: Mr. SMITH of New Jersey and Mr. COBURN.

H.R. 2951: Ms. BROWN of Florida, Mr. POMEROY, Mr. BALDACCIO, Mr. FALEOMAVAEGA, Mr. PRICE of North Carolina, Mr. SHADEGG, Ms. FURSE, Mr. DAVIS of Illinois, and Mr. SANDLIN.

H.R. 2968: Mrs. MYRICK, Mr. BOEHNER, Mr. COOKSEY, Mr. CAMPBELL, and Mr. EHLERS.

H.R. 2973: Ms. HOOLEY of Oregon, Mr. STUPAK, Mr. DEFAZIO, and Mr. BARRETT of Nebraska.

H.R. 2981: Ms. LOFGREN and Mr. MILLER of California.

H.R. 2992: Mr. BRYANT.

H.R. 3007: Ms. LOFGREN, Mr. CALVERT, Mr. KUCINICH, and Mr. LUTHER.

H.R. 3027: Mr. LEWIS of Georgia.

H.R. 3028: Mr. LEWIS of Georgia.

H.R. 3029: Mr. HOUGHTON.

H.R. 3086: Ms. LOFGREN, Mr. BALLENGER, Mr. MORAN of Virginia, and Mr. SAWYER.

H.R. 3097: Mr. HUNTER, Mr. BARTON of Texas, Mr. COLLINS, Mr. HASTINGS of Washington, Mr. BUNNING of Kentucky, Mr. LATOURETTE, Mr. LIVINGSTON, Mr. SAM JOHNSON, and Mr. ARMEY.

H.R. 3103: Mr. GIBBONS, Mr. SESSIONS, and Mr. JENKINS.

H.R. 3144: Mr. ENGLISH of Pennsylvania.

H.R. 3158: Mr. GILMAN.

H.R. 3161: Mr. WEXLER and Mr. GUTKNECHT.

H.R. 3162: Mr. ENGLISH of Pennsylvania.

H.R. 3205: Mr. GEJDENSON.

H.R. 3216: Ms. LOFGREN, Mr. HALL of Ohio, Mr. SANDLIN, and Ms. FURSE.

H.R. 3224: Mr. CALVERT and Mr. FALEOMAVAEGA.

H.R. 3228: Mr. DAVIS of Florida.

H.R. 3240: Mr. HILLIARD, Mr. BROWN of California, Mr. YATES, Mrs. MINK of Hawaii, Mr. GUTIERREZ, and Mr. FALEOMAVAEGA.

H.R. 3251: Mr. DICKS, Mr. HASTINGS of Florida, Mr. ANDREWS, Mr. NEAL of Massachusetts, Ms. WOOLSEY, Mr. BONIOR, Mr. NADLER, Mr. EVANS, Mr. GILMAN, Mr. ACKERMAN, Mr. HINCHEY, Mr. CAMPBELL, and Mr. LEWIS of Georgia.

H.R. 3254: Mr. ROGAN.

H.R. 3260: Mr. LATOURETTE, Mr. KNOLLENBERG, Mr. ENGLISH of Pennsylvania, Mr. BARRETT of Wisconsin, Mr. KLECZKA, Mr. REGULA, Mr. GILLMOR, Ms. STABENOW, Mr. COBLE, and Mr. LAHOOD.

H.R. 3269: Mr. FALEOMAVAEGA, Mr. FILNER, Mr. FROST, Mr. CLYBURN, and Mr. LEWIS of Georgia.

H.R. 3282: Mr. SUNUNU.

H.R. 3287: Ms. WOOLSEY and Mr. WEYGAND.

H.R. 3288: Mr. BACHUS and Mr. REDMOND.

H.R. 3291: Mr. BOYD, Mr. SAWYER, and Mr. NETHERCUTT.

H.J. Res. 78: Mr. GALLEGLY.

H. Con. Res. 14: Mr. TOWNS.

H. Con. Res. 27: Mr. FRANK of Massachusetts, Mr. PASTOR, and Mr. WAXMAN.

H. Con. Res. 41: Mr. BRYANT.

H. Con. Res. 125: Mr. CALVERT and Mr. ROHRBACHER.

H. Con. Res. 195: Ms. EDDIE BERNICE JOHNSON of Texas.

H. Con. Res. 211: Mr. HOSTETTLER.

H. Con. Res. 215: Mr. SNYDER, Mr. HILLIARD, Mr. RADANOVICH, Mr. BOEHNER, Mr. JEFFERSON, and Mr. FALEOMAVAEGA.

H. Con. Res. 219: Mr. GREEN, Mr. BONIOR, Mr. LANTOS, Mr. BERMAN, Mr. CALVERT, Mr. MILLER of Florida, Mr. WEXLER, Mr. FALEOMAVAEGA, Mr. CUNNINGHAM, Mr. DEUTSCH, and Mr. SHERMAN.

H. Res. 267: Mrs. MYRICK.

H. Res. 312: Ms. FURSE, Mr. ROHRBACHER, Ms. ROYBAL-ALLARD, and Mrs. TAUSCHER.

H. Res. 358: Mrs. CLAYTON.

H. Res. 364: Mr. PORTER and Mr. BERREUTER.

## THURSDAY, MARCH 5, 1998 (14)

### ¶14.1 DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

March 5, 1998.

I hereby designate the Honorable KEN CALVERT to act as Speaker pro tempore on this day.

NEWT GINGRICH,

*Speaker of the House of Representatives.*

### ¶14.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. CALVERT, announced he had examined and approved the Journal of the proceedings of Wednesday, March 4, 1998.

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

### ¶14.3 COMMUNICATIONS

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

7718. A letter from the Administrator, Farm Service Agency, transmitting the Agency's final rule—Amendment to the Tobacco Marketing Quota Regulations (RIN: 0560-AE96) received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7719. A letter from the Administrator, Food Safety and Inspection Service, transmitting the Service's final rule—Use of Binders in "Ham with Natural Juices" Products [Docket No. 96-040F] (RIN: 0583-AC29) received March 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7720. A letter from the Manager Federal Crop Insurance Corporation, Risk Management Agency, transmitting the Agency's final rule—General Crop Insurance Regulations; Table Grape Crop Insurance Regulations and Common Crop Insurance Regulations; Table Grape Crop Insurance Provisions [7 CFR Parts 441 and 457] received March 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7721. A letter from the Manager, Federal Crop Insurance Corporation, Risk Management Agency, transmitting the Agency's final rule—General Crop Insurance Regulations, Safflower Seed Crop Insurance Endorsement; and Common Crop Insurance Regulations, Safflower Crop Insurance Provisions (RIN: 0563-AA79) March 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7722. A letter from the Manager, Federal Crop Insurance Corporation, Risk Management Agency, transmitting the Agency's final rule—General Administrative Regulations; Ineligibility for Programs Under the General Crop Insurance Act (RIN: 0563-AB01) received March 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7723. A letter from the Manager, Federal Crop Insurance Corporation, Risk Management Agency, transmitting the Agency's final rule—Common Crop Insurance Regulations; Pear Crop Insurance Provisions (RIN: 0563-AB03) received February 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7724. A letter from the Deputy Director for Policy and Programs, Community Development Financial Institutions Fund, transmitting the Institution's final rule—Bank En-

terprise Award Program (RIN: 1505-AA71) received February 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7725. A letter from the General Counsel, Department of Housing and Urban Development, transmitting the Department's final rule—Hispanic-Serving Institutions Work Study Program [Docket No. FR-4269-I-01] (RIN: 2528-AA07) received February 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7726. A letter from the General Counsel, Department of Housing and Urban Development, transmitting the Department's final rule—Manufactured Home Tires, Parts and Accessories Necessary for Safe Operation; and Manufactured Home Construction and Safety Standards [Docket No. FR-3943-F-02] received February 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7727. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Determination of Economically Depressed Regions (RIN: 3064-AB08) received March 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7728. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Reclassification; Fairbanks, Alaska Non-attainment Area; Carbon Monoxide [AK 17-1705;FRL-5971-4] received February 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7729. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to National Emission Standards for Hazardous Air Pollutant Emissions; Group IV Polymers and Resins; Correction of Effective Date Under Congressional Review Act (CRA) [FRL-5963-8] received February 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7730. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plan for Texas: General Conformity Rules [TX 62-1-7271A ; FRL-5971-7] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7731. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, San Diego County Air Pollution Control District [CA-011-0063; FRL-5966-8] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7732. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants Arkansas; Revisions and Regulations [AR-2-2-5972a; FRL-5954-4] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7733. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Priorities List for Uncontrolled Hazardous Waste Sites [FRL-5973-9] received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7734. A letter from the Director, Office of Regulatory Management and Information,

Environmental Protection Agency, transmitting the Agency's final rule—Protection of Stratospheric Ozone: Manufacture of Halon Blends, Intentional Release of Halon, Technician Training and Disposal of Halon and Halon-Containing Equipment (RIN: 2060-AH44) received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

7735. A communication from the President of the United States, transmitting a report on Chemical and Biological Weapons Defense, pursuant to Condition 11(F) of the resolution of advice and consent to ratification of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, adopted by the Senate of the United States on April 24, 1997; (H. Doc. No. 105-224); to the Committee on International Relations and ordered to be printed.

7736. A letter from the Executive Director, Federal Labor Relations Authority, transmitting a report of activities under the Freedom of Information Act for the calendar year 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

7737. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Retirement and Insurance—Exemption From Continuity Of Coverage Requirements For Certain Decennial Census Employees With Dual Appointments (RIN: 3206-AI12) received March 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

7738. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Retirement and Insurance Benefits When An Annuitant Is Missing (RIN: 3206-AH75) received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

7739. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Supplemental Regulations for Administration of Midway Atoll National Wildlife Refuge (RIN: 1018-AE19) received March 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7740. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, transmitting the Office's final rule—Abandoned Mine Land Reclamation Fund Reauthorization Implementation (RIN: 1029-AB93) received February 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7741. A letter from the Acting Assistant Secretary, Employment and Training, Department of Labor, transmitting the Department's final rule—Procedures for H-2B Temporary Labor Certification in Non-agricultural Occupations [Title 20 CFR Parts 652, 655 and 656.40, 8 CFR 214.2(h), 408 FR 2587, GAL No. 1-95] received February 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7742. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Alexander Schleicher Segelflugzeugbau Model ASW-19 Sailplanes [Docket No. 97-CE-101-AD; Amendment 39-10357; AD 98-04-46] (RIN: 2120-AA64) received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7743. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA-Groupe AEROSPATIALE Models TB9, TB10, and TB200 Airplanes [Docket No. 95-CE-70-AD; Amendment 39-10358; AD 98-04-47] (RIN: 2120-AA64) received March 3, 1998, pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7744. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Glaser-Dirks Flugzeugbau GmbH Model DG-500M Gliders [Docket No. 97-CE-131-AD; Amendment 39-10342; AD 98-04-30] (RIN: 2120-AA64) received March 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7745. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F.28 Mark 0070 and F.28 Mark 0100 Series Airplanes [Docket No. 97-NM-274-AD; Amendment 39-10361; AD 98-04-50] (RIN: 2120-AA64) received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7746. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of VOR Federal Airway V-204; Yakima, WA [Airspace Docket No. 97-ANM-22] (RIN: 2120-AA66) received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7747. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney PW4164, PW4168, and PW4168A Series Turbofan Engines [Docket No. 97-ANE-44-AD; Amendment 39-10326; AD 98-04-14] (RIN: 2120-AA64) received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7748. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model SA-366G1 Helicopters [Docket No. 97-SW-09-AD; Amendment 39-10363; AD 98-05-01] (RIN: 2120-AA64) received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7749. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Model 750 Airplanes [Docket No. 98-NM-38-AD; Amendment 39-10364; AD 98-05-02] (RIN: 2120-AA64) received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7750. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100) Series Airplanes [Docket No. 96-NM-108-AD; Amendment 39-10356; AD 98-04-45] (RIN: 2120-AA64) received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7751. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospatiale Model ATR72 Series Airplanes [Docket No. 97-NM-280-AD; Amendment 39-10354; AD 98-04-43] (RIN: 2120-AA64) received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7752. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Hull Examination Alternatives for Passenger Vessels [USCG-1998-3569] received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7753. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operations Regulations; Tacoma Harbor, WA

[CGD13-98-001] (RIN: 2115-AE47) received March 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7754. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Withdrawal from Federal Regulations of the Applicability to Alaska's Waters of Arsenic Human Health Criteria [FRL 5971-9] received February 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7755. A letter from the Chief, Regulations Branch, U.S. Customs Service, transmitting the Service's final rule—Update of Ports Subject to the Harbor Maintenance Fee [T.D. 97-45] (RIN: 1515-AA57) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7756. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Compensation for Certain Undiagnosed Illnesses (RIN: 2900-AI77) received March 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

7757. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Treatment of Research-Related Injuries to Human Subjects (RIN: 2900-AH68) received March 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

7758. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Change from dollar approximate separate transactions method of accounting/change (DASTM) to the profit and loss method of accounting/change from the profit and loss method to DASTM [TD 8765] (RIN: 1545-AI24; 1545-AS68) received March 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7759. A letter from the Chief Counsel, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 98-15] received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7760. A letter from the Chief, Regulations Branch, U.S. Customs Service, transmitting the Service's final rule—Addition of Midland International Airport to List of Designated Landing Locations for Private Aircraft [T.D. 97-35] received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7761. A letter from the Chief, Regulations Branch, U.S. Customs Service, transmitting the Service's final rule—Establishment of Port of Entry at Spirit of St. Louis Airport [T. D. 97-7] received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### ¶14.4 PROVIDING FOR THE

CONSIDERATION OF H.R. 2369

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 377):

*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. 2369) to amend the Communications Act of 1934 to strengthen and clarify prohibitions on electronic eavesdropping, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration

of the bill for failure to comply with clause 2(l)(6) of rule XI 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 Commerce. 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 Commerce now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. 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. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

When said resolution was considered. After debate,

On motion of Mrs. MYRICK, 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.

¶14.5 WIRELESS PRIVACY ENHANCEMENT

The SPEAKER pro tempore, Mrs. MYRICK, pursuant to House Resolution 377 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. 2369) to amend the Communications Act of 1934 to strengthen and clarify prohibitions on electronic eavesdropping, and for other purposes.

The SPEAKER pro tempore, Mrs. MYRICK, by unanimous consent, designated Mr. CALVERT as Chairman of the Committee of the Whole; and after some time spent therein,

After some further time, The SPEAKER pro tempore, Mr. BOEHNER, assumed the Chair.

When Mr. CALVERT, Chairman, pursuant to House Resolution 377, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Wireless Privacy Enhancement Act of 1998".

SEC. 2. COMMERCE IN ELECTRONIC EAVES-DROPPING DEVICES.

(a) PROHIBITION ON MODIFICATION.—Section 302(b) of the Communications Act of 1934 (47 U.S.C. 302a(b)) is amended by inserting before the period at the end thereof the following: " or modify any such device, equipment, or system in any manner that causes such device, equipment, or system to fail to comply with such regulations".

(b) PROHIBITION ON COMMERCE IN SCANNING RECEIVERS.—Section 302(d) of such Act (47 U.S.C. 302a(d)) is amended to read as follows:

"(d) EQUIPMENT AUTHORIZATION REGULATIONS.—

"(1) PRIVACY PROTECTIONS REQUIRED.—The Commission shall prescribe regulations, and review and revise such regulations as necessary in response to subsequent changes in technology or behavior, denying equipment authorization (under part 15 of title 47, Code of Federal Regulations, or any other part of that title) for any scanning receiver that is capable of—

"(A) receiving transmissions in the frequencies that are allocated to the domestic cellular radio telecommunications service or the personal communications service;

"(B) readily being altered to receive transmissions in such frequencies;

"(C) being equipped with decoders that—

"(i) convert digital domestic cellular radio telecommunications service, personal communications service, or protected specialized mobile radio service transmissions to analog voice audio; or

"(ii) convert protected paging service transmissions to alphanumeric text; or

"(D) being equipped with devices that otherwise decode encrypted radio transmissions for the purposes of unauthorized interception.

"(2) PRIVACY PROTECTIONS FOR SHARED FREQUENCIES.—The Commission shall, with respect to scanning receivers capable of receiving transmissions in frequencies that are used by commercial mobile services and that are shared by public safety users, examine methods, and may prescribe such regulations as may be necessary, to enhance the privacy of users of such frequencies.

"(3) TAMPERING PREVENTION.—In prescribing regulations pursuant to paragraph (1), the Commission shall consider defining 'capable of readily being altered' to require scanning receivers to be manufactured in a manner that effectively precludes alteration of equipment features and functions as necessary to prevent commerce in devices that may be used unlawfully to intercept or divulge radio communication.

"(4) WARNING LABELS.—In prescribing regulations under paragraph (1), the Commission shall consider requiring labels on scanning receivers warning of the prohibitions in Federal law on intentionally intercepting or divulging radio communications.

"(5) DEFINITIONS.—As used in this subsection, the term 'protected' means secured by an electronic method that is not published or disclosed except to authorized users, as further defined by Commission regulation."

(c) IMPLEMENTING REGULATIONS.—Within 90 days after the date of enactment of this Act, the Federal Communications Commission shall prescribe amendments to its regulations for the purposes of implementing the amendments made by this section.

SEC. 3. UNAUTHORIZED INTERCEPTION OR PUBLICATION OF COMMUNICATIONS.

Section 705 of the Communications Act of 1934 (47 U.S.C. 605) is amended—

(1) in the heading of such section, by inserting "interception or" after "unauthorized";

(2) in the first sentence of subsection (a), by striking "Except as authorized by chapter 119, title 18, United States Code, no person" and inserting "No person";

(3) in the second sentence of subsection (a)—

(A) by inserting "intentionally" before "intercept"; and

(B) by striking "and divulge" and inserting "or divulge";

(4) by striking the last sentence of subsection (a) and inserting the following: "Nothing in this subsection prohibits an interception or disclosure of a communication as authorized by chapter 119 of title 18, United States Code.";

(5) in subsection (e)(1)—

(A) by striking "fined not more than \$2,000 or"; and

(B) by inserting "or fined under title 18, United States Code," after "6 months,"; and

(6) in subsection (e)(3), by striking "any violation" and inserting "any receipt, interception, divulgence, publication, or utilization of any communication in violation";

(7) in subsection (e)(4), by striking "any other activity prohibited by subsection (a)" and inserting "any receipt, interception, divulgence, publication, or utilization of any communication in violation of subsection (a)"; and

(8) by adding at the end of subsection (e) the following new paragraph:

"(7) Notwithstanding any other investigative or enforcement activities of any other Federal agency, the Commission shall investigate alleged violations of this section and may proceed to initiate action under section 503 of this Act to impose forfeiture penalties with respect to such violation upon conclusion of the Commission's investigation."

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. BOEHNER, announced that the yeas had it.

Mr. TAUZIN 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 ..... 414  
Nays ..... 1

¶14.6 [Roll No. 38] YEAS—414

Abercrombie	Berry	Buyer
Ackerman	Bilbray	Callahan
Aderholt	Bilirakis	Calvert
Allen	Bishop	Camp
Andrews	Blagojevich	Campbell
Archer	Bliley	Canady
Armey	Blumenauer	Cannon
Bachus	Blunt	Cardin
Baesler	Boehlert	Carson
Baker	Boehner	Castle
Baldacci	Bonilla	Chabot
Ballenger	Bonior	Chambliss
Barcia	Borski	Chenoweth
Barr	Boswell	Christensen
Barrett (NE)	Boucher	Clay
Barrett (WI)	Boyd	Clayton
Bartlett	Brady	Clement
Barton	Brown (CA)	Clyburn
Bass	Brown (FL)	Coble
Bateman	Brown (OH)	Coburn
Becerra	Bryant	Collins
Bentsen	Bunning	Combest
Bereuter	Burr	Condit
Berman	Burton	Conyers

Cook	Hooley	Neumann
Cooksey	Horn	Ney
Costello	Hostettler	Northup
Cox	Hoyer	Norwood
Coyne	Hulshof	Nussle
Cramer	Hunter	Oberstar
Crane	Hutchinson	Obey
Crapo	Hyde	Olver
Cubin	Inglis	Ortiz
Cummings	Istook	Owens
Cunningham	Jackson (IL)	Oxley
Danner	Jefferson	Packard
Davis (FL)	Jenkins	Pallone
Davis (IL)	John	Pappas
Davis (VA)	Johnson (CT)	Parker
Deal	Johnson (WI)	Pascarell
DeFazio	Johnson, Sam	Pastor
DeGette	Jones	Paxon
DeLahunt	Kanjorski	Payne
DeLauro	Kaptur	Pease
DeLay	Kasich	Pelosi
Deutsch	Kelly	Peterson (MN)
Diaz-Balart	Kennedy (MA)	Peterson (PA)
Dickey	Kennedy (RI)	Petri
Dicks	Kennelly	Pickering
Dingell	Kildee	Pickett
Dixon	Kim	Pitts
Doggett	Kind (WI)	Pombo
Dooley	King (NY)	Pomeroy
Doyle	Kingston	Porter
Dreier	Klecza	Portman
Duncan	Klink	Price (NC)
Dunn	Klug	Pryce (OH)
Edwards	Knollenberg	Radanovich
Ehlers	Kolbe	Rahall
Ehrlich	Kucinich	Ramstad
Emerson	LaFalce	Rangel
Engel	LaHood	Redmond
English	Lampson	Regula
Ensign	Lantos	Reyes
Eshoo	Largent	Riggs
Etheridge	Latham	Riley
Evans	LaTourette	Rivers
Everett	Lazio	Roemer
Ewing	Leach	Rogan
Farr	Levin	Rogers
Fattah	Lewis (CA)	Rohrabacher
Fawell	Lewis (GA)	Rothman
Fazio	Lewis (KY)	Roukema
Filner	Linder	Roybal-Allard
Foley	Lipinski	Royce
Forbes	Livingston	Rush
Ford	LoBiondo	Ryun
Fossella	Lowe	Sabo
Fowler	Lucas	Salmon
Fox	Maloney (CT)	Sanchez
Frank (MA)	Maloney (NY)	Sanders
Franks (NJ)	Manton	Sandlin
Frelinghuysen	Manzullo	Sanford
Frost	Markey	Sawyer
Furse	Martinez	Saxton
Galleghy	Mascara	Scarborough
Ganske	Matsui	Schaefer, Dan
Gejdenson	McCarthy (MO)	Schaffer, Bob
Gekas	McCarthy (NY)	Schumer
Gephardt	McCollum	Scott
Gibbons	McCrery	Sensenbrenner
Gilchrist	McDade	Serrano
Gillmor	McDermott	Sessions
Gilman	McGovern	Shadegg
Goode	McHale	Shaw
Goodlatte	McHugh	Shays
Goodling	McInnis	Sherman
Gordon	McIntosh	Shuster
Goss	McIntyre	Sisisky
Graham	McKeon	Skaggs
Granger	McKinney	Skeen
Green	McNulty	Skelton
Greenwood	Meehan	Slaughter
Gutierrez	Meek (FL)	Smith (MI)
Gutknecht	Meeke (NY)	Smith (NJ)
Hall (OH)	Menendez	Smith (OR)
Hall (TX)	Metcalf	Smith (TX)
Hamilton	Mica	Smith, Adam
Hansen	Millender-	Smith, Linda
Hastert	McDonald	Snowbarger
Hastings (FL)	Miller (CA)	Snyder
Hastings (WA)	Miller (FL)	Solomon
Hayworth	Minge	Souder
Hefley	Mink	Spence
Hefner	Moakley	Spratt
Heger	Mollohan	Stabenow
Hill	Moran (KS)	Stark
Hilleary	Moran (VA)	Stearns
Hilliard	Morella	Stenholm
Hinchee	Murtha	Stokes
Hinojosa	Myrick	Strickland
Hobson	Nadler	Stump
Hoekstra	Neal	Stupak
Holden	Nethercutt	Sununu

Talent	Trafigant	Weller
Tanner	Turner	Wexler
Tauscher	Upton	Weygand
Tauzin	Velazquez	White
Taylor (MS)	Vento	Whitfield
Taylor (NC)	Visclosky	Wicker
Thomas	Walsh	Wise
Thompson	Wamp	Wolf
Thornberry	Waters	Woolsey
Thune	Watkins	Wynn
Thurman	Watt (NC)	Yates
Tiahrt	Watts (OK)	Young (AK)
Tierney	Waxman	Young (FL)
Torres	Weldon (FL)	
Towns	Weldon (PA)	

NAYS—1

Paul  
NOT VOTING—15

Doolittle	Johnson, E. B.	Rodriguez
Gonzalez	Kilpatrick	Ros-Lehtinen
Harman	Lofgren	Schiff
Houghton	Luther	Shimkus
Jackson-Lee	Poshard	
Pickett	Quinn	

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.

¶14.7 PROVIDING FOR THE CONSIDERATION OF H.R. 3130

Ms. PRYCE, by direction of the Committee on Rules, called up the following resolution (H. Res. 378):

*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. 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 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 interjurisdictional adoption requirements. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 303(a) of the Congressional Budget Act of 1974 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 Ways and Means. 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 Ways and Means now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with section 303(a) of the Congressional Budget Act of 1974 are waived. No amendment shall be in order unless printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Points of order against the amendment printed in the Congressional Record and numbered 2 pursuant to clause 6 of rule XXIII for failure to comply with clause 7 of rule XVI are waived. 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. 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,

On motion of Ms. PRYCE, 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.

¶14.8 CHILD SUPPORT PERFORMANCE

The SPEAKER pro tempore, Mr. CALVERT, pursuant to House Resolution 378 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. 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 interjurisdictional adoption requirements.

The SPEAKER pro tempore, Mr. CALVERT, by unanimous consent, designated Mrs. EMERSON as Chairman of the Committee of the Whole.

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

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

When Mrs. EMERSON, Chairman, pursuant to House Resolution 378, 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 "Child Support Performance and Incentive Act of 1998".

**SEC. 2. TABLE OF CONTENTS.**

The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

**TITLE I—CHILD SUPPORT DATA PROCESSING REQUIREMENTS**

- Sec. 101. Alternative penalty procedure.
- Sec. 102. Authority to waive single State-wide automated data processing and information retrieval system requirement.

TITLE II—CHILD SUPPORT INCENTIVE SYSTEM

Sec. 201. Incentive payments to States.

TITLE III—ADOPTION PROVISIONS

Sec. 301. More flexible penalty procedure to be applied for failing to permit interjurisdictional adoption.

TITLE IV—TECHNICAL CORRECTIONS

Sec. 401. Technical corrections.

TITLE V—IMMIGRATION PROVISIONS

Sec. 501. Aliens ineligible to receive visas and excluded from admission for nonpayment of child support.

Sec. 502. Effect of nonpayment of child support on establishment of good moral character.

Sec. 503. Authorization to serve legal process in child support cases on certain arriving aliens.

Sec. 504. Authorization to obtain information on child support payments by aliens.

TITLE I—CHILD SUPPORT DATA PROCESSING REQUIREMENTS

SEC. 101. ALTERNATIVE PENALTY PROCEDURE.

(a) IN GENERAL.—Section 455(a) of the Social Security Act (42 U.S.C. 655(a)) is amended by adding at the end the following:

“(A) If—

“(i) the Secretary determines that a State plan under section 454 would (in the absence of this paragraph) be disapproved for the failure of the State to comply with section 454(24)(A), and that the State has made and is continuing to make a good faith effort to so comply; and

“(ii) the State has submitted to the Secretary a corrective compliance plan that describes how, by when, and at what cost the State will achieve such compliance, which has been approved by the Secretary, then the Secretary shall not disapprove the State plan under section 454, and the Secretary shall reduce the amount otherwise payable to the State under paragraph (1)(A) of this subsection for the fiscal year by the penalty amount.

“(B) In this paragraph:

“(i) The term ‘penalty amount’ means, with respect to a failure of a State to comply with section 454(24)—

“(I) 4 percent of the penalty base, in the case of the 1st fiscal year in which such a failure by the State occurs;

“(II) 8 percent of the penalty base, in the case of the 2nd such fiscal year;

“(III) 16 percent of the penalty base, in the case of the 3rd such fiscal year; or

“(IV) 20 percent of the penalty base, in the case of the 4th or any subsequent such fiscal year.

“(ii) The term ‘penalty base’ means, with respect to a failure of a State to comply with section 454(24) during a fiscal year, the amount otherwise payable to the State under paragraph (1)(A) of this subsection for the preceding fiscal year.

“(C) (i) The Secretary shall waive a penalty under this paragraph for any failure of a State to comply with section 454(24)(A) during fiscal year 1998 if—

“(I) by December 31, 1997, the State has submitted to the Secretary a request that the Secretary certify the State as having met the requirements of such section;

“(II) the Secretary has provided the certification as a result of a review conducted pursuant to the request; and

“(III) the State has not failed such a review.

“(ii) If a State with respect to which a reduction is made under this paragraph for a fiscal year achieves compliance with section 454(24)(A) by the beginning of the succeeding fiscal year, the Secretary shall increase the

amount otherwise payable to the State under paragraph (1)(A) of this subsection for the succeeding fiscal year by an amount equal to 75 percent of the reduction for the fiscal year.

“(iii) The Secretary shall reduce the amount of any reduction that, in the absence of this clause, would be required to be made under this paragraph by reason of the failure of a State to achieve compliance with section 454(24)(B) during the fiscal year, by an amount equal to 20 percent of the amount of the otherwise required reduction, for each State performance measure described in section 458A(b)(4) with respect to which the applicable percentage under section 458A(b)(6) for the fiscal year is 100 percent, if the Secretary has made the determination described in section 458A(b)(5)(B) with respect to the State for the fiscal year.

“(D) The preceding provisions of this paragraph (except for subparagraph (C)(i)) shall apply, separately and independently, to a failure to comply with section 454(24)(B) in the same manner in which the preceding provisions apply to a failure to comply with section 454(24)(A).”

(b) INAPPLICABILITY OF PENALTY UNDER TANF PROGRAM.—Section 409(a)(8)(A)(i)(III) of such Act (42 U.S.C. 609(a)(8)(A)(i)(III)) is amended by inserting “(other than section 454(24))” before the semicolon.

SEC. 102. AUTHORITY TO WAIVE SINGLE STATE-WIDE AUTOMATED DATA PROCESSING AND INFORMATION RETRIEVAL SYSTEM REQUIREMENT.

(a) IN GENERAL.—Section 452(d)(3) of the Social Security Act (42 U.S.C. 652(d)(3)) is amended to read as follows:

“(3) The Secretary may waive any requirement of paragraph (1) or any condition specified under section 454(16), and shall waive the single statewide system requirement under sections 454(16) and 454A, with respect to a State if—

“(A) the State demonstrates to the satisfaction of the Secretary that the State has or can develop an alternative system or systems that enable the State—

“(i) for purposes of section 409(a)(8), to achieve the paternity establishment percentages (as defined in section 452(g)(2)) and other performance measures that may be established by the Secretary;

“(ii) to submit data under section 454(15)(B) that is complete and reliable;

“(iii) to substantially comply with the requirements of this part; and

“(iv) in the case of a request to waive the single statewide system requirement, to—

“(I) meet all functional requirements of sections 454(16) and 454A;

“(II) ensure that calculation of distributions meets the requirements of section 457 and accounts for distributions to children in different families or in different States or sub-State jurisdictions, and for distributions to other States;

“(III) ensure that there is only 1 point of contact in the State which provides seamless case processing for all interstate case processing and coordinated, automated intrastate case management;

“(IV) ensure that standardized data elements, forms, and definitions are used throughout the State;

“(V) complete the alternative system in no more time than it would take to complete a single statewide system that meets such requirement; and

“(VI) process child support cases as quickly, efficiently, and effectively as such cases would be processed through a single statewide system that meets such requirement;

“(B)(i) the waiver meets the criteria of paragraphs (1), (2), and (3) of section 1115(c); or

“(ii) the State provides assurances to the Secretary that steps will be taken to other-

wise improve the State’s child support enforcement program; and

“(C) in the case of a request to waive the single statewide system requirement, the State has submitted to the Secretary separate estimates of the total cost of a single statewide system that meets such requirement, and of any such alternative system or systems, which shall include estimates of the cost of developing and completing the system and of operating and maintaining the system for 5 years, and the Secretary has agreed with the estimates.”

(b) PAYMENTS TO STATES.—Section 455(a)(1) of such Act (42 U.S.C. 655(a)(1)) is amended—

(1) by striking “and” at the end of subparagraph (B);

(2) by striking the semicolon at the end of subparagraph (C) and inserting “, and”; and

(3) by inserting after subparagraph (C) the following:

“(D) equal to 66 percent of the sums expended by the State during the quarter for an alternative statewide system for which a waiver has been granted under section 452(d)(3), but only to the extent that the total of the sums so expended by the State on or after the date of the enactment of this subparagraph does not exceed the least total cost estimate submitted by the State pursuant to section 452(d)(3)(C) in the request for the waiver;”

TITLE II—CHILD SUPPORT INCENTIVE SYSTEM

SEC. 201. INCENTIVE PAYMENTS TO STATES.

(a) IN GENERAL.—Part D of title IV of the Social Security Act (42 U.S.C. 651-669) is amended by inserting after section 458 the following:

“SEC. 458A. INCENTIVE PAYMENTS TO STATES.

“(a) IN GENERAL.—In addition to any other payment under this part, the Secretary shall, subject to subsection (f), make an incentive payment to each State for each fiscal year in an amount determined under subsection (b).

“(b) AMOUNT OF INCENTIVE PAYMENT.—

“(1) IN GENERAL.—The incentive payment for a State for a fiscal year is equal to the incentive payment pool for the fiscal year, multiplied by the State incentive payment share for the fiscal year.

“(2) INCENTIVE PAYMENT POOL.—

“(A) IN GENERAL.—In paragraph (1), the term ‘incentive payment pool’ means—

“(i) \$422,000,000 for fiscal year 2000;

“(ii) \$429,000,000 for fiscal year 2001;

“(iii) \$450,000,000 for fiscal year 2002;

“(iv) \$461,000,000 for fiscal year 2003;

“(v) \$454,000,000 for fiscal year 2004;

“(vi) \$446,000,000 for fiscal year 2005;

“(vii) \$458,000,000 for fiscal year 2006;

“(viii) \$471,000,000 for fiscal year 2007;

“(ix) \$483,000,000 for fiscal year 2008; and

“(x) for any succeeding fiscal year, the amount of the incentive payment pool for the fiscal year that precedes such succeeding fiscal year, multiplied by the percentage (if any) by which the CPI for such preceding fiscal year exceeds the CPI for the 2nd preceding fiscal year.

“(B) CPI.—For purposes of subparagraph (A), the CPI for a fiscal year is the average of the Consumer Price Index for the 12-month period ending on September 30 of the fiscal year. As used in the preceding sentence, the term ‘Consumer Price Index’ means the last Consumer Price Index for all-urban consumers published by the Department of Labor.

“(3) STATE INCENTIVE PAYMENT SHARE.—In paragraph (1), the term ‘State incentive payment share’ means, with respect to a fiscal year—

“(A) the incentive base amount for the State for the fiscal year; divided by

“(B) the sum of the incentive base amounts for all of the States for the fiscal year.

“(4) INCENTIVE BASE AMOUNT.—In paragraph (3), the term ‘incentive base amount’ means, with respect to a State and a fiscal year, the sum of the applicable percentages (determined in accordance with paragraph (6)) multiplied by the corresponding maximum incentive base amounts for the State for the fiscal year, with respect to each of the following measures of State performance for the fiscal year:

“(A) The paternity establishment performance level.

“(B) The support order performance level.

“(C) The current payment performance level.

“(D) The arrearage payment performance level.

“(E) The cost-effectiveness performance level.

“(5) MAXIMUM INCENTIVE BASE AMOUNT.—

“(A) IN GENERAL.—For purposes of paragraph (4), the maximum incentive base amount for a State for a fiscal year is—

“(i) with respect to the performance measures described in subparagraphs (A), (B), and (C) of paragraph (4), the State collections base for the fiscal year; and

“(ii) with respect to the performance measures described in subparagraphs (D) and (E) of paragraph (4), 75 percent of the State collections base for the fiscal year.

“(B) DATA REQUIRED TO BE COMPLETE AND RELIABLE.—Notwithstanding subparagraph (A), the maximum incentive base amount for a State for a fiscal year with respect to a performance measure described in paragraph (4) is zero, unless the Secretary determines, on the basis of an audit performed under section 452(a)(4)(C)(i), that the data which the State submitted pursuant to section 454(15)(B) for the fiscal year and which is used to determine the performance level involved is complete and reliable.

“(C) STATE COLLECTIONS BASE.—For purposes of subparagraph (A), the State collections base for a fiscal year is equal to the sum of—

“(i) 2 times the sum of—

“(I) the total amount of support collected during the fiscal year under the State plan approved under this part in cases in which the support obligation involved is required to be assigned to the State pursuant to part A or E of this title or title XIX; and

“(II) the total amount of support collected during the fiscal year under the State plan approved under this part in cases in which the support obligation involved was so assigned but, at the time of collection, is not required to be so assigned; and

“(ii) the total amount of support collected during the fiscal year under the State plan approved under this part in all other cases.

“(6) DETERMINATION OF APPLICABLE PERCENTAGES BASED ON PERFORMANCE LEVELS.—

“(A) PATERNITY ESTABLISHMENT.—

“(i) DETERMINATION OF PATERNITY ESTABLISHMENT PERFORMANCE LEVEL.—The paternity establishment performance level for a State for a fiscal year is, at the option of the State, the IV-D paternity establishment percentage determined under section 452(g)(2)(A) or the statewide paternity establishment percentage determined under section 452(g)(2)(B).

“(ii) DETERMINATION OF APPLICABLE PERCENTAGE.—The applicable percentage with respect to a State’s paternity establishment performance level is as follows:

“If the paternity establishment performance level is:		The applicable percentage is:
At least:	But less than:	
80%	.....	100
79%	.....	98
78%	.....	96
77%	.....	94
76%	.....	92
75%	.....	90
74%	.....	88
73%	.....	86
72%	.....	84
71%	.....	82
70%	.....	80
69%	.....	79
68%	.....	78
67%	.....	77
66%	.....	76
65%	.....	75
64%	.....	74
63%	.....	73
62%	.....	72
61%	.....	71
60%	.....	70
59%	.....	69
58%	.....	68
57%	.....	67
56%	.....	66
55%	.....	65
54%	.....	64
53%	.....	63
52%	.....	62
51%	.....	61
50%	.....	60
0%	.....	0.

Notwithstanding the preceding sentence, if the paternity establishment performance level of a State for a fiscal year is less than 50 percent but exceeds by at least 10 percentage points the paternity establishment per-

formance level of the State for the immediately preceding fiscal year, then the applicable percentage with respect to the State’s paternity establishment performance level is 50 percent.

“(B) ESTABLISHMENT OF CHILD SUPPORT ORDERS.—

“(i) DETERMINATION OF SUPPORT ORDER PERFORMANCE LEVEL.—The support order performance level for a State for a fiscal year is

the percentage of the total number of cases under the State plan approved under this part in which there is a support order during the fiscal year.

“(ii) DETERMINATION OF APPLICABLE PERCENTAGE.—The applicable percentage with respect to a State’s support order performance level is as follows:

“If the support order performance level is:		The applicable percentage is:
At least:	But less than:	
80%	.....	100
79%	80% .....	98
78%	79% .....	96
77%	78% .....	94
76%	77% .....	92
75%	76% .....	90
74%	75% .....	88
73%	74% .....	86
72%	73% .....	84
71%	72% .....	82
70%	71% .....	80
69%	70% .....	79
68%	69% .....	78
67%	68% .....	77
66%	67% .....	76
65%	66% .....	75
64%	65% .....	74
63%	64% .....	73
62%	63% .....	72
61%	62% .....	71
60%	61% .....	70
59%	60% .....	69
58%	59% .....	68
57%	58% .....	67
56%	57% .....	66
55%	56% .....	65
54%	55% .....	64
53%	54% .....	63
52%	53% .....	62
51%	52% .....	61
50%	51% .....	60
0%	50% .....	0.

Notwithstanding the preceding sentence, if the support order performance level of a State for a fiscal year is less than 50 percent but exceeds by at least 5 percentage points the support order performance level of the State for the immediately preceding fiscal year, then the applicable percentage with respect to the State’s support order performance level is 50 percent.

“(C) COLLECTIONS ON CURRENT CHILD SUPPORT DUE.—

“(i) DETERMINATION OF CURRENT PAYMENT PERFORMANCE LEVEL.—The current payment performance level for a State for a fiscal year is equal to the total amount of current support collected during the fiscal year under the State plan approved under this part divided by the total amount of current

support owed during the fiscal year in all cases under the State plan, expressed as a percentage.

“(ii) DETERMINATION OF APPLICABLE PERCENTAGE.—The applicable percentage with respect to a State’s current payment performance level is as follows:

“If the current payment performance level is:		The applicable percentage is:
At least:	But less than:	
80%	.....	100
79%	80% .....	98
78%	79% .....	96
77%	78% .....	94
76%	77% .....	92
75%	76% .....	90
74%	75% .....	88
73%	74% .....	86

“If the current payment performance level is:		The applicable percentage is:
At least:	But less than:	
72%	73%	84
71%	72%	82
70%	71%	80
69%	70%	79
68%	69%	78
67%	68%	77
66%	67%	76
65%	66%	75
64%	65%	74
63%	64%	73
62%	63%	72
61%	62%	71
60%	61%	70
59%	60%	69
58%	59%	68
57%	58%	67
56%	57%	66
55%	56%	65
54%	55%	64
53%	54%	63
52%	53%	62
51%	52%	61
50%	51%	60
49%	50%	59
48%	49%	58
47%	48%	57
46%	47%	56
45%	46%	55
44%	45%	54
43%	44%	53
42%	43%	52
41%	42%	51
40%	41%	50
0%	40%	0.

Notwithstanding the preceding sentence, if the current payment performance level of a State for a fiscal year is less than 40 percent but exceeds by at least 5 percentage points the current payment performance level of the State for the immediately preceding fiscal year, then the applicable percentage with respect to the State’s current payment performance level is 50 percent.

“(D) COLLECTIONS ON CHILD SUPPORT ARREARAGES.—

“(i) DETERMINATION OF ARREARAGE PAYMENT PERFORMANCE LEVEL.—The arrearage payment performance level for a State for a fiscal year is equal to the total number of cases under the State plan approved under this part in which payments of past-due child support were received during the fiscal year and part or all of the payments were distributed to the family to whom the past-due child support was owed (or, if all past-due child support owed to the family was, at

the time of receipt, subject to an assignment to the State, part or all of the payments were retained by the State) divided by the total number of cases under the State plan in which there is past-due child support, expressed as a percentage.

“(ii) DETERMINATION OF APPLICABLE PERCENTAGE.—The applicable percentage with respect to a State’s arrearage payment performance level is as follows:

“If the arrearage payment performance level is:		The applicable percentage is:
At least:	But less than:	
80%		100
79%	80%	98
78%	79%	96
77%	78%	94
76%	77%	92
75%	76%	90
74%	75%	88
73%	74%	86

<b>“If the arrearage payment performance level is:</b>		<b>The applicable percentage is:</b>
<b>At least:</b>	<b>But less than:</b>	
72%	73%	84
71%	72%	82
70%	71%	80
69%	70%	79
68%	69%	78
67%	68%	77
66%	67%	76
65%	66%	75
64%	65%	74
63%	64%	73
62%	63%	72
61%	62%	71
60%	61%	70
59%	60%	69
58%	59%	68
57%	58%	67
56%	57%	66
55%	56%	65
54%	55%	64
53%	54%	63
52%	53%	62
51%	52%	61
50%	51%	60
49%	50%	59
48%	49%	58
47%	48%	57
46%	47%	56
45%	46%	55
44%	45%	54
43%	44%	53
42%	43%	52
41%	42%	51
40%	41%	50
0%	40%	0.

Notwithstanding the preceding sentence, if the arrearage payment performance level of a State for a fiscal year is less than 40 percent but exceeds by at least 5 percentage points the arrearage payment performance level of the State for the immediately preceding fiscal year, then the applicable per-

centage with respect to the State’s arrearage payment performance level is 50 percent.

“(E) COST-EFFECTIVENESS.—  
“(i) DETERMINATION OF COST-EFFECTIVENESS PERFORMANCE LEVEL.—The cost-effectiveness performance level for a State for a fiscal year is equal to the total amount collected during the fiscal year under the State plan

approved under this part divided by the total amount expended during the fiscal year under the State plan, expressed as a ratio.

“(ii) DETERMINATION OF APPLICABLE PERCENTAGE.—The applicable percentage with respect to a State’s cost-effectiveness performance level is as follows:

<b>“If the cost effectiveness performance level is:</b>		<b>The applicable percentage is:</b>
<b>At least:</b>	<b>But less than:</b>	
5.00		100
4.50	4.99	90
4.00	4.50	80
3.50	4.00	70
3.00	3.50	60
2.50	3.00	50
2.00	2.50	40
0.00	2.00	0.

“(c) TREATMENT OF INTERSTATE COLLECTIONS.—In computing incentive payments under this section, support which is collected by a State at the request of another State shall be treated as having been collected in full by both States, and any amounts expended by a State in carrying out a special project assisted under section 455(e) shall be excluded.

“(d) ADMINISTRATIVE PROVISIONS.—The amounts of the incentive payments to be made to the States under this section for a fiscal year shall be estimated by the Secretary at or before the beginning of the fiscal year on the basis of the best information available. The Secretary shall make the payments for the fiscal year, on a quarterly basis (with each quarterly payment being made no later than the beginning of the quarter involved), in the amounts so estimated, reduced or increased to the extent of any overpayments or underpayments which the Secretary determines were made under this section to the States involved for prior periods and with respect to which adjustment has not already been made under this subsection. Upon the making of any estimate by the Secretary under the preceding sentence, any appropriations available for payments under this section are deemed obligated.

“(e) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary governing the calculation of incentive payments under this section, including directions for excluding from the calculations certain closed cases and cases over which the States do not have jurisdiction.

“(f) REINVESTMENT.—A State to which a payment is made under this section shall expend the full amount of the payment to supplement, and not supplant, other funds used by the State—

“(1) to carry out the State plan approved under this part; or

“(2) for any activity (including cost-effective contracts with local agencies) approved by the Secretary, whether or not the expenditures for the activity are eligible for reimbursement under this part, which may contribute to improving the effectiveness or efficiency of the State program operated under this part.”

(b) TRANSITION RULE.—Notwithstanding any other provision of law—

(1) for fiscal year 2000, the Secretary shall reduce by  $\frac{1}{3}$  the amount otherwise payable to a State under section 458 of the Social Security Act, and shall reduce by  $\frac{2}{3}$  the amount otherwise payable to a State under section 458A of such Act; and

(2) for fiscal year 2001, the Secretary shall reduce by  $\frac{2}{3}$  the amount otherwise payable to a State under section 458 of the Social Security Act, and shall reduce by  $\frac{1}{3}$  the amount otherwise payable to a State under section 458A of such Act.

(c) REGULATIONS.—Within 9 months after the date of the enactment of this section, the Secretary of Health and Human Services shall prescribe regulations governing the implementation of section 458A of the Social Security Act when such section takes effect and the implementation of subsection (b) of this section.

(d) STUDIES.—

(1) GENERAL REVIEW OF NEW INCENTIVE PAYMENT SYSTEM.—

(A) IN GENERAL.—The Secretary of Health and Human Services shall conduct a study of the implementation of the incentive payment system established by section 458A of the Social Security Act, in order to identify the problems and successes of the system.

(B) REPORTS TO THE CONGRESS.—

(i) REPORT ON VARIATIONS IN STATE PERFORMANCE ATTRIBUTABLE TO DEMOGRAPHIC VARIABLES.—Not later than October 1, 2000, the Secretary shall submit to the Congress a

report that identifies any demographic or economic variables that account for differences in the performance levels achieved by the States with respect to the performance measures used in the system, and contains the recommendations of the Secretary for such adjustments to the system as may be necessary to ensure that the relative performance of States is measured from a baseline that takes account of any such variables.

(ii) INTERIM REPORT.—Not later than March 1, 2001, the Secretary shall submit to the Congress an interim report that contains the findings of the study required by subparagraph (A).

(iii) FINAL REPORT.—Not later than October 1, 2003, the Secretary shall submit to the Congress a final report that contains the final findings of the study required by subparagraph (A). The report shall include any recommendations for changes in the system that the Secretary determines would improve the operation of the child support enforcement program.

(2) DEVELOPMENT OF MEDICAL SUPPORT INCENTIVE.—

(A) IN GENERAL.—The Secretary of Health and Human Services, in consultation with State directors of programs operated under part D of title IV of the Social Security Act and representatives of children potentially eligible for medical support, shall develop a performance measure based on the effectiveness of States in establishing and enforcing medical support obligations, and shall make recommendations for the incorporation of the measure, in a revenue neutral manner, into the incentive payment system established by section 458A of the Social Security Act.

(B) REPORT.—Not later than October 1, 1999, the Secretary shall submit to the Congress a report that describes the performance measure and contains the recommendations required by subparagraph (A).

(e) TECHNICAL AMENDMENTS.—

(1) IN GENERAL.—Section 341 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (42 U.S.C. 658 note) is amended—

(A) by striking subsection (a) and redesignating subsections (b), (c), and (d) as subsections (a), (b), and (c), respectively; and

(B) in subsection (c) (as so redesignated)—

(i) by striking paragraph (1) and inserting the following:

“(1) CONFORMING AMENDMENTS TO PRESENT SYSTEM.—The amendments made by subsection (a) of this section shall become effective with respect to a State as of the date the amendments made by section 103(a) (without regard to section 116(a)(2)) first apply to the State.”; and

(ii) in paragraph (2), by striking “(c)” and inserting “(b)”.

(2) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of section 341 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

(f) ELIMINATION OF PREDECESSOR INCENTIVE PAYMENT SYSTEM.—

(1) REPEAL.—Section 458 of the Social Security Act (42 U.S.C. 658) is repealed.

(2) CONFORMING AMENDMENTS.—

(A) Section 458A of the Social Security Act, as added by section 201(a) of this Act, is redesignated as section 458.

(B) Section 455(a)(4)(C)(iii) of such Act (42 U.S.C. 655(a)(4)(C)(iii)), as added by section 101(a) of this Act, is amended—

(i) by striking “458A(b)(4)” and inserting “458(b)(4)”;

(ii) by striking “458A(b)(6)” and inserting “458(b)(6)”;

(iii) by striking “458A(b)(5)(B)” and inserting “458(b)(5)(B)”.

(C) Subsection (d)(1) of this section is amended by striking “458A” and inserting “458”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on October 1, 2001.

(g) GENERAL EFFECTIVE DATE.—Except as otherwise provided in this section, the amendments made by this section shall take effect on October 1, 1999.

### TITLE III—ADOPTION PROVISIONS

#### SEC. 301. MORE FLEXIBLE PENALTY PROCEDURE TO BE APPLIED FOR FAILING TO PERMIT INTERJURISDICTIONAL ADOPTION.

(a) CONVERSION OF FUNDING BAN INTO STATE PLAN REQUIREMENT.—Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended—

(1) by striking “and” at the end of paragraph (21);

(2) by striking the period at the end of paragraph (22) and inserting “; and”; and

(3) by adding at the end the following:

“(23) provides that the State shall not—

“(A) deny or delay the placement of a child for adoption when an approved family is available outside of the jurisdiction with responsibility for handling the case of the child; or

“(B) fail to grant an opportunity for a fair hearing, as described in paragraph (12), to an individual whose allegation of a violation of subparagraph (A) of this paragraph is denied by the State or not acted upon by the State with reasonable promptness.”.

(b) PENALTY FOR NONCOMPLIANCE.—Section 474(d) of such Act (42 U.S.C. 674(d)) is amended in each of paragraphs (1) and (2) by striking “section 471(a)(18)” and inserting “paragraph (18) or (23) of section 471(a)”.

(c) CONFORMING AMENDMENT.—Section 474 of such Act (42 U.S.C. 674) is amended by striking subsection (e).

(d) RETROACTIVITY.—The amendments made by this section shall take effect as if included in section 202(b) of the Adoption and Safe Families Act of 1997.

### TITLE IV—TECHNICAL CORRECTIONS

#### SEC. 401. TECHNICAL CORRECTIONS.

(a) Section 413(g)(1) of the Social Security Act (42 U.S.C. 613(g)(1)) is amended by striking “Economic and Educational Opportunities” and inserting “Education and the Workforce”.

(b) Section 422(b)(2) of the Social Security Act (42 U.S.C. 622(b)(2)) is amended by striking “under under” and inserting “under”.

(c) Section 432(a)(8) of the Social Security Act (42 U.S.C. 632(a)(8)) is amended by adding “; and” at the end.

(d) Section 453(a)(2) of the Social Security Act (42 U.S.C. 653(a)(2)) is amended—

(1) by striking “parentage,” and inserting “parentage or”;

(2) by striking “or making or enforcing child custody or visitation orders,”; and

(3) in subparagraph (A), by decreasing the indentation of clause (iv) by 2 ems.

(e)(1) Section 557(b) of the Balanced Budget Act of 1997 (42 U.S.C. 608 note) is amended by adding at the end the following: “The amendment made by section 5536(1)(A) shall not take effect with respect to a State until October 1, 2000, or such earlier date as the State may select.”.

(2) The amendment made by paragraph (1) shall take effect as if included in the enactment of section 5557 of the Balanced Budget Act of 1997 (Public Law 105-33; 111 Stat. 637).

(f) Section 473A(c)(2)(B) of the Social Security Act (42 U.S.C. 673b(c)(2)(B)) is amended—

(1) by striking “November 30, 1997” and inserting “April 30, 1998”; and

(2) by striking “March 1, 1998” and inserting “July 1, 1998”.

(g) Section 474(a) of the Social Security Act (42 U.S.C. 674(a)) is amended by striking

“(subject to the limitations imposed by subsection (b))”.

(h) Section 232 of the Social Security Act Amendments of 1994 (42 U.S.C. 1314a) is amended—

(1) in subsection (b)(3)(D), by striking “Energy and”; and

(2) in subsection (d)(4), by striking “(b)(3)(D)” and inserting “(b)(3)”.

TITLE V—IMMIGRATION PROVISIONS

SEC. 501. ALIENS INELIGIBLE TO RECEIVE VISAS AND EXCLUDED FROM ADMISSION FOR NONPAYMENT OF CHILD SUPPORT.

(a) IN GENERAL.—Section 212(a)(10) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(10)) is amended by adding at the end the following:

“(F) NONPAYMENT OF CHILD SUPPORT.—

“(i) IN GENERAL.—Any alien is inadmissible who is legally obligated under a judgment, decree, or order to pay child support (as defined in section 459(i) of the Social Security Act), and whose failure to pay such child support has resulted in an arrearage exceeding \$5,000, until child support payments under the judgment, decree, or order are satisfied or the alien is in compliance with an approved payment agreement.

“(ii) APPLICATION TO PERMANENT RESIDENTS.—Notwithstanding section 101(a)(13)(C), an alien lawfully admitted for permanent residence in the United States who has been absent from the United States for any period of time shall be regarded as seeking an admission into the United States for purposes of this subparagraph.

“(iii) WAIVER AUTHORIZED.—The Attorney General may waive the application of clause (i) in the case of an alien, if the Attorney General—

“(I) has received a request for the waiver from the court or administrative agency having jurisdiction over the judgment, decree, or order obligating the alien to pay child support that is referred to in such clause; and

“(II) determines that the likelihood of the arrearage being eliminated, and all subsequent child support payments timely being made by the alien, would increase substantially if the waiver were granted.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect 180 days after the date of the enactment of this Act.

SEC. 502. EFFECT OF NONPAYMENT OF CHILD SUPPORT ON ESTABLISHMENT OF GOOD MORAL CHARACTER.

(a) IN GENERAL.—Section 101(f) of the Immigration and Nationality Act (8 U.S.C. 1101(f)) is amended—

(1) in paragraph (8), by striking the period at the end and inserting “; or”; and

(2) by inserting after paragraph (8) the following:

“(9) one who is legally obligated under a judgment, decree, or order to pay child support (as defined in section 459(i) of the Social Security Act), and whose failure to pay such child support has resulted in any arrearage, unless child support payments under the judgment, decree, or order are satisfied or the alien is in compliance with an approved payment agreement.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to aliens applying for a benefit under the Immigration and Nationality Act on or after 180 days after the date of the enactment of this Act.

SEC. 503. AUTHORIZATION TO SERVE LEGAL PROCESS IN CHILD SUPPORT CASES ON CERTAIN ARRIVING ALIENS.

(a) IN GENERAL.—Section 235(d) of the Immigration and Nationality Act (8 U.S.C. 1225(d)) is amended by adding at the end the following:

“(5) AUTHORITY TO SERVE PROCESS IN CHILD SUPPORT CASES.—

“(A) IN GENERAL.—To the extent consistent with State law, immigration officers are authorized to serve on any alien who is an applicant for admission to the United States legal process with respect to any action to enforce or establish a legal obligation of an individual to pay child support (as defined in section 459(i) of the Social Security Act).

“(B) DEFINITION.—For purposes of subparagraph (A), the term ‘legal process’ means any writ, order, summons or other similar process, which is issued by—

“(i) a court or an administrative agency of competent jurisdiction in any State, territory, or possession of the United States; or

“(ii) an authorized official pursuant to an order of such a court or agency or pursuant to State or local law.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to aliens applying for admission to the United States on or after 180 days after the date of the enactment of this Act.

SEC. 504. AUTHORIZATION TO OBTAIN INFORMATION ON CHILD SUPPORT PAYMENTS BY ALIENS.

Section 453(h) of the Social Security Act (42 U.S.C. 653(h)) is amended by adding at the end the following:

“(4) PROVISION TO ATTORNEY GENERAL AND SECRETARY OF STATE OF INFORMATION ON PERSONS DELINQUENT IN CHILD SUPPORT PAYMENTS.—On request by the Attorney General or the Secretary of State, the Secretary of Health and Human Services shall provide the requestor with such information as the Secretary of Health and Human Services determines may aid them in determining whether an alien is delinquent in the payment of child support.”.

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. GILMAN, announced that the yeas had it.

Mr. SHAW 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 ..... 414 affirmative ..... } Nays ..... 1

114.9 [Roll No. 39] AYES—414

Table with 3 columns: Name, Name, Name. Includes: Abercrombie, Ackerman, Aderholt, Allen, Andrews, Archer, Armev, Bachus, Baesler, Baker, Baldacci, Ballenger, Barcia, Barr, Barrett (NE), Barrett (WI), Bartlett, Barton, Bass, Bateman, Becerra, Bentsen, Bereuter, Berman, Berry, Bilbray, 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, Combet, Condit, Conyers, Cook, Cooksey, Costello, Cox, Coyne, Cramer, Crane, Crapo, Cubin, Cummings, Cunningham, Danner, Davis (FL), Davis (IL), Davis (VA), Deal, DeFazio, DeGette, Delahunt, DeLauro, DeLay, Deutsch, Diaz-Balart, Dickey, Dicks, 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, Gejdenson, Gekas, Gephardt, Gibbons, Gilchrest, Gillmor, Gilman, Goode, Goodlatte, Goodling, Gordon, Goss, Graham, Granger, Green, Greenwood, Gutierrez, 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 (MA), Kennedy (RI), Kennelly, Kildee, Kim, Kind (WI), King (NY), Kingston, Kleczka, Klug, Knollenberg, Kolbe, Kucinich, LaFalce, LaHood, Lampson, Lantos, Largent, Latham, Riley, Rivers, Rodriguez, Roemer, Rogan, Rogers, Rohrabacher, Ros-Lehtinen, Rothman, Roukema, Roybal-Allard, Royce, Rush, Ryun, Sabo, Salmon, Sanchez, Sanders, Sandlin, Sanford, Sawyer, Saxton, Scarborough, Schaefer, Dan, Schaffer, Bob, Schumer, Scott, Sensenbrenner, Serrano, Sessions, Shadegg, Shaw, Shays, Sherman, Shuster, Siskis, Skaggs, Skeean, Skelton, Slaughter, Smith (MI), Smith (NJ), Smith (OR), Smith (TX), Smith, Adam, Smith, Linda, Snowbarger, Snyder, Solomon, Souder, Spence, Spratt, Stabenow, Stark, Stearns, Stenholm, Stokes, Strickland, Stump, Stupak, Sununu, Talent, Tanner, Tauscher, Tauzin, Taylor (MS), Taylor (NC), Thompson, Thornberry, Thune, Thurman, Tiahrt, Tierney, Torres, Towns, Traficant, Turner

Upton	Watts (OK)	Wicker
Velazquez	Waxman	Wise
Vento	Weldon (FL)	Wolf
Visclosky	Weldon (PA)	Woolsey
Walsh	Weller	Wynn
Wamp	Wexler	Yates
Waters	Weygand	Young (AK)
Watkins	White	Young (FL)
Watt (NC)	Whitfield	

## NOES—1

Paul

## NOT VOTING—15

Bilirakis	Harman	Poshard
Dingell	Kilpatrick	Quinn
Doolittle	Klink	Schiff
Ganske	Luther	Shimkus
Gonzalez	McDermott	Thomas

So the bill was passed.

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

By unanimous consent, the title was amended so as to read: "An Act 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, to provide for a more flexible penalty procedure for States that violate interjurisdictional adoption requirements, to amend the Immigration and Nationality Act to make certain aliens determined to be delinquent in the payment of child support inadmissible and ineligible for naturalization, and for other purposes."

A motion to reconsider was laid on the table.

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

## ¶14.10 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. SHAW, by unanimous consent,

*Ordered*, That in the engrossment of the foregoing bill the Clerk be authorized to make technical corrections, conforming changes, and other changes as may be necessary to reflect the actions of the House in amending the bill.

¶14.11 PRIVILEGES OF THE HOUSE—  
RETURN OF SENATE BILL

Mr. ENSIGN rose to a question of the privileges of the House and submitted the following resolution (H. Res. 379):

*Resolved*, That the bill of the Senate (S. 104) to amend the Nuclear Waste Policy Act of 1982, in the opinion of this House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House and that such bill be respectfully returned to the Senate with a message communicating this resolution.

The SPEAKER pro tempore, Mrs. EMERSON, ruled that the resolution submitted did present a question of the privileges of the House under rule IX, and recognized Mr. ENSIGN and Mr. CARDIN, each for thirty minutes.

After debate,

On motion of Mr. ENSIGN, 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, Mrs. EMERSON, announced that the yeas had it.

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.

*Ordered*, That the Clerk notify the Senate thereof.

## ¶14.12 ADJOURNMENT OVER

On motion of Mr. GOSS, by unanimous consent,

*Ordered*, That when the House adjourns today, it adjourn to meet on Monday, March 9, 1998 at 2:00 p.m.

## ¶14.13 HOUR OF MEETING

On motion of Mr. GOSS, by unanimous consent,

*Ordered*, That when the House adjourns on Monday, March 9, 1998, it adjourn to meet at 12:30 p.m. on Tuesday, March 10, 1998, for "morning hour debate".

¶14.14 CALENDAR WEDNESDAY BUSINESS  
DISPENSED WITH

On motion of Mr. GOSS, by unanimous consent,

*Ordered*, That business in order for consideration on Wednesday, March 11, 1998, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

## ¶14.15 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. QUINN, for today.

And then,

## ¶14.16 ADJOURNMENT

On motion of Mr. THUNE, pursuant to the special order heretofore agreed to, at 4 o'clock and 30 minutes p.m., the House adjourned until 2 o'clock p.m. on Monday, March 9, 1998.

## ¶14.17 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. MENENDEZ (for himself, Mr. SHAYS, Mr. PALLONE, Mr. HINCHEY, and Mr. FRANK of Massachusetts):

H.R. 3337. A bill to amend title 49, United States Code, to require air carrier baggage liability to be not less than \$2,000 per passenger; to the Committee on Transportation and Infrastructure.

By Mr. ALLEN (for himself, Mr. OLVER, Mr. FROST, Mr. BALDACCI, Mr. REYES, Mr. WAXMAN, Mr. ADAM SMITH of Washington, Mr. DEFazio, Mr. MCGOVERN, Ms. DEGETTE, Mr. DAVIS of Florida, Ms. HOOLEY of Oregon, Ms. STABENOW, Mrs. THURMAN, Mr. DELAHUNT, Mr. RUSH, Mr. MEEHAN, Mr. VENTO, and Mr. DOOLEY of California):

H.R. 3338. A bill to ensure excellent recruitment and training of math and science teachers at institutions of higher education; to the Committee on Education and the Workforce.

By Mr. PAUL:

H.R. 3339. A bill to amend the Agricultural Market Transition Act to ensure that rice

farms covered by a production flexibility contract remain in rice production during the term of the contract when the principal producer of rice on the farm is a tenant or sharecropper; to the Committee on Agriculture.

By Mr. MENENDEZ (for himself, Mr. MATSUI, and Mr. GEJDENSON):

H.R. 3340. A bill to provide an exemption from certain import prohibitions; to the Committee on Ways and Means.

By Mr. GEPHARDT:

H.R. 3341. A bill to amend the Immigration and Nationality Act to strengthen the naturalization process; to the Committee on the Judiciary.

By Mr. FOLEY (for himself, Mr. KLINK, Mr. BARCIA of Michigan, Mr. BROWN of California, Ms. CHRISTIAN-GREEN, Mr. COYNE, Ms. DELAURO, Mr. EHRlich, Mr. FILNER, Ms. FURSE, Mr. GEJDENSON, Mr. GREEN, Ms. HARMAN, Mr. HINCHEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of Rhode Island, Mr. KLECZKA, Mr. KUCINICH, Ms. JACKSON-LEE, Mr. MARTINEZ, Mr. MATSUI, Mrs. MEEK of Florida, Mr. MICA, Mr. MILLER of California, Ms. MILLENDER-MCDONALD, Ms. PELOSI, Mr. RAHALL, Ms. RIVERS, Mr. SANDERS, Mr. SANDLIN, Mr. SERRANO, Mr. ADAM SMITH of Washington, Mr. STARK, Mr. TORRES, Mr. TOWNS, Mr. WEYGAND, Ms. WOOLSEY, Mr. WYNN, Mr. YATES, and Mr. MASCARA):

H.R. 3342. A bill to prohibit discrimination or retaliation against health care workers who report unsafe conditions and practices which impact on patient care; to the Committee on Commerce, and in addition to the Committee on the Judiciary, 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. TALENT:

H.R. 3343. A bill to suspend temporarily the duty on a certain chemical used in the textile industry and in water treatment; to the Committee on Ways and Means.

By Mr. TALENT:

H.R. 3344. A bill to suspend temporarily the duty on a certain chemical used in the paper industry; to the Committee on Ways and Means.

By Mr. TALENT:

H.R. 3345. A bill to suspend temporarily the duty on a certain chemical used in water treatment; to the Committee on Ways and Means.

By Mr. TALENT:

H.R. 3346. A bill to suspend temporarily the duty on a certain chemical used in water treatment and beauty care products; to the Committee on Ways and Means.

By Mr. TALENT:

H.R. 3347. A bill to suspend temporarily the duty on a certain chemical used in photography products; to the Committee on Ways and Means.

By Mr. TALENT:

H.R. 3348. A bill to suspend temporarily the duty on a certain chemical used in peroxide stabilizer and compounding; to the Committee on Ways and Means.

By Mr. TALENT:

H.R. 3349. A bill to suspend temporarily the duty on a certain chemical used in the textile industry; to the Committee on Ways and Means.

By Mr. HERGER:

H.R. 3350. A bill to direct the Foreign Trade Zones Board to expand Foreign Trade Zone No. 143 to include an area of the municipal airport of Chico, California; to the Committee on Ways and Means.

By Mr. BUNNING of Kentucky (for himself, Mr. SAM JOHNSON, Mr.

NUSSLE, Mr. COLLINS, Mr. ENGLISH of Pennsylvania, and Mr. PORTER):

H.R. 3351. A bill to amend the Social Security Act to establish the Protect Social Security Account into which the Secretary of the Treasury shall deposit budget surpluses until a reform measure is enacted to ensure the long-term solvency of the OASDI trust funds; to the Committee on Ways and Means.

By Mr. BACHUS (for himself, Mr. ADERHOLT, Mr. CRAMER, and Mr. RILEY):

H.R. 3352. A bill to amend the Foreign Assistance Act of 1961 to repeal the housing guaranty program under that Act; to the Committee on International Relations.

By Mr. BERRY (for himself, Mr. SNYDER, Mr. JOHN, and Mrs. EMERSON):

H.R. 3353. A bill to direct the United States representatives at certain international financial institutions to insist that the institutions uphold the trade liberalization commitments made by the Asian countries receiving assistance from such institutions; to the Committee on Banking and Financial Services.

By Mr. COBLE:

H.R. 3354. A bill to suspend temporarily the duty on trifluoromethylaniline; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3355. A bill to suspend temporarily the duty on 2-chloro-N-(2,6-dinitro-4-(trifluoromethyl)phenyl)-N-ethyl-6-fluorobenzenemethanamine; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3356. A bill to suspend temporarily the duty on streptomycin sulfate; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3357. A bill to suspend temporarily the duty on propanoic acid, 2-[4-[(5-chloro-3-fluoro-2-pyridinyl)oxy]-phenoxy]-2-propynyl ester; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3358. A bill to suspend temporarily the duty on 2,4-dichloro-3,5-dinitrobenzotrifluoride; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3359. A bill to suspend temporarily the duty on acetic acid, [(5-chloro-8-quinolyl)oxy]-, 1-methylhexyl ester; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3360. A bill to suspend temporarily the duty on acetic acid, [2-chloro-4-fluoro-5-[(tetrahydro-3-oxo-1H,3H-[1,3,4]thiadiazolo[3,4-a]pyridazin-1-ylidene)amino]phenyl]thio]-, methyl ester; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3361. A bill to suspend temporarily the duty on orthonitrophenyl; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3362. A bill to suspend temporarily the duty on chloroacetone; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3363. A bill to suspend temporarily the duty on calcium oxytetracycline; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3364. A bill to suspend temporarily the duty on sodium N-methyl-N-oleoyl taurate; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3365. A bill to suspend temporarily the duty on dialkyl-naphthalene sulfonic acid sodium salt; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3366. A bill to suspend temporarily the duty on O-(6-chloro-3-phenyl-4-pyridazinyl)-S-octyl-carbonothioate; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3367. A bill to suspend temporarily the duty on 4-cyclopropyl-6-methyl-2-phenylamino-pyrimidine; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3368. A bill to suspend temporarily the duty on O,O-Dimethyl-S-[5-methoxy-2-oxo-1,3,4-thiadiazol-3(2H)-yl-methyl]-dithiophosphate; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3369. A bill to suspend temporarily the duty on (Ethyl [2-(4-phenoxyphenoxy)ethyl] carbamate; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3370. A bill to suspend temporarily the duty on 1-(4-methoxy-6-methyl-triazin-2-yl)-3-[2-(3,3-trifluoropropyl)-phenylsulfonyl]-urea; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3371. A bill to suspend temporarily the duty on 3-[4,6-Bis-(difluoromethoxy)-pyrimidin-2-yl]-1-(2-methoxycarbonylphenylsulfonyl) urea; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3372. A bill to suspend temporarily the duty on 3-(6-methoxy-4-methyl-1,3,5-triazin-2-yl)-1-[2-(2-chloroethoxy)-phenylsulfonyl]-urea; to the Committee on Ways and Means.

By Mr. COBLE:

H.R. 3373. A bill to suspend temporarily the duty on [(2S, 4R)/(2R, 4S)]/[(2R, 4S), 4S]-1-[2-[4-(4-chloro-phenoxy)-2-chlorophenyl]-4-methyl-1,3-dioxolan-2-yl-methyl]-1H-1,2,4-triazole; to the Committee on Ways and Means.

By Mr. CRAPO:

H.R. 3374. A bill to amend the Harmonized Tariff Schedule of the United States to provide for temporary duty-free treatment for semiconductor plating lines; to the Committee on Ways and Means.

By Mr. DOGGETT (for himself and Mr. SMITH of Texas):

H.R. 3375. A bill to provide for the temporary reduction of duty on synthetic quartz substrates; to the Committee on Ways and Means.

By Mr. ENSIGN:

H.R. 3376. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax to taxpayers who use certain clean-burning fuels as a motor vehicle fuel; to the Committee on Ways and Means.

By Mr. FALEOMAVAEGA:

H.R. 3377. A bill to clarify the rules of origin for textile and apparel products from American Samoa; to the Committee on Ways and Means.

By Ms. FURSE:

H.R. 3378. A bill to amend the Act entitled "An Act to provide for the establishment of Fort Clatsop National Memorial in the State of Oregon, and for other purposes", to authorize the Secretary of the Interior to acquire additional lands for Fort Clatsop National Memorial in accordance with the Fort Clatsop National Memorial's General Management Plan dated June 1995; to the Committee on Resources.

By Mr. GUTIERREZ:

H.R. 3379. A bill to restore food stamp benefits for aliens; to the Committee on Agriculture, and in addition to the Committees on the Judiciary, and Commerce, 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. HEFLEY:

H.R. 3380. A bill to amend title 49, United States Code, relating to public charter operations at certain reliever airports; to the Committee on Transportation and Infrastructure.

By Mr. HILL:

H.R. 3381. A bill to direct the Secretary of Agriculture and the Secretary of the Interior to exchange land and other assets with Big Sky Lumber Co.; to the Committee on Resources, 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. INGLIS of South Carolina (for himself, Mr. CONDIT, Mrs. MYRICK, Mr. SMITH of New Jersey, Mr. SHAYS, Mr. GOODE, Mr. SENSENBRENNER, Mr. BARR of Georgia, Mr. BURR of North Carolina, Mr. MCHUGH, Mr. GALLEGLEY, and Mr. NORWOOD):

H.R. 3382. A bill to offer small businesses certain protections from litigation excesses; to the Committee on the Judiciary.

By Mr. MALONEY of Connecticut:

H.R. 3383. A bill to amend Weir Farm National Historic Site Establishment Act of 1990 to authorize the limited acquisition of additional acreage for the historic site to permit the development of visitor and administrative facilities and to authorize the appropriation of additional amounts for the acquisition of real and personal property; to the Committee on Resources.

By Mr. MATSUI:

H.R. 3384. A bill to suspend temporarily the duty on certain chemicals used in the formulation of an HIV Antiviral Drug; to the Committee on Ways and Means.

By Mr. MATSUI:

H.R. 3385. A bill to suspend temporarily the duty on the production of anti-HIV/anti-AIDS drugs; to the Committee on Ways and Means.

By Mr. MATSUI:

H.R. 3386. A bill to suspend temporarily the duty on the production of anti-cancer drugs; to the Committee on Ways and Means.

By Mr. MATSUI:

H.R. 3387. A bill to suspend temporarily the duty on the production of anti-cancer drugs; to the Committee on Ways and Means.

By Mr. MATSUI:

H.R. 3388. A bill to suspend temporarily the duty on a certain drug substance used as an HIV Antiviral Drug; to the Committee on Ways and Means.

By Mr. MATSUI:

H.R. 3389. A bill to suspend temporarily the duty on a certain drug substance used as an HIV Antiviral Drug; to the Committee on Ways and Means.

By Mr. MATSUI:

H.R. 3390. A bill to suspend temporarily the duty on certain chemicals used in the formulation of an HIV Antiviral Drug; to the Committee on Ways and Means.

By Mr. MATSUI:

H.R. 3391. A bill to suspend temporarily the duty on certain chemicals used in the formulation of an HIV Antiviral Drug; to the Committee on Ways and Means.

By Mr. MATSUI:

H.R. 3392. A bill to suspend temporarily the duty on certain chemicals used in the formulation of an HIV Antiviral Drug; to the Committee on Ways and Means.

By Mr. MATSUI:

H.R. 3393. A bill to suspend temporarily the duty on certain chemicals used in the formulation of an HIV Antiviral Drug; to the Committee on Ways and Means.

By Mr. MATSUI:

H.R. 3394. A bill to suspend temporarily the duty on certain chemicals used in the formulation of an HIV Antiviral Drug; to the Committee on Ways and Means.

By Mr. MCCRERY:

H.R. 3395. A bill to suspend temporarily the duty on certain printing machinery; to the Committee on Ways and Means.

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

H.R. 3396. A bill to establish standards of conduct for Department of Justice employees, and to establish a review board to monitor compliance with such standards; to the Committee on the Judiciary.

By Mr. OBEY:

H.R. 3397. A bill to require an employer which is subject to the Worker Adjustment and Retraining Notification Act and who gives a notice of a plant closing to negotiate in good faith regarding possible means of using the plant and equipment for continued employment, 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. SESSIONS (for himself, Mr. BARTON of Texas, Mr. SAM JOHNSON, Mr. THORNBERRY, Mr. BONILLA, Mr. COMBEST, Ms. GRANGER, Mr. HALL of Texas, and Mr. WELDON of Florida):

H.R. 3398. A bill to eliminate the requirement that fingerprints be supplied for background checks on volunteers; to the Committee on the Judiciary.

By Mr. SHAW (for himself and Mr. PAXON):

H.R. 3399. 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, 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 Ms. SLAUGHTER (for herself, Mr. ACKERMAN, Ms. DELAURO, Mr. FRANK of Massachusetts, Mr. FROST, Ms. HOOLEY of Oregon, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KILDEE, Mr. LEWIS of Georgia, Mr. MATSUI, Mr. MEEHAN, Mrs. MORELLA, Mr. OWENS, Mr. RAHALL, Mr. SANDLIN, Mr. UNDERWOOD, Mr. WAXMAN, Mr. NEAL of Massachusetts, Ms. LOFGREN, and Mr. DEFAZIO):

H.R. 3400. A bill to amend the Child Care and Development Block Grant Act of 1990 to improve the availability of child care and development services during periods outside normal school hours, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SPENCE:

H.R. 3401. A bill to suspend until December 31, 2002, the duty on parts for use in the manufacture of loudspeakers; to the Committee on Ways and Means.

By Mr. SPENCE:

H.R. 3402. A bill to suspend until December 31, 2002, the duty on certain electrical transformers for use in the manufacture of audio systems; to the Committee on Ways and Means.

By Mr. SPENCE:

H.R. 3403. A bill to suspend until December 31, 2002, the duty on loudspeakers not mounted in their enclosures; to the Committee on Ways and Means.

By Mr. VISCLOSKY:

H.R. 3404. A bill to require additional public education, outreach, and participation with respect to the disposal of napalm and certain other materials owned or controlled by the Department of Defense, and for other purposes; to the Committee on National Security.

By Ms. WOOLSEY:

H.R. 3405. A bill to amend the child and adult care food program under the National School Lunch Act to revise the eligibility of private organizations under that program; to

the Committee on Education and the Workforce.

By Mr. YOUNG of Alaska:

H.R. 3406. A bill to clarify the regulation of Alaskan Guide Pilots conducting air flights in the State of Alaska, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GILMAN (for himself, Mr. ENGEL, Mr. MCGOVERN, Mr. ROHR-ABACHER, Mr. SMITH of New Jersey, Mr. TRAFICANT, Mrs. KELLY, Mr. PAXON, Mr. OLVER, Mr. PAYNE, Mrs. LOWEY, Mr. MORAN of Virginia, Mr. KING of New York, and Mr. HOYER):

H. Con. Res. 235. Concurrent resolution calling for an end to the violent repression of the legitimate rights of the people of Kosovo; to the Committee on International Relations.

By Mr. METCALF (for himself, Mr. HYDE, Mr. BUNNING of Kentucky, Mr. LUCAS of Oklahoma, Mr. NEUMANN, Mr. HILLEARY, Mr. SMITH of Michigan, Mr. HERGER, Mr. GILMAN, Mr. TRAFICANT, and Mr. CHABOT):

H. Con. Res. 236. Concurrent resolution to express the sense of the Congress that any Executive order that infringes on the powers and duties of the Congress under article I, section 8 of the Constitution, or that would require the expenditure of Federal funds not specifically appropriated for the purpose of the Executive order, is advisory only unless enacted as law; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (for himself, Mr. GILMAN, Mr. WOLF, Mr. PORTER, Mr. HOYER, and Mr. MARKEY):

H. Con. Res. 237. Concurrent resolution voicing concern about the serious limitations on human rights and civil liberties in Belarus, including lack of compliance with Organization for Security and Cooperation in Europe (OSCE) commitments, and urging the President to take these into consideration in his determination of most-favored-nation (MFN) status for Belarus; to the Committee on International Relations, 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. ENSIGN:

H. Res. 379. A resolution returning to the Senate the bill S. 104; considered and agreed to

By Mr. CANNON (for himself, Mr. HANSEN, Mr. COOK, Mr. SHADEGG, Mr. YOUNG of Alaska, Mr. DOOLITTLE, Mr. RADANOVICH, Mr. HERGER, Mrs. CHENOWETH, Mrs. CUBIN, Mr. CUNNINGHAM, Mr. GIBBONS, Mr. PETERSON of Pennsylvania, Mr. MCINNIS, Mr. HEFLEY, Mr. SALMON, Mr. HAYWORTH, Mr. MCKEON, Mr. ENSIGN, Mr. PASTOR, Mr. HILL, Mr. SKEEN, Mr. REDMOND, Mr. STUMP, Mr. KOLBE, and Mr. SMITH of Oregon):

H. Res. 380. A resolution expressing the sense of the House of Representatives that no change in the water level of Lake Powell is justified or appropriate; to the Committee on Resources.

By Mr. MILLER of Florida (for himself, Mrs. THURMAN, Mr. TRAFICANT, Mr. BLILEY, Mr. CANADY of Florida, Mr. SCHIFF, Mr. FROST, Mr. BURTON of Indiana, Mr. CALVERT, Mr. SOLOMON, Ms. ROS-LEHTINEN, Mr. ENGLISH of Pennsylvania, Mrs. FOWLER, Mr. WELDON of Florida, Mr. ROHR-ABACHER, Mr. BILIRAKIS, Mr. ROYCE, Mr. HASTINGS of Florida, Mr. ROYCE, and Mrs. MYRICK):

H. Res. 381. A resolution expressing the sense of the Congress that the President should renegotiate the extradition treaty

with Mexico so that the possibility of capital punishment will not interfere with the timely extradition of criminal suspects from Mexico to the United States; to the Committee on International Relations.

## ¶14.18 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII,

Mr. WELDON of Pennsylvania introduced A bill (H.R. 3407) to provide for the reliquidation of certain entries of self-tapping screws; which was referred to the Committee on Ways and Means.

## ¶14.19 ADDITIONAL SPONSORS

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

- H.R. 59: Mr. WATKINS.  
 H.R. 218: Mr. GREEN and Mr. PICKERING.  
 H.R. 336: Mr. CALVERT.  
 H.R. 371: Mr. LANTOS and Ms. WOOLSEY.  
 H.R. 453: Mr. GILMAN.  
 H.R. 612: Mr. WHITFIELD, Mr. LUCAS of Oklahoma, Mr. LAFALCE, Mr. MCNULTY, Mr. BONIOR, Mr. BURTON of Indiana, and Mr. LAMPSON.  
 H.R. 662: Mr. TIERNEY.  
 H.R. 758: Mr. BATEMAN.  
 H.R. 836: Mr. KILDEE.  
 H.R. 919: Mrs. TAUSCHER.  
 H.R. 970: Mr. HOBSON and Mr. SHAYS.  
 H.R. 981: Mr. MATSUI, Mr. SERRANO, and Mrs. MCCARTHY of New York.  
 H.R. 991: Mr. KIND of Wisconsin.  
 H.R. 1117: Mr. PASCRELL, Mr. STUPAK, Ms. SANCHEZ, Mr. ANDREWS, Mr. STOKES, Mr. CLAY, and Mr. ALLEN.  
 H.R. 1126: Mr. RYUN and Mr. HERGER.  
 H.R. 1151: Mr. RAHALL, Mr. FOLEY, Mr. HERGER, Mr. ENSIGN, Mr. BISHOP, Mr. FROST, Mr. ALLEN, Mrs. LOWEY, Mr. CRAPO, Mr. DOOLITTLE, and Mr. BALDACC.  
 H.R. 1166: Mr. ENGLISH of Pennsylvania and Mr. HOSTETTLER.  
 H.R. 1231: Mr. MILLER of California, Mr. NEY, and Mr. WOLF.  
 H.R. 1234: Mr. DAVIS of Illinois, Mr. THOMPSON, Mr. STOKES, Mr. FALEOMAVAEGA, and Mr. SANDERS.  
 H.R. 1362: Mr. BROWN of California and Mr. LANTOS.  
 H.R. 1415: Mr. BERMAN and Mr. BROWN of California.  
 H.R. 1689: Mr. RILEY, Mr. ROGERS, Mr. NEUMANN, Mr. CHRISTENSEN, Mr. MCGOVERN, and Mr. LAZIO of New York.  
 H.R. 1704: Mr. NEUMANN, Mr. CUNNINGHAM, Mr. SUNUNU, Mr. WELDON of Pennsylvania, Mr. PARKER, and Mr. QUINN.  
 H.R. 1711: Mr. ROYCE, Mr. CALLAHAN, Mr. JOHN, Mr. CRAMER, Mr. EHRLICH, and Mr. BARTLETT of Maryland.  
 H.R. 1766: Ms. CARSON, Mr. CHAMBLISS, Mrs. CUBIN, Mr. DAVIS of Florida, Mr. ETHERIDGE, Mrs. FOWLER, Mr. HILL, Mrs. KENNELLY of Connecticut, Mr. MENENDEZ, Mr. PALLONE, Mr. PAYNE, Mr. REGULA, Mr. SPENCE, Mr. STOKES, Mr. STUMP, Mr. WISE, and Mr. FOX of Pennsylvania.  
 H.R. 1870: Mr. NEAL of Massachusetts and Ms. PELOSI.  
 H.R. 1995: Ms. DEGETTE, Mr. FATTAH, Mrs. LOWEY, Mr. KLECZKA, Mr. HASTINGS of Florida, Mr. GUTIERREZ, Mr. MCNULTY, Mr. LAMPSON, Mr. GILMAN, Mr. MARKEY, and Mr. CLAY.  
 H.R. 2009: Mr. WISE.  
 H.R. 2154: Ms. ROYBAL-ALLARD and Mr. FALEOMAVAEGA.  
 H.R. 2224: Mr. FILNER, Mr. STENHOLM, Mr. HOLDEN, Mr. BAESLER, Mr. KENNEDY of Massachusetts, Ms. WOOLSEY, and Mr. SHERMAN.  
 H.R. 2228: Mr. LEWIS of Georgia.  
 H.R. 2351: Ms. NORTON, Mr. WYNN, Mr. KENNEDY of Massachusetts, and Mr. JACKSON.

H.R. 2431: Mr. CONDIT, Mr. WALSH, Mr. BILLIRAKIS, Mrs. MYRICK, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 2499: Mr. PICKERING, Mr. DUNCAN, Mr. ABERCROMBIE, Mr. MANZULLO, and Mr. HASTERT.

H.R. 2670: Mr. DAVIS of Florida.

H.R. 2718: Mr. CRAPO.

H.R. 2754: Ms. PELOSI.

H.R. 2760: Mrs. EMERSON.

H.R. 2829: Mr. DEFazio, Mr. HILLIARD, Mr. PASCRELL, and Mr. ADAM SMITH of Washington.

H.R. 2870: Mr. SKAGGS and Mr. FRANK of Massachusetts.

H.R. 2876: Mr. DUNCAN.

H.R. 2884: Mr. CUNNINGHAM and Mr. TALENT.

H.R. 2912: Mr. PICKETT and Mr. BOSWELL.

H.R. 2914: Mr. DOOLEY of California and Mr. BILBRAY.

H.R. 2912: Mr. SMITH of Texas, Mr. REYES, Mr. ENSIGN, Mr. OLVER, Mr. EWING, Mr. PICKETT, and Mr. HAYWORTH.

H.R. 2970: Ms. WOOLSEY, Mr. STUPAK, and Mr. KINGSTON.

H.R. 2993: Mr. SKAGGS.

H.R. 3011: Mr. PAPPAS.

H.R. 3033: Mr. BONIOR and Mr. DAVIS of Florida.

H.R. 3039: Mr. BARRETT of Wisconsin, Mr. MASCARA, Mr. HAYWORTH, and Mr. REYES.

H.R. 3147: Mr. GUTKNECHT.

H.R. 3152: Ms. WOOLSEY, Mr. TRAFICANT, Mr. JACKSON, Ms. MILLENDER-MCDONALD, and Mr. LANTOS.

H.R. 3156: Mr. CALVERT, Ms. CHRISTIAN-GREEN, Mr. TRAFICANT, Ms. LOFGREN, Mr. UNDERWOOD, Ms. DELAURIO, Mr. BARRETT of Wisconsin, Mr. CLAY, Mr. LIPINSKI, Mr. ADAM SMITH of Washington, Mr. DIXON, and Ms. WOOLSEY.

H.R. 3166: Mr. GIBBONS.

H.R. 3206: Mr. LEWIS of California and Mr. CRANE.

H.R. 3211: Mr. STRICKLAND, Mr. LIVINGSTON, Mr. MORAN of Kansas, Mr. DAN SCHAEFER of Colorado, Mr. DIAZ-BALART, and Mr. CALAHAN.

H.R. 3213: Mr. REYES.

H.R. 3246: Mr. SNOWBARGER and Mr. HEFLEY.

H.R. 3260: Mr. STUPAK, Mr. JOHNSON of Wisconsin, and Mr. NEY.

H.R. 3265: Mr. YATES, Mr. TAYLOR of North Carolina, Mr. UNDERWOOD, Mr. THUNE, Mr. JONES, Mr. WELLER, Mr. MCKEON, Mrs. MYRICK, Mr. SHADEGG, Mr. TAUZIN, Mrs. ROUKEMA, Mr. MCCREERY, Mr. MANZULLO, Mr. KINGSTON, Mr. BRYANT, Mr. KOLBE, Mrs. NORTHUP, and Mr. HILLIARD.

H.R. 3281: Mr. BUNNING of Kentucky and Mr. LEWIS of Kentucky.

H.R. 3287: Mr. TIERNEY.

H.R. 3297: Mr. STUPAK.

H.R. 3304: Ms. LOFGREN and Mr. ENGLISH of Pennsylvania.

H.R. 3331: Mr. STEARNS and Mr. BACHUS.

H.J. Res. 89: Mr. BERMAN, Ms. SLAUGHTER, and Mr. TOWNS.

H.J. Res. 102: Mr. BENTSEN, Mr. FALEOMAVAEGA, Mr. LAZIO of New York, Mr. MATSUI, and Mrs. NORTHUP.

H.J. Res. 111: Mr. DAN SCHAEFER of Colorado and Mr. PORTMAN.

H. Con. Res. 28: Mr. COBURN.

H. Con. Res. 188: Mr. MCNULTY.

H. Con. Res. 203: Mr. LANTOS.

H. Con. Res. 209: Mr. BLILEY and Mr. DAVIS of Virginia.

H. Con. Res. 212: Mr. ROHRBACHER, Mr. HOSTETTLER, Mr. LATHAM, Mrs. EMERSON, Mr. BARRETT of Nebraska, and Mr. MCHUGH.

H. Con. Res. 226: Mr. LEACH, Mr. PAPPAS, Mr. GILMAN, Mr. HAYWORTH, Mr. MCKEON, Mr. EVERETT, Mr. GOSS, Mr. SKAGGS, Mr. HULSHOF, Mr. KENNEDY of Rhode Island, Mrs. MYRICK, Mr. SAXTON, Mr. JONES, Mr. GREEN, Mr. ARCHER, Mr. KENNEDY of Massachusetts,

Mr. KUCINICH, Mr. BARCIA of Michigan, Mr. LINDER, Mr. BACHUS, Mrs. KELLY, Mr. ENGLISH of Pennsylvania, Mr. THOMAS, Mr. LIVINGSTON, Mr. HILLEARY, Mr. HEFLEY, Mr. LARGENT, Ms. ROS-LEHTINEN, Mr. GEKAS, Mr. GIBBONS, Mr. SHADEGG, Mr. CRANE, Mr. KIM, and Mr. SMITH of Michigan.

H. Con. Res. 227: Mr. HYDE, Mr. BARTLETT of Maryland, and Mr. ROHRBACHER.

H. Res. 304: Mr. CAMPBELL.

H. Res. 340: Mr. MATSUI.

H. Res. 363: Mr. FRANK of Massachusetts, Mrs. MORELLA, Mr. COYNE, Mr. STEARNS, Mr. CUNNINGHAM, Mr. PICKERING, Mr. EVANS, Mr. TOWNS, Mr. CLYBURN, Mr. KENNEDY of Rhode Island, Mrs. MCCARTHY of New York, and Mr. COOKSEY.

H. Res. 375: Mr. GILMAN, Mr. LANTOS, Mr. GUTIERREZ, Mr. LIPINSKI, Mr. JACKSON, Mr. CAMPBELL, and Mr. HEFLEY.

#### ¶14.20 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsor was deleted from the public bill as follows:

H.R. 2495: Ms. NORTON.

### MONDAY, MARCH 9, 1998 (15)

#### ¶15.1 DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

March 9, 1998.

I hereby designate the Honorable TODD TIAHRT to act as Speaker pro tempore on this day.

NEWT GINGRICH,

*Speaker of the House of Representatives.*

#### ¶15.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. TIAHRT, announced he had examined and approved the Journal of the proceedings of Thursday, March 5, 1998.

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

#### ¶15.3 COMMUNICATIONS

Pursuant to 5 U.S.C. 801(d), executive communications (final rules) submitted to the House pursuant to 5 U.S.C. 801(a)(1) during the period of June 25, 1997 through January 27, 1998, were treated as though received on March 9, 1998. Original dates of transmittal, numberings, and referrals to committee of those executive communications remain as indicated in the Executive Communication section of the relevant Congressional Records of the 105th Congress.

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

7765. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—General Regulations; Revision or Removal of Selected Sections [Docket No. FV97-900-1 FR] received March 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7766. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Humane Treatment of Dogs and Cats; Temperature Requirements [Docket

et No. 95-078-3] (RIN: 0579-AA74) received March 5, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7767. A letter from the Administrator, Farm Service Agency, transmitting the Agency's final rule—Implementation of the Boll Weevil Eradication Loan Program (RIN: 0560-AE99) received March 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7768. A letter from the Architect of the Capitol, transmitting the report of expenditures of appropriations during the period April 1, 1997 through September 30, 1997, pursuant to 40 U.S.C. 162b; to the Committee on Appropriations.

7769. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter stating that the Department's Defense Manpower Requirements Report for FY 1999 will be submitted by April 30, 1998; to the Committee on National Security.

7770. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-7201] received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7771. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—List of Communities Eligible for the Sale of Flood Insurance [Docket No. FEMA-7659] received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7772. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA-7660] received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7773. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations [44 CFR Part 67] received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7774. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Flood Mitigation Assistance (RIN: 3067-AC45) received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7775. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—List of Communities Eligible for the Sale of Flood Insurance [Docket No. FEMA-7661] received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7776. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations [44 CFR Part 67] received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7777. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA-7662] received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

7778. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations [44 CFR Part 67] received March 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.