

tribution to leading the Asian region out of its current financial crisis, insuring against a global recession, and reinforcing regional stability and security; to the Committee on International Relations, and in addition to the Committees on Banking and Financial Services, and 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.

¶24.38 ADDITIONAL SPONSORS

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

H.R. 96: Mr. RILEY and Mr. SCARBOROUGH.
 H.R. 306: Mr. KING of New York.
 H.R. 543: Mr. PETERSON of Minnesota and Mr. LANTOS.
 H.R. 612: Mr. REGULA, Mrs. MINK of Hawaii, Mr. WEXLER, Mr. HUTCHINSON, and Mr. LIVINGSTON.
 H.R. 746: Mr. OBERSTAR.
 H.R. 777: Mr. KENNEDY of Massachusetts.
 H.R. 815: Ms. SANCHEZ.
 H.R. 836: Mr. WEXLER, Mr. CHRISTENSEN, Mr. ADAM SMITH of Washington, and Mrs. MORELLA.
 H.R. 859: Mr. LEWIS of Kentucky.
 H.R. 864: Mr. GUTIERREZ, Ms. KAPTUR, Mr. MASCARA, Mr. SHERMAN, Mr. LANTOS, Ms. PELOSI, Mr. CUMMINGS, Mr. PASTOR, Ms. MCKINNEY, Mr. SNYDER, and Mrs. MINK of Hawaii.
 H.R. 872: Mr. CAMP, Mr. FRELINGHUYSEN, Mr. LEWIS of California, and Ms. WOOLSEY.
 H.R. 880: Mr. SMITH of Michigan.
 H.R. 922: Mr. CAMP.
 H.R. 923: Mr. CAMP.
 H.R. 979: Mrs. MORELLA, Mr. JOHN, Mr. BARRETT of Wisconsin, Mr. PETERSON of Minnesota, Mr. SHERMAN, Mr. PASCRELL, and Mr. PACKARD.
 H.R. 981: Mr. OLVER, Mr. BECERRA, Mr. DELAHUNT, and Mrs. CAPPS.
 H.R. 982: Mr. WAXMAN.
 H.R. 1070: Mr. SNYDER.
 H.R. 1121: Mr. CHAMBLISS and Mr. REDMOND.
 H.R. 1231: Mr. KENNEDY of Rhode Island and Mr. SKAGGS.
 H.R. 1234: Ms. CARSON.
 H.R. 1322: Mr. NORWOOD, Mr. PETERSON of Pennsylvania, Mr. SESSIONS, Mr. HALL of Texas, Mr. RAHALL, Ms. GRANGER, and Mr. SOLOMON.
 H.R. 1378: Mr. GOODLATTE.
 H.R. 1401: Mr. BOEHLERT.
 H.R. 1500: Ms. SANCHEZ.
 H.R. 1525: Mr. ANDREWS.
 H.R. 1555: Mr. MCGOVERN, Ms. MILLENDER-MCDONALD, Mr. FAZIO of California, and Mr. WEYGAND.
 H.R. 1573: Mr. WAXMAN, Mr. FILNER, Mr. UNDERWOOD, and Mr. LAMPSON.
 H.R. 1586: Mr. NADLER.
 H.R. 1595: Mr. ENSIGN.
 H.R. 1689: Mrs. JOHNSON of Connecticut and Mr. FOLEY.
 H.R. 1737: Mr. ABERCROMBIE.
 H.R. 1864: Mr. BLUMENAUER.
 H.R. 2009: Mr. RODRIGUEZ, Ms. NORTON, Mr. LEVIN, Mr. FOX of Pennsylvania, Mr. HORN, Mr. PRICE of North Carolina, Mr. WYNN, Mr. KENNEDY of Massachusetts, Mr. STRICKLAND, Ms. JACKSON-LEE, and Mr. MEEHAN.
 H.R. 2120: Mr. MORAN of Virginia.
 H.R. 2124: Mr. DIAZ-BALART and Mr. GOODLING.
 H.R. 2125: Mrs. ROUKEMA.
 H.R. 2163: Mr. PAUL.
 H.R. 2223: Mr. GIBBONS.
 H.R. 2275: Mr. KUCINICH.
 H.R. 2313: Mr. CAMPBELL.
 H.R. 2396: Mr. MCHALE, Mr. OLVER, and Ms. STABENOW.
 H.R. 2400: Mr. ROGERS.

H.R. 2424: Mr. GOSS.
 H.R. 2433: Mr. LUTHER, Ms. LOFGREN, Mr. BARRETT of Wisconsin, and Mr. WAXMAN.
 H.R. 2497: Mr. CONDIT.
 H.R. 2538: Mr. COOKSEY, Mr. CALVERT, Mr. PAPPAS, Mr. GINGRICH, Mr. LANTOS, and Mr. THOMAS.
 H.R. 2549: Ms. NORTON.
 H.R. 2635: Mr. KUCINICH.
 H.R. 2652: Mrs. TAUSCHER.
 H.R. 2670: Ms. PELOSI and Mr. CASTLE.
 H.R. 2701: Ms. BROWN of Florida, Mr. BORSKI, Mr. TORRES, and Mr. JENKINS.
 H.R. 2821: Mr. HASTINGS of Washington and Mr. McDERMOTT.
 H.R. 2828: Mr. KENNEDY of Rhode Island.
 H.R. 2829: Ms. JACKSON-LEE, Mr. MCINTOSH, Mrs. MORELLA, Mr. PAYNE, Mr. SISISKY, Mr. FORD, and Mr. MOAKLEY.
 H.R. 2923: Mr. SHERMAN, Mr. STARK, and Mr. LEWIS of California.
 H.R. 2938: Mr. BONILLA.
 H.R. 2955: Mr. HINCHEY.
 H.R. 2962: Mr. BALDACCI.
 H.R. 3001: Mr. COYNE, Ms. PELOSI, and Ms. DEGETTE.
 H.R. 3014: Mr. CAMPBELL.
 H.R. 3048: Mr. CLYBURN, Mr. ROHRBACHER, and Mr. BILBRAY.
 H.R. 3097: Mr. PETERSON of Pennsylvania.
 H.R. 3099: Mr. WEYGAND and Mr. RANGEL.
 H.R. 3131: Mr. GREENWOOD.
 H.R. 3140: Mr. BARCIA of Michigan, Mr. SKEEN, Mr. TANNER, Mr. LUCAS of Oklahoma, Mr. WATTS of Oklahoma, Mr. ETHERIDGE, Mr. HANSEN, Mr. HASTINGS of Washington, Mr. SMITH of Oregon, and Mr. HOEKSTRA.
 H.R. 3155: Mr. EVANS.
 H.R. 3181: Mr. FORD.
 H.R. 3205: Mr. KILDEE and Mr. RODRIGUEZ.
 H.R. 3211: Mr. WELDON of Florida, Mr. GOODLING, Mr. CHRISTENSEN, Mr. LARGENT, Mr. ABERCROMBIE, and Mr. KLECZKA.
 H.R. 3217: Mr. HAYWORTH, Mrs. KENNELLY of Connecticut, and Mr. FOLEY.
 H.R. 3241: Mr. PITTS.
 H.R. 3242: Mr. CALVERT and Mr. ENGLISH of Pennsylvania.
 H.R. 3249: Mr. WOLF.
 H.R. 3255: Ms. FURSE.
 H.R. 3260: Mr. RAMSTAD, Ms. RIVERS, Mr. OXLEY, Mr. PORTER, and Mr. PETRI.
 H.R. 3269: Ms. FURSE and Mr. GREEN.
 H.R. 3275: Mr. SCHIFF.
 H.R. 3279: Mr. GONZALEZ and Mr. MARTINEZ.
 H.R. 3295: Mr. MANTON, Mr. SPENCE, Mr. SKELTON, Mr. DEFazio, Mr. TURNER, Mr. HOYER, Mr. SYNDER, Mr. LUTHER, Mr. SISISKY, Mr. TAYLOR of Mississippi, Ms. MCKINNEY, Ms. FURSE, and Mr. WATT of North Carolina.
 H.R. 3297: Mrs. EMERSON and Mr. CRAPO.
 H.R. 3314: Mrs. MYRICK.
 H.R. 3318: Mr. HYDE, Mr. DOOLEY of California, Mr. WATKINS, Mr. YOUNG of Alaska, Mr. KLINK, Mr. ROYCE, Mr. POMEROY, Mr. ENGLISH of Pennsylvania, Mr. COOKSEY, Mr. DAVIS of Virginia, Mr. PASCRELL, Mr. PAXON, Ms. FURSE, and Mr. NADLER.
 H.R. 3331: Mr. LEWIS of Kentucky, Mr. HOEKSTRA, and Mrs. MYRICK.
 H.R. 3335: Mr. MCCOLLUM.
 H.R. 3336: Mr. SCARBOROUGH.
 H.R. 3351: Mr. PORTMAN.
 H.R. 3396: Mr. STOKES, Mr. WELDON of Pennsylvania, Mr. GOODLING, Mr. SISISKY, Mr. ROHRBACHER, Mr. MOAKLEY, Mr. HORN, Mr. BACHUS, Mr. SKEEN, Mr. FORD, and Mr. BALDACCI.
 H.R. 3400: Mr. McDERMOTT, Mr. SANDERS, and Mrs. CLAYTON.
 H.R. 3433: Mr. RAMSTAD, Mr. ENGLISH of Pennsylvania, Mr. HAYWORTH, Mr. HULSHOF, Mr. RANGEL, Mr. MATSUI, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mrs. THURMAN, Ms. KAPTUR, Ms. LOFGREN, and Mr. KLINK.
 H.R. 3440: Mr. DAVIS of Florida.
 H.R. 3464: Mr. EDWARDS and Mr. MARTINEZ.

H.R. 3469: Mr. BARRETT of Wisconsin.
 H.R. 3502: Mr. GILMAN, Mr. HOYER, Mr. KLECZKA, Mr. BOEHLERT, Mr. BENTSEN, Mr. RAHALL, Mr. ADAM SMITH of Washington, and Mr. ANDREWS.
 H.R. 3510: Ms. BROWN of Florida, Ms. FURSE, and Mr. SERRANO.
 H.R. 3514: Mr. KILDEE, Mr. KUCINICH, and Mr. BENTSEN.
 H.R. 3526: Mr. LEVIN and Mr. FARR of California.
 H.J. Res. 71: Mr. NORWOOD, Mr. PETERSON of Pennsylvania, Mr. SESSIONS, Mr. HALL of Texas, Mr. RAHALL, Ms. GRANGER, and Mr. SOLOMON.
 H.J. Res. 78: Mr. ROGAN and Mr. OXLEY.
 H. Con. Res. 188: Mr. HINCHEY.
 H. Con. Res. 203: Mr. MORAN of Virginia and Mr. McDADE.
 H. Con. Res. 211: Mr. GOODLING.
 H. Con. Res. 228: Ms. RIVERS, Mr. MATSUI, Mr. LUTHER, and Mr. DOOLEY of California.
 H. Con. Res. 229: Mr. BARR of Georgia, Mr. BASS, Mr. BILBRAY, Mr. BLILEY, Mr. FILNER, Mr. HUNTER, Mr. McNULTY, Mr. PITTS, Mr. STEARNES, Mrs. THURMAN, Mr. WATTS of Oklahoma, and Mrs. WOOLSEY.
 H. Con. Res. 239: Mr. LEACH.
 H. Res. 83: Mr. BLUMENAUER.
 H. Res. 363: Mr. CALLAHAN, Ms. PELOSI, Mr. BENTSEN, Mr. CLAY, Ms. FURSE, Mr. BACHUS, Mr. FARR of California, Mr. GUTIERREZ, Mr. SANDERS, Mr. GONZALEZ, and Mr. BILBRAY.
 H. Res. 387: Mr. MEEHAN, Mr. ACKERMAN, Mr. BARRETT of Wisconsin, Mr. BONIOR, Mr. OLVER, Mr. FILNER, Mr. SERRANO, Mr. SNYDER, Mr. TIERNEY, Mr. MCGOVERN, and Mr. MANTON.

¶24.39 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 740: Mr. SHIMKUS.
 H.R. 981: Mrs. MYRICK.
 H.R. 1415: Mr. MCINTOSH.

WEDNESDAY, MARCH 25, 1998 (25)

¶25.1 DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
 March 25, 1998.

I hereby designate the Honorable JOHN SHIMKUS to act as Speaker pro tempore on this day.

NEWT GINGRICH,
 Speaker of the House of Representatives.

¶25.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SHIMKUS, announced he had examined and approved the Journal of the proceedings of Tuesday, March 24, 1998.

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

¶25.3 COMMUNICATIONS

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

8178. A letter from the Manager, Federal Crop Insurance Corporation, Department of Agriculture, transmitting the Department's final rule—General Crop Insurance Regulations, Various Endorsements; Fresh Market Tomato (Guaranteed Production Plan) Crop Insurance Regulations; and Common Crop Insurance Regulations, Various Crop Insur-

ance Provisions [7 CFR Parts 401, 454, and 457] received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8179. A letter from the Chief, Programs and Legislation Division, Department of the Air Force, transmitting a cost comparison of the Headquarters Air Mobility Command Computer Systems function at Scott Air Force Base; to the Committee on National Security.

8180. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Comprehensive Subcontracting Plans [DFARS Case 97-D323] received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

8181. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Limitation on Allowability of Compensation for Certain Contractor Personnel [DFARS Case 97-D320] received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

8182. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; List of Firms Not Eligible for Defense Contracts [DFARS Case 97-D325] received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

8183. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to the People's Republic of China, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

8184. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Uzbekistan, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

8185. A letter from the Assistant Secretary, Special Education and Rehabilitative Service, Department of Education, transmitting a notice of Final Funding Priority for Fiscal Years 1998-1999 for a Rehabilitation Engineering Research Center, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

8186. A letter from the Executive Director, Federal Labor Relations Authority, transmitting the Authority's final rule—Unfair Labor Practice Proceedings: Miscellaneous and General Requirements [5 CFR Parts 2423 and 2429] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8187. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Japan (Transmittal No. DTC-42-98), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8188. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to South Korea (Transmittal No. DTC-101-97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8189. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to the Netherlands (Transmittal No. DTC-2-98), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8190. A letter from the Assistant Secretary for Legislative Affairs, Department of State,

transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to France (Transmittal No. DTC-41-98), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8191. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold under a contract to Norway (Transmittal No. DTC-20-98), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

8192. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the report in compliance with the Government in the Sunshine Act for 1997, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

8193. A letter from the Chairman, Federal Maritime Commission Agency, transmitting the report in compliance with the Government in the Sunshine Act for 1997, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

8194. A letter from the Acting Associate Administrator for Legislative Affairs, National Aeronautics and Space Administration, transmitting a report on NASA's FY 1999 Performance Plan, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

8195. A letter from the Director, National Gallery of Art, transmitting a report on the National Gallery's Performance Plan for FY 1999, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

8196. A letter from the Chairman, National Transportation Safety Board, transmitting the report in compliance with the Government in the Sunshine Act for 1997, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

8197. A letter from the Director, Office of Personnel Management, transmitting a report of activities under the Freedom of Information Act for the calendar year 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

8198. A letter from the Executive Director, Pension Benefit Guaranty Corporation, transmitting a report of activities under the Freedom of Information Act for the calendar year 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

8199. A letter from the Administrator, Small Business Administration, transmitting the semiannual report on activities of the Inspector General for the period April 1, 1997, through September 30, 1997, and the semiannual report of management on final actions, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

8200. A letter from the Acting Chairman, Thrift Depositor Protection Oversight Board, transmitting a report of activities under the Freedom of Information Act for the calendar year 1997, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

8201. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for Maine [Docket No. 971015246-7293-02; I.D. 031398D] received March 24, 1998, pursuant to U.S.C. 801(a)(1)(A); to the Committee on Resources.

8202. A letter from the Deputy Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone

Off Alaska; Forage Fish Species Category [Docket No. 971124274-8052-02; I. D. 110597A] (RIN: 0648-AH67) received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8203. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, transmitting the Office's final rule—Maryland Regulatory Program [MD-033-FOR] received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8204. A letter from the the Acting Assistant Secretary (Civil Works), the Department of the Army, transmitting a report regarding authorization of a streambank erosion protection project for the Wabash River at New Harmony, Indiana, pursuant to Public Law 104-303, section 101(b)(10); (H. Doc. No. 105-235); to the Committee on Transportation and Infrastructure and ordered to be printed.

8205. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB 2000 Series Airplanes [Docket No. 97-NM-289-AD; Amendment 39-10401; AD 98-06-23] (RIN: 2120-AA64) received March 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8206. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310 Series Airplanes [Docket No. 97-NM-77-AD; Amendment 39-10400; AD 98-06-22] (RIN: 2120-AA64) received March 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8207. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS 332C, L, and L1 Helicopters [Docket No. 97-SW-34-AD; Amendment 39-10411; AD 98-06-32] (RIN: 2120-AA64) received March 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8208. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Aviation Insurance [Docket No. 28893; Amdt. No. 198-4] (RIN: 2120-AF23) received March 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8209. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 29165; Amendment No. 408] received March 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8210. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace BAe Model ATP Airplanes [Docket No. 96-NM-200-AD; Amendment 39-10399; AD 98-06-21] (RIN: 2120-AA64) received March 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8211. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Diamond Aircraft Industries, Inc. Model DA 20-A1 Airplanes, serial numbers 10002 through 10287 [Docket No. 97-CE-36-AD; Amendment 39-10062; AD 97-13-02] (RIN: 2120-AA64) received March 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8212. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737-100, -200, -300, -400, and -500 Series Airplanes [Docket No.

97-NM-29-AD; Amendment 39-10061; AD 97-14-04] (RIN: 2120-AA64) received March 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8213. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de Aeronautica, S.A. (EMBRAER) Model EMB-120 Series Airplanes [Docket No. 97-NM-46-AD; Amendment 39-10249; AD 97-26-06] (RIN: 2120-AA64) received March 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8214. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Cleveland, OK [Airspace Docket No. 97-ASW-29] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8215. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Bartlesville, OK [Airspace Docket No. 97-ASW-28] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8216. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Muskogee, OK [Airspace Docket No. 98-ASW-12] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8217. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Stillwater, OK [Airspace Docket No. 98-ASW-15] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8218. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Pryor, OK [Airspace Docket No. 98-ASW-14] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8219. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Poteau, OK [Airspace Docket No. 98-ASW-13] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8220. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Tahlequah, OK [Airspace Docket No. 98-ASW-16] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8221. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Grove, OK [Airspace Docket No. 98-ASW-07] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8222. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Shawnee, OK [Airspace Docket No. 98-ASW-06] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8223. A letter from the General Counsel, Department of Transportation, transmitting

the Department's final rule—Revision of Class E Airspace; Claremore, OK [Airspace Docket No. 98-ASW-05] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8224. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Bristow, OK [Airspace Docket No. 98-ASW-04] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8225. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Gallup, NM [Airspace Docket No. 97-ASW-25] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8226. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Eastland, TX [Airspace Docket No. 97-ASW-26] received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8227. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; GE Aircraft Engines CT7 Series Turboprop Engines [Docket No. 97-ANE-41-AD; Amendment 39-10231; AD 97-25-07] (RIN: 2120-AA64) received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8228. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Certain Textron Lycoming 320 and 360 Series Reciprocating Engines [Docket No. 94-ANE-44; Amendment 39-10291; AD 98-02-08] (RIN: 2120-AA64) received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8229. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model SA-365N, SA-365N1, and SA-366G1 Helicopters [Docket No. 97-SW-23-AD; Amendment 39-10313; AD 97-15-15] (RIN: 2120-AA64) received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8230. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker F28 Mark 1000, 2000, 3000, and 4000 Series Airplanes [Docket No. 96-NM-174-AD; Amendment 39-10266; AD 98-01-02] (RIN: 2120-AA64) received March 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8231. A letter from the Associate Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Amending the NASA FAR Supplement (NFS) coverage on award fee evaluations to correct inaccurate references and improve clarity [48 CFR Parts 1816 and 1852] received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

8232. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Revenue Ruling 98-18] received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8233. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting

the Department's final rule—Last-In, First-out Inventories [Revenue Ruling 98-16] received March 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8234. A letter from the National Director, Tax Forms and Publications Division, Internal Revenue Service, transmitting the Service's final rule—Tax forms and instructions [Revenue Procedure 98-26] received March 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶25.4 PROVIDING FOR THE CONSIDERATION OF H.R. 2589

Mr. DIAZ-BALART, by direction of the Committee on Rules, called up the following resolution (H. Res. 390):

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. 2589) to amend the provisions of title 17, United States Code, with respect to the duration of copyright, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. No amendment to the committee amendment in the nature of a substitute 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 1 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 of any series of questions shall be 15 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 Mr. DIAZ-BALART, 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.

25.5 COPYRIGHT TERM EXTENSION

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to House Resolution 390 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. 2589) to amend the provisions of title 17, United States Code, with respect to the duration of copyright, and for other purposes.

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

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

25.6 RECORDED VOTE

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

Amendment submitted by Mr. MCCOLLUM:

In lieu of the matter proposed to be inserted as title II, insert the following:

TITLE II—MUSIC LICENSING EXEMPTION FOR FOOD SERVICE OR DRINKING ESTABLISHMENTS

SEC. 201. SHORT TITLE.

This title may be cited as the "Fairness In Music Licensing Act of 1998."

SEC. 202. EXEMPTION.

Section 110(5) of title 17, United States Code is amended—

(1) by striking "(5)" and inserting "(5)(A) except as provided in subparagraph (B).";

(2) by adding at the end the following:

"(B) communication by a food service or drinking establishment of a transmission or retransmission embodying a performance or display of a nondramatic musical work intended to be received by the general public, originated by a radio or television broadcast station licensed by the Federal Communications Commission, or, if an audiovisual transmission, by a cable system or satellite carrier, if—

"(i) either the establishment in which the communication occurs has less than 3500 gross square feet of space (excluding space used for customer parking), or the establishment in which the communication occurs has 3500 gross square feet of space or more (excluding space used for customer parking) and—

"(I) if the performance is by audio means only, the performance is communicated by means of a total of not more than 6 loudspeakers, of which not more than 4 loudspeakers are located in any 1 room or adjoining outdoor space; or

"(II) if the performance or display is by audiovisual means, any visual portion of the performance or display is communicated by means of a total of not more than 4 audiovisual devices, of which not more than one audiovisual device is located in any 1 room, and no such audiovisual device has a diagonal screen size greater than 55 inches, and any audio portion of the performance or display is communicated by means of a total of not more than 6 loudspeakers, of which not more than 4 loudspeakers are located in any 1 room or adjoining outdoor space;

"(ii) no direct charge is made to see or hear the transmission or retransmission;

"(iii) the transmission or retransmission is not further transmitted beyond the food service or drinking establishment where it is received; and

"(iv) the transmission or retransmission is licensed by the copyright owner of the work so publicly performed or displayed;"; and

(3) by adding after paragraph (10) the following:

"The exemptions provided under paragraph (5) shall not be taken into account in any administrative, judicial, or other governmental proceeding to set or adjust the royalties payable to copyright owners for the public performance or display of their works. Royalties payable to copyright owners for any public performance or display of their works other than such performances or displays as are exempted under paragraph (5) shall not be diminished in any respect as a result of such exemption".

SEC. 203. LICENSING BY PERFORMING RIGHTS SOCIETIES.

(a) IN GENERAL.—Chapter 5 of title 17, United States Code, is amended by adding at the end the following:

"§ 512. determinations of reasonable license fee for individual proprietors

"In the case of any performing rights society subject to a consent decree which provides for the determination of reasonable license fees to be charged by the performing rights society, notwithstanding the provisions of that consent decree, an individual proprietor who owns or operates fewer than 3 food service or drinking establishments in which nondramatic musical works are performed publicly and who claims that any license agreement offered by that performing rights society to the industry of which the individual proprietor is a member is unreasonable in its license fee as to that individual proprietor, shall be entitled to determination of a reasonable license fee as follows:

"(1) The individual proprietor may commence such proceeding for determination of a reasonable license fee by filing an application in the applicable district court under paragraph (2) that a rate disagreement exists and by serving a copy of the application on the performing rights society. Such proceeding shall commence in the applicable district court within 90 days after the service of such copy, except that such 90-day requirement shall be subject to the administrative requirements of the court.

"(2) The proceeding under paragraph (1) shall be held, at the individual proprietor's election, in the judicial district of the district court with jurisdiction over the applicable consent decree or in that place of holding court of a district court that is the seat of the Federal circuit (other than the Court of Appeals for the Federal Circuit) in which the proprietor's establishment is located.

"(3) Such proceeding shall be held before the judge of the court with jurisdiction over the consent decree governing the performing rights society. At the discretion of the court, the proceeding shall be held before a special master or magistrate judge appointed by such judge. Should that consent decree provide for the appointment of an advisor or advisors to the court for any purpose, any such advisor shall be the special master so named by the court.

"(4) In any such proceeding, the industry rate, or, in the absence of an industry rate, the most recent license fee agreed to by the parties or determined by the court, shall be presumed to have been reasonable at the time it was agreed to or determined by the court. The burden of proof shall be on the individual proprietor to establish the reasonableness of any other fee it requests.

"(5) Pending the completion of such proceeding, the individual proprietor shall have the right to perform publicly the copyrighted musical compositions in the repertoire of the performing rights society, and shall pay an interim license fee, subject to

retroactive adjustment when a final fee has been determined, in an amount equal to the industry rate, or, in the absence of an industry rate, the amount of the most recent license fee agreed to by the parties. Failure to pay such interim license fee shall result in immediate dismissal of the proceeding, and the individual proprietor shall then be deemed to have had no right to perform the copyrighted musical compositions in the repertoire of the performing rights society under this section from the date it submitted its notice commencing the proceeding.

"(6) Any decision rendered in such proceeding by a special master or magistrate judge named under paragraph (3) shall be reviewed by the presiding judge. Such proceeding, including such review, shall be concluded within 6 months after its commencement.

"(7) Any such final determination shall be binding only as to the individual proprietor commencing the proceeding, and shall not be applicable to any other proprietor or any other performing rights society, and the performing rights society shall be relieved of any obligation of nondiscrimination among similarly situated music users that may be imposed by the consent decree governing its operations.

"(8) For purposes of this section, the term 'industry rate' means the license fee a performing rights society has agreed to with, or which has been determined by the court for, a significant segment of the music user industry to which the individual proprietor belongs."

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 17, United States Code, is amended by adding after the item relating to section 511 the following:

"512. Determinations of reasonable license fee for individual proprietors."

SEC. 204. DEFINITIONS.

Section 101 of title 17, United States Code, is amended—

(1) by inserting after the definition of "display" the following:

"A 'food service or drinking establishment' is a restaurant, inn, bar, tavern, or any other similar place of business in which the public or patrons assemble for the primary purpose of being served food or drink, in which the majority of the gross square feet of space is used for that purpose, and in which nondramatic musical works are performed publicly.;"

(2) by inserting after the definition of "fixed" the following:

"The 'gross square feet of space' of a food service or drinking establishment means the entire interior space of that establishment and any adjoining outdoor space used to serve patrons, whether on a seasonal basis or otherwise.;"

(3) by inserting after the definition of "perform" the following:

"A 'performing rights society' is an association, corporation, or other entity that licenses the public performance of nondramatic musical works on behalf of copyright owners of such works, such as the American Society of Composers, Authors and Publishers (ASCAP), Broadcast Music, Inc. (BMI), and SESAC, Inc.;" and

(4) by inserting after the definition of "pictorial, graphic and sculptural works" the following:

"A 'proprietor' is an individual, corporation, partnership, or other entity, as the case may be, that owns a food service or drinking establishment. No owner or operator of a radio or television station licensed by the Federal Communications Commission, cable system or satellite carrier, cable or satellite carrier service or programmer, Internet service provider, online service provider, tele-

communications company, or any other such audio-visual service or programmer now known or as may be developed in the future, commercial subscription music service, or owner or operator of any other transmission service, or owner of any other establishment in which the service to the public of food or drink is not the primary purpose, shall under any circumstances be deemed to be a proprietor."

SEC. 205. CONSTRUCTION OF TITLE.

Except as otherwise provided in this title, nothing in this title shall be construed to relieve any performing rights society of any obligation under any State or local statute, ordinance, or law, or consent decree or other court order governing its operation, as such statute, ordinance, law, decree, or order is in effect on the date of the enactment of this title, as it may be amended after such date, or as it may be issued or agreed to after such date.

SEC. 206. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect 90 days after the date of the enactment of this title.

Amendment submitted by Mr. SENBRENNER:

Page 1, insert before section 1 the following:

TITLE I—COPYRIGHT TERM EXTENSION

Strike section 1 and insert the following:

SEC. 101. SHORT TITLE.

This title may be referred to as the "Copyright Term Extension Act".

Redesignate sections 2 through 5 as sections 102 through 105, respectively.

In section 105, as so redesignated, strike "this Act" and insert "this title".

Strike section 6 and insert the following:

SEC. 106. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect on the date of the enactment of this Act.

Add at the end the following:

TITLE II—MUSIC LICENSING

SEC. 201. SHORT TITLE.

This title may be cited as the "Fairness in Musical Licensing Act of 1998".

SEC. 202. EXEMPTION OF CERTAIN MUSIC USES FROM COPYRIGHT PROTECTION.

(a) **BUSINESS EXEMPTION.**—Section 110(5) of title 17, United States Code, is amended to read as follows:

"(5) communication by electronic device of a transmission embodying a performance or display of a nondramatic musical work by the public reception of a broadcast, cable, satellite, or other transmission, if—

"(A)(i) the rooms or areas within the establishment where the transmission is intended to be received by the general public contains less than 3,500 square feet, excluding any space used for customer parking; or

"(ii) the rooms or areas within the establishment where the transmission is intended to be received by the general public contains 3,500 square feet or more, excluding any space used for customer parking, if—

"(I) in the case of performance by audio means only, the performance is transmitted by means of a total of not more than 6 speakers (excluding any speakers in the device receiving the communication), of which not more than 4 speakers are located in any 1 room or area; or

"(II) in the case of a performance or display by visual or audiovisual means, any visual portion of the performance or display is communicated by means of not more than 2 audio visual devices, if no such audio visual device has a diagonal screen size greater than 55 inches, and any audio portion of the performance or display is transmitted by means of a total of not more than 6 speakers (excluding any speakers in the device receiv-

ing the communication), of which not more than 4 speakers are located in any 1 room or area;

"(B) no direct charge is made to see or hear the transmission;

"(C) the transmission is not further transmitted to the public beyond the establishment where it is received; and

"(D) the transmission is licensed."

(b) **EXEMPTION RELATING TO PROMOTION.**—Section 110(7) of title 17, United States Code, is amended—

(1) by striking "a vending" and inserting "an";

(2) by striking "sole";

(3) by inserting "or of the audio, video, or other devices utilized in the performance," after "phonorecords of the work,"; and

(4) by striking "and is within the immediate area where the sale is occurring".

SEC. 203. BINDING ARBITRATION OF RATE DISPUTES INVOLVING PERFORMING RIGHTS SOCIETIES.

(a) **IN GENERAL.**—Section 504 of title 17, United States Code, is amended by adding at the end the following new subsection:

"(d) **PERFORMING RIGHTS SOCIETIES; BINDING ARBITRATION.**—

"(1) **ARBITRATION OF DISPUTES PRIOR TO COURT ACTION.**—

"(A) **ARBITRATION.**—(i) If a general music user and a performing rights society are unable to agree on the appropriate rate or fee to be paid for the user's past or future performance of musical works in the repertoire of the performing rights society, the general music user shall, in lieu of any other dispute-resolution mechanism established by any judgment or decree governing the operation of the performing rights society, be entitled to binding arbitration of such disagreement pursuant to the rules of the American Arbitration Association. The music user may initiate such arbitration.

"(ii) The arbitrator in such binding arbitration shall determine a fair and reasonable rate or fee for the general music user's past and future performance of musical works in such society's repertoire and shall determine whether the user's past performances of such musical works, if any, infringed the copyrights of works in the society's repertoire. If the arbitrator determines that the general music user's past performances of such musical works infringed the copyrights of works in the society's repertoire, the arbitrator shall impose a penalty for such infringement. Such penalty shall not exceed the arbitrator's determination of the fair and reasonable license fee for the performances at issue.

"(B) **DEFINITIONS.**—(i) For purposes of this paragraph, a 'general music user' is any person who performs musical works publicly but is not engaged in the transmission of musical works to the general public or to subscribers through broadcast, cable, satellite, or other transmission.

"(ii) For purposes of this paragraph, transmissions within a single commercial establishment or within establishments under common ownership or control are not transmissions to the general public.

"(iii) For purposes of clause (ii), an 'establishment' is a retail business, restaurant, bar, inn, tavern, or any other place of business in which the public may assemble.

"(C) **ENFORCEMENT OF ARBITRATOR'S DETERMINATIONS.**—An arbitrator's determination under this paragraph is binding on the parties and may be enforced pursuant to sections 9 through 13 of title 9.

"(2) **COURT-ANNEXED ARBITRATION.**—(A) In any civil action brought against a general music user, as defined in paragraph (1) for infringement of the right granted in section 106(4) involving a musical work that is in the repertoire of a performing rights society, if the general music user admits the prior pub-

lic performance of one or more works in the repertoire of the performing rights society but contests the rate or the amount of the license fee demanded by such society for such performance, the dispute shall, if requested by the general music user, be submitted to arbitration under section 652(e) of title 28. In such arbitration proceeding, the arbitrator shall determine the appropriate rate and amount owed by the music user to the performing rights society for all past public performances of musical works in the society's repertoire. The amount of the license fee shall not exceed two times the amount of the blanket license fee that would be applied by the society to the music user for the year or years in which the performances occurred. In addition, the arbitrator shall, if requested by the music user, determine a fair and reasonable rate or license fee for the music user's future public performances of the musical works in such society's repertoire.

"(B) As used in this paragraph, the term 'blanket license' means a license provided by a performing rights society that authorizes the unlimited performance of musical works in the society's repertoire, for a fee that does not vary with the quantity or type of performances of musical works in the society's repertoire.

"(3) **TERM OF LICENSE FEE DETERMINATION.**—In any arbitration proceeding initiated under this subsection, the arbitrator's determination of a fair and reasonable rate or license fee for the performance of the music in the repertoire of the performing rights society concerned shall apply for a period of not less than 3 years nor more than 5 years after the date of the arbitrator's determination."

(b) **ACTIONS THAT SHALL BE REFERRED TO ARBITRATION.**—Section 652 of title 28, United States Code, is amended by adding at the end the following:

"(e) **ACTIONS THAT SHALL BE REFERRED TO ARBITRATION.**—In any civil action against a general music user for infringement of the right granted in section 106(4) of title 17 involving a musical work that is in the repertoire of a performing rights society, if the general music user admits the public performance of any musical work in the repertoire of the performing rights society but contests the rate or the amount of the license fee demanded by the society for such performance, the district court shall, if requested by the general music user, refer the dispute to arbitration, which shall be conducted in accordance with section 504(d)(2) of title 17. Each district court shall establish procedures by local rule authorizing the use of arbitration under this subsection. The definitions set forth in title 17 apply to the terms used in this subsection."

SEC. 204. VICARIOUS LIABILITY PROHIBITED.

Section 501 of title 17, United States Code, is amended by adding at the end the following:

"(f) A landlord, an organizer or sponsor of a convention, exposition, or meeting, a facility owner, or any other person making space available to another party by contract, shall not be liable under any theory of vicarious or contributory infringement with respect to an infringing public performance of a copyrighted work by a tenant, lessee, subtenant, sublessee, licensee, exhibitor, or other user of such space on the ground that—

"(1) a contract for such space provides the landlord, organizer or sponsor, facility owner, or other person a right or ability to control such space and compensation for the use of such space; or

"(2) the landlord, organizer or sponsor, facility owner, or other person has or had at the time of the infringing performance actual control over some aspects of the use of such space, if the contract for the use of such space prohibits infringing public perform-

Skeen	Strickland	Visclosky
Skelton	Stump	Walsh
Smith (MI)	Sununu	Wamp
Smith (NJ)	Talent	Watkins
Smith (OR)	Tauzin	Watts (OK)
Smith (TX)	Taylor (MS)	Weldon (FL)
Smith, Adam	Taylor (NC)	Weldon (PA)
Smith, Linda	Thomas	Weller
Snowbarger	Thompson	Weygand
Snyder	Thornberry	White
Solomon	Thune	Whitfield
Souder	Thurman	Wicker
Spence	Tiahrt	Wise
Spratt	Torres	Wolf
Stabenow	Trafficant	Wynn
Stearns	Turner	Young (AK)
Stenholm	Upton	Young (FL)

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Abercrombie	Hilliard	Nadler
Ackerman	Hinchev	Oberstar
Allen	Hoyer	Olver
Becerra	Hyde	Ortiz
Berman	Jackson (IL)	Owens
Bonior	Kelly	Paul
Brown (CA)	Kennedy (MA)	Pease
Brown (OH)	Kennedy (RI)	Pelosi
Capps	Kennelly	Pombo
Clay	Kildee	Radanovich
Clement	Kilpatrick	Rivers
Coble	LaFalce	Rogan
Cummings	LaHood	Roybal-Allard
Davis (IL)	Lampson	Sabo
DeFazio	Lantos	Sanchez
DeGette	Levin	Sanders
Delahunt	Lewis (GA)	Scarborough
DeLauro	Lofgren	Schumer
Deutsch	Lowe	Serrano
Dingell	Luther	Shays
Dixon	Maloney (NY)	Sherman
Doggett	Manton	Skaggs
Dooley	Markey	Slaughter
Dreier	Martinez	Stokes
Engel	Matsui	Stupak
Eshoo	McCarthy (MO)	Tanner
Fattah	McCarthy (NY)	Tauscher
Fazio	McCollum	Tierney
Filner	McGovern	Towns
Forbes	McKinney	Velazquez
Frank (MA)	Meehan	Vento
Furse	Meeke (FL)	Watt (NC)
Gejdenson	Meeks (NY)	Waxman
Gephardt	Menendez	Wexler
Gilman	Miller (CA)	Woolsey
Gordon	Mink	Yates
Gutierrez	Moakley	
Hastings (FL)	Morella	

NOT VOTING—22

Brown (FL)	Jackson-Lee	Payne
Cannon	(TX)	Rangel
Cardin	Jefferson	Riggs
Conyers	Johnson, E. B.	Rothman
Ford	Klecza	Royce
Gonzalez	McDermott	Schiff
Harman	Millender-	Stark
Houghton	McDonald	Waters

So the amendment was agreed to.

After some further time,

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

When Mr. SUNUNU, Acting Chairman, pursuant to House Resolution 390, 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:

TITLE I—COPYRIGHT TERM EXTENSION

SEC. 101. SHORT TITLE.

This title may be referred to as the "Sonny Bono Copyright Term Extension Act".

SEC. 102. DURATION OF COPYRIGHT PROVISIONS.

(a) PREEMPTION WITH RESPECT TO OTHER LAWS.—Section 301(c) of title 17, United States Code, is amended by striking "Feb-

ruary 15, 2047" each place it appears and inserting "February 15, 2067".

(b) DURATION OF COPYRIGHT: WORKS CREATED ON OR AFTER JANUARY 1, 1978.—Section 302 of title 17, United States Code, is amended—

(1) in subsection (a) by striking "fifty" and inserting "70";

(2) in subsection (b) by striking "fifty" and inserting "70";

(3) in subsection (c) in the first sentence—

(A) by striking "seventy-five" and inserting "95"; and

(B) by striking "one hundred" and inserting "120"; and

(4) in subsection (e) in the first sentence—

(A) by striking "seventy-five" and inserting "95";

(B) by striking "one hundred" and inserting "120"; and

(C) by striking "fifty" each place it appears and inserting "70".

(c) DURATION OF COPYRIGHT: WORKS CREATED BUT NOT PUBLISHED OR COPYRIGHTED BEFORE JANUARY 1, 1978.—Section 303 of title 17, United States Code, is amended in the second sentence by striking "December 31, 2027" and inserting "December 31, 2047".

(d) DURATION OF COPYRIGHT: SUBSISTING COPYRIGHTS.—

(1) IN GENERAL.—Section 304 of title 17, United States Code, is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in subparagraph (B) by striking "47" and inserting "67"; and

(II) in subparagraph (C) by striking "47" and inserting "67";

(ii) in paragraph (2)—

(I) in subparagraph (A) by striking "47" and inserting "67"; and

(II) in subparagraph (B) by striking "47" and inserting "67"; and

(iii) in paragraph (3)—

(I) in subparagraph (A)(i) by striking "47" and inserting "67"; and

(II) in subparagraph (B) by striking "47" and inserting "67";

(B) by amending subsection (b) to read as follows:

"(b) COPYRIGHTS IN THEIR RENEWAL TERM AT THE TIME OF THE EFFECTIVE DATE OF THE SONNY BONO COPYRIGHT TERM EXTENSION ACT.—Any copyright still in its renewal term at the time that the Sonny Bono Copyright Term Extension Act becomes effective shall have a copyright term of 95 years from the date copyright was originally secured.";

(c) in subsection (c)(4)(A) in the first sentence by inserting "or, in the case of a termination under subsection (d), within the five-year period specified by subsection (d)(2)," after "specified by clause (3) of this subsection,"; and

(D) by adding at the end the following new subsection:

"(d) TERMINATION RIGHTS PROVIDED IN SUBSECTION (c) WHICH HAVE EXPIRED ON OR BEFORE THE EFFECTIVE DATE OF THE SONNY BONO COPYRIGHT TERM EXTENSION ACT.—In the case of any copyright other than a work made for hire, subsisting in its renewal term on the effective date of the Sonny Bono Copyright Term Extension Act for which the termination right provided in subsection (c) has expired by such date, where the author or owner of the termination right has not previously exercised such termination right, the exclusive or nonexclusive grant of a transfer or license of the renewal copyright or any right under it, executed before January 1, 1978, by any of the persons designated in subsection (a)(1)(C) of this section, other than by will, is subject to termination under the following conditions:

"(1) The conditions specified in subsection (c)(1), (2), (4), (5), and (6) of this sec-

tion apply to terminations of the last 20 years of copyright term as provided by the amendments made by the Sonny Bono Copyright Term Extension Act.

"(2) Termination of the grant may be effected at any time during a period of 5 years beginning at the end of 75 years from the date copyright was originally secured.".

(2) COPYRIGHT RENEWAL ACT OF 1992.—Section 102 of the Copyright Renewal Act of 1992 (Public Law 102-307; 106 Stat. 266; 17 U.S.C. 304 note) is amended—

(A) in subsection (c)—

(i) by striking "47" and inserting "67";

(ii) by striking "(as amended by subsection (a) of this section)"; and

(iii) by striking "effective date of this section" each place it appears and inserting "effective date of the Sonny Bono Copyright Term Extension Act"; and

(B) in subsection (g)(2) in the second sentence by inserting before the period the following: " , except each reference to forty-seven years in such provisions shall be deemed to be 67 years".

SEC. 103. TERMINATION OF TRANSFERS AND LICENSES COVERING EXTENDED RENEWAL TERM.

Sections 203(a)(2) and 304(c)(2) of title 17, United States Code, are each amended—

(1) by striking "by his widow or her widower and his or her children or grandchildren"; and

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

"(D) In the event that the author's widow or widower, children, and grandchildren are not living, the author's executor, administrator, personal representative, or trustee shall own the author's entire termination interest.".

SEC. 104. REPRODUCTION BY LIBRARIES AND ARCHIVES.

Section 108 of title 17, United States Code, is amended—

(1) by redesignating subsection (h) as subsection (i); and

(2) by inserting after subsection (g) the following:

"(h)(1) For purposes of this section, during the last 20 years of any term of copyright of a published work, a library or archives, including a nonprofit educational institution that functions as such, may reproduce, distribute, display, or perform in facsimile or digital form a copy or phonorecord of such work, or portions thereof, for purposes of preservation, scholarship, or research, if such library or archives has first determined, on the basis of a reasonable investigation, that none of the conditions set forth in subparagraphs (A), (B), and (C) of paragraph (2) apply.

"(2) No reproduction, distribution, display, or performance is authorized under this subsection if—

"(A) the work is subject to normal commercial exploitation;

"(B) a copy or phonorecord of the work can be obtained at a reasonable price; or

"(C) the copyright owner or its agent provides notice pursuant to regulations promulgated by the Register of Copyrights that either of the conditions set forth in subparagraphs (A) and (B) applies.

"(3) The exemption provided in this subsection does not apply to any subsequent uses by users other than such library or archives.".

SEC. 105. VOLUNTARY NEGOTIATION REGARDING DIVISION OF ROYALTIES.

It is the sense of the Congress that copyright owners of audiovisual works for which the term of copyright protection is extended by the amendments made by this title, and the screenwriters, directors, and performers of those audiovisual works, should negotiate in good faith in an effort to reach a vol-

untary agreement or voluntary agreements with respect to the establishment of a fund or other mechanism for the amount of remuneration to be divided among the parties for the exploitation of those audiovisual works.

SEC. 106. ASSUMPTION OF CONTRACTUAL OBLIGATIONS RELATED TO TRANSFERS OF RIGHTS IN MOTION PICTURES.

(a) IN GENERAL.—Part VI of title 28, United States Code, is amended by adding at the end the following new chapter:

“CHAPTER 180—ASSUMPTION OF CERTAIN CONTRACTUAL OBLIGATIONS

“Sec.

“4001. Assumption of contractual obligations related to transfers of rights in motion pictures.

“§ 4001. Assumption of contractual obligations related to transfers of rights in motion pictures

“(a) ASSUMPTION OF OBLIGATIONS.—In the case of a transfer of copyright ownership in a motion picture (as defined in section 101 of title 17, United States Code) that is produced subject to 1 or more collective bargaining agreements negotiated under the laws of the United States, if the transfer is executed on or after the effective date of this Act and is not limited to public performance rights, the transfer instrument shall be deemed to incorporate the assumption agreements applicable to the copyright ownership being transferred that are required by the applicable collective bargaining agreement, and the transferee shall be subject to the obligations under each such assumption agreement to make residual payments and provide related notices, accruing after the effective date of the transfer and applicable to the exploitation of the rights transferred, and any remedies under each such assumption agreement for breach of those obligations, as those obligations and remedies are set forth in the applicable collective bargaining agreement, if—

“(1) the transferee knows or has reason to know at the time of the transfer that such collective bargaining agreement was or will be applicable to the motion picture; or

“(2) in the event of a court order confirming an arbitration award against the transferor under the collective bargaining agreement, the transferor does not have the financial ability to satisfy the award within 90 days after the order is issued.

“(b) FAILURE TO NOTIFY.—If the transferor under subsection (a) fails to notify the transferee under subsection (a) of applicable collective bargaining obligations before the execution of the transfer instrument, and subsection (a) is made applicable to the transferee solely by virtue of subsection (a)(2), the transferor shall be liable to the transferee for any damages suffered by the transferee as a result of the failure to notify.

“(c) DETERMINATION OF DISPUTES AND CLAIMS.—Any dispute concerning the application of subsection (a) and any claim made under subsection (b) shall be determined by an action in United States district court, and the court in its discretion may allow the recovery of full costs by or against any party and may also award a reasonable attorney’s fee to the prevailing party as part of the costs.”

(b) CONFORMING AMENDMENT.—The table of chapters for part VI of title 28, United States Code, is amended by adding at the end the following:

“180. Assumption of Certain Contractual Obligations 4001”.

SEC. 107. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect on the date of the enactment of this Act.

TITLE II—MUSIC LICENSING

SEC. 201. SHORT TITLE.

This title may be cited as the “Fairness in Musical Licensing Act of 1998”.

SEC. 202. EXEMPTION OF CERTAIN MUSIC USES FROM COPYRIGHT PROTECTION.

(a) BUSINESS EXEMPTION.—Section 110(5) of title 17, United States Code, is amended to read as follows:

“(5) communication by electronic device of a transmission embodying a performance or display of a nondramatic musical work by the public reception of a broadcast, cable, satellite, or other transmission, if—

“(A)(i) the rooms or areas within the establishment where the transmission is intended to be received by the general public contains less than 3,500 square feet, excluding any space used for customer parking; or

“(ii) the rooms or areas within the establishment where the transmission is intended to be received by the general public contains 3,500 square feet or more, excluding any space used for customer parking, if—

“(I) in the case of performance by audio means only, the performance is transmitted by means of a total of not more than 6 speakers (excluding any speakers in the device receiving the communication), of which not more than 4 speakers are located in any 1 room or area; or

“(II) in the case of a performance or display by visual or audiovisual means, any visual portion of the performance or display is communicated by means of not more than 2 audio visual devices, if no such audio visual device has a diagonal screen size greater than 55 inches, and any audio portion of the performance or display is transmitted by means of a total of not more than 6 speakers (excluding any speakers in the device receiving the communication), of which not more than 4 speakers are located in any 1 room or area;

“(B) no direct charge is made to see or hear the transmission;

“(C) the transmission is not further transmitted to the public beyond the establishment where it is received; and

“(D) the transmission is licensed.”

(b) EXEMPTION RELATING TO PROMOTION.—Section 110(7) of title 17, United States Code, is amended—

(1) by striking “a vending” and inserting “an”;

(2) by striking “sole”;

(3) by inserting “or of the audio, video, or other devices utilized in the performance,” after “phonorecords of the work,”; and

(4) by striking “and is within the immediate area where the sale is occurring”.

SEC. 203. BINDING ARBITRATION OF RATE DISPUTES INVOLVING PERFORMING RIGHTS SOCIETIES.

(a) IN GENERAL.—Section 504 of title 17, United States Code, is amended by adding at the end the following new subsection:

“(d) PERFORMING RIGHTS SOCIETIES; BINDING ARBITRATION.—

“(I) ARBITRATION OF DISPUTES PRIOR TO COURT ACTION.—

“(A) ARBITRATION.—(i) If a general music user and a performing rights society are unable to agree on the appropriate rate or fee to be paid for the user’s past or future performance of musical works in the repertoire of the performing rights society, the general music user shall, in lieu of any other dispute-resolution mechanism established by any judgment or decree governing the operation of the performing rights society, be entitled to binding arbitration of such disagreement pursuant to the rules of the American Arbitration Association. The music user may initiate such arbitration.

“(ii) The arbitrator in such binding arbitration shall determine a fair and reasonable

rate or fee for the general music user’s past and future performance of musical works in such society’s repertoire and shall determine whether the user’s past performances of such musical works, if any, infringed the copyrights of works in the society’s repertoire. If the arbitrator determines that the general music user’s past performances of such musical works infringed the copyrights of works in the society’s repertoire, the arbitrator shall impose a penalty for such infringement. Such penalty shall not exceed the arbitrator’s determination of the fair and reasonable license fee for the performances at issue.

“(B) DEFINITIONS.—(i) For purposes of this paragraph, a ‘general music user’ is any person who performs musical works publicly but is not engaged in the transmission of musical works to the general public or to subscribers through broadcast, cable, satellite, or other transmission.

“(ii) For purposes of this paragraph, transmissions within a single commercial establishment or within establishments under common ownership or control are not transmissions to the general public.

“(iii) For purposes of clause (ii), an ‘establishment’ is a retail business, restaurant, bar, inn, tavern, or any other place of business in which the public may assemble.

“(C) ENFORCEMENT OF ARBITRATOR’S DETERMINATIONS.—An arbitrator’s determination under this paragraph is binding on the parties and may be enforced pursuant to sections 9 through 13 of title 9, United States Code.

“(2) COURT-ANNEXED ARBITRATION.—(A) In any civil action brought against a general music user, as defined in paragraph (1) for infringement of the right granted in section 106(4) involving a musical work that is in the repertoire of a performing rights society, if the general music user admits the prior public performance of one or more works in the repertoire of the performing rights society but contests the rate or the amount of the license fee demanded by such society for such performance, the dispute shall, if requested by the general music user, be submitted to arbitration under section 652(e) of title 28. In such arbitration proceeding, the arbitrator shall determine the appropriate rate and amount owed by the music user to the performing rights society for all past public performances of musical works in the society’s repertoire. The amount of the license fee shall not exceed two times the amount of the blanket license fee that would be applied by the society to the music user for the year or years in which the performances occurred. In addition, the arbitrator shall, if requested by the music user, determine a fair and reasonable rate or license fee for the music user’s future public performances of the musical works in such society’s repertoire.

“(B) As used in this paragraph, the term ‘blanket license’ means a license provided by a performing rights society that authorizes the unlimited performance of musical works in the society’s repertoire, for a fee that does not vary with the quantity or type of performances of musical works in the society’s repertoire.

“(3) TERM OF LICENSE FEE DETERMINATION.—In any arbitration proceeding initiated under this subsection, the arbitrator’s determination of a fair and reasonable rate or license fee for the performance of the music in the repertoire of the performing rights society concerned shall apply for a period of not less than 3 years nor more than 5 years after the date of the arbitrator’s determination.”

(b) ACTIONS THAT SHALL BE REFERRED TO ARBITRATION.—Section 652 of title 28, United States Code, is amended by adding at the end the following:

“(e) ACTIONS THAT SHALL BE REFERRED TO ARBITRATION.—In any civil action against a general music user for infringement of the right granted in section 106(4) of title 17 involving a musical work that is in the repertoire of a performing rights society, if the general music user admits the public performance of any musical work in the repertoire of the performing rights society but contests the rate or the amount of the license fee demanded by the society for such performance, the district court shall, if requested by the general music user, refer the dispute to arbitration, which shall be conducted in accordance with section 504(d)(2) of title 17. Each district court shall establish procedures by local rule authorizing the use of arbitration under this subsection. The definitions set forth in title 17 apply to the terms used in this subsection.”.

SEC. 204. VICARIOUS LIABILITY PROHIBITED.

Section 501 of title 17, United States Code, is amended by adding at the end the following:

“(f) A landlord, an organizer or sponsor of a convention, exposition, or meeting, a facility owner, or any other person making space available to another party by contract, shall not be liable under any theory of vicarious or contributory infringement with respect to an infringing public performance of a copyrighted work by a tenant, lessee, subtenant, sublessee, licensee, exhibitor, or other user of such space on the ground that—

“(1) a contract for such space provides the landlord, organizer or sponsor, facility owner, or other person a right or ability to control such space and compensation for the use of such space; or

“(2) the landlord, organizer or sponsor, facility owner, or other person has or had at the time of the infringing performance actual control over some aspects of the use of such space,

if the contract for the use of such space prohibits infringing public performances and the landlord, organizer or sponsor, facility owner, or other person does not exercise control over the selection of works performed.”.

SEC. 205. CONFORMING AMENDMENTS.

Section 101 of title 17, United States Code, is amended by inserting after the undesignated paragraph relating to the definition of “perform” the following:

“A ‘performing rights society’ is an association, corporation, or other entity that licenses the public performance of nondramatic musical works on behalf of copyright owners of such works, such as the American Society of Composers, Authors, and Publishers, Broadcast Music, Inc., and SESAC, Inc. The ‘repertoire’ of a performing rights society consists of those works for which the society provides licenses on behalf of the owners of copyright in the works.”.

SEC. 206. CONSTRUCTION OF TITLE.

Except as provided in section 504(d)(1) of title 17, United States Code, as added by section 203(a) of this Act, nothing in this title shall be construed to relieve any performing rights society (as defined in section 101 of title 17, United States Code) of any obligation under any consent decree, State statute, or other court order governing its operation, as such statute, decree, or order is in effect on the date of the enactment of this Act, as it may be amended after such date, or as it may be enacted, issued, or agreed to after such date.

SEC. 207. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect on the date of the enactment of this Act, and shall apply to actions filed on or after such date.

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. GIBBONS, announced that the yeas had it.

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.

¶25.10 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. COBLE, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to insert “Sonny Bono” before “Copyright Term Extension Act” each place it occurs.

¶25.11 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. COBLE, by unanimous consent,

Ordered, That in the engrossment of the foregoing bill the Clerk be authorized to correct section numbers, cross references, and punctuation, and to make such stylistic, clerical, technical, conforming, and other changes as may be necessary to reflect the actions of the House in amending the bill.

¶25.12 PROVIDING FOR THE CONSIDERATION OF H.R. 3246

Mrs. MYRICK, by direction of the Committee on Rules, reported (Rept. No. 105-463) the resolution (H. Res. 393) providing for consideration of the bill (H.R. 3246) to assist small businesses and labor organizations in defending themselves against government bureaucracy; to ensure that employees entitled to reinstatement get their jobs back quickly; to protect the right of employers to have a hearing to present their case in certain representation cases; and to prevent the use of the National Labor Relations Act for the purpose of disrupting or inflicting economic harm on employers.

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

¶25.13 PROVIDING FOR THE CONSIDERATION OF H.R. 2515

Mrs. MYRICK, by direction of the Committee on Rules, reported (Rept. No. 105-464) the resolution (H. Res. 394) providing for consideration of the bill (H.R. 2515) to address the declining health of forests on Federal lands in the United States through a program of recovery and protection consistent with the requirements of existing public land management and environmental laws, to establish a program to inventory, monitor, and analyze public and private forests and their resources, and for other purposes.

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

¶25.14 PROVIDING FOR THE CONSIDERATION OF H.R. 2578

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 391):

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. 2578) to amend the Immigration and Nationality Act to extend the visa waiver pilot program, and to provide for the collection of data with respect to the number of non-immigrants who remain in the United States after the expiration of the period of stay authorized by the Attorney General. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. No amendment to the bill shall be in order unless printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. 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 15 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. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. After passage of H.R. 2578, it shall be in order to consider in the House S. 1178. It shall be in order to move that the House strike all after the enacting clause of the Senate bill and insert in lieu thereof the provisions of H.R. 2578 as passed by the House.

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.

¶25.15 VISA WAIVER PILOT PROGRAM

The SPEAKER pro tempore, Mr. CHAMBLISS, pursuant to House Resolution 391 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. 2578) to amend the Immigration and Nationality Act to extend the visa waiver pilot program, and to provide for the collection of data with respect to the number of non-immigrants who remain in the United States after the expiration of the period of stay authorized by the Attorney General.

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

25.16 RECORDED VOTE

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

Page 2, after line 22, insert the following:

SEC. 3. QUALIFICATIONS FOR DESIGNATION AS PILOT PROGRAM COUNTRY.

Section 217(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(2)) is amended to read as follows:

(2) QUALIFICATIONS.—Except as provided in subsection (g), a country may not be designated as a pilot program country unless the following requirements are met:

(A) LOW NONIMMIGRANT VISA REFUSAL RATE.—Either—

(i) the average number of refusals of non-immigrant visitor visas for nationals of that country during—

(I) the two previous full fiscal years was less than 2.0 percent of the total number of nonimmigrant visitor visas for nationals of that country which were granted or refused during those years; and

(II) either of such two previous full fiscal years was less than 2.5 percent of the total number of nonimmigrant visitor visas for nationals of that country which were granted or refused during that year; or

(ii) such refusal rate for nationals of that country during the previous full fiscal year was less than 3.0 percent.

(B) MACHINE READABLE PASSPORT PROGRAM.—The government of the country certifies that it has or is in the process of developing a program to issue machine-readable passports to its citizens.

(C) LAW ENFORCEMENT INTERESTS.—The Attorney General determines that the United States law enforcement interests would not be compromised by the designation of the country.”

Amend the title so as to read: “A bill to amend the Immigration and Nationality Act to modify and extend the visa waiver pilot program, and to provide for the collection of data with respect to the number of non-immigrants who remain in the United States after the expiration of the period of stay authorized by the Attorney General.”

It was decided in the Yeas 360 affirmative Nays 46

25.17 [Roll No. 70] AYES—360

- Abercrombie Burr
Ackerman Burton
Allen Buyer
Andrews Callahan
Archer Calvert
Armey Camp
Bachus Capps
Baldacci Carson
Barcia Castle
Barrett (NE) Chabot
Barrett (WI) Chambliss
Bartlett Chenoweth
Bass Christensen
Bateman Clay
Becerra Clayton
Bentsen Clement
Bereuter Clyburn
Berman Coble
Bilbray Coburn
Bilirakis Condit
Bishop Cook
Blagojevich Cooksey
Bliley Costello
Blumenauer Cox
Boehlert Coyne
Boehner Cramer
Bonilla Crane
Bonior Crapo
Borski Cubin
Boswell Cummings
Boucher Cunningham
Boyd Danner
Brown (CA) Davis (FL)
Brown (OH) Davis (IL)

- Foley
Forbes
Fossella
Fowler
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Goode
Gordon
Goss
Graham
Greenwood
Gutiérrez
Gutknecht
Hall (OH)
Hamilton
Hansen
Hastert
Hastings (FL)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Hoyer
Hulshof
Hunter
Inglis
Jackson (IL)
Jenkins
John
Johnson (CT)
Johnson (WI)
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kenny
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kingston
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
Livingston

- Aderholt
Baesler
Baker
Ballenger
Barr
Barton
Berry
Blunt
Brady
Bryant
Bunning
Campbell

- LoBiondo
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalfe
Mica
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Oliver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs

- NOES—46
Canady
Collins
Combest
Deal
Emerson
Fawell
Gallegly
Gilchrest
Goodlatte
Goodling
Granger
Green

- Riley
Rivers
Rodriguez
Roemer
Rogan
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sawyer
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith, Adam
Smith, Linda
Snyder
Souder
Spence
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

- Hall (TX)
Hastings (WA)
Hutchinson
Hyde
Istook
Johnson, Sam
Kim
Lewis (KY)
McCollum
Pease
Rogers
Roukema

- Sanford
Shadegg
Smith (TX)
Snowbarger
Solomon
Stearns
Stump
Taylor (MS)
Watts (OK)
White

NOT VOTING—25

- Brown (FL)
Cannon
Cardin
Conyers
Ford
Gonzalez
Harman
Houghton
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kleccka
McDade
McDermott
Millender-
McDonald
Payne
Rangel
Rothman
Royce
Saxton
Schiff
Schumer
Towns
Waters
Yates

So the amendment was agreed to. The SPEAKER pro tempore, Mr. LAHOOD, assumed the Chair.

When Mr. SNOWBARGER, Acting Chairman, pursuant to House Resolution 391, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

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

Page 2, strike lines 1 through 5 and insert the following:

SECTION 1. EXTENSION OF VISA WAIVER PILOT PROGRAM.

Section 217(f) of the Immigration and Nationality Act is amended by striking “1998.” and inserting “2000.”

Page 2, after line 22, insert the following:

SEC. 3. QUALIFICATIONS FOR DESIGNATION AS PILOT PROGRAM COUNTRY.

Section 217(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1187(c)(2)) is amended to read as follows:

(2) QUALIFICATIONS.—Except as provided in subsection (g), a country may not be designated as a pilot program country unless the following requirements are met:

(A) LOW NONIMMIGRANT VISA REFUSAL RATE.—Either—

(i) the average number of refusals of non-immigrant visitor visas for nationals of that country during—

(I) the two previous full fiscal years was less than 2.0 percent of the total number of nonimmigrant visitor visas for nationals of that country which were granted or refused during those years; and

(II) either of such two previous full fiscal years was less than 2.5 percent of the total number of nonimmigrant visitor visas for nationals of that country which were granted or refused during that year; or

(ii) such refusal rate for nationals of that country during the previous full fiscal year was less than 3.0 percent.

(B) MACHINE READABLE PASSPORT PROGRAM.—The government of the country certifies that it has or is in the process of developing a program to issue machine-readable passports to its citizens.

(C) LAW ENFORCEMENT INTERESTS.—The Attorney General determines that the United States law enforcement interests would not be compromised by the designation of the country.”

Amend the title so as to read: “A bill to amend the Immigration and Nationality Act to modify and extend the visa waiver pilot program, and to provide for the collection of data with respect to the number of non-immigrants who remain in the United States after the expiration of the period of stay authorized by the Attorney General.”

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. LAHOOD, announced that the yeas had it.

Mr. SMITH of Texas 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 407
affirmative { Nays 0

¶25.18 [Roll No. 71]
AYES—407

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

McHugh	Porter	Snowbarger
McInnis	Portman	Snyder
McIntosh	Poshard	Solomon
McIntyre	Price (NC)	Souder
McKeon	Pryce (OH)	Spence
McKinney	Quinn	Spratt
McNulty	Radanovich	Stabenow
Meehan	Rahall	Stark
Meek (FL)	Ramstad	Stearns
Meeks (KY)	Redmond	Stenholm
Menendez	Regula	Stokes
Metcalf	Reyes	Strickland
Mica	Riggs	Stump
Miller (CA)	Riley	Stupak
Miller (FL)	Rivers	Sununu
Minge	Rodriguez	Talent
Mink	Roemer	Tanner
Moakley	Rogan	Tauscher
Mollohan	Rogers	Tauzin
Moran (KS)	Rohrabacher	Taylor (MS)
Moran (VA)	Ros-Lehtinen	Taylor (NC)
Morella	Roukema	Thomas
Murtha	Roybal-Allard	Thompson
Myrick	Rush	Thornberry
Nadler	Ryun	Thune
Neal	Sabo	Thurman
Nethercutt	Salmon	Tiahrt
Neumann	Sanchez	Tierney
Ney	Sanders	Torres
Northup	Sandlin	Trafficant
Norwood	Sanford	Turner
Nussle	Sawyer	Upton
Oberstar	Scarborough	Velazquez
Obey	Schaefer, Dan	Vento
Olver	Schaffer, Bob	Visclosky
Ortiz	Scott	Walsh
Owens	Sensenbrenner	Wamp
Oxley	Serrano	Watkins
Packard	Sessions	Watt (NC)
Pallone	Shadegg	Watts (OK)
Pappas	Shaw	Waxman
Parker	Shays	Weldon (FL)
Pascarell	Sherman	Weldon (PA)
Pastor	Shimkus	Weller
Paul	Shuster	Wexler
Paxon	Sisisky	Weygand
Pease	Skaggs	White
Pelosi	Skeen	Whitfield
Peterson (MN)	Skelton	Wicker
Peterson (PA)	Slaughter	Wise
Petri	Smith (MI)	Wolf
Pickering	Smith (NJ)	Woolsey
Pickett	Smith (OR)	Wynn
Pitts	Smith (TX)	Young (AK)
Pombo	Smith, Adam	Young (FL)
Pomeroy	Smith, Linda	

NOT VOTING—23

Brown (FL)	Jackson-Lee	Rangel
Cannon	(TX)	Rothman
Cardin	Jefferson	Royce
Conyers	Johnson, E. B.	Saxton
Ford	Kleccka	Schumer
Gonzalez	McDermott	Towns
Harman	Millender-	Waters
Houghton	McDonald	Yates
	Payne	

So the bill was passed.

By unanimous consent, the title was amended so as to read: "An Act to amend the Immigration and Nationality Act to modify and extend the visa waiver pilot program, and to provide for the collection of data with respect to the number of nonimmigrants who remain in the United States after the expiration of the period of stay authorized by the Attorney General."

On motion of Mr. SMITH of Texas, pursuant to House Resolution 391, the bill of the Senate (S. 1178) to amend the Immigration and Nationality Act to extend the visa waiver pilot program, and for other purposes; was taken from the Speaker's table.

When said bill was considered and read twice.

On motion of Mr. SMITH of Texas, pursuant to House Resolution 391, the following amendment, was agreed to:

Strike out all after the enacting clause and insert the provisions of H.R. 2578, as passed by the House.

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

By unanimous consent, the title was amended so as to read: "An Act to amend the Immigration and Nationality Act to modify and extend the visa waiver pilot program, and to provide for the collection of data with respect to the number of nonimmigrants who remain in the United States after the expiration of the period of stay authorized by the Attorney General."

A motion to reconsider the votes whereby said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

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

By unanimous consent, H.R. 2578, a similar House bill, was laid on the table.

¶25.19 PERMISSION TO FILE REPORT

On motion of Mr. PETRI, by unanimous consent, the Committee on Transportation and Infrastructure was granted permission until midnight tonight to file a report (Rept. No. 105-467, Part I) on the bill (H.R. 2400) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

¶25.20 PERMISSION TO FILE REPORT

On motion of Mr. PETRI, by unanimous consent, the Committee on Transportation and Infrastructure was granted permission at any time before midnight on Friday, March 27, 1998 to file a supplemental report on the bill (H.R. 2400) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

¶25.21 THE LATE HONORABLE STEVEN H. SCHIFF

Mr. SKEEN submitted the following privileged resolution (H. Res. 395):

Resolved, That the House has heard with profound sorrow of the death of the Honorable Steven Schiff, a Representative from the State of New Mexico.

Resolved, That a committee of such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

When said resolution was considered. After debate,

By unanimous consent, 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.

Ordered, That the Clerk notify the Senate thereof.

¶25.22 PROVIDING FOR THE CONSIDERATION OF H.R. 3310

Mr. GOSS, by direction of the Committee on Rules, reported (Rept. No. 105-466) the resolution (H. Res. 396) providing for consideration of the bill (H.R. 3310) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements, and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses.

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

¶25.23 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. EHRLICH, for today after 2:15 p.m.;

To Mr. FORD, for today and balance of the week;

To Mr. HOUGHTON, for today and balance of the week;

To Mr. KLECZKA, for today;

To Ms. JACKSON-LEE, for today and balance of the week;

To Ms. Eddie Bernice JOHNSON, for today and balance of the week;

To Ms. MILLENDER-MCDONALD, for today and balance of the week;

To Mr. ROTHMAN, for today;

To Mr. SAXTON, for today after 3:30 p.m.;

To Mr. WYNN, for today through March 30; and

To Mr. YATES, for today after 3:30 p.m.

And then,

¶25.24 ADJOURNMENT

On motion of Mr. PAPPAS, pursuant to the provisions of House Resolution 395, at 10 o'clock and 48 minutes p.m., the House adjourned out of respect for the late Honorable STEVEN SCHIFF until 10 o'clock a.m., Thursday, March 26, 1998.

¶25.25 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. DREIER: Committee on Rules. House Resolution 393. Resolution providing for consideration of the bill (H.R. 3246) to assist small businesses and labor organizations in defending themselves against government bureaucracy; to ensure that employees entitled to reinstatement get their jobs back quickly; to protect the right of employers to have a hearing to present their case in certain representation cases; and to prevent the use of the National Labor Relations Act for the purpose of disrupting or inflicting economic harm on employers (Rept. No. 105-463). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 394. Resolution

providing for consideration of the bill (H.R. 2515) to address the declining health of forests on Federal lands in the United States through a program of recovery and protection consistent with the requirements of existing public land management and environmental laws, to establish a program to inventory, monitor, and analyze public and private forests and their resources, and for other purposes (Rept. No. 105-464). Referred to the House Calendar.

Mr. HYDE: Committee on the Judiciary. H.R. 1023. A bill to provide for compassionate payments with regard to individuals with blood-clotting disorders, such as hemophilia, who contracted human immunodeficiency virus due to contaminated blood products, and for other purposes; with an amendment (Rept. No. 105-465 Pt. 1). Ordered to be printed.

Mr. MCINNIS: Committee on Rules. House Resolution 396. Resolution providing for consideration of the bill (H.R. 3310) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements, and to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses (Rept. No. 105-466). Referred to the House Calendar.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 2400. A bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; with an amendment (Rept. No. 105-467 Pt. 1). Ordered to be printed.

¶25.26 TIME LIMITATION OF REFERRED BILL

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

H.R. 1023. Referral to the Committees on Commerce and Ways and Means extended for a period ending not later than June 2, 1998.

H.R. 2400. Referral to the Committee on the Budget extended for a period ending not later than March 27, 1998.

¶25.27 REPORTED BILLS SEQUENTIALLY REFERRED

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

Under clause 5 of rule X,

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 2400. A bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, with an amendment; referred to the Committee on Ways and Means for a period ending not later than March 27, 1998, for consideration of such provisions of the bill and amendment reported by the Committee on Transportation and Infrastructure as fall within the jurisdiction of that committee pursuant to clause 1(s), rule X.

¶25.28 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. BORSKI:

H.R. 3545. A bill to amend section 8 of the United States Housing Act of 1937 to ensure that the tenant-based rental assistance program under such section is carried out in an efficient and fair manner; to the Committee on Banking and Financial Services.

By Mr. ARCHER (for himself, Mr. KASICH, and Mr. BUNNING of Kentucky):

H.R. 3546. A bill to provide for a national dialogue on Social Security and to establish the Bipartisan Panel to Design Long-Range Social Security Reform; to the Committee on Ways and Means.

By Mr. WELDON of Florida (for himself, Mr. BROWN of Ohio, Mr. COBURN, Mr. STRICKLAND, Mr. COOKSEY, and Mr. GREEN):

H.R. 3547. A bill to amend the Public Health Service Act and the Employee Retirement Income Security Act of 1974 to assure patient choice and access to services for enrollees in group health plans and health insurance coverage; to the Committee on Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 3548. A bill to establish a Fund for Environmental Priorities to be funded by a portion of the consumer savings resulting from retail electricity choice, and for other purposes; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLLINS:

H.R. 3549. A bill to amend the Internal Revenue Code of 1986 to repeal the taxes on diesel fuel and gasoline used in trains which were enacted for deficit reduction; to the Committee on Ways and Means.

By Mr. GEPHARDT (for himself, Mr. BOSWELL, Mrs. CLAYTON, Mr. CLYBURN, Mr. EVANS, Mr. MINGE, Mr. PETERSON of Minnesota, Mr. POMEROY, Mr. POSHARD, and Ms. STABENOW):

H.R. 3550. A bill to provide a safety net for farmers and consumers, to promote the development of farmer-owned value added processing facilities, and for other purposes; to the Committee on Agriculture.

By Ms. DELAURO:

H.R. 3551. A bill to amend title 18, United States Code, relating to identity fraud, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DREIER:

H.R. 3552. A bill to amend the Internal Revenue Code of 1986 to allow the carryover of unused nontaxable benefits under cafeteria plans and flexible spending arrangements, and for other purposes; to the Committee on Ways and Means.

By Mr. GUTIERREZ (for himself, Mr. BECERRA, Mrs. MEEK of Florida, Ms. WATERS, Ms. SANCHEZ, and Ms. ROYBAL-ALLARD):

H.R. 3553. A bill to amend the Nicaraguan Adjustment and Central American Relief Act to provide to nationals of El Salvador, Guatemala, Honduras, and Haiti an opportunity to apply for adjustment of status under that Act, and for other purposes; to the Committee on the Judiciary.

By Mr. MCNULTY:

H.R. 3554. A bill to amend the Internal Revenue Code of 1986 to allow rollover contributions to individual retirement plans from deferred compensation plans maintained by States and local governments and to allow State and local governments to maintain 401(k) plans; to the Committee on Ways and Means.

By Mr. MORAN of Virginia (for himself, Mrs. MORELLA, Mr. WYNN, Ms.

LOFGREN, Mr. WAXMAN, Mr. LAMPSON, and Mrs. LOWEY):

H.R. 3555. A bill to direct the Secretary of Transportation to conduct an assessment of available technologies for establishing a system to access information regarding the motor vehicle driving records of all motor vehicle operators in the United States; to the Committee on Transportation and Infrastructure.

By Mr. SHAYS:

H.R. 3556. A bill to reduce Federal spending in several programs; to the Committee on National Security, and in addition to the Committees on International Relations, Science, Agriculture, Transportation and Infrastructure, Resources, Education and the Workforce, Veterans' Affairs, 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. SMITH of Oregon (for himself, Mr. SKEEN, Mr. CRAPO, and Mr. HASTINGS of Washington):

H.R. 3557. A bill to subject the United States to payment of fees and costs in proceedings relating to State water rights adjudications; to the Committee on the Judiciary.

By Mr. DINGELL (for himself, Mr. UPTON, Ms. ESHOO, Mr. LAFALCE, Mrs. LOWEY, Mr. TRAFICANT, Mr. BOUCHER, Mr. MCDADE, Mr. CAMPBELL, Mr. LANTOS, and Mr. FALEOMAVAEGA):

H. Con. Res. 250. Concurrent resolution calling for better awareness and use of federally-supported research findings on the social and economic costs of sleep deprivation and sleep disorders; to the Committee on Commerce.

By Mr. SKEEN:

H. Res. 395. A resolution expressing the condolences of the House on the death of the Honorable Steven Schiff, a Representative from the State of New Mexico; considered and agreed to.

By Mr. HAYWORTH (for himself, Mr. ARCHER, Mr. ENSIGN, Mr. STUMP, Mr. JONES, Mr. ROHRABACHER, Mr. LARGENT, Mr. BRYANT, Mr. JENKINS, Mr. DUNCAN, Mr. HILLEARY, Mr. WELDON of Pennsylvania, Mr. SCARBOROUGH, Mr. MCCREERY, Ms. PRYCE of Ohio, Mr. RYUN, Mr. NEUMANN, Mr. DELAY, Mr. COBLE, Mr. ROGERS, Mr. MCINTOSH, Mr. HUNTER, Mr. COLLINS, Mr. ARMEY, Mr. MCCOLLUM, Mr. EVERETT, Mr. SMITH of Texas, Mr. LIVINGSTON, Mr. SHADEGG, Mr. TALENT, and Mr. SMITH of Michigan):

H. Res. 397. A resolution expressing the sense of the House of Representatives concerning the President's use of the White House Counsel's Office in matters relating to his personal legal battles; to the Committee on Government Reform and Oversight.

¶25.29 ADDITIONAL SPONSORS

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

H.R. 59: Mr. JENKINS.
 H.R. 453: Mr. MCGOVERN.
 H.R. 611: Ms. STABENOW.
 H.R. 693: Mr. GOODLING.
 H.R. 754: Mr. FOX of Pennsylvania.
 H.R. 900: Mr. BAESLER, Ms. SANCHEZ, and Mr. BLAGOJEVICH.
 H.R. 980: Mr. BEREUTER.
 H.R. 1063: Mr. KENNEDY of Massachusetts and Mr. TURNER.
 H.R. 1126: Mr. MURTHA and Mr. BLUNT.
 H.R. 1151: Mr. MEEKS of New York, Mr. STRICKLAND, Mr. PAPPAS, Mr. SPRATT, Mrs. CAPPS, Mr. CLYBURN, and Mr. WELLER.
 H.R. 1283: Mr. BALLENGER, Mr. GRAHAM, Mr. DOOLEY of California, Mr. KLECZKA, Mr.

SKELTON, Mrs. TAUSCHER, Mr. ENGLISH of Pennsylvania, Mr. FORBES, Mr. HOEKSTRA, and Mr. SKEEN.

H.R. 1285: Mr. HEFLEY.
 H.R. 1371: Mr. THUNE.
 H.R. 1375: Ms. HOOLEY of Oregon and Mr. BLUMENAUER.
 H.R. 1376: Mr. RANGEL.
 H.R. 1401: Mr. SHAYS.
 H.R. 1689: Mr. WALSH and Mr. BENTSEN.
 H.R. 1712: Mr. CUNNINGHAM.
 H.R. 1766: Mr. COLLINS, Mr. CRANE, Mr. EHLERS, Mr. ENGEL, Ms. KAPTUR, Mr. KINGSTON, Mr. NETHERCUTT, Ms. SANCHEZ, and Mr. SANDERS.
 H.R. 1807: Mr. FRANK of Massachusetts.
 H.R. 2052: Mr. RANGEL.
 H.R. 2198: Mr. BOB SCHAFFER.
 H.R. 2202: Mr. DIXON, Ms. JACKSON-LEE, and Mr. BURR of North Carolina.
 H.R. 2253: Mr. WAXMAN, Mr. ADAM SMITH of Washington, and Mr. MARTINEZ.
 H.R. 2351: Mr. CUMMINGS.
 H.R. 2380: Mr. BACHUS.
 H.R. 2409: Mr. HILLIARD, Mr. OBERSTAR, Mr. WATKINS, and Mr. MATSUI.
 H.R. 2488: Mr. SANDLIN.
 H.R. 2526: Mr. FOLEY.
 H.R. 2560: Ms. SANCHEZ, Mrs. NORTHUP, and Mrs. TAUSCHER.
 H.R. 2567: Mr. TALENT.
 H.R. 2568: Mr. BRYANT and Mr. CHRISTENSEN.
 H.R. 2598: Mr. HUTCHINSON, Mr. PEASE, and Mr. COOKSEY.
 H.R. 2695: Mr. HINOJOSA and Ms. CHRISTIAN-GREEN.
 H.R. 2936: Mr. MORAN of Kansas.
 H.R. 2951: Mr. NEAL of Massachusetts and Mr. ENGLISH of Pennsylvania.
 H.R. 2968: Mr. PAUL, Mr. ISTOOK, Mr. METCALF, Mr. LATOURETTE, and Mr. BARTON of Texas.
 H.R. 2973: Mr. HANSEN and Mr. HOUGHTON.
 H.R. 2990: Mr. WATKINS, Mr. SNYDER, Mr. ROMERO-BARCELO, Mr. PASCRELL, Mr. COOK, Mr. DOOLEY of California, Mr. GILMAN, Mr. MORAN of Virginia, Mr. SISISKY, Mr. CANNON, Mr. SPRATT, Mr. DEFAZIO, Mr. BLILEY, and Mrs. THURMAN.
 H.R. 2994: Ms. DEGETTE, Mr. THOMPSON, and Mr. DOYLE.
 H.R. 3007: Mrs. JOHNSON of Connecticut and Mr. BARCIA of Michigan.
 H.R. 3048: Mrs. MORELLA.
 H.R. 3050: Ms. SLAUGHTER.
 H.R. 3054: Mr. MANTON, Mr. ENGEL, and Mr. WYNN.
 H.R. 3065: Mr. DOOLEY of California.
 H.R. 3068: Mr. FRANK of Massachusetts, Mr. WATT of North Carolina, Mr. SANDERS, Mr. HASTINGS of Florida, Mrs. MEEK of Florida, and Ms. SANCHEZ.
 H.R. 3107: Ms. WOOLSEY.
 H.R. 3110: Mr. CALVERT, Mr. UPTON, and Mrs. JOHNSON of Connecticut.
 H.R. 3125: Mr. FALEOMAVAEGA, Mrs. MORELLA, Mr. FROST, Mr. EVANS, Mr. FILNER, Mr. WEXLER, and Ms. SLAUGHTER.
 H.R. 3149: Mr. BOB SCHAFFER.
 H.R. 3151: Mr. BOB SCHAFFER.
 H.R. 3156: Ms. PELOSI, Mr. OBERSTAR, Mr. PETERSON of Minnesota, Mr. ETHERIDGE, Mr. MARKEY, Mr. SCOTT, Mr. SANDLIN, Mr. OLVER, Mr. MARTINEZ, Ms. RIVERS, Mr. GREENWOOD, Mr. MILLER of California, Mr. BENTSEN, Mr. FARR of California, Mr. TORRES, Mrs. CAPPS, Mr. DOOLEY of California, Mr. FRANKS of New Jersey, Mr. GILCHREST, Mr. KNOLLENBERG, Mr. PETERSON of Pennsylvania, Mr. TAYLOR of North Carolina, Ms. SLAUGHTER, Mr. DEFAZIO, Ms. SANCHEZ, Mr. LAHOOD, Mr. SKAGGS, Mr. KOLBE, Ms. ESHOO, Mr. FAWELL, and Mr. POMEROY.
 H.R. 3178: Mr. LIPINSKI and Mr. MEEKS of New York.
 H.R. 3181: Mr. CONYERS and Mr. SCHUMER.
 H.R. 3206: Mr. BARR of Georgia.

H.R. 3248: Mr. FORBES, Mr. GOODLATTE, Mr. SHIMKUS, and Mr. RIGGS.

H.R. 3279: Mr. COSTELLO, Mr. FALEOMAVAEGA, Mr. SANDERS, Mrs. MINK of Hawaii, Mr. DINGELL, Mr. THOMPSON, Mr. KILDEE, and Mrs. KELLY.

H.R. 3284: Mr. GREEN and Mr. KIND of Wisconsin.

H.R. 3438: Mr. FRANKS of New Jersey.
 H.R. 3454: Mrs. MYRICK and Ms. RIVERS.

H.R. 3470: Mr. GEJDENSON, Mr. MORAN of Virginia, and Ms. SANCHEZ.

H.R. 3471: Mr. KLECZKA.

H.R. 3475: Mr. SESSIONS, Mr. COBURN, Mr. HOUGHTON, Mr. FOLEY, and Ms. DUNN of Washington.

H.R. 3502: Mr. BILIRAKIS.
 H.R. 3522: Mr. MCGOVERN, Mr. NEAL of Massachusetts, and Mr. WEYGAND.

H.R. 3526: Mr. KENNEDY of Massachusetts, Mr. UNDERWOOD, and Mr. BALDACCI.

H.R. 3534: Mr. GINGRICH.
 H.J. Res. 113: Mr. LEACH.

H. Con. Res. 127: Mr. COSTELLO and Mrs. JOHNSON of Connecticut.

H. Con. Res. 159: Mrs. THURMAN and Mr. MALONEY of Connecticut.

H. Con. Res. 203: Ms. SLAUGHTER and Mr. NETHERCUTT.

H. Con. Res. 210: Mr. MORAN of Virginia and Mr. WHITFIELD.

H. Con. Res. 214: Mr. TANNER and Mr. BRYANT.

H. Con. Res. 218: Mr. ROHRABACHER, Mr. ROYCE, Mr. BERMAN, Mr. FOX of Pennsylvania, Mr. GILMAN, and Mr. SMITH of New Jersey.

H. Con. Res. 225: Ms. KILPATRICK, Mr. LEWIS of Georgia, Ms. CARSON, Mr. LANTOS, Ms. SLAUGHTER, Mrs. MINK of Hawaii, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MILLER of California, Mr. FROST, and Mr. MCGOVERN.

H. Con. Res. 233: Mr. MANTON.
 H. Con. Res. 246: Ms. KAPTUR.

H. Res. 182: Mr. LAZIO of New York.
 H. Res. 313: Mrs. MCCARTHY of New York and Mr. FALEOMAVAEGA.

H. Res. 363: Mr. GREENWOOD and Mr. MCGOVERN.

H. Res. 392: Mr. HINCHEY, Mr. CAMPBELL, and Mr. SANFORD.

¶25.30 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 2500: Mr. FATTAH.

THURSDAY, MARCH 26, 1998 (26)

The House was called to order by the SPEAKER.

¶26.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, March 25, 1998.

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

¶26.2 COMMUNICATIONS

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

8235. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule— Specialty Crops; Import Regulations; Extension of Reporting Period for Peanuts Imported Under 1997 Import Quotas [Docket No. FV97-999-1 FIR] received March 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.