

CONGRESS OF THE UNITED STATES,
Washington, DC, March 10, 1997.

Hon. BUD SHUSTER,
Chairman, House Committee on Transportation,
Rayburn House Office Building.

Hon. THOMAS PETRI,
Chairman, Subcommittee on Surface Transportation,
Rayburn House Office Building.

Hon. JIM OBERSTAR,
Ranking Democratic Member, House Committee
on Transportation, Rayburn House Office
Building.

Hon. NICK RAHALL,
Ranking Democratic Member, Subcommittee on
Surface Transportation, Rayburn House Of-
fice Building.

DEAR MR. CHAIRMAN AND RANKING MEM-
BERS: On February 25, 1997, the North Carolina
Delegation forwarded to your attention
copies of the State of North Carolina's high-
way transportation project priorities.

Included in this package, there were two
funding requests that are of particular con-
cern to our districts, the Ninth and Twelfth
Districts of North Carolina. These requests
regarded funding for construction of the
Eastern and Western Outer Loops in Char-
lotte, Mecklenburg County, North Carolina.
The completion of the Outer Loop is the
foremost road priority for our region during
consideration of transportation funding this
year. The purpose of this letter is to for-
mally inform you of our strong support for
this critical transportation need for the City
of Charlotte.

We thank you in advance for your consid-
eration of this request. Please do not hesi-
tate to contact either of us if we can provide
you with further information regarding the
Outer Loop project.

Sincerely,

SUE MYRICK,
Member of Congress.
MELVIN WATT,
Member of Congress.

CONGRESS OF THE UNITED STATES,
Washington, DC, August 20, 1997.

Chairman BUD SHUSTER,
Committee on Transportation and Infrastruc-
ture, Rayburn House Office Building,
Washington, DC.

DEAR CHAIRMAN SHUSTER: We are writing
to express our strong support for the I-40
cross bridge project, which was submitted to
the Surface Transportation Subcommittee in
February. This project is important not only
to the State of Oklahoma, but also to the
Nation.

The I-40 cross bridge is in a critical state
of disrepair. There are serious safety con-
cerns surrounding the continued use of this
bridge. Due to these concerns Oklahoma in-
spects this particular bridge every six
months; other bridges are inspected only
once every two years.

It is critical to the State and to the Nation
that this bridge remains open. Recently, the
Oklahoma Department of Transportation de-
termined that approximately 102,000 cars
cross this bridge every day. Furthermore,
61% of all the trucks that cross this bridge
are out of state trucks. Clearly, this bridge
is heavily traveled by more than just Okla-
homans.

Both the Governor of Oklahoma and the
Secretary of Transportation have endorsed
this project and have made it the number
one transportation priority for the State of
Oklahoma. Unfortunately, due to the mag-
nitude of the project, Oklahoma does not
have the funds to tackle it at this time.

We are committed to working with our
state officials to ensure that this project re-
ceive the attention and funding it needs. We
would greatly appreciate your consideration
of the merits of this project. The I-40 cross
bridge is indeed vital to both Oklahoma and
the overall interstate system. Please let us

know if we can provide you with additional
information.

Sincerely,

REP. J.C. WATTS, JR.
REP. ERNEST ISTOOK, JR.
REP. STEVE LARGENT.
REP. FRANK LUCAS.
REP. WES WATKINS.
REP. TOM COBURN.

Mr. SHUSTER. Mr. Speaker, I yield
back the balance of my time.

¶26.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr.
Lundregan, one of its clerks, an-
nounced that the Senate had passed a
concurrent resolution of the following
title, in which concurrence of the
House is requested:

S. Con. Res. 87. Concurrent resolution to
correct the enrollment of S. 419.

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

Mr. MCINNIS, by direction of the
Committee on Rules, called up the fol-
lowing resolution (H. Res. 396):

Resolved, That at any time after the adop-
tion of this resolution the Speaker may, pur-
suant 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. 3310) to amend
chapter 35 of title 44, United States Code, for
the purpose of facilitating compliance by
small businesses with certain Federal paper-
work requirements, and to establish a task
force to examine the feasibility of stream-
lining paperwork requirements applicable to
small businesses. The first reading of the bill
shall be dispensed with. Points of order
against consideration of the bill for failure
to comply with clause 2(l)(6) of rule XI or
section 303 or 311 of the Congressional Bud-
get Act of 1974 are waived. General debate
shall be confined to the bill and shall not ex-
ceed one hour equally divided and controlled
by the chairman and ranking minority mem-
ber of the Committee on Government Reform
and Oversight. After general debate the bill
shall be considered for amendment under the
five-minute rule. It shall be in order to con-
sider as an original bill for the purpose of
amendment under the five-minute rule the
amendment in the nature of a substitute rec-
ommended by the Committee on Govern-
ment Reform and Oversight now printed in
the bill. The committee amendment in the
nature of a substitute shall be considered as
read. Points of order against the committee
amendment in the nature of a substitute for
failure to comply with section 303 or section
311 of the Congressional Budget Act of 1974
are waived. During consideration of the bill
for amendment, the chairman of the Com-
mittee of the Whole may accord priority in
recognition on the basis of whether the
Member offering an amendment has caused
it to be printed in the portion of the Con-
gressional Record designated for that pur-
pose in clause 6 of rule XXIII. Amendments
so printed shall be considered as read. The
chairman of the Committee of the Whole
may: (1) postpone until a time during further
consideration in the Committee of the Whole
a request for a recorded vote on any amend-
ment; and (2) reduce to five minutes the min-
imum time for electronic voting on any post-
poned question that follows another elec-
tronic vote without intervening business,
provided that the minimum time for elec-
tronic voting on the first in any series of
questions shall be 15 minutes. At the conclu-
sion of consideration of the bill for amend-
ment 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 with-
out instructions.

When said resolution was considered.

After debate,

On motion of Mr. MCINNIS, the pre-
vious question was ordered on the reso-
lution to its adoption or rejection and
under the operation thereof, the resolu-
tion was agreed to.

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

¶26.6 SMALL BUSINESS PAPERWORK REDUCTION AMENDMENTS

The SPEAKER pro tempore, Mr.
MCINNIS, pursuant to House Resolu-
tion 396 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. 3310) to amend chapter 35 of title
44, United States Code, for the purpose
of facilitating compliance by small
businesses with certain Federal paper-
work requirements, and to establish a
task force to examine the feasibility of
streamlining paperwork requirements
applicable to small businesses.

The SPEAKER pro tempore, Mr.
MCINNIS, by unanimous consent, des-
ignated Mr. CALVERT as Chairman of
the Committee of the Whole; and after
some time spent therein.

¶26.7 RECORDED VOTE

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

Page 4, strike line 10 and all that follows
through page 6, line 25, and insert the fol-
lowing:

"(B) establish a policy or program for
eliminating, delaying, and reducing civil
fines in appropriate circumstances for first-
time violations by small entities (as defined
in section 601 of title 5, United States Code)
of requirements regarding collection of in-
formation. Such policy or program shall
take into account—

"(i) the nature and seriousness of the vio-
lation, including whether the violation was
technical or inadvertent, involved willful or
criminal conduct, or has caused or threatens
to cause harm to—

"(I) the health and safety of the public;

"(II) consumer, investor, worker, or pen-
sion protections; or

"(III) the environment;

"(ii) whether there has been a demon-
stration of good faith effort by the small entity
to comply with applicable laws, and to rem-
edy the violation within the shortest prac-
ticable period of time;

"(iii) the previous compliance history of
the small entity, including whether the enti-
ty, its owner or owners, or its principal offi-
cers have been subject to past enforcement
actions;

"(iv) whether the small entity has ob-
tained a significant economic benefit from
the violation; and

"(v) any other factors considered relevant
by the head of the agency;

“(C) not later than 6 months after the date of the enactment of the Small Business Paperwork Reduction Act Amendments of 1998, revise the policies of the agency to implement subparagraph (B); and

“(D) not later than 6 months after the date of the enactment of such Act, submit to the Committee on Government Reform and Oversight of the House of Representatives and the Committee on Governmental Affairs of the Senate a report that describes the policy or program implemented under subparagraph (B).”

“(2) For purposes of paragraphs (1)(B) through (1)(D), the term ‘agency’ does not include the Internal Revenue Service.”

It was decided in the { Yeas 183 negative } Nays 221

¶26.8 [Roll No. 72] AYES—183

- Abercrombie Gordon Nadler
Ackerman Green Neal
Allen Gutierrez Oberstar
Andrews Hall (OH) Obey
Baesler Hastings (FL) Ortiz
Baldacci Hefner Owens
Barcia Hilliard Pallone
Barrett (WI) Hinchey Pascarell
Bentsen Hinojosa Pastor
Berman Holden Pelosi
Berry Hooley Peterson (MN)
Bishop Hoyer Pomeroy
Blagojevich Jackson (IL) Poshard
Blumenauer John Price (NC)
Boehlert Johnson (WI) Rahall
Bonior Kanjorski Redmond
Borski Kaptur Rivers
Boswell Kennedy (MA) Rodriguez
Boucher Kennedy (RI) Rothman
Brown (CA) Kennelly Roybal-Allard
Brown (OH) Kildee Rush
Capps Kilpatrick Sabo
Carson Kind (WI) Sanchez
Clay Kleczka Sanders
Clayton Klink Sandlin
Clement Kucinich Sawyer
Clyburn LaFalce Schumer
Condit Lampson Scott
Costello Lantos Serrano
Coyne Lazio Shays
Cramer Levin Sherman
Cummings Lewis (GA) Skaggs
Davis (FL) Lipinski Skelton
Davis (IL) Lofgren Slaughter
DeFazio Lowey Smith, Adam
DeGette Luther Snyder
Delahunt Maloney (CT) Spratt
DeLauro Maloney (NY) Stabenow
Deutsch Manton Stark
Diaz-Balart Markey Stokes
Dicks Martinez Strickland
Dingell Mascara Stupak
Dixon Matsui Tanner
Doggett McCarthy (MO) Thauscher
Dooley McCarthy (NY) Thompson
Doyle McGovern Thurman
Edwards McHale Tierney
Engel McIntyre Torres
Eshoo McKinney Towns
Etheridge McNulty Traficant
Evans Meehan Velazquez
Farr Meek (FL) Vento
Fattah Meeks (NY) Visclosky
Fazio Menendez Watt (NC)
Filner Miller (CA) Waxman
Frank (MA) Minge Wexler
Frost Mink Weygand
Furse Moakley Wise
Gejdenson Moran (VA) Woolsey
Gephardt Morella Wynn
Gilchrest Murtha Yates

NOES—221

- Aderholt Bereuter Burton
Archer Bilbray Buyer
Armye Bilirakis Callahan
Bachus Bliley Calvert
Baker Blunt Camp
Ballenger Boehner Campbell
Barr Bonilla Canady
Barrett (NE) Boyd Castle
Bartlett Brady Chabot
Barton Bryant Chambliss
Bass Bunning Chenoweth
Bateman Burr Christensen

- Coble Hyde Radanovich
Coburn Inglis Ramstad
Collins Istook Regula
Combest Jenkins Riley
Cooksey Johnson (CT) Roemer
Cox Johnson, Sam Rogan
Crane Jones Rogers
Cubin Kasich Rohrabacher
Cunningham Kelly Ros-Lehtinen
Danner Kim Roukema
Davis (VA) King (NY) Ryun
Deal Kingston Salmon
Dickey Klug Sanford
Doolittle Knollenberg Saxton
Dreier Kolbe Scarborough
Duncan LaHood Schaefer, Dan
Dunn Largent Schaffer, Bob
Ehlers Latham Sensenbrenner
Ehrlich LaTourette Sessions
Emerson Leach Shadegg
English Lewis (CA) Shaw
Ensign Lewis (KY) Shimkus
Everett Linder Shuster
Ewing Livingston Sisisky
Fawell LoBiondo Skeen
Foley Lucas Smith (MI)
Forbes Manzullo Smith (NJ)
Fossella McCollum Smith (OR)
Fowler McCrery Smith (TX)
Fox McDade Smith, Linda
Franks (NJ) McHugh Snowbarger
Frelinghuysen McInnis Solomon
Gallegly McIntosh Souder
Ganske McKeon Spence
Gekas Metcalf Stearns
Gibbons Mica Stenholm
Gilman Miller (FL) Stump
Goode Mollohan Sununu
Goodlatte Moran (KS) Talent
Goodling Myrick Tauzin
Goss Nethercutt Taylor (MS)
Graham Neumann Taylor (NC)
Granger Ney Thomas
Greenwood Northup Thornberry
Gutknecht Norwood Thune
Hall (TX) Nussle Tiahrt
Hamilton Oxley Turner
Hansen Packard Upton
Hastert Pappas Walsh
Hastings (WA) Parker Wamp
Hayworth Paul Watkins
Hefley Pease Watts (OK)
Herger Peterson (PA) Weldon (FL)
Hill Petri Weldon (PA)
Hilleary Pickering Weller
Hobson Pickett White
Hoekstra Pitts Whitfield
Horn Pombo Wicker
Hostettler Porter Wolf
Hulshof Portman Young (AK)
Hunter Pryce (OH) Young (FL)
Hutchinson Quinn

NOT VOTING—26

- Becerra Gonzalez Olver
Brown (FL) Harman Paxon
Cannon Houghton Payne
Cardin Jackson-Lee Rangel
Conyers (TX) Reyes
Cook Jefferson Riggs
Crapo Johnson, E. B. Royce
DeLay McDermott Waters
Ford Millender
Gillmor McDonald

So the amendment was not agreed to.

¶26.9 RECORDED VOTE

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

Page 6, strike line 25 and insert the following: imposed by the agency.

“(4) Notwithstanding any other provision of law, no State may impose a civil penalty on a small-business concern, in the case of a first-time violation by the small-business concern of a requirement regarding collection of information under Federal law, in a manner inconsistent with the provisions of this subsection.”

It was decided in the { Yeas 224 affirmative } Nays 179

¶26.10 [Roll No. 73] AYES—224

- Aderholt Goode Parker
Archer Goodlatte Paul
Armye Goodling Pease
Bachus Gordon Peterson (PA)
Baker Goss Petri
Ballenger Graham Pickering
Barr Granger Pickett
Barrett (NE) Gutknecht Pitts
Bartlett Hall (TX) Pombo
Barton Hansen Porter
Bass Hastert Portman
Bateman Hastings (WA) Pryce (OH)
Bereuter Hayworth Quinn
Bilbray Hefley Radanovich
Bilirakis Herger Ramstad
Bliley Hill Redmond
Blunt Hilleary Regula
Boehner Hobson Riley
Brady Hoekstra Rogan
Brady Holden Rogers
Brady Horn Rohrabacher
Bryant Hostettler Ros-Lehtinen
Bunning Hulshof Roukema
Burr Hunter Ryun
Burton Hutchinson Salmon
Buyer Hyde Sanford
Callahan Inglis Scarborough
Calvert Istook Schaefer, Dan
Camp Jenkins Schaffer, Bob
Campbell John Sensenbrenner
Canady Johnson, Sam Sessions
Castle Jones Shadegg
Chabot Kasich Shaw
Chambliss Kelly Shimkus
Chenoweth Kim Shuster
Christensen Kingston Sisisky
Clement Klug Skeen
Coble Knollenberg Skelton
Coburn Kolbe Smith (MI)
Collins LaHood Smith (OR)
Combest Largent Smith (TX)
Cooksey Latham Smith, Linda
Cox LaTourette Snowbarger
Cramer Lazio Solomon
Crane Leach Souder
Cubin Lewis (CA) Spence
Cunningham Lewis (KY) Stearns
Danner Linder Stenholm
Davis (VA) Livingston Stump
Deal Lucas Sununu
DeLay Manzullo Talent
Diaz-Balart McCollum Tanner
Dickey McCrery Tauzin
Doolittle McDade Taylor (MS)
Dreier McHugh Taylor (NC)
Duncan McInnis Thomas
Dunn McIntosh Thornberry
Ehlers McKeon Thune
Ehrlich Metcalf Tiahrt
Emerson Mica Traficant
English Miller (FL) Turner
Ensign Minge Upton
Everett Mollohan Walsh
Ewing Moran (KS) Wamp
Fawell Murtha Watkins
Foley Myrick Watts (OK)
Fossella Nethercutt Weldon (FL)
Fowler Neumann Weller
Fox Ney White
Gallegly Northup Whitfield
Ganske Norwood Wicker
Gekas Nussle Wolf
Gibbons Oxley Young (AK)
Gilchrest Packard Young (FL)
Gilman Pappas

NOES—179

- Abercrombie Boucher DeLauro
Ackerman Brown (CA) Deutsch
Allen Brown (OH) Dicks
Andrews Capps Dingell
Baesler Carson Dixon
Baldacci Clay Doggett
Barcia Clayton Dooley
Barrett (WI) Clyburn Doyle
Bentsen Condit Edwards
Berman Costello Engel
Berry Coyne Eshoo
Blagojevich Cummings Etheridge
Blumenauer Davis (FL) Evans
Boehlert Davis (IL) Farr
Bonior DeFazio Fattah
Borski DeGette Fazio
Boswell Delahunt Filner