

of Status of Refugees and Asylees: Processing Under Direct Mail Program [INS No. 1829-96] (RIN: 1115-AD73) received June 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

9640. A letter from the Executive Director, United States Olympic Committee, transmitting the 1997 Annual Report of the United States Olympic Committee (USOC), pursuant to Public Law 95-606; to the Committee on the Judiciary.

9641. A letter from the Chief Counsel, Department of the Treasury, transmitting the Department's final rule—Government Securities: Call for Large Position Reports—received June 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### ¶57.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate passed a bill of the following title, in which concurrence of the House is requested:

S. 1693. An Act to provide for improved management and increased accountability for certain National Park Service programs, and for other purposes.

#### ¶57.5 SUBMISSION OF CONFERENCE REPORT—H.R. 2646

Mr. ARMEY submitted a conference report (Rept. No. 105-577) on the bill (H.R. 2646) to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

#### ¶57.6 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1693. An Act to provide for improved management and increased accountability for certain National Park Service programs, and for other purposes; to the Committee on Resources.

And then,

#### ¶57.7 ADJOURNMENT

On motion of Mr. ROHRBACHER, pursuant to the special order agreed to on June 11, 1998, at 12 o'clock and 10 minutes p.m. the House adjourned until 12:30 p.m. on Tuesday, June 16, 1998.

#### ¶57.8 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. ARCHER, Committee of Conference, Conference report on H.R. 2646. A bill to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses (Rept. No. 105-577). Ordered to be printed.

#### ¶57.9 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII,

Mr. YOUNG of Alaska introduced A resolution (H. Res. 470) to express the sense of the House of Representatives regarding actions to stop the poaching of valuable marine resources and use of illegal high seas driftnets in the Bering Sea; which was referred to the Committee on Resources.

#### ¶57.10 ADDITIONAL SPONSORS

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

H.R. 165: Mr. PASTOR.  
H.R. 1126: Mr. FRELINGHUYSEN, Mr. MCGOVERN, and Mr. SCHUMER.  
H.R. 1766: Mr. DAN SCHAEFER of Colorado.  
H.R. 2009: Mr. MATSUI, Mr. ROHRBACHER, Mr. BORSKI, and Mrs. KELLY.  
H.R. 2020: Ms. WOOLSEY, Mr. DEFazio, Mr. CLYBURN, and Ms. STABENOW.  
H.R. 2077: Mr. PALLONE, Mr. STARK, and Mr. WEXLER.  
H.R. 3668: Mr. PICKERING.  
H. Con. Res. 268: Mr. PALLONE.

### TUESDAY, JUNE 16, 1998 (58)

#### ¶58.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order at 12:30 o'clock p.m. by the SPEAKER pro tempore, Mr. RADANOVICH, who laid before the House the following communication:

WASHINGTON, DC,  
June 16, 1998.

I hereby designate the Honorable GEORGE P. RADANOVICH to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
*Speaker of the House of Representatives.*

#### ¶58.2 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 75. Concurrent resolution expressing the sense of the Congress that States should work more aggressively to attack the problem of violent crimes committed by repeat offenders and criminals serving abbreviated sentences.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill and a concurrent resolution of the House of the following titles:

H.R. 1853. An Act to amend the Carl D. Perkins Vocational and Applied Technology Education Act.

H. Con. Res. 284. Concurrent resolution revising the congressional budget for the United States Government for fiscal year 1998, establishing the congressional budget for the United States Government for fiscal year 1999, and setting forth appropriate budgetary levels for fiscal years 2000, 2001, 2002, and 2003.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 629) "An Act to grant the consent of the Congress to the Texas Low-Level Radioactive Waste Disposal Compact," disagreed to by the House and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. THURMOND, Mr. HATCH, and Mr.

LEAHY to be the conferees on the part of the Senate, with instructions.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 1853) "An Act to amend the Carl D. Perkins Vocational and Applied Technology Education Act," and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JEFFORDS, Mr. COATS, Mr. GREGG, Mr. FRIST, Mr. DEWINE, Mr. ENZI, Mr. HUTCHINSON, Ms. COLLINS, Mr. WARNER, Mr. MCCONNELL, Mr. KENNEDY, Mr. DODD, Mr. HARKIN, Ms. MIKULSKI, Mr. BINGAMAN, Mr. WELLSTONE, Mrs. MURRAY, and Mr. REED to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the resolution (H. Con. Res. 284) "A concurrent resolution revising the congressional budget for the United States Government for fiscal year 1998, establishing the congressional budget for the United States Government for fiscal year 1999 and setting forth appropriate budgetary levels for fiscal years 2000, 2001, 2002, and 2003," and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. DOMENICI, Mr. GRASSLEY, Mr. NICKLES, Mr. GRAMM, Mr. BOND, Mr. GORTON, Mr. GREGG, Ms. SNOWE, Mr. ABRAHAM, Mr. FRIST, Mr. GRAMS, Mr. SMITH of Oregon, Mr. LAUTENBERG, Mr. HOLLINGS, Mr. CONRAD, Mr. SARBANES, Mrs. BOXER, Mrs. MURRAY, Mr. WYDEN, Mr. FEINGOLD, Mr. JOHNSON, and Mr. DURBIN to be the conferees on the part of the Senate.

#### ¶58.3 "MORNING-HOUR DEBATE"

The SPEAKER pro tempore, Mr. RADANOVICH, pursuant to the order of the House of Tuesday, January 21, 1997, recognized Members for "morning-hour debate".

#### ¶58.4 RECESS—1:16 P.M.

The SPEAKER pro tempore, Mr. RADANOVICH, pursuant to clause 12 of rule I, declared the House in recess until 2 o'clock p.m.

#### ¶58.5 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. EWING, called the House to order.

#### ¶58.6 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. EWING, announced he had examined and approved the Journal of the proceedings of Monday, June 15, 1998.

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

#### ¶58.7 COMMUNICATIONS

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

9642. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Mediterranean Fruit Fly; Addition To Quarantined Areas [Docket No. 97-056-13] received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9643. A letter from the Manager, Federal Crop Insurance Corporation, Department of Agriculture, transmitting the Department's final rule—Popcorn Crop Insurance Regulations, and Common Crop Insurance Regulations, Popcorn Crop Insurance Provisions (RIN: 0563-AB48) received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9644. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Tobacco Inspection; Growers' Referendum Results [Docket No. TB-97-16] received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9645. A letter from the Assistant Secretary of State for Legislative Affairs, Department of State, transmitting on behalf of the Secretary of State, the Annual Report on the Panama Canal Treaty for Fiscal Year 1997, pursuant to 22 U.S.C. 3871; to the Committee on National Security.

9646. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Antiterrorism Training [DFARS Case 96-D016] received June 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

9647. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Contract Distribution to Defense Finance and Accounting Service Offices [DFARS Case 97-D039] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

9648. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Contractor Use of Nonimmigrant Aliens-Guam [DFARS Case 97-D318] received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

9649. A letter from the Director, Administration and Management, Department of Defense, transmitting the Department's final rule—Private Organizations on DoD Installations [DoD Instruction 1000.15] (RIN: 0790-AG53) received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

9650. A letter from the Under Secretary for Personnel and Readiness, Secretary of Defense, transmitting the report on sexual harassment complaints filed pursuant to Section 591(a), along with the results and timeliness of investigations concerning those complaints; to the Committee on National Security.

9651. A letter from the Secretary of the Treasury, transmitting the annual report on the operations of the Exchange Stabilization Fund (ESF) for fiscal year 1997, pursuant to 31 U.S.C. 5302(c)(2); to the Committee on Banking and Financial Services.

9652. A letter from the Deputy Under Secretary of Defense, International and Commercial Programs, Department of Defense, transmitting describing the activities of the Defense Production Act (DPA) Title III fund for Fiscal Year 1997; to the Committee on Banking and Financial Services.

9653. A letter from the Acting Assistant Secretary, Office of Special Education and Rehabilitative Services, Department of Education, transmitting notice of the Final Funding Priorities for Fiscal Years 1998-1999 for three Rehabilitation Research and Training Centers and four Rehabilitation Engineering Research Centers, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

9654. A letter from the Acting Assistant General Counsel for Regulations, Depart-

ment of Education, transmitting the Department's final rule—Notice of Final Funding Priorities for Fiscal Years 1998-1999 for Certain Centers—received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

9655. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Safety Of Nuclear Explosive Operations [DOE O 452.2A] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9656. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Departmental Materials Transportation And Packaging Management [DOE O 460.2-1] received June 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9657. A letter from the CFO & Plan Administrator, First South Production Credit Association, transmitting the annual report of the Production Credit Association Retirement Plan for the year ending December 31, 1997, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform and Oversight.

9658. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Voluntary Early Retirement Authority (RIN: 3206-A125) received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

9659. A letter from the Secretary of Transportation, transmitting a report on Air Cargo Security, pursuant to Public Law 104-264; to the Committee on Transportation and Infrastructure.

9660. A letter from the Chair, Medicare Payment Advisory Commission, transmitting the report entitled "Context for a Changing Medicare Program"; jointly to the Committees on Ways and Means and Commerce.

58.8 PRIVATE CALENDAR

The SPEAKER pro tempore, Mr. EWING, directed the Private Calendar to be called.

When,

58.9 BILLS PASSED

The bills of the following titles were severally considered, read twice, ordered to be engrossed and read a third time, were severally read a third time by title, and passed:

H.R. 375. A bill for relief of Margarito Domantay.

Amendment in the nature of a substitute offered by the Committee on the Judiciary:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. PAYMENT OF CLAIM AGAINST THE UNITED STATES FOR ERRONEOUS COMPUTATION OF RETIRED PAY.

The Secretary of the Treasury shall pay, out of any funds in the Treasury not otherwise appropriated, to Petty Officer Margarito Domantay, United States Navy (retired), of Tampa, Florida, the sum of \$6,386.30, such amount representing the amount of retired pay (with interest) that Petty Officer Domantay would have received for the period beginning on June 8, 1979, and ending on March 12, 1985, had that retired pay been properly computed based upon pay grade E-5 second class (rather than pay grade of E-4, third class, with which such retired pay was computed due to administrative error).

SEC. 2. LIMITATION ON AGENT AND ATTORNEY FEES.

It shall be unlawful for an amount exceeding 10 percent of the amount paid pursuant to section 1 to be paid to, or received by, any agent or attorney for any service rendered in connection with the claim described in such section. Any person who violates this section shall be guilty of an infraction, and shall be subject to a fine in the amount provided in title 18, United States Code.

H.R. 1949. A bill for relief of Nuratu Olarewaju Abeke Kadiri.

Amendment in the nature of a substitute offered by the Committee on the Judiciary:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. PERMANENT RESIDENT STATUS FOR NURATU OLAREWAJU ABEKE KADIRI.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act, Nuratu Olarewaju Abeke Kadiri shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Nuratu Olarewaju Abeke Kadiri enters the United States before the filing deadline specified in subsection (c), she shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees within 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Nuratu Olarewaju Abeke Kadiri, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 203(a) of the Immigration and Nationality Act or, if applicable, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 202(e) of such Act.

(e) DENIAL OF PREFERENTIAL IMMIGRATION TREATMENT FOR CERTAIN RELATIVES.—The natural parents, brothers, and sisters of Nuratu Olarewaju Abeke Kadiri shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

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

Motions severally made to reconsider the votes whereby each bill on the Private Calendar was disposed of today were, by unanimous consent, laid on the table.

58.10 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore, Mr. EWING, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,  
Washington, DC, June 15, 1998.

Hon. NEWT GINGRICH,  
The Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on June 15, 1998 at 4:01 p.m. and said to contain a message from the President whereby he transmits to the Congress a report required by Condition (4)(A) of the resolution of advice and consent to ratification of the Chemical Weapons Convention.

With warm regards,

ROBIN H. CARLE,  
Clerk.

¶58.11 CHEMICAL WEAPONS CONVENTION  
COST-SHARING

The Clerk then read the message from the President, as follows:

*To the Congress of The United States:*

Attached is a report to the Congress on cost-sharing arrangements, as required by Condition (4)(A) of the resolution of advice and consent to ratification of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, adopted by the Senate of the United States on April 24, 1997.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 15, 1998.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations.

¶58.12 CONGRESSIONAL MEDAL TO  
NELSON R. MANDELA

Mr. CASTLE moved to suspend the rules and pass the bill (H.R. 3156) to present a congressional gold medal to Nelson Rolihlala Mandela.

The SPEAKER pro tempore, Mr. EWING, recognized Mr. CASTLE and Ms. WATERS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. EWING, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and 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.

¶58.13 FASTENER QUALITY IN AIRCRAFT

Mr. SENSENBRENNER moved to suspend the rules and pass the bill (H.R. 3824) amending the Fastener Quality Act to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft; as amended.

The SPEAKER pro tempore, Mr. EWING, recognized Mr. SENSEN-

BRENNER and Mr. BARCIA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. EWING, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

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

¶58.14 TELEMARKETING FRAUD  
PREVENTION

Mr. GOODLATTE moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 1847) to improve the criminal law relating to fraud against consumers:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Telemarketing Fraud Prevention Act of 1997".

**SEC. 2. CRIMINAL FORFEITURE OF FRAUD PROCEEDS.**

Section 982 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by redesignating the second paragraph designated as paragraph (6) as paragraph (7); and

(B) by adding at the end the following:

"(8) The Court, in sentencing a defendant convicted of an offense under section 1028, 1029, 1341, 1342, 1343, or 1344, or of a conspiracy to commit such an offense, if the offense involves telemarketing (as that term is defined in section 2325), shall order that the defendant forfeit to the United States any real or personal property—

"(A) used or intended to be used to commit, to facilitate, or to promote the commission of such offense; and

"(B) constituting, derived from, or traceable to the gross proceeds that the defendant obtained directly or indirectly as a result of the offense."; and

(2) in subsection (b)(1)(A), by striking "(a)(1) or (a)(6)" and inserting "(a)(1), (a)(6), or (a)(8)".

**SEC. 3. PENALTY FOR TELEMARKETING FRAUD.**

Section 2326 of title 18, United States Code, is amended by striking "may" each place it appears and inserting "shall".

**SEC. 4. ADDITION OF CONSPIRACY OFFENSES TO SECTION 2326 ENHANCEMENT.**

Section 2326 of title 18, United States Code, is amended by inserting ", or a conspiracy to commit such an offense," after "or 1344".

**SEC. 5. CLARIFICATION OF MANDATORY RESTITUTION.**

Section 2327 of title 18, United States Code, is amended—

(1) in subsection (a), by striking "for any offense under this chapter" and inserting "to all victims of any offense for which an enhanced penalty is provided under section 2326"; and

(2) by striking subsection (c) and inserting the following:

"(c) VICTIM DEFINED.—In this section, the term 'victim' has the meaning given that term in section 3663A(a)(2)."

**SEC. 6. AMENDMENT OF FEDERAL SENTENCING GUIDELINES.**

(a) DEFINITION OF TELEMARKETING.—In this section, the term "telemarketing" has the

meaning given that term in section 2326 of title 18, United States Code.

(b) DIRECTIVE TO SENTENCING COMMISSION.—Pursuant to its authority under section 994(p) of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall—

(1) promulgate Federal sentencing guidelines or amend existing sentencing guidelines (and policy statements, if appropriate) to provide for substantially increased penalties for persons convicted of offenses described in section 2326 of title 18, United States Code, as amended by this Act, in connection with the conduct of telemarketing;

(2) submit to Congress an explanation of each action taken under paragraph (1) and any additional policy recommendations for combating the offenses described in that paragraph.

(c) REQUIREMENTS.—In carrying out this section, the Commission shall—

(1) ensure that the guidelines and policy statements promulgated or amended pursuant to subsection (b)(1) and any recommendations submitted thereunder reflect the serious nature of the offenses;

(2) provide an additional appropriate sentencing enhancement if offense involved sophisticated means, including but not limited to sophisticated concealment efforts, such as perpetrating the offense from outside the United States;

(3) provide an additional appropriate sentencing enhancement for cases in which a large number of vulnerable victims, including but not limited to victims described in section 2326(2) of title 18, United States Code, are affected by a fraudulent scheme or schemes;

(4) ensure that guidelines and policy statements promulgated or amended pursuant to subsection (b)(1) are reasonably consistent with other relevant statutory directives to the Commission and with other guidelines;

(5) account for any aggravating or mitigating circumstances that might justify upward or downward departures;

(6) ensure that the guidelines adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code; and

(7) take any other action the Commission considers necessary to carry out this section.

(d) EMERGENCY AUTHORITY.—The Commission shall promulgate the guidelines or amendments provided for under this subsection as soon as practicable, and in any event not later than 120 days after the date of enactment of the Telemarketing Fraud Prevention Act of 1997, in accordance with the procedures set forth in section 21(a) of the Sentencing Reform Act of 1987, as though the authority under that authority had not expired, except that the Commission shall submit to Congress the emergency guidelines or amendments promulgated under this section, and shall set an effective date for those guidelines or amendments not earlier than 30 days after their submission to Congress.

**SEC. 7. FALSE ADVERTISING OR MISUSE OF NAME TO INDICATE UNITED STATES MARSHALS SERVICE.**

Section 709 of title 18, United States Code, is amended by inserting after the thirteenth undesignated paragraph the following:

"Whoever, except with the written permission of the Director of the United States Marshals Service, knowingly uses the words 'United States Marshals Service', 'U.S. Marshals Service', 'United States Marshal', 'U.S. Marshal', 'U.S.M.S.', or any colorable imitation of any such words, or the likeness of a United States Marshals Service badge, logo, or insignia on any item of apparel, in connection with any advertisement, circular, book, pamphlet, software, or other publication, or any play, motion picture, broadcast, telecast, or other production, in a manner

that is reasonably calculated to convey the impression that the wearer of the item of apparel is acting pursuant to the legal authority of the United States Marshals Service, or to convey the impression that such advertisement, circular, book, pamphlet, software, or other publication, or such play, motion picture, broadcast, telecast, or other production, is approved, endorsed, or authorized by the United States Marshals Service;".

**SEC. 8. DISCLOSURE OF CERTAIN RECORDS FOR INVESTIGATIONS OF TELE-MARKETING FRAUD.**

Section 2703(c)(1)(B) of title 18, United States Code, is amended—

(1) by striking out "or" at the end of clause (ii);

(2) by striking out the period at the end of clause (iii) and inserting in lieu thereof "; or"; and

(3) by adding at the end the following:

"(iv) submits a formal written request relevant to a law enforcement investigation concerning telemarketing fraud for the name, address, and place of business of a subscriber or customer of such provider, which subscriber or customer is engaged in telemarketing (as such term is in section 2325 of this title)."

The SPEAKER pro tempore, Mr. EWING, recognized Mr. GOODLATTE and Mr. DELAHUNT, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. EWING, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GOODLATTE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. EWING, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

**§58.15 ADVISORY COUNCIL ON CALIFORNIA INDIAN POLICY EXTENSION**

Mr. YOUNG of Alaska, moved to suspend the rules and pass the bill (H.R. 3069) to extend the Advisory Council on California Indian Policy to allow the Advisory Council to advise Congress on the implementation of the proposals and recommendations of the Advisory Council.

The SPEAKER pro tempore, Mr. EWING, recognized Mr. YOUNG of Alaska and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. EWING, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and 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.

**§58.16 ROGUE RIVER NATIONAL FOREST**

Mr. SMITH of Oregon, moved to suspend the rules and pass the bill (H.R. 3796) to authorize the Secretary of Agriculture to convey the administrative site for the Rogue River National Forest and use the proceeds for the construction or improvement of offices and support buildings for the Rogue River National Forest and the Bureau of Land Management.

The SPEAKER pro tempore, Mr. EWING, recognized Mr. SMITH of Oregon and Mr. FALEOMAVAEGA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. EWING, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and 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.

**§58.17 NATIONAL DROUGHT POLICY**

Mr. BOEHLERT moved to suspend the rules and pass the bill (H.R. 3035) to establish an advisory commission to provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for and respond to serious drought emergencies; as amended.

The SPEAKER pro tempore, Mr. EWING, recognized Mr. BOEHLERT and Mr. BORSKI, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

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

**§58.18 INDIVIDUALS WITH DISABILITIES EDUCATION**

Mr. GOODLING moved to suspend the rules and agree to the following resolution (H. Res. 399); as amended:

Whereas Pennsylvania Association for Retarded Children v. Commonwealth of Pennsylvania, 334 F. Supp. 1247 (E. Dist. Pa. 1971), and Mills v. Board of Education of the District of Columbia, 348 F. Supp. 866 (Dist. D.

C. 1972), found that children with disabilities are guaranteed an equal opportunity to an education under the 14th amendment to the Constitution;

Whereas the Congress responded to these court decisions by passing the Education for All Handicapped Children Act of 1975 (enacted as Public Law 94-142), now known as the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), to ensure a free, appropriate public education for children with disabilities;

Whereas the Individuals with Disabilities Education Act provides that the Federal, State, and local governments are to share in the expense of educating children with disabilities and authorizes the Federal Government to pay up to 40 percent of the national average per pupil expenditure for children with disabilities;

Whereas the Federal Government has provided only 7, 9, and 11 percent of the maximum State grant allocation for educating children with disabilities under the Individuals with Disabilities Education Act in the last 3 years, respectively;

Whereas the national average cost of educating a special education student (\$12,002) is more than twice the national average per pupil cost (\$5,955);

Whereas research indicates that children who are effectively taught, including effective instruction aimed at acquiring literacy skills, and who receive positive early interventions demonstrate academic progress, and are significantly less likely to be referred to special education;

Whereas, if the appropriation for part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) exceeds \$4,100,000,000 for a fiscal year, a local educational agency may reduce its local spending on special education for such fiscal year by an amount equal to 20 percent of the amount that exceeds the prior year's appropriation so long as the local educational agency is not failing to comply with the requirements of part B of such Act, as determined by the State educational agency;

Whereas the Individuals with Disabilities Education Act has been successful in achieving significant increases in the number of children with disabilities who receive a free, appropriate public education; and

Whereas the current level of Federal funding to States and localities under the Individuals with Disabilities Education Act is contrary to the goal of ensuring that children with disabilities receive a quality education: Now, therefore, be it

*Resolved*, That the House of Representatives urges the Congress and the President, working within the constraints of the balanced budget agreement, to give programs under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) higher priority among Federal education programs by working to fund the maximum State grant allocation for educating children with disabilities under such Act.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. GOODLING and Mr. MARTINEZ, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

By unanimous consent, the title was amended so as to read: "A resolution urging the Congress and the President to work to fully fund the Federal Government's responsibility under the Individuals with Disabilities Education Act."

A motion to reconsider the votes whereby the rules were suspended and said resolution, as amended, was agreed to and the title was amended was, by unanimous consent, laid on the table.

§58.19 AMERICA'S SCHOOLS HIGH-QUALITY, PROVEN PROGRAMS AND PRACTICES

Mr. RIGGS moved to suspend the rules and agree to the following resolution (H. Res. 401); as amended:

Whereas high student achievement and academic advancement are vitally important to our Nation's schools and the future success of America's workforce;

Whereas some pupils proceed through school without having mastered the knowledge and skills required of them, and graduate from high school ill-equipped to handle college-level work or obtain an entry-level job;

Whereas "social promotion", the practice of moving pupils from one grade to the next regardless of whether they have the knowledge and skills necessary for the next level, is one reason for a pupil's inadequate academic achievement levels;

Whereas research has shown that retention, the customary alternative policy to social promotion, is also an inadequate response to the problem in that pupils are usually presented with the same instructional practices and materials that were ineffective the first time around;

Whereas to help underachieving students learn, it is essential that policies and programs address the underlying causes of failure and rectify the problems through various proven instruction practices;

Whereas high-quality teacher training and education, and other proven practices will provide our teachers with the tools necessary to educate our Nation's children and work toward high academic achievement by students;

Whereas social promotion policies already have been abolished in Louisiana, Arkansas, Florida, New Mexico, North Carolina, South Carolina, West Virginia, and in Chicago, Illinois, Portsmouth, Virginia, Long Beach, California, and Milwaukee, Wisconsin; and

Whereas the abolishment of social promotion policies have been proposed in California, Michigan, Wisconsin, Delaware, Texas, Oklahoma, New York, Washington, D.C., and in Boston, Massachusetts, and Philadelphia, Pennsylvania: Now, therefore, be it Resolved,

That it is the sense of the House of Representatives that—

(1) ending social promotion should be addressed in America through a coordinated effort by government officials, teachers, and parents committed to high academic achievement of students;

(2) State Education Agencies and local educational agencies that receive Federal funds should make every effort to address and end social promotion;

(3) the problems associated with social promotion can be resolved effectively through a commitment to provide high-quality training and education for our teachers, and the use of other proven practices; and

(4) States should adopt high, rigorous standards and standards-based assessments aimed at requiring academic accountability

with the specific aim of ending social promotion and raising student achievement.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. RIGGS and Mr. MARTINEZ, each for 20 minutes.

After debate, The question being put, viva voce, Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. RIGGS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

§58.20 H.R. 1847—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 5, rule I, announced the unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 1847) to improve the criminal law relating to fraud against consumers.

The question being put, Will the House suspend the rules and agree to said amendment?

The vote was taken by electronic device.

It was decided in the { Yeas ..... 411 affirmative ..... } Nays ..... 1

§58.21 [Roll No. 232] YEAS—411

Abercrombie  
Ackerman  
Aderholt  
Allen  
Andrews  
Archer  
Armey  
Bachus  
Baesler  
Baker  
Baldacci  
Barcia  
Barr  
Barrett (NE)  
Barrett (WI)  
Bartlett  
Barton  
Bass  
Bateman  
Becerra  
Bentsen  
Bereuter  
Berman  
Berry  
Billbray  
Bilirakis  
Bishop  
Blagojevich  
Bliley  
Blumenauer  
Blunt  
Boehkert  
Boehner  
Bonilla  
Bonior  
Bono  
Borski  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Brady (TX)  
Brown (CA)  
Brown (OH)  
Bryant  
Bunning

Burr  
Burton  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Cannon  
Capps  
Cardin  
Carson  
Castle  
Chabot  
Chambliss  
Chenoweth  
Christensen  
Clay  
Clayton  
Clement  
Clyburn  
Coble  
Coburn  
Collins  
Combest  
Condit  
Conyers  
Cook  
Cooksey  
Costello  
Cox  
Coyne  
Cramer  
Crane  
Crapo  
Cummings  
Cunningham  
Danner  
Davis (FL)  
Davis (IL)  
Davis (VA)  
Deal  
DeFazio  
DeGette  
Delahunt  
DeLauro  
DeLay

Deutsch  
Diaz-Balart  
Dickey  
Dilbert  
Dingell  
Dion  
Doggett  
Dooley  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Engel  
English  
Ensign  
Etheridge  
Evans  
Everett  
Ewing  
Farr  
Fattah  
Fawell  
Fazio  
Filner  
Foley  
Forbes  
Fossella  
Fowler  
Fox  
Frank (MA)  
Franks (NJ)  
Frelinghuysen  
Frost  
Furse  
Gallegly  
Ganske  
Gekas  
Gephardt  
Gibbons  
Gilchrest

Gillmor  
Gilman  
Goode  
Goodlatte  
Goodling  
Gordon  
Goss  
Graham  
Granger  
Green  
Greenwood  
Gutierrez  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hamilton  
Hansen  
Harman  
Hastert  
Hastings (WA)  
Hayworth  
Hefley  
Hefner  
Herger  
Hill  
Hilleary  
Hinchee  
Hinojosa  
Hobson  
Hoekstra  
Holden  
Hooley  
Horn  
Hostettler  
Houghton  
Hoyer  
Hulshof  
Hunter  
Hutchinson  
Hyde  
Istook  
Jackson (IL)  
Jackson-Lee (TX)  
Jefferson  
Jenkins  
John  
Johnson (CT)  
Johnson (WI)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Kaptur  
Kasich  
Kelly  
Kennedy (RI)  
Kennelly  
Kildee  
Kilpatrick  
Kim  
Kind (WI)  
King (NY)  
Kingston  
Klecza  
Klink  
Klug  
Knollenberg  
Kolbe  
Kucinich  
LaFalce  
LaHood  
Lampson  
Lantos  
Largent  
Latham  
LaTourette  
Lazio  
Leach  
Lee  
Levin  
Lewis (KY)  
Linder  
Lipinski  
Livingston  
LoBiondo  
Lowey  
Lucas  
Luther  
Maloney (CT)  
Maloney (NY)  
Manton  
Manzullo

Markey  
Martinez  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCrery  
McDade  
McDermott  
McGovern  
McHale  
McHugh  
McInnis  
McIntosh  
McIntyre  
McKeon  
McKinney  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Metcalfe  
Mica  
Millender-  
McDonald  
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  
Olver  
Ortiz  
Owens  
Oxley  
Packard  
Pallone  
Pappas  
Parker  
Pascrell  
Pastor  
Paxon  
Payne  
Pease  
Pelosi  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pickett  
Pitts  
Pombo  
Pomeroy  
Porter  
Portman  
Poshards  
Price (NC)  
Pryce (OH)  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Redmond  
Regula  
Reyes  
Riggs  
Riley  
Rivers  
Rodriguez  
Roemer  
Rogan  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rothman

NAYS—1  
Paul  
NOT VOTING—21  
Buyer  
Cubin  
Eshoo  
Ford  
Gonzalez  
Hastings (FL)

Hilliard Lewis (GA) Smith, Linda
Inglis Lofgren Tiahrt
Kanjorski McNulty Woolsey
Kennedy (MA) Rush
Lewis (CA) Schumer

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

58.22 H. RES. 401—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 401) expressing the sense of the House of Representatives that social promotion in America's schools should be ended and can be ended through the use of high-quality, proven programs and practices; as amended.

The question being put,

Will the House suspend the rules and agree to said resolution, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas ..... 405
affirmative ..... } Nays ..... 1

58.23 [Roll No. 233] YEAS—405

Abercrombie Cannon Emerson
Ackerman Capps Engel
Aderholt Cardin English
Allen Carson Ensign
Andrews Castle Etheridge
Archer Chabot Evans
Army Chambliss Everett
Bachus Chenoweth Ewing
Baesler Christensen Farr
Baker Clay Fattah
Baldacci Clement Fawell
Barcia Clyburn Fazio
Barr Coble Filner
Barrett (NE) Coburn Foley
Barrett (WI) Collins Forbes
Bartlett Combest Fossella
Barton Condit Fowler
Bass Conyers Fox
Bateman Cook Frank (MA)
Becerra Cooksey Franks (NJ)
Bentsen Costello Frelinghuysen
Bereuter Cox Frost
Berman Coyne Furse
Berry Cramer Gallegly
Billbray Crane Ganske
Bilirakis Crapo Gejdenson
Bishop Cummings Gekas
Blagojevich Cunningham Gephardt
Bliley Danner Gibbons
Blumenauer Davis (FL) Gilchrest
Blunt Davis (IL) Gillmor
Boehlert Davis (VA) Gilman
Boehner Deal Goode
Bonilla DeFazio Goodlatte
Bonior Delahunt Goodling
Bono DeLauro Gordon
Borski DeLay Goss
Boswell Deutsch Graham
Boucher Diaz-Balart Granger
Boyd Dickey Green
Brady (PA) Dicks Greenwood
Brady (TX) Dingell Gutierrez
Brown (OH) Dixon Cutkrecht
Bryant Doggett Hall (OH)
Bunning Dooley Hall (TX)
Burr Doolittle Hamilton
Burton Doyle Hansen
Callahan Dreier Harman
Calvert Duncan Hastert
Camp Dunn Hastings (WA)
Campbell Ehlers Hayworth
Canady Ehrlich Hefley

Hefner McIntosh Sanchez
Hill McIntyre Sanders
Hilleary McKeon Sandlin
Hinchey McKinney Sanford
Hinojosa Meehan Sawyer
Hobson Meek (FL) Saxton
Hoekstra Meeks (NY) Scarborough
Holden Menendez Schaefer, Dan
Hooley Metcalf Schaffer, Bob
Horn Mica Scott
Hostettler Millender-Sensenbrenner
Houghton McDonald Serrano
Hoyer Miller (CA) Sessions
Hulshof Miller (FL) Shadegg
Hunter Minge Shaw
Hutchinson Mink Shays
Hyde Moakley Sherman
Istook Mollohan Shimkus
Jackson (IL) Moran (KS) Shuster
Jackson-Lee Moran (VA) Sisisky
(TX) Morella Skaggs
Jefferson Murtha Skeen
Jenkins Myrick Skelton
John Nadler Slaughter
Johnson (CT) Neal Smith (MI)
Johnson (WI) Nethercutt Smith (NJ)
Johnson, E. B. Neumann Smith (OR)
Johnson, Sam Ney Smith (TX)
Jones Northup Smith, Adam
Kanjorski Norwood Snowbarger
Kaptur Nussle Snyder
Kasich Oberstar Solomon
Kelly Obey Spence
Kennedy (RI) Olver Spratt
Kennelly Ortiz Stabenow
Kildee Owens Stark
Kilpatrick Oxley Stearns
Kim Packard Stenholm
Kind (WI) Pallone Stokes
King (NY) Pappas Strickland
Kingston Parker Stump
Klecza Pascrell Stupak
Klink Pastor Sununu
Klug Paul Talent
Knollenberg Paxon Tanner
Kolbe Payne Tauscher
Kucinich Pease Tauzin
LaFalce Pelosi Taylor (MS)
LaHood Peterson (MN) Taylor (NC)
Lampson Peterson (PA) Thomas
Lantos Petri Thompson
Largent Pickering Thornberry
Latham Pickett Thune
LaTourette Pitts Thurman
Lazio Pombo Tierney
Leach Pomeroy Torres
Lee Porter Towns
Levin Portman Trafficant
Lewis (KY) Poshard Turner
Linder Price (NC) Upton
Lipinski Pryce (OH) Velazquez
Livingston Quinn Vento
LoBiondo Radanovich Visclosky
Lowey Rahall Walsh
Lucas Ramstad Wamp
Luther Rangel Watkins
Maloney (CT) Redmond Watt (NC)
Maloney (NY) Regula Watts (OK)
Manton Reyes Waxman
Manzullo Riggs Weldon (FL)
Markey Riley Weldon (PA)
Martinez Rodriguez Weller
Mascara Roemer Wexler
Matsui Rogan Weygand
McCarthy (MO) Rogers White
McCarthy (NY) Rohrabacher Whitfield
McCollum Ros-Lehtinen Wicker
McCrery Rothman Wise
McDade Roukema Wolf
McDade Roybal-Allard Wynn
McDermott Royce Yates
McGovern Royle Young (AK)
McHale Ryun Young (FL)
McHugh Sabo
McInnis Salmon

NAYS—1

Rivers
NOT VOTING—27

Ford McNulty
Gonzalez Rush
Hastings (FL) Schumer
Herger Smith, Linda
Hilliard Souder
Inglis Tiahrt
Kennedy (MA) Waters
Lewis (CA) Woolsey
Lewis (GA)
Lofgren

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

58.24 PERMISSION TO FILE REPORT

On motion of Mr. LIVINGSTON, by unanimous consent, the Committee on Appropriations was granted permission until midnight tonight to file a privileged report (Rept. No. 105-578) on the bill (H.R. 4059) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes.

Pursuant to clause 8 of rule XXI, all points of order were reserved.

58.25 PERMISSION TO FILE REPORT

On motion of Mr. LIVINGSTON, by unanimous consent, the Committee on Appropriations was granted permission until midnight tonight to file a privileged report (Rept. No. 105-581) on the bill (H.R. 4060) making appropriations for Energy and Water Development for the fiscal year ending September 30, 1999, and for other purposes.

Pursuant to clause 8 of rule XXI, all points of order were reserved.

58.26 WAIVING POINTS OF ORDER AGAINST H.R. 2646

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 105-579) the resolution (H. Res. 471) waiving points of order against the conference report to accompany the bill (H.R. 2646) to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes.

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

58.27 PROVIDING FOR THE CONSIDERATION OF H.R. 3097

Mr. HASTINGS of Washington, by direction of the Committee on Rules, reported (Rept. No. 105-580) the resolution (H. Res. 472) providing for the consideration of the bill (H.R. 3097) to terminate the Internal Revenue Code of 1986.

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

58.28 PERMISSION TO FILE REPORT

On motion of Mr. SHAYS, by unanimous consent, the Committee on Rules was granted permission until midnight tonight to file a report (Rept. No. 105-582) on the resolution (H. Res. 463) to establish the Select Committee on U.S. National Security and Military/Com-

mercial Concerns With the People's Republic of China.

¶58.29 BILLS AND JOINT RESOLUTION APPROVED

The President notified the Clerk of the House that on the following dates he had approved and signed bills and a joint resolution of the House of the following titles:

On February 11, 1998:

H.R. 1271, An Act to authorize the Federal Aviation Administration's research, engineering, and development programs for fiscal years 1998 and 1999, and for other purposes.

H.R. 3042, An Act to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to establish the United States Institute for Environmental Conflict Resolution to conduct environmental conflict resolution and training, and for other purposes.

On March 20, 1998:

H.R. 595, An Act to designate the Federal building and United States courthouse located at 475 Mulberry Street in Macon, Georgia, as the "William Augustus Bootle Federal building and United States Courthouse".

H.R. 3116, An Act to address the Year 2000 computer problems with regard to financial institutions, to extend examination parity to the Director of the Office of Thrift Supervision and the National Credit Union Administration, and for other purposes:

On April 24, 1998:

H.R. 1116, An Act to provide for the conveyance of the reversionary interest of the United States in certain lands to the Clint Independent School District and the Fabens Independent School District.

H.R. 2843, An Act to direct the Administrator of the Federal Aviation Administration to reevaluate the equipment in medical kits carried on, and to make a decision regarding automatic external defibrillators to be carried on, aircraft operated by air carriers, and for other purposes.

H.R. 3226, An Act to authorize the Secretary of Agriculture to convey certain lands and improvements in the State of Virginia, and for other purposes.

On May 1, 1998:

H.R. 3579, An Act making emergency supplemental appropriations for the fiscal year ending September 30, 1998, and for other purposes.

On May 11, 1998:

H.J. Res. 102, Joint Resolution expressing the sense of the Congress on the occasion of the 50th anniversary of the founding to the modern State of Israel and reaffirming the bonds of friendship and cooperation between the United States and Israel.

H.R. 3301, An Act to amend chapter 51 of title 31, United States Code, to allow the Secretary of the Treasury greater discretion with regard to the placement of the required inscriptions on quarter dollars issued under the 50 States Commemorative Coin Program.

On June 1, 1998:

H.R. 2472, An Act to extend certain programs under the Energy Policy and Conservation Act.

On June 9, 1998:

H.R. 2400, An Act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

¶58.30 SENATE BILLS APPROVED

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the Senate of the following titles:

On February 6, 1998:

S. 1575, An Act to rename the Washington National Airport located in the District of

Columbia and Virginia as the "Ronald Reagan Washington National Airport".

On February 11, 1998:

S. 1349, An Act to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel PRINCE NOVA, and for other purposes.

On February 13, 1998:

S. 1564, An Act to provide redress for inadequate restitution of assets seized by the United States Government during World War II which belonged to victims of the Holocaust, and for other purposes.

On March 6, 1998:

S. 927, An Act to reauthorize the Sea Grant Program.

On March 9, 1998:

S. 916, An Act to designate the United States Post Office building located at 750 Highway 28 East in Taylorsville, Mississippi, as the "Blaine H. Eaton Post Office Building".

S. 985, An Act to designate the post office located at 194 Ward Street in Paterson, New Jersey, as the "Larry Doby Post Office".

On March 20, 1998:

S. 347, An Act to designate the Federal building located at 61 Forsyth Street SW., in Atlanta, Georgia, as the "Sam Nunn Atlanta Federal Center".

On April 6, 1998:

S. 758, An Act to make certain technical corrections to the Lobbying Disclosure Act of 1995.

On April 13, 1998:

S. 750, An Act to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, and for other purposes.

On April 21, 1998:

S. 419, An Act to provide surveillance, research, and services aimed at prevention of birth defects, and for other purposes.

On April 24, 1998:

S. 493, An Act to amend title 18, United States Code, with respect to scanning receivers and similar devices.

On April 27, 1998:

S. 1178, 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.

¶58.31 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. LEWIS of California, for today and until 7 p.m. on June 17;

To Mr. MCNULTY, for today through June 23; and

To Mr. UNDERWOOD, for today and balance of the week.

And then,

¶58.32 ADJOURNMENT

On motion of Mr. OWENS, at 8 o'clock and 11 minutes p.m., the House adjourned.

¶58.33 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. PACKARD: Committee on Appropriations. H.R. 4059. A bill making appropri-

tions for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes (Rept. No. 105-578). Referred to the Committee of the Whole House on the State of the Union.

Mrs. MYRICK: Committee on Rules. House Resolution 471. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2646) to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes (Rept. No. 105-579). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 472. Resolution providing for consideration of the bill (H.R. 3097) to terminate the Internal Revenue Code of 1986 (Rept. No. 105-580). Referred to the House Calendar.

Mr. MCDADE: Committee on Appropriations. H.R. 4060. A bill making appropriations for energy and water development for the fiscal year ending September 30, 1999, and for other purposes (Rept. No. 105-581). Referred to the Committee of the Whole House on the State of the Union.

Mr. SOLOMON: Committee on Rules. House Resolution 463. Resolution to establish the Select Committee on U.S. National Security and Military/Commercial Concerns With the People's Republic of China; with an amendment (Rept. No. 105-582). Referred to the House Calendar.

¶58.34 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. SHUSTER (for himself and Mr. DUNCAN):

H.R. 4057. A bill to amend title 49, United States Code, to reauthorize programs of the Federal Aviation Administration, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SHUSTER (for himself, Mr. DUNCAN, and Mr. LIPINSKI):

H.R. 4058. A bill to amend title 49, United States Code, to extend the aviation insurance program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PACKARD:

H.R. 4059. A bill making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes.

By Mr. MCDADE:

H.R. 4060. A bill making appropriations for energy and water development for the fiscal year ending September 30, 1999, and for other purposes.

By Mr. COLLINS (for himself, Mr. MCINTYRE, Mr. BARTLETT of Maryland, Mr. DIXON, Mr. BONILLA, Mr. KNOLLENBERG, and Mr. HOLDEN):

H.R. 4061. A bill for the relief of the survivors of the 14 members of the Armed Forces and the one United States civilian Federal employee who were killed on April 14, 1994, when United States fighter aircraft mistakenly shot down 2 helicopters in Iraq; to the Committee on the Judiciary.

By Mr. LEACH:

H.R. 4062. A bill to provide for the study of derivatives regulation, and for other purposes; to the Committee on Banking and Financial Services, and in addition to the Committees on Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of

such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MORELLA:

H.R. 4063. A bill to amend the Rehabilitation Act of 1973 to provide for research and development of assistive technology and universally designed technology, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, and Science, 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. REDMOND (for himself, Mrs. CHENOWETH, Mr. CRAPO, Mr. SKEEN, Mr. TOWNS, Mr. CONDIT, Mr. ROMERO-BARCELO, Mr. HASTINGS of Florida, Mr. WATTS of Oklahoma, Mrs. MINK of Hawaii, and Mr. CALVERT):

H.R. 4064. A bill to provide for a Native American Veterans' Memorial; to the Committee on Resources.

By Mr. SCARBOROUGH (for himself, Mr. SALMON, Mr. PAXON, Mr. SOUDER, Mr. ENSIGN, Mrs. CHENOWETH, Mr. HAYWORTH, Mr. CHRISTENSEN, and Mr. NEUMANN):

H.R. 4065. A bill to suspend collections for the connection of schools and libraries to the Internet, and for other purposes; to the Committee on Commerce.

By Mr. SMITH of New Jersey:

H.R. 4066. A bill to prohibit States from imposing a family cap under the program of temporary assistance to needy families; to the Committee on Ways and Means.

By Mr. TAUZIN (for himself and Mr. MARKEY):

H.R. 4067. A bill to establish the Commission for the Future of Public Broadcasting and authorize appropriations for the Corporation for Public Broadcasting, and for other purposes; to the Committee on Commerce.

By Mr. YOUNG of Alaska:

H.R. 4068. A bill to make certain technical corrections in laws relating to Native Americans, and for other purposes; to the Committee on Resources.

By Mr. SABO (for himself, Mr. VENTO, Mr. OBERSTAR, Mr. RAMSTAD, and Mr. PETERSON of Minnesota):

H.J. Res. 122. A joint resolution proclaiming Leif Ericson to be an honorary citizen of the United States; to the Committee on the Judiciary.

By Mr. OBEY (for himself, Mr. STENHOLM, and Mr. MINGE):

H. Res. 473. A resolution providing for consideration of H.R. 3580; to the Committee on Rules.

By Mr. RIGGS:

H. Res. 474. A resolution expressing the Boy Scouts of America freedom of association; to the Committee on the Judiciary.

58.35 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

335. The SPEAKER presented a memorial of the Senate of the State of New Jersey, relative to Senate Resolution 11 urging Congress and the President to terminate the services of Lordship Industries, Inc. of Hauppauge, New York as the nation's primary manufacturer of United States Military Medals; to the Committee on National Security.

336. Also, a memorial of the House of Representatives of the State of Oklahoma, relative to House Concurrent Resolution No. 1069 memorializing Congress to direct the United States Consumer Product Safety Commission to adopt an industry standard for bunk beds; and directing distribution; to the Committee on Commerce.

337. Also, a memorial of the House of Representatives of the State of Colorado, relative to House Joint Resolution 98-1039 memorializing that BLM lands continue to be managed to allow for multiple uses in accordance with existing resource management plans until such time as plan amendments have been lawfully adopted; to the Committee on Resources.

338. Also, a memorial of the House of Representatives of the State of Colorado, relative to House Joint Resolution 98-1031 memorializing that the General Assembly endorses the modified Animas-La Plata Project proposed by the two Colorado Ute Tribes and their non-Indian neighbors; to the Committee on Resources.

339. Also, a memorial of the Legislature of the Commonwealth of The Mariana Islands, relative to House Resolution No. 11-40 Urgently and respectfully requesting President Bill Clinton and the Legislative leadership of the U.S. Congress to waive and/or eliminate the matching fund requirements being provided or granted under the Covenant to help foster and expedite infrastructure development in the CNMI; to the Committee on Resources.

340. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 16 memorializing the Congress of the United States to support and adopt legislation to provide for the sharing of revenues generated through mineral exploration on the federal Outer Continental Shelf with coastal states and territories pursuant to a formula recommended by the Outer Continental Shelf Policy Committee; to the Committee on Resources.

341. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 35 memorializing the Congress of the United States to support and adopt legislation to provide for the sharing with coastal states of revenues generated through mineral exploration on the federal Outer Continental Shelf and territories pursuant to a formula recommended by the Outer Continental Shelf Policy Committee; to the Committee on Resources.

342. Also, a memorial of the House of Representatives of the State of Colorado, relative to House Joint Resolution 98-1036 memorializing the United States Congress to enact and the President to sign the Aircraft Repair Station Safety Act of 1997; to the Committee on Transportation and Infrastructure.

343. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 42 urging the federal government, who is generating over three billion dollars annually from royalties and lease sales in the Gulf of Mexico, to help fund the necessary infrastructure improvements to access the riches of the Gulf of Mexico; to the Committee on Transportation and Infrastructure.

344. Also, a memorial of the Senate of the State of New Jersey, relative to Senate Resolution 27 memorializing the opposition of any reduction in the budget of the United States Department of Veterans Affairs which may negatively affect the quality of veterans' health care in this State; to the Committee on Veterans' Affairs.

345. Also, a memorial of the House of Representatives of the State of Colorado, relative to House Joint Resolution 98-1020 urging the Congress of the United States to enact legislation to abolish the Internal Revenue Code by December 31, 2000, and to replace it with a new system of federal taxation; to the Committee on Ways and Means.

346. Also, a memorial of the House of Representatives of the State of Ohio, relative to House Resolution No. 397 memorializing the Congress of the United States to enact legislation that sunsets Title 26 of the United

States Code, otherwise known as the Internal Revenue Code, and to develop and enact a new tax code for the American people by December 31, 2001; to the Committee on Ways and Means.

347. Also, a memorial of the Senate of the State of Tennessee, relative to Senate Resolution No. 705 urging the Congress of the United States not to take action to mandate competition in the retail or wholesale of electricity without special and careful consideration of the interests of the people of the Tennessee Valley; to the Committee on Ways and Means.

348. Also, a memorial of the Senate of the State of Tennessee, relative to Senate Resolution No. 148 urging the Congress of the United States to address this important issue by not adopting the proposed amendments to the Stark II regulations; to the Committee on Ways and Means.

349. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution 41 memorializing the Congress of the United States to support reauthorization of and funding for the Violence Against Women Act of 1998; jointly to the Committees on the Judiciary and Education and the Workforce.

350. Also, a memorial of the Senate of the State of Wisconsin, relative to Senate Joint Resolution 11 urging President Clinton and the U.S. Congress to uphold the federal government's commitment to accept and take title to civilian spent nuclear fuel on January 31, 1998, through enactment of appropriate funding resolutions and legislation that authorize and fund the development of a federal centralized, temporary storage facility for spent nuclear fuel that will accept spent nuclear fuel between January 31, 1998 and the beginning of commercial operation of the permanent federal nuclear waste repository; jointly to the Committees on Commerce, Transportation and Infrastructure, and Resources.

58.36 ADDITIONAL SPONSORS

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

- H.R. 146: Mr. DUNCAN.
- H.R. 225: Ms. LOFGREN.
- H.R. 616: Mr. BORSKI.
- H.R. 766: Ms. LEE.
- H.R. 836: Mr. DREIER, Mr. FOX of Pennsylvania, and Mr. HILL.
- H.R. 979: Mr. ENGEL, Mr. ABERCROMBIE, Mr. BAKER, Mr. MEEKS of New York, and Mr. THUNE.
- H.R. 1126: Mr. MARKEY, Mr. SHAW, and Mr. WELLER.
- H.R. 1382: Mr. EDWARDS, Ms. LEE, Mrs. THURMAN, Mr. OLVER, Mr. HINCHEY, and Mr. MANTON.
- H.R. 1401: Mr. PORTMAN.
- H.R. 1531: Mr. SHAYS, Mr. FRANKS of New Jersey, Mr. BILBRAY, and Mr. ROMERO-BARCELO.
- H.R. 2023: Mr. SERRANO, Mr. TORRES, Mr. THOMPSON, and Mr. MARKEY.
- H.R. 2224: Mr. TORRES.
- H.R. 2351: Ms. KAPTUR.
- H.R. 2477: Mr. BOSWELL.
- H.R. 2509: Mr. BOSWELL.
- H.R. 2524: Mr. THOMPSON and Mr. PETRI.
- H.R. 2538: Ms. JACKSON-LEE, Mr. BURTON of Indiana, Mr. STUMP, Mr. FOLEY, and Mr. WELDON of Florida.
- H.R. 2661: Mr. PEASE, Mr. FOLEY, Mr. HASTINGS of Washington, Mr. HERGER, and Mr. ROGERS.
- H.R. 2733: Mr. ABERCROMBIE, Mr. COSTELLO, Mr. THOMAS, Mr. WAXMAN, and Mr. LEWIS of Kentucky.
- H.R. 2754: Mr. MARKEY.
- H.R. 2868: Mr. HOSTETTLER.
- H.R. 2869: Mr. MCINTOSH.

H.R. 2873: Mr. MCINTOSH and Mr. TALENT.  
 H.R. 2937: Mr. MCCOLLUM.  
 H.R. 3003: Mr. BRYANT.  
 H.R. 3107: Mr. SALMON and Mr. INGLIS of South Carolina.  
 H.R. 3152: Mr. PETRI and Mr. PAUL.  
 H.R. 3156: Mr. LEACH and Mr. SERRANO.  
 H.R. 3166: Mrs. NORTHUP.  
 H.R. 3259: Mr. DOYLE, Mr. FAZIO of California, and Mr. BROWN of Ohio.  
 H.R. 3304: Ms. WOOLSEY and Mr. WELLER.  
 H.R. 3499: Mr. STOKES, Ms. FURSE, and Mr. FALEOMAVAEGA.  
 H.R. 3514: Mr. ROTHMAN.  
 H.R. 3523: Mr. STUMP, Ms. DUNN of Washington, Mr. SPRATT, Mr. BARRETT of Nebraska, and Mrs. CLAYTON.  
 H.R. 3526: Mr. ROTHMAN.  
 H.R. 3553: Mr. WAXMAN and Ms. WOOLSEY.  
 H.R. 3567: Mr. PALLONE, Ms. STABENOW, and Mr. FAWELL.  
 H.R. 3601: Mr. KLECZKA and Mr. MANTON.  
 H.R. 3632: Mr. BOEHLERT.  
 H.R. 3633: Mr. SOLOMON and Mr. OXLEY.  
 H.R. 3636: Mr. ALLEN.  
 H.R. 3641: Mr. BOEHNER.  
 H.R. 3654: Mr. HASTERT and Mr. GUT-KNECHT.  
 H.R. 3682: Mr. COOK, Mr. HEFLEY, and Mr. PAXON.  
 H.R. 3704: Mr. FARR of California and Mr. PETERSON of Minnesota.  
 H.R. 3778: Mr. SANDLIN.  
 H.R. 3783: Mr. SMITH of Texas, Mr. HOBSON, Mr. PETERSON of Pennsylvania, Mr. KASICH, and Mr. BILIRAKIS.  
 H.R. 3833: Mr. WEXLER, Mr. OLVER, Mr. MARKEY, Mr. CLAY, and Ms. CHRISTIAN-GREEN.  
 H.R. 3853: Mr. GINGRICH, Mr. HASTERT, Mr. MCCOLLUM, Mr. BARTON of Texas, Ms. GRANGER, Mr. MICA, Mrs. MYRICK, Mr. PAPPAS, and Mr. PETERSON of Pennsylvania.  
 H.R. 3861: Mr. WATTS of Oklahoma.  
 H.R. 3862: Mrs. JOHNSON of Connecticut and Mr. ENGEL.  
 H.R. 3875: Mr. BERMAN and Mr. LANTOS.  
 H.R. 3888: Mr. GREENWOOD, Mr. ADERHOLT, and Mr. LEWIS of Kentucky.  
 H.R. 3938: Mr. PAUL and Mr. THOMPSON.  
 H.R. 3949: Mr. JOHN, Mr. ENGLISH of Pennsylvania, Mr. CAMP, Mr. GREEN, Mr. DOOLITTLE, Mr. CALVERT, Mr. STUMP, and Mr. GILLMOR.  
 H.R. 3972: Mrs. FOWLER and Mr. SCHUMER.  
 H.R. 4006: Mr. HOEKSTRA, Mr. CHRISTENSEN, Mr. PITTS, Mr. ISTOOK, Mr. KING of New York, Mr. RAHALL, Mr. WATTS of Oklahoma, Mr. TIAHRT, Mr. LATOURETTE, Mr. STUPAK, Mr. HILL, Mr. HUTCHINSON, Mr. LEWIS of Kentucky, Mr. SMITH of New Jersey, Mr. TALENT, Mr. COBURN, Mr. MCCOLLUM, and Mr. BALLENGER.  
 H.R. 4007: Mr. DEUTSCH, Mr. CALVERT, Mr. CUNNINGHAM, Mr. MEEHAN, and Mr. STARK.  
 H. Con. Res. 52: Mr. UPTON, Mr. GOODLATTE, and Mr. WISE.  
 H. Con. Res. 203: Mr. CRAMER, Mr. TOWNS, Mr. LEVIN, Mr. GREENWOOD, Ms. BROWN of Florida, Mrs. EDDIE BERNICE JOHNSON of Texas, Mr. WATTS of Oklahoma, Mr. MENENDEZ, Mr. WELLER, and Mr. SMITH of New Jersey.  
 H. Con. Res. 237: Ms. SLAUGHTER and Mrs. MYRICK.  
 H. Con. Res. 290: Mr. GOODE and Mr. BOSWELL.  
 H. Res. 37: Mr. FALEOMAVAEGA, Mr. WEXLER, and Mr. THUNE.  
 H. Res. 312: Ms. LOFGREN and Mrs. LINDA SMITH of Washington.  
 H. Res. 313: Mr. SHAYS.  
 H. Res. 401: Mr. MALONEY of Connecticut.

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

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

H.R. 3396: Mr. QUINN.

### WEDNESDAY, JUNE 17, 1998 (59)

#### ¶59.1 DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
 June 17, 1998.

I hereby designate the Honorable MICHAEL G. OXLEY to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
*Speaker of the House of Representatives.*

#### ¶59.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. OXLEY, announced he had examined and approved the Journal of the proceedings of Tuesday, June 16, 1998.

Mr. GIBBONS, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

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

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

The SPEAKER pro tempore, Mr. OXLEY, pursuant to clause 5, rule I, announced that the vote would be postponed until later today.

The point of no quorum was considered as withdrawn.

#### ¶59.3 COMMUNICATIONS

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

9661. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—EIA; Handling Reactors at Livestock Markets [Docket No. 97-099-2] received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9662. A letter from the Under Secretary for Acquisition and Technology, Department of Defense, transmitting a schedule for implementing, over the next 3 years, best commercial inventory practices for the acquisition and distribution of certain supplies and equipment consistent with military requirements; to the Committee on National Security.

9663. A letter from the Secretary of Defense, transmitting a report entitled "Response to Recommendations Concerning Improvements to Department of Defense Joint Manpower Process," pursuant to Public Law 104-201, section 509; to the Committee on National Security.

9664. A letter from the Deputy Director for Policy and Programs, Department of the Treasury, transmitting the Department's final rule—Community Development Financial Institutions Fund—received May 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

9665. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Small Entity Compliance Guidance and Civil Penalty Reduction and Waiver Pur-

suant to the Small Business Regulatory Enforcement Fairness Act of 1996; Statement of Policy—May 29, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.  
 9666. A letter from the AMD-PERM, Federal Communications Commission, transmitting the Department's final rule—Amendment of Part 90 of the Commission's Rules to Provide for the Use of the 220-222 MHz Band by the Private Land Mobile Radio Service [PR Docket No. 89-552] Implementation of Sections 3(n) and 332 of the Communications Act [GN Docket No. 93-252] Regulatory Treatment of Mobile Services Implementation of Section 309(j) of the Communications Act—Competitive Bidding [PP Docket No. 93-253] received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9667. A letter from the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, transmitting the Office's final rule—Municipal Securities Dealers [Docket No. 98-08] (RIN: 1557-AB62) received May 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9668. A letter from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule—Blocked Persons, Specially Designated Nationals, Specially Designated Terrorists, Specially Designated Narcotics Traffickers, and Blocked Vessels: Addition of Sudanese Government Designations, Removal of Two Individuals, and Unblocking of a Vessel [31 CFR Chapter V] received May 29, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

9669. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Review Of The Federal Motor Carrier Safety Regulations; Regulatory Removals and Substantive Amendments [FHWA Docket No. FHWA-97-2328; MC-97-3] (RIN: 2125-AD72) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9670. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Savannah River, Savannah, GA [COTP Savannah 98-010] (RIN: 2115-AA97) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9671. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Severn River, College Creek, and Weems Creek, Annapolis, Maryland [CGD 05-98-039] (RIN: 2115-AE46) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9672. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Anchorage Regulation; San Francisco Bay, California [CGD11-97-002] (RIN: 2115-AA98) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9673. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulation: Newport-Bermuda Regatta, Narragansett Bay, Newport, RI [CGD01-98-045] (RIN: 2115-AE46) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9674. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Patapsco River, Baltimore [CGD 05-98-040] (RIN: 2115-AE46) received June 11, 1998, pursuant to 5