

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

9675. A letter from the Chief, Regulations Branch, United States Customs Service, transmitting the Service's final rule—Recordkeeping Requirements [T.D. 98-56] (RIN: 1515-AB77) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9676. A letter from the Chief, Regulations Branch, United States Customs Service, transmitting the Service's final rule—Automated Clearinghouse Credit [T.D. 98-51] (RIN: 1515-AC26) received May 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9677. A letter from the Chief, Regulations Branch, United States Customs Service, transmitting the Service's final rule—Prior Disclosure [T.D. 98-49] (RIN: 1515-AB98) received May 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9678. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the required determination to waive certain restrictions on the maintenance of a Palestine Liberation Organization (PLO) Office and on PLO-origin funds through November 26, 1998, pursuant to Public Law 105-118; jointly to the Committees on International Relations and Appropriations.

9679. A letter from the Secretary of Health and Human Services, transmitting the Department's final rule—Medicare and Medicaid Programs; Surety BOND Requirements for Home Health Agencies [HCFA-1152-1-F] (RIN: 0938-A186) received May 29, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

59.4 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 2646

Mrs. MYRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 471):

Resolved, That upon adoption of this resolution it shall be in order to consider 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. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was considered. After debate,

On motion of Mrs. MYRICK, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, *viva voce*,

Will the House agree to said resolution?

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

Mrs. MYRICK 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 further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

59.5 PROVIDING FOR THE CONSIDERATION OF H.R. 3097

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 472):

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3097) to terminate the Internal Revenue Code of 1986. The bill shall be considered as read for amendment. The amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) two hours of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

When said resolution was considered. After debate,

Mr. HASTINGS of Washington, moved the previous question on the resolution to its adoption or rejection.

The question being put, *viva voce*,

Will the House now order the previous question?

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

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

A quorum not being present,

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

When there appeared { Yeas 229
Nays 194

59.6 [Roll No. 234] YEAS—229

Aderholt	Combest	Goodlatte
Archer	Condit	Goodling
Army	Cook	Goss
Bachus	Cooksey	Graham
Baker	Cox	Granger
Ballenger	Crane	Greenwood
Barr	Crapo	Gutknecht
Barrett (NE)	Cubin	Hall (TX)
Bartlett	Cunningham	Hansen
Barton	Danner	Hastert
Bass	Davis (VA)	Hastings (WA)
Bateman	Deal	Hayworth
Bereuter	DeLay	Hefley
Bilbray	Diaz-Balart	Henger
Bilirakis	Dickey	Hill
Bishop	Doolittle	Hobson
Bliley	Dreier	Hoekstra
Blunt	Duncan	Horn
Boehlert	Dunn	Hostettler
Boehner	Ehlers	Houghton
Bonilla	Ehrlich	Hulshof
Bono	Emerson	Hunter
Brady (TX)	English	Hutchinson
Bryant	Ensign	Hyde
Bunning	Everett	Inglis
Burr	Ewing	Istook
Burton	Fawell	Jenkins
Buyer	Foley	Johnson (CT)
Callahan	Forbes	Jones
Calvert	Fossella	Kasich
Camp	Fowler	Kelly
Campbell	Fox	Kim
Canady	Franks (NJ)	King (NY)
Cannon	Frelinghuysen	Kingston
Castle	Gallely	Klug
Chabot	Ganske	Knollenberg
Chambliss	Gekas	Kolbe
Chenoweth	Gibbons	LaHood
Christensen	Gilchrest	Largent
Coble	Gillmor	Latham
Coburn	Gilman	LaTourette
Collins	Goode	Lazio

Leach	Pickering	Smith (NJ)
Lewis (KY)	Pitts	Smith (OR)
Linder	Pombo	Smith (TX)
Livingston	Porter	Smith, Linda
LoBiondo	Portman	Snowbarger
Lucas	Pryce (OH)	Solomon
Manzullo	Quinn	Souder
McCollum	Radanovich	Spence
McCrery	Ramstad	Stearns
McDade	Redmond	Stump
McHugh	Regula	Sununu
McInnis	Riggs	Talent
McIntosh	Riley	Tauzin
McIntyre	Rogan	Taylor (NC)
McKeon	Rogers	Thomas
Metcalfe	Rohrabacher	Thornberry
Mica	Ros-Lehtinen	Thune
Miller (FL)	Roukema	Tiahrt
Moran (KS)	Royce	Trafficant
Morella	Ryun	Upton
Myrick	Salmon	Walsh
Nethercutt	Sanford	Wamp
Neumann	Saxton	Watkins
Northup	Scarborough	Watts (OK)
Norwood	Schaefer, Dan	Weldon (FL)
Nussle	Schaffer, Bob	Weldon (PA)
Oxley	Sensenbrenner	Weller
Packard	Sessions	White
Pappas	Shadegg	Whitfield
Parker	Shaw	Wicker
Paul	Shays	Wolf
Paxon	Shimkus	Young (AK)
Pease	Shuster	Young (FL)
Peterson (MN)	Skeen	
Petri	Smith (MI)	

NAYS—194

Abercrombie	Green	Moran (VA)
Ackerman	Gutierrez	Murtha
Allen	Hall (OH)	Nadler
Andrews	Hamilton	Neal
Baesler	Harman	Oberstar
Baldacci	Hefner	Obey
Barcia	Hinche	Olver
Barrett (WI)	Hinojosa	Ortiz
Becerra	Holden	Owens
Bentsen	Hooley	Pallone
Berman	Hoyer	Pascarell
Berry	Jackson (IL)	Pastor
Blagojevich	Jackson-Lee	Payne
Blumenauer	(TX)	Pelosi
Bonior	Jefferson	Pickett
Borski	John	Pomeroy
Boswell	Johnson (WI)	Poshard
Boucher	Johnson, E. B.	Price (NC)
Boyd	Kanjorski	Rahall
Brady (PA)	Kaptur	Rangel
Brown (CA)	Kennedy (MA)	Reyes
Brown (FL)	Kennedy (RI)	Rivers
Brown (OH)	Kennelly	Rodriguez
Capps	Kildee	Roemer
Cardin	Kilpatrick	Rothman
Carson	Kind (WI)	Royal-Allard
Clay	Klecza	Rush
Clayton	Klink	Sabo
Clement	Kucinich	Sanchez
Clyburn	LaFalce	Sanders
Conyers	Lampson	Sandlin
Costello	Lantos	Sawyer
Coyne	Lee	Schumer
Cramer	Levin	Scott
Cummings	Lewis (GA)	Serrano
Davis (FL)	Lipinski	Sherman
Davis (IL)	Lofgren	Sisisky
DeFazio	Lowe	Skaggs
DeGette	Luther	Skelton
Delahunt	Maloney (CT)	Slaughter
DeLauro	Maloney (NY)	Smith, Adam
Deutsch	Manton	Snyder
Dicks	Markey	Spratt
Dingell	Martinez	Stabenow
Dixon	Mascara	Stark
Doggett	Matsui	Stenholm
Dooley	McCarthy (MO)	Stokes
Doyle	McCarthy (NY)	Strickland
Edwards	McDermott	Stupak
Engel	McGovern	Tanner
Eshoo	McHale	Tauscher
Etheridge	McKinney	Taylor (MS)
Evans	Meehan	Thompson
Farr	Meek (FL)	Thurman
Fattah	Meeke (NY)	Tierney
Fazio	Menendez	Torres
Filner	Millender-	Towns
Frank (MA)	McDonald	Turner
Frost	Miller (CA)	Velazquez
Furse	Minge	Vento
Gejdenson	Mink	Visclosky
Gephardt	Moakley	Waters
Gordon	Mollohan	Watt (NC)

Waxman
Wexler
Weygand

Wise
Woolsey
Wynn

Yates

NOT VOTING—10

Ford
Gonzalez
Hastings (FL)
Hilleary

Hilliard
Johnson, Sam
Lewis (CA)
McNulty

Ney
Peterson (PA)

So the previous question on the resolution was ordered.

The question being put, viva voce,
Will the House agree to said resolution?

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

Mr. HASTINGS of Washington demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 232
affirmative { Nays 188

¶59.7 [Roll No. 235]
AYES—232

Aderholt	English	Livingston
Archer	Ensign	LoBiondo
Armey	Everett	Lucas
Bachus	Ewing	Manzullo
Baker	Fawell	McCarthy (NY)
Ballenger	Foley	McCollum
Barr	Forbes	McCrery
Barrett (NE)	Fossella	McHugh
Bartlett	Fowler	McInnis
Barton	Fox	McIntosh
Bass	Franks (NJ)	McIntyre
Bateman	Frelinghuysen	McKeon
Bereuter	Galleghy	Metcalf
Bilbray	Ganske	Mica
Bilirakis	Gekas	Miller (FL)
Bishop	Gibbons	Moran (KS)
Bliley	Gilchrest	Morella
Blunt	Gillmor	Myrick
Boehlert	Gilman	Nethercutt
Boehner	Goode	Neumann
Bonilla	Goodlatte	Northup
Bono	Goodling	Norwood
Brady (TX)	Goss	Nussle
Bryant	Graham	Oxley
Bunning	Granger	Packard
Burr	Greenwood	Pappas
Burton	Gutknecht	Parker
Buyer	Hall (TX)	Paul
Callahan	Hansen	Paxon
Calvert	Hastert	Pease
Camp	Hastings (WA)	Peterson (MN)
Campbell	Hayworth	Petri
Canady	Hefley	Pickering
Cannon	Herger	Pitts
Castle	Hill	Pombo
Chabot	Hobson	Porter
Chambliss	Hoekstra	Portman
Chenoweth	Horn	Pryce (OH)
Christensen	Hostettler	Quinn
Coble	Houghton	Radanovich
Coburn	Hulshof	Ramstad
Collins	Hunter	Redmond
Combust	Hutchinson	Regula
Condit	Hyde	Riggs
Cook	Inglis	Riley
Cooksey	Istook	Rogan
Cox	Jenkins	Rogers
Cramer	Johnson (CT)	Rohrabacher
Crane	Jones	Ros-Lehtinen
Crapo	Kasich	Roukema
Cubin	Kelly	Royce
Cunningham	Kim	Ryun
Danner	King (NY)	Salmon
Davis (VA)	Kingston	Sandlin
Deal	Klug	Sanford
DeLay	Knollenberg	Saxton
Diaz-Balart	Kolbe	Scarborough
Dickey	LaHood	Schaefer, Dan
Doolittle	Largent	Schaffer, Bob
Dreier	Latham	Sensenbrenner
Duncan	LaTourette	Sessions
Dunn	Lazio	Shadegg
Ehlers	Leach	Shaw
Ehrlich	Lewis (KY)	Shays
Emerson	Linder	Shimkus

Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump

Stupak
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp

NOES—188

Ackerman	Hall (OH)	Obey
Allen	Hamilton	Olver
Andrews	Harman	Ortiz
Baesler	Hefner	Owens
Baldacci	Hilliard	Pallone
Barcia	Hinchee	Pascarell
Barrett (WI)	Hinojosa	Pastor
Becerra	Holden	Payne
Bentsen	Hooley	Pelosi
Berman	Hoyer	Pickett
Berry	Jackson (IL)	Pomeroy
Blagojevich	Jackson-Lee	Poshard
Blumenauer	(TX)	Price (NC)
Bonior	Jefferson	Rahall
Borski	John	Rangel
Boswell	Johnson (WI)	Reyes
Boucher	Johnson, E. B.	Rivers
Boyd	Kanjorski	Rodriguez
Brady (PA)	Kaptur	Roemer
Brown (CA)	Kennedy (MA)	Rothman
Brown (FL)	Kennedy (RI)	Roybal-Allard
Brown (OH)	Kennelly	Rush
Capps	Kildee	Sabo
Cardin	Kilpatrick	Sanchez
Carson	Kind (WI)	Sanders
Clay	Klecicka	Sawyer
Clayton	Klink	Schumer
Clement	Kucinich	Scott
Clyburn	LaFolce	Serrano
Coyers	Lampson	Sherman
Costello	Lantos	Sisisky
Coyne	Lee	Skaggs
Cummings	Levin	Skelton
Davis (FL)	Lewis (GA)	Slaughter
Davis (IL)	Lipinski	Smith, Adam
DeFazio	Lofgren	Snyder
DeGette	Lowe	Spratt
Delahunt	Luther	Stabenow
DeLauro	Maloney (CT)	Stark
Deutsch	Maloney (NY)	Stenholm
Dicks	Manton	Stokes
Dingell	Markey	Strickland
Dixon	Martinez	Tanner
Doggett	Mascara	Tauscher
Dooley	McCarthy (MO)	Taylor (MS)
Doyle	McDermott	Thompson
Edwards	McGovern	Thurman
Engel	McHale	Tierney
Eshoo	McKinney	Torres
Etheridge	Meehan	Towns
Evans	Meeks (NY)	Turner
Farr	Menendez	Velazquez
Fattah	Millender-	Vento
Fazio	McDonald	Visclosky
Filner	Miller (CA)	Watt (NC)
Ford	Minge	Waxman
Frank (MA)	Mink	Wexler
Frost	Moakley	Weygand
Furse	Mollohan	Wise
Gejdenson	Moran (VA)	Woolsey
Gephardt	Murtha	Wynn
Gordon	Nadler	Yates
Green	Neal	
Gutierrez	Oberstar	

NOT VOTING—13

Abercrombie	Lewis (CA)	Ney
Gonzalez	Matsui	Peterson (PA)
Hastings (FL)	McDade	Waters
Hilleary	McNulty	
Johnson, Sam	Meek (FL)	

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

¶59.8 H. RES. 471—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. OXLEY, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the reso-

lution (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.

The question being put, viva voce,
Will the House agree to said resolution?

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

Mr. HASTINGS of Washington demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 228
affirmative { Nays 191

¶59.9 [Roll No. 236]
AYES—228

Aderholt	Everett	Livingston
Archer	Ewing	LoBiondo
Bachus	Fawell	Lucas
Baker	Foley	Manzullo
Ballenger	Forbes	McCollum
Barr	Fossella	McCrery
Barrett (NE)	Fowler	McDade
Bartlett	Fox	McHugh
Barton	Franks (NJ)	McInnis
Bass	Frelinghuysen	McIntosh
Bateman	Galleghy	McKeon
Bereuter	Ganske	McKinney
Bilbray	Gekas	Metcalf
Bilirakis	Gibbons	Mica
Bishop	Gillmor	Miller (FL)
Bliley	Gilman	Moran (KS)
Blunt	Goodlatte	Morella
Boehlert	Goodling	Myrick
Boehner	Goss	Nethercutt
Bonilla	Graham	Neumann
Bono	Granger	Northup
Brady (TX)	Greenwood	Norwood
Bryant	Gutknecht	Nussle
Bunning	Hall (TX)	Oxley
Burr	Hansen	Packard
Burton	Hastert	Pappas
Buyer	Hastings (WA)	Parker
Callahan	Hayworth	Paul
Calvert	Hefley	Paxon
Camp	Herger	Pease
Campbell	Hill	Petri
Canady	Hobson	Pickering
Cannon	Hoekstra	Pitts
Castle	Horn	Pombo
Chabot	Hostettler	Porter
Chambliss	Houghton	Portman
Chenoweth	Hulshof	Pryce (OH)
Christensen	Hunter	Quinn
Coble	Hutchinson	Radanovich
Coburn	Hyde	Ramstad
Collins	Inglis	Redmond
Combust	Istook	Regula
Cook	Jenkins	Riggs
Cooksey	John	Riley
Cox	Johnson (CT)	Rogan
Cramer	Jones	Rogers
Crane	Kasich	Rohrabacher
Crapo	Kelly	Ros-Lehtinen
Cubin	Kim	Roukema
Cunningham	King (VA)	Royce
Davis (VA)	King (NY)	Ryun
Deal	Kingston	Salmon
DeLay	Klug	Sanford
Diaz-Balart	Knollenberg	Sanford
Dickey	Kolbe	Saxton
Doolittle	LaHood	Scarborough
Dreier	Largent	Schaefer, Dan
Duncan	Latham	Schaffer, Bob
Dunn	LaTourette	Sensenbrenner
Ehlers	Lazio	Sessions
Ehrlich	Leach	Shadegg
Emerson	Lewis (KY)	Shaw
Ensign	Linder	Shays
	Lipinski	Shimkus