

H.R. 3861: Mr. PORTER.  
 H.R. 3862: Mr. DIAZ-BALART and Mr. BLAGOJEVICH.  
 H.R. 3865: Mr. SISISKY, Mr. BALLENGER, Mr. FORD, Mr. BLUNT, Mr. CANADY of Florida, Mr. CHAMBLISS, Mr. CHRISTENSEN, Mr. CUNNINGHAM, Mr. BARTLETT of Maryland, Mr. GILCHRIST, Mr. GOODLING, Mr. HASTERT, Mr. HAYWORTH, Mr. HERGER, Mr. HILL, Mr. HORN, Mr. HYDE, Mr. KLUG, Mr. KOLBE, Mr. LATHAM, Mr. LAZIO of New York, Mr. LINDER, Mr. LUCAS of Oklahoma, Mr. MCHUGH, Mr. MCKEON, Mr. METCALF, Mr. NETHERCUTT, Mr. BAKER, Mr. NEY, Mr. PICKERING, Mr. POMBO, Ms. PRYCE of Ohio, Mr. REDMOND, Mr. ROHR-ABACHER, Ms. ROS-LEHTINEN, Mr. SPENCE, Mr. SUNUNU, Mr. TAUZIN, Mr. THOMPSON, Mr. TIAHRT, Mr. WELDON of Florida, and Mr. WALSH.  
 H.R. 3876: Mr. FROST, Mrs. CLAYTON, Mr. WEYGAND, Mr. FILNER, Mr. DAVIS of Illinois, Ms. JACKSON-LEE, Mr. TIERNEY, Mr. POSHARD, Ms. LEE, Mr. DINGELL, and Mr. BROWN of Ohio.  
 H.R. 3880: Mr. FALEOMAVAEGA and Mr. SANDERS.  
 H.R. 3980: Mr. COOKSEY and Mr. ALLEN.  
 H.R. 3981: Mr. BLAGOJEVICH, Mr. BLILEY, Mr. BOUCHER, Mr. FROST, Mr. GILMAN, Mr. GOODE, Mr. GREENWOOD, Mr. MORAN of Virginia, and Mr. SISISKY.  
 H.R. 4007: Ms. WOOLSEY.  
 H.R. 4018: Mr. WEYGAND, Mr. HINCHEY, Mr. ABERCROMBIE, Mr. ETHERIDGE, Mr. VENTO, Mr. KIND of Wisconsin, Mr. BENTSEN, Mr. LAFALCE, and Mr. SANDLIN.  
 H.R. 4033: Mr. THOMPSON.  
 H.R. 4046: Mr. MCCOLLUM and Mr. SAWYER.  
 H.R. 4065: Mr. SANFORD, Mr. RYUN, Mr. LARGENT, Mr. SHADEGG, Mr. SESSIONS, Mr. SAXTON, Mr. HOEKSTRA, Mr. SPENCE, Mr. HUNTER, Mr. DELAY, Mr. SAM JOHNSON, Mr. SOLOMON, Mr. RADANOVICH, and Mr. BARTLETT of Maryland.  
 H.J. Res. 113: Mr. FORD.  
 H. Con. Res. 154: Mrs. MALONEY of New York and Mr. SHAYS.  
 H. Con. Res. 203: Mr. WAXMAN and Mr. CONYERS.  
 H. Con. Res. 287: Mr. UNDERWOOD, Ms. FURSE, Mr. NEAL of Massachusetts, Ms. HOOLEY of Oregon, Ms. LOFGREN, Mr. CLEMENT, Mr. RAMSTAD, and Mr. MCGOVERN.  
 H. Con. Res. 288: Mr. BARRETT of Nebraska.  
 H. Con. Res. 290: Mr. EVANS, Mr. BISHOP, Mr. PICKERING, Mr. HOSTETTLER, and Mr. EWING.  
 H. Res. 363: Mr. BOUCHER.  
 H. Res. 387: Mrs. THURMAN.  
 H. Res. 467: Mr. BILBRAY.  
 H. Res. 468: Mr. BILBRAY.

59.32 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. 1891: Mr. HOLDEN.

THURSDAY, JUNE 18, 1998 (60)

The House was called to order by the SPEAKER.

60.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, June 17, 1998.

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

60.2 COMMUNICATIONS

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

9680. A letter from the General Counsel, Department of Defense, transmitting a report entitled "Department of Defense Panel to Study Military Justice in the National Guard Not in Federal Service," pursuant to Public Law 104-201, 110 Stat. 2534; to the Committee on National Security.

9681. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Conduct of Employees (RIN: 1990-AA19) received June 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9682. A letter from the Director, Office of Rulemaking Coordination, Department of Energy, transmitting the Department's final rule—Information Security Program [DOE O 471.2A] received June 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9683. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Implementation of Section 402(b)(1)(A) of the Telecommunications Act of 1996 [CC Docket No. 96-187] received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9684. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to amend titles XIX and XXI of the Social Security Act to achieve improvements in outreach and provision of health care to children; to the Committee on Commerce.

9685. A letter from the Chief, Regulations Branch, U.S. Customs Service, transmitting the Service's final rule—Emissions Standards For Imported Nonroad Engines [T.D. 98-50] (RIN: 1515-AC28) received May 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9686. 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, and Specially Designated Narcotics Traffickers: Additional Designations [31 CFR Chapter V] received May 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

9687. A letter from the Assistant Secretary for Strategy and Threat Reduction, Department of Defense, transmitting the joint Department of Defense and Department of Energy report to Congress on the Project Plan for the Russian Reactor Core Conversion Program, pursuant to Pub.L. 105-29; to the Committee on International Relations.

9688. A letter from the Executive Director, Committee for Purchase From People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Procurement List Additions—received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

9689. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft of proposed legislation to amend the Act which established the Weir Farm National Historic Site, in the State of Connecticut, by modifying the boundary and for other purposes; to the Committee on Resources.

9690. A letter from the Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Monterey Bay National Marine Sanctuary [Docket No. 971014243-7243-01] received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9691. A letter from the Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final

rule—Temporary Rule Prohibiting Anchoring by Vessels 50 Meters or Greater in Length on Tortugas Bank within the Florida Keys National Marine Sanctuary [Docket No. 971014245-7245-01] received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9692. A letter from the Deputy Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Taking of Marine Mammals Incidental to Commercial Fishing Operations; Pacific Offshore Cetacean Take Reduction Plan Regulations [Docket No. 970129015-7220-05; I.D. 010397A] (RIN: 0648-A184) received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9693. A letter from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish of the Gulf of Alaska; Seasonal Apportionments of Pollock [Docket No. 980331079-8144-09; I.D. 031198D] (RIN: 0648-AK71) received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9694. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Tuna Fisheries; Atlantic Bluefin Tuna General Category [I.D. 100297A] received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9695. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 [Docket No. 971208297-8054-02; I.D. 060598A] received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9696. A letter from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Halibut Donation Program [Docket No. 980212037-8142-02; I.D. 012798A] (RIN: 0648-AJ87) received June 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9697. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulation: Fireworks displays within the First Coast Guard District [CGD01-98-065] (RIN: 2115-AE46) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9698. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone: Peekskill Summerfest 98 Fireworks, Peekskill Bay, Hudson River, New York [CGD01-98-050] (RIN: 2115-AA97) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9699. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revisions to Digital Flight Data Recorder Rules [Docket No. 28109; Amendment No. 11-44] (RIN: 2120-AF76) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9700. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; AlliedSignal Inc. Model TPE331 Series Turboprop Engines [Docket No. 97-ANE-47-AD; Amendment 39-10565; AD 98-12-09] (RIN: 2120-AA64) received June 11, 1998,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9701. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Allison Engine Company Model AE 3007A Turbofan Engines [Docket No. 98-ANE-14-AD; Amendment 39-10568; AD 98-12-12] (RIN: 2120-AA64) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9702. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS 332C, L, L1, and L2 Helicopters [Docket No. 98-SW-07-AD; Amendment 39-10571; 98-12-15] (RIN: 2120-AA64) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9703. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A320-111, -211, and -231 Series Airplanes [Docket No. 96-NM-184-AD; Amendment 39-10573; AD 98-12-18] (RIN: 2120-AA64) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9704. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada Model 407 Helicopters [Docket No. 98-SW-10-AD; Amendment 39-10576; AD 98-12-22] (RIN: 2120-AA64) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9705. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; AERMACCHI S.p.A. S.205 Series and Models S.208 and S.208A Airplanes [Docket No. 97-CE-146-AD; Amendment 39-10570; AD 98-12-14] (RIN: 2120-AA64) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9706. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CASA Model C-212 Series Airplanes [Docket No. 98-NM-97-AD; Amendment 39-10582; AD 98-12-28] (RIN: 2120-AA64) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9707. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310 Series Airplanes Equipped With General Electric Model CF6-80A3 Series Engines [Docket No. 98-NM-182-AD; Amendment 39-10578; AD 98-12-24] received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9708. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fokker Model F.28 Mark 1000, 2000, 3000, and 4000 Series Airplanes [Docket No. 98-NM-45-AD; Amendment 39-10580; AD 98-12-26] (RIN: 2120-AA64) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9709. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace BAe Model ATP Airplanes [Docket No. 98-NM-53-AD; Amendment 39-10581; AD 98-12-27] (RIN: 2120-AA64) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9710. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace BAe Model ATP Airplanes [Docket No. 97-NM-312-AD; Amendment 39-10579; AD 98-12-25] (RIN: 2120-AA64) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9711. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—National Standards For Traffic Control Devices; Revision Of The Manual On Uniform Traffic Control Devices; Pedestrian, Bicycle, And School Warning Signs [FHWA Docket 96-9; FHWA-97-2281] (RIN: 2125-AD89) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9712. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace Model Viscount 744, 745, 745D, and 810 Series Airplanes [Docket No. 97-NM-321-AD; Amendment 39-10444; AD 98-12-17] (RIN: 2120-AA64) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9713. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS 332C, L, L1, and L2 Helicopters [Docket No. 98-SW-07-AD; Amendment 39-10571; AD 98-12-15] (RIN: 2120-AA64) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9714. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Lucas Air Equipment Electric Hoists [Docket No. 98-SW-04-AD; Amendment 39-10583; AD 98-12-29] (RIN: 2120-AA64) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9715. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Avions Mudry et Cie Model CAP 10B Airplanes [Docket No. 97-CE-126-AD; Amendment 39-10566; AD 98-12-10] (RIN: 2120-AA64) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9716. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Industrie Aeronautiche e Meccaniche Model Piaggio P-180 Airplanes [Docket No. 97-CE-141-AD; Amendment 39-10569; AD 98-12-13] (RIN: 2120-AA64) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9717. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of the Atlantic High Offshore Airspace Area; correction [Airspace Docket No. 97-ASO-16] (RIN: 2120-AA66) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9718. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establish Class E Airspace; Atkinson, NE [Airspace Docket No. 98-ACE-8] received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9719. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revocation and Establishment of Class D; and Revocation, Establishment and Modification of Class E

Airspace Area; Olathe, JOHNSON County Industrial Airport, KS; Correction [Airspace Docket No. 98-ACE-5] received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9720. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Leeville, LA [Airspace Docket No. 98-ASW-27] received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9721. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Sabine Pass, TX [Airspace Docket No. 98-ASW-28] received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9722. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Intracoastal City, LA [Airspace Docket No. 98-ASW-24] received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9723. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Venice, LA [Airspace Docket No. 98-ASW-25] received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9724. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Grand Chenier, LA [Airspace Docket No. 98-ASW-26] received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9725. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Grand Isle, LA [Airspace Docket No. 98-ASW-29] received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9726. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Le Mars, IA [Airspace Docket No. 98-ACE-7] received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9727. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Aurora, NE [Airspace Docket No. 98-ACE-13] received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9728. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model SE3130, SA3180, SE313B, SA318B, and SA318C Helicopters [Docket No. 98-SW-03-AD; Amendment 39-10574; AD 98-12-20] (RIN: 2120-AA64) received June 11, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9729. A letter from the Acting Deputy Director, NIST, National Institute of Standards and Technology, transmitting the Institute's final rule—GRANT FUNDS—Materials Science and Engineering Laboratory—Availability of Funds [Docket No. 970520119-7284-02] (RIN: 0693-ZA15) received June 2, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

9730. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Federal Employment Tax Deposits—De Minimis Rule [TD 8771] (RIN: 1545-AW29) received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9731. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Action on Decision in Paul A. Bilzerian v. United States, 86 F.3d 1067 (11th Cir. 1996), rev'd 887 F. Supp. 1509 (M.D. Fla. 1995), remanded sub nom. Steffen v. United States, 952 F. Supp. 779 (M.D. Fla. 1997) received June 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9732. A letter from the General Counsel, Department of the Treasury, transmitting a draft of proposed legislation to improve the operation of the United States Mint as a Performance-Based Organization (PBO) in the Department of Treasury, and for other purposes; jointly to the Committees on Banking and Financial Services and Government Reform and Oversight.

9733. A letter from the Acting General Counsel, Department of Defense, transmitting a draft of proposed legislation to authorize a pilot program to increase the micro-purchase threshold in Government Procurements from \$2,500 to \$10,000; jointly to the Committees on Government Reform and Oversight and Small Business.

9734. A letter from the Director, Office of Personnel Management, transmitting a draft of proposed legislation to establish an appropriate system for overtime pay for Federal firefighters, and for other purposes; jointly to the Committees on Government Reform and Oversight and Education and the Workforce.

9735. A letter from the Secretary of Health and Human Services, transmitting the Department's final rule—Medicare Program; Incentive Programs-Fraud and Abuse [HCFA-6144-F-C] (RIN: 0938-AH86) received June 8, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

### 160.3 EDUCATION SAVINGS FOR PUBLIC AND PRIVATE SCHOOLS

Mr. GOODLING, pursuant to House Resolution 471, called up the following conference report (Rept. No. 105-577):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to 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, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Education Savings and School Excellence Act of 1998".

#### TITLE I—TAX INCENTIVES FOR EDUCATION

##### SEC. 100. AMENDMENT TO 1986 CODE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made

to a section or other provision of the Internal Revenue Code of 1986.

#### SUBTITLE A—Tax Incentives For Education SEC. 101. MODIFICATIONS TO EDUCATION INDIVIDUAL RETIREMENT ACCOUNTS.

(a) TAX-FREE EXPENDITURES FOR ELEMENTARY AND SECONDARY SCHOOL EXPENSES.—

(1) IN GENERAL.—Section 530(b)(2) (defining qualified higher education expenses) is amended to read as follows:

“(2) QUALIFIED EDUCATION EXPENSES.—

“(A) IN GENERAL.—The term ‘qualified education expenses’ means—

“(i) qualified higher education expenses (as defined in section 529(e)(3)), and

“(ii) qualified elementary and secondary education expenses (as defined in paragraph (4)).

Such expenses shall be reduced as provided in section 25A(g)(2).

“(B) QUALIFIED STATE TUITION PROGRAMS.—Such term shall include amounts paid or incurred to purchase tuition credits or certificates, or to make contributions to an account, under a qualified State tuition program (as defined in section 529(b)) for the benefit of the beneficiary of the account.”.

(2) QUALIFIED ELEMENTARY AND SECONDARY EDUCATION EXPENSES.—Section 530(b) (relating to definitions and special rules) is amended by adding at the end the following new paragraph:

“(4) QUALIFIED ELEMENTARY AND SECONDARY EDUCATION EXPENSES.—

“(A) IN GENERAL.—The term ‘qualified elementary and secondary education expenses’ means—

“(i) expenses for tuition, fees, academic tutoring, special needs services, books, supplies, computer equipment (including related software and services), and other equipment which are incurred in connection with the enrollment or attendance of the designated beneficiary of the trust as an elementary or secondary school student at a public, private, or religious school, or

“(ii) expenses for room and board, uniforms, transportation, and supplementary items and services (including extended day programs) which are required or provided by a public, private, or religious school in connection with such enrollment or attendance.

“(B) SPECIAL RULE FOR HOMESCHOOLING.—Such term shall include expenses described in subparagraph (A)(i) in connection with education provided by homeschooling if the requirements of any applicable State or local law are met with respect to such education.

“(C) SCHOOL.—The term ‘school’ means any school which provides elementary education or secondary education (kindergarten through grade 12), as determined under State law.”.

(3) SPECIAL RULES FOR APPLYING EXCLUSION TO ELEMENTARY AND SECONDARY EXPENSES.—

Section 530(d)(2) (relating to distributions for qualified higher education expenses), as amended by subsection (e), is amended by adding at the end the following new subparagraph:

“(E) SPECIAL RULES FOR ELEMENTARY AND SECONDARY EXPENSES.—

“(i) IN GENERAL.—The aggregate amount of qualified elementary and secondary education expenses taken into account for purposes of this paragraph with respect to any education individual retirement account for all taxable years shall not exceed the sum of the aggregate contributions to such account for taxable years beginning after December 31, 1998, and before January 1, 2003, and earnings on such contributions.

“(ii) SPECIAL OPERATING RULES.—For purposes of clause (i)—

“(I) the trustee of an education individual retirement account shall keep separate accounts with respect to contributions and earnings described in clause (i), and

“(II) if there are distributions in excess of qualified elementary and secondary education expenses for any taxable year, such excess distributions shall be allocated first to contributions and earnings not described in clause (i).”.

(4) CONFORMING AMENDMENTS.—Subsections (b)(1) and (d)(2) of section 530 are each amended by striking “higher” each place it appears in the text and heading thereof.

(b) MAXIMUM ANNUAL CONTRIBUTIONS.—

(1) IN GENERAL.—Section 530(b)(1)(A)(iii) (defining education individual retirement account) is amended by striking “\$500” and inserting “the contribution limit for such taxable year”.

(2) CONTRIBUTION LIMIT.—Section 530(b) (relating to definitions and special rules), as amended by subsection (a)(2), is amended by adding at the end the following new paragraph:

“(5) CONTRIBUTION LIMIT.—The term ‘contribution limit’ means \$500 (\$2,000 in the case of any taxable year beginning after December 31, 1998, and ending before January 1, 2003).”.

(3) CONFORMING AMENDMENT.—Section 4973(e)(1)(A) is amended by striking “\$500” and inserting “the contribution limit (as defined in section 530(b)(5)) for such taxable year”.

(c) WAIVER OF AGE LIMITATIONS FOR CHILDREN WITH SPECIAL NEEDS.—Section 530(b)(1) (defining education individual retirement account) is amended by adding at the end the following flush sentence:

“The age limitations in the preceding sentence shall not apply to any designated beneficiary with special needs (as determined under regulations prescribed by the Secretary).”.

(d) CORPORATIONS PERMITTED TO CONTRIBUTE TO ACCOUNTS.—Section 530(c)(1) (relating to reduction in permitted contributions based on adjusted gross income) is amended by striking “The maximum amount which a contributor” and inserting “In the case of a contributor who is an individual, the maximum amount the contributor”.

(e) TECHNICAL CORRECTIONS.—

(1) Section 530(b)(1) is amended by inserting “an individual who is” before “the designated beneficiary” in the material preceding subparagraph (A).

(2)(A) Section 530(b)(1)(E) is amended to read as follows:

“(E) Except as provided in subsection (d)(7), any balance to the credit of the designated beneficiary on the date on which the beneficiary attains age 30 shall be distributed within 30 days after such date to the beneficiary or, if the beneficiary dies before attaining age 30, shall be distributed within 30 days after the date of death of such beneficiary.”.

(B) Section 530(d)(7) is amended by inserting at the end the following new sentence: “In applying the preceding sentence, members of the family of the designated beneficiary shall be treated in the same manner as the spouse under such paragraph (8).”.

(C) Section 530(d) is amended by adding at the end the following new paragraph:

“(8) DEEMED DISTRIBUTION ON REQUIRED DISTRIBUTION DATE.—In any case in which a distribution is required under subsection (b)(1)(E), any balance to the credit of a designated beneficiary as of the close of the 30-day period referred to in such subsection for making such distribution shall be deemed distributed at the close of such period.”.

(3)(A) Section 530(d)(1) is amended by striking “section 72(b)” and inserting “section 72”.

(B) Section 72(e) is amended by inserting after paragraph (8) the following new paragraph:

“(9) EXTENSION OF PARAGRAPH (2)(B) TO QUALIFIED STATE TUITION PROGRAMS AND EDU-

CATIONAL INDIVIDUAL RETIREMENT ACCOUNTS.—Notwithstanding any other provision of this subsection, paragraph (2)(B) shall apply to amounts received under a qualified State tuition program (as defined in section 529(b)) or under an education individual retirement account (as defined in section 530(b)). The rule of paragraph (8)(B) shall apply for purposes of this paragraph.”

(4) Section 135(d)(2) is amended to read as follows:

“(2) COORDINATION WITH OTHER HIGHER EDUCATION BENEFITS.—The amount of the qualified higher education expenses otherwise taken into account under subsection (a) with respect to the education of an individual shall be reduced (before the application of subsection (b)) by—

“(A) the amount of such expenses which are taken into account in determining the credit allowable to the taxpayer or any other person under section 25A with respect to such expenses, and

“(B) the amount of such expenses which are taken into account in determining the exclusion under section 530(d)(2).”

(5) Section 530(d)(2) is amended by adding at the end the following new subparagraph:

“(D) DISALLOWANCE OF EXCLUDED AMOUNTS AS CREDIT OR DEDUCTION.—No deduction or credit shall be allowed to the taxpayer under any other section of this chapter for any qualified education expenses to the extent taken into account in determining the amount of the exclusion under this paragraph.”

(6) Section 530(d)(4)(B) is amended by striking “or” at the end of clause (ii), by striking the period at the end of clause (iii) and inserting “, or”, and by adding at the end the following new clause:

“(iv) an amount which is includible in gross income solely because the taxpayer elected under paragraph (2)(C) to waive the application of paragraph (2) for the taxable year.”

(7) So much of section 530(d)(4)(C) as precedes clause (ii) thereof is amended to read as follows:

“(C) CONTRIBUTIONS RETURNED BEFORE DUE DATE OF RETURN.—Subparagraph (A) shall not apply to the distribution of any contribution made during a taxable year on behalf of the designated beneficiary if—

“(i) such distribution is made on or before the day prescribed by law (including extensions of time) for filing the beneficiary’s return of tax for the taxable year or, if the beneficiary is not required to file such a return, the 15th day of the 4th month of the taxable year following the taxable year, and”

(8) Section 135(c)(2)(C) is amended—

(A) by inserting “AND EDUCATION INDIVIDUAL RETIREMENT ACCOUNTS” in the heading after “PROGRAM”, and

(B) by striking “section 529(c)(3)(A)” and inserting “section 72”.

(9) Section 4973(e)(1) is amended to read as follows:

“(1) IN GENERAL.—In the case of education individual retirement accounts maintained for the benefit of any 1 beneficiary, the term ‘excess contributions’ means the sum of—

“(A) the amount by which the amount contributed for the taxable year to such accounts exceeds \$500 (or, if less, the sum of the maximum amounts permitted to be contributed under section 530(c) by the contributors to such accounts for such year),

“(B) if any amount is contributed during such year to a qualified State tuition program for the benefit of such beneficiary, any amount contributed to such accounts for such taxable year, and

“(C) the amount determined under this subsection for the preceding taxable year, reduced by the sum of—

“(i) the distributions out of the accounts for the taxable year which are included in gross income, and

“(ii) the excess (if any) of the maximum amount which may be contributed to the accounts for the taxable year over the amount contributed to the accounts for the taxable year.”

(10)(A) Paragraph (5) of section 530(d) is amended by striking the first sentence and inserting the following new sentence: “Paragraph (1) shall not apply to any amount paid or distributed from an education individual retirement account to the extent that the amount received is paid, not later than the 60th day after the date of such payment or distribution, into another education individual retirement account for the benefit of the same beneficiary or a member of the family (within the meaning of section 529(e)(2) of such beneficiary who has not attained age 30 as of such date.”

(B) Paragraph (6) of section 530(d) is amended by inserting before the period “and has not attained age 30 as of the date of such change”.

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 1998.

(2) TECHNICAL CORRECTIONS.—The amendments made by subsection (e) shall take effect as if included in the amendments made by section 213 of the Taxpayer Relief Act of 1997.

**SEC. 102. EXCLUSION FROM GROSS INCOME OF EDUCATION DISTRIBUTIONS FROM QUALIFIED STATE TUITION PROGRAMS.**

(a) IN GENERAL.—Section 529(c)(3)(B) (relating to distributions) is amended to read as follows:

“(B) DISTRIBUTIONS FOR QUALIFIED HIGHER EDUCATION EXPENSES.—

“(i) IN GENERAL.—No amount shall be includible in gross income under subparagraph (A) if the qualified higher education expenses of the designated beneficiary during the taxable year are not less than the aggregate distributions during the taxable year.

“(ii) DISTRIBUTIONS IN EXCESS OF EXPENSES.—If such aggregate distributions exceed such expenses during the taxable year, the amount otherwise includible in gross income under subparagraph (A) shall be reduced by the amount which bears the same ratio to the amount so includible (without regard to this subparagraph) as such expenses bear to such aggregate distributions.

“(iii) ELECTION TO WAIVE EXCLUSION.—A taxpayer may elect to waive the application of this subparagraph for any taxable year.

“(iv) IN-KIND DISTRIBUTIONS.—Any benefit furnished to a designated beneficiary under a qualified State tuition program shall be treated as a distribution to the beneficiary for purposes of this paragraph.

“(v) DISALLOWANCE OF EXCLUDED AMOUNTS AS CREDIT OR DEDUCTION.—No deduction or credit shall be allowed to the taxpayer under any other section of this chapter for any qualified higher education expenses to the extent taken into account in determining the amount of the exclusion under this paragraph.”

(b) DEFINITION OF QUALIFIED HIGHER EDUCATION EXPENSES.—Section 529(e)(3)(A) (defining qualified higher education expenses) is amended to read as follows:

“(A) IN GENERAL.—The term ‘qualified higher education expenses’ means expenses for tuition, fees, academic tutoring, special needs services, books, supplies, computer equipment (including related software and services), and other equipment which are incurred in connection with the enrollment or attendance of the designated beneficiary at an eligible educational institution.”

(c) COORDINATION WITH EDUCATION CREDITS.—Section 25A(e)(2) (relating to coordination with exclusions) is amended—

(1) by inserting “a qualified State tuition program or” before “an education individual retirement account”, and

(2) by striking “section 530(d)(2)” and inserting “section 529(c)(3)(B) or 530(d)(2)”.

(d) ELIGIBLE EDUCATIONAL INSTITUTIONS PERMITTED TO MAINTAIN QUALIFIED TUITION PROGRAMS.—

(1) IN GENERAL.—Section 529(b)(1) (defining qualified State tuition program) is amended by inserting “or, in the case of taxable years beginning after December 31, 2005, by 1 or more eligible educational institutions” after “maintained by a State or agency or instrumentality thereof”.

(2) PRIVATE QUALIFIED TUITION PROGRAMS LIMITED TO BENEFIT PLANS.—Section 529(b)(1) is amended by adding at the end the following flush sentence:

“Clause (ii) of subparagraph (A) shall only apply to a program established and maintained by a State or agency or instrumentality thereof.”

(3) LIMITATION ON CONTRIBUTIONS TO PRIVATE QUALIFIED TUITION PROGRAMS.—Section 529(b) is amended by adding at the end the following new paragraph:

“(8) LIMITATION ON CONTRIBUTIONS TO PRIVATE QUALIFIED TUITION PROGRAMS.—In the case of a program not established and maintained by a State or agency or instrumentality thereof, such program shall not be treated as a qualified tuition program unless it limits the annual contribution to the program on behalf of a designated beneficiary to an amount equal to the lesser of—

“(A) \$5,000, or

“(B) the excess of—

“(i) \$50,000, over

“(ii) the aggregate amount contributed to such program on behalf of such beneficiary for all prior taxable years.”

(4) TAX ON EXCESS CONTRIBUTIONS.—

(A) IN GENERAL.—Section 4973(a) (relating to tax imposed) is amended by striking “or” at the end of paragraph (3), by inserting “or” at the end of paragraph (4), and by inserting after paragraph (4) the following new paragraph:

“(5) a private qualified tuition program (as defined in subsection (g)).”

(B) EXCESS CONTRIBUTIONS DEFINED.—Section 4973 is amended by adding at the end the following new subsection:

“(g) EXCESS CONTRIBUTIONS TO PRIVATE QUALIFIED TUITION PROGRAM.—For purposes of this section—

“(1) IN GENERAL.—In the case of private qualified tuition programs, the term ‘excess contributions’ means, with respect to any 1 beneficiary—

“(A) the amount by which the amounts contributed for the taxable year to such programs exceed the lesser of—

“(i) \$5,000, or

“(ii) the excess of—

“(I) \$50,000, over

“(II) the aggregate amount contributed to all private qualified tuition programs on behalf of such beneficiary for all prior taxable years, and

“(B) the amount determined under this subsection for the preceding taxable year, reduced by the sum of—

“(i) the distributions out of such programs for the taxable year which are included in gross income, and

“(ii) the excess (if any) of the maximum amount which may be contributed to such programs for the taxable year over the amount contributed to such programs for the taxable year.

“(2) SPECIAL RULE IF CONTRIBUTIONS MADE TO A STATE TUITION PROGRAM OR AN EDUCATION INDIVIDUAL RETIREMENT ACCOUNT.—Notwithstanding paragraph (1), with respect

to any 1 beneficiary, the amount contributed to a private qualified tuition program for any taxable year shall be treated as excess contributions if any amount is contributed during such year for the benefit of such beneficiary to—

“(A) a qualified tuition program (as defined in section 529) that is established and maintained by a State or any agency or instrumentality thereof, or

“(B) an education individual retirement account (as defined in section 530).

“(3) SPECIAL RULES.—The contributions described in subsection (e)(2) shall not be taken into account.

“(4) PRIVATE QUALIFIED TUITION PROGRAM.—The term ‘private qualified tuition program’ means a qualified tuition program (as defined in section 529) not established and maintained by a State or any agency or instrumentality thereof.”

(5) TECHNICAL AMENDMENTS.—

(A) The text of each of the sections 72(e)(9), 529, 530(b)(2)(B), and 4973(e)(1)(B) is amended by striking “qualified State tuition program” each place it appears and inserting “qualified tuition program”.

(B)(i) The section heading of section 529 is amended to read as follows:

“SEC. 529. QUALIFIED TUITION PROGRAMS.”

(ii) The item relating to section 529 in the table of sections for part VIII of subchapter F of chapter 1 is amended by striking “State”.

(e) TECHNICAL CORRECTIONS.—

(1) Section 135(c)(3) is amended to read as follows:

“(3) ELIGIBLE EDUCATIONAL INSTITUTION.—The term ‘eligible educational institution’ has the meaning given such term by section 529(e)(5).”

(2) Section 529(c)(3)(A) is amended by striking “section 72(b)” and inserting “section 72”.

(3) Section 529(e)(2) is amended to read as follows:

“(2) MEMBER OF FAMILY.—The term ‘member of the family’ means, with respect to any designated beneficiary—

“(A) the spouse of such beneficiary,

“(B) an individual who bears a relationship to such beneficiary which is described in paragraphs (1) through (8) of section 152(a), and

“(C) the spouse of any individual described in subparagraph (B).”

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the amendments made by this section shall apply to taxable years beginning after December 31, 1998.

(2) ELIGIBLE EDUCATIONAL INSTITUTIONS PERMITTED TO MAINTAIN QUALIFIED TUITION PROGRAMS.—The amendments made by subsection (d) shall apply to taxable years beginning after December 31, 2005.

(3) TECHNICAL CORRECTIONS.—The amendments made by subsection (e) shall take effect as if included in the amendments made by section 211 of the Taxpayer Relief Act of 1997.

SEC. 103. EXTENSION OF EXCLUSION FOR EMPLOYER-PROVIDED EDUCATIONAL ASSISTANCE.

Section 127(d) (relating to termination of exclusion for educational assistance programs) is amended by striking “May 31, 2000” and inserting “December 31, 2002”.

SEC. 104. ADDITIONAL INCREASE IN ARBITRAGE REBATE EXCEPTION FOR GOVERNMENTAL BONDS USED TO FINANCE EDUCATION FACILITIES.

(a) IN GENERAL.—Section 148(f)(4)(D)(vii) (relating to increase in exception for bonds financing public school capital expenditures) is amended by striking “\$5,000,000” the second place it appears and inserting “\$10,000,000”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to obligations issued after December 31, 1998.

SEC. 105. EXCLUSION OF CERTAIN AMOUNTS RECEIVED UNDER THE NATIONAL HEALTH CORPS SCHOLARSHIP PROGRAM AND THE F. EDWARD HEBERT ARMED FORCES HEALTH PROFESSIONS SCHOLARSHIP AND FINANCIAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—Section 117(c) (relating to the exclusion from gross income amounts received as a qualified scholarship) is amended—

(1) by striking “Subsections (a)” and inserting the following:

“(1) IN GENERAL.—Except as provided in paragraph (2), subsections (a)”;

(2) by adding at the end the following new paragraph:

“(2) EXCEPTIONS.—Paragraph (1) shall not apply to any amount received by an individual under—

“(A) the National Health Corps Scholarship Program under section 338A(g)(1)(A) of the Public Health Service Act, or

“(B) the Armed Forces Health Professions Scholarship and Financial Assistance program under subchapter I of chapter 105 of title 10, United States Code.”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to amounts received in taxable years beginning after December 31, 1993.

Subtitle B—Revenue

SEC. 111. OVERRULING OF SCHMIDT BAKING COMPANY CASE.

(a) IN GENERAL.—Section 404(a) (relating to general rule) is amended by adding at the end the following new paragraph:

“(11) DETERMINATIONS RELATING TO DEFERRED COMPENSATION.—For purposes of determining under this section—

“(A) whether compensation of an employee is deferred compensation, and

“(B) when deferred compensation is paid, no amount shall be treated as received by the employee, or paid, until it is actually received by the employee.”

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply to taxable years ending after December 31, 2001.

(2) PHASE-IN OF INCREASE.—In the case of the first taxable year of the taxpayer ending after December 31, 2001, only 60 percent of the amount of the increase in tax resulting from the amendment made by subsection (a) shall be taken into account for purposes of sections 6654 and 6655 of the Internal Revenue Code of 1986 (relating to failure to pay estimated income tax).

(3) CHANGE IN METHOD OF ACCOUNTING.—In the case of any taxpayer required by this section to change its method of accounting for its first taxable year ending after December 31, 2001—

(A) such change shall be treated as initiated by the taxpayer,

(B) such change shall be treated as made with the consent of the Secretary of the Treasury, and

(C) the net amount of the adjustments required to be taken into account by the taxpayer under section 481 of the Internal Revenue Code of 1986 shall be taken into account in such first taxable year.

Subtitle C—Identification of Limited Tax Benefits Subject To Line Item Veto

SEC. 121. IDENTIFICATION OF LIMITED TAX BENEFITS SUBJECT TO LINE ITEM VETO.

Section 1021(a)(3) of the Congressional Budget and Impoundment Control Act of 1974 shall only apply to section 104(a) (relating to additional increase in arbitrage rebate exception for governmental bonds used to finance education facilities).

TITLE II—MEASURES TO ENCOURAGE RESULTS IN TEACHING

SEC. 201. STATE INCENTIVES FOR TEACHER TESTING AND MERIT PAY.

(a) SHORT TITLE.—This section may be cited as the “Measures to Encourage Results in Teaching Act of 1998”.

(b) FINDINGS.—Congress makes the following findings:

(1) All students deserve to be taught by well-educated, competent, and qualified teachers.

(2) More than ever before, education has and will continue to become the ticket not only to economic success but to basic survival. Students will not succeed in meeting the demands of a knowledge-based, 21st century society and economy if the students do not encounter more challenging work in school. For future generations to have the opportunities to achieve success the future generations will need to have an education and a teacher workforce second to none.

(3) No other intervention can make the difference that a knowledgeable, skillful teacher can make in the learning process. At the same time, nothing can fully compensate for weak teaching that, despite good intentions, can result from a teacher’s lack of opportunity to acquire the knowledge and skill needed to help students master the curriculum.

(4) The Federal Government established the Dwight D. Eisenhower Professional Development Program in 1985 to ensure that teachers and other educational staff have access to sustained and high-quality professional development. This ongoing development must include the ability to demonstrate and judge the performance of teachers and other instructional staff.

(5) States should evaluate their teachers on the basis of demonstrated ability, including tests of subject matter knowledge, teaching knowledge, and teaching skill. States should develop a test for their teachers and other instructional staff with respect to the subjects taught by the teachers and staff, and should administer the test every 3 to 5 years.

(6) Evaluating and rewarding teachers with a compensation system that supports teachers who become increasingly expert in a subject area, are proficient in meeting the needs of students and schools, and demonstrate high levels of performance measured against professional teaching standards, will encourage teachers to continue to learn needed skills and broaden teachers’ expertise, thereby enhancing education for all students.

(c) PURPOSES.—The purposes of this section are as follows:

(1) To provide incentives for States to establish and administer periodic teacher testing and merit pay programs for elementary school and secondary school teachers.

(2) To encourage States to establish merit pay programs that have a significant impact on teacher salary scales.

(3) To encourage programs that recognize and reward the best teachers, and encourage those teachers that need to do better.

(d) STATE INCENTIVES FOR TEACHER TESTING AND MERIT PAY.—

(1) AMENDMENTS.—Title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended—

(A) by redesignating part D as part F;

(B) by redesignating sections 2401 and 2402 as sections 2601 and 2602, respectively; and

(C) by inserting after part C the following:

“PART D—STATE INCENTIVES FOR TEACHER TESTING AND MERIT PAY

“SEC. 2401. STATE INCENTIVES FOR TEACHER TESTING AND MERIT PAY.

“(a) STATE AWARDS.—Notwithstanding any other provision of this title, from funds described in subsection (b) that are made avail-

able for a fiscal year, the Secretary shall make an award to each State that—

“(1) administers a test to each elementary school and secondary school teacher in the State, with respect to the subjects taught by the teacher, every 3 to 5 years; and

“(2) has an elementary school and secondary school teacher compensation system that is based on merit.

“(b) AVAILABLE FUNDING.—The amount of funds referred to in subsection (a) that are available to carry out this section for a fiscal year is 50 percent of the amount of funds appropriated to carry out this title that are in excess of the amount so appropriated for fiscal year 1999, except that no funds shall be available to carry out this section for any fiscal year for which—

“(1) the amount appropriated to carry out this title exceeds \$600,000,000; or

“(2) each of the several States is eligible to receive an award under this section.

“(c) AWARD AMOUNT.—A State shall receive an award under this section in an amount that bears the same relation to the total amount available for awards under this section for a fiscal year as the number of States that are eligible to receive such an award for the fiscal year bears to the total number of all States so eligible for the fiscal year.

“(d) USE OF FUNDS.—Funds provided under this section may be used by States to carry out the activities described in section 2207.

“(e) DEFINITION OF STATE.—For the purpose of this section, the term ‘State’ means each of the 50 States and the District of Columbia.”

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 2, 1999.

(e) TEACHER TESTING AND MERIT PAY.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a State may use Federal education funds—

(A) to carry out a test of each elementary school or secondary school teacher in the State with respect to the subjects taught by the teacher; or

(B) to establish a merit pay program for the teachers.

(2) DEFINITIONS.—In this subsection, the terms “elementary school” and “secondary school” have the meanings given the terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

#### TITLE III—EQUAL EDUCATIONAL OPPORTUNITY

##### SEC. 301. EQUAL EDUCATIONAL OPPORTUNITY.

Subsection (b) of section 6301 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7351) is amended—

(1) in paragraph (7), by striking “and” after the semicolon;

(2) in paragraph (8), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(9) education reform projects that provide same gender schools and classrooms, as long as comparable educational opportunities are offered for students of both sexes.”

#### TITLE IV—SENSE OF CONGRESS

##### SEC. 401. FINDINGS.

Congress makes the following findings:

(1) The people of the United States know that effective teaching takes place when the people of the United States begin (A) helping children master basic academics, (B) engaging and involving parents, (C) creating safe and orderly classrooms, and (D) getting dollars to the classroom.

(2) Our Nation’s children deserve an educational system which will provide opportunities to excel.

(3) States and localities must spend a significant amount of Federal education tax dollars applying for and administering Federal education dollars.

(4) Several States have reported that although the States receive less than 10 percent of their education funding from the Federal Government, more than 50 percent of their paperwork is associated with those Federal dollars.

(5) While it is unknown exactly what percentage of Federal education dollars reaches the classroom, a recent audit of New York City public schools found that only 43 percent of their local education budget reaches the classroom; further, it is thought that only 85 percent of funds administered by the Department of Education for elementary and secondary education reach the school district level; and even if 65 percent of Federal education funds reach the classroom, it still means that billions of dollars are not directly spent on children in the classroom.

(6) American students are not performing up to their full academic potential, despite the more than 760 Federal education programs, which span 39 Federal agencies at the price of nearly \$100,000,000,000 annually.

(7) According to the Digest of Education Statistics, in 1993 only \$141,598,786,000 out of \$265,285,370,000 spent on elementary and secondary education was spent on instruction.

(8) According to the National Center for Education Statistics, in 1994 only 52 percent of staff employed in public elementary and secondary school systems were teachers.

(9) Too much of our Federal education funding is spent on bureaucracy, and too little is spent on our Nation’s youth.

(10) Getting 95 percent of Department of Education elementary and secondary education funds to the classroom could provide approximately \$2,094 in additional funding per classroom across the United States.

(11) More education funding should be put in the hands of someone in a child’s classroom who knows the child’s name.

(12) President Clinton has stated: “We cannot ask the American people to spend more on education until we do a better job with the money we’ve got now.”

(13) President Clinton and Vice President Gore agree that the reinventing of public education will not begin in Washington but in communities across the United States and that the people of the United States must ask fundamental questions about how our Nation’s public school systems’ dollars are spent.

(14) President Clinton and Vice President Gore agree that in an age of tight budgets, our Nation should be spending public funds on teachers and children, not on unnecessary overhead and bloated bureaucracy.

##### SEC. 402. SENSE OF CONGRESS.

It is the sense of Congress that the Department of Education, States, and local educational agencies should work together to ensure that not less than 95 percent of all funds appropriated for the purpose of carrying out elementary and secondary education programs administered by the Department of Education is spent for our Nation’s children in their classrooms.

#### TITLE V—READING EXCELLENCE

##### SEC. 501. SHORT TITLE.

This title may be cited as the “Reading Excellence Act”.

##### Subtitle A—Reading Grants

##### SEC. 511. AMENDMENT TO ESEA FOR READING GRANTS.

Title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended further by inserting after part D (as inserted by section 201(d)(1)(C) of this Act) the following:

##### “PART E—READING GRANTS

##### “SEC. 2501. PURPOSE.

“The purposes of this part are as follows:

“(1) To teach every child to read in their early childhood years—

“(A) as soon as they are ready to read; or  
“(B) as soon as possible once they enter school, but not later than 3d grade.

“(2) To improve the reading skills of students, and the in-service instructional practices for teachers who teach reading, through the use of findings from reliable, replicable research on reading, including phonics.

“(3) To expand the number of high-quality family literacy programs.

“(4) To reduce the number of children who are inappropriately referred to special education due to reading difficulties.

##### “SEC. 2502. DEFINITIONS.

“For purposes of this part:

“(1) ELIGIBLE PROFESSIONAL DEVELOPMENT PROVIDER.—The term ‘eligible professional development provider’ means a provider of professional development in reading instruction to teachers that is based on reliable, replicable research on reading.

“(2) ELIGIBLE RESEARCH INSTITUTION.—The term ‘eligible research institution’ means an institution of higher education at which reliable, replicable research on reading has been conducted.

“(3) FAMILY LITERACY SERVICES.—The term ‘family literacy services’ means services provided to participants on a voluntary basis that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family (such as eliminating or reducing welfare dependency) and that integrate all of the following activities:

“(A) Interactive literacy activities between parents and their children.

“(B) Equipping parents to partner with their children in learning.

“(C) Parent literacy training, including training that contributes to economic self-sufficiency.

“(D) Appropriate instruction for children of parents receiving parent literacy services.

“(4) READING.—The term ‘reading’ means the process of comprehending the meaning of written text by depending on—

“(A) the ability to use phonics skills, that is, knowledge of letters and sounds, to decode printed words quickly and effortlessly, both silently and aloud;

“(B) the ability to use previously learned strategies for reading comprehension; and

“(C) the ability to think critically about the meaning, message, and aesthetic value of the text.

“(5) READING READINESS.—The term ‘reading readiness’ means activities that—

“(A) provide experience and opportunity for language development;

“(B) create appreciation of the written word;

“(C) develop an awareness of printed language, the alphabet, and phonemic awareness; and

“(D) develop an understanding that spoken and written language is made up of phonemes, syllables, and words.

“(6) RELIABLE, REPLICABLE RESEARCH.—The term ‘reliable, replicable research’ means objective, valid, scientific studies that—

“(A) include rigorously defined samples of subjects that are sufficiently large and representative to support the general conclusions drawn;

“(B) rely on measurements that meet established standards of reliability and validity;

“(C) test competing theories, where multiple theories exist;

“(D) are subjected to peer review before their results are published; and

“(E) discover effective strategies for improving reading skills.

##### “SEC. 2503. GRANTS TO READING AND LITERACY PARTNERSHIPS.

“(a) PROGRAM AUTHORIZED.—The Secretary may make grants on a competitive basis to

reading and literacy partnerships for the purpose of permitting such partnerships to make subgrants under sections 2504 and 2505.

“(b) READING AND LITERACY PARTNERSHIPS.—

“(1) COMPOSITION.—

“(A) REQUIRED PARTICIPANTS.—In order to receive a grant under this section, a State shall establish a reading and literacy partnership consisting of at least the following participants:

“(i) The Governor of the State.

“(ii) The chief State school officer.

“(iii) The chairman and the ranking member of each committee of the State legislature that is responsible for education policy.

“(iv) A representative, selected jointly by the Governor and the chief State school officer, of at least 1 local educational agency that has at least 1 school that is identified for school improvement under section 1116(c) in the geographic area served by the agency.

“(v) A representative, selected jointly by the Governor and the chief State school officer, of a community-based organization working with children to improve their reading skills, particularly a community-based organization using volunteers.

“(B) OPTIONAL PARTICIPANTS.—A reading and literacy partnership may include additional participants, who shall be selected jointly by the Governor and the chief State school officer, which may include—

“(i) State directors of appropriate Federal or State programs with a strong reading component;

“(ii) a parent of a public or private school student or a parent who educates their child or children in their home;

“(iii) a teacher who teaches reading; or

“(iv) a representative of (I) an institution of higher education operating a program of teacher preparation in the State; (II) a local educational agency; (III) an eligible research institution; (IV) a private nonprofit or for-profit eligible professional development provider providing instruction based on reliable, replicable research on reading; (V) a family literacy service provider; (VI) an adult education provider; (VII) a volunteer organization that is involved in reading programs; or (VIII) a school or a public library that offers reading or literacy programs for children or families.

“(2) AGREEMENT.—The contractual agreement that establishes a reading and literacy partnership—

“(A) shall specify—

“(i) the nature and extent of the association among the participants referred to in paragraph (1); and

“(ii) the roles and duties of each such participant; and

“(B) shall remain in effect during the entire grant period proposed in the partnership's grant application under subsection (e).

“(3) FUNCTIONS.—Each reading and literacy partnership for a State shall prepare and submit an application under subsection (e) and, if the partnership receives a grant under this section—

“(A) shall solicit applications for, and award, subgrants under sections 2504 and 2505;

“(B) shall oversee the performance of the subgrants and submit performance reports in accordance with subsection (h);

“(C) if sufficient grant funds are available under this part—

“(i) work to enhance the capacity of agencies in the State to disseminate reliable, replicable research on reading to schools, classrooms, and providers of early education and child care;

“(ii) facilitate the provision of technical assistance to subgrantees under sections 2504 and 2505 by providing the subgrantees information about technical assistance providers; and

“(iii) build on, and promote coordination among, literacy programs in the State, in order to increase their effectiveness and to avoid duplication of their efforts; and

“(D) shall ensure that each local educational agency to which the partnership makes a subgrant under section 2504 makes available, upon request and in an understandable and uniform format, to any parent of a student attending any school selected under section 2504(a)(2) in the geographic area served by the agency, information regarding the qualifications of the student's classroom teacher to provide instruction in reading.

“(4) FISCAL AGENT.—The State educational agency shall act as the fiscal agent for the reading and literacy partnership for the purposes of receipt of funds from the Secretary, disbursement of funds to subgrantees under sections 2504 and 2505, and accounting for such funds.

“(c) PREEXISTING PARTNERSHIP.—If, before the date of the enactment of the Reading Excellence Act, a State established a consortium, partnership, or any other similar body, that includes the Governor and the chief State school officer and has, as a central part of its mission, the promotion of literacy for children in their early childhood years through the 3d grade, but that does not satisfy the requirements of subsection (b)(1), the State may elect to treat that consortium, partnership, or body as the reading and literacy partnership for the State notwithstanding such subsection, and the consortium, partnership, or body shall be considered a reading and literacy partnership for purposes of the other provisions of this part.

“(d) MULTI-STATE PARTNERSHIP ARRANGEMENTS.—A reading and literacy partnership that satisfies the requirements of subsection (b) may join with other such partnerships in other States to develop a single application that satisfies the requirements of subsection (e) and identifies which State educational agency, from among the States joining, shall act as the fiscal agent for the multi-State arrangement. For purposes of the other provisions of this part, any such multi-State arrangement shall be considered to be a reading and literacy partnership.

“(e) APPLICATIONS.—A reading and literacy partnership that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and including such information as the Secretary may require. The application—

“(1) shall describe how the partnership will ensure that 95 percent of the grant funds are used to make subgrants under sections 2504 and 2505;

“(2) shall be integrated, to the maximum extent possible, with State plans and programs under this Act, the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), and, to the extent appropriate, the Adult Education Act (20 U.S.C. 1201 et seq.);

“(3) shall describe how the partnership will ensure that professional development funds available at the State and local levels are used effectively to improve instructional practices for reading and are based on reliable, replicable research on reading;

“(4) shall describe—

“(A) the contractual agreement that establishes the partnership, including at least the elements of the agreement referred to in subsection (b)(2);

“(B) how the partnership will assess, on a regular basis, the extent to which the activities undertaken by the partnership and the partnership's subgrantees under this part have been effective in achieving the purposes of this part;

“(C) what evaluation instruments the partnership will use to determine the success of local educational agencies to whom sub-

grants under sections 2504 and 2505 are made in achieving the purposes of this part;

“(D) how subgrants made by the partnership under such sections will meet the requirements of this part, including how the partnership will ensure that subgrantees will use practices based on reliable, replicable research on reading; and

“(E) how the partnership will, to the extent practicable, make grants to subgrantees in both rural and urban areas;

“(5) shall include an assurance that each local educational agency to whom the partnership makes a subgrant under section 2504—

“(A) will carry out family literacy programs based on the Even Start family literacy model authorized under part B of title I to enable parents to be their child's first and most important teacher, and will make payments for the receipt of technical assistance for the development of such programs;

“(B) will carry out programs to assist those kindergarten students who are not ready for the transition to 1st grade, particularly students experiencing difficulty with reading skills;

“(C) will use supervised individuals (including tutors), who have been appropriately trained using reliable, replicable research on reading, to provide additional support, before school, after school, on weekends, during non-instructional periods of the school day, or during the summer, for students in grades 1 through 3 who are experiencing difficulty reading; and

“(D) will carry out professional development for the classroom teacher and other appropriate teaching staff on the teaching of reading based on reliable, replicable research on reading; and

“(6) shall describe how the partnership—

“(A) will ensure that a portion of the grant funds that the partnership receives in each fiscal year will be used to make subgrants under section 2505; and

“(B) will make local educational agencies described in section 2505(a)(1) aware of the availability of such subgrants.

“(f) PEER REVIEW PANEL.—

“(1) COMPOSITION OF PEER REVIEW PANEL.—

“(A) IN GENERAL.—The National Institute for Literacy, in consultation with the National Research Council of the National Academy of Sciences, the National Institute of Child Health and Human Development, and the Secretary, shall convene a panel to evaluate applications under this section. At a minimum the panel shall include representatives of the National Institute for Literacy, the National Research Council of the National Academy of Sciences, the National Institute of Child Health and Human Development, and the Secretary.

“(B) EXPERTS.—The panel shall include experts who are competent, by virtue of their training, expertise, or experience, to evaluate applications under this section, and experts who provide professional development to teachers of reading to children and adults, based on reliable, replicable research on reading.

“(C) LIMITATION.—Not more than 1/3 of the panel may be composed of individuals who are employees of the Federal Government.

“(2) PAYMENT OF FEES AND EXPENSES OF CERTAIN MEMBERS.—The Secretary shall use funds reserved under section 2510(b)(2) to pay the expenses and fees of panel members who are not employees of the Federal Government.

“(3) DUTIES OF PANEL.—

“(A) MODEL APPLICATION FORMS.—The peer review panel shall develop a model application form for reading and literacy partnerships desiring to apply for a grant under this section. The peer review panel shall submit the model application form to the Secretary for final approval.

“(B) SELECTION OF APPLICATIONS.—

“(i) RECOMMENDATIONS OF PANEL.—

“(I) IN GENERAL.—The Secretary shall receive grant applications from reading and literacy partnerships under this section and shall provide the applications to the peer review panel for evaluation. With respect to each application, the peer review panel shall initially recommend the application for funding or for disapproval.

“(II) PRIORITY.—In recommending applications to the Secretary, the panel shall give priority to applications from States that have modified, are modifying, or provide an assurance that not later than 1 year after receiving a grant under this section the State will modify, State teacher certification in the area of reading to reflect reliable, replicable research, except that nothing in this part shall be construed to establish a national system of teacher certification.

“(III) RANKING OF APPLICATIONS.—With respect to each application recommended for funding, the panel shall assign the application a rank, relative to other recommended applications, based on the priority described in subclause (II), the extent to which the application furthers the purposes of this part, and the overall quality of the application.

“(IV) RECOMMENDATION OF AMOUNT.—With respect to each application recommended for funding, the panel shall make a recommendation to the Secretary with respect to the amount of the grant that should be made.

“(ii) SECRETARIAL SELECTION.—

“(I) IN GENERAL.—Subject to clause (iii), the Secretary shall determine, based on the peer review panel’s recommendations, which applications from reading and literacy partnerships shall receive funding and the amounts of such grants. In determining grant amounts, the Secretary shall take into account the total amount of funds available for all grants under this section and the types of activities proposed to be carried out by the partnership.

“(II) EFFECT OF RANKING BY PANEL.—In making grants under this section, the Secretary shall select applications according to the ranking of the applications by the peer review panel, except in cases where the Secretary determines, for good cause, that a variation from that order is appropriate.

“(iii) MINIMUM GRANT AMOUNTS.—Each reading and literacy partnership selected to receive a grant under this section shall receive an amount for each fiscal year that is not less than \$100,000.

“(g) LIMITATION ON ADMINISTRATIVE EXPENSES.—A reading and literacy partnership that receives a grant under this section may use not more than 3 percent of the grant funds for administrative costs.

“(h) REPORTING.—

“(I) IN GENERAL.—A reading and literacy partnership that receives a grant under this section shall submit performance reports to the Secretary pursuant to a schedule to be determined by the Secretary, but not more frequently than annually. Such reports shall include—

“(A) the results of use of the evaluation instruments referred to in subsection (e)(4)(C);

“(B) the process used to select subgrantees;

“(C) a description of the subgrantees receiving funds under this part; and

“(D) with respect to subgrants under section 2504, the model or models of reading instruction, based on reliable, replicable research on reading, selected by subgrantees.

“(2) PROVISION TO PEER REVIEW PANEL.—The Secretary shall provide the reports submitted under paragraph (1) to the peer review panel convened under subsection (f). The panel shall use such reports in recommending applications for funding under this section.

“SEC. 2504. LOCAL READING IMPROVEMENT SUBGRANTS.

“(a) IN GENERAL.—

“(1) SUBGRANTS.—A reading and literacy partnership that receives a grant under section 2503 shall make subgrants, on a competitive basis, to local educational agencies that have at least 1 school that is identified for school improvement under section 1116(c) in the geographic area served by the agency.

“(2) ROLE OF LOCAL EDUCATIONAL AGENCIES.—A local educational agency that receives a subgrant under this section shall use the subgrant in a manner consistent with this section to advance reform of reading instruction in any school selected by the agency that—

“(A) is identified for school improvement under section 1116(c) at the time the agency receives the subgrant; and

“(B) has a contractual association with 1 or more community-based organizations that have established a record of effectiveness with respect to reading readiness, reading instruction for children in kindergarten through 3d grade, and early childhood literacy.

“(b) GRANT PERIOD.—A subgrant under this section shall be for a period of 3 years and may not be revoked or terminated on the ground that a school ceases, during the grant period, to be identified for school improvement under section 1116(c).

“(c) APPLICATIONS.—A local educational agency that desires to receive a subgrant under this section shall submit an application to the reading and literacy partnership at such time, in such manner, and including such information as the partnership may require. The application—

“(1) shall describe how the local educational agency will work with schools selected by the agency under subsection (a)(2) to select 1 or more models of reading instruction, developed using reliable, replicable research on reading, as a model for implementing and improving reading instruction by all teachers and for all children in each of the schools selected by the agency under such subsection and, where appropriate, their parents;

“(2) shall select 1 or more models described in paragraph (1), for the purpose described in such paragraph, and shall describe each such selected model;

“(3) shall demonstrate that a person responsible for the development of each such model, or a person with experience or expertise about such model and its implementation, has agreed to work with the applicant in connection with such implementation and improvement efforts;

“(4) shall describe—

“(A) how the applicant will ensure that funds available under this part, and funds available for reading for grades kindergarten through grade 6 from other appropriate sources, are effectively coordinated and, where appropriate, integrated, with funds under this Act in order to improve existing activities in the areas of reading instruction, professional development, program improvement, parental involvement, technical assistance, and other activities that can help meet the purposes of this part; and

“(B) the amount of funds available for reading for grades kindergarten through grade 6 from appropriate sources other than this part, including title I (except that such description shall not be required to include funds made available under part B of title I unless the applicant has established a contractual association in accordance with subsection (d)(2) with an eligible entity under such part B), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), and any other law providing Federal financial assistance for professional development for teachers of such grades who teach read-

ing, which will be used to help achieve the purposes of this part;

“(5) shall describe the amount and nature of funds from any other public or private sources, including funds received under this Act and the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), that will be combined with funds received under the subgrant;

“(6) shall include an assurance that the applicant—

“(A) will carry out family literacy programs based on the Even Start family literacy model authorized under part B of title I to enable parents to be their child’s first and most important teacher, will make payments for the receipt of technical assistance for the development of such programs;

“(B) will carry out programs to assist those kindergarten students who are not ready for the transition to 1st grade, particularly students experiencing difficulty with reading skills;

“(C) will use supervised individuals (including tutors), who have been appropriately trained using reliable, replicable research on reading, to provide additional support, before school, after school, on weekends, during non-instructional periods of the school day, or during the summer, for students in grades 1 through 3 who are experiencing difficulty reading; and

“(D) will carry out professional development for the classroom teacher and other teaching staff on the teaching of reading based on reliable, replicable research on reading;

“(7) shall describe how the local educational agency provides instruction in reading to children who have not been determined to be a child with a disability (as defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401)), pursuant to section 614(b)(5) of such Act (20 U.S.C. 1414(a)(5)), because of a lack of instruction in reading; and

“(8) shall indicate the amount of the subgrant funds (if any) that the applicant will use to carry out the duties described in section 2505(b)(2).

“(d) PRIORITY.—In approving applications under this section, a reading and literacy partnership shall give priority to an application submitted by an applicant who demonstrates that the applicant has established—

“(1) a contractual association with 1 or more Head Start programs under the Head Start Act (42 U.S.C. 9801 et seq.) under which—

“(A) the Head Start program agrees to select the same model or models of reading instruction, as a model for implementing and improving the reading readiness of children participating in the program, as was selected by the applicant; and

“(B) the applicant agrees—

“(i) to share with the Head Start program an appropriate amount of the applicant’s information resources with respect to the model, such as curricula materials; and

“(ii) to train personnel from the Head Start program;

“(2) a contractual association with 1 or more State- or federally-funded preschool programs, or family literacy programs, under which—

“(A) the program agrees to select the same model or models of reading instruction, as a model for implementing and improving reading instruction in the program’s activities, as was selected by the applicant; and

“(B) the applicant agrees to train personnel from the program who work with children and parents in schools selected under subsection (a)(2); or

“(3) a contractual association with 1 or more public libraries providing reading or literacy services to preschool children, or

preschool children and their families, under which—

“(A) the library agrees to select the same model or models of reading instruction, as a model for implementing and improving reading instruction in the library’s reading or literacy programs, as was selected by the applicant; and

“(B) the applicant agrees to train personnel, including volunteers, from such programs who work with preschool children, or preschool children and their families, in schools selected under subsection (a)(2).

“(e) USE OF FUNDS.—

“(1) IN GENERAL.—Subject to paragraph (2), an applicant who receives a subgrant under this section may use the subgrant funds to carry out activities that are authorized by this part and described in the subgrant application, including the following:

“(A) Making reasonable payments for technical and other assistance to a person responsible for the development of a model of reading instruction, or a person with experience or expertise about such model and its implementation, who has agreed to work with the recipient in connection with the implementation of the model.

“(B) Carrying out a contractual agreement described in subsection (d).

“(C) Professional development (including training of volunteers), purchase of curricular and other supporting materials, and technical assistance.

“(D) Providing, on a voluntary basis, training to parents of children enrolled in a school selected under subsection (a)(2) on how to help their children with school work, particularly in the development of reading skills. Such training may be provided directly by the subgrant recipient, or through a grant or contract with another person. Such training shall be consistent with reading reforms taking place in the school setting.

“(E) Carrying out family literacy programs based on the Even Start family literacy model authorized under part B of title I to enable parents to be their child’s first and most important teacher, and making payments for the receipt of technical assistance for the development of such programs.

“(F) Providing instruction for parents of children enrolled in a school selected under subsection (a)(2), and others who volunteer to be reading tutors for such children, in the instructional practices based on reliable, replicable research on reading used by the applicant.

“(G) Programs to assist those kindergarten students enrolled in a school selected under subsection (a)(2) who are not ready for the transition to 1st grade, particularly students experiencing difficulty with reading skills.

“(H) Providing, for students who are enrolled in grades 1 through 3 in a school selected under subsection (a)(2) and are experiencing difficulty reading, additional support before school, after school, on weekends, during non-instructional periods of the school day, or during the summer, using supervised individuals (including tutors) who have been appropriately trained using reliable, replicable research on reading.

“(I) Carrying out the duties described in section 2505(b)(2) for children enrolled in a school selected under subsection (a)(2).

“(J) Providing reading assistance to children who have not been determined to be a child with a disability (as defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401)), pursuant to section 614(b)(5) of such Act (20 U.S.C. 1414(b)(5)), because of a lack of instruction in reading.

“(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A recipient of a subgrant under this section may use not more than 3 percent of the subgrant funds for administrative costs.

“(f) TRAINING NONRECIPIENTS.—A recipient of a subgrant under this section may train, on a fee-for-service basis, personnel who are from schools, or local educational agencies, that are not receiving such a subgrant in the instructional practices based on reliable, replicable research on reading used by the recipient. Such a non-recipient school may use funds received under title I, and other appropriate Federal funds used for reading instruction, to pay for such training, to the extent consistent with the law under which such funds were received.

“SEC. 2505. TUTORIAL ASSISTANCE SUBGRANTS.

“(a) IN GENERAL.—

“(1) SUBGRANTS.—A reading and literacy partnership that receives a grant under section 2503 shall make subgrants on a competitive basis to—

“(A) local educational agencies that have at least 1 school in the geographic area served by the agency that—

“(i) is located in an area designated as an empowerment zone under part I of subchapter U of chapter 1 of the Internal Revenue Code of 1986; or

“(ii) is located in an area designated as an enterprise community under part I of subchapter U of chapter 1 of the Internal Revenue Code of 1986; or

“(B) in the case of local educational agencies that do not have any such empowerment zone or enterprise community in the State in which the agency is located, local educational agencies that have at least 1 school that is identified for school improvement under section 1116(c) in the geographic area served by the agency.

“(2) APPLICATIONS.—A local educational agency that desires to receive a subgrant under this section shall submit an application to the reading and literacy partnership at such time, in such manner, and including such information as the partnership may require. The application shall include an assurance that the agency will use the subgrant funds to carry out the duties described in subsection (b) for children enrolled in 1 or more schools selected by the agency and described in paragraph (1).

“(b) USE OF FUNDS.—

“(1) IN GENERAL.—A local educational agency that receives a subgrant under this section shall carry out, using the funds provided under the subgrant, each of the duties described in paragraph (2).

“(2) DUTIES.—The duties described in this paragraph are the provision of tutorial assistance in reading to children who have difficulty reading, using instructional practices based on the principles of reliable, replicable research, through the following:

“(A) The promulgation of a set of objective criteria, pertaining to the ability of a tutorial assistance provider successfully to provide tutorial assistance in reading, that will be used to determine in a uniform manner, at the beginning of each school year, the eligibility of tutorial assistance providers, subject to the succeeding subparagraphs of this paragraph, to be included on the list described in subparagraph (B) (and thereby be eligible to enter into a contract pursuant to subparagraph (F)).

“(B) The promulgation, maintenance, and approval of a list of tutorial assistance providers eligible to enter into a contract pursuant to subparagraph (F) who—

“(i) have established a record of effectiveness with respect to reading readiness, reading instruction for children in kindergarten through 3d grade, and early childhood literacy;

“(ii) are located in a geographic area convenient to the school or schools attended by the children who will be receiving tutorial assistance from the providers; and

“(iii) are capable of providing tutoring in reading to children who have difficulty read-

ing, using instructional practices based on the principles of reliable, replicable research and consistent with the instructional methods used by the school the child attends.

“(C) The development of procedures (i) for the receipt of applications for tutorial assistance, from parents who are seeking such assistance for their child or children, that select a tutorial assistance provider from the list described in subparagraph (B) with whom the child or children will enroll, for tutoring in reading; and (ii) for considering children for tutorial assistance who are identified under subparagraph (D) and for whom no application has been submitted, provided that such procedures are in accordance with this paragraph and give such parents the right to select a tutorial assistance provider from the list referred to in subparagraph (B), and shall permit a local educational agency to recommend a tutorial assistance provider from the list under subparagraph (B) in a case where a parent asks for assistance in the making of such selection.

“(D) The development of a selection process for providing tutorial assistance in accordance with this paragraph that limits the provision of assistance to children identified, by the school the child attends, as having difficulty reading, including difficulty mastering essential phonic, decoding, or vocabulary skills. In the case of a child included in the selection process for whom no application has been submitted by a parent of the child, the child’s eligibility for receipt of tutorial assistance shall be determined under the same procedures, timeframe, and criteria for consideration as is used to determine the eligibility of a child whose parent has submitted such an application. Such local educational agency shall apply the provisions of subparagraphs (F) and (G) to a tutorial assistance provider selected for a child whose parent has not submitted an application pursuant to subparagraph (C)(i) in the same manner as the provisions are applied to a provider selected in an application submitted pursuant to subparagraph (C)(i).

“(E) The development of procedures for selecting children to receive tutorial assistance, to be used in cases where insufficient funds are available to provide assistance with respect to all children identified by a school under subparagraph (D) that—

“(i) gives priority to children who are determined, through State or local reading assessments, to be most in need of tutorial assistance; and

“(ii) gives priority, in cases where children are determined, through State or local reading assessments, to be equally in need of tutorial assistance, based on a random selection principle.

“(F) The development of a methodology by which payments are made directly to tutorial assistance providers who are identified and selected pursuant to subparagraphs (C), (D), and (E). Such methodology shall include the making of a contract, consistent with State and local law, between the tutorial assistance provider and the local educational agency carrying out this paragraph. Such contract—

“(i) shall contain specific goals and time-tables with respect to the performance of the tutorial assistance provider;

“(ii) shall require the tutorial assistance provider to report to the parent and the local educational agency on the provider’s performance in meeting such goals and time-tables; and

“(iii) shall contain provisions with respect to the making of payments to the tutorial assistance provider by the local educational agency.

“(G) The development of procedures under which the local educational agency carrying out this paragraph—

“(i) will ensure oversight of the quality and effectiveness of the tutorial assistance provided by each tutorial assistance provider that is selected for funding;

“(ii) will remove from the list under subparagraph (B) ineffective and unsuccessful providers (as determined by the local educational agency based upon the performance of the provider with respect to the goals and timetables contained in the contract between the agency and the provider under subparagraph (F));

“(iii) will provide to each parent of a child identified under subparagraph (D) who requests such information for the purpose of selecting a tutorial assistance provider for the child, in a comprehensible format, information with respect to the quality and effectiveness of the tutorial assistance referred to in clause (i); and

“(iv) will ensure that each school identifying a child under subparagraph (D) will provide upon request, to a parent of the child, assistance in selecting, from among the tutorial assistance providers who are included on the list described in subparagraph (B), the provider who is best able to meet the needs of the child.

“(c) DEFINITION.—For the purpose of this section the term ‘parent’ includes a legal guardian.

**“SEC. 2506. PROGRAM EVALUATION.**

“(a) IN GENERAL.—From funds reserved under section 2510(b)(1), the Secretary shall conduct a national assessment of the programs under this part. In developing the criteria for the assessment, the Secretary shall receive recommendations from the peer review panel convened under section 2503(f).

“(b) SUBMISSION TO PEER REVIEW PANEL.—The Secretary shall submit the findings from the assessment under subsection (a) to the peer review panel convened under section 2503(f).

**“SEC. 2507. INFORMATION DISSEMINATION.**

“(a) IN GENERAL.—From funds reserved under section 2510(b)(2), the National Institute for Literacy shall disseminate information on reliable, replicable research on reading and information on subgrantee projects under section 2504 or 2505 that have proven effective. At a minimum, the institute shall disseminate such information to all recipients of Federal financial assistance under titles I and VII, the Head Start Act (42 U.S.C. 9801 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), and the Adult Education Act (20 U.S.C. 1201 et seq.).

“(b) COORDINATION.—In carrying out this section, the National Institute for Literacy—

“(1) shall use, to the extent practicable, information networks developed and maintained through other public and private persons, including the Secretary, the National Center for Family Literacy, and the Readline Program;

“(2) shall work in conjunction with any panel convened by the National Institute of Child Health and Human Development and the Secretary, and any panel convened by the Office of Educational Research and Improvement to assess the current status of research-based knowledge on reading development, including the effectiveness of various approaches to teaching children to read, with respect to determining the criteria by which the National Institute for Literacy judges reliable, replicable research and the design of strategies to disseminate such information; and

“(3) shall assist any reading and literacy partnership selected to receive a grant under section 2503, and that requests such assistance—

“(A) in determining whether applications for subgrants submitted to the partnership meet the requirements of this part relating

to reliable, replicable research on reading; and

“(B) in the development of subgrant application forms.

**“SEC. 2508. STATE EVALUATIONS.**

“(a) IN GENERAL.—Each reading and literacy partnership that receives a grant under this part shall reserve not more than 2 percent of such grant funds for the purpose of evaluating the success of the partnership’s subgrantees in meeting the purposes of this part. At a minimum, the evaluation shall measure the extent to which students who are the intended beneficiaries of the subgrants made by the partnership have improved their reading.

“(b) CONTRACT.—A reading and literacy partnership shall carry out the evaluation under this section by entering into a contract with an eligible research institution under which the institution will perform the evaluation.

“(c) SUBMISSION.—A reading and literacy partnership shall submit the findings from the evaluation under this section to the Secretary and the peer review panel convened under section 2503(f). The Secretary and the peer review panel shall submit a summary of the findings from the evaluations under this subsection to the appropriate committees of the Congress, including the Education and the Workforce Committee of the House of Representatives.

**“SEC. 2509. PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS.**

“Each reading and literacy partnership that receives funds under this part shall provide for, or ensure that subgrantees provide for, the participation of children in private schools in the activities and services assisted under this part in the same manner as the children participate in activities and services pursuant to sections 2503, 2504, 2505, and 2506.

**“SEC. 2510. AUTHORIZATION OF APPROPRIATIONS; RESERVATIONS FROM APPROPRIATIONS; APPLICABILITY; SUNSET.**

“(a) AUTHORIZATION.—There are authorized to be appropriated to carry out this part \$210,000,000 for fiscal years 1999, 2000, and 2001.

“(b) RESERVATIONS.—From the amount appropriated under subsection (a) for each fiscal year, the Secretary—

“(1) shall reserve 1.5 percent to carry out section 2506(a);

“(2) shall reserve \$5,075,000 to carry out sections 2503(f)(2) and 2507, of which \$5,000,000 shall be reserved for section 2507; and

“(3) shall reserve \$10,000,000 to carry out section 1202(c).

“(c) APPLICABILITY.—Part E shall not apply to this part.

“(d) SUNSET.—Notwithstanding section 422(a) of the General Education Provisions Act (20 U.S.C. 1226a(a)), this part is repealed, effective September 30, 2001, and is not subject to extension under such section.”.

Subtitle B—Amendments to Even Start Family Literacy Programs

**SEC. 521. RESERVATION FOR GRANTS.**

Section 1202(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6362(c)) is amended to read as follows:

**“RESERVATION FOR GRANTS.—**

“(1) GRANTS AUTHORIZED.—From funds reserved under section 2510(b)(3), the Secretary shall award grants, on a competitive basis, to States to enable such States to plan and implement, statewide family literacy initiatives to coordinate and integrate existing Federal, State, and local literacy resources consistent with the purposes of this part. Such coordination and integration shall include coordination and integration of funds available under the Adult Education Act (20 U.S.C. 1201 et seq.), Head Start (42 U.S.C. 9801

et seq.), this part, part A of this title, and part A of title IV of the Social Security Act.

**“(2) CONSORTIA.—**

“(A) ESTABLISHMENT.—To receive a grant under this subsection, a State shall establish a consortium of State-level programs under the following laws:

“(i) This title.

“(ii) The Head Start Act.

“(iii) The Adult Education Act.

“(iv) All other State-funded preschool programs and programs providing literacy services to adults.

“(B) PLAN.—To receive a grant under this subsection, the consortium established by a State shall create a plan to use a portion of the State’s resources, derived from the programs referred to in subparagraph (A), to strengthen and expand family literacy services in such State.

“(C) COORDINATION WITH TITLE II.—The consortium shall coordinate its activities with the activities of the reading and literacy partnership for the State established under section 2503, if the State receives a grant under such section.

“(3) READING INSTRUCTION.—Statewide family literacy initiatives implemented under this subsection shall base reading instruction on reliable, replicable research on reading (as such terms are defined in section 2502).

“(4) TECHNICAL ASSISTANCE.—The Secretary shall provide, directly or through a grant or contract with an organization with experience in the development and operation of successful family literacy services, technical assistance to States receiving a grant under this subsection.

“(5) MATCHING REQUIREMENT.—The Secretary shall not make a grant to a State under this subsection unless the State agrees that, with respect to the costs to be incurred by the eligible consortium in carrying out the activities for which the grant was awarded, the State will make available non-Federal contributions in an amount equal to not less than the Federal funds provided under the grant.”.

**SEC. 522. DEFINITIONS.**

Section 1202(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6362(e)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

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

“(3) the term ‘family literacy services’ means services provided to participants on a voluntary basis that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family (such as eliminating or reducing welfare dependency) and that integrate all of the following activities:

“(A) Interactive literacy activities between parents and their children.

“(B) Equipping parents to partner with their children in learning.

“(C) Parent literacy training, including training that contributes to economic self-sufficiency.

“(D) Appropriate instruction for children of parents receiving parent literacy services.”.

**SEC. 523. EVALUATION.**

Section 1209 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6369) is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(3) to provide States and eligible entities receiving a subgrant under this part, directly or through a grant or contract with an organization with experience in the development

and operation of successful family literacy services, technical assistance to ensure local evaluations undertaken under section 1205(10) provide accurate information on the effectiveness of programs assisted under this part."

**SEC. 524. INDICATORS OF PROGRAM QUALITY.**

(a) IN GENERAL.—The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended—

(1) by redesignating section 1210 as section 1212; and

(2) by inserting after section 1209 the following:

**"SEC. 1210. INDICATORS OF PROGRAM QUALITY.**

"Each State receiving funds under this part shall develop, based on the best available research and evaluation data, indicators of program quality for programs assisted under this part. Such indicators shall be used to monitor, evaluate, and improve such programs within the State. Such indicators shall include the following:

"(1) With respect to eligible participants in a program who are adults—

"(A) achievement in the areas of reading, writing, English language acquisition, problem solving, and numeracy;

"(B) receipt of a secondary school diploma or its recognized equivalent;

"(C) entry into a postsecondary school, a job retraining program, or employment or career advancement, including the military; and

"(D) such other indicators as the State may develop.

"(2) With respect to eligible participants in a program who are children—

"(A) improvement in ability to read on grade level or reading readiness;

"(B) school attendance;

"(C) grade retention and promotion; and

"(D) such other indicators as the State may develop."

(b) STATE LEVEL ACTIVITIES.—Section 1203(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6363(a)) is amended—

(1) in paragraph (1), by striking "and" at the end;

(2) in paragraph (2), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(3) carrying out section 1210."

(c) AWARD OF SUBGRANTS.—Paragraphs (3) and (4) of section 1208(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6368) are amended to read as follows:

"(3) CONTINUING ELIGIBILITY.—In awarding subgrant funds to continue a program under this part for the second, third, or fourth year, the State educational agency shall evaluate the program based on the indicators of program quality developed by the State under section 1210. Such evaluation shall take place after the conclusion of the start-up period, if any.

"(4) INSUFFICIENT PROGRESS.—The State educational agency may refuse to award subgrant funds if such agency finds that the eligible entity has not sufficiently improved the performance of the program, as evaluated based on the indicators of program quality developed by the State under section 1210, after—

"(A) providing technical assistance to the eligible entity; and

"(B) affording the eligible entity notice and an opportunity for a hearing."

**SEC. 525. RESEARCH.**

The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended further by inserting after section 1210 (as inserted by section 524(a)(2) of this Act) the following:

**"SEC. 1211. RESEARCH.**

"(a) IN GENERAL.—The Secretary shall carry out, through grant or contract, re-

search into the components of successful family literacy services. The purpose of the research shall be—

"(1) to improve the quality of existing programs assisted under this part or other family literacy programs carried out under this Act or the Adult Education Act (20 U.S.C. 1201 et seq.); and

"(2) to develop models for new programs to be carried out under this Act or the Adult Education Act.

"(b) DISSEMINATION.—The National Institute for Literacy shall disseminate, pursuant to section 2507, the results of the research described in subsection (a) to States and recipients of subgrants under this part."

**TITLE VI—MISCELLANEOUS PROVISIONS**

**SEC. 601. MULTILINGUALISM STUDY.**

(a) FINDINGS.—Congress finds that—

(1) even though all residents of the United States should be proficient in English, without regard to their country of birth, it is also of vital importance to the competitiveness of the United States that those residents be encouraged to learn other languages; and

(2) education is the primary responsibility of State and local governments and communities, and these entities are responsible for developing policies in this subject area.

(b) RESIDENT OF THE UNITED STATES DEFINED.—In this section, the term "resident of the United States" means an individual who resides in the United States, other than an alien who is not lawfully present in the United States.

(c) STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States (referred to in this section as the "Comptroller General") shall conduct a study of multilingualism in the United States in accordance with this section.

(2) REQUIREMENTS.—

(A) IN GENERAL.—The study conducted under this section shall ascertain—

(i) the percentage of residents in the United States who are proficient in English and at least 1 other language;

(ii) the predominant language other than English in which residents referred to in clause (i) are proficient;

(iii) the percentage of the residents described in clause (i) who were born in a foreign country;

(iv) the percentage of the residents described in clause (i) who were born in the United States;

(v) the percentage of the residents described in clause (iv) who are second-generation residents of the United States; and

(vi) the percentage of the residents described in clause (iv) who are third-generation residents of the United States.

(B) AGE-SPECIFIC CATEGORIES.—The study under this section shall, with respect to the residents described in subparagraph (A)(i), determine the number of those residents in each of the following categories:

(i) Residents who have not attained the age of 12.

(ii) Residents who have attained the age of 12, but have not attained the age of 18.

(iii) Residents who have attained the age of 18, but have not attained the age of 50.

(iv) Residents who have attained the age of 50.

(C) FEDERAL PROGRAMS.—In conducting the study under this section, the Comptroller General shall establish a list of each Federal program that encourages multilingualism with respect to any category of residents described in subparagraph (B).

(D) COMPARISONS.—In conducting the study under this section, the Comptroller General shall compare the multilingual population described in subparagraph (A) with the multilingual populations of foreign countries—

(i) in the Western hemisphere; and

(ii) in Asia.

(d) REPORT.—Upon completion of the study under this section, the Comptroller General shall prepare, and submit to Congress, a report that contains the results of the study conducted under this section, and such findings and recommendations as the Comptroller General determines to be appropriate.

**SEC. 602. SAFER SCHOOLS.**

(a) SHORT TITLE.—This section may be cited as the "Safer Schools Act of 1998".

(b) AMENDMENT.—Section 14601 of the Gun-Free Schools Act of 1994 (20 U.S.C. 8921) is amended by adding at the end the following new subsection:

"(g) For the purposes of this section, a weapon that has been determined to have been brought to a school by a student shall be admissible as evidence in any internal school disciplinary proceeding (related to an expulsion under this section)."

**SEC. 603. STUDENT IMPROVEMENT INCENTIVE AWARDS.**

Section 6201 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7331) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(C), by striking "and" after the semicolon;

(B) in paragraph (2), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(3) student improvement incentive awards described in subsection (c)."; and

(2) by adding at the end the following:

"(c) STUDENT IMPROVEMENT INCENTIVE AWARDS.—

"(1) AWARDS.—A State educational agency may use funds made available for State use under this title to make awards to public schools in the State that are determined to be outstanding schools pursuant to a statewide assessment described in paragraph (2).

"(2) STATEWIDE ASSESSMENT.—The statewide assessment referred to in paragraph (1)—

"(A) shall—

"(i) determine the educational progress of students attending public schools within the State; and

"(ii) allow for an objective analysis of the assessment on a school-by-school basis; and

"(B) may involve exit exams."

And the Senate agree to the same.

WILLIAM ARCHER,  
BILL GOODLING,  
DICK ARMEY,

*Managers on the Part of the House.*

WILLIAM V. ROTH,  
CONNIE MACK,  
DAN COATS,  
SLADE GORTON,  
PAUL COVERDELL,

*Managers on the Part of the Senate.*

When said conference report was considered.

After debate,

On motion of Mr. GOODLING, the previous question was ordered on the conference report to its adoption or rejection.

Mr. RANGEL moved to recommit the conference report on H.R. 2646 to the committee of conference with instructions for the managers on the part of the House to agree to provisions relating to tax-favored financing for public school construction consistent, to the maximum extent possible within the scope of the conference, with the approach taken in H.R. 3320, the Public School Modernization Act of 1998.

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.



Jackson (IL)	McKinney	Sanchez
Jackson-Lee (TX)	Meehan	Sanders
Jefferson	Meeke (FL)	Sandlin
Johnson (CT)	Meeks (NY)	Sawyer
Johnson (WI)	Menendez	Schumer
Johnson, E. B.	Millender-McDonald	Scott
Kanjorski	Miller (CA)	Serrano
Kaptur	Minge	Sherman
Kennedy (MA)	Mink	Sisisky
Kennedy (RI)	Mollohan	Skaggs
Kennelly	Morella	Skelton
Kildee	Murtha	Slaughter
Kilpatrick	Nadler	Smith, Adam
Kind (WI)	Neal	Snyder
Klecza	Oberstar	Spratt
Klink	Obey	Stabenow
Kucinich	Olver	Stark
LaFalce	Ortiz	Stenholm
Lampson	Owens	Stokes
Lantos	Pallone	Strickland
Lee	Pascrell	Stupak
Levin	Pastor	Tanner
Lewis (GA)	Paul	Thompson
LoBiondo	Payne	Thurman
Lofgren	Pelosi	Tierney
Lowe	Peterson (MN)	Towns
Luther	Pickett	Traficant
Maloney (CT)	Pomeroy	Turner
Maloney (NY)	Poshard	Velazquez
Manton	Price (NC)	Vento
Markey	Rahall	Visclosky
Martinez	Rangel	Watt (NC)
Mascara	Reyes	Waxman
Matsui	Rivers	Wexler
McCarthy (MO)	Rodriguez	Weygand
McCarthy (NY)	Roemer	Woolsey
McDermott	Rothman	Wynn
McGovern	Roybal-Allard	Yates
McHugh	Rush	
McIntyre	Sabo	

NOT VOTING—12

Baldacci	Hastings (FL)	Sessions
Cooksey	Leach	Torres
Gonzalez	McNulty	Weldon (FL)
Green	Moakley	Wise

So the conference report was agreed to.

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

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

¶60.6 PROVIDING FOR THE CONSIDERATION OF H. RES. 463

Mr. SOLOMON, by direction of the Committee on Rules, called up the following resolution (H. Res. 476):

*Resolved.* That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 463) to establish the Select Committee on U.S. National Security and Military/Commercial Concerns With the People's Republic of China. The resolution shall be considered as read for amendment. The amendment in the nature of a substitute recommended by the Committee on Rules now printed in the resolution shall be considered as adopted. The resolution, as amended, shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Rules. The previous question shall be considered as ordered on the resolution, as amended, to final adoption without intervening motion.

When said resolution was considered. After debate,

Mr. SOLOMON 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. GILLMOR, 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 ..... 226  
Nays ..... 197

¶60.7 [Roll No. 244] YEAS—226

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

NAYS—197

Abercrombie	Barrett (WI)	Blumenauer
Ackerman	Becerra	Bonior
Allen	Bentsen	Borski
Andrews	Berman	Boswell
Baessler	Berry	Boucher
Baldacci	Bishop	Boyd
Barcia	Blagojevich	Brady (PA)

Brown (CA)	Jackson-Lee (TX)	Payne
Brown (FL)	Jefferson	Pelosi
Brown (OH)	John	Peterson (MN)
Capps	Johnson (WI)	Pickett
Cardin	Johnson, E.B.	Pomeroy
Carson	Kanjorski	Poshard
Clay	Kaptur	Price (NC)
Clayton	Kennedy (MA)	Rahall
Clement	Kennedy (RI)	Rangel
Clyburn	Kennelly	Reyes
Condit	Kildee	Rivers
Conyers	Kilpatrick	Rodriguez
Costello	Kind (WI)	Roemer
Coyne	Klecza	Rothman
Cramer	Klink	Roybal-Allard
Cummings	Kucinich	Rush
Danner	LaFalce	Sabo
Davis (FL)	Lampson	Sanchez
Davis (IL)	Lantos	Sanders
DeFazio	Lee	Sandlin
DeGette	Levin	Sawyer
Delahunt	Lewis (GA)	Schumer
DeLauro	Lipinski	Scott
Deutsch	Lofgren	Serrano
Dicks	Lowe	Sherman
Dingell	Luther	Sisisky
Dixon	Maloney (CT)	Skaggs
Doggett	Maloney (NY)	Skelton
Dooley	Manton	Slaughter
Doyle	Markey	Smith, Adam
Edwards	Mascara	Snyder
Engel	Matsui	Spratt
Eshoo	McCarthy (MO)	Stabenow
Etheridge	McCarthy (NY)	Stark
Evans	McDermott	Stenholm
Farr	McGovern	Stokes
Fattah	McHale	Strickland
Fazio	McIntyre	Stupak
Filner	McKinney	Tanner
Ford	Meehan	Tauscher
Frank (MA)	Meek (FL)	Taylor (MS)
Frost	Meeks (NY)	Thompson
Furse	Menendez	Thurman
Gejdenson	Miller (CA)	Tierney
Gephardt	Minge	Towns
Goode	Mink	Turner
Gordon	Mollohan	Velazquez
Gutierrez	Murtha	Vento
Hall (OH)	Nadler	Visclosky
Hall (TX)	Neal	Waters
Hamilton	Oberstar	Watt (NC)
Harman	Obey	Waxman
Hefner	Olver	Wexler
Hilliard	Ortiz	Weygand
Hinchee	Owens	Wise
Hinojosa	Pallone	Woolsey
Holden	Pastor	Wynn
Hooley		Yates
Hoyer		
Jackson (IL)		

NOT VOTING—11

Cooksey	Martinez	Thune
Gonzalez	McNulty	Torres
Green	Moakley	Weldon (FL)
Hastings (FL)	Moran (VA)	

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. GILLMOR, announced that the yeas had it.

So the resolution was agreed to.

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

¶60.8 SELECT COMMITTEE ON PEOPLE'S REPUBLIC OF CHINA

Mr. SOLOMON, pursuant to House Resolution 476, called up the following resolution (H. Res. 463):

*Resolved.* SECTION 1. ESTABLISHMENT.

There is hereby created the Select Committee on U.S. National Security and Military/Commercial Concerns With the People's Republic of China, (hereafter in this Act referred to as the "Select Committee"). The Select Committee may sit and act during the

present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or in any other country, whether the House is in session, has recessed, or has adjourned, as it shall deem appropriate for the completion of its work.

#### SEC. 2. JURISDICTION.

(a) IN GENERAL.—The Select Committee shall conduct a full and complete inquiry regarding the following matters and report such findings and recommendations, including those concerning the amendment of existing law or the enactment of new law, to the House as it considers appropriate:

(1) The transfer of technology, information, advice, goods, or services that may have contributed to the enhancement of the accuracy, reliability, or capability of nuclear-armed intercontinental ballistic missiles or other weapons of the People's Republic of China, or that may have contributed to the enhancement of the domestic or foreign intelligence capabilities of the People's Republic of China.

(2) The transfer of technology, information, advice, goods, or services that may have contributed to the manufacture of weapons of mass destruction, missiles, or other weapons or armaments by the People's Republic of China.

(3) The effect of any transfer or enhancement referred to in paragraphs (1) or (2) on regional security and the national security of the United States, its friends, and its allies.

(4) The conduct of the executive branch of the United States Government with respect to the transfers or enhancements referred to in paragraphs (1) or (2), and the effect of that conduct on the national security of the United States, its friends, and its allies.

(5) The conduct of defense contractors, weapons manufacturers, satellite manufacturers, and other private or government-owned commercial firms with respect to the transfers or enhancements referred to in paragraphs (1) or (2).

(6) The enforcement of United States law, including statutes, regulations, or executive orders, with respect to the transfers or enhancements referred to in paragraphs (1) or (2).

(7) Any effort by the Government of the People's Republic of China or any other person or entity to influence any of the foregoing matters through political contributions, bribery, influence-peddling, or otherwise.

(8) Decision-making within the executive branch of the United States Government with respect to any of the foregoing matters.

(9) Any effort to conceal or withhold information or documents relevant to any of the foregoing matters or to otherwise obstruct justice, or to obstruct the work of the Select Committee or any other committee of the Congress in connection with those matters.

(10) All matters relating directly or indirectly to any of the foregoing matters.

(b) PERMITTING REPORTS TO BE MADE TO HOUSE IN SECRET SESSION.—Any report to the House pursuant to this section may, in the Select Committee's discretion, be made under the provisions of rule XXIX of the Rules of the House of Representatives.

#### SEC. 3. COMPOSITION; VACANCIES.

(a) COMPOSITION.—The Select Committee shall be composed of 8 Members of the House to be appointed by the Speaker of the House of Representatives, one of whom he shall designate as Chairman. Service on the Select Committee shall not count against the limitations on committee service in clause 6(b)(2) of rule X.

(b) VACANCIES.—Any vacancy occurring in the membership of the Select Committee shall be filled in the same manner in which the original appointment was made.

#### SEC. 4. RULES APPLICABLE TO SELECT COMMITTEE.

(a) QUORUM.—One-third of the members of the Select Committee shall constitute a quorum for the transaction of business other than the reporting of a matter, which shall require a majority of the committee to be actually present, except that the Select Committee may designate a lesser number, but not less than two, as a quorum for the purpose of holding hearings to take testimony and receive evidence.

(b) APPLICABILITY OF HOUSE RULES.—The Rules of the House of Representatives applicable to standing committees shall govern the Select Committee where not inconsistent with this resolution.

(c) RULES OF SELECT COMMITTEE.—The Select Committee shall adopt additional written rules, which shall be public, to govern its procedures, which shall not be inconsistent with this resolution or the Rules of the House of Representatives.

#### SEC. 5. CLASSIFIED INFORMATION.

No employee of the Select Committee or any person engaged by contract or otherwise to perform services for or at the request of such committee shall be given access to any classified information by such committee unless such employee or person has—

(1) agreed in writing and under oath to be bound by the rules of the House (including the jurisdiction of the Committee on Standards of Official Conduct and of the Select Committee as to the security of such information during and after the period of his employment or contractual agreement with the Select Committee); and

(2) received an appropriate security clearance as determined by the Select Committee in consultation with the Director of Central Intelligence.

The type of security clearance to be required in the case of any such employee or person shall, within the determination of the Select Committee in consultation with the Director of Central Intelligence, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by such committee.

#### SEC. 6. LIMITS ON DISCLOSURE OF INFORMATION.

The Select Committee shall formulate and carry out such rules and procedures as it deems necessary to prevent the disclosure, without the consent of the person or persons concerned, of information in the possession of such committee which unduly infringes upon the privacy or which violates the constitutional rights of such person or persons. Nothing herein shall be construed to prevent such committee from publicly disclosing any such information in any case in which such committee determines that national interest in the disclosure of such information clearly outweighs any infringement on the privacy of any person or persons.

#### SEC. 7. PROCEDURES FOR HANDLING INFORMATION.

(a) The Select Committee may, subject to the provisions of this section, disclose publicly any information in the possession of such committee after a determination by such committee that the public interest would be served by such disclosure. Whenever committee action is required to disclose any information under this section, the committee shall meet to vote on the matter within five days after any member of the committee requests such a vote. No member of the Select Committee shall disclose any information, the disclosure of which requires a committee vote, prior to a vote by the committee on the question of the disclosure of such information or after such vote except in accordance with this section. In any case in which the Select Committee votes to disclose publicly any information, which has

been classified under established security procedures, which has been submitted to it by the executive branch, and which the executive branch requests be kept secret, the Select Committee shall submit such classified information to the Permanent Select Committee on Intelligence.

(b)(1) As set forth in clause 7(b) of rule XLVIII, in any case in which the Permanent Select Committee on Intelligence votes to disclose publicly any information submitted pursuant to subsection (a), which has been classified under established security procedures, which has been submitted to the Select Committee by the executive branch, and which the executive branch has requested be kept secret, the Permanent Select Committee on Intelligence shall notify the President of such vote.

(2) The Permanent Select Committee on Intelligence may disclose publicly such information after the expiration of a five-day period following the day on which notice of such vote is transmitted to the President, unless, prior to the expiration of such five-day period, the President, personally in writing, notifies the Permanent Select Committee on Intelligence that he objects to the disclosure of such information, provides his reasons therefor, and certifies that the threat to the national interest of the United States posed by such disclosure is of such gravity that it outweighs any public interest in the disclosure.

(3) If the President, personally, in writing, notifies the Permanent Select Committee on Intelligence of his objections to the disclosure of such information as provided in paragraph (2), the Permanent Select Committee on Intelligence may, by majority vote, refer the question of this disclosure of such information with a recommendation thereon to the House for consideration. The Permanent Select Committee on Intelligence shall not publicly disclose such information without leave of the House.

(4) Whenever the Permanent Select Committee on Intelligence votes to refer the question of disclosure of any information to the House under paragraph (3), the chairman of the Permanent Select Committee on Intelligence shall, not later than the first day on which the House is in session following the day on which the vote occurs, report the matter to the House for its consideration.

(5) If within four calendar days on which the House is in session, after such recommendation is reported, no motion has been made by the chairman of the Permanent Select Committee on Intelligence to consider, in closed session, the matter reported under paragraph (4), then such a motion will be deemed privileged and may be made by any Member. The motion under this paragraph shall not be subject to debate or amendment. When made, it shall be decided without intervening motion, except one motion to adjourn.

(6) If the House adopts a motion to resolve into closed session, the Speaker shall then be authorized to declare a recess subject to the call of the Chair. At the expiration of such recess, the pending question, in closed session, shall be, "Shall the House approve the recommendation of the Permanent Select Committee on Intelligence?"

(7) After not more than two hours of debate on the motion, such debate to be equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence, or their designees, the previous question shall be considered as ordered and the House, without intervening motion except one motion to adjourn, shall immediately vote on the question, in open session but without divulging the information with respect to which the vote is being taken. If the recommendation of the Permanent Select Committee on In-

telligence is not agreed to, the question shall be deemed recommitted to the Permanent Select Committee on Intelligence for further recommendation.

(c)(1) No information in the possession of the Select Committee relating to the lawful intelligence or intelligence-related activities of any department or agency of the United States which has been classified under established security procedures and which the Select Committee, the Permanent Select Committee on Intelligence, or the House pursuant to this section, has determined should not be disclosed shall be made available to any person by a Member, officer, or employee of the House except as provided in paragraph (2).

(2) The Select Committee shall, under such regulations as the committee shall prescribe, make any information described in paragraph (1) available to any other committee or any other Member of the House and permit any other Member of the House to attend any hearing of the committee which is closed to the public. Whenever the Select Committee makes such information available (other than to the Speaker), the committee shall keep a written record showing, in the case of any particular information, which committee or which Members of the House received such information. No Member of the House who, and no committee which, receives any information under this paragraph, shall disclose such information except in a closed session of the House.

(d) The Committee on Standards of Official Conduct shall investigate any unauthorized disclosure of intelligence or intelligence-related information by a Member, officer, or employee of the House in violation of subsection (c) and report to the House concerning any allegation which it finds to be substantiated.

(e) Upon the request of any person who is subject to any such investigation, the Committee on Standards of Official Conduct shall release to such individual at the conclusion of its investigation a summary of its investigation, together with its findings. If, at the conclusion of its investigation, the Committee on Standards of Official Conduct determines that there has been a significant breach of confidentiality or unauthorized disclosure by a Member, officer, or employee of the House, it shall report its findings to the House and recommend appropriate action such as censure, removal from committee membership, or expulsion from the House, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

#### SEC. 8. TRANSFER OF INFORMATION TO SELECT COMMITTEE.

Any committee of the House of Representatives having custody of records, data, charts, and files concerning subjects within the jurisdiction of the Select Committee shall furnish the originals or copies of such materials to the Select Committee. In the case of the Permanent Select Committee on Intelligence, such materials shall be made available pursuant to clause 7(c)(2) of rule XLVIII.

#### SEC. 9. INFORMATION GATHERING.

(a) IN GENERAL.—The Select Committee is authorized to require, by subpoena or otherwise, the attendance and testimony of such witnesses, the furnishing of such information by interrogatory, and the production of such books, records, correspondence, memoranda, papers, documents, calendars, recordings, electronic communications, data compilations from which information can be obtained, tangible objects, and other things and information of any kind as it deems necessary, including all intelligence materials however classified, White House materials,

and materials pertaining to unvouchered expenditures or concerning communications interceptions or surveillance.

(b) SUBPOENAS, DEPOSITIONS AND INTERROGATORIES.—Unless otherwise determined by the Select Committee, the Chairman, upon consultation with the ranking minority member, or the Select Committee may—

(1) authorize and issue subpoenas;

(2) order the taking of depositions, interrogatories, or affidavits under oath or otherwise; and

(3) designate a member or staff of the Select Committee to conduct any deposition.

(c) INTERNATIONAL AUTHORITIES.—Unless otherwise determined by the Select Committee, the Chairman of the Select Committee, upon consultation with the ranking minority member of the Select Committee, or the Select Committee may—

(1) order the taking of depositions and other testimony, under oath or otherwise, anywhere outside the United States; and

(2) make application for issuance of letters rogatory, and request through appropriate channels, other means of international assistance, as appropriate.

(d) HANDLING OF INFORMATION.—Information obtained under the authority of this section shall be—

(1) considered as taken by the Select Committee in the District of Columbia, as well as the location actually taken; and

(2) considered to be taken in executive session.

#### SEC. 10. TAX RETURNS.

Pursuant to sections 6103(f)(3) and 6104(a)(2) of the Internal Revenue Code of 1986, for the purpose of investigating the subjects set forth in this resolution and since information necessary for this investigation cannot reasonably be obtained from any other source, the Select Committee shall be specially authorized to inspect and receive for the tax years 1991 through 1998 any tax return, return information, or other tax-related material, held by the Secretary of the Treasury, related to individuals and entities named by the Select Committee as possible participants, beneficiaries, or intermediaries in the transactions under investigation. As specified by section 6103(f)(3) of the Internal Revenue Code of 1986, such materials and information shall be furnished in closed executive session.

#### SEC. 11. ACCESS TO INFORMATION OF THE SELECT COMMITTEE.

The Select Committee shall provide other committees and Members of the House with access to information and proceedings, consistent with clause 7(c)(2) of rule XLVIII, except that the Select Committee may direct that particular matters or classes of matter shall not be made available to any person by its members, staff, or others, or may impose any other restriction. The Select Committee may require its staff to enter nondisclosure agreements, and its chairman, in consultation with the ranking minority member, may require others, such as counsel for witnesses, to do so. The Committee on Standards of Official Conduct may investigate any unauthorized disclosure of such classified information by a Member, officer, or employee of the House or other covered person upon request of the Select Committee. If, at the conclusion of its investigation, the Committee on Standards of Official Conduct determines that there has been a significant unauthorized disclosure, it shall report its findings to the House and recommend appropriate sanctions for the Member, officer, employee, or other covered person consistent with clause 7(e) of rule XLVIII and any committee restriction, including nondisclosure agreements. The Select Committee shall, as appropriate, provide access to information and proceedings to the Speaker and the mi-

nority leader and their appropriately cleared and designated staff.

#### SEC. 12. COOPERATION OF OTHER ENTITIES.

(a) COOPERATION OF OTHER COMMITTEES.—The Select Committee may submit to any standing committee specific matters within its jurisdiction and may request that such committees pursue such matters further.

(b) COOPERATION OF OTHER FEDERAL ENTITIES.—The Chairman of the Select Committee, upon consultation with the ranking minority member, or the Select Committee may request investigations, reports, and other assistance from any agency of the executive, legislative, and judicial branches of the Federal Government.

#### SEC. 13. ACCESS AND RESPONSE TO JUDICIAL PROCESS.

In addition to any applications to court in response to judicial process that may be made in behalf of the House by its counsel, the Select Committee shall be authorized to respond to any judicial or other process, or to make any applications to court, upon consultation with the Speaker consistent with rule L.

#### SEC. 14. ADMINISTRATIVE MATTERS.

(a) PERSONNEL.—The Chairman, upon consultation with the ranking minority member, may employ and fix the compensation of such clerks, experts, consultants, technicians, attorneys, investigators, clerical and stenographic assistants, and other appropriate staff as the Chairman considers necessary to carry out the purposes of this resolution. Detailees from the executive branch or staff of the House or a joint committee, upon the request of the Chairman of the Select Committee, upon consultation with the ranking minority member, shall be deemed staff of the Select Committee to the extent necessary to carry out the purposes of this resolution.

(b) PAYMENT OF EXPENSES.—(1) The Select Committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Select Committee.

(2) Not more than \$2,500,000 are authorized for expenses of the Select Committee for investigations and studies, including for the procurement of the services of individual consultants or organizations thereof, and for training of staff, to be paid out of the applicable accounts of the House of Representatives upon vouchers signed by the Chairman and approved in the manner directed by the Committee on House Oversight.

#### SEC. 15. APPLICABILITY OF OTHER LAWS TO SELECT COMMITTEE.

The Select Committee shall be deemed a committee of the House for all purposes of the rules of the House of Representatives and shall be deemed a committee for all purposes of law, including, but not limited to, section 202(f) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(f)), sections 102 and 104 of the Revised Statutes (2 U.S.C. 192 and 194), sections 1001, 1505, 1621, 6002, and 6005 of title 18, United States Code, section 502(b)(1)(B)(ii) of the Mutual Security Act of 1954 (22 U.S.C. 1754(b)(1)(B)(ii)), and section 734 of title 31, United States Code.

#### SEC. 16. DISPOSITION OF RECORDS.

At the conclusion of the existence of the Select Committee, all records of the Select Committee shall be transferred to other committees, or stored by the Clerk of the House, as directed by the Select Committee, consistent with applicable rules and law concerning classified information.

Pending consideration of said resolution.

Pursuant to House Resolution 476, the following amendment in the nature of a substitute offered by the Com-

mittee on Rules and printed in said resolution was considered as adopted:

*Resolved,*

#### SECTION 1. ESTABLISHMENT.

There is hereby created the Select Committee on U.S. National Security and Military/Commercial Concerns With the People's Republic of China, (hereafter in this resolution referred to as the "Select Committee"). The Select Committee may sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or in any other country, whether the House is in session, has recessed, or has adjourned, as it shall deem appropriate for the completion of its work.

#### SEC. 2. JURISDICTION.

(a) IN GENERAL.—The Select Committee shall conduct a full and complete inquiry regarding the following matters and report such findings and recommendations, including those concerning the amendment of existing law or the enactment of new law, to the House as it considers appropriate:

(1) The transfer of technology, information, advice, goods, or services that may have contributed to the enhancement of the accuracy, reliability, or capability of nuclear-armed intercontinental ballistic missiles or other weapons of the People's Republic of China, or that may have contributed to the enhancement of the intelligence capabilities of the People's Republic of China.

(2) The transfer of technology, information, advice, goods, or services that may have contributed to the manufacture of weapons of mass destruction, missiles, or other weapons or armaments by the People's Republic of China.

(3) The effect of any transfer or enhancement referred to in paragraphs (1) or (2) on regional security and the national security of the United States.

(4) The conduct of the executive branch of the United States Government with respect to the transfers or enhancements referred to in paragraphs (1) or (2), and the effect of that conduct on regional security and the national security of the United States.

(5) The conduct of defense contractors, weapons manufacturers, satellite manufacturers, and other private or government-owned commercial firms with respect to the transfers or enhancements referred to in paragraphs (1) or (2).

(6) The enforcement of United States law, including statutes, regulations, or executive orders, with respect to the transfers or enhancements referred to in paragraphs (1) or (2).

(7) Any effort by the Government of the People's Republic of China or any other person or entity to influence any of the foregoing matters through political contributions, commercial arrangements, or bribery, influence-peddling, or other illegal activities.

(8) Decision-making within the executive branch of the United States Government with respect to any of the foregoing matters.

(9) Any effort to conceal or withhold information or documents relevant to any of the foregoing matters or to obstruct justice, or to obstruct the work of the Select Committee or any other committee of the House of Representatives in connection with those matters.

(10) All matters relating directly or indirectly to any of the foregoing matters.

(b) PERMITTING REPORTS TO BE MADE TO HOUSE IN SECRET SESSION.—Any report to the House pursuant to this section may, in the Select Committee's discretion, be made under the provisions of rule XXIX of the Rules of the House of Representatives.

#### SEC. 3. COMPOSITION; VACANCIES.

(a) COMPOSITION.—The Select Committee shall be composed of 9 or fewer Members of the House to be appointed by the Speaker of the House of Representatives, one of whom he shall designate as Chairman. Service on the Select Committee shall not count against the limitations on committee service in clause 6(b)(2) of rule X.

(b) VACANCIES.—Any vacancy occurring in the membership of the Select Committee shall be filled in the same manner in which the original appointment was made.

#### SEC. 4. RULES APPLICABLE TO SELECT COMMITTEE.

(a) QUORUM.—One-third of the members of the Select Committee shall constitute a quorum for the transaction of business other than the reporting of a matter, which shall require a majority of the committee to be actually present, except that the Select Committee may designate a lesser number, but not less than 2, as a quorum for the purpose of holding hearings to take testimony and receive evidence.

(b) APPLICABILITY OF HOUSE RULES.—The Rules of the House of Representatives applicable to standing committees shall govern the Select Committee where not inconsistent with this resolution.

(c) RULES OF SELECT COMMITTEE.—The Select Committee shall adopt additional written rules, which shall be public, to govern its procedures, which shall not be inconsistent with this resolution or the Rules of the House of Representatives.

#### SEC. 5. CLASSIFIED INFORMATION.

No employee of the Select Committee or any person engaged by contract or otherwise to perform services for or at the request of such committee shall be given access to any classified information by such committee unless such employee or person has—

(1) agreed in writing and under oath to be bound by the rules of the House (including the jurisdiction of the Committee on Standards of Official Conduct and of the Select Committee as to the security of such information during and after the period of his employment or contractual agreement with the Select Committee); and

(2) received an appropriate security clearance as determined by the Select Committee in consultation with the Director of Central Intelligence.

The type of security clearance to be required in the case of any such employee or person shall, within the determination of the Select Committee in consultation with the Director of Central Intelligence, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by such committee.

#### SEC. 6. LIMITS ON DISCLOSURE OF INFORMATION.

The Select Committee shall formulate and carry out such rules and procedures as it deems necessary to prevent the disclosure, without the consent of the person or persons concerned, of information in the possession of such committee which unduly infringes upon the privacy or which violates the constitutional rights of such person or persons. Nothing herein shall be construed to prevent such committee from publicly disclosing any such information in any case in which such committee determines that national interest in the disclosure of such information clearly outweighs any infringement on the privacy of any person or persons.

#### SEC. 7. PROCEDURES FOR HANDLING INFORMATION.

(a) The Select Committee may, subject to the provisions of this section, disclose publicly any information in the possession of such committee after a determination by such committee that the public interest would be served by such disclosure. When-

ever committee action is required to disclose any information under this section, the committee shall meet to vote on the matter within five days after any member of the committee requests such a vote. No member of the Select Committee shall disclose any information, the disclosure of which requires a committee vote, prior to a vote by the committee on the question of the disclosure of such information or after such vote except in accordance with this section. In any case in which the Select Committee votes to disclose publicly any information, which has been classified under established security procedures, which has been submitted to it by the executive branch, and which the executive branch requests be kept secret, the Select Committee shall submit such classified information to the Permanent Select Committee on Intelligence.

(b)(1) As set forth in clause 7(b) of rule XLVIII, in any case in which the Permanent Select Committee on Intelligence votes to disclose publicly any information submitted pursuant to subsection (a), which has been classified under established security procedures, which has been submitted to the Select Committee by the executive branch, and which the executive branch has requested be kept secret, the Permanent Select Committee on Intelligence shall notify the President of such vote.

(2) The Permanent Select Committee on Intelligence may disclose publicly such information after the expiration of a five-day period following the day on which notice of such vote is transmitted to the President, unless, prior to the expiration of such five-day period, the President, personally in writing, notifies the Permanent Select Committee on Intelligence that he objects to the disclosure of such information, provides his reasons therefor, and certifies that the threat to the national interest of the United States posed by such disclosure is of such gravity that it outweighs any public interest in the disclosure.

(3) If the President, personally, in writing, notifies the Permanent Select Committee on Intelligence of his objections to the disclosure of such information as provided in paragraph (2), the Permanent Select Committee on Intelligence may, by majority vote, refer the question of this disclosure of such information with a recommendation thereon to the House for consideration. The Permanent Select Committee on Intelligence shall not publicly disclose such information without leave of the House.

(4) Whenever the Permanent Select Committee on Intelligence votes to refer the question of disclosure of any information to the House under paragraph (3), the chairman of the Permanent Select Committee on Intelligence shall, not later than the first day on which the House is in session following the day on which the vote occurs, report the matter to the House for its consideration.

(5) If within four calendar days on which the House is in session, after such recommendation is reported, no motion has been made by the chairman of the Permanent Select Committee on Intelligence to consider, in closed session, the matter reported under paragraph (4), then such a motion will be deemed privileged and may be made by any Member. The motion under this paragraph shall not be subject to debate or amendment. When made, it shall be decided without intervening motion, except one motion to adjourn.

(6) If the House adopts a motion to resolve into closed session, the Speaker shall then be authorized to declare a recess subject to the call of the Chair. At the expiration of such recess, the pending question, in closed session, shall be, "Shall the House approve the recommendation of the Permanent Select Committee on Intelligence?"

(7) After not more than two hours of debate on the motion, such debate to be equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence, or their designees, the previous question shall be considered as ordered and the House, without intervening motion except one motion to adjourn, shall immediately vote on the question, in open session but without divulging the information with respect to which the vote is being taken. If the recommendation of the Permanent Select Committee on Intelligence is not agreed to, the question shall be deemed recommitted to the Permanent Select Committee on Intelligence for further recommendation.

(c)(1) No information in the possession of the Select Committee relating to the lawful intelligence or intelligence-related activities of any department or agency of the United States which has been classified under established security procedures and which the Select Committee, the Permanent Select Committee on Intelligence, or the House pursuant to this section, has determined should not be disclosed shall be made available to any person by a Member, officer, or employee of the House except as provided in paragraph (2).

(2) The Select Committee shall, under such regulations as the committee shall prescribe, make any information described in paragraph (1) available to any other committee or any other Member of the House and permit any other Member of the House to attend any hearing of the committee which is closed to the public. Whenever the Select Committee makes such information available (other than to the Speaker), the committee shall keep a written record showing, in the case of any particular information, which committee or which Members of the House received such information. No Member of the House who, and no committee which, receives any information under this paragraph, shall disclose such information except in a closed session of the House.

(d) The Committee on Standards of Official Conduct shall investigate any unauthorized disclosure of intelligence or intelligence-related information by a Member, officer, or employee of the House in violation of subsection (c) and report to the House concerning any allegation which it finds to be substantiated.

(e) Upon the request of any person who is subject to any such investigation, the Committee on Standards of Official Conduct shall release to such individual at the conclusion of its investigation a summary of its investigation, together with its findings. If, at the conclusion of its investigation, the Committee on Standards of Official Conduct determines that there has been a significant breach of confidentiality or unauthorized disclosure by a Member, officer, or employee of the House, it shall report its findings to the House and recommend appropriate action such as censure, removal from committee membership, or expulsion from the House, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

#### SEC. 8. TRANSFER OF INFORMATION TO SELECT COMMITTEE.

Any committee of the House of Representatives having custody of records, data, charts, and files concerning subjects within the jurisdiction of the Select Committee shall furnish the originals or copies of such materials to the Select Committee. In the case of the Permanent Select Committee on Intelligence, such materials shall be made available pursuant to clause 7(c)(2) of rule XLVIII.

#### SEC. 9. INFORMATION GATHERING.

(a) IN GENERAL.—The Select Committee is authorized to require, by subpoena or otherwise, the attendance and testimony of such witnesses, the furnishing of such information by interrogatory, and the production of such books, records, correspondence, memoranda, papers, documents, calendars, recordings, electronic communications, data compilations from which information can be obtained, tangible objects, and other things and information of any kind as it deems necessary, including all intelligence materials however classified, White House materials, and materials pertaining to unvouchered expenditures or concerning communications interceptions or surveillance.

(b) SUBPOENAS, DEPOSITIONS AND INTERROGATORIES.—Unless otherwise determined by the Select Committee, the Chairman, upon consultation with the ranking minority member, or the Select Committee may—

- (1) authorize and issue subpoenas;
- (2) order the taking of depositions, interrogatories, or affidavits under oath or otherwise; and
- (3) designate a member or staff of the Select Committee to conduct any deposition.

(c) INTERNATIONAL AUTHORITIES.—Unless otherwise determined by the Select Committee, the Chairman of the Select Committee, upon consultation with the ranking minority member of the Select Committee, or the Select Committee may—

- (1) authorize the taking of depositions and other testimony, under oath or otherwise, anywhere outside the United States; and
- (2) make application for issuance of letters rogatory, and request through appropriate channels, other means of international assistance, as appropriate.

(d) HANDLING OF INFORMATION.—Information obtained under the authority of this section shall be—

- (1) considered as taken by the Select Committee in the District of Columbia, as well as the location actually taken; and
- (2) considered to be taken in executive session.

#### SEC. 10. TAX RETURNS.

Pursuant to sections 6103(f)(3) and 6104(a)(2) of the Internal Revenue Code of 1986, for the purpose of investigating the subjects set forth in this resolution and since information necessary for this investigation cannot reasonably be obtained from any other source, the Select Committee shall be specially authorized to inspect and receive for the tax years 1988 through 1998 any tax return, return information, or other tax-related material, held by the Secretary of the Treasury, related to individuals and entities named by the Select Committee as possible participants, beneficiaries, or intermediaries in the transactions under investigation. As specified by section 6103(f)(3) of the Internal Revenue Code of 1986, such materials and information shall be furnished in closed executive session.

#### SEC. 11. ACCESS TO INFORMATION OF THE SELECT COMMITTEE.

The Select Committee shall provide other committees and Members of the House with access to information and proceedings, consistent with clause 7(c)(2) of rule XLVIII, except that the Select Committee may direct that particular matters or classes of matter shall not be made available to any person by its members, staff, or others, or may impose any other restriction. The Select Committee may require its staff to enter nondisclosure agreements, and its chairman, in consultation with the ranking minority member, may require others, such as counsel for witnesses, to do so. The Committee on Standards of Official Conduct may investigate any unauthorized disclosure of such classified information by a Member, officer, or employee

of the House or other covered person upon request of the Select Committee. If, at the conclusion of its investigation, the Committee on Standards of Official Conduct determines that there has been a significant unauthorized disclosure, it shall report its findings to the House and recommend appropriate sanctions for the Member, officer, employee, or other covered person consistent with clause 7(e) of rule XLVIII and any committee restriction, including nondisclosure agreements. The Select Committee shall, as appropriate, provide access to information and proceedings to the Speaker and the minority leader and an appropriately cleared and designated member of each staff.

#### SEC. 12. COOPERATION OF OTHER ENTITIES.

(a) COOPERATION OF OTHER COMMITTEES.—The Select Committee may submit to any standing committee specific matters within its jurisdiction and may request that such committees pursue such matters further.

(b) COOPERATION OF OTHER FEDERAL ENTITIES.—The Chairman of the Select Committee, upon consultation with the ranking minority member, or the Select Committee may request investigations, reports, and other assistance from any agency of the executive, legislative, and judicial branches of the Federal Government.

#### SEC. 13. ACCESS AND RESPONSE TO JUDICIAL PROCESS.

In addition to any applications to court in response to judicial process that may be made in behalf of the House by its counsel, the Select Committee shall be authorized to respond to any judicial or other process, or to make any applications to court, upon consultation with the Speaker consistent with rule L.

#### SEC. 14. ADMINISTRATIVE MATTERS.

(a) PERSONNEL.—The Chairman, upon consultation with the ranking minority member, may employ and fix the compensation of such clerks, experts, consultants, technicians, attorneys, investigators, clerical and stenographic assistants, and other appropriate staff as the Chairman considers necessary to carry out the purposes of this resolution. Details from the executive branch or staff of the House or a joint committee, upon the request of the Chairman of the Select Committee, upon consultation with the ranking minority member, shall be deemed staff of the Select Committee to the extent necessary to carry out the purposes of this resolution.

(b) PAYMENT OF EXPENSES.—(1) The Select Committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Select Committee.

(2) Not more than \$2,500,000 are authorized for expenses of the Select Committee for investigations and studies, including for the procurement of the services of individual consultants or organizations thereof, and for training of staff, to be paid out of the applicable accounts of the House of Representatives upon vouchers signed by the Chairman and approved in the manner directed by the Committee on House Oversight.

#### SEC. 15. APPLICABILITY OF OTHER LAWS TO SELECT COMMITTEE.

The Select Committee shall be deemed a committee of the House for all purposes of the rules of the House of Representatives and shall be deemed a committee for all purposes of law, including, but not limited to, section 202(f) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(f)), sections 102 and 104 of the Revised Statutes (2 U.S.C. 192 and 194), sections 1001, 1505, 1621, 6002, and 6005 of title 18, United States Code, section 502(b)(1)(B)(ii) of the Mutual Security Act of 1954 (22 U.S.C. 1754(b)(1)(B)(ii)), and section 734 of title 31, United States Code.

**SEC. 16. DISPOSITION OF RECORDS.**

At the conclusion of the existence of the Select Committee, all records of the Select Committee shall be transferred to other committees, or stored by the Clerk of the House, as directed by the Select Committee, consistent with applicable rules and law concerning classified information.

When said resolution, as amended, was considered.

After debate,

Pursuant to House Resolution 476, the previous question was ordered on the resolution, as amended, to its adoption or rejection.

The question being put, *viva voce*,

Will the House agree to said resolution, as amended?

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

Mr. FOLEY 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 ..... 409  
Nays ..... 10

¶60.9 [Roll No. 245]  
YEAS—409

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

Inglis	Millender-McDonald	Schaefer, Dan
Istook	Miller (CA)	Schaffer, Bob
Jackson (IL)	Miller (FL)	Schumer
Jackson-Lee (TX)	Minge	Scott
Jefferson	Mink	Sensenbrenner
Jenkins	Moran (KS)	Serrano
John	Moran (VA)	Sessions
Johnson (CT)	Morella	Shadegg
Johnson (WI)	Myrick	Shaw
Johnson, E. B.	Neal	Shays
Johnson, Sam	Nethercutt	Sherman
Jones	Neumann	Shimkus
Kaptur	Ney	Shuster
Kasich	Northup	Sisisky
Kelly	Norwood	Skaggs
Kennedy (MA)	Nussle	Skeen
Kennedy (RI)	Obey	Skelton
Kennelly	Oliver	Slaughter
Kildee	Ortiz	Smith (MI)
Kilpatrick	Owens	Smith (NJ)
Kim	Oxley	Smith (OR)
Kind (WI)	Packard	Smith (TX)
King (NY)	Pallone	Smith, Adam
Kingston	Pappas	Smith, Linda
Klecza	Parker	Snowbarger
Klink	Pascrell	Snyder
Klug	Pastor	Solomon
Knollenberg	Paul	Souder
Kolbe	Paxon	Spence
Kucinich	Payne	Spratt
LaFalce	Pease	Stabenow
LaHood	Pelosi	Stark
Lampson	Peterson (MN)	Stearns
Lantos	Peterson (PA)	Stenholm
Largent	Petri	Stokes
Latham	Pickering	Strickland
LaTourette	Pickett	Stump
Lazio	Pitts	Stupak
Leach	Pombo	Sununu
Lee	Pomeroy	Talent
Levin	Porter	Tanner
Lewis (CA)	Portman	Tauscher
Lewis (KY)	Poshard	Tauzin
Linder	Price (NC)	Taylor (MS)
Lipinski	Pryce (OH)	Taylor (NC)
Livingston	Quinn	Thomas
LoBiondo	Radanovich	Thompson
Rahall	Rahall	Thornberry
Ramstad	Ramstad	Thune
Rangel	Rangel	Thurman
Redmond	Redmond	Tiahrt
Regula	Regula	Tierney
Reyes	Reyes	Trafficant
Riggs	Riggs	Turner
Riley	Riley	Upton
Rivers	Rivers	Velazquez
Rodriguez	Rodriguez	Vento
Roemer	Roemer	Visclosky
Rogan	Rogan	Walsh
Rogers	Rogers	Wamp
Rohrabacher	Rohrabacher	Waters
Ros-Lehtinen	Ros-Lehtinen	Watkins
Rothman	Rothman	Watt (NC)
Roukema	Roukema	Watts (OK)
Roybal-Allard	Roybal-Allard	Waxman
Royce	Royce	Weldon (PA)
Rush	Rush	Weller
Ryun	Ryun	Wexler
Sabo	Sabo	Weygand
Salmon	Salmon	White
Sanchez	Sanchez	Whitfield
Sanders	Sanders	Wicker
Sandlin	Sandlin	Wise
Sanford	Sanford	Wolf
Sawyer	Sawyer	Woolsey
Saxton	Saxton	Wynn
Scarborough	Scarborough	Young (AK)
		Young (FL)

NAYS—10

Conyers	McDermott	Oberstar
Furse	Mollohan	Yates
Kanjorski	Murtha	
Lewis (GA)	Nader	

NOT VOTING—14

Clayton	Gutknecht	Moakley
Clement	Hastings (FL)	Torres
Cooksey	Houghton	Towns
Gonzalez	Martinez	Weldon (FL)
Green	McNulty	

So the resolution, as amended, was agreed to.

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

¶60.10 PROVIDING FOR THE FURTHER CONSIDERATION OF H.R. 2183

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 458):

*Resolved*, That during further consideration of the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, in the Committee of the Whole House on the State of the Union pursuant to House Resolution 442, all points of order against each amendment printed in the report of the Committee on Rules accompanying this resolution are waived if the amendment is offered by a Member designated in the report. An amendment so offered shall be considered as read.

When said resolution was considered.

After debate,

On motion of Mr. LINDER, the previous question was ordered 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. CALVERT, 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 ..... 221  
Nays ..... 194

¶60.11 [Roll No. 246]  
YEAS—221

Aderholt	DeLay	Houghton
Bachus	Diaz-Balart	Hulshof
Baker	Dickey	Hunter
Ballenger	Doolittle	Hutchinson
Barr	Dreier	Hyde
Barrett (NE)	Duncan	Inglis
Bartlett	Dunn	Istook
Barton	Ehlers	Jenkins
Bass	Ehrlich	Johnson (CT)
Bateman	Emerson	Johnson, Sam
Bereuter	English	Jones
Bilbray	Ensign	Kasich
Bilirakis	Everett	Kelly
Biley	Ewing	Kim
Blunt	Fawell	King (NY)
Boehlert	Foley	Kingston
Boehner	Forbes	Klug
Bonilla	Fossella	Knollenberg
Bono	Fowler	Kolbe
Brady (TX)	Fox	LaHood
Bryant	Franks (NJ)	Largent
Bunning	Frelinghuysen	Latham
Burr	Gallely	LaTourette
Burton	Ganske	Lazio
Buyer	Gekas	Leach
Callahan	Gibbons	Lewis (CA)
Calvert	Gilchrest	Lewis (KY)
Camp	Gillmor	Linder
Campbell	Gilman	Livingston
Canady	Goodlatte	LoBiondo
Cannon	Goodling	Lucas
Castle	Goss	Manzullo
Chabot	Graham	McCollum
Chambliss	Granger	McCry
Chenoweth	Greenwood	McDade
Christensen	Hall (TX)	McHugh
Coble	Hansen	McInnis
Coburn	Hastert	McIntosh
Collins	Hastings (WA)	McKeon
Combest	Hayworth	Metcalf
Cook	Hefley	Mica
Cox	Hergert	Miller (FL)
Crane	Hill	Moran (KS)
Crapo	Hilleary	Morella
Cubin	Hobson	Myrick
Cunningham	Hoekstra	Nethercutt
Davis (VA)	Horn	Neumann
Deal	Hostettler	Ney

Northup  
Norwood  
Nussle  
Oxley  
Packard  
Pappas  
Paul  
Paxon  
Pease  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Pombo  
Porter  
Portman  
Pryce (OH)  
Quinn  
Radanovich  
Ramstad  
Redmond  
Regula  
Riggs  
Riley  
Rogan  
Rogers

Rohrabacher  
Ros-Lehtinen  
Roukema  
Royce  
Ryun  
Salmon  
Sanford  
Saxton  
Scarborough  
Schaefer, Dan  
Schaffer, Bob  
Sensenbrenner  
Sessions  
Shadegg  
Shaw  
Shays  
Shimkus  
Shuster  
Skeen  
Smith (MI)  
Smith (NJ)  
Smith (OR)  
Smith (TX)  
Smith, Linda  
Snowbarger  
Solomon

Parker  
Strickland  
Sununu  
Torres  
Townes  
Weldon (FL)  
White  
Whitfield  
Wicker  
Wolf  
Young (AK)  
Young (FL)

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. CALVERT, announced that the yeas had it.  
Mr. FROST 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 ..... 221  
affirmative ..... } Nays ..... 189

NAYS—194

Abercrombie  
Ackerman  
Allen  
Andrews  
Baesler  
Baldacci  
Barcia  
Barrett (WI)  
Bentsen  
Berman  
Berry  
Bishop  
Blagojevich  
Blumenauer  
Bonior  
Borski  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Capps  
Cardin  
Carson  
Clay  
Clement  
Clyburn  
Condit  
Conyers  
Costello  
Coyne  
Cramer  
Cummings  
Danner  
Davis (FL)  
Davis (IL)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Deutsch  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doyle  
Edwards  
Engel  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Fazio  
Filner  
Ford  
Frank (MA)  
Frost  
Furse  
Gejdenson  
Gephardt  
Goode  
Gordon

¶60.12 [Roll No. 247]  
AYES—221

Aderholt  
Archer  
Army  
Bachus  
Baker  
Ballenger  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bass  
Bateman  
Bereuter  
Bilbray  
Bilirakis  
Bliley  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bono  
Brady (TX)  
Bryant  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Cannon  
Castle  
Chabot  
Chambliss  
Chenoweth  
Christensen  
Coble  
Coburn  
Collins  
Combest  
Cook  
Cox  
Crane  
Crapo  
Cubin  
Cunningham  
Davis (VA)  
Deal  
DeLay  
Diaz-Balart  
Linder  
Dickey  
Dingell  
Doolittle  
Duncan  
Ehlers  
Ehrlich  
Emerson  
English  
Ensign  
Everett  
Ewing  
Fawell  
Foley  
Forbes  
Fossella  
Fowler  
Fox  
Franks (NJ)  
Frelinghuysen

White  
Whitfield  
Wicker  
Wolf  
Young (AK)  
Young (FL)

NOES—189

Abercrombie  
Ackerman  
Allen  
Andrews  
Baesler  
Baldacci  
Barcia  
Barrett (WI)  
Becerra  
Bentsen  
Berman  
Berry  
Bishop  
Blagojevich  
Blumenauer  
Bonior  
Borski  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Capps  
Cardin  
Carson  
Clay  
Clement  
Clyburn  
Condit  
Conyers  
Costello  
Coyne  
Cramer  
Cummings  
Davis (FL)  
Davis (IL)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Deutsch  
Dicks  
Dixon  
Doggett  
Dooley  
Doyle  
Edwards  
Engel  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Fazio  
Filner  
Ford  
Frank (MA)  
Frost  
Furse  
Gejdenson  
Gephardt  
Gordon

NOT VOTING—23

Hastings (FL)  
Jenkins  
Lewis (GA)  
Lewis (KY)  
Martinez  
McNulty  
Mink  
Parker  
Portman  
Regula  
Schumer  
Sununu  
Torres  
Townes  
Weldon (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.

¶60.13 BIPARTISAN CAMPAIGN INTEGRITY  
The SPEAKER pro tempore, Mr. PEASE, pursuant to House Resolution 442 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elec-

NOT VOTING—18

Archer  
Army  
Becerra  
Clayton

Hastings (FL)  
Lewis (GA)  
Martinez  
McNulty  
Cooksey  
Gonzalez  
Green  
Gutknecht

Gutierrez  
Hall (OH)  
Hamilton  
Harman  
Hefner  
Hilliard  
Hinchey  
Hinojosa  
Holden  
Hooley  
Hoyer  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
John  
Johnson (WI)  
Johnson, E. B.  
Kanjorski  
Kaptur  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kilpatrick  
Kind (WI)  
Klecza  
Klink  
Kucinich  
LaFalce  
Lampson  
Lantos  
Lee  
Levin  
Lipinski  
Lofgren  
Lowey  
Luther  
Maloney (CT)  
Maloney (NY)  
Manton  
Markey  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McDermott  
McGovern  
McHale  
McIntyre  
McKinney  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Millender-  
McDonald  
Miller (CA)  
Minge  
Mink  
Moakley  
Mollohan  
Murtha  
Nadler  
Neal

tions for Federal office, and for other purposes.

Mr. CALVERT, Acting Chairman, assumed the chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. PETERSON of Pennsylvania, assumed the Chair.

When Mr. DICKEY, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶60.14 PROVIDING FOR THE  
CONSIDERATION OF H.R. 4059

Mr. SOLOMON, by direction of the Committee on Rules, reported (Rept. No. 105-585) the resolution (H. Res. 477) providing for the consideration of the bill (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.

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

¶60.15 PROVIDING FOR THE  
CONSIDERATION OF H.R. 4060

Mr. SOLOMON, by direction of the Committee on Rules, reported (Rept. No. 105-586) the resolution (H. Res. 478) providing for the consideration of the bill (H.R. 4060) making appropriations for Energy and Water Development for the fiscal year ending September 30, 1999, and for other purposes.

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

¶60.16 PERMISSION TO FILE REPORT

On motion of Mrs. NORTHUP, by unanimous consent, the Committee on Appropriations was granted permission until midnight, Friday, June 19, 1998, to file a privileged report on the bill making appropriations for the Department of Agriculture, Rural Development, Food and Drug Administration and related agencies 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.

¶60.17 BIPARTISAN CAMPAIGN INTEGRITY

The SPEAKER pro tempore, Mr. PETERSON of Pennsylvania, pursuant to House Resolution 442 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes.

Mr. DICKEY, Acting Chairman, assumed the chair; and after some time spent therein,

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

When Mr. DICKEY, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶60.18 MEXICO-U.S.  
INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore, Mr. HAYWORTH, by unanimous consent, announced that the Speaker, pursuant to the provisions of 22 United States Code 276h, appointed to the Mexico-United States Interparliamentary Group, in addition to Mr. KOLBE of Arizona, Chairman, and Mr. GILMAN of New York, Vice Chairman, appointed on April 27, 1998, the following Members on the part of the House: Messrs. DREIER, BARTON, BALLENGER, MANZULLO, BILBRAY, SANFORD, HAMILTON, FILNER, DELAHUNT and REYES.

*Ordered.* That the Clerk notify the Senate of the foregoing appointments.

¶60.19 BILLS PRESENTED TO THE  
PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on this day present to the President, for his approval, bills of the House of the following title:

H.R. 1847. An Act to improve the criminal law relating to fraud against consumers.

H.R. 3811. An Act to establish felony violations for the failure to pay legal child support obligations, and for other purposes.

¶60.20 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mrs. CLAYTON, for today after 3 p.m.;

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

To Mr. GUTKNECHT, for today after 1:30 p.m. and balance of the week;

To Mr. REYES, for today after 5 p.m. and balance of the week;

To Mr. SUNUNU, for today after 4 p.m. and balance of the week; and

To Mr. WELDON of Florida, for today, June 19 and June 20.

And then,

¶60.21 ADJOURNMENT

On motion of Mr. GANSKE, at 11 o'clock and 28 minutes p.m., the House adjourned.

¶60.22 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. TALENT: Committee on Small Business. H.R. 3853. A bill to promote drug-free workplace programs; with an amendment (Rept. No. 105-584). Referred to the Committee on the Whole House on the State of the Union.

Mr. DIAZ-BALART: Committee on Rules. House Resolution 477. Resolution providing for consideration of 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 (Rept. No. 105-585). Referred to the House Calendar.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 478. Resolution providing for consideration of the bill (H.R. 4060) making appropriations for energy and water development for the fiscal year ending September 30, 1999, and for other purposes (Rept. No. 105-586). Referred to the House Calendar.

¶60.23 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. DUNCAN:

H.R. 4077. A bill to provide for establishment of a memorial to sportsmen; to the Committee on Resources.

By Ms. VELAZQUEZ (for herself, Mr. GOODE, Mrs. MCCARTHY of New York, Mr. LAFALCE, Mr. DAVIS of Illinois, and Mr. HINOJOSA):

H.R. 4078. A bill to increase funding for the Women's Business Center Program; to the Committee on Small Business.

By Mr. DOOLITTLE:

H.R. 4079. A bill to authorize the construction of temperature control devices at Folsom Dam in California; to the Committee on Resources.

By Mr. DINGELL (for himself, Mr. BROWN of Ohio, Mr. STUPAK, Mr. PALLONE, Mr. WAXMAN, Mr. MARKEY, Mr. BOUCHER, Mr. MANTON, Mr. GORDON, Ms. FURSE, Mr. RUSH, Mr. KLINK, Mr. WYNN, Mr. GREEN, Ms. MCCARTHY of Missouri, and Ms. DEGETTE):

H.R. 4080. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of food from foreign countries; to the Committee on Commerce.

By Mr. HUTCHINSON:

H.R. 4081. A bill to extend the deadline under the Federal Power Act applicable to the construction of a hydroelectric project in the State of Arkansas; to the Committee on Commerce.

By Mrs. KELLY:

H.R. 4082. A bill to allow depository institutions to offer interest-bearing transaction accounts and negotiable order of withdrawal accounts to all businesses, to repeal the prohibition on the payment of interest on demand deposits, to require the Board of Governors of the Federal Reserve System to pay interest on certain reserves, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. KUCINICH (for himself, Mr. LATOURETTE, and Mr. HAMILTON):

H.R. 4083. A bill to make available to the Ukrainian Museum and Archives the USIA television program "Window on America"; to the Committee on International Relations.

By Mr. SANDERS (for himself, Mr. FILNER, Mr. HINCHEY, Mr. KUCINICH, Mr. FRANK of Massachusetts, Mr. BORSKI, Mr. DEFAZIO, Mr. NADLER, Mrs. MINK of Hawaii, Mr. ABERCROMBIE, and Ms. FURSE):

H.R. 4084. A bill to require the establishment of a Consumer Price Index for Elderly Consumers to compute cost-of-living increases for Social Security and Medicare benefits under titles II and XVIII of the Social Security Act provided after 1999; to the Committee on Ways and Means, and in addition to the Committees on Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Michigan (for himself, Mr. PETERSON of Pennsylvania, and Mr. ISTOOK):

H.R. 4085. A bill to require congressional approval of proposed rules designated by the Congress to be significant; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MILLENDER-MCDONALD:

H.R. 4086. A bill to amend the Small Business Act to increase the authorized funding level for women's business centers; to the Committee on Small Business.

By Mr. YOUNG of Alaska:

H.R. 4087. A bill to amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to provide for the transfer of services and personnel from the Bureau of Indian Affairs to the Office of Self-Governance, to emphasize the need for job creation on Indian reservations, and for other purposes; to the Committee on Resources.

By Mr. YOUNG of Alaska (for himself and Mr. KILDEE):

H.R. 4088. A bill to amend the Indian Health Care Improvement Act to make permanent the demonstration program that allows for direct billing of Medicare, Medicaid, and other third-party payors, and to expand the eligibility under such program to other tribes and tribal organizations; to the Committee on Resources, and in addition to the Committees on Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WOOLSEY (for herself, Mr. FILLNER, Mr. STARK, Mr. TOWNS, Mr. MCGOVERN, Ms. FURSE, Ms. SLAUGHTER, Mr. KENNEDY of Massachusetts, Mr. HINCHEY, Mr. OLVER, Mr. FALCOMA, Ms. NORTON, Ms. LOFGREN, Mr. SANDERS, Mr. OWENS, and Mr. FRANK of Massachusetts):

H. Res. 479. A resolution recognizing the security interests of the United States in furthering complete nuclear disarmament; to the Committee on International Relations.

#### ¶60.24 MEMORIALS

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

352. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 172 memorializing the Congress of the United States to increase funding to the Equal Employment Opportunity Commission to handle the backlog of individual cases; to the Committee on Education and the Workforce.

353. Also, a memorial of the House of Representatives of the Commonwealth of The Mariana Islands, relative to House Resolution No. 11-22 requesting the United States Congressional Committee who has jurisdiction of the Office of Insular Affairs to investigate allegations made against the CNMI government and its people; to the Committee on Resources.

354. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Concurrent Resolution No. 161 memorializing the United States Congress to enact legislation reauthorizing the federal highway program by May 1, 1998; to the Committee on Transportation and Infrastructure.

355. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 169 memorializing the Congress of the United States to refrain from imposing any special taxes on sport utility vehicles; to the Committee on Ways and Means.

#### ¶60.25 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII,

Mr. GUTIERREZ introduced A bill (H.R. 4089) for the relief of Keysi Castillo Henriquez and Leydina Henriquez Aleman; which was referred to the Committee on the Judiciary.

#### ¶60.26 ADDITIONAL SPONSORS

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

H.R. 74: Mr. HILLIARD, Mr. COYNE, Mr. NEAL of Massachusetts, Mr. DELAHUNT, Mr. MOAKLEY, Mr. TIERNEY, Mr. MARKEY, and Mr. MEEHAN.

H.R. 306: Mr. GEPHARDT, Ms. MCCARTHY of Missouri, Mr. OBEY, Mr. SPRATT, and Ms. STABENOW.

H.R. 371: Mrs. CAPPS.

H.R. 872: Mr. REDMOND.

H.R. 915: Mrs. THURMAN, Ms. ROSLEHTINEN, Ms. MILLENDER-MCDONALD, Mr. BONIOR, Mr. BALDACCIO, Mr. MEEKS of New York, Ms. KILPATRICK, Mr. YATES, Mr. SCHUMER, Ms. ROYBAL-ALLARD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TOWNS, and Mr. BERMAN.

H.R. 922: Mr. HOSTETTLER.

H.R. 1018: Mr. LEWIS of Georgia.

H.R. 1047: Mr. LUTHER.

H.R. 1126: Ms. RIVERS and Mr. KANJORSKI.

H.R. 1173: Ms. LEE.

H.R. 1231: Mr. KILDEE and Mr. ENGLISH of Pennsylvania.

H.R. 1241: Ms. LOFGREN.

H.R. 1515: Mr. BLILEY.

H.R. 1531: Mr. SANDLIN.

H.R. 1800: Mr. MURTHA.

H.R. 1813: Mr. ACKERMAN.

H.R. 1915: Mr. TOWNS.

H.R. 2021: Mr. BOEHNER, Mr. LINDER, and Mr. BARTLETT of Maryland.

H.R. 2374: Mr. WAXMAN.

H.R. 2504: Mr. SNYDER and Ms. RIVERS.

H.R. 2519: Mr. DAVIS of Illinois.

H.R. 2599: Ms. WOOLSEY and Ms. LEE.

H.R. 2602: Mr. ENGLISH of Pennsylvania.

H.R. 2708: Mr. WATKINS, Mr. HILLIARD, Ms. FURSE, Mr. LEACH, Mr. NETHERCUTT, Mr. CRAPO, Mr. SHAYS, Mr. SESSIONS, Mr. CALAHAN, Mrs. EMERSON, and Mr. SMITH of Michigan.

H.R. 2721: Mrs. CUBIN.

H.R. 2800: Mr. CALVERT, Mr. BARRETT of Nebraska, Mr. EVANS, and Mr. GREEN.

H.R. 2817: Mr. SAM JOHNSON, Mr. NUSSLE, Mr. SHERMAN, Mr. SESSIONS, Mr. BILBRAY, Mrs. MORELLA, Mr. BASS, Mr. PAXON, Mr. MALONEY of Connecticut, Mr. OBERSTAR, Mr. BONIOR, and Mr. KNOLLENBERG.

H.R. 2820: Mr. MCGOVERN.

H.R. 2837: Mr. DREIER.

H.R. 2852: Mr. DINGELL.

H.R. 2908: Mr. BEREUTER, Mr. SNOWBARGER, and Mr. OBERSTAR.

H.R. 2942: Mr. COBURN.

H.R. 2968: Mr. BOB SCHAFFER.

H.R. 3008: Mrs. LINDA SMITH of Washington and Mr. HILL.

H.R. 3050: Mr. MCDERMOTT.

H.R. 3053: Mr. HASTINGS of Washington and Mr. CUMMINGS.

H.R. 3081: Ms. DELAURO, Mr. CLAY, Ms. LEE, Mr. ANDREWS, and Mr. DEUTSCH.

H.R. 3189: Mr. HILL and Mr. HEFLEY.

H.R. 3240: Mr. MARTINEZ.

H.R. 3251: Mr. ABERCROMBIE, Mr. WEXLER, Mr. PRICE of North Carolina, Mr. HEFNER, and Mr. KUCINICH.

H.R. 3259: Mr. BORSKI.

H.R. 3299: Ms. CHRISTIAN-GREEN.

H.R. 3331: Mrs. CUBIN.

H.R. 3334: Mr. SANDLIN.

H.R. 3341: Mr. SNYDER.

H.R. 3342: Mr. BOEHLERT and Mr. BONIOR.

H.R. 3398: Mr. CHABOT.

H.R. 3506: Mr. LEVIN, Mr. PASCRELL, Mr. KLECZKA, and Mr. GORDON.

H.R. 3514: Mr. DAVIS of Illinois.

H.R. 3541: Mr. PAPPAS.

H.R. 3560: Mr. SHAYS.

H.R. 3568: Mr. GILMAN, Mr. ANDREWS, Mr. HINCHEY, Mr. CLEMENT, and Mr. PASTOR.

H.R. 3610: Mr. CUMMINGS, Mr. BAESLER, Mr. JONES, Mr. KIND, Mr. EHLERS, Mr. LEWIS of Kentucky, and Mr. JOHNSON of Wisconsin.

H.R. 3632: Mr. WHITFIELD.

H.R. 3654: Mr. PETERSON of Minnesota.

H.R. 3682: Mrs. NORTHUP, Mr. HALL of Ohio, Mr. MOLLOHAN, Mr. GRAHAM, and Mr. PETRI.

H.R. 3710: Mrs. JOHNSON of Connecticut, Mr. BLAGOJEVICH, Mr. BISHOP, Mr. LATHAM, Mr. MCDERMOTT, Mr. GOODE, Mr. HEFNER, Mr. BARRETT of Nebraska, Mr. MILLER of California, Mr. BROWN of Ohio, Mr. REGULA, Mr. COOK, Mrs. EMERSON, and Mr. PACKARD.

H.R. 3767: Mr. MINGE.

H.R. 3789: Mr. ROGAN.

H.R. 3795: Mr. FORBES.

H.R. 3821: Mr. WAXMAN, Mr. SPENCE, Mr. ROGAN, Mr. HOSTETTLER, Mr. KLUG, Mr. MCHUGH, and Mr. CHRISTENSEN.

H.R. 3879: Mr. HEFLEY, Mr. METCALF, Mr. DEUTSCH, Mr. CANNON, Mr. TAYLOR of North Carolina, Mr. HOUGHTON, and Mrs. NORTHUP.

H.R. 3897: Mr. NADLER.

H.R. 3898: Mr. CHABOT.

H.R. 3900: Mr. NADLER.

H.R. 3919: Mr. CALVERT and Mr. KINGSTON.

H.R. 3937: Mr. THOMPSON.

H.R. 3942: Mr. GREEN, Mr. DOOLEY of California, Mrs. BONO, Mr. DREIER, and Mr. TRAFICANT.

H.R. 3993: Mr. BRYANT and Mr. CLEMENT.

H.R. 4005: Mr. LAZIO of New York and Mr. FOLEY.

H.R. 4016: Mr. MCGOVERN.

H.R. 4022: Mr. PETERSON of Minnesota, Mrs. CHENOWETH, and Mr. METCALF.

H.R. 4049: Mr. BRYANT.

H.R. 4071: Ms. WATERS and Mr. ENGLISH of Pennsylvania.

H.J. Res. 122: Mr. FROST and Mr. HOUGHTON.

H.J. Res. 123: Mr. MCINTOSH, Mr. GOODE, Mr. REDMOND, Mr. NEY, and Mr. BOSWELL.

H. Con. Res. 203: Mr. EVERETT, Mr. ORTIZ, Ms. SANCHEZ, Mrs. MYRICK, Mr. LIPINSKI, Ms. DANNER, Mr. HINCHEY, Mrs. KELLY, and Mr. KIND of Wisconsin.

H. Con. Res. 210: Ms. DELAURO.

H. Con. Res. 258: Mr. ANDREWS and Mr. MEEHAN.

H. Con. Res. 271: Mr. ACKERMAN.

H. Res. 172: Mr. ACKERMAN.

H. Res. 212: Mr. KING of New York and Mr. PETERSON of Minnesota.

H. Res. 425: Mr. ENGLISH of Pennsylvania, Mr. DIXON, Mr. ABERCROMBIE, and Mr. DEFazio.

H. Res. 452: Mr. RAHALL, Mr. COBURN, Mr. ROGERS, Mrs. MYRICK, Mr. GOODLATTE and Mr. BURTON of Indiana.

#### FRIDAY, JUNE 19, 1998 (61)

##### ¶61.1 DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,

June 19, 1998.

I hereby designate the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

NEWT GINGRICH,

Speaker of the House of Representatives.

##### ¶61.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LATOURETTE, announced he had examined and approved the Journal of