

sion of Expiration Dates for Several Body System Listings [Regulations No. 4] (RIN: 0960-AE83) received June 16, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### ¶64.4 MESSAGE FROM THE SENATE

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

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

The message also announced that the Senate insists upon its amendment to the bill (H.R. 4060) "An Act making appropriations for energy and water development for the fiscal year ending September 30, 1999, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. DOMENICI, Mr. COCHRAN, Mr. GORTON, Mr. MCCONNELL, Mr. BENNETT, Mr. BURNS, Mr. CRAIG, Mr. STEVENS, Mr. REID, Mr. BYRD, Mr. HOLLINGS, Mrs. MURRAY, Mr. KOHL, Mr. DORGAN, and Mr. INOUE, to be the conferees on the part of the Senate.

#### ¶64.5 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE PRESIDENT

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

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, June 24, 1998.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on June 23, 1998 at 9:05 p.m. and said to contain a message from the President whereby he returns without his approval H.R. 2709, the "Iran Missile Proliferation Sanctions Act of 1998."

With warm regards,

ROBIN H. CARLE.

#### ¶64.6 VETO OF H.R. 2709

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

*To the House of Representatives:*

I am returning herewith without my approval H.R. 2709, the "Iran Missile Proliferation Sanctions Act of 1998."

H.R. 2709 would require sanctions to be imposed on foreign individuals and companies if there is "credible information indicating that" they transferred certain items or provided certain types of assistance that contributed to Iran's missile program, or attempted more than once to transfer such items or provide such assistance. These sanctions would last at least 2 years and would prohibit sales of defense articles and services; exports of certain dual-use items; and United States Government assistance.

My Administration unequivocally supports the critical objectives of

fighting terrorism and taking steps to halt the transfer of missile technology to nations whose foreign policy practices and nonproliferation policies violate international norms. This legislation, however, is indiscriminate, inflexible, and prejudicial to these efforts, and would in fact undermine the national security objectives of the United States. Taken together, the flaws in H.R. 2709 risk a proliferation of indiscriminate sanctioning worldwide.

Such indiscriminate sanctioning would undermine the credibility of U.S. nonproliferation policy without furthering U.S. nonproliferation objectives. Indeed, the sweeping application of sanctions likely would cause serious friction with many governments, diminishing vital international cooperation across the range of policy areas—military, political, and economic—on which U.S. security and global leadership depend.

Specifically, H.R. 2709 would require the imposition of sanctions based on an unworkably low standard of evidence: "credible information indicating that" certain transfers or attempted transfers had occurred. Such a low standard of evidence could result in the erroneous imposition of sanctions on individuals and business entities worldwide—even in certain instances when they did not know the true end user of the items. The bill would also hinder U.S. efforts to enlist the support of other countries to halt the objectionable activities by imposing an unreasonable standard for waiving the bill's sanctions. In addition, the sanctions proposed by the legislation are disproportionate. A minor violation (e.g., the transfer of a few grams of aluminum powder) would carry the same penalty as a transfer of major proliferation significance. This, too, undermines U.S. credibility and increases foreign opposition to U.S. policy.

H.R. 2709 does not specifically refer to Russia, but it will affect that country. The legislation does not allow flexibility sufficient to reflect the progress made by the Russian government in formulating policies and processes whose goal is to sever links between Russian entities and Iran's ballistic missile program. At the urging of the United States, President Yeltsin, the Prime Minister, Russian security services Chief Kovalev, and Russian Defense Minister Sergeyev have all made clear that proliferation of missiles and weapons of mass destruction is a serious threat to Russia's security. They have called for strict control of sensitive technologies and stressed the strict penalties that will be imposed for violations of Russian law. On January 22 of this year, the Russian government issued a "catch all" executive order providing authority to stop all transfers of dual-use goods and services for missiles and weapons of mass destruction programs, and on May 15 published detailed regulations to implement that order. They have recently developed and circulated a list of end users of concern in Iran, Libya, North

Korea, and Pakistan. In the course of regular and active discussion of this issue with the Russian government, the United States has raised problem cases involving cooperation between Russian entities and the Iranian missile program. We have seen progress in this area, and a number of these cases are no longer active concerns.

Precisely because Russia needs to take effective enforcement steps to control the flow of technology, the United States needs to be able to work cooperatively with the Russian government to assure further progress. H.R. 2709 would undercut the cooperation we have worked to achieve with the Russian government without helping us solve the problem of technology transfer. The legislation's unilateral nature could also hurt our increasing cooperation with Russian government agencies in other vital areas such as law enforcement, counter-narcotics, and combating transnational crime. Furthermore, Russia would interpret this law as an infringement of its sovereignty, affecting our ability to work with Russia on broader U.S. policy goals and on regional and global issues.

Finally, Title I of H.R. 2709 is not needed. Existing law, such as the missile technology control provisions of the Arms Export Control Act, provides a sufficient basis for imposing sanctions to prevent missile proliferation to Iran and elsewhere.

I also note that it is disappointing that the Congress attached Title II, the "Chemical Weapons Convention Implementation Act of 1997," to this problematic and counterproductive bill. Because Chemical Weapons Convention (CWC) implementation legislation has not been enacted, the United States has not yet fully carried out its obligations under the CWC. The CWC implementing legislation has strong bipartisan support, and should be passed by the Congress as a free-standing bill without further delay. I note, however, that sections 213(e)(2)(B)(iii), 213(e)(3)(B)(v), and 213(f) of Title II could interfere with certain of my exclusive constitutional powers, and I urge the Congress to correct these constitutional deficiencies.

For the reasons stated, I am compelled to return H.R. 2709 without my approval.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 23, 1998.

THE SPEAKER pro tempore, Mr. GUTKNECHT, by unanimous consent, ordered that the veto message, together with the accompanying bill, be printed (H. Doc. 105-276) and spread upon the pages of the Journal of the House.

On motion of Mr. BLUNT, by unanimous consent, the veto message and accompanying bill were referred to the Committee on International Relations.

#### ¶64.7 UTAH SCHOOLS AND LANDS EXCHANGE

On motion of Mr. HANSEN, by unanimous consent, the Committee of the Whole House on the state of the Union

was discharged from further consideration of the bill (H.R. 3830) to provide for the exchange of certain lands within the State of Utah.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

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

¶64.8 FORT BERTHOLD INDIAN RESERVATION

On motion of Mr. HANSEN, by unanimous consent, the bill of the Senate (S. 2069) to permit the mineral leasing of Indian land located within the Fort Berthold Indian reservation in any case in which there is consent from a majority interest in the parcel of land under consideration for lease; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

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

Ordered, That the Clerk notify the Senate thereof.

¶64.9 AGRICULTURE APPROPRIATIONS FOR FY 1999

The SPEAKER pro tempore, Mr. GUTKNECHT, pursuant to House Resolution 482 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. 4101) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes.

Mr. LAHOOD, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

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

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

¶64.10 SUBMISSION OF CONFERENCE REPORT—H.R. 2676

Mr. ARCHER submitted a conference report (Rept. No. 105-599) on the bill (H.R. 2676) to amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶64.11 AGRICULTURE APPROPRIATIONS FOR FY 1999

The SPEAKER pro tempore, Mr. TIAHRT, pursuant to House Resolution 482 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. 4101) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1999, and for other purposes.

Mr. LAHOOD, Chairman of the Committee of the Whole, resumed the chair,

¶64.12 RECORDED VOTE

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

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 739. None of the funds made available in this Act may be used by the Food and Drug Administration for the testing, development, or approval (including approval of production, manufacturing, or distribution) of any drug for the chemical inducement of abortion.

It was decided in the affirmative { Yeas ..... 223 Nays ..... 202

¶64.13 [Roll No. 260] AYES—223

- Aderholt Fox McHugh
Archer Gallegly McInnis
Armey Gekas McIntosh
Bachus Gibbons McIntyre
Baker Gillmor McKeon
Ballenger Goode McNulty
Barcia Goodlatte Metcalf
Barr Goodling Mica
Barrett (NE) Goss Mollohan
Bartlett Graham Moran (KS)
Barton Gutknecht Murtha
Bateman Hall (OH) Myrick
Bereuter Hall (TX) Nethercutt
Berry Hansen Neumann
Bilirakis Hastert Ney
Bliley Hastings (WA) Northup
Blunt Hayworth Norwood
Boehner Hefner Nussle
Bonilla Herger Oberstar
Bono Hill Ortiz
Borski Hilleary Oxley
Brady (TX) Hobson Packard
Bryant Hoekstra Pappas
Bunning Holden Parker
Burr Hostettler Paul
Burton Hulshof Paxon
Buyer Hunter Pease
Callahan Hutchinson Peterson (MN)
Calvert Hyde Peterson (PA)
Camp Inglis Petri
Canady Istook Pickering
Chabot Jenkins Pitts
Chambliss John Pombo
Chenoweth Johnson, Sam Portman
Christensen Jones Poshard
Coble Kanjorski Quinn
Coburn Kasich Radanovich
Collins Kildee Rahall
Combust Kim Redmond
Cook King (NY) Regula
Costello Kingston Riggs
Cox Kleczka Riley
Cramer Klink Roemer
Crane Knollenberg Rogan
Crapo Kucinich Rogers
Cubin LaFalce Rohrabacher
Cunningham LaHood Ros-Lehtinen
Deal Largent Royce
DeLay Latham Ryun
Diaz-Balart LaTourrette Salmon
Dickey Lewis (CA) Sanford
Doolittle Lewis (KY) Saxton
Dreier Linder Scarborough
Duncan Lipinski Schaefer, Dan
Dunn Livingston Schaefer, Bob
Ehlers LoBiondo Sensenbrenner
Emerson Lucas Sessions
English Manton Shadegg
Ensign Manzullo Shimkus
Everett Mascara Shuster
Ewing McCollum Skeen
Forbes McCreery Skelton
Fossella McDade Smith (MI)

- Smith (NJ) Sununu Watts (OK)
Smith (OR) Talent Weldon (FL)
Smith (TX) Tauzin Weldon (PA)
Smith, Linda Taylor (MS) Weller
Snowbarger Taylor (NC) Weygand
Solomon Thornberry Whitfield
Souder Thune Wicker
Spence Tiahrt Wolf
Stearns Traficant Young (AK)
Stenholm Walsh Young (FL)
Stump Wamp
Stupak Watkins

NOES—202

- Abercrombie Frost Moran (VA)
Ackerman Furse Morella
Allen Ganske Nadler
Andrews Gejdenson Neal
Baesler Gephardt Obey
Baldacci Gilchrest Olver
Barrett (WI) Gilman Owens
Bass Granger Pallone
Becerra Green Pascrell
Bentsen Greenwood Pastor
Berman Gutierrez Payne
Bilbray Harman Pelosi
Bishop Hastings (FL) Pickett
Blagojevich Hefner Pomeroy
Blumenauer Hilliard Porter
Boehlert Hinchey Price (NC)
Bonior Hinojosa Pryce (OH)
Boswell Hooley Ramstad
Boucher Horn Rangel
Boyd Houghton Reyes
Brady (PA) Hoyer Rivers
Brown (CA) Jackson (IL) Rodriguez
Brown (FL) Jackson-Lee Rothman
Brown (OH) (TX) Roukema
Campbell Jefferson Roybal-Allard
Capps Johnson (CT) Rush
Cardin Johnson (WI) Sabo
Carson Johnson, E. B. Sanchez
Castle Kaptur Sanders
Clay Kelly Sandlin
Clayton Kennedy (MA) Sawyer
Clement Kennedy (RI) Schumer
Clyburn Kennelly Scott
Condit Kilpatrick Serrano
Conyers Kind (WI) Shaw
Cooksey Klug Shays
Coyne Kolbe Sherman
Cummings Lampson Sisisky
Danner Lantos Skaggs
Davis (FL) Lazio Smith, Adam
Davis (IL) Leach Snyder
Davis (VA) Lee Spratt
DeFazio Levin Stabenow
DeGette Lewis (GA) Stark
Delahunt Lofgren Stokes
DeLauro Lowey Strickland
Deutsch Luther Tanner
Dicks Maloney (CT) Tauscher
Dixon Maloney (NY) Thomas
Doggett Martinez Thompson
Dooley Matsui Thurman
Edwards McCarthy (MO) Tierney
Ehrlich McCarthy (NY) Torres
Engel McDermott Towns
Eshoo McGovern Turner
Etheridge McHale Upton
Evans McKinney Velazquez
Farr Meehan Vento
Fattah Meek (FL) Visclosky
Fawell Meeks (NY) Waters
Fazio Menendez Watt (NC)
Filner Millender Waxman
Foley McDonald Wexler
Ford Miller (CA) White
Fowler Miller (FL) Wise
Frank (MA) Minge Woolsey
Franks (NJ) Mink Wynn
Frelinghuysen Moakley Yates

NOT VOTING—8

- Cannon Gonzalez Markey
Dingell Gordon Slaughter
Doyle Hamilton

So the amendment was agreed to.

¶64.14 RECORDED VOTE

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

Add after the final section the following new section: