

313. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Waivers for PM10 Sampling Frequency—received January 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

314. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Plan for PM2.5 NAAQS Review [FRL-5913-4] received January 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

315. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Guidance for Network Design and Optimum Site Exposure for PM2.5 and PM10—received January 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

316. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Implementation Plan—PM2.5 Monitoring Program—received January 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

317. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Interim Implementation of New Source Review Requirements for PM2.5—received January 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

318. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Guidance for Implementing the 1-Hour Ozone and Pre-existing PM10 NAAQS—received January 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

319. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Guidance on Mitigation of Impact to Small Business While Implementing Air Quality Standards and Regulations—received January 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

320. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Early Planning Guidance for the Revised Ozone and Particulate Matter (PM) National Ambient Air Quality Standards (NAAQS)—received January 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

321. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Interim Air Quality Policy on Wildland and Prescribed Fires—received January 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

322. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Collection and Reporting of PM10 Data—received January 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

323. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Final Guidance on Data Handling Conventions for the 8-Hour National Ambient Air Quality Standards for Ozone—received January 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

324. A letter from the Director, Office of Regulatory Management and Information,

Environmental Protection Agency, transmitting the Agency's final rule—PM2.5 Site Types and Sampling Frequency During CY-99—received January 28, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

325. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Ambient Air Quality Surveillance for Lead [AD-FRL-6221-2] (RIN: 2060-AF71) received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

326. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Salt Lake City Carbon Monoxide Redesignation to Attainment, Designation of Areas for Air Quality Planning Purposes, and Approval of Related Revisions [UT-001-0002a; FRL-6201-8] received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

327. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision, Antelope Valley Air Pollution Control District [CA 211-0117a; FRL-6213-5] received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

328. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Confirmation of Approval and Technical Amendment to Update the EPA Listing of OMB Approval Numbers Under the Paperwork Reduction Act [OPPTS-66009D; FRL-6048-8] (RIN: 2070-AC01) received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

329. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—"Consolidated Guidance about Materials Licenses: Program-Specific Guidance About Exempt Distribution Licenses," dated September 1998—received January 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

330. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—"Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Self-Shielded Irradiator Licenses," dated October 1998—received January 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

331. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—"Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Fixed Gauges Licenses," dated October 1998—received January 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

332. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Prevailing Rate Systems; Lead Agency Responsibility (RIN: 3206-A148) received January 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

333. A letter from the Chair of the Board of Directors, Office of Compliance, transmitting a report on the applicability to the legislative branch of federal law relating to terms and conditions of employment and access to public services and accommodations, pursuant to Public Law 104-1, section 102(b)(2) (109 Stat. 6); jointly to the Commit-

tees on Education and the Workforce and House Administration.

¶4.3 JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore, Mrs. EMERSON, by unanimous consent, announced that the Speaker, pursuant to the provisions of 15 U.S.C. 1024(a), appointed Mr. SAXTON to the Joint Economic Committee on the part of the House.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶4.4 AVIATION WAR RISK INSURANCE PROGRAM

Mr. SHUSTER moved to suspend the rules and pass the bill (H.R. 98) to amend chapter 443 of title 49, United States Code, to extend the aviation war risk insurance program; as amended.

The SPEAKER pro tempore, Mrs. EMERSON, recognized Mr. SHUSTER and Mr. LIPINSKI, each for 20 minutes.

After debate,

The question being put, *viva voce*,

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

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

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

The SPEAKER pro tempore, Mrs. EMERSON, pursuant to clause 8, rule XX, announced that further proceedings on the motion were postponed.

¶4.5 PROVIDING FOR THE CONSIDERATION OF H.R. 99

Mr. DREIER, by direction of the Committee on Rules, called up the following resolution (H. Res. 31):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 99) to amend title 49, United States Code, to extend Federal Aviation Administration programs through September 30, 1999, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII or section 302(f) or section 303(a) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate, the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment recommended by the Committee on Transportation and Infrastructure now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII. Each section of that amendment in the nature of a substitute shall be considered as read. Points of order against the amendment for failure to comply with clause 7 of rule XVI or section 302(f) or section 303(a) of

the Congressional Budget Act of 1974 are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. DREIER, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, 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.

4.6 FEDERAL AVIATION SHORT-TERM EXTENSION

The SPEAKER pro tempore, Mr. DREIER, pursuant to House Resolution 31 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 99) to amend title 49, United States Code, to extend Federal Aviation Administration programs through September 30, 1999, and for other purposes.

The SPEAKER pro tempore, Mr. DREIER, by unanimous consent, designated Mrs. EMERSON as Chairman of the Committee of the Whole; and after some time spent therein,

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

When Mrs. EMERSON, Chairman, pursuant to House Resolution 31, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Airport Improvement Program Short-Term Extension Act of 1999".

TITLE I—EXTENSION OF FEDERAL AVIATION ADMINISTRATION PROGRAMS

SEC. 101. AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 48103 of title 49, United States Code, is amended by striking "\$1,205,000,000" and all that follows through the period at the end and inserting the following: "\$2,410,000,000 for fiscal years ending before October 1, 1999."

(b) OBLIGATIONAL AUTHORITY.—Section 47104(c) is amended by striking "March 31, 1999" and inserting "September 30, 1999".

SEC. 102. AIRWAY FACILITIES IMPROVEMENT PROGRAM.

Section 48101(a) of title 49, United States Code, is amended by adding at the end the following:

"(3) \$2,131,000,000 for fiscal year 1999."

SEC. 103. FAA OPERATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FROM GENERAL FUND.—Section 106(k) of title 49, United States Code, is amended by striking "\$5,158,000,000" and all that follows through the period at the end and inserting the following: "\$5,632,000,000 for fiscal year 1999."

(b) AUTHORIZATION OF APPROPRIATIONS FROM TRUST FUND.—Section 48104(c) of such title is amended—

(1) in the subsection heading by striking "FISCAL YEARS 1994-1998" and inserting "FISCAL YEARS 1994-2000"; and

(2) in the matter preceding paragraph (1) by striking "through 1998" and inserting "through 2000".

(c) LIMITATION ON OBLIGATING OR EXPENDING AMOUNTS.—Section 48108(c) of such title is amended by striking "1998" and inserting "2000".

SEC. 104. AIP DISCRETIONARY FUND.

Section 47115 of title 49, United States Code, is amended—

(1) by striking subsection (g); and

(2) by redesignating subsection (h) as subsection (g).

TITLE II—EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY

SEC. 201. EXTENSION OF EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 (relating to expenditures from Airport and Airway Trust Fund) is amended—

(1) by striking "October 1, 1998" and inserting "October 1, 1999"; and

(2) by inserting before the semicolon at the end of subparagraph (A) the following: "or the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 or the Airport Improvement Program Short-Term Extension Act of 1999".

(b) LIMITATION ON EXPENDITURE AUTHORITY.—Section 9502 of such Code is amended by adding at the end the following new subsection:

"(f) LIMITATION ON TRANSFERS TO TRUST FUND.—

"(1) IN GENERAL.—Except as provided in paragraph (2), no amount may be appropriated or credited to the Airport and Airway Trust Fund on and after the date of any expenditure from the Airport and Airway Trust Fund which is not permitted by this section. The determination of whether an expenditure is so permitted shall be made without regard to—

"(A) any provision of law which is not contained or referenced in this title or in a revenue Act, and

"(B) whether such provision of law is a subsequently enacted provision or directly or indirectly seeks to waive the application of this subsection.

"(2) EXCEPTION FOR PRIOR OBLIGATIONS.—Paragraph (1) shall not apply to any expendi-

ture to liquidate any contract entered into (or for any amount otherwise obligated) before October 1, 1999, in accordance with the provisions of this section."

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce, Will the House pass said bill?

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

Mr. SHUSTER 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 1, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 408
Nays 3

4.7 [Roll No. 9] YEAS—408

Abercrombie	Clyburn	Goode
Ackerman	Coble	Goodlatte
Aderholt	Coburn	Gordon
Allen	Collins	Goss
Andrews	Combest	Green (TX)
Archer	Condit	Green (WI)
Armey	Conyers	Greenwood
Bachus	Cook	Gutierrez
Baird	Costello	Gutknecht
Baker	Cox	Hall (TX)
Baldacci	Coyne	Hansen
Baldwin	Cramer	Hastings (FL)
Ballenger	Crane	Hastings (WA)
Barcia	Crowley	Hayes
Barr	Cubin	Hayworth
Barrett (NE)	Cummings	Hefley
Barrett (WI)	Cunningham	Herger
Bartlett	Danner	Hill (IN)
Barton	Davis (FL)	Hill (MT)
Bass	Davis (IL)	Hillery
Bateman	Davis (VA)	Hilliard
Becerra	Deal	Hinches
Bentsen	DeFazio	Hinojosa
Bereuter	DeGette	Hobson
Berkley	DeLauro	Hoefel
Berman	DeMint	Hoekstra
Berry	Diaz-Balart	Holden
Biggert	Dickey	Holt
Bilbray	Dixon	Hooley
Bilirakis	Doggett	Horn
Bishop	Dooley	Hostettler
Blagojevich	Doolittle	Houghton
Bliley	Doyle	Hoyer
Blumenauer	Dreier	Hulshof
Blunt	Duncan	Hunter
Boehlert	Dunn	Hutchinson
Boehner	Edwards	Hyde
Bonilla	Ehlers	Inslee
Bonior	Ehrlich	Istook
Bono	Emerson	Jackson (IL)
Borski	Engel	Jackson-Lee
Boswell	English	(TX)
Boucher	Eshoo	Jefferson
Boyd	Etheridge	Jenkins
Brady (PA)	Evans	John
Brady (TX)	Everett	Johnson (CT)
Brown (CA)	Ewing	Johnson, E. B.
Brown (FL)	Farr	Johnson, Sam
Brown (OH)	Fattah	Jones (NC)
Bryant	Filner	Jones (OH)
Burr	Fletcher	Kanjorski
Burton	Foley	Kaptur
Buyer	Forbes	Kelly
Callahan	Ford	Kennedy
Calvert	Fossella	Kildee
Camp	Fowler	Kilpatrick
Campbell	Frank (MA)	Kind (WI)
Canady	Franks (NJ)	King (NY)
Cannon	Frelinghuysen	Kingston
Capps	Frost	Klecza
Capuano	Galleghy	Klink
Cardin	Ganske	Knollenberg
Carson	Gejdenson	Kolbe
Castle	Gekas	Kucinich
Chabot	Gephardt	Kuykendall
Chambliss	Gibbons	LaFalce
Chenoweth	Gilchrest	LaHood
Clay	Gillmor	Lampson
Clayton	Gilman	Larson
Clement	Gonzalez	Latham