472. A letter from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific cod and pollock in the Gulf of Alaska [Docket No. 981222314–8321–02; I.D. 012099B] received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

473. A letter from the Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Inshore-Offshore Allocations of Pollock and Pacific Cod Total Allowable Catch; Inshore-Offshore Allocation of 1999 Interim Groundfish Specifications [Docket No. 981021263–9019–02; I.D. 090898D] (RIN: 0648–AK12) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

474. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 99–7] received January 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

475. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Modifications and Additions to the Unified Partnership Audit Procedures [TD 8808] (RIN: 1545–AW23) received January 25, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶8.3 MANDATES INFORMATION ACT OF 1999

The SPEAKER pro tempore, Mr. KINGSTON, pursuant to House Resolution 36 and rule XVIII, 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. 350) to improve congressional deliberation on proposed Federal private sector mandates, and for other purposes.

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

¶8.4 RECORDED VOTE

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

Page 5, lines 16 and 17, strike ''425(a)(1)'' each place it appears and insert ''425(a)(1)(B)''.

Page 5, after line 20, insert the following new subparagraphs:

(A) inserting in paragraph (1) ''intergovernmental'' after ''Federal'';

(B) inserting in paragraph (1) ''(A)'' before ''any'' and by adding at the end the following new subparagraphs:

''(B) any bill or joint resolution that is reported by a committee, unless—

''(i) the committee has published a statement of the Director on the direct costs of Federal private sector mandates in accordance with section 423(f) before such consideration, except that this clause shall not apply to any supplemental statement prepared by the Director under section 424(d); or

''(ii) all debate has been completed under section 427(b)(4); and

''(C) any amendment, motion, or conference report, unless—

''(i) the Director has estimated, in writing, the direct costs of Federal private sector mandates before such consideration; or

''(ii) all debate has been completed under section 427(b)(4); and''.

Page 5, line 21, strike ''(A)'' and insert ''(C)'' and on line 24, strike ''(B)'' and insert ''(D)''.

Page 6, line 2, insert '', according to the estimate prepared by the Director under section 424(b)(1),'' before ''would''.

Page 6, line 10, insert ''unless all debate has been completed under section 427(b)(4),'' after ''exceeded''.

Page 7, line 1, strike ''(A)'' and strike lines 5 through 8.

Page 7, strike lines 9 through 18.

Page 7, line 19, strike ''(7)'' and insert ''(8)'' and after line 18, insert the following new paragraphs:

(6) TECHNICAL CHANGES.—(A) The centerheading of section 426 of the Congressional Budget Act of 1974 is amended by adding before the period the following: ''**REGARDING FEDERAL INTERGOVERNMENTAL MANDATES**''.

(B) Section 426 of the Congressional Budget Act of 1974 is amended by inserting ''regarding Federal intergovernmental mandates'' after ''section 425'' each place it appears.

(C) The item relating to section 426 in the table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting ''regarding Federal intergovernmental mandates'' before the period.

(7) FEDERAL PRIVATE SECTOR MANDATES.—(A) Part B of title IV of the Congressional Budget Act of 1974 is amended by redesignating sections 427 and 428 as sections 428 and 429, respectively, and by inserting after section 426 the following new section:

''SEC. 427. PROVISIONS RELATING TO THE HOUSE OF REPRESENTATIVES REGARDING FEDERAL PRIVATE SECTOR MANDATES.

''(a) ENFORCEMENT IN THE HOUSE OF REPRESENTATIVES.—It shall not be in order in the House of Representatives to consider a rule or order that waives the application of section 425 regarding Federal private sector mandates. A point of order under this subsection shall be disposed of as if it were a point of order under section 426(a).

''(b) DISPOSITION OF POINTS OF ORDER.—

''(1) APPLICATION TO THE HOUSE OF REPRESENTATIVES.—This subsection shall apply only to the House of Representatives.

''(2) THRESHOLD BURDEN.—In order to be cognizable by the Chair, a point of order under section 425 regarding Federal private sector mandates or subsection (a) of this section must specify the precise legislative language on which it is premised.

''(3) RULING OF THE CHAIR.—The Chair shall rule on points of order under section 425 regarding Federal private sector mandates or subsection (a) of this section. The Chair shall sustain the point of order only if the Chair determines that the criteria in section 425(a)(1)(B), 425(a)(1)(C), or 425(a)(2) have been met. Not more than one point of order with respect to the proposition that is the subject of the point of order shall be recognized by the Chair under section 425(a)(1)(B), 425(a)(1)(C), or 425(a)(2) regarding Federal private sector mandates.

''(4) DEBATE AND INTERVENING MOTIONS.—If the point of order is sustained, the costs and benefits of the measure that is subject to the point of order shall be debatable (in addition to any other debate time provided by the rule providing for consideration of the measure) for 10 minutes by each Member initiating a point of order and for 10 minutes by an opponent on each point of order. Debate shall commence without intervening motion except one that the House adjourn or that the Committee of the Whole rise, as the case may be.

''(5) EFFECT ON AMENDMENT IN ORDER AS ORIGINAL TEXT.—The disposition of the point of order under this subsection with respect to a bill or joint resolution shall be considered also to determine the disposition of the point of order under this subsection with respect to an amendment made in order as original text.''.

(B) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by redesignating sections 427 and 428 as sections 428 and 429, respectively, and by inserting after the item relating to section 426 the following new item:

''Sec. 427. Provisions relating to the house of representatives regarding federal private sector mandates.''.

Page 7, line 20, strike ''Section 427'' and insert ''Section 428 (as redesignated)''.

Page 9, after line 5, add the following new section:

SEC. 6. CONFORMING AMENDMENT.

Section 425(b) of the Congressional Budget Act of 1974 is amended by striking ''subsection(a)(2)(B)(iii)'' and inserting ''subsection (a)(3)(B)(iii)''.

It was decided in the negative ..... { Yeas ..... 210 / Nays 216

¶8.5 [Roll No. 15]

AYES—210

Abercrombie	Gephardt	Millender-McDonald
Ackerman	Gilchrest	Miller, George
Allen	Gilman	Minge
Andrews	Gonzalez	Mink
Baird	Green (TX)	Moakley
Baldacci	Greenwood	Moore
Baldwin	Gutierrez	Moran (VA)
Barcia	Hall (OH)	Morella
Barrett (WI)	Hastings (FL)	Nadler
Becerra	Hilliard	Napolitano
Bentsen	Hinchey	Neal
Bereuter	Hinojosa	Oberstar
Berkley	Hoeffel	Obey
Berman	Holden	Olver
Bilbray	Holt	Ortiz
Blagojevich	Hooley	Owens
Blumenauer	Horn	Pallone
Boehlert	Houghton	Pascrell
Bonior	Hoyer	Pastor
Borski	Inslee	Payne
Boswell	Jackson (IL)	Pelosi
Boucher	Jackson-Lee (TX)	Phelps
Brady (PA)	Jefferson	Pomeroy
Brown (CA)	Johnson (CT)	Porter
Brown (FL)	Johnson, E. B.	Price (NC)
Brown (OH)	Jones (OH)	Quinn
Capps	Kanjorski	Rahall
Capuano	Kaptur	Ramstad
Cardin	Kelly	Rangel
Castle	Kennedy	Reyes
Clay	Kildee	Rivers
Clayton	Kilpatrick	Rodriguez
Clyburn	Kind (WI)	Rothman
Cook	Kleczka	Roukema
Costello	Klink	Roybal-Allard
Coyne	Kucinich	Sabo
Crowley	LaFalce	Sanchez
Cummings	LaHood	Sanders
Davis (IL)	Lampson	Sawyer
DeFazio	Lantos	Saxton
DeGette	Larson	Scarborough
Delahunt	LaTourette	Schakowsky
DeLauro	Leach	Scott
Deutsch	Lee	Serrano
Dicks	Levin	Shays
Dingell	Lewis (GA)	Sherman
Dixon	Lipinski	Slaughter
Doggett	Lowey	Smith (MI)
Doyle	Luther	Smith (NJ)
Ehlers	Maloney (CT)	Smith (WA)
Engel	Markey	Snyder
Eshoo	Martinez	Stabenow
Etheridge	Mascara	Stark
Evans	Matsui	Strickland
Farr	McCarthy (MO)	Stupak
Fattah	McCarthy (NY)	Tauscher
Filner	McDermott	Taylor (MS)
Forbes	McGovern	Thompson (CA)
Ford	McKinney	Thompson (MS)
Frank (MA)	McNulty	Thurman
Franks (NJ)	Meehan	Tierney
Frelinghuysen	Meek (FL)	Towns
Frost	Meeks (NY)	Udall (CO)
Ganske	Menendez	Udall (NM)
Gejdenson		