

Upton	Watt (NC)	Wise
Velazquez	Waxman	Wolf
Vento	Weiner	Woolsey
Visclosky	Weldon (PA)	Wu
Walsh	Wexler	Wynn
Waters	Weygand	

NOES—216

Aderholt	Gibbons	Packard
Archer	Gillmor	Paul
Armey	Goode	Pease
Bachus	Goodlatte	Peterson (MN)
Baker	Goodling	Peterson (PA)
Ballenger	Gordon	Petri
Barr	Goss	Pickering
Barrett (NE)	Graham	Pickett
Bartlett	Granger	Pitts
Barton	Green (WI)	Pombo
Bass	Gutknecht	Portman
Bateman	Hall (TX)	Pryce (OH)
Berry	Hansen	Radanovich
Biggert	Hastert	Regula
Bilirakis	Hastings (WA)	Reynolds
Bishop	Hayes	Riley
Bliley	Hayworth	Roemer
Blunt	Hefley	Rogan
Boehner	Herger	Rogers
Bonilla	Hill (IN)	Rohrabacher
Bono	Hill (MT)	Ros-Lehtinen
Boyd	Hilleary	Royce
Brady (TX)	Hobson	Ryan (WI)
Bryant	Hoekstra	Ryun (KS)
Burr	Hostettler	Salmon
Burton	Hulshof	Sandlin
Buyer	Hunter	Sanford
Callahan	Hutchinson	Schaffer
Calvert	Hyde	Sensenbrenner
Camp	Istook	Sessions
Campbell	Jenkins	Shadegg
Canady	John	Shaw
Cannon	Johnson, Sam	Sherwood
Chabot	Jones (NC)	Shimkus
Chambliss	Kasich	Shows
Chenoweth	King (NY)	Shuster
Clement	Kingston	Simpson
Coble	Knollenberg	Sisisky
Coburn	Kolbe	Skeen
Collins	Kuykendall	Skelton
Combest	Largent	Smith (TX)
Condit	Latham	Souder
Cooksey	Lazio	Spence
Cox	Lewis (CA)	Stearns
Cramer	Lewis (KY)	Stenholm
Crane	Linder	Stump
Cubin	Livingston	Sununu
Cunningham	LoBiondo	Sweeney
Danner	Lucas (KY)	Talent
Davis (FL)	Lucas (OK)	Tancred
Davis (VA)	Manzullo	Tanner
Deal	McCollum	Tauzin
DeLay	McCrery	Taylor (NC)
DeMint	McHugh	Terry
Diaz-Balart	McInnis	Thomas
Dickey	McIntosh	Thornberry
Dooley	McIntyre	Thune
Doolittle	McKeon	Tiahrt
Dreier	Metcalf	Toomey
Duncan	Mica	Trafiacant
Dunn	Miller (FL)	Turner
Edwards	Miller, Gary	Walden
Ehrlich	Moran (KS)	Wamp
Emerson	Murtha	Watkins
English	Myrick	Watts (OK)
Everett	Nethercutt	Weldon (FL)
Fletcher	Ney	Weller
Foley	Northup	Whitfield
Fossella	Norwood	Wicker
Fowler	Nussle	Wilson
Gallely	Ose	Young (AK)
Gekas	Oxley	Young (FL)

NOT VOTING—8

Carson	Lofgren	Rush
Conyers	Maloney (NY)	Spratt
Ewing	Mollohan	

So the amendment was not agreed to. After some further time,

8.6 RECORDED VOTE

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

Page 6, line 10, after "exceeded" insert "or that would remove, prevent the imposition of, prohibit the use of appropriated funds to implement, or make less stringent any such

mandate established to protect human health, safety, or the environment".

Page 6, after line 10, insert the following new paragraph and renumber the succeeding paragraphs accordingly:

(4) MODIFICATION OR REMOVAL OF CERTAIN MANDATES.—(A) Section 424(b)(1) of such Act is amended by inserting "or if the Director finds the bill or joint resolution removes, prevents the imposition of, prohibits the use of appropriated funds to implement, or makes less stringent any Federal private sector mandate established to protect human health, safety, or the environment" after "such fiscal year" and by inserting "or identify any provision which removes, prevents the imposition of, prohibits the use of appropriated funds to implement, or makes less stringent any Federal private sector mandate established to protect human health, safety, or the environment" after "the estimate".

Page 6, lines 18, 20, 22, and 24, after "inter-governmental" insert "mandate" and after the closing quotation marks insert "and by inserting 'mandate or removing, preventing the imposition of, prohibiting the use of appropriated funds to implement, or making less stringent any such mandate established to protect human health, safety, or the environment'".

Page 6, line 23, strike "and".

Page 6, line 25, strike the period and insert "and".

Page 6, after line 25, insert the following:

(v) by striking "and" at the end of clause (iii), by striking the period at the end of clause (iv) and inserting "and" and by adding the following new clause after clause (iv):

"(v) any provision in a bill or resolution, amendment, conference report, or amendments in disagreement referred to in clause (i), (ii), (iii), or (iv) that prohibits the use of appropriated funds to implement any Federal private sector mandate established to protect human health, safety, or the environment."

Page 7, line 16, strike "one point" and insert "two points" and on line 18, insert after "(a)(2)" the following: "with only one point of order permitted for provisions which impose new Federal private sector mandates and only one point of order permitted for provisions which remove, prevent imposition of, prohibit the use of appropriated funds to implement, or make less stringent Federal private sector mandates."

It was decided in the { Yeas ..... 203 negative ..... } Nays ..... 216

8.7 [Roll No. 16] AYES—203

Abercrombie	Brown (OH)	Dooley
Ackerman	Campbell	Doyle
Allen	Capps	Edwards
Andrews	Capuano	Engel
Baird	Cardin	Eshoo
Baldacci	Castle	Etheridge
Baldwin	Clay	Evans
Barcia	Clayton	Farr
Barrett (WI)	Clyburn	Fattah
Becerra	Conyers	Filner
Bentsen	Costello	Forbes
Berman	Coyne	Ford
Bilbray	Crowley	Frank (MA)
Bishop	Cummings	Frost
Blagojevich	Davis (FL)	Gejdenson
Blumenauer	Davis (IL)	Gehardt
Boehler	DeFazio	Gilchrest
Bonior	DeGette	Gonzalez
Borski	DeLahunt	Green (TX)
Boswell	DeLauro	Gutierrez
Boucher	Deutsch	Hall (OH)
Boyd	Dicks	Hastings (FL)
Brady (PA)	Dingell	Hill (IN)
Brown (CA)	Dixon	Hilliard
Brown (FL)	Doggett	Hinchee

Hinojosa	McKinney	Sanders
Hoefel	McNulty	Sawyer
Holden	Meehan	Saxton
Holt	Meek (FL)	Scarborough
Hooley	Meeks (NY)	Schakowsky
Horn	Menendez	Scott
Hoyer	Millender-McDonald	Serrano
Inslee	Miller, George	Shays
Jackson (IL)	Minge	Sherman
Jackson-Lee (TX)	Mink	Shows
Jefferson	Moakley	Skelton
Johnson (CT)	Moore	Slaughter
Johnson, E. B.	Moran (VA)	Smith (NJ)
Kanjorski	Morella	Smith (WA)
Kaptur	Nadler	Snyder
Kelly	Napolitano	Stabenow
Kennedy	Neal	Stark
Kildee	Oberstar	Strickland
Kilpatrick	Obey	Stupak
Kind (WI)	Olver	Tauscher
Klecza	Ortiz	Taylor (MS)
Kucinich	Owens	Thompson (CA)
LaFalce	Pallone	Thompson (MS)
Lampson	Pascrell	Thurman
Lantos	Pastor	Tierney
Larson	Payne	Towns
Lazio	Pelosi	Udall (CO)
Leach	Peterson (MN)	Udall (NM)
Lee	Phelps	Velazquez
Levin	Pomeroy	Vento
Lewis (GA)	Price (NC)	Visclosky
Lipinski	Rahall	Waters
Lowe	Ramstad	Watt (NC)
Luther	Rangel	Waxman
Maloney (CT)	Reyes	Weiner
Markey	Rivers	Weldon (PA)
Martinez	Rodriguez	Wexler
Mascara	Roemer	Weygand
Matsui	Rothman	Wise
McCarthy (MO)	Roukema	Woolsey
McCarthy (NY)	Roybal-Allard	Wu
McDermott	Sabo	Wynn
McGovern	Sanchez	

NOES—216

Aderholt	Dunn	Kolbe
Archer	Ehlers	Kuykendall
Armey	Ehrlich	LaHood
Baker	Emerson	Largent
Ballenger	English	Latham
Barr	Everett	LaTourette
Barrett (NE)	Ewing	Lewis (CA)
Bartlett	Fletcher	Lewis (KY)
Barton	Foley	Linder
Bass	Fossella	Livingston
Bateman	Fowler	LoBiondo
Bereuter	Franks (NJ)	Lucas (KY)
Berry	Frelinghuysen	Lucas (OK)
Biggert	Gallegly	Manzullo
Bilirakis	Ganske	McCollum
Bliley	Gekas	McCrery
Blunt	Gibbons	McHugh
Boehner	Gillmor	McInnis
Bonilla	Gilman	McIntosh
Bono	Goode	McIntyre
Bryant	Goodlatte	McKeon
Burr	Goodling	Metcalf
Burton	Gordon	Mica
Buyer	Goss	Miller (FL)
Callahan	Graham	Miller, Gary
Calvert	Granger	Mollohan
Camp	Green (WI)	Moran (KS)
Canady	Greenwood	Murtha
Cannon	Gutknecht	Myrick
Chabot	Hall (TX)	Nethercutt
Chambliss	Hansen	Ney
Chenoweth	Hastings (WA)	Northup
Clement	Hayes	Norwood
Coble	Hayworth	Nussle
Coburn	Hefley	Ose
Collins	Herger	Oxley
Combest	Hill (MT)	Packard
Condit	Hilleary	Paul
Cook	Hobson	Pease
Cooksey	Hoekstra	Peterson (PA)
Cox	Hostettler	Petri
Cramer	Houghton	Pickering
Crane	Hulshof	Pickett
Cubin	Hunter	Pombo
Cunningham	Hutchinson	Porter
Danner	Hyde	Portman
Deal	Istook	Pryce (OH)
DeLay	Jenkins	Quinn
DeMint	John	Radanovich
Diaz-Balart	Johnson, Sam	Regula
Dickey	Kasich	Reynolds
Doolittle	King (NY)	Riley
Dreier	Kingston	Rogan
Duncan	Knollenberg	Rogers

Rohrabacher	Skeen	Thune
Ros-Lehtinen	Smith (MI)	Tiahrt
Royce	Smith (TX)	Toomey
Ryan (WI)	Souder	Trafficant
Ryun (KS)	Spence	Turner
Salmon	Stearns	Upton
Sandlin	Stenholm	Walden
Sanford	Stump	Walsh
Schaffer	Sununu	Wamp
Sensenbrenner	Sweeney	Watkins
Sessions	Talent	Weldon (FL)
Shadegg	Tancredo	Weller
Shaw	Tanner	Whitfield
Sherwood	Tauzin	Wicker
Shimkus	Taylor (NC)	Wilson
Shuster	Terry	Wolf
Simpson	Thomas	Young (AK)
Sisisky	Thornberry	Young (FL)

**NOT VOTING—14**

Bachus	Jones (NC)	Pitts
Berkley	Jones (OH)	Rush
Brady (TX)	Klink	Spratt
Carson	Lofgren	Watts (OK)
Davis (VA)	Maloney (NY)	

So the amendment was not agreed to. After some further time, The SPEAKER pro tempore, Mr. KOLBE, assumed the Chair.

When Mr. LAHOOD, Acting Chairman, pursuant to House Resolution 36, 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 "Mandates Information Act of 1999".

**SEC. 2. FINDINGS.**

The Congress finds the following:

(1) Before acting on proposed private sector mandates, the Congress should carefully consider the effects on consumers, workers, and small businesses.

(2) The Congress has often acted without adequate information concerning the costs of private sector mandates, instead focusing only on the benefits.

(3) The implementation of the Unfunded Mandates Reform Act of 1995 has resulted in increased awareness of intergovernmental mandates without impacting existing environmental, public health, or safety laws or regulations.

(4) The implementation of this Act will enhance the awareness of prospective mandates on the private sector without adversely affecting existing environmental, public health, or safety laws or regulations.

(5) The costs of private sector mandates are often borne in part by consumers, in the form of higher prices and reduced availability of goods and services.

(6) The costs of private sector mandates are often borne in part by workers, in the form of lower wages, reduced benefits, and fewer job opportunities.

(7) The costs of private sector mandates are often borne in part by small businesses, in the form of hiring disincentives and stunted growth.

**SEC. 3. PURPOSES.**

The purposes of this Act are the following:

(1) To improve the quality of the Congress' deliberation with respect to proposed mandates on the private sector, by—

(A) providing the Congress with more complete information about the effects of such mandates; and

(B) ensuring that the Congress acts on such mandates only after focused deliberation on the effects.

(2) To enhance the ability of the Congress to distinguish between private sector mandates that harm consumers, workers, and small businesses, and mandates that help those groups.

**SEC. 4. FEDERAL PRIVATE SECTOR MANDATES.**

(a) IN GENERAL.—

(1) ESTIMATES.—Section 424(b)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 658c(b)(2)) is amended—

(A) in subparagraph (A) by striking "and" after the semicolon; and

(B) by redesignating subparagraph (B) as subparagraph (C), and inserting after subparagraph (A) the following:

"(B) when applicable, the impact (including any disproportionate impact in particular regions or industries) on consumers, workers, and small businesses, of the Federal private sector mandates in the bill or joint resolution, including—

"(i) an analysis of the effect of the Federal private sector mandates in the bill or joint resolution on consumer prices and on the actual supply of goods and services in consumer markets;

"(ii) an analysis of the effect of the Federal private sector mandates in the bill or joint resolution on worker wages, worker benefits, and employment opportunities; and

"(iii) an analysis of the effect of the Federal private sector mandates in the bill or joint resolution on the hiring practices, expansion, and profitability of businesses with 100 or fewer employees; and"

(2) POINT OF ORDER.—Section 424(b)(3) of the Congressional Budget Act of 1974 (2 U.S.C. 658c(b)(3)) is amended by adding after the period the following: "If such determination is made by the Director, a point of order under this part shall lie only under section 425(a)(1) and as if the requirement of section 425(a)(1) had not been met."

(3) THRESHOLD AMOUNTS.—Section 425(a) of the Congressional Budget Act of 1974 (2 U.S.C. 658d(a)) is amended by—

(A) striking "and" after the semicolon at the end of paragraph (1) and redesignating paragraph (2) as paragraph (3); and

(B) inserting after paragraph (1) the following new paragraph:

"(2) any bill, joint resolution, amendment, motion, or conference report that would increase the direct costs of Federal private sector mandates (excluding any direct costs that are attributable to revenue resulting from tax or tariff provisions of any such measure if it does not raise net tax and tariff revenues over the 5-fiscal-year period beginning with the first fiscal year such measure affects such revenues) by an amount that causes the thresholds specified in section 424(b)(1) to be exceeded; and"

(4) APPLICATION RELATING TO APPROPRIATIONS COMMITTEES.—(A) Section 425(c)(1)(A) of the Congressional Budget Act of 1974 (2 U.S.C. 658d(c)(1)(A)) is amended by striking "except".

(B) Section 425(c)(1)(B) of the Congressional Budget Act of 1974 (2 U.S.C. 658d(c)(1)(B)) is amended—

(i) in clause (i) by striking "intergovernmental";

(ii) in clause (ii) by striking "intergovernmental";

(iii) in clause (iii) by striking "intergovernmental"; and

(iv) in clause (iv) by striking "intergovernmental".

(5) THRESHOLD BURDEN.—(A) Section 426(b)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 658e(b)(2)) is amended by inserting "legislative" before "language".

(B) Section 426(b)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 658e(b)(2)) is amended by striking "section 425 or subsection (a) of this section" and inserting "part B".

(6) QUESTION OF CONSIDERATION.—(A) Section 426(b)(3) of the Congressional Budget Act of 1974 (2 U.S.C. 658e(b)(3)) is amended by striking "section 425 or subsection (a) of this section" and inserting "part B".

(B) Section 426(b)(3) of the Congressional Budget Act of 1974 (2 U.S.C. 658e(b)(3)) is amended by inserting " , except that not more than one point of order shall be recognized by the Chair under section 425(a)(1) or (a)(2)" before the period.

(7) APPLICATION RELATING TO CONGRESSIONAL BUDGET OFFICE.—Section 427 of the Congressional Budget Act of 1974 (2 U.S.C. 658f) is amended by striking "intergovernmental".

(b) RULES OF THE HOUSE OF REPRESENTATIVES.—Clause 11(b) of rule XVIII of the Rules of the House of Representatives is amended by striking "intergovernmental" and by striking "section 424(a)(1)" and inserting "section 424 (a)(1) or (b)(1)".

(c) EXERCISE OF RULEMAKING POWERS.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it shall be considered as part of the rules of such House, respectively, and shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of each House.

**SEC. 5. FEDERAL INTERGOVERNMENTAL MANDATE.**

Section 421(5)(B) of the Congressional Budget Act of 1974 (2 U.S.C. 658(5)(B)) is amended—

(1) by striking "the provision" after "if";

(2) in clause (i)(I) by inserting "the provision" before "would";

(3) in clause (i)(II) by inserting "the provision" before "would"; and

(4) in clause (ii)—

(A) by inserting "that legislation, statute, or regulation does not provide" before "the State"; and

(B) by striking "lack" and inserting "new or expanded".

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. KOLBE, announced that the yeas had it.

Mr. LINDER demanded a recorded vote on passage of said bill, 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 ..... 274 affirmative ..... } Nays ..... 149

¶ 8.8 [Roll No. 17] AYES—274

Aderholt	Bentsen	Bryant
Archer	Bereuter	Burr
Armey	Berry	Burton
Bachus	Biggert	Buyer
Baker	Billirakis	Callahan
Ballenger	Bishop	Calvert
Barcia	Bliley	Camp
Barr	Blunt	Campbell
Barrett (NE)	Boehner	Canady
Bartlett	Bonilla	Cannon
Barton	Bono	Capps
Bass	Boswell	Castle
Bateman	Boyd	Chabot