

onics Computers, as Installed in, but not Limited to, Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-145 Series Airplanes [Docket No. 98-NM-142-AD; Amendment 39-10979; AD 99-01-14] (RIN: 2120-AA64) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); and to the Committee on Transportation and Infrastructure.

516. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A340-211, -212, -213, -311, -312, and -313 Series Airplanes [Docket No. 98-NM-297-AD; Amendment 39-10980; AD 99-01-15] (RIN: 2120-AA64) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

517. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. 98-NM-07-AD; Amendment 39-10978; AD 99-01-13] (RIN: 2120-AA64) received January 27, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9.3 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

9.4 PROVIDING FOR THE CONSIDERATION OF H.R. 391

Mr. REYNOLDS, by direction of the Committee on Rules, called up the following resolution (H. Res. 42):

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. 391) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements, to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses, 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 section 303 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 Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. 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.

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. REYNOLDS, 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.

9.5 SMALL BUSINESS PAPERWORK

REDUCTION ACT AMENDMENTS OF 1999

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to House Resolution 42 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. 391) to amend chapter 35 of title 44, United States Code, for the purpose of facilitating compliance by small businesses with certain Federal paperwork requirements, to establish a task force to examine the feasibility of streamlining paperwork requirements applicable to small businesses, and for other purposes.

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

9.6 RECORDED VOTE

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

Page 4, strike line 1 and all that follows through page 6, line 24, and insert the following:

“(B) establish a policy or program for eliminating, delaying, and reducing civil fines in appropriate circumstances for first-time violations by small entities (as defined in section 601 of title 5, United States Code) of requirements regarding collection of information. Such policy or program shall take into account—

“(i) the nature and seriousness of the violation, including whether the violation was technical or inadvertent, involved willful or criminal conduct, or has caused or threatens to cause harm to—

“(I) the health and safety of the public;

“(II) consumer, investor, worker, or pension protections; or

“(III) the environment;

“(ii) whether there has been a demonstration of good faith effort by the small entity to comply with applicable laws, and to remedy the violation within the shortest practicable period of time;

“(iii) the previous compliance history of the small entity, including whether the entity, its owner or owners, or its principal officers have been subject to past enforcement actions;

“(iv) whether the small entity has obtained a significant economic benefit from the violation; and

(v) any other factors considered relevant by the head of the agency;

“(C) not later than 6 months after the date of the enactment of the Small Business Pa-

perwork Reduction Act Amendments of 1999, revise the policies of the agency to implement subparagraph (B); and

“(D) not later than 6 months after the date of the enactment of such Act, submit to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate a report that describes the policy or program implemented under subparagraph (B).

“(2) For purposes of paragraphs (1)(B) through (1)(D), the term ‘agency’ does not include the Internal Revenue Service.”

It was decided in the { Yeas 210 negative } Nays 214

9.7 [Roll No. 19] AYES—210

Table with 3 columns: Name, State, Name. Lists members of the House of Representatives who voted 'AYES' on H.R. 391, including Abercrombie, Ackerman, Allen, Andrews, Baird, Baldacci, Baldwin, Barcia, Barrett (WI), Becerra, Bentsen, Berkley, Berman, Berry, Bilbray, Bishop, Blagojevich, Blumenauer, Boehlert, Bonior, Borski, Boswell, Boucher, Brady (PA), Brown (CA), Brown (FL), Brown (OH), Capps, Capuano, Cardin, Carson, Chabot, Clay, Clayton, Clement, Clyburn, Condit, Conyers, Costello, Coyne, Crowley, Cummings, Davis (FL), Davis (IL), DeFazio, DeGette, Delahunt, DeLauro, Deutsch, Diaz-Balart, Dicks, Dingell, Dixon, Doggett, Dooley, Doyle, Edwards, Engel, Eshoo, Etheridge, Evans, Farr, Fattah, Filner, Ford, Frank (MA), Frost, Gephardt, Gilman, Gonzalez, Gordon, Green (TX), Gutierrez, Hall (OH), Hastings (FL), Hill (IN), Hilliard, Hinchey, Hinojosa, Hoeffel, Holden, Holt, Hooley, Hoyer, Inslee, Jackson (IL), Jackson-Lee (TX), Jefferson, Johnson (CT), Johnson, E.B., Jones (OH), Kanjorski, Kaptur, Kennedy, Kildee, Kilpatrick, Kind (WI), King (NY), Kleczka, Klink, Kucinich, LaFalce, Lampson, Larson, Lazio, Lee, Levin, Lewis (GA), Lipinski, Lowey, Lucas (KY), Luther, Maloney (CT), Markey, Martinez, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McDermott, McGovern, McIntyre, McKinney, McNulty, Meehan, Meek (FL), Meeke (NY), Menendez, Millender-McDonald, Miller, George, Minge, Mink, Moakley, Moore, Moran (VA), Morella, Murtha, Nadler, Napolitano, Neal, Oberstar, Obey, Olver, Ortiz, Owens, Pallone, Pascrell, Pastor, Payne, Pelosi, Peterson (MN), Phelps, Pickett, Pomeroy, Price (NC), Quinn, Rahall, Rangel, Reyes, Rivers, Rodriguez, Roemer, Ros-Lehtinen, Rothman, Roybal-Allard, Sabo, Sanchez, Sanders, Sandlin, Sawyer, Schakowsky, Scott, Serrano, Shays, Sherman, Shows, Skelton, Slaughter, Smith (WA), Snyder, Spratt, Stabenow, Stark, Strickland, Stupak, Tanner, Tauscher, Thompson (CA), Thompson (MS), Thurman, Tierney, Towns, Traficant, Turner, Udall (CO), Udall (NM), Velazquez, Vento, Visclosky, Waters, Watt (NC), Waxman, Weiner, Weldon (PA), Waxler, Weygand, Wise, Woolsey, Wu, Wynn

NOES—214

Table with 3 columns: Name, Name, Name. Lists members of the House of Representatives who voted 'NOES' on H.R. 391, including Aderholt, Archer, Arney, Bachus, Baker, Ballenger, Barr, Barrett (NE), Bartlett, Barton, Bass, Bateman, Bereuter, Biggert, Bilirakis, Bliley, Blunt, Boehner