

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, Roll No. 19, and AYES-210. Lists names of members such as 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), Wexler, Weygand, Wise, Woolsey, Wu, Wynn, Aderholt, Archer, Arney, Bachus, Baker, Ballenger, Barr, Barrett (NE), Bartlett, Barton, Bass, Bateman, Bereuter, Biggert, Bilirakis, Bliley, Blunt, Boehner

Bonilla
Bono
Boyd
Bryant
Burr
Burton
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (VA)
Deal
DeLay
DeMint
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Fletcher
Foley
Forbes
Fossella
Fowler
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrist
Gillmor
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Green (WI)
Greenwood
Gutknecht
Hall (TX)
Hansen

Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hill (MT)
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Istook
Jenkins
John
Johnson, Sam
Jones (NC)
Kasich
Kelly
Kingston
Knollenberg
Kuykendall
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas (OK)
Manzullo
McCollum
McCrery
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Myrick
Nethercutt
Ney
Northup
Norwood
Nussle
Ose
Oxley
Packard
Paul
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter

Portman
Pryce (OH)
Radanovich
Ramstad
Regula
Reynolds
Riley
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Sisisky
Skeem
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Tiahrt
Toomey
Trafiacant
Turner
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Young (AK)
Young (FL)

Page 6, line 13, strike "an imminent and substantial danger" and insert "a danger".

Page 8, after line 24, insert the following:
“(6) At least two representatives of the Department of Health and Human Services, including one representative of the Health Care Financing Administration.

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. LAHOOD, announced that the yeas had it.

Mr. KUCINICH 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 151

¶9.8 [Roll No. 20]
AYES—274

Aderholt
Archer
Arney
Bachus
Baker
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berkley
Berry
Biggett
Billbray
Bilirakis
Bishop
Bilely
Blunt
Boehner
Bohner
Bonilla
Bono
Boswell
Boyd
Bryant
Burr
Burton
Callahan
Calvert
Camp
Canady
Cannon
Capps
Cardin
Castle
Chabot
Chambliss
Chenoweth
Clement
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Cox
Cramer
Crane
Cubin
Cunningham
Danner
Davis (FL)
Davis (VA)
Deal
Delahunt
DeLay
DeMint
Diaz-Balart
Dickey
Dooley
Doolittle
Doyle

Regula
Reynolds
Riley
Rivers
Roemer
Rogan
Rogers
Rohrabacher
Roukema
Royce
Ryan (WI)
Ryun (KS)
Salmon
Sanchez
Sandlin
Sanford
Saxton
Scarborough
Schaffer
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shows

Shuster
Simpson
Sisisky
Skeen
Skelton
Smith (MI)
Smith (TX)
Smith (WA)
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stump
Sununu
Sweeney
Talent
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas

Thornberry
Thune
Tiahrt
Toomey
Trafiacant
Turner
Upton
Walden
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Weygand
Whitfield
Wicker
Wilson
Wise
Wolf
Wu
Young (AK)
Young (FL)

NOES—151
Abercrombie
Ackerman
Allen
Andrews
Baird
Baldacci
Baldwin
Barrett (WI)
Becerra
Bentsen
Berman
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boucher
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Capuano
Carson
Clay
Clayton
Clyburn
Conyers
Costello
Coyne
Crowley
Cummings
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Engel
Eshoo
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gejdenson
Gephardt

Gonzalez
Green (TX)
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Hoeffel
Holt
Hooley
Hoyer
Insole
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson, E. B.
Kanjorski
Kennedy
Kildee
Kilpatrick
Kleccka
Klink
Kucinich
LaFalce
Lampson
Larson
Lee
Levin
Lewis (GA)
Lipinski
Lowe
Maloney (CT)
Markey
Martinez
Mascara
Matsui
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Miller, George
Mink
Moakley
Morella
Nadler

Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascarell
Pastor
Payne
Pelosi
Phelps
Quinn
Rahall
Rangel
Reyes
Rodriguez
Ros-Lehtinen
Rothman
Roybal-Allard
Sabo
Sanders
Sawyer
Schakowsky
Scott
Serrano
Shays
Sherman
Slaughter
Smith (NJ)
Snyder
Stark
Strickland
Stupak
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Udall (CO)
Udall (NM)
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Weiner
Wexler
Woolsey
Wynn

NOT VOTING—10
Brady (TX)
Buyer
Gejdenson
Herger

Hyde
Kolbe
Lantos
Lofgren

Maloney (NY)
Rush

So the amendment was not agreed to.
The SPEAKER pro tempore, Mr. LAHOOD, assumed the Chair.

When Mr GUTKNECHT, Acting Chairman, pursuant to House Resolution 42, 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:

Page 4, beginning on line 8, strike "caused actual serious harm to the public" and insert "the potential to cause serious harm to the public interest".

Page 5, beginning on line 1, strike "an imminent and substantial danger" and insert "a danger".

Page 5, line 6, strike "an imminent and substantial danger" and insert "a danger".

NOT VOTING—8
Brady (TX)
Buyer
Hyde

Kolbe
Lantos
Lofgren

Maloney (NY)
Rush

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

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

¶9.9 MESSAGE FROM THE PRESIDENT—
EMIGRATION LAWS AND POLICIES OF
MONGOLIA

The SPEAKER pro tempore, Mr. GUTKNECHT, laid before the House a