

H. Res. 79: Mr. LAHOOD, Mr. DAVIS of Illinois, Mr. WELLER, Mr. SHOWS, and Mr. JACKSON of Illinois.

### WEDNESDAY, MARCH 3, 1999 (16)

The House was called to order by the SPEAKER.

#### ¶16.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, March 2, 1999.

Pursuant to clause 1, rule I, the Journal was approved.

#### ¶16.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XIV, were referred as follows:

846. A letter from the Secretary of the Navy, transmitting certification that the Department of the Navy has converted the Fisher House Trust Fund to a non-appropriated fund instrumentality (NAFI); to the Committee on Armed Services.

847. A letter from the Secretary of Defense, transmitting a report containing information on the retention of members of the Armed Forces; to the Committee on Armed Services.

848. A letter from the Principal Deputy, Under Secretary of Defense, transmitting the annual report on operations of the National Defense Stockpile; to the Committee on Armed Services.

849. A communication from the President of the United States, transmitting a copy of Presidential Determination No. 98-36: Exempting the United States Air Force's operating location near Groom Lake, Nevada, from any Federal, State, interstate, or local hazardous or solid waste laws that might require the disclosure of classified information concerning that operating location to unauthorized persons, pursuant to 42 U.S.C. 6961; to the Committee on Commerce.

850. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Re-issue of the Early Planning Guidance for the Revised Ozone and Particulate Matter (PM) National Ambient Air quality Standards (NAAQS)—received February 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

851. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Quality Assurance Guidance Document 2.12—Monitoring PM 2.5 in Ambient Air Using Designated Reference of Class I Equivalent Methods—received February 17, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

852. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a report on the nondisclosure of Safeguards Information for the calendar year quarter beginning October 1 and extending through December 31, 1998, pursuant to 42 U.S.C. 2167(e); to the Committee on Commerce.

853. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Spent Fuel Heat Generation in an Independent Spent Fuel Storage Installation—received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

854. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Policy and Procedure for NRC En-

forcement Actions; Revised Treatment of Severity Level IV Violations at Power Reactors [NUREG-1600, Rev. 1] received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

855. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule—OTC Derivatives Dealers [Release No. 34-40594; File No. S7-30-97] (RIN: 3235-AH16) received February 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

856. A letter from the Secretary of Commerce, transmitting the Bureau of Export Administration's "Annual Report for Fiscal Year 1998" and the "1999 Foreign Policy Export Controls Report," pursuant to 50 U.S.C. app. 2413; to the Committee on International Relations.

857. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Exports of High Performance Computers under License Exception CTP [Docket No. 981208298-8298-01] (RIN: 0694-AB82) received January 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

858. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Revisions to the Commerce Control List: Changes in Missile Technology Controls [Docket No. 990112008-9008-01] (RIN: 0694-AB75) received February 9, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

859. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates—received February 1, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

860. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-574, "Home Purchase Assistance Step Up Fund Act of 1998" received February 23, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

861. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-580, "Equal Opportunity for Local, Small, and Disadvantaged Business Enterprises Act of 1998" received February 23, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

862. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-629, "TANF-related Medicaid Managed Care Program Technical Clarification Temporary Amendment Act of 1999" received February 23, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

863. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-576, "Closing of a Public Alley in Square 371, S.O. 96-202, Act of 1998" received February 23, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

864. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-586, "Sex Offender Registration Risk Assessment Clarification Amendment Act of 1998" received February 23, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

865. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-628, "Advisory Neighborhood Commissions Management Control and Funding Temporary Amendment Act of 1999" received February 23, 1999, pursuant to D.C.

Code section 1-233(c)(1); to the Committee on Government Reform.

866. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-607, "Health Benefits Plan Members Bill of Rights Act of 1998" received February 23, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

867. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-397, "Establishment of Council Contract Review Criteria, Alley Closing, Budget Support, and Omnibus Regulatory Reform Amendment Act of 1998" received February 23, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

868. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-380, "Assault on an Inspector or Investigator and Revitalization Corporation Amendment Act of 1998" received February 23, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

869. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-633 "Closing of Public Alleys in Square 51, S.O. 98-145, Temporary Act of 1999" received February 23, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

870. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-632 "Bethesda-Welch Post 7284, Veterans of Foreign Wars Equitable Real Property Tax Relief Temporary Act of 1999" received February 23, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

871. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-631, "Annuitants' Health and Life Insurance Employer Contribution Temporary Amendment Act of 1999" received February 23, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

872. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 12-609, "Comprehensive Plan Amendment Act of 1998" received February 23, 1999, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

873. A letter from the Senior Vice President and Chief Financial Officer, Potomac Electric Power Company, transmitting a copy of the Balance Sheet of Potomac Electric Power Company as of December 31, 1998, pursuant to D.C. Code section 43-513; to the Committee on Government Reform.

874. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's report for fiscal year 1998 listing the number of appeals submitted, the number processed to completion, and the number not completed by the originally announced date, pursuant to 5 U.S.C. 7701(i)(2); to the Committee on Government Reform.

875. A letter from the Director, Office of Insular Affairs, Department of the Interior, transmitting the fourth annual report on the Federal-CNMI Initiative on Labor, Immigration, and Law Enforcement; to the Committee on Resources.

876. A letter from the Secretary, Judicial Conference of the United States, transmitting a request on behalf of the Judicial Conference of the United States that Congress approve the consolidation of the office of the bankruptcy clerk and the office of the district clerk of court in the Southern District of West Virginia; to the Committee on the Judiciary.

877. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Magnetic Levi-

tation Transportation Technology Deployment Program [FRA Docket No. FRA-95-4545; Notice No. 2] (RIN: 2130-AB29) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

878. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Policy and Procedures Concerning the Use of Airport Revenue [Docket No. 28472] (RIN: 2120-AG01) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

879. A letter from the Director, Office of Regulations Management, Office of General Counsel, Department of Veterans Affairs, transmitting the Department's final rule—Board of Veterans' Appeals: Rules of Practice—Notification of Representatives in Connection with Motions for Revision of Decisions on Grounds of Clear and Unmistakable Error (RIN: 2900-AJ75) received February 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

880. A letter from the Senior Attorney, Federal Register Certifying Officer, Financial Management Service, transmitting the Service's final rule—Acceptance of BONDS Secured By Government Obligations in Lieu of BONDS with Sureties (RIN: 1510-AA36) received January 26, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

881. A letter from the Director, Congressional Budget Office, transmitting CBO's Sequestration Update Report for Fiscal Year 2000, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-587); jointly to the Committees on Appropriations and the Budget.

882. A letter from the Deputy Under Secretary of Defense (Environmental Security), Department of Defense, transmitting a report listing all military installations where an integrated natural resources management plan is not appropriate; jointly to the Committees on Armed Services and Resources.

883. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report entitled "Satellite Controls Under the United States Munitions List"; jointly to the Committees on Armed Services and International Relations.

884. A letter from the Secretary of Labor, transmitting a report entitled "Pension Plans for Professional Boxers"; jointly to the Committees on Education and the Workforce and Commerce.

### ¶16.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 314. An Act to provide for a loan guarantee program to address the Year 2000 computer problems of small business concerns, and for other purposes.

S. 447. An Act to deem as timely filed, and process for payment, the applications submitted by the Dodson School Districts for certain Impact Aid payments for fiscal year 1999.

The message also announced that pursuant to section 4355(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the United States Military Academy—

the Senator from Pennsylvania (Mr. SANTORUM), from the Committee on Armed Services; and

the Senator from Texas (Mrs. HUTCHISON), from the Committee on Appropriations.

The message also announced that pursuant to section 6968(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the United States Naval Academy—

the Senator from Arizona (Mr. MCCAIN), from the Committee on Armed Services; and

the Senator from Mississippi (Mr. COCHRAN), from the Committee on Appropriations.

The message also announced that pursuant to section 9355(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the United States Air Force Academy—

the Senator from Colorado (Mr. ALLARD), from the Committee on Armed Services; and

the Senator from Montana (Mr. BURNS), from the Committee on Appropriations.

The message also announced that pursuant to Public Law 94-304, as amended by Public Law 99-7, the Chair, on behalf of the Vice President, appoints the following Senators to the Commission on Security and Cooperation in Europe (Helsinki)—

the Senator from Texas (Mrs. HUTCHISON);

the Senator from Michigan (Mr. ABRAHAM); and

the Senator from Kansas (Mr. BROWNBACK).

### ¶16.4 PROVIDING FOR THE CONSIDERATION OF H.R. 603

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 85):

*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. 603) to amend title 49, United States code, to clarify the application of the Act popularly known as the "Death on the High Seas Act" to aviation incidents. The first reading of the bill shall be dispensed with. 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. Each section of 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 post-

poned 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. HASTINGS of Washington, 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.

### ¶16.5 PROVIDING FOR THE CONSIDERATION OF H.R. 661

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 86):

*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. 661) to direct the Secretary of Transportation to prohibit the commercial operation of supersonic transport category aircraft that do not comply with stage 3 noise levels if the European Union adopts certain aircraft noise regulations. 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 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. 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.