

tation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Cape Fear River, Wilmington, North Carolina [CGD 05-98-106] (RIN: 2115-AE46) received April 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1707. A letter from the Chief, Regs and Admin Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations; City of Augusta, GA [CGD07-98-068] (RIN: 2115-AE46) received April 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1708. A letter from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC-10 Series Airplanes and KC-10 (Military) Airplanes [Docket No. 98-NM-197-AD; Amendment 39-11131; AD 99-08-22] (RIN: 2120-AA64) received April 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1709. A letter from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Puritan-BENNETT Aero Systems Company C351-2000 Series Passenger Oxygen Masks and Portable Oxygen Masks [Docket No. 98-CE-29-AD; Amendment 39-11130; AD 99-08-21] (RIN: 2120-AA64) received April 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1710. A letter from the Program Support Specialist, Aircraft Certification Service, Federal Aviation Administration, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech Models 1900, 1900C, and 1900D Airplanes [Docket No. 96-CE-60-AD; Amendment 39-11129; AD 97-15-13 R2] (RIN: 2120-AA64) received April 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1711. A letter from the Chief, Regulations Unit, Customs Service, transmitting the Service's final rule—Withdrawal of International Airport Designation of Akron Fulton Airport [T.D. 99-40] received April 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

37.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the Committee of Conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 800) "An Act to provide for education flexibility partnerships."

37.4 EMERGENCY SUPPLEMENTAL APPROPRIATIONS FY 1999

On motion of Mr. YOUNG of Florida, by unanimous consent, the bill (H.R. 1141) making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. YOUNG of Florida, it was,

Resolved, That the House disagree to the amendment of the Senate and

agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

37.5 MOTION TO INSTRUCT CONFEREES—H.R. 1141

Mr. OBEY moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on H.R. 1141 making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes, be instructed to disagree with the across the board reduction of funds appropriated with an emergency designation in division B of Public Law 105-277 in the Senate amendment, having the effect of reducing by 44 percent funds made available for counter drug activities, antiterrorism programs including security enhancements at U.S. embassies, Y2K computer upgrades, Plutonium disposition and Uranium purchase, the Coast Guard, Domestic Disaster Assistance, Child Survival, and other emergencies.

After debate, By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce, Will the House agree to said motion?

The SPEAKER pro tempore, Mrs. EMERSON, announced that the yeas had it.

Mr. OBEY objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present, The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas ..... 414  
Nays ..... 0

37.6 [Roll No. 96] YEAS—414

Abercrombie	Boehlert	Collins
Ackerman	Boehner	Combest
Aderholt	Bonior	Condit
Allen	Bono	Conyers
Andrews	Borski	Cook
Archer	Boswell	Cooksey
Armey	Boucher	Costello
Bachus	Boyd	Cox
Baird	Brady (PA)	Coyne
Baker	Brady (TX)	Cramer
Baldacci	Brown (OH)	Crane
Baldwin	Bryant	Crowley
Ballenger	Burr	Cubin
Barcia	Burton	Cummings
Barr	Buyer	Cunningham
Barrett (NE)	Callahan	Danner
Barrett (WI)	Calvert	Davis (FL)
Bartlett	Camp	Davis (IL)
Barton	Campbell	Davis (VA)
Bass	Canady	Deal
Bateman	Cannon	DeFazio
Becerra	Capps	DeGette
Bentsen	Capuano	Delahunt
Bereuter	Cardin	DeLauro
Berkley	Carson	DeLay
Berman	Castle	DeMint
Berry	Chabot	Deutsch
Biggett	Chambliss	Diaz-Balart
Bilbray	Chenoweth	Dickey
Bilirakis	Clay	Dicks
Bishop	Clayton	Dingell
Blagojevich	Clement	Dixon
Bliley	Clyburn	Doggett
Blumenauer	Coble	Dooley
Blunt	Coburn	Doolittle

Doyle	Klink	Quinn
Dreier	Knollenberg	Ramstad
Duncan	Kolbe	Rangel
Dunn	Kucinich	Regula
Edwards	Kuykendall	Reyes
Ehlers	LaFalce	Reynolds
Ehrlich	LaHood	Riley
Emerson	Lampson	Rivers
English	Lantos	Rodriguez
Eshoo	Largent	Roemer
Etheridge	Larson	Rogan
Evans	Latham	Rogers
Everett	LaTourette	Rohrabacher
Ewing	Lazio	Ros-Lehtinen
Farr	Leach	Rothman
Fattah	Lee	Roukema
Filner	Levin	Roybal-Allard
Fletcher	Lewis (CA)	Royce
Foley	Lewis (KY)	Rush
Forbes	Lipinski	Ryan (WI)
Fossella	LoBiondo	Ryun (KS)
Fowler	Lofgren	Sabo
Frank (MA)	Lowey	Salmon
Franks (NJ)	Lucas (KY)	Sanchez
Frelinghuysen	Lucas (OK)	Sanders
Frost	Luther	Sandlin
Gallegly	Maloney (CT)	Sanford
Ganske	Maloney (NY)	Sawyer
Gejdenson	Manzullo	Scarborough
Gekas	Markey	Schaffer
Gephardt	Martinez	Schakowsky
Gibbons	Mascara	Scott
Gilchrest	Matsui	Sensenbrenner
Gillmor	McCarthy (MO)	Serrano
Gilman	McCarthy (NY)	Sessions
Gonzalez	McCollum	Shadegg
Goode	McCrery	Shaw
Goodlatte	McDermott	Shays
Goodling	McGovern	Sherman
Gordon	McHugh	Sherwood
Goss	McInnis	Shimkus
Graham	McIntosh	Shows
Granger	McIntyre	Shuster
Green (TX)	McKinney	Simpson
Green (WI)	McNulty	Sisisky
Greenwood	Meehan	Skeen
Gutierrez	Meek (FL)	Skelton
Gutknecht	Meeks (NY)	Slaughter
Hall (OH)	Menendez	Smith (MI)
Hall (TX)	Metcaif	Smith (NJ)
Hansen	Mica	Smith (TX)
Hastings (WA)	Millender-Hayes	Smith (WA)
Hayworth	McDonald	Snyder
Hefley	Miller (FL)	Souder
Herger	Miller, Gary	Spence
Hill (IN)	Miller, George	Spratt
Hill (MT)	Minge	Stabenow
Hilleary	Mink	Stark
Hilliard	Moakley	Stearns
Hinchee	Mollohan	Stenholm
Hinojosa	Moran (KS)	Strickland
Hobson	Moran (VA)	Stump
Hoefel	Morella	Stupak
Hoekstra	Murtha	Sununu
Holden	Myrick	Sweeney
Holt	Nadler	Talent
Hooley	Napolitano	Tauscher
Horn	Neal	Tauzin
Hostettler	Nethercutt	Taylor (MS)
Houghton	Ney	Taylor (NC)
Hoyer	Northup	Terry
Hulshof	Norwood	Thomas
Hunter	Oberstar	Thompson (CA)
Hutchinson	Obey	Thompson (MS)
Hyde	Olver	Thornberry
Inslee	Ortiz	Thune
Isakson	Ose	Thurman
Istook	Owens	Tiahrt
Jackson (IL)	Oxley	Tierney
Jackson-Lee	Packard	Toomey
(TX)	Pallone	Trafficant
Jefferson	Pascrell	Turner
Jenkins	Pastor	Udall (CO)
John	Paul	Udall (NM)
Johnson (CT)	Payne	Upton
Johnson, E. B.	Pease	Velazquez
Johnson, Sam	Pelosi	Vento
Jones (NC)	Peterson (MN)	Visclosky
Jones (OH)	Peterson (PA)	Walden
Kanjorski	Petri	Walsh
Kaptur	Phelps	Wamp
Kelly	Pickering	Waters
Kennedy	Pickett	Watkins
Kildee	Pitts	Watt (NC)
Kilpatrick	Pombo	Watts (OK)
Kind (WI)	Pomeroy	Waxman
King (NY)	Porter	Weldon (FL)
Kingston	Portman	Weldon (PA)
Kleczka	Price (NC)	Weller
	Pryce (OH)	Wexler

Weygand	Wise	Wynn
Whitfield	Wolf	Young (AK)
Wicker	Woolsey	Young (FL)
Wilson	Wu	

## NOT VOTING—19

Bonilla	Lewis (GA)	Saxton
Brown (CA)	Linder	Tancredo
Brown (FL)	McKeon	Tanner
Engel	Moore	Towns
Ford	Nussle	Weiner
Hastings (FL)	Radanovich	
Kasich	Rahall	

So the motion to instruct the managers on the part of the House was agreed to.

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

¶37.7 APPOINTMENT OF CONFEREES—H.R. 1141

Thereupon, the SPEAKER pro tempore, Mr. BOEHNER, by unanimous consent, appointed Messrs. YOUNG of Florida, REGULA, LEWIS of California, PORTER, ROGERS, SKEEN, WOLF, KOLBE, PACKARD, CALLAHAN, WALSH, TAYLOR of North Carolina, HOBSON, OBEY, MURTHA, DICKS, SABO, HOYER, MOLLOHAN, Mmes. KAPTUR, PELOSI, Messrs. SERRANO, and PASTOR, as managers on the part of the House at said conference.

*Ordered.* That the Clerk notify the Senate of the foregoing appointments.

¶37.8 PROVIDING FOR THE CONSIDERATION OF H.R. 999

Mr. REYNOLDS, by direction of the Committee on Rules, called up the following resolution (H. Res. 145):

*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. 999) to amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters, and for other purposes. 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. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. Before consideration of any other amendment it shall be in order to consider the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Shuster or his designee. That amendment shall be considered as read, may amend portions of the bill not yet read for amendment, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. After disposition of that amendment, the provisions of the bill as then perfected shall be considered as original text for the purpose of further amendment under the five-minute rule. During further

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. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. 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.

¶37.9 COASTAL WATERS ENVIRONMENTAL IMPROVEMENT

The SPEAKER pro tempore, Mr. LEWIS of Kentucky, pursuant to House Resolution 145 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. 999) to amend the Federal Water Pollution Control Act to improve the quality of coastal recreation waters, and for other purposes.

The SPEAKER pro tempore, Mr. LEWIS of Kentucky, by unanimous consent, designated Mr. BARRETT of Nebraska as Chairman of the Committee of the Whole.

The Acting Chairman, Mrs. EMERSON assumed the Chair; and after some time spent therein,

The SPEAKER pro tempore, Mr. BLILEY, assumed the Chair.

When Mr. BARRETT of Nebraska, Chairman, pursuant to House Resolution 145, 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 "Beaches Environmental Awareness, Cleanup, and Health Act of 1999".

**SEC. 2. ADOPTION OF COASTAL RECREATION WATER QUALITY CRITERIA AND STANDARDS BY STATES.**

Section 303 of the Federal Water Pollution Control Act (33 U.S.C. 1313) is amended by adding at the end the following:

"(i) COASTAL RECREATION WATER QUALITY CRITERIA AND STANDARDS.—

"(1) ADOPTION BY STATES.—

"(A) INITIAL CRITERIA AND STANDARDS.—Not later than 3½ years after the date of the enactment of this subsection, each State having coastal recreation waters shall adopt and submit to the Administrator water quality criteria and standards for such waters for those pathogens and pathogen indicators for which the Administrator has published criteria under section 304(a).

"(B) NEW OR REVISED STANDARDS.—Not later than 3 years after the date of publication by the Administrator of new or revised water quality criteria under section 304(a)(9), each State having coastal recreation waters shall adopt and submit to the Administrator new or revised water quality standards for such waters for all pathogens and pathogen indicators for which the Administrator publishes new or revised water quality criteria.

"(2) FAILURE OF STATES TO ADOPT.—If a State has not adopted water quality criteria referred to in paragraph (1)(A) that are as protective of human health as the criteria for pathogens and pathogen indicators for coastal recreation waters that the Administrator has published under section 304(a)(9), the Administrator shall promptly prepare and publish proposed regulations for the State setting forth revised or new water quality standards for coastal recreation waters for the pathogens and pathogen indicators subject to paragraph (1)(A). If the Administrator prepares and publishes such regulations under subsection (c)(4)(B) before the date specified in paragraph (1)(A), the Administrator shall promulgate any revised or new standard under this paragraph not later than the date specified in paragraph (1)(A).

"(3) SAVINGS CLAUSE.—Except as expressly provided by this subsection, the requirements and procedures of subsection (c) apply to this subsection."

**SEC. 3. REVISIONS TO WATER QUALITY CRITERIA.**

(a) STUDIES.—Section 104 of the Federal Water Pollution Control Act (33 U.S.C. 1254) is amended by adding at the end the following:

"(v) STUDIES CONCERNING PATHOGEN INDICATORS IN COASTAL RECREATION WATERS.—Not later than 3 years after the date of the enactment of this subsection, and after consultation and collaboration with appropriate Federal, State, and local officials (including local health officials) and other interested persons, the Administrator shall conduct, in cooperation with the heads of other Federal agencies, studies to provide additional information for use in developing—

"(1) a more complete determination of potential human health risks resulting from exposure to pathogens in coastal recreation waters, including effects to the upper respiratory system;

"(2) appropriate and effective indicators for improving detection in a timely manner in coastal recreation waters of the presence of pathogens that are harmful to human health;

"(3) appropriate, accurate, expeditious, and cost-effective methods (including predictive models) for detecting in a timely manner in coastal recreation waters the presence of pathogens that are harmful to human health; and

"(4) guidance for State application of the criteria for pathogens and pathogen indicators to be issued under section 304(a)(9) to account for the diversity of geographic and aquatic conditions."