

title 28, United States Code, the Attorney General may settle, for not more than \$50,000 in any case, a claim for damage to, or loss of, privately owned property caused by an investigative or law enforcement officer (as defined in section 2680(h) of title 28, United States Code) who is employed by the Department of Justice acting within the scope of his or her employment.

(2) LIMITATIONS.—The Attorney General may not pay a claim under paragraph (1) that—

(A) is presented to the Attorney General more than 1 year after it occurs; or

(B) is presented by an officer or employee of the United States Government and arose within the scope of employment.

**SEC. 4. PRE-JUDGMENT AND POST-JUDGMENT INTEREST.**

Section 2465 of title 28, United States Code, is amended—

- (1) by inserting “(a)” before “Upon”; and
- (2) adding at the end the following:

“(b) INTEREST.—

“(1) POST-JUDGMENT.—Upon entry of judgment for the claimant in any proceeding to condemn or forfeit property seized or arrested under any provision of Federal law (other than the Tariff Act of 1930 or the Internal Revenue Code of 1986) providing for the forfeiture of property other than as a sentence imposed upon conviction of a criminal offense, the United States shall be liable for post-judgment interest as set forth in section 1961 of this title.

“(2) PRE-JUDGMENT.—The United States shall not be liable for pre-judgment interest in a proceeding under any provision of Federal law (other than the Tariff Act of 1930 or the Internal Revenue Code of 1986) providing for the forfeiture of property other than as a sentence imposed upon conviction of a criminal offense, except that in cases involving currency, other negotiable instruments, or the proceeds of an interlocutory sale, the United States shall disgorge to the claimant any funds representing—

“(A) interest actually paid to the United States from the date of seizure or arrest of the property that resulted from the investment of the property in an interest-bearing account or instrument; and

“(B) for any period during which no interest is actually paid, an imputed amount of interest that such currency, instruments, or proceeds would have earned at the rate described in section 1961.

“(3) LIMITATION ON OTHER PAYMENTS.—The United States shall not be required to disgorge the value of any intangible benefits in a proceeding under any provision of Federal law (than the Tariff Act of 1930 or the Internal Revenue Code of 1986) providing for the forfeiture of property other than as a sentence imposed upon conviction of a criminal offense nor make any other payments to the claimant not specifically authorized by this subsection.”.

**SEC. 5. APPLICABILITY.**

(a) IN GENERAL.—Unless otherwise specified in this Act, the amendments made by this Act apply with respect to claims, suits, and actions filed on or after the date of the enactment of this Act.

(b) EXCEPTIONS.—

(1) The standard for the required burden of proof set forth in section 981 of title 18, United States Code, as amended by section 2, shall apply in cases pending on the date of the enactment of this Act.

(2) The amendment made by section 4 shall apply to any judgment entered after the date of the enactment of this Act.

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. HEFLEY, announced that the yeas had it.

Mr. HYDE 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 ..... 375  
affirmative ..... { Nays ..... 48

¶70.16 [Roll No. 255] AYES—375

Abercrombie	DeLauro	Hulshof
Ackerman	DeLay	Hunter
Aderholt	DeMint	Hyde
Allen	Diaz-Balart	Inslee
Archer	Dickey	Isakson
Armey	Dicks	Istook
Baird	Dingell	Jackson (IL)
Baker	Dixon	Jackson-Lee
Baldacci	Doggett	(TX)
Baldwin	Dooley	Jefferson
Ballenger	Doolittle	Jenkins
Barcia	Doyle	Johnson, E. B.
Barr	Dreier	Johnson, Sam
Barrett (NE)	Duncan	Jones (OH)
Bartlett	Dunn	Kanjorski
Barton	Edwards	Kaptur
Bass	Ehlers	Kelly
Bateman	Ehrlich	Kennedy
Becerra	Emerson	Kildee
Bentsen	Engel	Kilpatrick
Bereuter	English	King (NY)
Berkley	Eshoo	Kingston
Berry	Etheridge	Kleczka
Biggett	Evans	Klink
Bilirakis	Everett	Knollenberg
Bishop	Ewing	Kolbe
Blagojevich	Farr	Kucinich
Bliley	Fattah	Kuykendall
Blunt	Filner	LaFalce
Boehlert	Fletcher	LaHood
Boehner	Foley	Lampson
Bonilla	Forbes	Lantos
Bonior	Ford	Largent
Bono	Fossella	Larson
Borski	Fowler	LaTourette
Boucher	Frank (MA)	Leach
Brady (PA)	Franks (NJ)	Lee
Brady (TX)	Frelinghuysen	Levin
Brown (FL)	Frost	Lewis (CA)
Brown (OH)	Galleghy	Lewis (GA)
Burr	Ganske	Lewis (KY)
Burton	Gejdenson	Linder
Buyer	Gephardt	Lipinski
Callahan	Gibbons	LoBiondo
Calvert	Gillmor	Lofgren
Camp	Gonzalez	Lowey
Campbell	Goode	Lucas (KY)
Canady	Goodlatte	Lucas (OK)
Cannon	Goodling	Luther
Capps	Gordon	Maloney (NY)
Capuano	Goss	Manzullo
Cardin	Graham	Markey
Carson	Granger	Martinez
Castle	Green (TX)	Mascara
Chabot	Green (WI)	Matsui
Chenoweth	Greenwood	McCarthy (MO)
Clay	Gutierrez	McCarthy (NY)
Clayton	Gutknecht	McCollum
Clement	Hall (OH)	McDermott
Clyburn	Hall (TX)	McGovern
Coble	Hansen	McHugh
Coburn	Hastings (FL)	McIntosh
Combest	Hastings (WA)	McIntyre
Conyers	Hayworth	McKeon
Cook	Hefley	McKinney
Cooksey	Heger	McNulty
Cox	Hill (MT)	Meehan
Coyne	Hilleary	Meek (FL)
Cramer	Hilliard	Meeks (NY)
Crane	Hinchey	Menendez
Cummings	Hinojosa	Metcalf
Cunningham	Hobson	Millender-
Danner	Hoeffel	McDonald
Davis (FL)	Hoekstra	Miller (FL)
Davis (IL)	Holden	Miller, Gary
Davis (VA)	Holt	Miller, George
Deal	Hooley	Minge
DeFazio	Horn	Mink
DeGette	Hostettler	Moakley
Delahunt	Hoyer	Moran (KS)

Moran (VA)	Ros-Lehtinen	Stupak
Morella	Rothman	Sununu
Murtha	Royal-Allard	Talent
Nadler	Royce	Tancredo
Napolitano	Rush	Tanner
Neal	Ryan (WI)	Tauscher
Nethercutt	Ryun (KS)	Tauzin
Ney	Sabo	Taylor (NC)
Northup	Salmon	Terry
Norwood	Sanchez	Thomas
Nussle	Sanders	Thompson (MS)
Oberstar	Sandlin	Thornberry
Obey	Sanford	Thune
Oliver	Sawyer	Thurman
Ortiz	Saxton	Tiahrt
Ose	Scarborough	Tierney
Owens	Schaffer	Toomey
Oxley	Schakowsky	Towns
Pallone	Scott	Trafficant
Pastor	Sensenbrenner	Udall (CO)
Paul	Serrano	Udall (NM)
Payne	Sessions	Upton
Pease	Shadegg	Velazquez
Pelosi	Shaw	Vento
Peterson (PA)	Sherman	Vitter
Petri	Sherwood	Walden
Phelps	Shimkus	Walsh
Pickett	Shuster	Wamp
Pitts	Simpson	Watkins
Pombo	Sisisky	Watt (NC)
Pomeroy	Skeen	Watts (OK)
Porter	Skelton	Waxman
Price (NC)	Slaughter	Weldon (PA)
Pryce (OH)	Smith (MI)	Weller
Quinn	Smith (NJ)	Wexler
Radanovich	Smith (TX)	Weygand
Rahall	Smith (WA)	Whitfield
Rangel	Snyder	Wicker
Regula	Spence	Wilson
Riley	Spratt	Wolf
Rivers	Stabenow	Woolsey
Rodriguez	Stark	Wu
Roemer	Stearns	Wynn
Rogan	Stenholm	Young (AK)
Rogers	Strickland	Young (FL)
Rohrabacher	Stump	

NOES—48

Andrews	Hayes	Pickering
Bachus	Hill (IN)	Portman
Barrett (WI)	Houghton	Ramstad
Bilbray	Hutchinson	Reyes
Blumenauer	John	Reynolds
Boswell	Johnson (CT)	Roukema
Boyd	Jones (NC)	Shays
Bryant	Kind (WI)	Shows
Chambliss	Latham	Souder
Collins	Maloney (CT)	Sweeney
Condit	McCrery	Taylor (MS)
Crowley	Mica	Thompson (CA)
Cubin	Moore	Turner
Deutsch	Myrick	Visclosky
Gekas	Pascrell	Weiner
Gilman	Peterson (MN)	Weldon (FL)

NOT VOTING—11

Berman	Kasich	Packard
Brown (CA)	Lazio	Waters
Costello	McInnis	Wise
Gilchrist	Mollohan	

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.

¶70.17 SUBPOENA

The SPEAKER pro tempore, Mr. HEFLEY, laid before the House the following communication from Mr. Joe Williams, District Aide, office of the Honorable Terry Everett:

Washington, DC, June 18, 1999.

Hon. DENNIS J. HASTERT,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a trial subpoena (for testimony) issued by the Circuit Court for Houston County, Alabama in the case of *Floyd v. Floyd*, No. DR-1998-000040.