

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.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

JOE WILLIAMS,  
*District Aide.*

¶70.18 PROVIDING FOR THE  
CONSIDERATION OF H.R. 1802

Mrs. MYRICK, by direction of the Committee on Rules, reported (Rept. No. 106-199) the resolution (H. Res. 221) providing for consideration of (H.R. 1802) to amend part E of title IV of the Social Security Act to provide States with more funding and greater flexibility in carrying out programs designed to help children make the transition from foster care to self-sufficiency, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶70.19 MESSAGE FROM THE PRESIDENT—  
U.S.-CANADA NUCLEAR COOPERATION  
AGREEMENT

The SPEAKER pro tempore, Mr. HEFLEY, laid before the House a message from the President, which was read as follows:

*To the Congress of the United States:*

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153 (b) and (d)), the text of a proposed Protocol Amending the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Canada signed at Washington on June 15, 1955, as amended. I am also pleased to transmit my written approval, authorization, and determination concerning the Protocol, and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the Protocol. (In accordance with section 123 of the Act, as amended by Title XII of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105-277), I have submitted to the Congress under separate cover a classified annex to the NPAS, prepared in consultation with the Director of Central Intelligence, summarizing relevant classified information.) The joint memorandum submitted to me by the Secretary of State and the Secretary of Energy and a letter from the Chairman of the Nuclear Regulatory Commission stating the views of the Commission are also enclosed.

The proposed Protocol has been negotiated in accordance with the Atomic Energy Act of 1954, as amended, and other applicable law. In my judgment, it meets all statutory requirements and will advance the nonproliferation and other foreign policy interests of the United States.

The Protocol amends the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Canada in two respects:

1. It extends the Agreement, which would otherwise expire by its terms on January 1, 2000, for an additional period of 30 years, with the provision for automatic extensions thereafter in increments of 5 years each unless either Party gives timely notice to terminate the Agreement; and

2. It updates certain provisions of the Agreement relating to the physical protection of materials subject to the Agreement.

The Agreement itself was last amended on April 23, 1980, to bring it into conformity with all requirements of the Atomic Energy Act and the Nuclear Non-Proliferation Act of 1978. As amended by the proposed Protocol, it will continue to meet all requirements of U.S. law.

Canada ranks among the closest and most important U.S. partners in civil nuclear cooperation, with ties dating back to the early days of the Atoms for Peace program. Canada is also in the forefront of countries supporting international efforts to prevent the spread of nuclear weapons to additional countries. It is a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and has an agreement with the IAEA for the application of full-scope safeguards to its nuclear program. It also subscribes to the Nuclear Supplier Group (NSG) Guidelines, which set forth standards for the responsible export of nuclear commodities for peaceful use, and to the Zangger (NPT Exporters) Committee Guidelines, which oblige members to require the application of IAEA safeguards on nuclear exports to nonnuclear weapon states. It is a party to the Convention on the Physical Protection of Nuclear Material, whereby it has agreed to apply international standards of physical protection to the storage and transport of nuclear material under its jurisdiction or control.

Continued close cooperation with Canada in the peaceful uses of nuclear energy, under the long-term extension of the U.S.-Canada Agreement for Cooperation provided for in the proposed Protocol, will serve important U.S. national security, foreign policy, and commercial interests.

I have considered the views and recommendations of the interested agencies in reviewing the proposed Protocol and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the Protocol and authorized its execution and urge that the Congress give it favorable consideration.

This transmission shall constitute a submittal for purposes of both sections 123 b. and 123 d. of the Atomic Energy Act. My Administration is prepared to begin immediate consultations with the Senate Foreign Relations and House International Relations Committees as provided in section 123 b. Upon completion of the 30-day continuous session period provided for in section 123 b., the 60-day continuous ses-

sion period provided for in section 123 d. shall commence.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 24, 1999.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 106-84).

¶70.20 MESSAGE FROM THE PRESIDENT—  
EXPORT ADMINISTRATION EXTENSION

The SPEAKER pro tempore, Mr. HEFLEY, laid before the House a message from the President, which was read as follows:

*To the Congress of the United States:*

As required by section 204 of the International Emergency Economic Powers Act (50 U.S.C. 1703(c)) and section 401(c) of the National Emergencies Act (50 U.S.C. 1641(c)), I transmit herewith a 6-month periodic report on the national emergency declared by Executive Order 12924 of August 19, 1994, to deal with the threat to the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 24, 1999.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on International Relations and ordered to be printed (H. Doc. 106-85).

¶70.21 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. GILCHREST, for today and balance of the week;

To Mr. SANFORD, for today after 5 p.m. and balance of the week; and

To Mr. PACKARD, for today after 4 p.m. and balance of the week.

And then,

¶70.22 ADJOURNMENT

On motion of Mr. HOEKSTRA, at 9 o'clock and 10 minutes p.m., the House adjourned.

¶70.23 REPORTS OF COMMITTEES ON  
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Florida: Committee on Appropriations. H.R. 853. A bill to amend the Congressional Budget Act of 1974 to provide for joint resolutions on the budget, reserve funds for emergency spending, strengthened enforcement of budgetary decisions, increased accountability for Federal spending, accrual budgeting for Federal insurance programs, mitigation of the bias in the budget process toward higher spending, modifications in paygo requirements when there is an on-budget surplus, and for other purposes; with an amendment, adversely, (Rept. No. 106-198 Pt. 1). Ordered to be printed.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 221. Resolution providing for consideration of the bill (H.R. 1802) to amend part E of title IV of the Social Security Act to provide States with more funding and greater flexibility in carrying out pro-