

H.R. 489: Mr. WEINER and Mr. THOMPSON of Mississippi.
 H.R. 531: Mr. ADERHOLT.
 H.R. 557: Mr. KUCINICH and Mr. BENTSEN.
 H.R. 583: Mr. BORSKI and Mr. EHLERS.
 H.R. 614: Mr. LUCAS of Kentucky.
 H.R. 625: Mr. STUPAK.
 H.R. 697: Mr. BURTON of Indiana, Mr. DEMINT, and Mr. JENKINS.
 H.R. 721: Mr. LEWIS of Georgia.
 H.R. 750: Mr. LARGENT.
 H.R. 772: Mr. UDALL of New Mexico.
 H.R. 784: Mr. BLILEY and Mr. MORAN of Virginia.
 H.R. 798: Mr. CROWLEY, Ms. RIVERS, Mr. WU, and Mr. EVANS.
 H.R. 826: Mr. LAMPSON.
 H.R. 860: Mr. OBERSTAR, Mr. QUINN, and Mr. MENENDEZ.
 H.R. 925: Mr. DELAHUNT and Mr. RAHALL.
 H.R. 933: Mr. HALL of Ohio and Mrs. MINK of Hawaii.
 H.R. 958: Mr. MATSUI.
 H.R. 1020: Mr. BERMAN, Ms. PELOSI, Mr. BISHOP, Mr. MCGOVERN, Mr. OBERSTAR, Ms. SLAUGHTER, Ms. LEE, and Mr. LAMPSON.
 H.R. 1039: Ms. PELOSI, Mr. DIXON, and Mr. LEACH.
 H.R. 1057: Mr. WAXMAN and Ms. PELOSI.
 H.R. 1083: Mr. GOODLATTE.
 H.R. 1115: Ms. VALAZQUEZ, Ms. DELAURO, and Mr. ROEMER.
 H.R. 1168: Ms. WOOLSEY and Mr. TAYLOR of North Carolina.
 H.R. 1217: Mr. WELLER, Mr. STUMP, Mr. ACKERMAN, Mr. CLEMENT, and Mr. JENKINS.
 H.R. 1221: Mrs. WILSON and Mr. TERRY.
 H.R. 1224: Ms. BERKLEY, Mr. LARSON, and Mr. DAVIS of Illinois.
 H.R. 1238: Mr. DAVIS of Illinois, Ms. KAPTUR, and Mr. DEFAZIO.
 H.R. 1257: Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 1265: Ms. DELAURO and Mr. ENGEL.
 H.R. 1300: Mr. ALLEN and Mr. DREIER.
 H.R. 1303: Mr. RANGEL, Mr. LEWIS of Georgia, and Mr. GUTIERREZ.
 H.R. 1317: Mr. LEWIS of Kentucky and Mr. SHERWOOD.
 H.R. 1325: Mr. LAFALCE, Mrs. MEEK of Florida, Mr. BORSKI, and Mr. BLUMENAUER.
 H.R. 1358: Mr. WALDEN of Oregon.
 H.R. 1396: Mrs. MALONEY of New York, Ms. SCHAKOWSKY, Mr. SHERMAN, Mr. NADLER, Mr. SERRANO, Mr. WATT of North Carolina, Mr. MEEHAN, Ms. JACKSON-LEE of Texas, Mrs. MCCARTHY of New York, Mr. ENGEL, Ms. PELOSI, Mr. NEAL of Massachusetts, Mr. PALLONE, and Mr. EVANS.
 H.R. 1402: Mr. DICKS, Mr. MARTINEZ, Mr. ABERCROMBIE, Mr. CUNNINGHAM, Mr. DUNCAN, Mr. KENNEDY of Rhode Island, and Mr. GIBBONS.
 H.R. 1427: Mr. BLILEY.
 H.R. 1435: Mr. MANZULLO.
 H.R. 1509: Mr. FOSSELLA, Mr. BALDACCI, Mr. SKELTON, Ms. DELAURO, Mr. HALL of Texas, Mr. KENNEDY of Rhode Island, Mr. FOLEY, and Mr. GEPHARDT.
 H.R. 1531: Mr. RAHALL and Mr. THOMPSON of Mississippi.
 H.R. 1549: Mr. PHELPS.
 H.R. 1567: Mr. EDWARDS.
 H.R. 1590: Mr. DAVIS of Illinois.
 H.R. 1671: Mr. DAVIS of Florida and Mr. LUTHER.
 H.R. 1684: Mr. MARTINEZ and Ms. SLAUGHTER.
 H.R. 1714: Mr. SHADEGG.
 H.R. 1796: Mr. KENNEDY of Rhode Island and Ms. HOOLEY of Oregon.
 H.R. 1816: Mr. INSLEE.
 H.R. 1832: Ms. MCKINNEY and Mr. MARTINEZ.
 H.R. 1842: Mr. DICKS and Mr. JENKINS.
 H.R. 1850: Mr. ANDREWS and Mr. CRANE.
 H.R. 1858: Mr. BLUNT, Mr. STEARNS, and Mr. ETHERIDGE.
 H.R. 1920: Mr. KIND.

H.R. 1932: Mr. DAVIS of Illinois, Mr. LUCAS of Kentucky, Mr. GREEN of Wisconsin, Ms. BERKLEY, and Ms. CARSON.
 H.R. 1962: Mr. GANSKE.
 H.R. 1990: Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 1991: Mr. JEFFERSON.
 H.R. 2028: Mr. CLAY and Mr. ENGLISH, and Mr. HYDE.
 H.R. 2088: Mr. HALL of Texas.
 H.R. 2125: Ms. ROYBAL-ALLARD.
 H.R. 2172: Mr. McNULTY, Mr. LATOURETTE, Mr. FRANKS of New Jersey, and Mr. PASCARELL.
 H.R. 2241: Mr. WEXLER, Ms. ROS-LEHTINEN, Mr. LUCAS of Oklahoma, and Mr. MALONEY of Connecticut.
 H.R. 2244: Mr. BAKER.
 H.R. 2252: Mr. LARGENT.
 H.R. 2260: Mr. POMBO, Mr. HOSTETTLER, Mr. ARMEY, and Mr. ENGLISH.
 H.R. 2282: Mr. ADERHOLT.
 H.R. 2283: Mr. CLAY and Mr. BISHOP.
 H.R. 2300: Mrs. CHENOWETH, Mrs. EMERSON, Mr. REGULA, Mr. CUNNINGHAM, Mr. ADERHOLT, Mr. BARR of Georgia, Mr. COBURN, Mr. WELDON of Pennsylvania, Mr. FOSSELLA, Mr. ISAKSON, Mrs. ROUKEMA, Mr. SOUDER, Mr. SWENEY, Mr. GREEN of Wisconsin, and Mrs. BONO.
 H.R. 2306: Mrs. MEEK of Florida and Mr. McNULTY.
 H.J. Res. 41: Mrs. MINK of Hawaii, Mrs. LOWEY, and Ms. STABENOW.
 H.J. Res. 55: Mr. BARTLETT of Maryland, Mr. DICKEY, Mr. HOSTETTLER, Mr. LARGENT, Mr. SOUDER, Mr. SHADEGG, Mr. PITTS, and Mr. HERGER.
 H.J. Res. 57: Mr. HUNTER, Ms. WOOLSEY, Mr. COOK, Ms. KAPTUR, Mr. KUCINICH, Mr. TAYLOR of Mississippi, Mr. STEARNS, and Ms. MCKINNEY.
 H.J. Res. 58: Mr. ROYCE.
 H. Con. Res. 30: Mr. SUNUNU.
 H. Con. Res. 38: Mr. ENGEL, Ms. MCKINNEY, Mr. BRADY of Pennsylvania, and Ms. SCHAKOWSKY.
 H. Con. Res. 62: Mrs. MINK of Hawaii, Mr. ROHRBACHER, Mr. UDALL of New Mexico, Mr. CRANE, and Mr. MCHUGH.
 H. Con. Res. 100: Mr. DAVIS of Illinois and Mrs. LOWEY.
 H. Con. Res. 124: Mrs. NAPOLITANO, Ms. VELAZQUEZ, Mr. GEJDENSON, and Mr. FROST.
 H. Con. Res. 130: Mr. LATOURETTE.
 H. Con. Res. 133: Ms. MILLENDER-MCDONALD, Mr. HINCHEY, and Mr. BERRY.
 H. Res. 89: Mr. MCGOVERN.
 H. Res. 115: Mr. INSLEE.
 H. Res. 144: Mr. ENGEL.
 H. Res. 146: Mr. FATTAH, Mr. GREENWOOD, Ms. DELAURO, Mr. PALLONE, Ms. SCHAKOWSKY, Mr. BLAGOJEVICH, Mr. ABERCROMBIE, Ms. KILPATRICK, Mr. HOUGHTON, Mr. HINCHEY, Mr. KLECZKA, Mr. HALL of Ohio, Mr. McNULTY, Mr. DINGELL, Mr. LEWIS of Georgia, Mr. SHERMAN, Mr. UDALL of Colorado, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RODRIGUEZ, Mr. BECERRA, Mrs. THURMAN, Mr. WATT of North Carolina, Mr. SERRANO, Mr. CROWLEY, Mr. FOLEY, Ms. SLAUGHTER, and Mr. YOUNG of Florida.
 H. Res. 201: Mr. STARK.

¶69.25 PETITIONS, ETC.

Under clause 3 of rule XII,

20. The SPEAKER presented a petition of the Los Angeles County Federation of Republican Women, relative to Resolution No. 1-99 petitioning support for House Concurrent Resolution No. 30; to the Committee on the Judiciary.

THURSDAY, JUNE 24, 1999 (70)

The House was called to order by the SPEAKER.

¶70.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, June 23, 1999.

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

¶70.2 COMMUNICATIONS

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

2722. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Performance of Certain Functions by National Futures Association With Respect to Those Foreign Firms Acting in the Capacity of a Futures Commission Merchant—received June 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2723. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Rules of Practice; Final Rules; Correction—received June 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2724. A letter from the Acting Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Fees for Applications for Contract Market Designation—received June 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2725. A letter from the Administrator, Food and Consumer Service, Department of Agriculture, transmitting the Department's final rule—Food Stamp Program: Retailer Integrity, Fraud Reduction and Penalties (RIN: 0584-AC46) received May 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2726. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Kresoxim-methyl; Pesticide Tolerances [OPP-300873; FRL-6085-4] (RIN: 2070-AB78) received June 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2727. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Azoxystrobin; Extension of Tolerance for Emergency Exemptions [OPP-300840; FRL-6074-2] (RIN: 2070-AB78) received May 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2728. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Para-Aramid Fibers and Yarns [DFARS Case 98-D310] received May 12, 1999; to the Committee on Armed Services.

2729. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Applicability of Buy American Clauses to Simplified Acquisitions [DFARS Case 98-D031] received May 12, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2730. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Antiterrorism Training [DFARS Case 96-D016] received May 12, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

2731. A letter from the Secretary of Defense, transmitting approval of the retire-

ment of Lieutenant General Joseph J. Redden, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

2732. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Indonesia, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

2733. A letter from the Commissioner, National Center for Education Statistics, Department of Education, transmitting the annual statistical report of the National Center for Educational Statistics (NCES), "The Condition of Education," pursuant to 20 U.S.C. 1221e-1(d)(1); to the Committee on Education and the Workforce.

2734. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Lead; Fees for Accreditation of Training Programs and Certification of Lead-based Paint Activities Contractors [OPPTS-62158A; FRL-6058-6] (RIN: 2070-AD11) received June 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2735. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Enhanced Inspection and Maintenance Program [DC036-2017; FRL-6356-4] received June 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2736. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the Permits and Sulfur Dioxide Allowance System Regulations Under Title IV of the Clean Air Act: Compliance Determination [FRL-6341-2] (RIN: 2060-AI27) received May 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2737. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; North Dakota; Control of Emissions From Existing Hazardous/Medical/Infectious Waste Incinerators [FRL-6340-6] received May 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2738. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plan for South Coast Air Quality Management District [CA012-0144a, FRL-6335-3] received May 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2739. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Halosulfuron; Pesticide Tolerance [OPP-300854; FRL-6078-5] (RIN: 2070-AB78) received May 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2740. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Meyersdale, Pennsylvania) (Richwood, West Virginia) (Newell, Iowa) (Superior, Wyoming) (La Center, Kentucky) (Lovell, Wyoming) (Royal City, Washington) [MM Docket No. 98-28; RM-9234] [MM Docket No. 98-33; RM-9224] [MM Docket No. 98-71; RM-9266] [MM Docket No. 98-109; RM-

9282] [MM Docket No. 98-114; RM-9298] [MM Docket No. 98-116; RM-9281] [MM Docket No. 98-150; RM-9302] received May 12, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2741. A letter from the Special Assistant to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—1998 Biennial Regulatory Review—Streamlining of Radio Technical Rules in Parts 73 and 74 of the Commission's Rules [MM Docket No. 98-93] received May 12, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2742. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Food Additives Permitted For Direct Addition to Food For Human Consumption; Sucrose Acetate Isobutyrate [Docket No. 91F-0228] received June 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2743. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Greece for defense articles and services (Transmittal No. 99-06), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

2744. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the activities of the Multinational Force and Observers (MFO) and certain financial information concerning United States Government participation in that organization, pursuant to 22 U.S.C. 3422(a)(2)(A); to the Committee on International Relations.

2745. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule—Exports to Cuba [Docket No. 990427108-9108-01] (RIN: 0694-AB93) received May 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

2746. A letter from the Comptroller General, General Accounting Office, transmitting a list of all reports issued or released by the GAO in April 1999, pursuant to 31 U.S.C. 719(h); to the Committee on Government Reform.

2747. A letter from the Inspector General, Railroad Retirement Board, transmitting the semiannual report on activities of the Office of Inspector General for the period October 1, 1998, through March 31, 1999, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

2748. A letter from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone off Alaska; Groundfish of the Bering Sea and Aleutian Islands Management Area; Exempted Fishing Permit [I.D. 052699D] received June 7, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

2749. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of the San Juan High Offshore Airspace Area, PR [Airspace Docket No. 97-ASO-21] (RIN: 2120-AA66) received June 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2750. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; West Union, IA [Airspace Docket No. 99-ACE-12] received June 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Com-

mittee on Transportation and Infrastructure.

2751. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation; Back Bay of Biloxi, MS [CGD8-96-049] (RIN: 2115-AE47) received June 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2752. A letter from the Assistant Administrator for Weather Services, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Notice and Request for Proposals [Docket No. 990416102-9102-01] (RIN: 0648-ZA64) received June 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

2753. A letter from the Director, Office of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting the Department's final rule—Schedule for Rating Disabilities; Diseases of the Ear and Other Sense Organs (RIN: 2900-AF22) received May 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

¶70.3 MESSAGE FROM THE SENATE

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

S. 880. An Act to amend the Clean Air Act to remove flammable fuels from the list of substances with respect to which reporting and other activities are required under the risk management plan program.

S. 886. An Act to authorize appropriations for the Department of State for fiscal years 2000 and 2001; to provide for enhanced security at United States diplomatic facilities; to provide for certain arms control, non-proliferation, and other national security measures; to provide for reform of the United Nations; and for other purposes.

S. Res. 127. That the Secretary of the Senate is directed to request the House to return the official papers on S. 331.

The message also announced that pursuant to section 276h-276k of title 22, United States Code, as amended, the Chair, on behalf of the Vice President, appoints the Senator from Alabama (Mr. SESSIONS) as a member of the Senate Delegation to the Mexico-United States Interparliamentary Group Meeting during the First Session of the One Hundred Sixth Congress, to be held in Savannah, Georgia, June 25-27, 1999.

¶70.4 H.J. RES. 33—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SUNUNU, announced the unfinished business to be the further consideration of the joint resolution (H.J. Res. 33) proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States.

When said joint resolution was considered pursuant to House Resolution 217 and the order of the House of June 23, 1999.

Mr. WATT of North Carolina submitted the following amendment in the nature of a substitute:

Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

“ARTICLE—

“Not inconsistent with the first article of amendment to this Constitution, the Congress shall have power to prohibit the physical desecration of the flag of the United States.”.

After debate,

Pursuant to House Resolution 217, the previous question was ordered on the amendment and the joint resolution.

The question being put, *viva voce*,

Will the House agree to said amendment?

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

Mr. WATT of North Carolina 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 115
Nays 310

¶70.5 [Roll No. 251]
YEAS—115

Abercrombie	Hastings (FL)	Mink
Ackerman	Hinchey	Moore
Allen	Hoefel	Nadler
Baldwin	Hoekstra	Neal
Barrett (WI)	Hooley	Oberstar
Becerra	Inslee	Obey
Bentsen	Jackson (IL)	Olver
Berman	Jackson-Lee	Owens
Blagojevich	(TX)	Pastor
Blumenauer	Johnson, E. B.	Payne
Bonior	Jones (OH)	Pelosi
Borski	Kaptur	Porter
Boucher	Kennedy	Price (NC)
Brady (PA)	Kilpatrick	Rivers
Brown (OH)	Kind (WI)	Roybal-Allard
Cardin	Kolbe	Rush
Carson	Kucinich	Sabo
Clay	LaFalce	Sanchez
Clayton	Lampson	Sanders
Clyburn	Lantos	Sawyer
Conyers	Larson	Schakowsky
Coyne	Leach	Scott
Cummings	Lee	Serrano
Davis (IL)	Levin	Slaughter
DeFazio	Lowey	Stark
Dicks	Maloney (CT)	Tauscher
Dixon	Maloney (NY)	Thompson (MS)
Engel	Markey	Tierney
Eshoo	Martinez	Udall (CO)
Etheridge	McCarthy (MO)	Udall (NM)
Evans	McDermott	Velazquez
Farr	McIntosh	Vento
Fattah	McKinney	Waters
Ford	McNulty	Watt (NC)
Frank (MA)	Meehan	Waxman
Frost	Meek (FL)	Weiner
Gejdenson	Meeks (NY)	Wexler
Gonzalez	Miller, George	Woolsey
Greenwood	Minge	

NAYS—310

Aderholt	Barrett (NE)	Bliley
Andrews	Bartlett	Blunt
Archer	Bass	Boehlert
Armey	Bateman	Boehner
Bachus	Bereuter	Bonilla
Baird	Berkley	Bono
Baker	Berry	Boswell
Baldacci	Biggert	Boyd
Ballenger	Bilbray	Brady (TX)
Barcia	Bilirakis	Brown (FL)
Barr	Bishop	Bryant

Burr	Hinojosa	Radanovich
Burton	Hobson	Rahall
Buyer	Holden	Ramstad
Callahan	Holt	Regula
Calvert	Horn	Reyes
Camp	Hostettler	Reynolds
Campbell	Houghton	Riley
Canady	Hoyer	Rodriguez
Cannon	Hulshof	Roemer
Capps	Hunter	Rogan
Capuano	Hutchinson	Rogers
Castle	Hyde	Rohrabacher
Chabot	Isakson	Ros-Lehtinen
Chambliss	Istook	Rothman
Chenoweth	Jefferson	Roukema
Clement	Jenkins	Royce
Coble	John	Ryan (WI)
Coburn	Johnson (CT)	Ryun (KS)
Collins	Johnson, Sam	Salmon
Combest	Jones (NC)	Sandlin
Condit	Kanjorski	Sanford
Cook	Kelly	Saxton
Cooksey	Kildee	Scarborough
Costello	King (NY)	Schaffer
Cox	Kingston	Sensenbrenner
Cramer	Klecza	Sessions
Crane	Klink	Shadegg
Crowley	Knollenberg	Shaw
Cubin	Kuykendall	Shays
Cunningham	LaHood	Sherman
Danner	Largent	Sherwood
Davis (FL)	Latham	Shimkus
Deal	LaTourette	Shows
DeGette	Lazio	Shuster
Delahunt	Lewis (CA)	Simpson
DeLauro	Lewis (GA)	Sisisky
DeLay	Lewis (KY)	Skeen
DeMint	Linder	Skelton
Deutsch	Lipinski	Smith (MI)
Diaz-Balart	LoBiondo	Smith (NJ)
Dickey	Lofgren	Smith (TX)
Dingell	Lucas (KY)	Smith (WA)
Doggett	Lucas (OK)	Snyder
Dooley	Luther	Souder
Doolittle	Manzullo	Spence
Doyle	Mascara	Spratt
Dreier	Matsui	Stabenow
Duncan	McCarthy (NY)	Stearns
Dunn	McCollum	Stenholm
Edwards	McCrery	Strickland
Ehlers	McGovern	Stump
Ehrlich	McHugh	Stupak
Emerson	McInnis	Sununu
English	McIntyre	Sweeney
Everett	McKeon	Talent
Ewing	Menendez	Tancredo
Flner	Metcalf	Tanner
Fletcher	Mica	Taylor (MS)
Foley	Miller (FL)	Taylor (NC)
Forbes	Miller, Gary	Terry
Fossella	Moakley	Thomas
Fowler	Mollohan	Thompson (CA)
Franks (NJ)	Moran (KS)	Thornberry
Frelinghuysen	Moran (VA)	Thune
Gallely	Morella	Thurman
Ganske	Murtha	Tiahrt
Gekas	Myrick	Toomey
Gephardt	Napolitano	Traficant
Gibbons	Nethercutt	Turner
Gillmor	Ney	Upton
Gilman	Northup	Visclosky
Goode	Norwood	Vitter
Goodlatte	Nussle	Walden
Goodling	Ortiz	Walsh
Gordon	Ose	Wamp
Goss	Oxley	Watkins
Graham	Packard	Watts (OK)
Granger	Pallone	Weldon (FL)
Green (TX)	Pascrell	Weldon (PA)
Green (WI)	Paul	Weller
Gutierrez	Pease	Weygand
Gutknecht	Peterson (MN)	Whitfield
Hall (OH)	Peterson (PA)	Wicker
Hall (TX)	Petri	Wilson
Hansen	Phelps	Wise
Hastings (WA)	Pickering	Wolf
Hayes	Pickett	Wu
Hayworth	Pitts	Wynn
Herger	Pombo	Young (AK)
Hill (IN)	Pomeroy	Young (FL)
Hill (MT)	Portman	
Hilleary	Pryce (OH)	
Hilliard	Quinn	

NOT VOTING—9

Barton	Hefley	Rangel
Brown (CA)	Kasich	Towns
Davis (VA)	Millender-	
Gilchrist	McDonald	

So the amendment in the nature of a substitute was not agreed to.

The joint resolution 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 joint resolution?

The SPEAKER pro tempore, Mrs. EMERSON, announced that two-thirds of the Members present had not voted in the affirmative.

Mr. CANADY demanded a recorded vote on passage of said joint resolution, 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 305
affirmative } Nays 124

¶70.6 [Roll No. 252]
AYES—305

Aderholt	Davis (VA)	Istook
Andrews	Deal	Jefferson
Archer	Delahunt	Jenkins
Armey	DeLay	John
Bachus	DeMint	Johnson (CT)
Baird	Deutsch	Johnson, Sam
Baker	Diaz-Balart	Jones (NC)
Baldacci	Dickey	Kanjorski
Ballenger	Dooley	Kaptur
Barcia	Doolittle	Kelly
Barr	Doyle	Kildee
Barrett (NE)	Dreier	King (NY)
Bartlett	Duncan	Kingston
Barton	Dunn	Knollenberg
Bass	Edwards	Kucinich
Bateman	Ehrlich	Kuykendall
Bentsen	Emerson	LaHood
Bereuter	English	Lampson
Berkley	Etheridge	Lantos
Berry	Everett	Largent
Biggert	Ewing	Larson
Bilbray	Fletcher	Latham
Bilirakis	Foley	LaTourette
Bishop	Forbes	Lazio
Blagojevich	Ford	Lewis (CA)
Bliley	Fossella	Lewis (KY)
Blunt	Fowler	Linder
Boehlert	Franks (NJ)	Lipinski
Boehner	Frelinghuysen	LoBiondo
Bonilla	Frost	Lucas (KY)
Bono	Gallely	Lucas (OK)
Boswell	Ganske	Luther
Boyd	Gekas	Maloney (CT)
Brady (TX)	Gephardt	Manzullo
Brown (FL)	Gibbons	Martinez
Brown (OH)	Gillmor	Mascara
Bryant	Gilman	McCarthy (NY)
Burr	Goode	McCollum
Burton	Goodlatte	McCrery
Buyer	Goodling	McGovern
Callahan	Gordon	McHugh
Calvert	Goss	McInnis
Camp	Graham	McIntosh
Campbell	Granger	McIntyre
Canady	Green (TX)	McKeon
Cannon	Green (WI)	McNulty
Capps	Gutierrez	Menendez
Castle	Gutknecht	Metcalf
Chabot	Hall (TX)	Mica
Chambliss	Hansen	Miller (FL)
Chenoweth	Hastings (WA)	Miller, Gary
Clement	Hayes	Moakley
Clyburn	Hayworth	Mollohan
Coble	Hefley	Moran (KS)
Coburn	Herger	Morella
Collins	Hill (MT)	Murtha
Combest	Hilleary	Myrick
Condit	Hilliard	Napolitano
Cook	Hinojosa	Neal
Cooksey	Hobson	Nethercutt
Costello	Holden	Ney
Cox	Horn	Northup
Cramer	Hostettler	Norwood
Crane	Houghton	Nussle
Crowley	Hulshof	Ortiz
Cubin	Hunter	Ose
Cunningham	Hutchinson	Oxley
Danner	Hyde	Packard
Davis (FL)	Isakson	Pallone

Pascrell	Sandlin	Tancredo
Pease	Sanford	Tauzin
Peterson (MN)	Saxton	Taylor (MS)
Peterson (PA)	Scarborough	Taylor (NC)
Phelps	Schaffer	Terry
Pickering	Sensenbrenner	Thomas
Pickett	Sessions	Thompson (MS)
Pitts	Shaw	Thornberry
Pombo	Sherman	Thune
Pomeroy	Sherwood	Thurman
Portman	Shimkus	Tiahrt
Pryce (OH)	Shows	Toomey
Quinn	Shuster	Trafficant
Radanovich	Simpson	Turner
Rahall	Sisisky	Upton
Ramstad	Skeen	Vitter
Regula	Skelton	Walden
Reyes	Smith (MI)	Walsh
Reynolds	Smith (NJ)	Wamp
Riley	Smith (TX)	Watkins
Rodriguez	Smith (WA)	Watts (OK)
Roemer	Souder	Weldon (FL)
Rogan	Spence	Weldon (PA)
Rogers	Spratt	Weller
Rohrabacher	Stabenow	Wicker
Ros-Lehtinen	Stearns	Wilson
Rothman	Stenholm	Wise
Roukema	Strickland	Wolf
Royce	Stump	Wynn
Ryan (WI)	Stupak	Young (AK)
Ryun (KS)	Sununu	Young (FL)
Salmon	Sweeney	
Sanchez	Talent	

NOES—124

Abercrombie	Hinchev	Olver
Ackerman	Hoeffel	Owens
Allen	Hoekstra	Pastor
Baldwin	Holt	Paul
Barrett (WI)	Hooley	Payne
Becerra	Hoyer	Pelosi
Berman	Inslee	Petri
Blumenauer	Jackson (IL)	Porter
Bonior	Jackson-Lee	Price (NC)
Borski	(TX)	Rangel
Boucher	Johnson, E. B.	Rivers
Brady (PA)	Jones (OH)	Roybal-Allard
Capuano	Kennedy	Rush
Cardin	Kilpatrick	Sabo
Carson	Kind (WI)	Sanders
Clay	Kleczka	Sawyer
Clayton	Klink	Schakowsky
Conyers	Kolbe	Scott
Coyne	LaFalce	Serrano
Cummings	Leach	Shadegg
Davis (IL)	Lee	Shays
DeFazio	Levin	Slaughter
DeGette	Lewis (GA)	Snyder
DeLauro	Lofgren	Stark
Dicks	Lowe	Tanner
Dingell	Maloney (NY)	Tauscher
Dixon	Markey	Thompson (CA)
Doggett	Matsui	Tierney
Ehlers	McCarthy (MO)	Udall (CO)
Engel	McDermott	Udall (NM)
Eshoo	McKinney	Velazquez
Evans	Meehan	Vento
Farr	Meek (FL)	Visclosky
Fattah	Meeks (NY)	Waters
Filner	Miller, George	Watt (NC)
Frank (MA)	Minge	Waxman
Gejdenson	Mink	Weiner
Gezalez	Moore	Wexler
Greenwood	Moran (VA)	Weygand
Hall (OH)	Nadler	Woolsey
Hastings (FL)	Oberstar	Wu
Hill (IN)	Obey	

NOT VOTING—5

Brown (CA)	Millender-
Gilchrest	McDonald
Kasich	Towns

So, two-thirds of the Members present having voted in favor thereof, said joint resolution was passed.

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

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

¶70.7 YEAR 2000 READINESS AND RESPONSIBILITY

On motion of Mr. GOODLATTE, by unanimous consent, the bill (H.R. 775) to establish certain procedures for civil actions brought for damages relating to the failure of any device or system to process or otherwise deal with the transition from the year 1999 to the year 2000, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. GOODLATTE, 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.

¶70.8 MOTION TO INSTRUCT CONFEREES—H.R. 775

Mr. CONYERS moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on H.R. 775 be instructed to ensure, within the scope of conference, that their eventual report to the House reflects due regard for the substantive concerns of the high-technology community and the possible implications of the "Y2K" date change on that community and on the Nation's economy; the substantive inputs of the Administration and of the bipartisan Leadership in the Congress on the issues committed to conference; and the sense of the House that a decision not to follow this process will lead to a failure to enact legislation.

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 to instruct?

The SPEAKER pro tempore, Mr. PEASE, announced that the yeas had it.

Mr. CONYERS 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 426
Nays 0

¶70.9 [Roll No. 253] YEAS—426

Abercrombie	Barrett (NE)	Bishop
Ackerman	Barrett (WI)	Blagojevich
Aderholt	Bartlett	Bliley
Allen	Barton	Blumenauer
Andrews	Bass	Blunt
Archer	Bateman	Boehert
Armey	Becerra	Boehner
Bachus	Bentsen	Bonilla
Baird	Bereuter	Bonior
Baker	Berkley	Bono
Baldacci	Berman	Borski
Baldwin	Berry	Boswell
Ballenger	Biggart	Boucher
Barcia	Bilbray	Boyd
Barr	Bilirakis	Brady (PA)

Brady (TX)	Goss	McDermott
Brown (FL)	Graham	McGovern
Brown (OH)	Granger	McHugh
Bryant	Green (TX)	McInnis
Burr	Green (WI)	McIntosh
Burton	Greenwood	McIntyre
Buyer	Gutierrez	McKeon
Callahan	Gutknecht	McKinney
Calvert	Hall (OH)	McNulty
Camp	Hall (TX)	Meehan
Campbell	Hansen	Meek (FL)
Canady	Hastings (FL)	Meeks (NY)
Cannon	Hastings (WA)	Menendez
Capps	Hayes	Metcalf
Capuano	Hayworth	Mica
Cardin	Hefley	Millender-
Carson	Herger	McDonald
Castle	Hill (IN)	Miller (FL)
Chabot	Hill (MT)	Miller, Gary
Chambliss	Hilleary	Miller, George
Chenoweth	Hilliard	Minge
Clay	Hinchev	Mink
Clayton	Hinojosa	Moakley
Clyburn	Hobson	Mollohan
Coble	Hoeffel	Moore
Coburn	Hoekstra	Moran (KS)
Collins	Holden	Moran (VA)
Combest	Holt	Morella
Condit	Hooley	Murtha
Conyers	Horn	Myrick
Cook	Hostettler	Nadler
Cooksey	Houghton	Napolitano
Costello	Hoyer	Neal
Cox	Hulshof	Nethercutt
Coyne	Hunter	Ney
Cramer	Hutchinson	Northup
Crane	Hyde	Norwood
Crowley	Inslee	Nussle
Cubin	Isakson	Oberstar
Cummings	Istook	Obey
Cunningham	Jackson (IL)	Olver
Danner	Jackson-Lee	Ortiz
Davis (FL)	(TX)	Ose
Davis (IL)	Jefferson	Owens
Davis (VA)	Jenkins	Oxley
Deal	John	Packard
DeFazio	Johnson (CT)	Pallone
DeGette	Johnson, E. B.	Pascrell
Delahunt	Johnson, Sam	Pastor
DeLauro	Jones (NC)	Paul
DeMint	Jones (OH)	Payne
Deutsch	Kanjorski	Pease
Diaz-Balart	Kaptur	Pelosi
Dickey	Kelly	Peterson (MN)
Dicks	Kennedy	Peterson (PA)
Dingell	Kildee	Petri
Dixon	Kilpatrick	Phelps
Doggett	Kind (WI)	Pickering
Dooley	King (NY)	Pickett
Doolittle	Kingston	Pitts
Doyle	Kleczka	Pombo
Dreier	Klink	Pomeroy
Duncan	Knollenberg	Porter
Dunn	Kolbe	Portman
Edwards	Kucinich	Price (NC)
Ehlers	Kuykendall	Pryce (OH)
Emerson	LaFalce	Quinn
Engel	LaHood	Radanovich
English	Lampson	Rahall
Eshoo	Lantos	Ramstad
Etheridge	Largent	Rangel
Evans	Larson	Regula
Everett	Latham	Reyes
Ewing	LaTourette	Reynolds
Farr	Lazio	Riley
Fattah	Leach	Rivers
Filner	Lee	Rodriguez
Fletcher	Levin	Roemer
Foley	Lewis (CA)	Rogers
Forbes	Lewis (GA)	Rohrabacher
Ford	Lewis (KY)	Ros-Lehtinen
Fossella	Linder	Rothman
Fowler	Lipinski	Roukema
Frank (MA)	LoBiondo	Roybal-Allard
Franks (NJ)	Lofgren	Royce
Frelinghuysen	Lowe	Rush
Frost	Lucas (KY)	Ryan (WI)
Gallegly	Lucas (OK)	Ryun (KS)
Ganske	Luther	Sabo
Gejdenson	Maloney (CT)	Salmon
Gekas	Maloney (NY)	Sanchez
Gephardt	Manzullo	Sanders
Gibbons	Markey	Sandlin
Gillmor	Martinez	Sanford
Gilman	Mascara	Sawyer
Gonzalez	Matsui	Saxton
Goode	McCarthy (MO)	Scarborough
Goodlatte	McCarthy (NY)	Schaffer
Goodling	McCollum	Schakowsky
Gordon	McCrery	Scott

Sensenbrenner	Strickland	Vento
Serrano	Stump	Visclosky
Sessions	Stupak	Vitter
Shadegg	Sununu	Walden
Shaw	Sweeney	Walsh
Shays	Talent	Wamp
Sherman	Tancredo	Waters
Sherwood	Tanner	Watkins
Shimkus	Tauscher	Watt (NC)
Shows	Tauzin	Watts (OK)
Shuster	Taylor (MS)	Waxman
Simpson	Taylor (NC)	Weiner
Sisisky	Terry	Weldon (FL)
Skeen	Thomas	Weldon (PA)
Skelton	Thompson (CA)	Weller
Slaughter	Thompson (MS)	Wexler
Smith (MI)	Thornberry	Weygand
Smith (NJ)	Thune	Whitfield
Smith (TX)	Thurman	Wicker
Smith (WA)	Tiahrt	Wilson
Snyder	Tierney	Wise
Souder	Toomey	Wolf
Spence	Trafficant	Woolsey
Spratt	Turner	Wu
Stabenow	Udall (CO)	Wynn
Stark	Udall (NM)	Young (AK)
Stearns	Upton	Young (FL)
Stenholm	Velazquez	

NOT VOTING—8

Brown (CA)	Ehrlich	Rogan
Clement	Gilchrist	Towns
DeLay	Kasich	

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.

¶70.10 APPOINTMENT OF CONFEREES—
H.R. 775

Thereupon, the SPEAKER pro tempore, Mr. PEASE, by unanimous consent, appointed the following Members as managers on the part of the House at said conference:

From the Committee on the Judiciary, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. HYDE, SENSENBRENNER, GOODLATTE, CONYERS, and Ms. LOFGREN.

From the Committee on Commerce, for consideration of section 18 of the Senate amendment, and modifications committed to conference:

Messrs. BILEY, OXLEY, and DINGELL.

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

¶70.11 PROVIDING FOR THE
CONSIDERATION OF H.R. 1658

Ms. PRYCE of Ohio, by direction of the Committee on Rules, called up the following resolution (H. Res. 216):

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. 1658) to provide a more just and uniform procedure for Federal civil forfeitures, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill 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 the Judiciary. 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 an amend-

ment in the nature of a substitute consisting of the bill modified by the amendment recommended by the Committee on the Judiciary now printed in the bill. Each section of that 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, which may be offered only by Representative Hyde or his designee, may amend portions of the bill not yet read for amendment, and shall be considered as read. No further amendment to the amendment in the nature of a substitute made in order as original text shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and 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 Ms. PRYCE of Ohio, 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.

¶70.12 CIVIL ASSET FORFEITURE

The SPEAKER pro tempore, Mr. PEASE, pursuant to House Resolution 216 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. 1658) to provide a more just and uniform procedure for Federal civil forfeitures, and for other purposes.

The SPEAKER pro tempore, Mr. PEASE, by unanimous consent, designated Mr. LAHOOD as Chairman of the Committee of the Whole; and after some time spent therein,

The Committee rose informally to receive a message from the President.

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

¶70.13 MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr.

Sherman Williams, one of his secretaries.

The Committee resumed its sitting; and after some further time spent therein,

¶70.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. HUTCHINSON:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Civil Asset Forfeiture Reform Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Creation of general rules relating to civil forfeiture proceedings.
- Sec. 3. Compensation for damage to seized property.
- Sec. 4. Prejudgment and postjudgment interest.
- Sec. 5. Applicability.

SEC. 2. CREATION OF GENERAL RULES RELATING TO CIVIL FORFEITURE PROCEEDINGS.

(a) IN GENERAL.—Chapter 46 of title 18, United States Code, is amended by inserting the following new section after section 982:

“§ 983. Civil forfeiture procedures

“(a) ADMINISTRATIVE FORFEITURES.—(1)(A) In any nonjudicial civil forfeiture proceeding under a civil forfeiture statute, with respect to which the agency conducting a seizure of property must send written notice of the seizure under section 607(a) of the Tariff Act of 1930 (19 U.S.C. 1607(a)), such notice together with information on the applicable procedures shall be sent not later than 60 days after the seizure to each party known to the seizing agency at the time of the seizure to have an ownership or possessory interest, including a lienholder’s interest, in the seized article. If a party’s identity or interest is not determined until after the seizure but is determined before a declaration of forfeiture is entered, such written notice and information shall be sent to such interested party not later than 60 days after the seizing agency’s determination of the identity of the party or the party’s interest.

“(B) If the Government does not provide notice of a seizure of property in accordance with subparagraph (A), it shall return the property pending the giving of such notice.

“(2) The Government may apply to a Federal magistrate judge (as defined in the Federal Rules of Criminal Procedure) in any district where venue for a forfeiture action would lie under section 1355(b) of title 28 for an extension of time in which to comply with paragraph (1)(A). Such an extension shall be granted based on a showing of good cause.

“(3) A person with an ownership or possessory interest in the seized article who failed to file a claim within the time period prescribed in subsection (b) may, on motion made not later than 2 years after the date of final publication of notice of seizure of the property, move to set aside a declaration of forfeiture entered pursuant to section 609 of the Tariff Act of 1930 (19 U.S.C. 1609). Such motion shall be granted if—

“(A) the Government failed to take reasonable steps to provide the claimant with notice of the forfeiture; and

“(B) the person otherwise had no actual notice of the seizure within sufficient time to enable the person to file a timely claim under subsection (b).

“(4) If the court grants a motion made under paragraph (3), it shall set aside the declaration of forfeiture as to the moving party’s interest pending forfeiture proceedings in accordance with section 602 et seq. of the Tariff Act of 1930 (19 U.S.C. 1602 et seq.), which proceedings shall be instituted within 60 days of the entry of the order granting the motion.

“(5) If, at the time a motion under this subsection is granted, the forfeited property has been disposed of by the Government in accordance with law, the Government shall institute forfeiture proceedings under paragraph (4). The property which will be the subject of the forfeiture proceedings instituted under paragraph (4) shall be a sum of money equal to the value of the forfeited property at the time it was disposed of plus interest.

“(6) The institution of forfeiture proceedings under paragraph (4) shall not be barred by the expiration of the statute of limitations under section 621 of the Tariff Act of 1930 (19 U.S.C. 1621) if the original publication of notice was completed before the expiration of such limitations period.

“(7) A motion made under this subsection shall be the exclusive means of obtaining judicial review of a declaration of forfeiture entered by a seizing agency.

“(b) FILING A CLAIM.—(1) Any person claiming such seized property may file a claim with the appropriate official after the seizure.

“(2) A claim under paragraph (1) may not be filed later than 30 days after—

“(A) the date of final publication of notice of seizure; or

“(B) in the case of a person receiving written notice, the date that such notice is received.

“(3) The claim shall set forth the nature and extent of the claimant’s interest in the property.

“(4) Any person may bring a direct claim under subsection (b) without posting bond with respect to the property which is the subject of the claim.

“(c) FILING A COMPLAINT.—(1) In cases where property has been seized or restrained by the Government and a claim has been filed, the Attorney General shall file a complaint for forfeiture in the appropriate court in the manner set forth in the Supplemental Rules for Certain Admiralty and Maritime Claims not later than 90 days after the claim was filed, or return the property pending the filing of a complaint. By mutual agreement between the Government and the claimants, the 90-day filing requirement may be waived.

“(2) The Government may apply to a Federal magistrate judge (as defined in the Federal Rules of Criminal Procedure) in any district where venue for a forfeiture action would lie under section 1355(b) of title 28 for an extension of time in which to comply with paragraph (1). Such an extension shall be granted based on a showing of good cause.

“(3) Upon the filing of a civil complaint, the claimant shall file a claim and answer in accordance with the Supplemental Rules for Certain Admiralty and Maritime Claims.

“(d) APPOINTMENT OF COUNSEL.—(1) If the person filing a claim is financially unable to obtain representation by counsel and requests that counsel be appointed, the court may appoint counsel to represent that person with respect to the claim. In determining whether to appoint counsel to represent the person filing the claim, the court shall take into account—

“(A) the nature and value of the property subject to forfeiture, including the hardship to the claimant from the loss of the property seized, compared to the expense of appointing counsel;

“(B) the claimant’s standing to contest the forfeiture; and

“(C) whether the claim appears to be made in good faith or to be frivolous.

“(2) The court shall set the compensation for that representation, which shall be the equivalent to that provided for court-appointed representation under section 3006A of this title, and to pay such cost, there are authorized to be appropriated such sums as are necessary as an addition to the funds otherwise appropriated for the appointment of counsel under such section.

“(3) The determination of whether to appoint counsel under this subsection shall be made following a hearing at which the Government shall have an opportunity to present evidence and examine the claimant. The testimony of the claimant at such hearing shall not be admitted in any other proceeding except in accordance with the rules which govern the admissibility of testimony adduced in a hearing on a motion to suppress evidence. Nothing in this paragraph shall be construed to prohibit the admission of any evidence that may be obtained in the course of civil discovery in the forfeiture proceeding or through any other lawful investigative means.

“(e) BURDEN OF PROOF.—In all suits or actions brought for the civil forfeiture of any property, the burden of proof at trial is on the United States to establish, by a preponderance of the evidence, that the property is subject to forfeiture. If the Government proves that the property is subject to forfeiture, the claimant shall have the burden of establishing any affirmative defense by a preponderance of the evidence.

“(f) INNOCENT OWNERS.—(1) An innocent owner’s interest in property shall not be forfeited in any civil forfeiture action.

“(2) With respect to a property interest in existence at the time the illegal conduct giving rise to the forfeiture took place, the term ‘innocent owner’ means an owner who—

“(A) did not know of the conduct giving rise to the forfeiture; or

“(B) upon learning of the conduct giving rise to the forfeiture, did all that reasonably could be expected under the circumstances to terminate such use of the property.

“(3)(A) With respect to a property interest acquired after the conduct giving rise to the forfeiture has taken place, the term ‘innocent owner’ means a person who, at the time that person acquired the interest in the property, was a bona fide purchaser for value and was at the time of the purchase reasonably without cause to believe that the property was subject to forfeiture.

“(B) Except as provided in paragraph (4), where the property subject to forfeiture is real property, and the claimant uses the property as his or her primary residence and is the spouse or minor child of the person who committed the offense giving rise to the forfeiture, an otherwise valid innocent owner claim shall not be denied on the ground that the claimant acquired the interest in the property—

“(i) in the case of a spouse, through dissolution of marriage or by operation of law, or

“(ii) in the case of a minor child, as an inheritance upon the death of a parent, and not through a purchase. However, the claimant must establish, in accordance with subparagraph (A), that at the time of the acquisition of the property interest, the claimant was reasonably without cause to believe that the property was subject to forfeiture, and was an owner of the property, as defined in paragraph (6).

“(4) Notwithstanding any provision of this section, no person may assert an ownership interest under this section—

“(A) in contraband or other property that it is illegal to possess; or

“(B) in the illegal proceeds of a criminal act unless such person was a bona fide pur-

chaser for value who was reasonably without cause to believe that the property was subject to forfeiture.

“(5) For the purposes of paragraph (2) of this subsection a person does all that reasonably can be expected if the person takes all steps that a reasonable person would take in the circumstances to prevent or terminate the illegal use of the person’s property. There is a rebuttable presumption that a property owner took all the steps that a reasonable person would take if the property owner—

“(A) gave timely notice to an appropriate law enforcement agency of information that led to the claimant to know the conduct giving rise to a forfeiture would occur or has occurred; and

“(B) in a timely fashion, revoked permission for those engaging in such conduct to use the property or took reasonable steps in consultation with a law enforcement agency to discourage or prevent the illegal use of the property.

The person is not required to take extraordinary steps that the person reasonably believes would be likely to subject the person to physical danger.

“(6) As used in this subsection—

“(A) the term ‘civil forfeiture statute’ means 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.

“(B) the term ‘owner’ means a person with an ownership interest in the specific property sought to be forfeited, including a lien, mortgage, recorded security device, or valid assignment of an ownership interest. Such term does not include—

“(i) a person with only a general unsecured interest in, or claim against, the property or estate of another;

“(ii) a bailee unless the bailor is identified and the bailee shows a colorable legitimate interest in the property seized; or

“(iii) a nominee who exercises no dominion or control over the property;

“(C) a person shall be considered to have known that the person’s property was being used or was likely to be used in the commission of an illegal act if the person was willfully blind.

“(7) If the court determines, in accordance with this subsection, that an innocent owner had a partial interest in property otherwise subject to forfeiture, or a joint tenancy or tenancy by the entirety in such property, the court shall enter an appropriate order—

“(A) severing the property;

“(B) transferring the property to the Government with a provision that the Government compensate the innocent owner to the extent of his or her ownership interest once a final order of forfeiture has been entered and the property has been reduced to liquid assets; or

“(C) permitting the innocent owner to retain the property subject to a lien in favor of the Government, to the extent of the forfeitable interest in the property, that will permit the Government to realize its forfeitable interest if the property is transferred to another person.

To effectuate the purposes of this subsection, a joint tenancy or tenancy by the entireties shall be converted to a tenancy in common by order of the court, irrespective of state law.

“(8) An innocent owner defense under this subsection is an affirmative defense.

“(g) MOTION TO SUPPRESS SEIZED EVIDENCE.—At any time after a claim and answer are filed in a judicial forfeiture proceeding, a claimant with standing to contest the seizure of the property may move to sup-

press the fruits of the seizure in accordance with the normal rules regarding the suppression of illegally seized evidence. If the claimant prevails on such motion, the fruits of the seizure shall not be admitted into evidence as to that claimant at the forfeiture trial. However, a finding that evidence should be suppressed shall not bar the forfeiture of the property based on evidence obtained independently before or after the seizure.

“(h) USE OF HEARSAY AT PRE-TRIAL HEARINGS.—At any pre-trial hearing under this section in which the governing standard is probable cause, the court may accept and consider hearsay otherwise inadmissible under the Federal Rules of Evidence.

“(i) STIPULATIONS.—Notwithstanding the claimant's offer to stipulate to the forfeitability of the property, the Government shall be entitled to present evidence to the finder of fact on that issue before the claimant presents any evidence in support of any affirmative defense.

“(j) PRESERVATION OF PROPERTY SUBJECT TO FORFEITURE.—The court, before or after the filing of a forfeiture complaint and on the application of the Government, may—

“(1) enter any restraining order or injunction in the manner set forth in section 413(e) of the Controlled Substances Act (21 U.S.C. 853(e));

“(2) require the execution of satisfactory performance bonds;

“(3) create receiverships;

“(4) appoint conservators, custodians, appraisers, accountants or trustees; or

“(5) take any other action to seize, secure, maintain, or preserve the availability of property subject to forfeiture under this section.

“(k) EXCESSIVE FINES.—(1) At the conclusion of the trial and following the entry of a verdict of forfeiture, or upon the entry of summary judgment for the Government as to the forfeitability of the property, the claimant may petition the court to determine whether the excessive fines clause of the Eighth Amendment applies, and if so, whether forfeiture is excessive. The claimant shall have the burden of establishing that a forfeiture is excessive by a preponderance of the evidence at a hearing conducted in the manner provided in Rule 43(e), Federal Rules of Civil Procedure, by the Court without a jury. If the court determines that the forfeiture is excessive, it shall adjust the forfeiture to the extent necessary to avoid the Constitutional violation.

“(2) The claimant may not object to the forfeiture on Eighth Amendment grounds other than as set forth in paragraph (1), except that a claimant may, at any time, file a motion for summary judgment asserting that even if the property is subject to forfeiture, the forfeiture would be excessive. The court shall rule on such motion for summary judgment only after the Government has had an opportunity—

“(A) to conduct full discovery on the Eighth Amendment issue; and

“(B) to place such evidence as may be relevant to the excessive fines determination before the court in affidavits or at an evidentiary hearing.

“(l) PRE-DISCOVERY STANDARD.—In a judicial proceeding on the forfeiture of property, the Government shall not be required to establish the forfeitability of the property before the completion of discovery pursuant to the Federal Rules of Civil Procedure, particularly Rule 56(f) as may be ordered by the court or if no discovery is ordered before trial.

“(m) APPLICABILITY.—The procedures set forth in this section apply to any civil forfeiture action brought under any provision of this title, the Controlled Substances Act, or the Immigration and Naturalization Act.”

(b) RELEASE OF PROPERTY.—Chapter 46 of title 18, United States Code, is amended to add the following section after section 984:

“§ 985. Release of property to avoid hardship

“(a) A person who has filed a claim under section 983 is entitled to release pursuant to subsection (b) of seized property pending trial if—

“(1) the claimant has a possessory interest in the property sufficient to establish standing to contest forfeiture and has filed a non-frivolous claim on the merits of the forfeiture action;

“(2) the claimant has sufficient ties to the community to provide assurance that the property will be available at the time of the trial;

“(3) the continued possession by the United States Government pending the final disposition of forfeiture proceedings will cause substantial hardship to the claimant, such as preventing the claimant from working, leaving the claimant homeless, or preventing the functioning of a business;

“(4) the claimant's hardship outweighs the risk that the property will be destroyed, damaged, lost, concealed, diminished in value or transferred if it is returned to the claimant during the pendency of the proceeding; and

“(5) none of the conditions set forth in subsection (c) applies;

“(b)(1) The claimant may make a request for the release of property under this subsection at any time after the claim is filed. If, at the time the request is made, the seizing agency has not yet referred the claim to a United States Attorney pursuant to section 608 of the Tariff Act of 1930 (19 U.S.C. 1608), the request may be filed with the seizing agency; otherwise the request must be filed with the United States Attorney to whom the claim was referred. In either case, the request must set forth the basis on which the requirements of subsection (a)(1) are met.

“(2) If the seizing agency, or the United States Attorney, as the case may be, denies the request or fails to act on the request within 20 days, the claimant may file the request as a motion for the return of seized property in the district court for the district represented by the United States Attorney to whom the claim was referred, or if the claim has not yet been referred, in the district court that issued the seizure warrant for the property, or if no warrant was issued, in any district court that would have jurisdiction to consider a motion for the return of seized property under Rule 41(e), Federal Rules of Criminal Procedure. The motion must set forth the basis on which the requirements of subsection (a) have been met and the steps the claimant has taken to secure the release of the property from the appropriate official.

“(3) The district court must act on a motion made pursuant to this subsection within 30 days or as soon thereafter as practicable, and must grant the motion if the claimant establishes that the requirements of subsection (a) have been met. If the court grants the motion, the court must enter any order necessary to ensure that the value of the property is maintained while the forfeiture action is pending, including permitting the inspection, photographing and inventory of the property, and the court may take action in accordance with Rule E of the Supplemental Rules for Certain Admiralty and Maritime Cases. The Government is authorized to place a lien against the property or to file a lis pendens to ensure that it is not transferred to another person.

“(4) If property returned to the claimant under this section is lost, stolen, or diminished in value, any insurance proceeds shall be paid to the United States and such pro-

ceeds shall be subject to forfeiture in place of the property originally seized.

“(c) This section shall not apply if the seized property—

“(1) is contraband, currency or other monetary instrument, or electronic funds unless such currency or other monetary instrument or electronic funds constitutes the assets of a business which has been seized,

“(2) is evidence of a violation of the law,

“(3) by reason of design or other characteristic, is particularly suited for use in illegal activities; or

“(4) is likely to be used to commit additional criminal acts if returned to the claimant.”

“(d) Once a motion for the release of property under this section is filed, the person filing the motion may request that the motion be transferred to another district where venue for the forfeiture action would lie under section 1355(b) of title 28 pursuant to the change of venue provisions in section 1404 of title 28.”

(c) CHAPTER ANALYSIS.—The chapter analysis for chapter 46 of title 18, United States Code, is amended—

(1) by inserting after the item relating to section 982 the following:

“983. Civil forfeiture procedures”; and

(2) by inserting after the item relating to section 984 the following:

“985. Release of property to avoid hardship”.

(f) CIVIL FORFEITURE OF PROCEEDS.—Section 981(a)(1) of title 18, United States Code, is amended—

(1) in subparagraph (C) by inserting before the period the following: “or any offense constituting ‘specified unlawful activity’ as defined in section 1956(c)(7) of this title or a conspiracy to commit such offense”; and

(2) by striking subparagraph (E).

(d) UNIFORM DEFINITION OF PROCEEDS.—Section 981(a) of title 18, United States Code, as amended by subsection (c), is amended—

(A) in paragraph (1), by striking “gross receipts” and “gross proceeds” wherever those terms appear and inserting “proceeds”; and

(B) by adding the following after paragraph (1):

“(2) For purposes of paragraph (1), the term ‘proceeds’ means property of any kind obtained, directly or indirectly, as the result of the commission of the offense giving rise to forfeiture, and any property traceable thereto, and is not limited to the net gain or profit realized from the commission of the offense. In a case involving the forfeiture of proceeds of a fraud or false claim under paragraph (1)(C) involving billing for goods or services part of which are legitimate and part of which are not legitimate, the court shall allow the claimant a deduction from the forfeiture for the amount obtained in exchange for the legitimate goods or services. In a case involving goods or services provided by a health care provider, such goods or services are not ‘legitimate’ if they were unnecessary.

“(3) For purposes of the provisions of subparagraphs (B) through (H) of paragraph (1) which provide for the forfeiture of proceeds of an offense or property traceable thereto, where the proceeds have been commingled with or invested in real or personal property, only the portion of such property derived from the proceeds shall be regarded as property traceable to the forfeitable proceeds. Where the proceeds of the offense have been invested in real or personal property that has appreciated in value, whether the relationship of the property to the proceeds is too attenuated to support the forfeiture of such property shall be determined in accordance with the excessive fines clause of the Eighth Amendment.”

SEC. 3. COMPENSATION FOR DAMAGE TO SEIZED PROPERTY.

(a) TORT CLAIMS ACT.—Section 2680(c) of title 28, United States Code, is amended—

(1) by striking "law-enforcement" and inserting "law enforcement"; and

(2) by inserting before the period the following: " , except that the provisions of this chapter and section 1346(b) of this title do apply to any claim based on the destruction, injury, or loss of goods, merchandise, or other property, while in the possession of any officer of customs or excise or any other law enforcement officer, if the property was seized for the purpose of forfeiture 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 but the interest of the claimant is not forfeited.

(b) DEPARTMENT OF JUSTICE.—

(1) IN GENERAL.—With respect to a claim that cannot be settled under chapter 171 of 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. PREJUDGMENT AND POSTJUDGMENT 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 nor make any other payments to the claimant not specifically authorized by this subsection."

SEC. 5. APPLICABILITY.

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.

It was decided in the { Yeas 155 negative } Nays 268

70.15 [Roll No. 254] AYES—155

- Allen Hayes Peterson (MN)
Andrews Heger Pickering
Bachus Hill (IN) Pomeroy
Baird Hilleary Porter
Ballenger Hoeffel Portman
Barcia Holden Pryce (OH)
Barrett (WI) Holt Quinn
Barton Hooley Ramstad
Bateman Horn Regula
Bilbray Houghton Reyes
Blagojevich Hoyer Reynolds
Blumenauer Hulshof Rogers
Blunt Hutchinson Ros-Lehtinen
Boehlert Insee Rothman
Bonior Isakson Roukema
Boswell John Salmon
Boyd Johnson (CT) Sanchez
Brady (TX) Jones (NC) Saxton
Bryant Jones (OH) Shaw
Buyer Kildee Shays
Calvert Kind (WI) Sherman
Capps Kleczka Shows
Cardin Knollenberg Sisisky
Castle Kuykendall Slaughter
Chambliss Larson Smith (WA)
Coburn Latham Souder
Collins Leach Stabenow
Condit Levin Stearns
Cooksey Lowey Stupak
Cramer Luther Sweeney
Crowley Maloney (CT) Taylor (MS)
Cubin Maloney (NY) Terry
Deal McCarthy (NY) Thomas
Deutsch McColium Thompson (CA)
Dickey McCrery Thornberry
Dixon McDermott Thune
Doggett McHugh Thurman
Dooley McIntyre Turner
Dunn McNulty Visclosky
Edwards Mica Vitter
Ehlers Miller (FL) Walden
Ehrlich Moore Walsh
Etheridge Moran (KS) Waxman
Fowler Moran (VA) Weiner
Frelinghuysen Morella Weldon (FL)
Gekas Myrick Weldon (PA)
Gilman Norwood Weygand
Gordon Nussle Whitfield
Goss Ose Wolf
Green (WI) Oxley Wu
Greenwood Pallone Young (FL)
Gutierrez Pascrell

NOES—268

- Abercrombie Canady Dreier
Ackerman Cannon Duncan
Aderholt Capuano Emerson
Archer Carson Engel
Armey Chabot English
Baker Chenoweth Eshoo
Baldacci Clay Evans
Baldwin Claymont Everett
Barr Clement Ewing
Barrett (NE) Clyburn Farr
Bartlett Coble Fattah
Bass Combest Filner
Becerra Conyers Fletcher
Bentsen Cook Foley
Bereuter Cox Forbes
Berkley Coyne Ford
Berry Crane Fossella
Biggart Cummings Frank (MA)
Billirakis Cunningham Franks (NJ)
Bishop Danner Frost
Billey Davis (FL) Gallegly
Boehner Davis (IL) Ganske
Bonilla Davis (VA) Gejdenson
Bono DeFazio Gephardt
Borski DeGette Gibbons
Boucher Delahunt Gillmor
Brady (PA) DeLauro Gonzalez
Brown (FL) DeLay Goode
Brown (OH) DeMint Goodlatte
Burr Diaz-Balart Goodling
Burton Dicks Graham
Callahan Dingell Granger
Camp Doolittle Green (TX)
Campbell Doyle Gutknecht

- Hall (OH) McIntosh Sanford
Hall (TX) McKeon Sawyer
Hansen McKinney Scarborough
Hastings (FL) Meehan Schaffer
Hastings (WA) Meek (FL) Schakowsky
Hayworth Meeks (NY) Scott
Hefley Menendez Sensenbrenner
Hill (MT) Metcalf Serrano
Hilliard Millender Sessions
Hinchey McDonald Shadegg
Hinojosa Miller, Gary Sherwood
Hobson Miller, George Shimkus
Hoekstra Minge Shuster
Hostettler Mink Simpson
Hunter Moakley Skeen
Hyde Murtha Skelton
Istook Nadler Smith (MI)
Jackson (IL) Napolitano Smith (NJ)
Jackson-Lee Neal Smith (TX)
(TX) Nethercutt Snyder
Jefferson Ney Spence
Jenkins Northup Spratt
Johnson, E. B. Oberstar Stark
Johnson, Sam Obey Stenholm
Kanjorski Oliver Strickland
Kaptur Ortiz Stump
Kelly Owens Sununu
Kennedy Pastor Talent
Kilpatrick Paul Tancredo
King (NY) Payne Tanner
Kingston Pease Tauscher
Klink Pelosi Tauzin
Kolbe Peterson (PA) Taylor (NC)
Kucinich Petri Thompson (MS)
LaFalce Phelps Tiahrt
LaHood Pickett Tierney
Lampson Pitts Toomey
Lantos Pombo Towns
LaTourette Price (NC) Trafficant
Lee Radanovich Udall (CO)
Lewis (CA) Rahall Udall (NM)
Lewis (GA) Rangel Upton
Lewis (KY) Riley Velazquez
Linder Rivers Vento
Lipinski Rodriguez Wamp
LoBiondo Roemer Waters
Lofgren Rogan Watkins
Lucas (KY) Rohrabacher Watt (NC)
Lucas (OK) Roybal-Allard Watts (OK)
Manzullo Royce Weller
Markey Rush Wexler
Martinez Ryan (WI) Wicker
Mascara Ryun (KS) Wilson
Matsui Sabo Woolsey
McCarthy (MO) Sanders Wynn
McGovern Sandlin Young (AK)

NOT VOTING—11

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

So the amendment in the nature of a substitute was not agreed to.

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

When Mr. LAHOOD, Chairman, pursuant to House Resolution 216, 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 "Civil Asset Forfeiture Reform Act".

SEC. 2. CREATION OF GENERAL RULES RELATING TO CIVIL FORFEITURE PROCEEDINGS.

Section 981 of title 18, United States Code, is amended—

(1) by inserting after subsection (i) the following:

"(j)(1)(A) In any nonjudicial civil forfeiture proceeding under a civil forfeiture statute, with respect to which the agency conducting a seizure of property must give written notice to interested parties, such notice shall be given as soon as practicable and in no

case more than 60 days after the later of the date of the seizure or the date the identity of the interested party is first known or discovered by the agency, except that the court may extend the period for filing a notice for good cause shown.

“(B) A person entitled to written notice in such proceeding to whom written notice is not given may on motion void the forfeiture with respect to that person’s interest in the property, unless the agency shows—

“(i) good cause for the failure to give notice to that person; or

“(ii) that the person otherwise had actual notice of the seizure.

“(C) If the Government does not provide notice of a seizure of property in accordance with subparagraph (A), it shall return the property and may not take any further action to effect the forfeiture of such property.

“(2)(A) Any person claiming property seized in a nonjudicial forfeiture proceeding may file a claim with the appropriate official after the seizure.

“(B) A claim under subparagraph (A) may not be filed later than 30 days after—

“(i) the date of final publication of notice of seizure; or

“(ii) in the case of a person entitled to written notice, the date that notice is received.

“(C) The claim shall state the claimant’s interest in the property.

“(D) Not later than 90 days after a claim has been filed, the Attorney General shall file a complaint for forfeiture in the appropriate court or return the property, except that a court in the district in which the complaint will be filed may extend the period for filing a complaint for good cause shown or upon agreement of the parties.

“(E) If the Government does not file a complaint for forfeiture of property in accordance with subparagraph (D), it shall return the property and may not take any further action to effect the forfeiture of such property.

“(F) Any person may bring a claim under subparagraph (A) without posting bond with respect to the property which is the subject of the claim.

“(3)(A) In any case where the Government files in the appropriate United States district court a complaint for forfeiture of property, any person claiming an interest in the seized property may file a claim asserting such person’s interest in the property within 30 days of service of the Government’s complaint or, where applicable, within 30 days of alternative publication notice.

“(B) A person asserting an interest in seized property in accordance with subparagraph (A) shall file an answer to the Government’s complaint for forfeiture within 20 days of the filing of the claim.

“(4)(A) If the person filing a claim is financially unable to obtain representation by counsel, the court may appoint counsel to represent that person with respect to the claim.

“(B) In determining whether to appoint counsel to represent the person filing the claim, the court shall take into account such factors as—

“(i) the claimant’s standing to contest the forfeiture; and

“(ii) whether the claim appears to be made in good faith or to be frivolous.

“(C) The court shall set the compensation for that representation, which shall be equivalent to that provided for court-appointed representation under section 3006A of this title, and to pay such cost there are authorized to be appropriated such sums as are necessary as an addition to the funds otherwise appropriated for the appointment of counsel under such section.

“(5) In all suits or actions brought under any civil forfeiture statute for the civil for-

feiture of any property, the burden of proof is on the United States Government to establish, by clear and convincing evidence, that the property is subject to forfeiture.

“(6)(A) An innocent owner’s interest in property shall not be forfeited under any civil forfeiture statute.

“(B) With respect to a property interest in existence at the time the illegal conduct giving rise to forfeiture took place, the term ‘innocent owner’ means an owner who—

“(i) did not know of the conduct giving rise to forfeiture; or

“(ii) upon learning of the conduct giving rise to the forfeiture, did all that reasonably could be expected under the circumstances to terminate such use of the property.

“(C) With respect to a property interest acquired after the conduct giving rise to the forfeiture has taken place, the term ‘innocent owner’ means a person who, at the time that person acquired the interest in the property, was—

“(i)(I) a bona fide purchaser or seller for value (including a purchaser or seller of goods or services for value); or

“(II) a person who acquired an interest in property through probate or inheritance; and

“(ii) at the time of the purchase or acquisition reasonably without cause to believe that the property was subject to forfeiture.

“(D) Where the property subject to forfeiture is real property, and the claimant uses the property as the claimant’s primary residence and is the spouse or minor child of the person who committed the offense giving rise to the forfeiture, an otherwise valid innocent owner claim shall not be denied on the ground that the claimant acquired the interest in the property—

“(i) in the case of a spouse, through dissolution of marriage or by operation of law; or

“(ii) in the case of a minor child, as an inheritance upon the death of a parent, and not through a purchase. However, the claimant must establish, in accordance with subparagraph (C), that at the time of the acquisition of the property interest, the claimant was reasonably without cause to believe that the property was subject to forfeiture.

“(7) For the purposes of paragraph (6)—

“(A) ways in which a person may show that such person did all that reasonably can be expected may include demonstrating that such person, to the extent permitted by law—

“(i) gave timely notice to an appropriate law enforcement agency of information that led the person to know the conduct giving rise to a forfeiture would occur or has occurred; and

“(ii) in a timely fashion revoked or attempted to revoke permission for those engaging in such conduct to use the property or took reasonable actions in consultation with a law enforcement agency to discourage or prevent the illegal use of the property; and

“(B) in order to do all that can reasonably be expected, a person is not required to take steps that the person reasonably believes would be likely to subject any person (other than the person whose conduct gave rise to the forfeiture) to physical danger.

“(8) As used in this subsection:

“(1) The term ‘civil forfeiture statute’ means 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.

“(2) The term ‘owner’ means a person with an ownership interest in the specific property sought to be forfeited, including a leasehold, lien, mortgage, recorded security device, or valid assignment of an ownership interest. Such term does not include—

“(i) a person with only a general unsecured interest in, or claim against, the property or estate of another;

“(ii) a bailee unless the bailor is identified and the bailee shows a colorable legitimate interest in the property seized; or

“(iii) a nominee who exercises no dominion or control over the property.

“(k)(1) A claimant under subsection (j) is entitled to immediate release of seized property if—

“(A) the claimant has a possessory interest in the property;

“(B) the continued possession by the United States Government pending the final disposition of forfeiture proceedings will cause substantial hardship to the claimant, such as preventing the functioning of a business, preventing an individual from working, or leaving an individual homeless; and

“(C) the claimant’s likely hardship from the continued possession by the United States Government of the seized property outweighs the risk that the property will be destroyed, damaged, lost, concealed, or transferred if it is returned to the claimant during the pendency of the proceeding.

“(2) A claimant seeking release of property under this subsection must request possession of the property from the appropriate official, and the request must set forth the basis on which the requirements of paragraph (1) are met.

“(3) If within 10 days after the date of the request the property has not been released, the claimant may file a motion or complaint in any district court that would have jurisdiction of forfeiture proceedings relating to the property setting forth—

“(A) the basis on which the requirements of paragraph (1) are met; and

“(B) the steps the claimant has taken to secure release of the property from the appropriate official.

“(4) If a motion or complaint is filed under paragraph (3), the district court shall order that the property be returned to the claimant, pending completion of proceedings by the United States Government to obtain forfeiture of the property, if the claimant shows that the requirements of paragraph (1) have been met. The court may place such conditions on release of the property as it finds are appropriate to preserve the availability of the property or its equivalent for forfeiture.

“(5) The district court shall render a decision on a motion or complaint filed under paragraph (3) no later than 30 days after the date of the filing, unless such 30-day limitation is extended by consent of the parties or by the court for good cause shown.”; and

(2) by redesignating existing subsection (j) as subsection (l).

SEC. 3. COMPENSATION FOR DAMAGE TO SEIZED PROPERTY.

(a) TORT CLAIMS ACT.—Section 2680(c) of title 28, United States Code, is amended—

(1) by striking “law-enforcement” and inserting “law enforcement”; and

(2) by inserting before the period the following: “, except that the provisions of this chapter and section 1346(b) of this title do apply to any claim based on the destruction, injury, or loss of goods, merchandise, or other property, while in the possession of any officer of customs or excise or any other law enforcement officer, if the property was seized for the purpose of forfeiture 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 but the interest of the claimant is not forfeited”.

(b) DEPARTMENT OF JUSTICE.—

(1) IN GENERAL.—With respect to a claim that cannot be settled under chapter 171 of

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
Army 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 Kelly
Bass Ehlers Kennedy
Bateman Ehrlich Emerson
Beerra Kildee
Bentsen Engel Kilpatrick
Bereuter English Eshoo
Berkley Eshoo Kingston
Berry Etheridge Kleczka
Biggart Evans Klink
Bilirakis Everett Knollenberg
Bishop Ewing Kolbe
Blagojevich Farr Kucinich
Bliley Fattah Kuykendall
Blunt Filner LaFalce
Boehlert Fletcher LaHood
Boehner Foley Lampton
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) Gallegly 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 Martine
Carson Granger Mascara
Castle Green (TX) Matsui
Chabot Green (WI) McCarthy (MO)
Chenoweth Greenwood McCarthy (NY)
Clay Gutierrez McCollum
Clayton Gutknecht McDermott
Clement Hall (OH) McGovern
Clyburn Hall (TX) McHugh
Coble Hansen McIntosh
Coburn Hastings (FL) McIntyre
Combest Hastings (WA) McKeon
Conyers Hayworth McKinney
Cook Hefley McNulty
Cooksey Heger Meehan
Cox Hill (MT) Meek (FL)
Coyne Hilleary Meeks (NY)
Cramer Hilliard Menendez
Crane Hinchey Metcalf
Cummings Hinojosa Millender
Cunningham Hobson McDonald
Danner Hoeffel Miller (FL)
Davis (FL) Hoekstra Miller, Gary
Davis (IL) Holden Miller, George
Davis (VA) Holt Minge
Deal Hooley Mink
DeFazio Horn Moakley
DeGette Hostettler Moran (KS)
Delahunt Hoyer

- Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Oliver
Ortiz
Ose
Owens
Oxley
Pallone
Pastor
Paul
Payne
Pease
Pelosi
Peterson (PA)
Petri
Phelps
Pickett
Pitts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Regula
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaffer
Schakowsky
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simpson
Sisisky
Skeem
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stump

NOES—48

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

NOT VOTING—11

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

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-

grams designed to help children make the transition from foster care to self-sufficiency, and for other purposes (Rept. No. 106-199). Referred to the House Calendar.

70.24 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. TOWNS (for himself, Mr. GILLMOR, Mr. HALL of Texas, Mr. BURR of North Carolina, Mr. BISHOP, and Mr. HASTINGS of Washington):

H.R. 2335. A bill to amend the Federal Power Act to improve the hydroelectric licensing process by granting the Federal Energy Regulatory Commission statutory authority to better coordinate participation by other agencies and entities, and for other purposes; to the Committee on Commerce.

By Mr. MCCOLLUM:

H.R. 2336. A bill to amend title 28, United States Code, to provide for appointment of United States marshals by the Attorney General; to the Committee on the Judiciary.

By Mr. PAUL (for himself, Mr. BARR of Georgia, Mr. HINCHEY, Mr. HOSTETTLER, Mr. MEEKS of New York, and Mr. CAMPBELL):

H.R. 2337. A bill to repeal section 656 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on Government Reform.

By Mr. RAMSTAD:

H.R. 2338. A bill to require the Secretary of Health and Human Services to provide an individual who seeks to have a particular type of item or service to be covered benefit under the Medicare Program the option to meet with the Secretary in advance to develop a written agreement specifying the information necessary for the Secretary to make a national coverage determination under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BEREUTER (for himself, Mr. VENTO, Mr. HEFLEY, Mr. RAHALL, Mr. CASTLE, Mr. PICKETT, Mr. BARRETT of Nebraska, Mr. SAWYER, Mr. BOEHLERT, Mrs. TAUSCHER, Mr. GILCHREST, Mrs. NORTHUP, Mr. MCINNIS, Mr. OBERSTAR, Ms. PELOSI, Mr. FALEOMAVAEGA, Mr. LIPINSKI, Mr. LEACH, Mr. HINCHEY, Mr. MOLLOHAN, Mr. EHRLICH, Mr. ENGLISH, Mr. KUCINICH, Mr. EVANS, Mr. STARK, Mr. LANTOS, Mr. PORTER, Ms. WOOLSEY, Mr. COSTELLO, Mr. DAVIS of Illinois, Mrs. MORELLA, Mr. PHELPS, Mr. UDALL of Colorado, Ms. NORTON, Mr. MORAN of Virginia, Mr. EHLERS, Mr. WELLER, Mr. CLAY, Mr. GILMAN, and Mr. BLUMENAUER):

H.R. 2339. A bill to amend the National Trails System Act to authorize an additional category of national trail known as a national discovery trail, to provide special requirements for the establishment and administration of national discovery trails, and to designate the cross country American Discovery Trail as the first national discovery trail; to the Committee on Resources.

By Mr. BISHOP (for himself and Mr. CHAMBLISS):

H.R. 2340. A bill to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes; to the Committee on the Judiciary.

By Mr. BURR of North Carolina (for himself and Mr. TOWNS):

H.R. 2341. A bill to amend title XIX of the Social Security Act to establish a new prospective payment system for Federally-

qualified health centers and rural health clinics; to the Committee on Commerce.

By Mr. BURR of North Carolina (for himself and Mr. BALLENGER):

H.R. 2342. A bill to implement the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, and for other purposes; to the Committee on International Relations, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CALVERT:

H.R. 2343. A bill to amend the Endangered Species Act of 1973 to provide for the review and recommendation by the National Academy of Sciences of species that should be removed from lists of endangered species and threatened species; to the Committee on Resources.

By Mr. DAVIS of Florida (for himself, Mr. ROEMER, Mr. ETHERIDGE, Mr. GONZALEZ, Mr. FORD, Mr. SHOWS, Mr. BENTSEN, Mr. MARTINEZ, Mrs. MINK of Hawaii, Mr. KUCINICH, Ms. SANCHEZ, Mr. FATTAH, Mr. HOLT, Ms. WOOLSEY, Mr. ROMERO-BARCELÓ, Mr. SCARBOROUGH, Mr. FOLEY, Mr. HINOJOSA, Ms. STABENOW, Ms. BERKLEY, Mrs. THURMAN, Mr. KIND, Mr. SMITH of Washington, Mr. LAMPSON, and Mr. WYNN):

H.R. 2344. A bill to provide funds to assist high-poverty school districts meet their teaching needs; to the Committee on Education and the Workforce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Mrs. LOWEY, Mr. ROEMER, Mr. BONIOR, Mr. FROST, Ms. KAPTUR, Mr. HINCHEY, Mr. SERRANO, Mr. CROWLEY, Mr. MCDERMOTT, Ms. ROYBAL-ALLARD, Mr. MCGOVERN, Ms. KILPATRICK, Mr. WAXMAN, Mr. DOYLE, Mr. FALEOMAVAEGA, Mr. PALLONE, Mr. WYNN, Mr. KILDEE, Mr. LATHAM, Mr. DAVIS of Illinois, Mr. LIPINSKI, and Mr. CUMMINGS):

H.R. 2345. A bill to consolidate in a single independent agency in the executive branch the responsibilities regarding food safety, labeling, and inspection currently divided among several Federal agencies; to the Committee on Agriculture, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EHLERS (for himself, Mr. COBLE, Mr. DINGELL, Mr. UPTON, Mr. HOBSON, Mr. HOEKSTRA, Mr. TRAFICANT, and Mr. CAMPBELL):

H.R. 2346. A bill to authorize the enforcement by State and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment; to the Committee on Commerce.

By Mr. ENGLISH (for himself, Mr. HILL of Montana, and Mr. NETHERCUTT):

H.R. 2347. A bill to amend the Internal Revenue Code of 1986 to provide that the look-back method shall not apply to construction contracts required to use the percentage of completion method; to the Committee on Ways and Means.

By Mr. HANSEN (for himself, Mr. COOK, Mr. CANNON, Mr. UDALL of Colorado, Mr. MCINNIS, Mr. SCHAFFER, Mr. TANCREDO, and Mrs. CUBIN):

H.R. 2348. A bill to authorize the Bureau of Reclamation to provide cost sharing for the

endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins; to the Committee on Resources.

By Mr. HERGER (for himself and Ms. DUNN):

H.R. 2349. A bill to amend the Internal Revenue Code of 1986 to provide an inflation adjustment of the unified credit against the estate and gift taxes; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas (for himself, Mr. MCINTOSH, Mr. DOOLITTLE, Mr. ISTOOK, Mr. BURTON of Indiana, Mr. HILLEARY, Mr. HOSTETTLER, Mrs. CHENOWETH, Mr. GRAHAM, Mr. BARTLETT of Maryland, Mr. TANCREDO, Mr. PITTS, Mr. DICKEY, Mr. JONES of North Carolina, Mr. SUNUNU, Mr. HANSEN, Mr. SOUDER, Mr. WELDON of Florida, Mr. CHABOT, Mrs. CUBIN, Mr. DEMINT, Mr. HERGER, Mr. MCINNIS, Mr. WATKINS, Mr. HULSHOF, Mr. HAYWORTH, Mr. DELAY, Mr. PAUL, Mr. MANZULLO, Mrs. MYRICK, Mr. SKEEN, Mr. BILIRAKIS, Mr. HEFLEY, Mr. ROHR-ABACHER, Mr. MILLER of Florida, Mr. THORNBERRY, Mr. BONILLA, Mr. COBURN, Mr. POMBO, Mr. ISAKSON, Mr. SESSIONS, Mr. PICKERING, Mr. RYUN of Kansas, Mr. GREEN of Wisconsin, Mr. RILEY, Mr. SHADEGG, Mr. RYAN of Wisconsin, Mr. DREIER, Mr. HOBSON, Mr. HYDE, Mr. SPENCE, and Mr. METCALF):

H.R. 2350. A bill to amend the Internal Revenue Code of 1986 to repeal taxes on American Values; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAFALCE (for himself, Mr. WATT of North Carolina, Mr. VENTO, Mr. FRANK of Massachusetts, Mrs. MALONEY of New York, Mr. GUTIERREZ, Mr. GEORGE MILLER of California, and Mr. LUTHER):

H.R. 2351. A bill to amend the Truth in Lending Act to prohibit the distribution of any check or other negotiable instrument as part of a solicitation by a creditor for an extension of credit, to limit the liability of consumers in conjunction with such solicitations, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. MCCOLLUM (for himself and Mr. SHAW):

H.R. 2352. A bill to provide for a judicial remedy for United States persons injured as a result of violations by foreign states of their arbitral obligations under international law; to the Committee on the Judiciary.

H.R. 2353. A bill to direct the President to withhold extension of the WTO Agreement to any country that is not complying with its obligations under the New York Convention, and for other purposes; to the Committee on Ways and Means.

By Mr. RAHALL (for himself and Mr. GIBBONS):

H.R. 2354. A bill to grant a federal charter to the Association of American State Geologists; to the Committee on the Judiciary.

By Mr. SHAYS (for himself, Mr. FRANK of Massachusetts, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ALLEN, Mr. ANDREWS, Mr. BAIRD, Mr. BALDACCIO, Ms. BALDWIN, Mr. BARRETT of Wisconsin, Mr. BECERRA, Ms. BERKLEY, Mr. BERMAN, Mrs. BIGGERT, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BOEHLERT, Mr. BONIOR, Mr. BRADY of Pennsylvania, Mr. BROWN of California, Mr. BROWN of Ohio, Mr. CAMPBELL, Mrs. CAPPS,

Mr. CAPUANO, Mr. CARDIN, Ms. CARSON, Mrs. CHRISTENSEN, Mr. CLAY, Mrs. CLAYTON, Mr. CLYBURN, Mr. CONYERS, Mr. COYNE, Mr. CROWLEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Mr. DEUTSCH, Mr. DICKS, Mr. DIXON, Mr. DOOLEY of California, Mr. ENGEL, Ms. ESHOO, Mr. EVANS, Mr. FALDOMAVAEGA, Mr. FARR of California, Mr. FATTAH, Mr. FILNER, Mr. FORBES, Mr. FORD, Mr. FRELINGHUYSEN, Mr. FROST, Mr. GEJDENSON, Mr. GEPHARDT, Mr. GILMAN, Mr. GONZALEZ, Mr. GREENWOOD, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOEFFEL, Mr. HOLT, Ms. HOOLEY of Oregon, Mr. HORN, Mr. HOYER, Mr. INSLEE, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JOHNSON of Connecticut, Mrs. JONES of Ohio, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Ms. KILPATRICK, Mr. KIND, Mr. KLINE, Mr. KOLBE, Mr. KUCINICH, Mr. KUYKENDALL, Mr. LAFALCE, Mr. LANTOS, Mr. LARSON, Mr. LEACH, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Ms. LOFGREN, Mrs. LOWEY, Mr. LUTHER, Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. MCKINNEY, Mr. McNULTY, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. MARKEY, Mr. MARTINEZ, Mr. MATSUI, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. MEEKS of New York, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mr. MOORE, Mr. MORAN of Virginia, Mrs. MORELLA, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Ms. PRYCE of Ohio, Mr. RANGEL, Mr. REYES, Ms. RIVERS, Mr. RODRIGUEZ, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABO, Ms. SANCHEZ, Mr. SANDERS, Mr. SAWYER, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SHERMAN, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. STABENOW, Mr. STARK, Mrs. TAUSCHER, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Mrs. THURMAN, Mr. TIERNEY, Mr. TOWNS, Mr. TRAFICANT, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. UNDERWOOD, Mr. VENTO, Ms. WATERS, Mr. WATT of North Carolina, Mr. WAXMAN, Mr. WEINER, Mr. WEXLER, Mr. WEYGAND, Ms. WOOLSEY, Mr. WU, and Mr. WYNN):

H.R. 2355. A bill to prohibit employment discrimination on the basis of sexual orientation; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMAS (for himself, Mr. STARK, Mrs. JOHNSON of Connecticut, Mr. MCCRERY, Mr. SAM JOHNSON of Texas, Mr. CAMP, Mr. RAMSTAD, Mr. ENGLISH, Mr. MCINTOSH, and Mr. LOBIONDO):

H.R. 2356. A bill to amend title XVIII of the Social Security Act to improve review procedures under the Medicare Program by making those procedures more equitable and efficient for beneficiaries and other claimants,

and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TRAFICANT:

H.R. 2357. A bill to designate the United States Post Office located at 3675 Warrensville Center Road in Shaker Heights, Ohio, as the "Louise Stokes Post Office"; to the Committee on Government Reform.

By Mr. VISCLOSKEY (for himself, Mr. BURTON of Indiana, Mr. ROEMER, Mr. BUYER, Ms. CARSON, Mr. MCINTOSH, Mr. HILL of Indiana, Mr. HOSTETTLER, Mr. SOUDER, and Mr. PEASE):

H.R. 2358. A bill to designate the United States Post Office located at 3813 Main Street in East Chicago, Indiana, as the "Lance Corporal Harold Gomez Post Office"; to the Committee on Government Reform.

By Mr. YOUNG of Alaska (for himself, Mr. GEORGE MILLER of California, Mr. KILDEE, Mr. FROST, Ms. PELOSI, Mr. ABERCROMBIE, Mr. FOLEY, Mr. MCINNIS, Mr. UDALL of Colorado, Mr. PALLONE, Mr. WATKINS, Mr. HAYWORTH, Mr. KENNEDY of Rhode Island, Mr. SMITH of Washington, Mr. OBERSTAR, Mr. FALDOMAVAEGA, Mr. HOUGHTON, Mr. TOWNS, Ms. WATERS, Mr. NETHERCUTT, and Mr. STUPAK):

H.R. 2359. A bill to amend the Internal Revenue Code of 1986 to clarify the tax treatment of Settlement Trusts established pursuant to the Alaska Native Claims Settlement Act; to the Committee on Ways and Means.

By Mr. SANDERS (for himself and Mr. BURTON of Indiana):

H.R. 2360. A bill to provide that benefits under chapter 89 of title 5, United States Code, may be afforded for covered services provided by a licensed or certified chiropractor, acupuncturist, massage therapist, naturopathic physician, or midwife, without supervision or referral by another health practitioner; to the Committee on Government Reform.

By Mr. SANDERS:

H.R. 2361. A bill to repeal the interim payment system for home health services furnished under the Medicare Program, to eliminate the mandatory 15 percent reduction in payment amounts for such services under the prospective payment system, to continue periodic interim payments for such services, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

70.25 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 8: Mr. LAMPSON, Ms. GRANGER, Mr. BAKER, Mr. BONILLA, Mr. BURR of North Carolina, and Mr. CANNON.

H.R. 25: Mr. SANDERS.

H.R. 72: Mr. SCHAFFER.

H.R. 82: Mr. CLEMENT.

H.R. 148: Mr. ORTIZ and Mr. SWEENEY.

H.R. 172: Mr. DEAL of Georgia.

H.R. 175: Mr. SAXTON, Mr. LOBIONDO, Mr. STUPAK, and Mr. BLILEY.

H.R. 220: Mr. WAMP.

H.R. 303: Mr. PETERSON of Minnesota.

H.R. 323: Mr. CONYERS.

H.R. 355: Mr. MEEHAN.

H.R. 357: Mr. GORDON.

H.R. 405: Mr. DICKEY.

H.R. 406: Mr. OBERSTAR.

H.R. 486: Mr. WYNN, Mr. HILLIARD, Mr. LOBIONDO, and Mr. KANJORSKI.

H.R. 490: Mr. JOHN, Mr. WATTS of Oklahoma, Mr. STENHOLM, Mr. BENTSEN, Mr. COOK, Mr. GREEN of Texas, Mr. SHOWS, Mr. SESSIONS, Mr. SANDLIN, Mr. ISTOOK, Mr. SHIMKUS, Mr. HALL of Texas, Mr. SCHAFFER, Mr. SAM JOHNSON of Texas, and Mr. MANZULLO.

H.R. 516: Mr. PETERSON of Minnesota.

H.R. 518: Mr. PETERSON of Minnesota.

H.R. 555: Mr. GEORGE MILLER of California.

H.R. 597: Ms. GRANGER, Ms. KAPTUR, Mr. ROEMER, and Ms. SCHAKOWSKY.

H.R. 614: Mr. MILLER of Florida.

H.R. 623: Mr. SKELTON and Mr. SYNDER.

H.R. 628: Mr. GOODE.

H.R. 639: Mr. PHELPS.

H.R. 655: Mr. MALONEY of Connecticut.

H.R. 664: Mr. CLEMENT.

H.R. 675: Mr. MANZULLO.

H.R. 692: Mr. BAKER.

H.R. 742: Mr. DEUTSCH, Mr. GORDON, Mr. MENENDEZ, and Mr. QUINN.

H.R. 756: Mr. PITTS.

H.R. 765: Mr. CLEMENT and Mr. COSTELLO.

H.R. 783: Mr. BROWN of California and Mr. SHAYS.

H.R. 784: Mrs. MCCARTHY of New York.

H.R. 797: Mr. GUTIERREZ and Mr. TRAFICANT.

H.R. 804: Mr. COSTELLO and Mr. KIND.

H.R. 835: Mr. LAMPSON and Mr. SPRATT.

H.R. 853: Mr. RYAN of Wisconsin.

H.R. 864: Mr. FOSSELLA, Mr. LUTHER, Mr. JOHN, Mr. BOSWELL, Mrs. CHRISTENSEN, Mr. STUPAK, Mr. DEFAZIO, Mr. LOBIONDO, Mr. CONYERS, Mr. SAXTON, and Mr. COLLINS.

H.R. 865: Mr. RANGEL and Mr. SISISKY.

H.R. 903: Mr. CALVERT.

H.R. 922: Mr. GOODLING.

H.R. 976: Mr. GORDON and Mr. DOOLITTLE.

H.R. 1020: Mr. STUPAK, Ms. WOOLSEY, Ms. EDDIE BERNICE JOHNSON of Texas, and Mrs. THURMAN.

H.R. 1046: Mr. MCHUGH.

H.R. 1052: Mr. MCINTOSH, Mr. WEINER, and Mr. GOODLATTE.

H.R. 1070: Mr. COOKSEY, Mr. HEFLEY, Mr. ENGLISH, and Mr. SAXTON.

H.R. 1081: Mr. HOLDEN.

H.R. 1083: Mr. GOODE and Mr. JEFFERSON.

H.R. 1090: Mr. GILMAN, Mr. CLYBURN, Mr. CLAY, Ms. VELÁZQUEZ, and Mr. STUPAK.

H.R. 1092: Mrs. CAPPAS.

H.R. 1103: Mr. BECERRA, Mr. BORSKI, Mr. BOYD, Ms. BROWN of Florida, Mr. CAPUANO, Mr. DAVIS of Illinois, Mr. DOOLEY of California, Mr. ENGEL, Ms. ESHOO, Mr. FRANK of Massachusetts, Mr. KING, Mrs. LOWEY, Mr. MEEKS of New York, Ms. MCCARTHY of Missouri, Ms. MILLENDER-MCDONALD, Mr. OLVER, Mr. OWENS, Mr. RAHALL, Mr. VISCLOSKEY, and Mr. BLUMENAUER.

H.R. 1144: Mr. GIBBONS.

H.R. 1176: Ms. RIVERS.

H.R. 1180: Mr. KUCINICH, Mr. HOYER, Mr. BECERRA, and Mr. YOUNG of Alaska.

H.R. 1182: Mr. BAKER.

H.R. 1188: Mr. BOUCHER.

H.R. 1193: Mr. DEUTSCH and Mr. MURTHA.

H.R. 1218: Mr. PHELPS.

H.R. 1221: Mr. SKEEN and Mr. SHAW.

H.R. 1222: Mr. PHELPS.

H.R. 1247: Ms. SCHAKOWSKY.

H.R. 1260: Ms. BROWN of Florida.

H.R. 1264: Mr. SENSENBRENNER.

H.R. 1271: Mr. HINCHEY, Mr. MALONEY of Connecticut, Mr. FROST, Mr. NADLER, Ms. LEE, Mr. BROWN of Ohio, Mr. RAHALL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DAVIS of Illinois, Ms. KAPTUR, Ms. BROWN of Florida, Mr. BRADY of Pennsylvania.

H.R. 1287: Mr. TERRY.

H.R. 1300: Mr. HUTCHINSON and Mrs. ROUKEMA.

H.R. 1323: Mr. SMITH of Washington, Mr. BLUNT, and Mr. SKEEN.

H.R. 1329: Mr. MANZULLO and Mr. ANDREWS.

H.R. 1344: Mr. TAYLOR of North Carolina and Mr. DICKEY.

H.R. 1352: Ms. LOFGREN, Mr. ROTHMAN, Mr. KENNEDY of Rhode Island, Mr. CUMMINGS, Mr. EVANS, Ms. DANNER, Mrs. LOWEY, Mr. ALLEN, Ms. DELAURO, and Ms. PELOSI.

H.R. 1407: Mr. HOLT.

H.R. 1412: Ms. KAPTUR.

H.R. 1422: Mr. BISHOP, Ms. SCHAKOWSKY, Mr. DEFazio, Mr. LANTOS, Mr. INSLER, Ms. JACKSON-LEE of Texas, Mr. FRANK of Massachusetts, Mr. DAVIS of Illinois, Mr. MCGOVERN, Mr. RAHALL, Mr. FROST, Ms. VELAZQUEZ, Ms. MILLENDER-MCDONALD, Mrs. EMERSON, Ms. KAPTUR, and Mr. EVANS.

H.R. 1443: Mr. BLUMENAUER.

H.R. 1450: Mr. JEFFERSON.

H.R. 1477: Mr. WEINER, Mr. JEFFERSON, and Mr. KNOLLENBERG.

H.R. 1495: Mr. GILCHRIST and Mr. SHOWS.

H.R. 1505: Mr. KASICH and Mr. FOLEY.

H.R. 1507: Mr. DOOLITTLE.

H.R. 1523: Mr. MCINNIS, Mr. WATKINS, and Mr. ROHRBACHER.

H.R. 1524: Mr. BOYD.

H.R. 1525: Mr. FILNER, Mrs. MALONEY of New York and Mr. CAPUANO.

H.R. 1543: Ms. KILPATRICK, Mr. FROST, Mr. GUTIERREZ, and Mr. BENTSEN.

H.R. 1592: Mr. DOOLEY of California and Mrs. FOWLER.

H.R. 1622: Mrs. LOWEY and Ms. BALDWIN.

H.R. 1634: Mr. JEFFERSON and Mr. COOKSEY.

H.R. 1645: Mr. HINCHEY.

H.R. 1650: Mr. CASTLE, Mr. BOEHNER, Mr. CLYBURN, Mr. McNULTY, Mr. GONZALEZ, and Mr. JACKSON of Illinois.

H.R. 1671: Mr. WEXLER.

H.R. 1681: Mr. CUMMINGS, Mr. CONYERS, Mr. MEEKS of New York, Ms. KILPATRICK, Mr. DAVIS of Illinois, Mr. JEFFERSON, Mrs. CLAYTON, Mrs. CHRISTENSEN, Mr. FRANK of Massachusetts, Mr. TOWNS, Mr. CLYBURN, Mr. JACKSON of Illinois, Mr. PAYNE, Ms. NORTON, Mr. HASTINGS of Florida, Mrs. MEEK of Florida, Mr. SCOTT, Mr. WATT of North Carolina, Ms. BROWN of Florida, Ms. LEE, Mrs. JONES of Ohio, Mr. RANGEL, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1728: Mr. RODRIGUEZ.

H.R. 1730: Mr. ENGLISH, Ms. LOFGREN, Mr. MCHUGH, Mr. FALCOMA, and Mr. DEUTSCH.

H.R. 1732: Mr. THOMPSON of California.

H.R. 1736: Mr. THOMPSON of Mississippi and Mr. BALDACCII.

H.R. 1760: Mrs. MORELLA and Ms. STABENOW.

H.R. 1785: Mrs. MALONEY of New York, Mr. NADLER, Mr. DAVIS of Illinois, Mr. RAHALL, Mr. CROWLEY, Mr. OLIVER, Ms. MCCARTHY of Missouri, and Mr. BLUMENAUER.

H.R. 1788: Mr. WAXMAN, Mrs. MYRICK, Mr. SNYDER, Mr. DOYLE, Mr. GONZALEZ, Mr. ENGLISH, Mr. SHERMAN, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. McNULTY, and Mr. TIAHRT.

H.R. 1791: Mr. STENHOLM.

H.R. 1793: Mr. UPTON and Mr. CAMPBELL.

H.R. 1794: Mr. BERREUTER, Mr. LANTOS, Mr. ACKERMAN, Mr. BERMAN, Mr. WEXLER, Mr. FALCOMA, and Mr. DAVIS of Florida.

H.R. 1795: Mrs. MORELLA, Mr. BOUCHER, Mr. LOBIONDO, Mr. GREEN of Texas, Mr. GUTIERREZ, Mr. FILNER, and Mr. OBERSTAR.

H.R. 1837: Mr. GOODE, Mr. HALL of Texas, Mr. BALDACCII, Mr. OXLEY, Mrs. JOHNSON of Connecticut, and Mr. MCGOVERN.

H.R. 1839: Mr. BARCIA.

H.R. 1841: Mr. NADLER, Ms. SCHAKOWSKY, Mr. UNDERWOOD, and Ms. LOFGREN.

H.R. 1884: Mr. FROST, and Ms. LEE

H.R. 1899: Mr. THOMPSON of Mississippi, Ms. MILLENDER-MCDONALD, Mr. ENGEL, Mr. SMITH, of New Jersey, Mr. LAMPSON, Mr. RAHALL, Mr. WALSH, Mr. DAVIS of Illinois, Ms. KAPTUR, Mr. DIXON, Mr. BROWN of California, and Mr. DAVIS of Florida.

H.R. 1929: Mr. JEFFERSON.

H.R. 1935: Mr. LUTHER.

H.R. 1966: Mr. BONIOR, Mr. FOLEY, Mr. LANTOS, and Mr. BORSKI.

H.R. 1994: Mr. BERREUTER.

H.R. 2013: Mr. WAMP.

H.R. 2021: Mr. FROST, Mr. WEINER, Mr. CUMMINGS, Ms. PELOSI, and Ms. SCHAKOWSKY.

H.R. 2025: Ms. SCHAKOWSKY.

H.R. 2031: Mr. GILLMOR, Mr. GARY MILLER of California, Mr. SKELTON, Mr. BAKER, Mr. KILDRE, Mr. GUTKNECHT, and Mr. HILLIARD.

H.R. 2038: Mr. MCINNIS and Mr. SHIMKUS.

H.R. 2086: Mr. CAMPBELL, Mr. LARSON, Mr. COSTELLO, Mr. BARTON of Texas, and Mr. LAMPSON.

H.R. 2101: Mr. CHAMBLISS.

H.R. 2106: Mr. PALLONE.

H.R. 2116: Mr. SMITH of New Jersey and Mr. BILIRAKIS.

H.R. 2136: Mr. SHOWS and Mr. MCHUGH.

H.R. 2170: Mrs. THURMAN, Mr. RAHALL, Mr. MOAKLEY, Mr. PORTMAN, Mr. SISISKY, and Mr. REYES.

H.R. 2174: Ms. LEE and Mr. THOMPSON of Mississippi.

H.R. 2202: Mr. KIND and Mr. JONES of North Carolina.

H.R. 2227: Mr. SANDERS, Mr. FRANK of Massachusetts, Mr. WAXMAN, Mr. FROST, Ms. PELOSI, and Mrs. MINK of Hawaii.

H.R. 2243: Mr. MCHUGH.

H.R. 2247: Mr. LATOURETTE, Mr. TIAHRT, and Mr. GOODE.

H.R. 2252: Mr. BARTON of Texas.

H.R. 2260: Mr. TAYLOR of Mississippi, Mr. HUNTER, Mr. PACKARD, and Mr. EHLERS.

H.R. 2265: Mr. GILMAN, Mrs. JONES of Ohio, Ms. PELOSI, Mr. MASCARA, and Mr. BARCIA.

H.R. 2280: Mr. RODRIGUEZ, Mr. SMITH of New Jersey, Mr. BILIRAKIS, Mr. SANDLIN, Mr. REYES, Ms. BROWN of Florida, Mr. DOYLE, Ms. CARSON, Mr. SNYDER, Mr. SHOWS, Mr. ABERCROMBIE, Mr. PASCRELL, Mr. CRAMER, Mr. OLVER, Mr. GUTIERREZ, and Mr. HILL of Indiana.

H.R. 2283: Mrs. MEEK of Florida, Ms. CARSON, Ms. LEE, and Mr. GREEN of Texas.

H.R. 2287: Ms. SANCHEZ, Mr. FORD, Mr. FROST, Mr. GUTIERREZ, Ms. ROS-LEHTINEN, Mr. LEWIS of Georgia, and Mr. MEEKS of New York.

H.R. 2306: Mr. FROST, Ms. MILLENDER-MCDONALD, Ms. DELAURO, and Mr. GREEN of Texas.

H.J. Res. 34: Mr. PASCRELL.

H.J. Res. 55: Mr. KUYKENDALL and Mr. PACKARD.

H. Con. Res. 60: Mr. TANNER, Mr. MENENDEZ, and Mr. BARRETT of Wisconsin.

H. Con. Res. 64: Ms. BALDWIN, and Mrs. JONES of Ohio.

H. Con. Res. 97: Ms. WOOLSEY, Mr. BLUMENAUER, Mr. FARR of CALIFORNIA, Ms. KILPATRICK, Mr. MINGE, Mr. ENGLISH, Mr. GUTIERREZ, Mr. HOEFFEL, Mr. BLAGOJEVICH, Mr. BARRETT of Wisconsin, Mr. BROWN of Ohio, Mr. CONYERS, Mr. HINCHEY, Mr. BERMAN, Mr. McNULTY, Ms. LOFGREN, and Mr. OBERSTAR.

H. Con. Res. 111: Mr. STARK, Ms. PELOSI, Ms. VELAZQUEZ, Mr. MARTINEZ, and Mr. BECERRA.

H. Con. Res. 124: Ms. RIVERS, Mr. BECERRA, and Ms. WOOLSEY.

H. Con. Res. 128: Mrs. LOWEY, Mr. KENNEDY of Rhode Island, Mr. SALMON, Ms. WOOLSEY, Mr. CUNNINGHAM, Mr. GUTKNECHT, Mr. DELAHUNT, Mr. TALENT, Mr. FORD, Mr. KING, Mr. BILBRAY, and Mr. HUNTER.

H. Con. Res. 131: Ms. WOOLSEY, Mr. ROTHMAN, Mr. SHOWS, Mr. FROST, Mr. CROWLEY, Mr. ANDREWS, Mrs. NORTON, Mr. SHERMAN, Mr. WAXMAN, and Mr. FOLEY.

H. Con. Res. 132: Ms. LEE, Mr. KUCINICH, Mr. JACKSON of Illinois, Mr. STARK, and Ms. WATERS.

H. Res. 41: Mr. BARTLETT of Maryland, Mr. LATOURETTE, and Ms. SCHAKOWSKY.

H. Res. 184: Mr. BRADY of Texas, Mr. BROWN of California, Mr. ENGEL, and Ms. MCKINNEY.

H. Res. 201: Mr. BURR of North Carolina, Mr. MOAKLEY, Mr. FROST, and Mr. FRANKS of New Jersey.

H. Res. 214: Mr. STUPAK and Mr. TANCREDO.

H. Res. 215: Mr. KING.

70.26 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from the public bills as follows:

H.R. 222: Mrs. MYRICK.

H.R. 1145: Mrs. MYRICK.

FRIDAY, JUNE 25, 1999 (71)

71.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. KNOLLENBERG, who laid before the House the following communication:

WASHINGTON, DC,
June 25, 1999.

I hereby appoint the Honorable JOE KNOLLENBERG to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

71.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. KNOLLENBERG, announced he had examined and approved the Journal of the proceedings of Thursday, June 24, 1999.

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

71.3 COMMUNICATIONS

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

2754. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Tart Cherries Grown in the States of Michigan, et al.; Revision of the Sampling Techniques for Whole Block and Partial Block Diversions and Increasing the Number of Partial Block Diversions Per Season for Tart Cherries [Docket No. FV99-930-2 IFR] received June 11, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

2755. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revisions, Mojave Desert Air Quality Management District and Tehama County Air Pollution Control District [CA 192-0132a; FRL-6334-5] received May 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2756. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans and Approval Under Section 112(l); State of Iowa [IA 069-1069a; FRL-6340-3] received May 6, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

2757. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Utah; Foreword and Definitions, Revision to Definition for Sole Source of Heat and Emissions Standards, Nonsub-