

Tuesday, June 9, 1998

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5737-S5999

Measures Introduced: Nine bills and one resolution were introduced, as follows: S. 2143-2151, and S. Res. 245. Page S5787

Measures Passed:

Bass Harbor, Maine Navigation Project: Senate passed S. 1531, to deauthorize certain portions of the project for navigation, Bass Harbor, Maine. Page S5997

East Boothbay Harbor, Maine Project: Senate passed S. 1532, to amend the Water Resources Development Act of 1996 to deauthorize the remainder of the project at East Boothbay Harbor, Maine. Page S5997

Universal Tobacco Settlement Act: Senate resumed consideration of S. 1415, to reform and restructure the processes by which tobacco products are manufactured, marketed, and distributed, to prevent the use of tobacco products by minors, and to redress the adverse health effects of tobacco use, with a modified committee amendment in the nature of a substitute (Amendment No. 2420), taking action on amendments proposed thereto, as follows: Pages S5737-62, S5764-76

Adopted:

By 52 yeas to 46 nays (Vote No. 151), Lott (for Coverdell) Modified Amendment No. 2451 (to Amendment No. 2437), to stop illegal drugs from entering the United States, to provide additional resources to combat illegal drugs, and to establish disincentives for teenagers to use illegal drugs. Pages S5737-54, S5756-62, S5764-69, S5775

Rejected:

By 45 yeas to 53 nays (Vote No. 152), Kerry (for Daschle) Amendment No. 2634 (to Amendment No. 2437), of a perfecting nature. Pages S5769-76

Pending:

Gregg/Leahy Amendment No. 2433 (to Amendment No. 2420), to modify the provisions relating to civil liability for tobacco manufacturers. Page S5737

Gregg/Leahy Amendment No. 2434 (to Amendment No. 2433), in the nature of a substitute. Page S5737

Gramm Motion to recommit the bill to the Committee on Finance with instructions to report back forthwith, with Amendment No. 2436, to modify the provisions relating to civil liability for tobacco manufacturers, and to eliminate the marriage penalty reflected in the standard deduction and to ensure the earned income credit takes into account the elimination of such penalty. Page S5737

Daschle (for Durbin) Amendment No. 2437 (to Amendment No. 2436), relating to reductions in underage tobacco usage. Page S5737

During consideration of this measure today, Senate also took the following action:

By 42 yeas to 56 nays (Vote No. 150), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate failed to agree to close further debate on the modified committee amendment in the nature of a substitute (Amendment No. 2440). Pages S5754-55

A third motion was entered to close further debate on the modified committee amendment in the nature of a substitute (Amendment No. 2440) and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on the cloture motion would occur on Thursday, June 11, 1998. Pages S5740-41

A vote on a second cloture motion will occur Wednesday, June 10, 1998.

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Inter-American Convention Against Illicit Manufacturing and Trafficking of Firearms, Ammunition, Explosives, and Other Related Materials (Treaty Doc. 105-49).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and was ordered to be printed. Page S5998

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting the report concerning the national emergency with respect to weapons of mass destruction; referred to the Committee on Banking, Housing, and Urban Affairs. (PM-137). **Page S5782**

Transmitting the report entitled "International Crime Control Act of 1998"; to the Committee on the Judiciary. (PM-138). **Pages S5782-83**

Nominations Confirmed: Senate confirmed the following nominations: Joseph W. Westphal, of Virginia, to be an Assistant Secretary of the Army.

Mahlon Apgar, IV, of Maryland, to be an Assistant Secretary of the Army.

Hans Mark, of Texas, to be Director of Defense Research and Engineering. **Page S5997**

Nominations Received: Senate received the following nominations: William C. Apgar, Jr., of Massachusetts, to be an Assistant Secretary of Housing and Urban Development.

Michael H. Trujillo, of New Mexico, to be Director of the Indian Health Service, Department of Health and Human Services.

8 Air Force nominations in the rank of general.

42 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Army, Marine Corps.

Pages S5998-99

Nomination Withdrawn: Senate received notification of the withdrawal of the following nomination:

William C. Apgar, Jr., of Massachusetts, to be an Assistant Secretary of Housing and Urban Development, vice Michael A. Stegman, resigned, which was sent to the Senate on February 25, 1998. **Page S5999**

Messages From the President: **Pages S5782-83**

Messages From the House: **Page S5783**

Measures Placed on Calendar: **Page S5783**

Communications: **Pages S5783-86**

Statements on Introduced Bills: **Pages S5787-98**

Additional Cosponsors: **Pages S5798-99**

Amendments Submitted: **Pages S5800-S5990**

Notices of Hearings: **Pages S5990-91**

Authority for Committees: **Page S5591**

Additional Statements: **Pages S5591-97**

Record Votes: Three record votes were taken today. (Total—152) **Pages S5754-55, S5775-76**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:10 p.m., until 11 a.m., on Wednesday, June 10, 1998. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S5998.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—FOREIGN OPERATIONS

Committee on Appropriations: Subcommittee on Foreign Operations held hearings on proposed budget estimates for fiscal year 1999 for the U.S. Agency for International Development, receiving testimony from J. Brian Atwood, Administrator, Agency for International Development.

Subcommittee will meet again on Tuesday, June 16.

APPROPRIATIONS—VA/HUD

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies approved for full committee consideration an original bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1999.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings on the nominations of Rebecca M. Blank, of Illinois, to be a Member of the Council of Economic Advisers, and Michael J. Copps, of Virginia, to be Assistant Secretary for Trade Development, and Awilda R. Marquez, of Maryland, to be Assistant Secretary and Director General of the United States and Foreign Commercial Service, both of the Department of Commerce, after the nominees testified and answered questions in their own behalf. Mr. Copps was introduced by Senator Hollings and Ms. Marquez was introduced by Senator Sarbanes.

TREATY—COMBATING BRIBERY OF FOREIGN OFFICIALS

Committee on Foreign Relations: Committee concluded hearings on the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, adopted at Paris on November 21, 1997, by a conference held under the auspices of the Organization for Economic Cooperation and Development, signed in Paris on December 17, 1997, by the United States and 32 other nations (Treaty Doc. 105-43), after receiving testimony from Stuart E. Eizenstat, Under Secretary of State for Economic, Business and Agricultural Affairs; and Fritz F. Heimann, Transparency International USA, Washington, D.C.

ACTIVE AGING

Special Committee on Aging: On Monday, June 9, committee concluded hearings to examine the international trend of increased life expectancy, focusing on international programs, policies and research that encourage active aging, after receiving testimony from Jeanette C. Takamura, Assistant Secretary for Aging, and Richard J. Hodes, Director, National Institute on Aging, National Institutes of Health, both

of the Department of Health and Human Services; Robert N. Butler, New York, New York, Lady Sally Greengross, London, England, and Francoise Forette, Paris, France, all on behalf of the International Longevity Center; Yuzo Okamoto, Kobe City College of Nursing, Kobe, Japan; A.H.B. de Bono, International Institute on Aging-Malta, Oxford, England; and Alvar Svanborg, University of Gothenburg, Sweden, and University of Illinois, Chicago.

House of Representatives

Chamber Action

Bills Introduced: 9 public bills, H.R. 4016–4024; and 4 resolutions, H. Con. Res. 288–289 and H. Res. 463–464, were introduced. **Pages H4324–25**

Reports Filed: Reports were filed as follows:

H.R. 3069, to extend the Advisory Council on California Indian Policy to allow the Advisory Council to advise Congress on the implementation of the proposals and recommendations of the Advisory Council (H. Rept. 105–571);

H. Res. 461, providing for consideration of H.R. 2888, amend the Fair Labor Standards Act of 1938 to exempt from the minimum wage recordkeeping and overtime compensation requirements certain specialized employees (H. Rept. 105–572);

H. Res. 462, providing for consideration of H.R. 3150, to amend title 11 of the United States Code, and for other purposes (H. Rept. 105–573); and

H.R. 3824, amending the Fastener Quality Act to exempt from its coverage certain fasteners approved by the Federal Aviation Administration for use in aircraft, amended (H. Rept. 105–574 Part 1).

Page H4324

Speaker Pro Tempore: Read a letter from the Speaker wherein he designated Representative Ballenger to act as Speaker pro tempore for today.

Page H4243

Recess: The House recessed at 1:02 p.m. and reconvened at 2:00 p.m.

Page H4247

Guest Chaplain: The prayer was offered by the guest chaplain, Rev. Kathleen Baskin of Dallas, Texas.

Page H4247

Suspensions: The House agreed to suspend the rules and pass the following measures:

Importance of Fathers in Child Development: H. Res. 417, amended, regarding the importance of fathers in the raising and development of their chil-

dren (agreed to by a ye and nay vote of 415 yeas with none voting “nay,” Roll No. 212). Agreed to amend the title;

Pages H4249–53, H4293

Federal Agency Financial Management: H. Res. 447, amended, expressing the sense of the House of Representatives regarding financial management by Federal agencies (agreed to by a ye and nay vote of 415 yeas with none voting “nay,” Roll No. 213);

Pages H4254–59, H4294

Lake Chelan National Recreation Area and Wenatchee National Forest: H.R. 3520, adjust the boundaries of the Lake Chelan National Recreation Area and the adjacent Wenatchee National Forest in the State of Washington;

Pages H4259–60

National Underground Railroad Network to Freedom: H.R. 1635, amended, to establish within the United States National Park Service the National Underground Railroad Network to Freedom program (passed by a ye and nay vote of 415 yeas to 2 nays, Roll No. 214);

Pages H4260–66, H4294–95

Memorial to George Mason: S. 423, to extend the legislative authority for the Board of Regents of Gunston Hall to establish a memorial to honor George Mason—clearing the measure for the President;

Pages H4266–67

U.S. Holocaust Assets Commission Act: H.R. 3662, to establish a commission to examine issues pertaining to the disposition of Holocaust-era assets in the United States before, during, and after World War II, and to make recommendations to the President on further action. Subsequently, the House passed S. 1900, a similar Senate-passed bill, after amending it include the text of H.R. 3662 as passed the House. H.R. 3662 was then laid on the table;

Pages H4267–73

100th Anniversary of United States and Philippines Relationship: H. Res. 404, commemorating

100 years of relations between the people of the United States and the people of the Philippines; and

Pages H4273–79

The Positive Role of Taiwan in Asian Financial Crisis: H. Con. Res. 270, amended, acknowledging the positive role of Taiwan in the current Asian financial crisis and affirming the support of the American people for peace and stability on the Taiwan Strait and security for Taiwan's democracy (agreed to by a recorded vote of 411 ayes with none voting "no", Roll No. 215). Agreed to amend the title.

Pages H4279–73, H4295–96

Iran Missile Proliferation Sanctions Act of 1997: The House agreed to the Senate amendments to H.R. 2709, to impose certain sanctions on foreign persons who transfer items contributing to Iran's efforts to acquire, develop, or produce ballistic missiles by a ye and nay vote of 392 yeas to 22 nays with 3 voting "present", Roll No. 211—clearing the measure for the President.

Pages H4285–93

Earlier, the House agreed to H. Res. 457, the rule that provided for consideration of the Senate amendments to the bill by a voice vote.

Pages H4283–85

Presidential Messages: Read the following messages from the President:

National Emergency Re Weapons of Mass Destruction: Message wherein he transmitted his report concerning the threat posed by the proliferation of nuclear, biological, and chemical weapons ("weapons of mass destruction")—referred to the Committee on International Relations and ordered printed (H. Doc. 105–271); and

Page H4296

International Crime Control: Message wherein he transmitted his proposed legislation entitled the "International Crime Control Act of 1998"—referred to the Committees on Judiciary, International Relations, Ways and Means, Commerce, Transportation and Infrastructure, Banking and Financial Services, and Government Reform and Oversight and ordered printed (H. Doc. 105–272).

Pages H4296–97

Senate Messages: Message received from the Senate today appears on page H4243.

Amendments: Amendments ordered printed pursuant to the rule appear on pages H4326–32.

Quorum Calls—Votes: Four ye and nay votes and one recorded vote developed during the proceedings of the House today and appear on pages H4292–93, H4293, H4294, H4294–95, and H4295–96. There were no quorum calls.

Adjournment: Met at 12:30 p.m. and adjourned at 11:55 p.m.

Committee Meetings

WIRELESS COMMUNICATIONS AND PUBLIC SAFETY ACT

Committee on Commerce: Subcommittee on Telecommunications, Trade, and Consumer Protection held a hearing on H.R. 3844, Wireless Communications and Public Safety Act of 1998. Testimony was heard from Jeffrey Michael, Chief, Emergency Medical Services Division, National Highway Traffic Safety Administration, Department of Transportation; David Bibb, Deputy Associate Administrator, Office of Governmentwide Real Property Policy, GSA; and public witnesses.

HEAD START

Committee on Education and the Workforce: Subcommittee on Early Childhood, Youth, and Families held a hearing on Head Start. Testimony was heard from Representatives Mica and Sanchez; Carlotta Joyner, Director, Education and Employment Issues, GAO; and public witnesses.

ELECTRONIC FREEDOM OF INFORMATION AMENDMENT IMPLEMENTATION

Committee on Government Reform and Oversight: Subcommittee on Government Management, Information, and Technology held a hearing on "Implementation of the Electronic Freedom of Information Amendments of 1996: Is Access to Government Information Improving?" Testimony was heard from the following officials of the Department of Justice: Richard L. Huff, Co-Director, Office of Information and Privacy; and John E. Collingwood, Assistant Director, Office of Public and Congressional Affairs, FBI; Patricia M. Riep-Dice, Freedom of Information Officer, NASA; Abel Lopez, Acting Director, Freedom of Information Division, Department of Energy; and public witnesses.

ACTS OF ECOTERRORISM

Committee on the Judiciary: Subcommittee on Crime held a hearing on acts of ecoterrorism committed by radical environmental organizations. Testimony was heard from Representative Riggs; and public witnesses.

FEDERAL LAND USE POLICIES IMPACT ON RURAL COMMUNITIES

Committee on Resources: Held an oversight hearing on the Impact of Federal Land Use Policies on Rural Communities. Testimony was heard from public witnesses.

O&C LANDS PROTECTION ACT

Committee on Resources: Subcommittee on National Parks and Public Lands held a hearing on H.R.

3542, O&C Lands Protection Act. Testimony was heard from Carson Culp, Assistant Director, Minerals Realty and Resource Protection, Bureau of Land Management, Department of the Interior; and a public witness.

BANKRUPTCY REFORM ACT

Committee on Rules: Granted, by a vote of 9 to 4, a structured rule providing 1 hour of debate on H.R. 3150, Bankruptcy Reform Act of 1998. The rule waives section 303(a) of the Congressional Budget Act (prohibiting consideration of legislation, as reported, providing new budget authority, changes in revenues, or changes in the public debt for a fiscal year until the budget resolution for that year has been agreed to) against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill be considered as an original bill for the purpose of amendment. The rule provides that the amendment in the nature of a substitute shall be considered by title and that each title shall be considered as read. The rule waives all points of order against the committee amendment in the nature of a substitute.

The rule provides that no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the Rules Committee report, which may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. The rule waives all points of order against the amendments printed in the report. The rule allows for the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Gekas, McCollum, Wolf, English of Pennsylvania, Nadler, Jackson-Lee, Delahunt, Moran of Virginia, Velázquez, Bentsen, Blumenauer, Davis of Illinois and Kilpatrick.

SALES INCENTIVE COMPENSATION ACT

Committee on Rules: Granted, by voice vote, an open rule providing 1 hour of debate on H.R. 2888, Sales Incentive Compensation Act. The rule makes in order the Committee on Education and the Workforce amendment in the nature of a substitute as an original bill for amendment purposes, which shall be considered as read. The rule allows for the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce vot-

ing time to five minutes on a postponed question if the vote follows a fifteen minute vote. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule provides one motion to recommit, with or without instructions. Testimony was heard from Chairman Goodling; and Representatives Fawell and Payne.

COMMITTEE MEETINGS FOR WEDNESDAY, JUNE 10, 1998

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry, to hold hearings to examine livestock issues, including demand, overseas development, pricing, and industry structuring, 2 p.m., SR-332.

Committee on Appropriations, Subcommittee on District of Columbia, to hold hearings on proposed budget estimates for fiscal year 1999 for the Government of the District of Columbia and to examine their financial plan, 2 p.m., SD-192.

Committee on Banking, Housing, and Urban Affairs, Subcommittee on Financial Services and Technology, to hold hearings to examine whether financial institutions are properly preparing for the Year 2000 conversion, 10 a.m., SD-538.

Committee on Commerce, Science, and Transportation, Subcommittee on Communications, to hold hearings on proposed legislation authorizing funds for the Federal Communications Commission, 9:30 a.m., SR-253.

Committee on Foreign Relations, Subcommittee on East Asian and Pacific Affairs, to hold hearings to examine U.S. policy strategy on democracy in Cambodia, 2 p.m., SD-419.

Committee on the Judiciary, Subcommittee on Technology, Terrorism, and Government Information, to hold an open briefing on the results of a classified "eligible receiver" test conducted in 1997 to determine how the Department of Defense and law enforcement agencies would respond to attacks on critical infrastructures, and on a new Presidential Decision Directive relating to the protection of critical infrastructures, 2:15 p.m., SD-226.

Subcommittee on Technology, Terrorism, and Government Information, to hold hearings to examine the results of a classified "eligible receiver" test conducted in 1997 to determine how the Department of Defense and law enforcement agencies would respond to attacks on critical infrastructures, and on a new Presidential Decision Directive relating to the protection of critical infrastructures, 3:30 p.m., SD-226.

Committee on Indian Affairs, to hold oversight hearings on Bureau of Indian Affairs school construction, 9:30 a.m., SD-106.

Select Committee on Intelligence, to resume closed hearings on the investigation of the impacts to United States national security from advanced satellite technology exports

to China and Chinese efforts to influence U.S. policy, 2:30 p.m., SH-219.

House

Committee on Agriculture, Subcommittee on Forestry, Resource Conservation, and Research, hearing to review the phase out of methyl bromide, 1 p.m., 1300 Longworth.

Subcommittee on Risk Management and Specialty Crops, hearing to review the regulation of the over-the-counter derivatives market, 1:30 p.m., 1302 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, to mark up appropriations for fiscal year 1999, 1 p.m., 2362 Rayburn.

Subcommittee on Energy and Water Development, to mark up appropriations for fiscal year 1999, 10:30 a.m., 2362 Rayburn.

Subcommittee on Legislative, to mark up appropriations for fiscal year 1999, 2:30 p.m., H-144 Capitol.

Subcommittee on Military Construction, to mark up appropriations for fiscal year 1999, 9:30 a.m., B-300 Rayburn.

Committee on Commerce, Subcommittee on Finance and Hazardous Materials, to mark up H.R. 1689, Securities Litigation Uniform Standards Act of 1997, 3 p.m., 2322 Rayburn.

Subcommittee on Telecommunications, Trade, and Consumer Protection, hearing on Electronic Commerce: The Future of the Domain Name System, 11 a.m., 2123 Rayburn.

Committee on Education and the Workforce, to mark up the following bills: H.R. 2869, to amend the Occupational Safety and Health Act of 1970 to exempt safety and health assessments, audits, and reviews conducted by or for an employer from enforcement action under such Act; H.R. 2661, Sound Scientific Practices Act; H.R. 2873, to amend the Occupational Safety and Health Act of 1970; H.R. 3189, Parental Freedom of Information Act; and H.R. 3725, Postal Service Health and Safety Promotion Act, time to be announced, 2175 Rayburn.

Committee on Government Reform and Oversight, Subcommittee on Government Management, Information,

and Technology, hearing on the Status Update on the Year 2000 Problem, 11 a.m., 2154 Rayburn.

Subcommittee on Postal Service, oversight hearing on the U.S. Postal Service, 10:45 a.m., 2247 Rayburn.

Committee on International Relations, Subcommittee on International Operations and Human Rights, hearing on Forced Abortion and Sterilization in China: The View from the Inside, 11 a.m., 2172 Rayburn.

Committee on Resources, hearing on the following bills: H.R. 2893, to amend the Native American Graves Protection and Repatriation Act to provide for appropriate study and repatriation of remains for which a cultural affiliation is not readily ascertainable; and H.R. 3903, to provide for an exchange of lands located near Gustavus, Alaska, 11 a.m., 1324 Longworth.

Committee on Rules, to consider H.R. 3494, Child Protection and Sexual Predator Punishment Act of 1998, 2 p.m., H-313 Capitol.

Committee on Science, oversight hearing on The Role of Science in Making Effective Decisions, 2 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, hearing on Drug Interdiction and other matters relating to the National Drug Control Policy, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Benefits, to conduct an oversight hearing on the Board of Veterans' Appeals and the Court of Veterans Appeals and to review H.R. 3212, Court of Veterans Appeals Act of 1998, 2 p.m., 334 Cannon.

Permanent Select Committee on Intelligence, hearing on the Intelligence Community Whistleblower Protection Act of 1998, 2 p.m., 2212 Rayburn.

Joint Meetings

Joint Economic Committee, to hold hearings to examine the Federal Reserve's monetary policy and economic outlook, 11 a.m., SH-216.

Conferees, on H.R. 2676, to restructure and reform the Internal Revenue Service, 4 p.m., room to be announced.

Next Meeting of the SENATE
11 a.m., Wednesday, June 10

Senate Chamber

Program for Wednesday: Senate will resume consideration of S. 1415, Universal Tobacco Settlement Act, with a second vote on a motion to close further debate on the modified committee amendment in the nature of a substitute to occur thereon.

(Senate and House will hold a joint meeting at 10 a.m. to receive an address by His Excellency Kim Dae-jung, President of South Korea)

Next Meeting of the HOUSE OF REPRESENTATIVES
9 a.m., Wednesday, June 10

House Chamber

Program for Wednesday: Consideration of H.R. 3150, Bankruptcy Reform Act (Structured Rule, one hour of debate);

H.J. Res. 119, proposing an Amendment to the Constitution of the United States Limiting Campaign Spending (Open Rule, one hour of general debate); and

Consideration of H.R. 2888, Sales Incentive Compensation Act (Open Rule, one hour of general debate).

NOTE: The House will meet at 9:00 a.m. and recess immediately for a Joint Meeting to receive His Excellency Kim Dae-Jung, President of the Republic of South Korea.

Extensions of Remarks, as inserted in this issue

HOUSE

Ballenger, Cass, N.C., E1066
Barrett, Thomas M., Wisc., E1069
Berman, Howard L., Calif., E1075
Brown, George E., Jr., Calif., E1064, E1069
Burton, Dan, Ind., E1065, E1069
Clyburn, James E., S.C., E1078
Collins, Mac, Ga., E1077
DeLay, Tom, Tex., E1075
Duncan, John J., Jr., Tenn., E1071
Eshoo, Anna G., Calif., E1071

Furse, Elizabeth, Ore., E1078
Gilman, Benjamin A., N.Y., E1075
Gingrich, Newt, Ga., E1064, E1068
Hamilton, Lee H., Ind., E1063
Hastings, Alcee L., Fla., E1067
Lantos, Tom, Calif., E1070
McGovern, James P., Mass., E1073
McKeon, Howard P. "Buck", Calif., E1067
Maloney, Carolyn B., N.Y., E1073
Meek, Carrie P., Fla., E1073
Morella, Constance A., Md., E1069
Nethercutt, George R., Jr., Wash., E1078

Norton, Eleanor Holmes, D.C., E1074, E1079
Packard, Ron, Calif., E1073
Radanovich, George P., Calif., E1071
Schumer, Charles E., N.Y., E1073
Sherman, Brad, Calif., E1066
Skelton, Ike, Mo., E1067
Thomas, William M., Calif., E1077, E1079
Upton, Fred, Mich., E1066, E1069
Visclosky, Peter J., Ind., E1066
Walsh, James T., N.Y., E1068



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