

Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jefferson
John
Johnson (WI)
Kanjorski
Kennedy (MA)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)
Klecza
Kucinich
LaFalce
Lampson
Lee
Levin
Lewis (GA)
Lofgren
Lowe
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McHale

NOT VOTING—43

Ackerman
Allen
Barr
Berman
Blunt
Callahan
Collins
Cooksey
Deal
Ehlers
Fowler
Frank (MA)
Frost
Furse
Graham

□ 1636

Mr. CUNNINGHAM and Mr. BROWN of California changed their vote from "nay" to "yea."

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

BANDELIER NATIONAL MONUMENT ADMINISTRATIVE IMPROVEMENT AND WATERSHED PROTECTION ACT OF 1998

The SPEAKER pro tempore (Mr. GUTKNECHT). The pending business is the question of suspending the rules and passing the Senate bill, S. 1132.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. HANSEN) that the House suspend the rules and pass the Senate bill, S. 1132, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 194, nays 190, not voting 50, as follows:

[Roll No. 535]
YEAS—194

Aderholt
Archer
Arney
Bachus
Baker
Ballenger
Barcia
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Billbray
Bilirakis
Bilely
Boehlert
Boehner
Bonilla
Bono
Boswell
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Calvert
Camp
Campbell
Candey
Cannon
Castle
Chambliss
Chenoweth
Christensen
Coburn
Combest
Cook
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Foley
Forbes
Fossella
Fox
Franks (NJ)
Frelinghuysen
Gallegly

Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodling
Goss
Granger
Gutknecht
Hansen
Hastert
Hayworth
Hefley
Herger
Hill
Hilleary
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCrery
McDade
McHugh
McInnis
McKeon
Metcalf
Miller (FL)
Moran (KS)
Morella
Nethercutt
Neumann
Ney
Nussle
Oxley
Packard
Pappas
Parker
Paxon

Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Quinn
Radanovich
Ramstad
Redmond
Regula
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Saxton
Schaefer, Dan
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—190

Abercrombie
Andrews
Baesler
Baldacci
Barrett (WI)
Becerra
Bentsen
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (OH)
Capps
Cardin
Carson
Chabot
Clay
Clayton
Clement
Clyburn
Coble
Condit
Conyers

Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Gejdenson
Gephardt

Gonzalez
Goode
Goodlatte
Gordon
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (WI)
Jones
Kanjorski
Kennedy (MA)
Kennedy (RI)
Kildee
Kilpatrick
Kind (WI)

Klecza
Klink
Kucinich
LaFalce
Lampson
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McHale
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran (VA)

Murtha
Myrick
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Peterson (MN)
Pickett
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez

Scott
Sensenbrenner
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Stabenow
Stark
Steenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thurman
Tierney
Towns
Turner
Velazquez
Vento
Visclosky
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—50

Ackerman
Allen
Barr
Berman
Blunt
Brown (FL)
Callahan
Collins
Cooksey
Deal
Edwards
Ehlers
Fawell
Fowler
Frank (MA)
Frost
Furse

Graham
Green
Greenwood
Hastings (WA)
Hefner
Hobson
Hutchinson
Hyde
Inglis
Johnson, E. B.
Kaptur
Kennelly
Lantos
Largent
Lipinski
McCollum
McGovern

McIntosh
McIntyre
Meehan
Mica
Northup
Norwood
Pelosi
Poshard
Pryce (OH)
Scarborough
Spratt
Thompson
Torres
Waters
Weldon (FL)
Weldon (PA)

□ 1643

Mr. Crane changed his vote from "nay" to "yea."

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. NORTHUP. Mr. Speaker, on rollcall No. 535, I was inadvertently detained. Had I been present, I would have voted "yes."

PRIVILEGES OF THE HOUSE—RETURNING TO THE SENATE S. 361, RHINOCEROS AND TIGER CONSERVATION ACT OF 1998

Mr. CRANE. Mr. Speaker, I rise to raise a question of the privileges of the House, and I offer a privileged resolution (H. Res. 601) returning to the Senate the bill S. 361, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 601

Resolved, That the bill of the Senate (S. 361) entitled the "Rhinceros and Tiger Conservation Act of 1998", in the opinion of this House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House

and that such bill be respectfully returned to the Senate with a message communicating this resolution.

The SPEAKER pro tempore (Mr. GUTKNECHT). In the opinion of the Chair, the resolution constitutes a question of the privileges of the House.

The gentleman from Illinois (Mr. CRANE) is recognized for 30 minutes.

Mr. CRANE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution is necessary to return to the Senate the bill S. 361, because it contravenes the constitutional requirement that revenue measures shall originate in the House of Representatives. S. 361 would create a new basis for applying import restrictions and therefore violates this constitutional requirement.

S. 361 proposes amending the Rhinoceros and Tiger Conservation Act of 1994 to prohibit the sale, import and export of products intended for human consumption or application that contain, or are labeled as containing, any substance derived from rhinoceroses or tigers. The legislation passed by the other body would have the effect of creating a new basis and mechanism for applying import restrictions. The provision would have a direct effect on tariff revenues. The proposed change in our import laws is a "revenue affecting" infringement on the prerogatives of the House which constitutes a revenue measure in the constitutional sense. Therefore, I am asking that the House insist on its constitutional prerogatives.

There are numerous precedents for the action I am requesting. For example, on April 16, 1996, the House returned to the Senate S. 1463, amending the definition of industry under the Safeguard Law with respect to investigations involving imports of perishable agricultural products. On February 25, 1992, the House returned to the Senate S. 884, requiring the President to impose sanctions, including import restrictions, against countries that fail to eliminate large-scale driftnet fishing.

I want to emphasize that this action does not constitute a rejection of the Senate bill on its merits. In fact, the House passed H.R. 2807 on April 28, 1998, which contains an import ban on the same products covered by the Senate bill. S. 361, however, was passed by the other body as a freestanding bill in contravention to the constitutional requirement that revenue measures originate in the House of Representatives. Since the passage of S. 361, the Senate amended the House-passed bill, H.R. 2807, on October 13, 1998, and on the following day the House agreed to the Senate amendments. By amending a House-passed bill which already contained a revenue provision, the Senate acted on this matter in compliance with the Constitution and the House has responded by concurring in the Senate language.

Accordingly, the proposed action today is purely procedural in nature

and is necessary to preserve the prerogatives of the House to originate all revenue matters. It makes clear to the Senate that the appropriate procedure for dealing with revenue measures is for the House to act first on a revenue bill and for the Senate to accept it or amend it as it sees fit.

Mr. Speaker, I have no requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR ACQUISITION OF LANDS FORMERLY OCCUPIED BY FRANKLIN D. ROOSEVELT FAMILY

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that the Committee on Resources be discharged from further consideration of the Senate bill (S. 2241) to provide for the acquisition of lands formerly occupied by the Franklin D. Roosevelt family at Hyde Park, New York, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2241

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. GENERAL AUTHORITY.

The Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire, by purchase with donated or appropriated funds, by donation, or otherwise, lands and interests in lands located in Hyde Park, New York, that were owned by Franklin D. Roosevelt or his family at the time of his death as depicted on the map entitled "F.D. Roosevelt Property Entire Park" dated July 26, 1962, and numbered FDR-NHS 3008. Such map shall be on file for inspection in the appropriate offices of the National Park Service.

SEC. 2. ADMINISTRATION.

Lands and interests therein acquired by the Secretary shall be added to, and administered by the Secretary as part of the Home of Franklin D. Roosevelt National Historic Site or the Eleanor Roosevelt National Historic Site, as appropriate.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DIRECTING CLERK OF THE HOUSE TO MAKE A TECHNICAL CORRECTION IN ENROLLMENT OF H.R. 3910, AUTHORIZING AUTOMOBILE NATIONAL HERITAGE AREA IN MICHIGAN

Mr. HANSEN. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 351) directing the Clerk of the House of Representatives to make a technical correction in the enrollment of the bill H.R. 3910, and ask unanimous consent for its immediate consideration.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 351

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill (H.R. 3910) to authorize the Automobile National Heritage Area in the State of Michigan, and for other purposes, the Clerk of the House of Representatives shall strike section 406 and insert the following new section 406:

SEC. 406. TERMINATION OF CORRIDOR COMMISSION.

Section 9(a) of such Act (102 Stat. 4556) is amended by striking "on the day occurring 5 years after the date of the enactment of this Act" and inserting "on November 18, 2003".

SEC. . CORRECTIONS.

(a) EFFECTIVE DATE.—Subsections (b) and (c) shall take effect immediately after the later of—

(1) the enactment of the Hydrographic Services Improvement Act of 1998; or

(2) the enactment of this Act.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 306 of the Hydrographic Services Improvement Act of 1998 is amended to read as follows:

"SEC. 306. AUTHORIZATION OF APPROPRIATIONS. "There is authorized to be appropriated to the Administrator the following:

"(1) To carry out nautical mapping and charting functions under the Act of 1947 and sections 303 and 304, except for conducting hydrographic surveys, \$33,000,000 for fiscal year 1999, \$34,000,000 for fiscal year 2000, and \$35,000,000 for fiscal year 2001.

"(2) To conduct hydrographic surveys under section 303(a)(1), including the leasing of ships, \$33,000,000 for fiscal year 1999, \$35,000,000 for fiscal year 2000, and \$37,000,000 for fiscal year 2001. Of these amounts, no more than \$16,000,000 is authorized for any one fiscal year to operate hydrographic survey vessels owned and operated by the Administration.

"(3) To carry out geodetic functions under the Act of 1947, \$25,000,000 for fiscal year 1999, \$30,000,000 for fiscal year 2000, and \$30,000,000 for fiscal year 2001.

"(4) To carry out tide and current measurement functions under the Act of 1947, \$22,500,000 for each of fiscal years 1999 through 2001. Of these amounts \$4,500,000 is authorized for each fiscal year to implement and operate a national quality control system for real-time tide and current and maintain the national tide network, and \$7,000,000 is authorized for each fiscal year to design and install real-time tide and current data measurement systems under section 303(b)(4)."

(c) REPEAL OF REPORT REQUIREMENTS.—Section 305 of the Hydrographic Services Improvement Act of 1998 is amended by striking subsections (a) and (d).