



# Congressional Record

United States  
of America

PROCEEDINGS AND DEBATES OF THE 105<sup>th</sup> CONGRESS, SECOND SESSION

## HOUSE OF REPRESENTATIVES—Friday, July 31, 1998

The House met at 1 p.m. and was called to order by the Speaker pro tempore (Mr. GUTKNECHT).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
July 31, 1998.

I hereby designate the Honorable GIL GUTKNECHT to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
*Speaker of the House of Representatives.*

### PRAYER

The Reverend Dr. Ronald F. Christian, Lutheran Social Services of Northern Virginia, Fairfax, Virginia, offered the following prayer:

Gracious God, we acknowledge that in every age you have sent men and women who have given unselfishly of all that they possessed, including, in some instances, their very lives, as a sacrifice for the community.

Bless we pray the memory of all those known and unknown to us but whose names are forever engraved in Your great book of life.

O God, on this day, hallow, we pray, both the memory and the message of our dear friends and the creations of Your own hand.

May our reflection of persons who once walked and talked with us be, to those of us who knew them, filled to overflowing with the spirit of grace and love.

May the message of the sacrifice of people be always, to each of us, an inspiration for our lives so that, in the great privilege of simply living, we may find joy in our work, peace in our relationships, and a personal satisfaction in serving our neighbor. Amen.

### THE JOURNAL

The CHAIRMAN pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

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

### PLEDGE OF ALLEGIANCE

The CHAIRMAN pro tempore. Will the gentleman from Illinois (Mr. SHIMKUS) come forward and lead the House in the Pledge of Allegiance.

Mr. SHIMKUS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 872. An act to establish rules governing product liability actions against raw materials and bulk component suppliers to medical device manufacturers, and for other purposes.

H.R. 1085. An act to revise, codify, and enact without substantive change certain general and permanent laws, related to patriotic and national observances, ceremonies, and organizations, as title 36, United States Code, "Patriotic and National Observances, Ceremonies, and Organizations."

H.R. 3731. An act to designate the auditorium located within the Sandia Technology Transfer Center in Albuquerque, New Mexico, as the "Steve Schiff Auditorium."

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1702. An act to encourage the development of a commercial space industry in the United States, and for other purposes.

H.R. 2920. An act to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to modify the requirements for implementation of an entry-exit control system.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing

votes of the two Houses on the amendment of the Senate to the bill (H.R. 1385) "An Act to consolidate, coordinate, and improve employment, training, literacy, and vocational rehabilitation programs in the United States, and for other purposes."

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which concurrence of the House is requested:

S. 53. An act to require the general application of the antitrust laws to major league baseball, and for other purposes.

S. 314. An act to provide a process for identifying the functions of the Federal Government that are not inherently governmental functions, and for other purposes.

S. 512. An act to amend chapter 47 of title 18, United States Code, relating to identity fraud, and for other purposes.

S. 1134. An act granting the consent and approval of Congress to an interstate forest fire protection compact.

S. 1700. An act to designate the headquarters building of the Department of Housing and Urban Development in Washington, District of Columbia, as the "Robert C. Weaver Federal Building."

S. 2112. An act to make the Occupational Safety and Health Act of 1970 applicable to the United States Postal Service in the same manner as any other employer.

S. 2344. An act to amend the Agricultural Market Transition Act to provide for the advance payment, in full, of the fiscal year 1999 payments otherwise required under production flexibility contracts.

S. Con. Res. 115. Concurrent resolution to authorize the printing of copies of the publication entitled "The United States Capitol" as a Senate document.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that 1-minute requests will be at the end of legislative business.

### PROVIDING FOR CONDITIONAL ADJOURNMENT OR RECESS OF SENATE AND HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following privileged

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Senate concurrent resolution (S. Con. Res. 114) providing for a conditional adjournment or recess of the Senate and a conditional adjournment of the House of Representatives.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 114

*Resolved by the Senate (the House of Representatives concurring),* That, in consonance with section 132(a) of the Legislative Reorganization Act of 1946, when the Senate recesses or adjourns at the close of business on Friday, July 31, 1998, Saturday, August 1, 1998, or Sunday, August 2, 1998, pursuant to a motion made by the Majority Leader or his designee in accordance with this concurrent resolution, it stand recessed or adjourned until noon on Monday, August 31 or Tuesday, September 1, 1998, or until such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on the legislative day of Friday, August 7, 1998, it stand adjourned until noon on Wednesday, September 9, 1998, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, acting jointly after consultation with the Minority Leader of the Senate and Minority Leader of the House, shall notify the Members of the Senate and the House, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. Without objection, the Senate concurrent resolution is concurred in.

There was no objection.

A motion to reconsider was laid on the table.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, July 27, 1998.

HON. NEWT GINGRICH,  
Speaker, House of Representatives, The Capitol,  
Washington, DC.

DEAR MR. SPEAKER: Enclosed please find copies of resolutions approved by the Committee on Transportation and Infrastructure on July 23, 1998, in accordance with 40 U.S.C. Sec. 606.

With warm regards, I remain  
Sincerely,

BUD SHUSTER,  
Chairman.

Enclosures.

SITE AND DESIGN—UNITED STATES COURTHOUSE, LITTLE ROCK, ARKANSAS

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives,* That pursuant to Section 7 of

the Public Buildings Act of 1959, (40 U.S.C. §606), appropriations are authorized for acquisition of a site and the design for the construction of a 108,266 gross square foot addition, including 27 inside and 38 outside parking spaces, to the existing United States post office-courthouse building, located at 600 Capitol Street, Little Rock, Arkansas, at a site cost of \$821,000 and design cost of \$2,615,000, for a combined cost of \$3,436,000, a prospectus for which is attached to, and included in, this resolution.

*Provided,* That any design shall, to the maximum extent possible, incorporate shared or collegial space, consistent with efficient court operations that will minimize the size and cost of the building to be constructed.

*Provided further,* That any design shall incorporate changes to the 1994 and 1997 U.S. Courts Design Guide, including the implementation of a policy on shared facilities for senior judges.

BUD SHUSTER,  
Chairman.

SITE—UNITED STATES COURTHOUSE, SAN DIEGO, CALIFORNIA

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives,* That pursuant to Section 7 of the Public Buildings Act of 1959, (40 U.S.C. §606), appropriations are authorized for the acquisition of a site for the construction of a United States courthouse, to be located adjacent to the existing federal building—United States courthouse at 880 Front Street, San Diego, California, at a cost of \$15,400,000, a prospectus for which is attached to, and included in, this resolution.

BUD SHUSTER,  
Chairman.

AMENDMENT—UNITED STATES COURTHOUSE, DENVER, COLORADO

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives,* That pursuant to Section 7 of the Public Buildings Act of 1959, (40 U.S.C. §606), appropriations are authorized for the acquisition of a site at an additional cost of \$3,000,000, additional design at a cost of \$551,000, management and inspection at a cost of \$4,098,000, and an estimated construction cost of \$75,185,000, for the construction of a 345,775 gross square foot United States courthouse building, including 125 inside parking spaces and connecting tunnel, to be located adjacent to the existing federal building—United States courthouse at 1929 Stout Street, Denver, Colorado, at a total combined cost of \$82,834,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends the Committee resolutions dated September 27, 1996, which authorized appropriations in the amount of \$5,131,000 for the acquisition of a 2.5 acre site; July 23, 1997, which authorized appropriations in the amount of \$4,671,000 for design.

*Provided,* That the construction of this project does not exceed construction benchmarks as established by the General Services Administration, and that the total construction costs of this project reflect Time Out and Review savings as estimated by the General Services Administration.

*Provided further,* That prior to the conclusion of any land acquisition, the Administrator shall offer, as whole or partial payment, real property held in the General Services Administration's inventory in exchange for the proposed site. The Administrator shall report to the Committee on Transpor-

tation and Infrastructure, within 30 days of the results of this offer, and the potential cost savings of any exchange.

BUD SHUSTER,  
Chairman.

AMENDMENT—UNITED STATES COURTHOUSE, GREENVILLE, TENNESSEE

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives,* That pursuant to Section 7 of the Public Buildings Act of 1959, (40 U.S.C. §606), appropriations are authorized for additional design at a cost of \$129,000, management and inspection at a cost of \$2,250,000, and an estimated construction cost of \$25,850,000 for the construction of a 154,800 gross square foot United States courthouse, including 12 inside parking spaces, in Greenville, Tennessee, for a combined total cost of \$28,229,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends Committee resolution dated March 23, 1994, which authorized appropriations in the amount of \$3,123,000 for site acquisition and design.

*Provided,* That the construction of this project does not exceed construction benchmarks as established by the General Services Administration, and that the total construction costs of this project reflect Time Out and Review savings as estimated by the General Services Administration.

BUD SHUSTER,  
Chairman.

AMENDMENT—UNITED STATES COURTHOUSE, CAPE GIRARDEAU, MISSOURI

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives,* That pursuant to Section 7 of the Public Buildings Act of 1959, (40 U.S.C. §606), appropriations are authorized for additional design at a cost of \$496,000 for the construction of a 147,859 gross square foot United States courthouse, including 22 inside and 120 outside parking spaces, in Cape Girardeau, Missouri, a modified report of building project survey for which is attached to, and included in, this resolution. This resolution amends Committee resolution dated May 13, 1993, which authorized appropriations in the amount of \$5,600,000 for site acquisition and design.

*Provided,* That any design shall, to the maximum extent possible, incorporate shared or collegial space, consistent with efficient court operations that will minimize the size and cost of the building to be constructed.

*Provided further,* That any design shall incorporate changes to the 1994 and 1997 U.S. Courts Design Guide, including the implementation of a policy on shared facilities for senior judges.

BUD SHUSTER,  
Chairman.

AMENDMENT—UNITED STATES COURTHOUSE, BROOKLYN, NEW YORK

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives,* That pursuant to Section 7 of the Public Buildings Act of 1959, (40 U.S.C. §606), appropriations are authorized for additional design at a cost of \$158,000, management and inspection at a cost of \$5,038,000, and an estimated construction cost of \$147,000,000 for the renovation of a 574,790 gross square foot General Post Office facility for use as a United States courthouse, including 20 inside parking spaces, in conjunction with the existing federal building—United States courthouse at Cadman Plaza,

Brooklyn, New York, for a combined total cost of \$152,626,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends Committee resolution dated September 27, 1996, which authorized appropriations in the amount of \$187,179,000 for management and inspection, and reconstruction (Phase II) of the United States courthouse at Cadman Plaza.

*Provided*, That the construction of this project does not exceed construction benchmarks as established by the General Services Administration, and that the total construction costs of this project reflect Time Out and Review savings as estimated by the General Services Administration.

BUD SHUSTER,  
Chairman.

**SITE—UNITED STATES COURTHOUSE, SAN JOSE, CALIFORNIA**

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, That pursuant to Section 7 of the Public Buildings Act of 1959, (40 U.S.C. §606), appropriations are authorized for acquisition of a site for the construction of a United States courthouse to be located in San Jose, California, at a cost of \$10,800,000, a prospectus for which is attached to, and included in, this resolution.

BUD SHUSTER,  
Chairman.

**UNITED STATES COURTHOUSE, SPRINGFIELD, MASSACHUSETTS**

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, That pursuant to Section 11(b) of the Public Buildings Act of 1959, (40 U.S.C. §610), the Administrator of General Services shall investigate the feasibility and need to construct or acquire a facility to house the United States District Court and Bankruptcy Court for the District of Massachusetts, in Springfield, Massachusetts. The analysis shall include a full and complete evaluation including, but not limited to: (i) the identification and cost of potential sites and (ii) 30 year present value evaluations of all options; including lease, purchase, and Federal construction, and the purchase options of lease with an option to purchase or purchase contract. The Administrator shall submit a report directly to Congress, without further review or approval by any other office of the Executive branch, within 30 calendar days.

BUD SHUSTER,  
Chairman.

**UNITED STATES COURTHOUSE, BILOXI-GULFPORT, MISSISSIPPI**

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, That pursuant to Section 11(b) of the Public Buildings Act of 1959, (40 U.S.C. §610), the Administrator of General Services shall investigate the feasibility and need to construct or acquire a facility to house the United States District Court for the Southern District of Mississippi, in Biloxi-Gulfport, Mississippi. The analysis shall include a full and complete evaluation including, but not limited to: (i) the identification and cost of potential sites and (ii) 30 years present value evaluations of all options; including lease, purchase, and Federal construction, and the purchase options of lease with an option to purchase or purchase contract. The Administrator shall submit a report directly to Congress, without further review or ap-

proval by any other office of the Executive branch, within 30 calendar days.

BUD SHUSTER,  
Chairman.

**AMENDMENT—UNITED STATES COURTHOUSE, LAREDO, TEXAS**

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, That pursuant to Section 7 of the Public Buildings Act of 1959, (40 U.S.C. §606), appropriations are authorized for additional sites cost in the amount of \$500,000, management and inspection at a cost of \$2,233,000, and an estimated construction cost of \$25,372,000 for the construction of a 155,124 gross square foot federal building—United States courthouse building, including fifty inside parking spaces, in Laredo, Texas, for a combined total cost of \$28,105,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends Committee resolution dated February 5, 1992, which authorized appropriations in the amount of \$20,390,000 for site acquisition and construction; Committee resolution dated May 13, 1993, which authorized appropriations in the amount of \$3,793,000 for site acquisition and design; and Committee resolution dated May 17, 1994, which authorized appropriations in the amount of \$24,341,000 for management and inspection costs, and the estimated cost of construction.

*Provided*, That the construction of this project does not exceed construction benchmarks as established by the General Services Administration, and that the total construction costs of this project reflect Time Out and Review savings as estimated by the General Services Administration.

BUD SHUSTER,  
Chairman.

**UNITED STATES COURTHOUSE, WHEELING, WEST VIRGINIA**

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, That pursuant to Section 11(b) of the Public Buildings Act of 1959, (40 U.S.C. §610), the Administrator of General Services shall investigate the feasibility and need to construct or acquire a facility to house the United States District Court and court related agencies for the Northern District of West Virginia, in Wheeling, West Virginia. The analysis shall include a full and complete evaluation including, but not limited to: (i) the identification and cost of potential sites and (ii) 30 year present value evaluations of all options; including lease, purchase, and Federal construction, and the purchase options of lease with an option to purchase or purchase contract. The Administrator shall submit a report directly to Congress, without further review or approval by any other office of the Executive branch, within 30 calendar days.

BUD SHUSTER,  
Chairman.

**UNITED STATES COURTHOUSE, EUGENE, OREGON**

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, That pursuant to Section 11(b) of the Public Buildings Act of 1959, (40 U.S.C. §610), the Administrator of General Services shall investigate the feasibility and need to construct or acquire a facility to house the United States District Court and Bankruptcy Court for the District of Oregon, in Eugene, Oregon. The analysis shall include a full and complete evaluation including, but

not limited to: (i) the identification and cost of potential sites and (ii) 30 year present value evaluations of all options; including lease, purchase, and Federal construction, and the purchase options of lease with an option to purchase or purchase contract. The Administrator shall submit a report directly to Congress, without further review or approval by any other office of the Executive branch, within 30 calendar days.

BUD SHUSTER,  
Chairman.

**FEDERAL BUILDING, AMERICAN SAMOA**

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, That pursuant to Section 11(b) of the Public Buildings Act of 1959, (40 U.S.C. §610), the Administrator of General Services shall investigate the feasibility and need to construct or acquire a facility to house the Federal Government offices in American Samoa. The analysis shall include a full and complete evaluation including, but not limited to: (i) the identification and cost of potential sites and (ii) 30 year present value evaluations of all options; including lease, purchase, and Federal construction, and the purchase options of lease with an option to purchase or purchase contract. The Administrator shall submit a report directly to Congress, without further review or approval by any other office of the Executive branch, within 120 calendar days.

BUD SHUSTER,  
Chairman.

**DESIGN—UNITED STATES MISSION TO THE UNITED NATIONS, NEW YORK, NEW YORK**

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives*, That pursuant to Section 7 of the Public Buildings Act of 1959, (40 U.S.C. §606), appropriations are authorized for the design and review of the demolition and reconstruction of the federal building located at 799 United Nations Plaza, New York, New York, which houses the United States Mission to the United Nation, at a cost of \$3,163,000, a prospectus for which is attached to, and included in, this resolution.

*Provided*, That prior to community any funds for the design of this facility, the Administrator shall submit, within 30 days, a feasibility plan to house additional senior United States embassy officials engaged in the United Nations mission, to the Committee on Transportation and Infrastructure and obtain its approval.

*Provided further*, That this plan shall, in consultation with the Department of State, result in the reduction of federal expenditures for the housing of United States embassy officials engaged in the United Nations mission, in New York City.

BUD SHUSTER,  
Chairman.

There was no objection.

**BIPARTISAN CAMPAIGN INTEGRITY ACT OF 1997**

The SPEAKER pro tempore (Mr. GUTKNECHT). Pursuant to House Resolution 442 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2183.

□ 1305

IN THE COMMITTEE OF THE WHOLE  
Accordingly, the House resolved itself into the Committee of the Whole

House on the State of the Union for the further consideration of the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, with Mr. SHIMKUS (Chairman pro tempore) in the chair.

The Clerk read the title of the bill. The CHAIRMAN pro tempore. When the Committee of the Whole rose on Thursday, July 30, 1998, the amendment offered by the gentleman from Pennsylvania (Mr. GEKAS) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS) had been disposed of.

Pursuant to the order of the House of Thursday July 17, 1998, no other amendment to the amendment in the nature of a substitute No. 13 is in order.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 442, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 23 offered by Mr. BARR of Georgia; amendment No. 26 offered by Mr. MCINTOSH of Indiana; amendment No. 32 offered by Mr. HORN of California; amendment No. 37 offered by Mr. SHAW of Florida; amendment number 39, as modified, offered by Ms. KAPTUR of Ohio; amendment No. 47 offered by Mr. STEARNS of Florida; amendment No. 49 offered by Mr. STEARNS of Florida; amendment No. 50 offered by Mr. WHITFIELD of Kentucky; amendment No. 51 offered by Mr. WHITFIELD of Kentucky; amendment No. 52 offered by Mr. ENGLISH of Pennsylvania.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 23 OFFERED BY MR. BARR OF GEORGIA TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment No. 23 offered by the gentleman from Georgia (Mr. BARR) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 23 offered by Mr. BARR of Georgia to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:  
Add at the end the following new title:

**TITLE —PROHIBITING BILINGUAL VOTING MATERIALS**

**SEC. 01. PROHIBITING USE OF BILINGUAL VOTING MATERIALS.**

(a) PROHIBITION.—

(1) IN GENERAL.—No State may provide voting materials in any language other than English.

(2) VOTING MATERIALS DEFINED.—In this subsection, the term "voting materials" means registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots.

(b) CONFORMING AMENDMENTS.—The Voting Rights Act of 1965 is amended—

(1) by striking section 203 (42 U.S.C. 1973aa-1a);

(2) in section 204 (42 U.S.C. 1973aa-2), by striking ", or 203"; and

(3) in section 205 (42 U.S.C. 1973aa-3), by striking ", 202, or 203" and inserting "or 202".

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 142, noes 261, not voting 31, as follows:

[Roll No. 367]

AYES—142

- |            |               |               |
|------------|---------------|---------------|
| Aderholt   | Goodling      | Packard       |
| Archer     | Goss          | Pappas        |
| Armey      | Graham        | Paxon         |
| Baker      | Gutknecht     | Pease         |
| Ballenger  | Hall (TX)     | Peterson (PA) |
| Barr       | Hansen        | Petri         |
| Bartlett   | Hastert       | Pickering     |
| Bateman    | Hastings (WA) | Pickett       |
| Billirakis | Heffey        | Pitts         |
| Bliley     | Herger        | Pombo         |
| Boehner    | Hill          | Radanovich    |
| Bono       | Hilleary      | Regula        |
| Bryant     | Hobson        | Riley         |
| Bunning    | Hostettler    | Rogers        |
| Burr       | Hulshof       | Rohrabacher   |
| Burton     | Hunter        | Roukema       |
| Callahan   | Hutchinson    | Royce         |
| Calvert    | Hyde          | Ryun          |
| Canady     | Inglis        | Scarborough   |
| Cannon     | Jenkins       | Sensenbrenner |
| Chabot     | Johnson, Sam  | Sessions      |
| Chambliss  | Jones         | Shadegg       |
| Chenoweth  | Kasich        | Shimkus       |
| Coble      | Kim           | Shuster       |
| Coburn     | King (NY)     | Smith (MI)    |
| Collins    | Kingston      | Smith (TX)    |
| Combest    | Knollenberg   | Snowbarger    |
| Cook       | LaHood        | Solomon       |
| Cooksey    | Largent       | Souder        |
| Crane      | Latham        | Spence        |
| Cubin      | LaTourette    | Stearns       |
| Cunningham | Lewis (KY)    | Linder        |
| Deal       | Linder        | Lipinski      |
| Dickey     | Lipinski      | Livingston    |
| Doolittle  | Lucas         | Duncan        |
| Duncan     | Manzullo      | Dunn          |
| Dunn       | McCollum      | Ehrlich       |
| Ehrlich    | McIntosh      | Emerson       |
| Emerson    | Miller (FL)   | Ewing         |
| Ewing      | Myrick        | Foley         |
| Foley      | Nethercutt    | Fossella      |
| Fossella   | Neumann       | Fowler        |
| Fowler     | Ney           | Galleghy      |
| Galleghy   | Norup         | Gekas         |
| Gekas      | Norwood       | Gibbons       |
| Gibbons    | Nussle        | Goode         |
| Goode      | Oxley         | Goodlatte     |
| Goodlatte  |               |               |

NOES—261

- |              |             |            |
|--------------|-------------|------------|
| Abercrombie  | Bentsen     | Boucher    |
| Ackerman     | Bereuter    | Boyd       |
| Allen        | Berman      | Brady (PA) |
| Andrews      | Berry       | Brady (TX) |
| Bachus       | Blagojevich | Brown (CA) |
| Baesler      | Blumenauer  | Brown (FL) |
| Baldacci     | Blunt       | Camp       |
| Barcia       | Boehert     | Campbell   |
| Barrett (NE) | Bonilla     | Capps      |
| Barrett (WI) | Bonior      | Carson     |
| Bass         | Borski      | Castle     |
| Becerra      | Boswell     | Clay       |

- |               |                    |               |
|---------------|--------------------|---------------|
| Clayton       | Kelly              | Poshard       |
| Clement       | Kennedy (MA)       | Price (NC)    |
| Clyburn       | Kennedy (RI)       | Pryce (OH)    |
| Condit        | Kennelly           | Quinn         |
| Costello      | Kildee             | Rahall        |
| Coyne         | Kilpatrick         | Ramstad       |
| Cramer        | Kind (WI)          | Rangel        |
| Crapo         | Kleczka            | Redmond       |
| Cummings      | Klink              | Reyes         |
| Danner        | Klug               | Rivers        |
| Davis (FL)    | Kolbe              | Rodriguez     |
| Davis (IL)    | Kucinich           | Roemer        |
| Davis (VA)    | LaFalce            | Ros-Lehtinen  |
| DeFazio       | Lampson            | Rothman       |
| DeGette       | Lantos             | Roybal-Allard |
| Delahunt      | Lazio              | Rush          |
| DeLauro       | Leach              | Sabo          |
| Deutsch       | Lee                | Sanchez       |
| Diaz-Balart   | Levin              | Sanders       |
| Dicks         | Lewis (CA)         | Sandlin       |
| Dingell       | Lewis (GA)         | Sanford       |
| Dixon         | LoBiondo           | Sawyer        |
| Doggett       | Lofgren            | Saxton        |
| Dooley        | Lowey              | Schaefer, Dan |
| Doyle         | Luther             | Schaffer, Bob |
| Dreier        | Maloney (CT)       | Schumer       |
| Edwards       | Maloney (NY)       | Scott         |
| Ehlers        | Manton             | Serrano       |
| English       | Markey             | Shaw          |
| Eshoo         | Martinez           | Shays         |
| Etheridge     | Mascara            | Sherman       |
| Evans         | Matsui             | Sisisky       |
| Farr          | McCarthy (MO)      | Skaggs        |
| Fattah        | McCarthy (NY)      | Skeen         |
| Fawell        | McDade             | Skelton       |
| Fazio         | McDermott          | Slaughter     |
| Fliner        | McGovern           | Smith (NJ)    |
| Ford          | McHale             | Smith (OR)    |
| Fox           | McHugh             | Smith, Adam   |
| Frank (MA)    | McInnis            | Smith, Linda  |
| Franks (NJ)   | McIntyre           | Snyder        |
| Frelinghuysen | McKeon             | Spratt        |
| Frost         | McKinney           | Stabenow      |
| Furse         | McNulty            | Stark         |
| Ganske        | Meehan             | Stenholm      |
| Gejdenson     | Meek (FL)          | Stokes        |
| Gephardt      | Meeks (NY)         | Strickland    |
| Gilchrist     | Menendez           | Stupak        |
| Gillmor       | Metcalf            | Talent        |
| Gilman        | Mica               | Tanner        |
| Gordon        | Millender-McDonald | Tauscher      |
| Granger       | Miller (CA)        | Tauzin        |
| Green         | Minge              | Taylor (MS)   |
| Greenwood     | Mink               | Thomas        |
| Gutierrez     | Mollohan           | Thompson      |
| Hall (OH)     | Moran (KS)         | Thornberry    |
| Hamilton      | Morella            | Thurman       |
| Harman        | Murtha             | Tierney       |
| Hastings (FL) | Nadler             | Torres        |
| Hayworth      | Neal               | Towns         |
| Hilliard      | Oberstar           | Turner        |
| Hinojosa      | Obey               | Vento         |
| Hoekstra      | Olver              | Visclosky     |
| Holden        | Ortiz              | Walsh         |
| Hooley        | Owens              | Wamp          |
| Horn          | Pallone            | Waters        |
| Houghton      | Pascrell           | Watt (NC)     |
| Hoyer         | Pastor             | Watts (OK)    |
| Jackson (IL)  | Paul               | Wexler        |
| Jackson-Lee   | Payne              | Weygand       |
| (TX)          | Pelosi             | White         |
| Jefferson     | Peterson (MN)      | Wilson        |
| Johnson (CT)  | Pomeroy            | Wise          |
| Johnson (WI)  | Porter             | Woolsey       |
| Kanjorski     | Portman            | Yates         |
| Kaptur        |                    |               |

NOT VOTING—31

- |             |                |            |
|-------------|----------------|------------|
| Barton      | Ensign         | Moran (VA) |
| Bilbray     | Everett        | Parker     |
| Bishop      | Forbes         | Riggs      |
| Brown (OH)  | Gonzalez       | Rogan      |
| Buyer       | Hinchee        | Salmon     |
| Cardin      | Istook         | Velazquez  |
| Christensen | Johnson, E. B. | Waxman     |
| Conyers     | McCrary        | Wynn       |
| Cox         | Moakley        | Young (FL) |
| DeLay       |                |            |
| Engel       |                |            |

□ 1327

Messrs. MCINNIS, SKAGGS, PASTOR, and MORAN of Kansas changed their vote from "aye" to "no."

Mr. HALL of Texas changed his vote from "no" to "aye."

So the amendment to the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. Pursuant to House Resolution 442, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, may be taken on each amendment on which the Chair has postponed further proceedings.

Consistent with the Speaker's announced policy, the Chair will keep these remaining 9 votes, if ordered, within the five-minute minimum. All Members are requested to remain in the Chamber.

AMENDMENT NO. 26 OFFERED BY MR. MCINTOSH TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on amendment No. 26 offered by the gentleman from Indiana (Mr. MCINTOSH) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment to the amendment in the nature of a substitute is as follows:

Amendment No. 26 offered by Mr. MCINTOSH to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Amendment No. 84. In section 301(8) of the Federal Election Campaign Act of 1971, as amended by section 205(a)(1)(B) of the substitute, add at the end the following:

(F) For purposes of subparagraph (C), no communication with a Senator or Member of the House of Representatives (including the staff of a Senator or Member) regarding any pending legislative matter, including any survey, questionnaire, or written communication soliciting or providing information regarding the position of any Senator or Member on such matter, may be construed to establish coordination with a candidate.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered. The CHAIRMAN pro tempore. This will be a five-minute vote.

The vote was taken by electronic device, and there were—ayes 195, noes 218, not voting 21, as follows:

[Roll No. 368]

AYES—195

|           |            |            |
|-----------|------------|------------|
| Aderholt  | Bartlett   | Boehner    |
| Archer    | Barton     | Bonilla    |
| Armey     | Bass       | Bono       |
| Bachus    | Bateman    | Brady (TX) |
| Baker     | Bereuter   | Bryant     |
| Ballenger | Billirakis | Bunning    |
| Barrera   | Bliley     | Burr       |
| Barr      | Blunt      | Burton     |

|               |               |               |                    |               |              |
|---------------|---------------|---------------|--------------------|---------------|--------------|
| Callahan      | Horn          | Portman       | Kucinich           | Moran (VA)    | Serrano      |
| Calvert       | Hostettler    | Pryce (OH)    | LaFalce            | Morella       | Shays        |
| Camp          | Hulshof       | Radanovich    | Lampson            | Nadler        | Sherman      |
| Campbell      | Hunter        | Rahall        | Lantos             | Neal          | Sisisky      |
| Canady        | Hutchinson    | Redmond       | LaTourette         | Oberstar      | Skaggs       |
| Cannon        | Hyde          | Regula        | Lazio              | Obey          | Skelton      |
| Chabot        | Inglis        | Riley         | Leach              | Olver         | Slaughter    |
| Chambliss     | Jenkins       | Rogers        | Lee                | Ortiz         | Smith, Adam  |
| Chenoweth     | Johnson (CT)  | Rohrabacher   | Levin              | Owens         | Smith, Linda |
| Coble         | Johnson, Sam  | Ros-Lehtinen  | Lewis (GA)         | Pallone       | Snyder       |
| Coburn        | Jones         | Royce         | LoBiondo           | Pascrell      | Spratt       |
| Collins       | Kasich        | Ryun          | Lofgren            | Pastor        | Stabenow     |
| Combest       | Kim           | Sanford       | Lowe               | Payne         | Stark        |
| Cook          | King (NY)     | Scarborough   | Luther             | Pelosi        | Stenholm     |
| Cooksey       | Kingston      | Schaefer, Dan | Maloney (CT)       | Peterson (MN) | Stokes       |
| Cox           | Klug          | Schaffer, Bob | Maloney (NY)       | Pickett       | Strickland   |
| Crane         | Knollenberg   | Scott         | Manton             | Pomeroy       | Tanner       |
| Crapo         | Kolbe         | Sensenbrenner | Markey             | Porter        | Tauscher     |
| Cubin         | LaHood        | Sessions      | Mascara            | Poshard       | Taylor (MS)  |
| Cunningham    | Largent       | Shadegg       | Matsui             | Price (NC)    | Thompson     |
| Davis (VA)    | Latham        | Shaw          | McCarthy (MO)      | Quinn         | Thurman      |
| Deal          | Lewis (CA)    | Shimkus       | McCarthy (NY)      | Ramstad       | Tierney      |
| Diaz-Balart   | Lewis (KY)    | Shuster       | McDermott          | Rangel        | Torres       |
| Dickey        | Linder        | Skeen         | McGovern           | Reyes         | Towns        |
| Doolittle     | Lipinski      | Smith (MI)    | McHale             | Rivers        | Towns        |
| Dreier        | Livingston    | Smith (NJ)    | McKinney           | Rodriguez     | Turner       |
| Duncan        | Lucas         | Smith (OR)    | McNulty            | Roemer        | Vento        |
| Dunn          | Manzullo      | Smith (TX)    | Meehan             | Rothman       | Visclosky    |
| Ehrlich       | Martinez      | Snowbarger    | Meek (FL)          | Roukema       | Walsh        |
| Emerson       | McCollum      | Solomon       | Meeks (NY)         | Roybal-Allard | Waters       |
| English       | McDade        | Souder        | Menendez           | Rush          | Watt (NC)    |
| Ensign        | McHugh        | Spence        | Metcalfe           | Sabo          | Waxman       |
| Everett       | McInnis       | Stearns       | Millender-McDonald | Sanchez       | Wexler       |
| Fawell        | McIntosh      | Stump         | Miller (CA)        | Sanders       | Weygand      |
| Foley         | McIntyre      | Stupak        | Minge              | Sandlin       | Wise         |
| Fossella      | McKeon        | Sununu        | Mink               | Sawyer        | Woolsey      |
| Fowler        | Mica          | Talent        | Mollohan           | Saxton        | Yates        |
| Galgely       | Miller (FL)   | Tauzin        |                    | Schumer       |              |
| Gekas         | Moran (KS)    | Taylor (NC)   |                    |               |              |
| Gibbons       | Murtha        | Thomas        |                    |               |              |
| Gillmor       | Myrick        | Thornberry    |                    |               |              |
| Goode         | Nethercutt    | Thune         |                    |               |              |
| Goodlatte     | Neumann       | Tiahrt        |                    |               |              |
| Goodling      | Northup       | Trafcant      |                    |               |              |
| Goss          | Norwood       | Upton         |                    |               |              |
| Granger       | Nussle        | Wamp          |                    |               |              |
| Gutknecht     | Oxley         | Watkins       |                    |               |              |
| Hall (TX)     | Packard       | Watts (OK)    |                    |               |              |
| Hansen        | Pappas        | Weldon (FL)   |                    |               |              |
| Hastert       | Paul          | Weldon (PA)   |                    |               |              |
| Hastings (WA) | Paxon         | Weller        |                    |               |              |
| Hayworth      | Pease         | White         |                    |               |              |
| Hefley        | Peterson (PA) | Whitfield     |                    |               |              |
| Hill          | Petri         | Wicker        |                    |               |              |
| Hilleary      | Pickering     | Wilson        |                    |               |              |
| Hobson        | Pitts         | Wolf          |                    |               |              |
| Hoekstra      | Pombo         | Young (AK)    |                    |               |              |

NOES—218

|              |               |               |
|--------------|---------------|---------------|
| Abercrombie  | Cramer        | Gephardt      |
| Ackerman     | Cummings      | Gilchrist     |
| Allen        | Danner        | Gilman        |
| Andrews      | Davis (FL)    | Gordon        |
| Baessler     | Davis (IL)    | Graham        |
| Baldacci     | DeFazio       | Green         |
| Barrett (NE) | DeGette       | Greenwood     |
| Barrett (WI) | Delahunt      | Gutierrez     |
| Becerra      | DeLauro       | Hall (OH)     |
| Bentsen      | Deutsch       | Hamilton      |
| Berman       | Dicks         | Harman        |
| Berry        | Dingell       | Hastings (FL) |
| Bilbray      | Dixon         | Herger        |
| Bishop       | Doggett       | Hilliard      |
| Blagojevich  | Dooley        | Hinchee       |
| Blumenauer   | Doyle         | Hinojosa      |
| Boehlert     | Edwards       | Holden        |
| Bonior       | Ehlers        | Hooley        |
| Borski       | Engel         | Houghton      |
| Boswell      | Eshoo         | Hoyer         |
| Boucher      | Etheridge     | Jackson (IL)  |
| Boyd         | Evans         | Jackson-Lee   |
| Brady (PA)   | Ewing         | (TX)          |
| Brown (GA)   | Farr          | Jefferson     |
| Brown (FL)   | Fattah        | Johnson (WI)  |
|              | Fazio         | Kanjorski     |
|              | Filner        | Kaptur        |
|              | Ford          | Kelly         |
|              | Fox           | Kennedy (MA)  |
|              | Frank (MA)    | Kennedy (RI)  |
|              | Franks (NJ)   | Kennelly      |
|              | Frelinghuysen | Kildee        |
|              | Frost         | Kilpatrick    |
|              | Furse         | Kind (WI)     |
|              | Ganske        | Kleccka       |
|              | Gejdenson     | Klink         |

|             |                |            |
|-------------|----------------|------------|
| Brown (OH)  | Hefner         | Parker     |
| Buyer       | Istook         | Riggs      |
| Cardin      | John           | Rogan      |
| Christensen | Johnson, E. B. | Salmon     |
| DeLay       | McCrery        | Velazquez  |
| Forbes      | Moakley        | Wynn       |
| Gonzalez    | Ney            | Young (FL) |

NOT VOTING—21

□ 1336

So the amendment to the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. HERGER, Mr. Chairman, on rollcall No. 368, I inadvertently voted "no", when I meant to vote "aye" and I would like the RECORD to reflect my true intentions.

AMENDMENT NO. 32 OFFERED BY MR. HORN TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment No. 32 offered by the gentleman from California (Mr. HORN) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment to the amendment in the nature of a substitute is as follows:

Amendment No. 32 offered by Mr. HORN to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Add at the end the following new title:

TITLE —. REDUCED POSTAGE RATES

SEC. —01. REDUCED POSTAGE RATES PRINCIPAL CAMPAIGN COMMITTEES OF CONGRESSIONAL CANDIDATES

(a) IN GENERAL.—Section 3626(e)(2)(A) of title 39, United States Code, is amended by

striking "and the National Republican Congressional Committee" and inserting "the National Republican Congressional Committee, and the principal campaign committee of a candidate for election for the office of Senator or Representative in or Delegate or Resident Commissioner to the Congress".

(b) LIMITING REDUCED RATE TO TWO PIECES OF MAIL PER REGISTERED VOTER.—Section 3626(e)(1) of such title is amended by striking the period at the end and inserting the following: ", except that in the case of committee which is a principal campaign committee such rates shall apply only with respect to the election cycle involved and only to a number of pieces equal to the product of 2 times the number (as determined by the Postmaster General) of addresses (other than business possible delivery stops) in the congressional district involved (or in the case of a committee of a candidate for election for the office of Senator, in the State involved)."

(c) PRINCIPAL CAMPAIGN COMMITTEE DEFINED.—Section 3626(e)(2) of such title is amended—

(1) by striking "and" at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting "; and"; and

(3) by adding at the end the following new subparagraph:

"(D) the term 'principal campaign committee' has the meaning given such term in section 301(5) of the Federal Election Campaign Act of 1971."

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a five-minute vote.

The vote was taken by electronic device, and there were—ayes 117, noes 294, not voting 23, as follows:

[Roll No. 369]

AYES—117

|             |              |               |
|-------------|--------------|---------------|
| Aderholt    | Ehlers       | Neumann       |
| Archer      | Ehrlich      | Northup       |
| Armey       | English      | Norwood       |
| Baldacci    | Ewing        | Nussle        |
| Ballenger   | Fattah       | Oxley         |
| Barr        | Foley        | Packard       |
| Bartlett    | Fossella     | Pappas        |
| Bateman     | Gekas        | Pastor        |
| Berman      | Gillman      | Paxon         |
| Bilirakis   | Goodling     | Peterson (PA) |
| Bliley      | Gordon       | Petri         |
| Boehrlert   | Greenwood    | Pombo         |
| Bono        | Gutknecht    | Portman       |
| Borski      | Hobson       | Pryce (OH)    |
| Brady (PA)  | Horn         | Quinn         |
| Brady (TX)  | Hunter       | Redmond       |
| Burton      | Hyde         | Regula        |
| Calvert     | Jefferson    | Riley         |
| Camp        | Johnson (CT) | Rohrabacher   |
| Campbell    | Kim          | Ros-Lehtinen  |
| Cannon      | King (NY)    | Sabo          |
| Carson      | Knollenberg  | Sanders       |
| Chambliss   | LaFalce      | Sanford       |
| Clement     | LaHood       | Saxton        |
| Clyburn     | Largent      | Scott         |
| Collins     | LaTourette   | Sherman       |
| Combest     | Leach        | Shimkus       |
| Cook        | Lewis (CA)   | Shuster       |
| Cox         | Linder       | Skeen         |
| Crane       | Livingston   | Slaughter     |
| Davis (IL)  | Martinez     | Smith (MI)    |
| Deal        | McCollum     | Smith (NJ)    |
| Diaz-Balart | McDade       | Smith (TX)    |
| Dickey      | McHugh       | Thomas        |
| Doggett     | McInnis      | Traficant     |
| Doolittle   | McIntosh     |               |
| Doyle       | McKeon       |               |
| Dreier      | Nadler       |               |

|               |                  |                    |
|---------------|------------------|--------------------|
| Vento         | Watts (OK)       | Wicker             |
| Visclosky     | Waxman           | Young (AK)         |
| NOES—294      |                  |                    |
| Abercrombie   | Gilchrest        | Mica               |
| Ackerman      | Gillmor          | Millender-McDonald |
| Allen         | Goode            | Miller (CA)        |
| Andrews       | Goodlatte        | Miller (FL)        |
| Bachus        | Goss             | Minge              |
| Baesler       | Graham           | Mink               |
| Baker         | Granger          | Moran (KS)         |
| Barcelo       | Green            | Moran (VA)         |
| Barrett (NE)  | Gutierrez        | Morella            |
| Barrett (WI)  | Hall (OH)        | Hall (TX)          |
| Barton        | Hall (TX)        | Myrick             |
| Bass          | Hamilton         | Neal               |
| Becerra       | Hansen           | Nethercutt         |
| Bentsen       | Harman           | Oberstar           |
| Bereuter      | Hastert          | Oliver             |
| Berry         | Hastings (FL)    | Ortiz              |
| Bilbray       | Hastings (WA)    | Owens              |
| Bishop        | Hayworth         | Pallone            |
| Blagojevich   | Hefley           | Pascarell          |
| Blumenauer    | Herger           | Paul               |
| Blunt         | Hill             | Payne              |
| Boehner       | Hilleary         | Pease              |
| Bonilla       | Hilliard         | Pelosi             |
| Bonior        | Hinchey          | Peterson (MN)      |
| Boswell       | Hinojosa         | Pickering          |
| Boucher       | Hoekstra         | Pickett            |
| Boyd          | Holden           | Pitts              |
| Brown (CA)    | Hoolley          | Pomeroy            |
| Brown (FL)    | Hostettler       | Porter             |
| Bryant        | Houghton         | Poshard            |
| Bunning       | Hoyer            | Price (NC)         |
| Burr          | Hulshof          | Radanovich         |
| Callahan      | Hutchinson       | Rahall             |
| Canady        | Inglis           | Ramstad            |
| Capps         | Jackson (IL)     | Rangel             |
| Castle        | Jackson-Lee (TX) | Reyes              |
| Chabot        | Jenkins          | Rivers             |
| Chenoweth     | Johnson (WI)     | Rodriguez          |
| Clay          | Johnson, Sam     | Roemer             |
| Clayton       | Jones            | Rogers             |
| Coble         | Kanjorski        | Rothman            |
| Coburn        | Kaptur           | Roukema            |
| Condit        | Kasich           | Roybal-Allard      |
| Conyers       | Kelly            | Royce              |
| Cooksey       | Kennedy (MA)     | Rush               |
| Costello      | Kennedy (RI)     | Ryun               |
| Coyne         | Kennelly         | Sanchez            |
| Cramer        | Kildee           | Sandlin            |
| Crapo         | Kilpatrick       | Sawyer             |
| Cublin        | Kind (WI)        | Scarborough        |
| Cummings      | Kingston         | Schaefer, Dan      |
| Cunningham    | Kleczka          | Schaffer, Bob      |
| Danner        | Klink            | Schumer            |
| Davis (FL)    | Klug             | Sensenbrenner      |
| Davis (VA)    | Kolbe            | Serrano            |
| DeFazio       | Kucinich         | Shadegg            |
| DeGette       | Lampson          | Shaw               |
| Delahunt      | Lantos           | Shays              |
| DeLauro       | Latham           | Sisisky            |
| Deutsch       | Lazio            | Skaggs             |
| Dicks         | Lee              | Skelton            |
| Dingell       | Levin            | Smith (OR)         |
| Dixon         | Lewis (GA)       | Smith, Adam        |
| Dooley        | Lewis (KY)       | Smith, Linda       |
| Duncan        | Lipinski         | Snowbarger         |
| Dunn          | LoBlando         | Snyder             |
| Edwards       | Lofgren          | Solomon            |
| Emerson       | Lowe             | Souder             |
| Engel         | Lucas            | Spence             |
| Ensign        | Luther           | Spratt             |
| Eshoo         | Maloney (CT)     | Stabenow           |
| Etheridge     | Maloney (NY)     | Stark              |
| Evans         | Manton           | Stearns            |
| Everett       | Farr             | Stenholm           |
| Farr          | Fawell           | Stokes             |
| Fazio         | Fazio            | Strickland         |
| Filner        | Filner           | Stump              |
| Ford          | Fowler           | Stupak             |
| Fowler        | Fox              | Sununu             |
| Fox           | Frank (MA)       | Talent             |
| Frank (MA)    | Franks (NJ)      | McHale             |
| Franks (NJ)   | Frelinghuysen    | McIntyre           |
| Frelinghuysen | Frost            | McKinney           |
| Frost         | Furse            | McNulty            |
| Furse         | Gallegly         | Meehan             |
| Gallegly      | Ganske           | Meek (FL)          |
| Ganske        | Gedensson        | Meeks (NY)         |
| Gedensson     | Gephardt         | Menendez           |
| Gephardt      | Gibbons          | Metcalf            |
| Gibbons       |                  | Thurman            |

|         |             |           |
|---------|-------------|-----------|
| Tiahrt  | Waters      | White     |
| Tierney | Watkins     | Whitfield |
| Torres  | Watt (NC)   | Wilson    |
| Towns   | Weldon (FL) | Wise      |
| Turner  | Weldon (PA) | Wolf      |
| Upton   | Weller      | Woolsey   |
| Walsh   | Wexler      | Yates     |
| Wamp    | Weygand     |           |

NOT VOTING—23

|             |               |            |
|-------------|---------------|------------|
| Brown (OH)  | Istook        | Riggs      |
| Buyer       | John          | Rogan      |
| Cardin      | Johnson, E.B. | Salmon     |
| Christensen | McCrary       | Sessions   |
| DeLay       | Moakley       | Velazquez  |
| Forbes      | Mollohan      | Wynn       |
| Gonzalez    | Ney           | Young (FL) |
| Hefner      | Parker        |            |

□ 1342

Messrs. BERMAN and WAXMAN changed their vote from "no" to "aye." So the amendment to the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 37 OFFERED BY MR. SHAW TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment No. 37 offered by the gentleman from Florida (Mr. SHAW) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment to the amendment in the nature of a substitute is as follows:

Amendment No. 37 offered by Mr. SHAW to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Add at the end of title V the following new section (and conform the table of contents accordingly):

**SEC. 510. REQUIRING MAJORITY OF AMOUNT OF CONTRIBUTIONS ACCEPTED BY HOUSE CANDIDATES TO COME FROM IN-STATE RESIDENTS.**

Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following new subsection:

"(1)(1) With respect to each reporting period for an election, the total of contributions accepted by a candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress from in-State individual residents shall be at least 50 percent of the total of contributions accepted from all sources.

"(2) As used in this subsection, the term 'in-State individual resident' means an individual who resides in the State in which the congressional district involved is located."

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a five-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 253, not voting 21, as follows:

[Roll No. 370]

AYES—160

|              |               |               |
|--------------|---------------|---------------|
| Aderholt     | Gekas         | Norwood       |
| Archer       | Gibbons       | Nussle        |
| Army         | Gillmor       | Oxley         |
| Bachus       | Goode         | Pappas        |
| Baker        | Goodlatte     | Paxon         |
| Ballenger    | Goodling      | Pease         |
| Barrett (NE) | Goss          | Peterson (MN) |
| Bartlett     | Graham        | Peterson (PA) |
| Barton       | Granger       | Petri         |
| Bereuter     | Gutknecht     | Pombo         |
| Bilbray      | Hall (TX)     | Portman       |
| Billrakis    | Hansen        | Pryce (OH)    |
| Blunt        | Hastert       | Quinn         |
| Boehner      | Hastings (WA) | Radanovich    |
| Bono         | Hayworth      | Regula        |
| Brady (TX)   | Herger        | Rohrabacher   |
| Burr         | Hill          | Ros-Lehtinen  |
| Callahan     | Hillery       | Royce         |
| Calvert      | Hobson        | Saxton        |
| Camp         | Hoekstra      | Scarborough   |
| Canady       | Hostettler    | Schaffer, Bob |
| Cañon        | Hulshof       | Sensenbrenner |
| Chabot       | Hunter        | Sessions      |
| Chambliss    | Hutchinson    | Shadegg       |
| Chenoweth    | Inglis        | Shaw          |
| Coble        | Jenkins       | Shimkus       |
| Coburn       | Johnson, Sam  | Shuster       |
| Collins      | Jones         | Smith (MI)    |
| Combest      | Kingston      | Smith (NJ)    |
| Cook         | Klug          | Smith (TX)    |
| Cooksey      | Knollenberg   | Solomon       |
| Costello     | Koibae        | Souder        |
| Crane        | LaHood        | Stearns       |
| Crapo        | Largent       | Stump         |
| Cubin        | Latham        | Talent        |
| Gunningham   | LaTourrette   | Tauzin        |
| Davis (VA)   | Lazio         | Taylor (MS)   |
| Deal         | Linder        | Taylor (NC)   |
| Díaz-Balart  | Livingston    | Thomas        |
| Dickey       | Lucas         | Thornberry    |
| Duncan       | Luther        | Thune         |
| Dunn         | Maloney (CT)  | Tiahrt        |
| Ehlers       | Manzullo      | Upton         |
| Ehrlich      | McColum       | Wamp          |
| Emerson      | McHugh        | Watkins       |
| English      | McIntosh      | Weldon (FL)   |
| Ensign       | McKeon        | Weldon (PA)   |
| Everett      | Mica          | Weller        |
| Ewing        | Miller (FL)   | White         |
| Fawell       | Moran (KS)    | Whitfield     |
| Foley        | Moran (VA)    | Wolf          |
| Fowler       | Nethercutt    | Young (AK)    |
| Galleghy     | Neumann       |               |
| Ganske       | Northup       |               |

NOES—253

|              |            |               |
|--------------|------------|---------------|
| Abercrombie  | Castle     | Ford          |
| Ackerman     | Clay       | Fossella      |
| Allen        | Clayton    | Fox           |
| Andrews      | Clement    | Frank (MA)    |
| Baesler      | Clyburn    | Franks (NJ)   |
| Baldacci     | Condit     | Frelinghuysen |
| Barcia       | Conyers    | Frost         |
| Barr         | Cox        | Furse         |
| Barrett (WI) | Coyne      | Gejdenson     |
| Bass         | Cramer     | Gephardt      |
| Bateman      | Cummings   | Gilchrest     |
| Beçerra      | Danner     | Gilman        |
| Bentsen      | Davis (FL) | Gordon        |
| Berman       | Davis (IL) | Green         |
| Berry        | DeFazio    | Greenwood     |
| Bishop       | DeGette    | Gutierrez     |
| Blágojevich  | Delahunt   | Hall (OH)     |
| Bliley       | DeLauro    | Hamilton      |
| Blumenauer   | Deutsch    | Harman        |
| Boehliert    | Dicks      | Hastings (FL) |
| Bonilla      | Dingell    | Hefley        |
| Bojlor       | Dixon      | Hilliard      |
| Borski       | Doggett    | Hinchev       |
| Boswell      | Dooley     | Hinojosa      |
| Boucher      | Doolittle  | Holden        |
| Boyd         | Doyle      | Hooley        |
| Brady (PA)   | Dreier     | Horn          |
| Brown (CA)   | Edwards    | Houghton      |
| Brown (FL)   | Engel      | Hoyer         |
| Bryant       | Eshoo      | Hyde          |
| Bunning      | Etheridge  | Jackson (IL)  |
| Burton       | Evans      | Jackson-Lee   |
| Campbell     | Farr       | (TX)          |
| Capps        | Fattah     | Jefferson     |
| Cardin       | Fazio      | Johnson (CT)  |
| Carson       | Filner     | Johnson (WI)  |

|                |               |               |
|----------------|---------------|---------------|
| Johnson, E. B. | Metcalf       | Sandlin       |
| Kanjorski      | Millender-    | Sanford       |
| Kaptur         | McDonald      | Sawyer        |
| Kasich         | Miller (CA)   | Schaefer, Dan |
| Kelly          | Minge         | Schumer       |
| Kennedy (MA)   | Mink          | Scott         |
| Kennedy (RI)   | Mollohan      | Serrano       |
| Kennelly       | Morella       | Shays         |
| Kildee         | Murtha        | Sherman       |
| Kilpatrick     | Myrick        | Sisisky       |
| Kim            | Nadler        | Skaggs        |
| Kind (WI)      | Neal          | Skeen         |
| King (NY)      | Oberstar      | Skelton       |
| Klecza         | Obey          | Slaughter     |
| Klink          | Olver         | Smith, Adam   |
| Kucinich       | Ortiz         | Smith, Linda  |
| LaFalce        | Owens         | Snowbarger    |
| Lampson        | Packard       | Snyder        |
| Lantos         | Pallone       | Spence        |
| Leach          | Pastorell     | Stabenow      |
| Lee            | Pastor        | Stark         |
| Levin          | Paul          | Stenholm      |
| Lewis (CA)     | Payne         | Stokes        |
| Lewis (GA)     | Pelosi        | Strickland    |
| Lewis (KY)     | Pickering     | Stupak        |
| Lipinski       | Pickett       | Sununu        |
| LoBiondo       | Pitts         | Tanner        |
| Logren         | Pomeroy       | Tauscher      |
| Lowey          | Porter        | Thompson      |
| Maloney (NY)   | Poshard       | Thurman       |
| Manton         | Price (NC)    | Tierney       |
| Markey         | Rahall        | Torres        |
| Martinez       | Ramstad       | Towns         |
| Mascara        | Rangel        | Trafiacant    |
| Matsui         | Redmond       | Turner        |
| McCarthy (MO)  | Reyes         | Vento         |
| McCarthy (NY)  | Riley         | Visclosky     |
| McDade         | Rivers        | Walsh         |
| McDermott      | Rodriguez     | Waters        |
| McGovern       | Roemer        | Watt (NC)     |
| McHale         | Rogers        | Watts (OK)    |
| McInnis        | Rothman       | Waxman        |
| McIntyre       | Roukema       | Wexler        |
| McKinney       | Roybal-Allard | Weygand       |
| McNulty        | Rush          | Wicker        |
| Meehan         | Ryun          | Wilson        |
| Meek (FL)      | Sabo          | Wise          |
| Meeks (NY)     | Sanchez       | Woolsey       |
| Menendez       | Sanders       | Yates         |

NOT VOTING—21

|             |         |            |
|-------------|---------|------------|
| Brown (OH)  | Istook  | Rogan      |
| Buyer       | John    | Salmon     |
| Christensen | McCrery | Smith (OR) |
| DeLay       | Moakley | Spratt     |
| Forbes      | Ney     | Velazquez  |
| Gonzalez    | Parker  | Wynn       |
| Hefner      | Riggs   | Young (FL) |

□ 1350

So the amendment to the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 39, AS MODIFIED, OFFERED BY MS. KAPTUR TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

The CHAIRMAN pro tempore (Mr. GUTKNECHT). The unfinished business is the demand for a recorded vote on the amendment, as modified, offered by the gentleman from Ohio (Ms. KAPTUR) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 39, as modified, offered by Ms. KAPTUR to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Add at the end of title V the following new section (and conform the table of contents accordingly):

**SEC. 510. ESTABLISHMENT OF A CLEARINGHOUSE OF INFORMATION ON POLITICAL ACTIVITIES WITHIN THE FEDERAL ELECTION COMMISSION.**

(a) ESTABLISHMENT.—There shall be established within the Federal Election Commission a clearinghouse of public information regarding the political activities of foreign principals and agents of foreign principals. The information comprising this clearinghouse shall include only the following:

(1) All registrations and reports filed pursuant to the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.) during the preceding 5-year period.

(2) All registrations and reports filed pursuant to the Foreign Agents Registration Act, as amended (22 U.S.C. 611 et seq.), during the preceding 5-year period.

(3) The listings of public hearings, hearing witnesses, and witness affiliations printed in the Congressional Record during the preceding 5-year period.

(4) Public information disclosed pursuant to the rules of the Senate or the House of Representatives regarding honoraria, the receipt of gifts, travel, and earned and unearned income.

(5) All reports filed pursuant to title I of the Ethics in Government Act of 1978 (5 U.S.C. App.) during the preceding 5-year period.

(6) All public information filed with the Federal Election Commission pursuant to the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) during the preceding 5-year period.

(b) DISCLOSURE OF OTHER INFORMATION PROHIBITED.—The disclosure by the clearinghouse, or any officer or employee thereof, of any information other than that set forth in subsection (a) is prohibited, except as otherwise provided by law.

(c) DIRECTOR OF CLEARINGHOUSE.—

(1) DUTIES.—The clearinghouse shall have a Director, who shall administer and manage the responsibilities and all activities of the clearinghouse. In carrying out such duties, the Director shall—

(A) develop a filing, coding, and cross-indexing system to carry out the purposes of this section (which shall include an index of all persons identified in the reports, registrations, and other information comprising the clearinghouse);

(B) notwithstanding any other provision of law, make copies of registrations, reports, and other information comprising the clearinghouse available for public inspection and copying, beginning not later than 30 days after the information is first available to the public, and permit copying of any such registration, report, or other information by hand or by copying machine or, at the request of any person, furnish a copy of any such registration, report, or other information upon payment of the cost of making and furnishing such copy, except that no information contained in such registration or report and no such other information shall be sold or used by any person for the purpose of soliciting contributions or for any profit-making purpose; and

(C) not later than 150 days after the date of the enactment of this Act and at any time thereafter, to prescribe, in consultation with the Comptroller General, such rules, regulations, and forms, in conformity with the provisions of chapter 5 of title 5, United States Code, as are necessary to carry out the provisions of this section in the most effective and efficient manner.

(2) APPOINTMENT.—The Director shall be appointed by the Federal Election Commission.

(3) TERM OF SERVICE.—The Director shall serve a single term of a period of time determined by the Commission, but not to exceed 5 years.

(d) PENALTIES FOR DISCLOSURE OF INFORMATION.—Any person who discloses information in violation of subsection (b), and any person who sells or uses information for the purpose of soliciting contributions or for any profit-making purpose in violation of subsection (c)(1)(B), shall be imprisoned for a period of not more than 1 year, or fined in the amount provided in title 18, United States Code, or both.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to conduct the activities of the clearinghouse.

(f) FOREIGN PRINCIPAL.—Foreign principal shall have the same meaning given the term "foreign national" in this section (2 U.S.C. 441e), as the term was defined on July 31, 1998.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 341, noes 74, not voting 19, as follows:

[Roll No. 371]

AYES—341

|              |             |               |
|--------------|-------------|---------------|
| Abercrombie  | Chabot      | Filner        |
| Ackerman     | Chenoweth   | Foley         |
| Allen        | Clay        | Ford          |
| Andrews      | Clayton     | Fowler        |
| Archer       | Clement     | Fox           |
| Armey        | Clyburn     | Frank (MA)    |
| Bachus       | Coble       | Franks (NJ)   |
| Baesler      | Combest     | Frelinghuysen |
| Baker        | Condit      | Frost         |
| Baldacci     | Conyers     | Furse         |
| Barcia       | Cook        | Gallely       |
| Barr         | Costello    | Ganske        |
| Barrett (WI) | Cox         | Gejdenson     |
| Bartlett     | Coyne       | Gekas         |
| Barton       | Cramer      | Gephardt      |
| Bass         | Crapo       | Gilchrest     |
| Bateman      | Cubin       | Gillmor       |
| Becerra      | Cummings    | Goode         |
| Bentsen      | Cunningham  | Goodlatte     |
| Bereuter     | Danner      | Goodling      |
| Berman       | Davis (FL)  | Gordon        |
| Berry        | Davis (IL)  | Graham        |
| Bilbray      | DeFazio     | Granger       |
| Bishop       | DeGette     | Green         |
| Blagojevich  | Delahunt    | Greenwood     |
| Billey       | DeLauro     | Gutierrez     |
| Blumenauer   | Deutsch     | Gutknecht     |
| Blunt        | Diaz-Balart | Hall (OH)     |
| Boehert      | Dickey      | Hamilton      |
| Boehner      | Dicks       | Harman        |
| Bonior       | Dingell     | Hastings (FL) |
| Bono         | Dixon       | Hastings (WA) |
| Borski       | Doggett     | Hayworth      |
| Boswell      | Dooley      | Hefley        |
| Boucher      | Doyle       | Herger        |
| Boyd         | Duncan      | Hilleary      |
| Brady (PA)   | Dunn        | Hincheey      |
| Brady (TX)   | Edwards     | Hinojosa      |
| Brown (CA)   | Ehrlich     | Hobson        |
| Brown (FL)   | Emerson     | Hoekstra      |
| Bunning      | Engel       | Holden        |
| Callahan     | English     | Hooley        |
| Calvert      | Ensign      | Horn          |
| Camp         | Eshoo       | Houghton      |
| Campbell     | Etheridge   | Hulshof       |
| Canady       | Evans       | Hunter        |
| Cannon       | Everett     | Hyde          |
| Capps        | Farr        | Inglis        |
| Cardin       | Fattah      | Jackson-Lee   |
| Carson       | Fawell      | (TX)          |
| Castle       | Fazio       | Jefferson     |

|                |               |               |
|----------------|---------------|---------------|
| Jenkins        | Miller (FL)   | Shaw          |
| Johnson (CT)   | Minge         | Shays         |
| Johnson (WI)   | Mink          | Sherman       |
| Johnson, E. B. | Mollohan      | Shuster       |
| Jones          | Moran (VA)    | Sisisky       |
| Kanjorski      | Morella       | Skaggs        |
| Kaptur         | Murtha        | Skelton       |
| Kasich         | Myrick        | Slaughter     |
| Kennedy (MA)   | Nadler        | Smith (MI)    |
| Kennedy (RI)   | Neal          | Smith (NJ)    |
| Kennelly       | Nethercutt    | Smith (TX)    |
| Kildee         | Neumann       | Smith, Adam   |
| Kilpatrick     | Northup       | Smith, Linda  |
| Kim            | Nussle        | Snowbarger    |
| Kind (WI)      | Oberstar      | Snyder        |
| King (NY)      | Obey          | Souder        |
| Kingston       | Oliver        | Spence        |
| Klecza         | Ortiz         | Spratt        |
| Klink          | Owens         | Stabenow      |
| Klug           | Pallone       | Stark         |
| Kolbe          | Pappas        | Stearns       |
| Kucinich       | Pascarell     | Stokes        |
| LaFalce        | Pastor        | Strickland    |
| Lampson        | Payne         | Stump         |
| Lantos         | Pease         | Stupak        |
| Latham         | Pelosi        | Talent        |
| Lazio          | Peterson (PA) | Petri         |
| Leach          | Petri         | Pickering     |
| Lee            | Pickerling    | Pomeroy       |
| Levin          | Porter        | Portman       |
| Lewis (CA)     | Portman       | Poshard       |
| Lewis (GA)     | Portman       | Price (NC)    |
| Lewis (KY)     | Poshard       | Quinn         |
| Lipinski       | Price (NC)    | Rahall        |
| LoBiondo       | Quinn         | Rangel        |
| Lofgren        | Rahall        | Regula        |
| Lowe           | Rangel        | Reyes         |
| Luther         | Regula        | Riley         |
| Maloney (CT)   | Reyes         | Rivers        |
| Maloney (NY)   | Riley         | Rodriguez     |
| Manton         | Rivers        | Roemer        |
| Manzullo       | Rodriguez     | Rogers        |
| Markey         | Roemer        | Rohrabacher   |
| Mascara        | Rogers        | Ros-Lehtinen  |
| Matsui         | Rohrabacher   | Rothman       |
| McCarthy (MO)  | Ros-Lehtinen  | Roukema       |
| McCarthy (NY)  | Rothman       | Roybal-Allard |
| McDade         | Roukema       | Royce         |
| McDermott      | Roybal-Allard | Rush          |
| McGovern       | Royce         | Sabo          |
| McHale         | Rush          | Sanchez       |
| McHugh         | Sabo          | Sanders       |
| McInnis        | Sanchez       | Sandlin       |
| McIntyre       | Sanders       | Sawyer        |
| McKinney       | Sandlin       | Saxton        |
| McNulty        | Sawyer        | Scarborough   |
| Meehan         | Saxton        | Schaefer, Dan |
| Meek (FL)      | Scarborough   | Schaefer, Bob |
| Meeks (NY)     | Schaefer, Dan | Schumer       |
| Menendez       | Schaefer, Bob | Scott         |
| Metcalf        | Schumer       | Sensenbrenner |
| Millender-     | Scott         | Serrano       |
| McDonald       | Sensenbrenner |               |
| Miller (CA)    | Serrano       |               |

NOES—74

|              |              |               |
|--------------|--------------|---------------|
| Aderholt     | Hastert      | Paul          |
| Ballenger    | Hill         | Paxon         |
| Barrett (NE) | Hilliard     | Peterson (MN) |
| Bilirakis    | Hostettler   | Pickett       |
| Bonilla      | Hoyer        | Pitts         |
| Bryant       | Hutchinson   | Pombo         |
| Burr         | Jackson (IL) | Pryce (OH)    |
| Burton       | Johnson, Sam | Radanovich    |
| Chambliss    | Kelly        | Ramstad       |
| Coburn       | Knollenberg  | Redmond       |
| Collins      | LaHood       | Ryun          |
| Cooksey      | Largent      | Sanford       |
| Crane        | LaTourette   | Sessions      |
| Davis (VA)   | Linder       | Shadegg       |
| Deal         | Livingston   | Shimkus       |
| Doolittle    | Lucas        | Skeen         |
| Dreier       | Martinez     | Smith (OR)    |
| Ehlers       | McCollum     | Solomon       |
| Ewing        | McIntosh     | Stenholm      |
| Fossella     | McKeon       | Sununu        |
| Gibbons      | Mica         | Tlahrt        |
| Gilman       | Moran (KS)   | Walsh         |
| Goss         | Norwood      | Watts (OK)    |
| Hall (TX)    | Oxley        | Wilson        |
| Hansen       | Packard      |               |

NOT VOTING—19

|            |             |          |
|------------|-------------|----------|
| Brown (OH) | Christensen | Forbes   |
| Buyer      | DeLay       | Gonzalez |

|         |        |            |
|---------|--------|------------|
| Hefner  | Ney    | Velazquez  |
| Istook  | Parker | Wynn       |
| John    | Riggs  | Young (FL) |
| McCrery | Rogan  |            |
| Moakley | Salmon |            |

□ 1358

Mrs. KELLY and Mr. CRANE changed their vote from "aye" to "no."

Mr. HEFLEY and Mr. ROGERS changed their vote from "no" to "aye."

So the amendment, as modified, to the amendment in the nature of a substitute was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 47 OFFERED BY MR. STEARNS TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. STEARNS) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 47 offered by Mr. STEARNS to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Add at the end of title V the following new section (and conform the table of contents accordingly):

**SEC. 510. PERMITTING PERMANENT RESIDENT ALIENS SERVING IN ARMED FORCES TO MAKE CONTRIBUTION.**

Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended by adding at the end the following new subsection:

"(c) Notwithstanding any other provision of this title, an individual who is lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act) and who is a member of the Armed Forces (including a reserve component of the Armed Forces) shall not be subject to the prohibition under this section."

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 385, noes 29, not voting 13, as follows:

[Roll No. 372]

AYES—385

|              |             |            |
|--------------|-------------|------------|
| Abercrombie  | Bartlett    | Boehner    |
| Ackerman     | Bass        | Bonior     |
| Aderholt     | Bateman     | Bono       |
| Allen        | Becerra     | Borski     |
| Andrews      | Bereuter    | Boswell    |
| Archer       | Berman      | Boucher    |
| Armey        | Berry       | Boyd       |
| Bachus       | Bilbray     | Brady (PA) |
| Baesler      | Bilirakis   | Brady (TX) |
| Baker        | Bishop      | Brown (CA) |
| Baldacci     | Blagojevich | Brown (FL) |
| Ballenger    | Bliley      | Bunning    |
| Barcia       | Blumenauer  | Burr       |
| Barrett (NE) | Blunt       | Burton     |
| Barrett (WI) | Boehert     | Callahan   |

Calvert Hansen  
Camp Harman  
Campbell Hastert  
Canady Hastings (WA)  
Cannon Hayworth  
Capps Hefley  
Cardin Herger  
Carson Hill  
Castle Hilleary  
Chabot Hilliard  
Chambless Hinchey  
Chenoweth Hinojosa  
Clay Hobson  
Clayton Hoekstra  
Clement Holden  
Clyburn Hooley  
Collins Horn  
Combest Hostettler  
Condit Houghton  
Conyers Hoyer  
Cook Hulshof  
Cooksey Hunter  
Costello Hutchinson  
Cox Inglis  
Coyne Jackson (IL)  
Cramer Jackson-Lee  
Crane (TX)  
Crapo Jefferson  
Cubin Jenkins  
Cummings Johnson (CT)  
Cunningham Johnson (WI)  
Danner Johnson, E. B.  
Davis (FL) Johnson, Sam  
Davis (IL) Kanjorski  
Davis (VA) Kaptur  
Deal Kasich  
DeFazio Kelly  
DeGette Kennedy (MA)  
Delahunt Kennedy (RI)  
DeLauro Kennelly  
Deutsch Kildee  
Diaz-Balart Kilpatrick  
Dickey Kim  
Dicks Kind (WI)  
Dingell King (NY)  
Dixon Kingston  
Doggett Kleczka  
Dooley Klink  
Doolittle Klug  
Doyle Kolbe  
Dreier Kucinich  
Duncan LaFalce  
Edwards LaHood  
Ehlers Lampson  
Ehrlich Lantos  
Emerson Latham  
Engel LaTourette  
English Lazio  
Ensign Leach  
Eshoo Lee  
Etheridge Levin  
Evans Lewis (GA)  
Everett Lewis (KY)  
Ewing Lipinski  
Farr Livingston  
Fattah LoBlondo  
Fazio Lofgren  
Filner Lowey  
Foley Lucas  
Ford Luther  
Fossella Maloney (CT)  
Fowler Maloney (NY)  
Fox Manton  
Franks (NJ) Manzullo  
Frelinghuysen Markey  
Frost Martinez  
Furse Mascara  
Gallegly Matsui  
Ganske McCarthy (MO)  
Gedjenson McCarthy (NY)  
Gekas McDade  
Gephardt McDermott  
Gibbons McGovern  
Gillmor McHale  
Gilman McHugh  
Goodling McClinnis  
Gordon McIntosh  
Goss McIntyre  
Graham McKeon  
Granger McKinney  
Green McNulty  
Greenwood Meehan  
Gutierrez Meek (FL)  
Hall (OH) Meeks (NY)  
Hall (TX) Menendez  
Hamilton Metcalf

Mica  
Millender-  
McDonald  
Miller (CA)  
Miller (FL)  
Minge  
Mink  
Mollohan  
Moran (VA)  
Morella  
Murtha  
Myrick  
Nadler  
Neal  
Nethercutt  
Neumann  
Northup  
Norwood  
Nussle  
Oberstar  
Obey  
Oliver  
Ortiz  
Owens  
Oxley  
Pallone  
Pappas  
Pascrell  
Pastor  
Paul  
Paxon  
Payne  
Pelosi  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pickett  
Pombo  
Pomeroy  
Porter  
Poshards  
Price (NC)  
Pryce (OH)  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Redmond  
Regula  
Reyes  
Riley  
Rivers  
Rodriguez  
Roemer  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rothman  
Roukema  
Roybal-Allard  
Royce  
Rush  
Ryun  
Sabo  
Sanchez  
Sanders  
Sandlin  
Sanford  
Sawyer  
Saxton  
Scarborough  
Schaefer, Dan  
Schaffer, Bob  
Schumer  
Scott  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Shimkus  
Shuster  
Sisisky  
Skaggs  
Skeen  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (OR)  
Smith (TX)  
Smith, Linda

Snowbarger  
Snyder  
Solomon  
Souder  
Spence  
Spratt  
Stabenow  
Stark  
Stearns  
Stenholm  
Stokes  
Strickland  
Stump  
Stupak  
Talent  
Tanner  
Tauscher  
Tauzin  
  
Barr  
Barton  
Bentsen  
Bonilla  
Bryant  
Coble  
Coburn  
Dunn  
Fawell  
Frank (MA)  
  
Goode  
Goodlatte  
Gutknecht  
Hastings (FL)  
Hyde  
Jones  
Knollenberg  
Largent  
Lewis (CA)  
Linder

NOES—29  
  
Brown (OH)  
Buyer  
Christensen  
DeLay  
Forbes  
Gilchrist  
Gonzalez  
  
Hefner  
Istook  
John  
McCrery  
Moakley  
Ney  
Parker

NOT VOTING—20  
  
Riggs  
Rogan  
Salmon  
Velazquez  
Wynn  
Young (FL)

□ 1405  
Messrs. FRANK of Massachusetts, HASTINGS of Florida and MORAN of KANSAS changed their vote from "aye" to "no."

So the amendment to the amendment in the nature of a substitute was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 49 OFFERED BY MR. STEARNS TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

The CHAIRMAN pro tempore (Mr. GUTKNECHT). The unfinished business is the demand for recorded vote on the amendment No. 49 offered by the gentleman from Florida (Mr. STEARNS) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment to the amendment in the nature of a substitute is as follows:

Amendment No. 49 offered by Mr. STEARNS to the Amendment in the Nature of a Substitute No. 13 offered by Mr. SHAYS:

Add at the end of title V the following new section (and conform the table of contents accordingly):

**SEC. 510. ENFORCEMENT OF SPENDING LIMIT ON PRESIDENTIAL AND VICE PRESIDENTIAL CANDIDATES WHO RECEIVE PUBLIC FINANCING.**

(a) IN GENERAL.—Section 9003 of the Internal Revenue Code of 1986 (26 U.S.C. 9003) is amended by adding at the end the following new subsection:

“(f) ILLEGAL SOLICITATION OF SOFT MONEY.—No candidate for election to the of-

Watkins  
Watt (NC)  
Watts (OK)  
Waxman  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Weygand  
White  
Whitfield  
Wicker  
Wilson  
Wise  
Wolf  
Woolsey  
Yates  
Young (AK)

McCullum  
Moran (KS)  
Packard  
Pease  
Pitts  
Sensenbrenner  
Smith, Adam  
Sununu  
Tiahrt

Abercrombie  
Ackerman  
Aderholt  
Allen  
Andrews  
Archer  
Armey  
Bachus  
Baesler  
Baker  
Baldacci  
Barcia  
Barr  
Barrett (NE)  
Barrett (WI)  
Bartlett  
Barton  
Bass  
Bateman  
Becerra  
Berman  
Berry  
Bilbray  
Billrakis  
Bishop  
Blagojevich  
Bliley  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bono  
Boswell  
Boucher  
Boyd  
Brady (TX)  
Brown (CA)  
Brown (FL)  
Bryant  
Bunning  
Burton  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Cannon  
Capps  
Cardin  
Castle  
Chabot  
Chambless  
Chenoweth  
Clay  
Clayton  
Clement  
Coble  
Coburn  
Collins  
Combest  
Condit  
Conyers  
Cook  
Cooksey  
Costello

office of President or Vice President may receive amounts from the Presidential Election Campaign Fund under this chapter or chapter 96 unless the candidate certifies that the candidate shall not solicit any funds for the purposes of influencing such election, including any funds used for an independent expenditure under the Federal Election Campaign Act of 1971, unless the funds are subject to the limitations, prohibitions, and reporting requirements of the Federal Election Campaign Act of 1971.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections occurring on or after the date of the enactment of this Act.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 368, noes 44, not voting 22, as follows:

[Roll No. 373]  
AYES—368

Cox  
Coyne  
Cramer  
Crane  
Crapo  
Cubin  
Cummings  
Cunningham  
Danner  
Davis (FL)  
Davis (IL)  
Davis (VA)  
Deal  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Deutsch  
Diaz-Balart  
Dickey  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doyle  
Duncan  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Engel  
English  
Ensign  
Eshoo  
Etheridge  
Evans  
Everett  
Ewing  
Filner  
Foley  
Ford  
Fowler  
Fox  
Frank (MA)  
Franks (NJ)  
Frelinghuysen  
Frost  
Furse  
Gallegly  
Ganske  
Gedjenson  
Gekas  
Gephardt  
Gibbons  
Gillmor  
Gilman  
Goodling  
Gordon  
Goss  
Graham  
Granger  
Green  
Greenwood  
Gutierrez  
Hall (OH)  
Hall (TX)  
Hamilton  
Greenwood  
Gutierrez  
Hall (OH)  
Hall (TX)  
Hamilton  
Hansen  
Harman  
Hastert  
Hastings (WA)  
Hayworth  
Hefley  
Herger  
Hill  
Hilleary  
Hilliard  
Hinchey  
Hinojosa  
Hobson  
Hoekstra  
Holden  
Hooley  
Horn  
Hostettler  
Houghton  
Hoyer  
Hulshof  
Hunter  
Hutchinson  
Inglis  
Jackson (IL)  
Jackson-Lee (TX)  
Jenkins  
Johnson (CT)  
Johnson (WI)  
Johnson, Sam  
Kanjorski  
Kaptur  
Kasich  
Kelly  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kilpatrick  
Kim  
Kind (WI)  
Kingston  
Kleczka  
Klug  
Kolbe  
Kucinich  
LaFalce  
LaHood  
Lampson  
Lantos  
Largent  
Latham  
LaTourette  
Lazio  
Leach  
Lee

|               |               |              |
|---------------|---------------|--------------|
| Levin         | Pappas        | Skaggs       |
| Lewis (KY)    | Pascarell     | Skeen        |
| Linder        | Paul          | Skelton      |
| Lipinski      | Paxon         | Slaughter    |
| Livingston    | Pease         | Smith (MI)   |
| LoBlundo      | Pelosi        | Smith (NJ)   |
| Lofgren       | Peterson (MN) | Smith (OR)   |
| Lowey         | Peterson (PA) | Smith (TX)   |
| Lucas         | Petri         | Smith, Adam  |
| Luther        | Pickering     | Smith, Linda |
| Maloney (CT)  | Pickett       | Snowbarger   |
| Maloney (NY)  | Pitts         | Snyder       |
| Manton        | Pomeroy       | Souder       |
| Manzullo      | Porter        | Spence       |
| Markey        | Portman       | Spratt       |
| Martinez      | Poshard       | Stabenow     |
| Mascara       | Price (NC)    | Stark        |
| Matsui        | Pryce (OH)    | Stearns      |
| McCarthy (MO) | Quinn         | Stenholm     |
| McCarthy (NY) | Rahall        | Stokes       |
| McColum       | Ramstad       | Strickland   |
| McDade        | Rangel        | Stump        |
| McDermott     | Redmond       | Stupak       |
| McGovern      | Regula        | Talent       |
| McHale        | Reyes         | Tanner       |
| McHugh        | Riley         | Tauscher     |
| McIntosh      | Rivers        | Tauzin       |
| McIntyre      | Rodriguez     | Taylor (MS)  |
| McKeon        | Roemer        | Taylor (NC)  |
| McKinney      | Rogers        | Thomas       |
| McNulty       | Rohrabacher   | Thompson     |
| Meehan        | Ros-Lehtinen  | Thune        |
| Meek (FL)     | Rothman       | Thurman      |
| Meeks (NY)    | Roukema       | Tiahrt       |
| Menendez      | Roybal-Allard | Tierney      |
| Metcalf       | Royce         | Torres       |
| Mica          | Rush          | Traficant    |
| Millender-    | Ryun          | Turner       |
| McDonald      | Sanchez       | Upton        |
| Miller (CA)   | Sanders       | Vento        |
| Miller (FL)   | Sandlin       | Walsh        |
| Minge         | Sanford       | Wamp         |
| Mink          | Sawyer        | Watkins      |
| Moran (VA)    | Saxton        | Waxman       |
| Morella       | Scarborough   | Weldon (PA)  |
| Myrick        | Schaefer, Dan | Weller       |
| Nadler        | Schaffer, Bob | Wexler       |
| Neal          | Schumer       | Weyand       |
| Nethercutt    | Scott         | White        |
| Neumann       | Sensenbrenner | Whitfield    |
| Northup       | Serrano       | Wicker       |
| Norwood       | Sessions      | Wilson       |
| Nussle        | Shadegg       | Wise         |
| Oberstar      | Shaw          | Wolf         |
| Obey          | Shays         | Woolsey      |
| Oliver        | Sherman       | Yates        |
| Ortiz         | Shimkus       | Young (AK)   |
| Oxley         | Shuster       |              |
| Pallone       | Sisisky       |              |

NOES—44

|            |               |            |
|------------|---------------|------------|
| Bentsen    | Fazio         | Owens      |
| Bereuter   | Fossella      | Packard    |
| Bonilla    | Gephardt      | Pastor     |
| Bonior     | Hyde          | Payne      |
| Borski     | Jefferson     | Pombo      |
| Brady (PA) | Johnson, E.B. | Radanovich |
| Burr       | King (NY)     | Sabo       |
| Carson     | Klink         | Solomon    |
| Clyburn    | Knollenberg   | Sununu     |
| Doolittle  | Lewis (CA)    | Thornberry |
| Dreier     | Lewis (GA)    | Towns      |
| Dunn       | McInnis       | Viscosky   |
| Farr       | Mollohan      | Watt (NC)  |
| Fattah     | Moran (KS)    | Watts (OK) |
| Fawell     | Murtha        |            |

NOT VOTING—22

|             |         |
|-------------|---------|
| Ballenger   | Istook  |
| Brown (OH)  | John    |
| Buyer       | McCrery |
| Christensen | Moakley |
| DeLay       | Ney     |
| Forbes      | Parker  |
| Gonzalez    | Riggs   |
| Hefner      | Rogan   |

□ 1411

Mr. PALLONE changed his vote from "no" to "aye."  
So the amendment to the amendment in the nature of a substitute was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. NEY. Mr. Chairman, I submit to the record that I was detained during the series of votes on amendments to H.R. 2183, the Bipartisan Campaign Integrity Act. If I was able to vote, I would have voted in the following manner: McIntosh amendment, yes; Horn amendment, no; Shaw amendment, yes; Kaptur amendment, no; Stearns amendment, no; Stearns amendment No. 49, yes.

PERSONAL EXPLANATION

Mr. WELDON of Florida. Mr. Chairman, on rollcall No. 373, I was unavoidably detained. Had I been present, I would have voted "yes."

AMENDMENT NO. 50 OFFERED BY MR. WHITFIELD TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on amendment No. 50 offered by the gentleman from Kentucky (Mr. WHITFIELD) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment to the amendment in the nature of a substitute is as follows:

Amendment No. 50 offered by Mr. WHITFIELD to the Amendment in the Nature of a Substitute No. 13 offered by Mr. SHAYS:

Add at the end of title I the following new section (and conform the table of contents accordingly):

**SEC. 104. INCREASE IN CONTRIBUTION LIMIT FOR CONTRIBUTIONS TO CANDIDATES BY PERSONS OTHER THAN PACS.**

Section 315(a)(1)(A) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(1)(A)) is amended by striking "\$1,000" and inserting "\$3,000".

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 102, noes 315, not voting 17, as follows:

[Roll No. 374]

AYES—102

|            |            |              |
|------------|------------|--------------|
| Aderholt   | Cox        | Johnson, Sam |
| Archer     | Crane      | Jones        |
| Armey      | Crapo      | Kasich       |
| Baker      | Cubin      | Kim          |
| Barr       | Cunningham | King (NY)    |
| Barton     | Davis (VA) | Kingston     |
| Bereuter   | Dickey     | Knollenberg  |
| Bliley     | Doolittle  | Lewis (CA)   |
| Blunt      | Dreier     | Lewis (KY)   |
| Boehner    | Duncan     | Linder       |
| Bonilla    | Ensign     | Livingston   |
| Bono       | Everett    | Martinez     |
| Brady (TX) | Fawell     | McColum      |
| Bryant     | Fossella   | McDade       |
| Burton     | Fowler     | McInnis      |
| Callahan   | Gibbons    | McIntosh     |
| Calvert    | Hansen     | McKeon       |
| Cannon     | Hastert    | Miller (FL)  |
| Chambliss  | Hefley     | Murtha       |
| Chenoweth  | Hergert    | Myrick       |
| Coburn     | Hill       | Norwood      |
| Collins    | Hostettler | Oxley        |
| Cooksey    | Jenkins    | Packard      |

|               |               |             |
|---------------|---------------|-------------|
| Paul          | Schaffer, Bob | Stearns     |
| Paxon         | Sessions      | Stump       |
| Peterson (PA) | Shadegg       | Tauzin      |
| Pitts         | Shaw          | Thomas      |
| Pombo         | Shimkus       | Thornberry  |
| Radanovich    | Shuster       | Tiahrt      |
| Riley         | Skeen         | Traficant   |
| Rohrabacher   | Smith (OR)    | Weldon (FL) |
| Ryun          | Smith (TX)    | Whitfield   |
| Scarborough   | Snowbarger    | Wicker      |
| Schaefer, Dan | Solomon       | Young (AK)  |

NOES—315

|              |                |               |
|--------------|----------------|---------------|
| Abercrombie  | Fattah         | Leach         |
| Ackerman     | Fazio          | Lee           |
| Allen        | Filner         | Levin         |
| Andrews      | Foley          | Lewis (GA)    |
| Bachus       | Ford           | Lipinski      |
| Baesler      | Fox            | LoBlundo      |
| Baldacci     | Frank (MA)     | Lofgren       |
| Barcia       | Franks (NJ)    | Lowey         |
| Barrett (NE) | Frelinghuysen  | Lucas         |
| Barrett (WI) | Frost          | Luther        |
| Bartlett     | Furse          | Maloney (CT)  |
| Bass         | Galleghy       | Maloney (NY)  |
| Bateman      | Ganske         | Manton        |
| Becerra      | Gejdenson      | Manzullo      |
| Bentsen      | Gekas          | Markey        |
| Berman       | Gephardt       | Mascara       |
| Berry        | Gilchrest      | Matsui        |
| Bilbray      | Gillmor        | McCarthy (MO) |
| Billrakis    | Gilman         | McCarthy (NY) |
| Bishop       | Goode          | McCrery       |
| Blagojevich  | Goodlatte      | McDermott     |
| Blumenauer   | Goodling       | McGovern      |
| Boehlert     | Gordon         | McHale        |
| Bonior       | Goss           | McHugh        |
| Borski       | Graham         | McIntyre      |
| Boswell      | Granger        | McKinney      |
| Boucher      | Green          | McNulty       |
| Boyd         | Greenwood      | Meehan        |
| Brady (PA)   | Gutierrez      | Meek (FL)     |
| Brown (CA)   | Gutknecht      | Meeks (NY)    |
| Brown (FL)   | Hall (OH)      | Menendez      |
| Bunning      | Hall (TX)      | Metcalf       |
| Burr         | Hamilton       | Mica          |
| Camp         | Harman         | Millender-    |
| Campbell     | Hastings (FL)  | McDonald      |
| Canady       | Hastings (WA)  | Miller (CA)   |
| Capps        | Hayworth       | Minge         |
| Cardin       | Hilleary       | Mink          |
| Carson       | Hilliard       | Mollohan      |
| Castle       | Hinchey        | Moran (KS)    |
| Chabot       | Hinojosa       | Moran (VA)    |
| Clay         | Hobson         | Morella       |
| Clayton      | Hoekstra       | Nadler        |
| Clement      | Holden         | Neal          |
| Clyburn      | Hooley         | Nethercutt    |
| Coble        | Horn           | Neumann       |
| Combest      | Houghton       | Ney           |
| Condit       | Hoyer          | Northup       |
| Conyers      | Hulshof        | Nussle        |
| Cook         | Hunter         | Oberstar      |
| Costello     | Hutchinson     | Obey          |
| Coyne        | Hyde           | Oliver        |
| Cramer       | Inglis         | Ortiz         |
| Cummings     | Jackson (IL)   | Owens         |
| Danner       | Jackson-Lee    | Pallone       |
| Davis (FL)   | (TX)           | Pappas        |
| Davis (IL)   | Jefferson      | Pascarell     |
| Deal         | Johnson (CT)   | Pastor        |
| DeFazio      | Johnson (WI)   | Payne         |
| DeGette      | Johnson, E. B. | Pease         |
| DeLauro      | Kanjorski      | Pelosi        |
| Delahunt     | Kaptur         | Peterson (MN) |
| Deutsch      | Kelly          | Petri         |
| Diaz-Balart  | Kennedy (MA)   | Pickering     |
| Dicks        | Kennedy (RI)   | Pickett       |
| Dingell      | Kennelly       | Pomeroy       |
| Dixon        | Kildee         | Porter        |
| Doggett      | Kilpatrick     | Portman       |
| Doyle        | Kind (WI)      | Poshard       |
| Dunn         | Klecza         | Price (NC)    |
| Dunn         | Klink          | Pryce (OH)    |
| Edwards      | Klug           | Quinn         |
| Ehlers       | Kolbe          | Rahall        |
| Ehrlich      | Kucinich       | Ramstad       |
| Emerson      | LaFalce        | Rangel        |
| Engel        | LaHood         | Redmond       |
| English      | Lampson        | Regula        |
| Eshoo        | Lantos         | Reyes         |
| Etheridge    | Largent        | Rivers        |
| Evans        | Latham         | Rodriguez     |
| Ewing        | LaTourette     | Roemer        |
| Farr         | LaZio          | Rogers        |

Ros-Lehtinen Smith (MI)  
 Rothman Smith (NJ)  
 Roukema Smith, Adam  
 Roybal-Allard Smith, Linda  
 Royce Snyder  
 Rush Souder  
 Sabo Spence  
 Salmon Spratt  
 Sanchez Stabenow  
 Sanders Stark  
 Sandlin Stenholm  
 Sanford Stokes  
 Sawyer Strickland  
 Saxton Stupak  
 Schumer Sununu  
 Scott Talent  
 Sensenbrenner Tanner  
 Serrano Tauscher  
 Shays Taylor (MS)  
 Sherman Taylor (NC)  
 Sisisky Thompson  
 Skaggs Thune  
 Skelton Thurman  
 Slaughter Tierney

NOT VOTING—17

Ballenger Gonzalez  
 Brown (OH) Hefner  
 Buyer Istook  
 Christensen John  
 DeLay Moakley  
 Forbes Parker

□ 1420

So the amendment to the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 51 OFFERED BY MR. WHITFIELD TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

The CHAIRMAN pro tempore (Mr. GUTKNECHT). The unfinished business is the demand for a recorded vote on the amendment No. 51 offered by the gentleman from Kentucky (Mr. WHITFIELD) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 51 offered by Mr. WHITFIELD to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Amend section 301(20)(A) of the Federal Election Campaign Act of 1971, as added by section 201(b) of the substitute, to read as follows:

“(A) IN GENERAL.—The term ‘express advocacy’ means a communication that advocates the election or defeat of a candidate by containing a phrase such as ‘vote for’, ‘re-elect’, ‘support’, ‘cast your ballot for’, ‘(name of candidate) for Congress’, ‘(name of candidate) in 1997’, ‘vote against’, ‘defeat’, ‘reject’.”

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 238, not voting 23, as follows:

[Roll No. 375]

AYES—173

Aderholt Goss  
 Archer Graham  
 Armev Granger  
 Baker Gutknecht  
 Barr Hall (TX)  
 Bartlett Hansen  
 Barton Hastert  
 Bateman Hastings (WA)  
 Billrakis Hayworth  
 Bishop Hefley  
 Bliley Heger  
 Blunt Hill  
 Boehner Hilleary  
 Bonilla Hobson  
 Bono Hoekstra  
 Brady (TX) Hostettler  
 Bryant Hulshof  
 Bunning Hunter  
 Burr Hutchinson  
 Burton Hyde  
 Callahan Inglis  
 Calvert Jenkins  
 Camp Johnson, Sam  
 Canady Jones  
 Cannon King (NY)  
 Chabot Kingston  
 Chambliss Knollenberg  
 Chenoweth Kolbe  
 Coburn Largent  
 Collins Latham  
 Combest LaTourette  
 Cook Lazio  
 Cooksey Lewis (KY)  
 Cox Linder  
 Crane Livingston  
 Cubin Lucas  
 Cunningham Manzuillo  
 Davis (VA) Martinez  
 Deal McCollum  
 Diaz-Balart McCrery  
 Dickey McHugh  
 Doolittle McInnis  
 Dreier McIntosh  
 Dunn McKeon  
 Ehlers Mica  
 Ehrlich Miller (FL)  
 Emerson Mollohan  
 English Moran (KS)  
 Everett Nethercutt  
 Ewing Neumann  
 Foley Ney  
 Fossella Northup  
 Fowler Norwood  
 Gekas Oxley  
 Gibbons Packard  
 Goode Pappas  
 Goodlatte Paul  
 Goodling Paxton

NOES—238

Abercrombie Castle  
 Ackerman Clay  
 Allen Clayton  
 Andrews Clement  
 Bachus Clyburn  
 Baesler Coble  
 Baldacci Condit  
 Barcia Conyers  
 Barrett (NE) Coyne  
 Barrett (WI) Cramer  
 Bass Crapo  
 Becerra Cummings  
 Bentsen Danner  
 Bereuter Davis (FL)  
 Berman Davis (IL)  
 Berry DeFazio  
 Bilbray DeGette  
 Blagojevich Delahunt  
 Blumenauer DeLauro  
 Boehlert Deutsch  
 Bonior Dicks  
 Borski Dingell  
 Boswell Dixon  
 Boucher Doggett  
 Boyd Dooley  
 Brady (PA) Doyle  
 Brown (CA) Duncan  
 Brown (FL) Edwards  
 Campbell Engel  
 Capps Ensign  
 Cardin Eshoo  
 Carson Etheridge

Horn  
 Houghton  
 Hoyer  
 Jackson (IL)  
 Jackson-Lee (TX)  
 Jefferson  
 Johnson (CT)  
 Johnson (WI)  
 Johnson, E. B.  
 Kanjorski  
 Kaptur  
 Kelly  
 Kennedy (MA)  
 Kennedy (RI)  
 Kennelly  
 Kildee  
 Kilpatrick  
 Kim  
 Kind (WI)  
 Kleczka  
 Klink  
 Klug  
 Kucinich  
 LaFalce  
 LaHood  
 Lampson  
 Lantos  
 Leach  
 Lee  
 Levin  
 Lewis (CA)  
 Lewis (GA)  
 Lipinski  
 LoBiondo  
 Lofgren  
 Lowey  
 Luther  
 Maloney (CT)  
 Maloney (NY)  
 Manton  
 Markey  
 Mascara  
 Matsui  
 McCarthy (MO)  
 McCarthy (NY)  
 McDermott  
 McGovern

NOT VOTING—23

Ballenger Gonzalez  
 Brown (OH) Hefner  
 Buyer Istook  
 Christensen John  
 Costello Kasich  
 DeLay McDade  
 Forbes McNulty  
 Gejdenson Moakley

□ 1426

So the amendment to the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 52 OFFERED BY MR. ENGLISH OF PENNSYLVANIA TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE NO. 13 OFFERED BY MR. SHAYS

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment No. 52 offered by the gentleman from Pennsylvania (Mr. ENGLISH) to the amendment in the nature of a substitute No. 13 offered by the gentleman from Connecticut (Mr. SHAYS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 52 offered by Mr. ENGLISH of Pennsylvania to the amendment in the nature of a substitute No. 13 offered by Mr. SHAYS:

Add at the end of title V the following new section (and conform the table of contents accordingly):

**SEC. 510. PROHIBITING BUNDLING OF CONTRIBUTIONS.**

Section 315(a)(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a(a)(8)) is amended to read as follows:

"(8) No person may make a contribution through an intermediary or conduit, except that a person may facilitate a contribution by providing—

"(A) advice to another person as to how the other person may make a contribution; and

"(B) addressed mailing material or similar items to another person for use by the other person in making a contribution."

**RECORDED VOTE**

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 134, noes 276, not voting 24, as follows:

[Roll No. 376]

**AYES—134**

|             |              |               |
|-------------|--------------|---------------|
| Archer      | Goodling     | Nethercutt    |
| Armey       | Goss         | Ney           |
| Baker       | Gutknecht    | Northup       |
| Barcia      | Hansen       | Nussle        |
| Barr        | Hastert      | Pappas        |
| Bartlett    | Hayworth     | Paxon         |
| Barton      | Hefley       | Peterson (MN) |
| Bereuter    | Herger       | Peterson (PA) |
| Bilirakis   | Hill         | Pickering     |
| Bliley      | Hilleary     | Pitts         |
| Boehner     | Hobson       | Portman       |
| Bono        | Hoekstra     | Pryce (OH)    |
| Brady (TX)  | Horn         | Radanovich    |
| Bryant      | Hulshof      | Rahall        |
| Bunning     | Hunter       | Regula        |
| Burr        | Johnson, Sam | Rogers        |
| Burton      | Jones        | Salmon        |
| Callahan    | Kaptur       | Saxton        |
| Calvert     | Kennedy (MA) | Schaefer, Dan |
| Camp        | Kingston     | Sessions      |
| Cannon      | Klink        | Shaw          |
| Chabot      | Klug         | Shuster       |
| Coburn      | Knollenberg  | Skeen         |
| Combest     | Kolbe        | Smith (MI)    |
| Cook        | LaHood       | Smith (NJ)    |
| Cooksey     | Latham       | Smith (OR)    |
| Crane       | LaTourette   | Smith (TX)    |
| Crapo       | Lewis (CA)   | Snowbarger    |
| Cubin       | Lewis (KY)   | Souder        |
| Cunningham  | Linder       | Spence        |
| Diaz-Balart | Lipinski     | Stearns       |
| Dunn        | Livingston   | Stump         |
| Ehlers      | Lucas        | Talent        |
| Ehrlich     | Luther       | Tauzin        |
| Emerson     | Manzullo     | Taylor (NC)   |
| English     | McCollum     | Thomas        |
| Everett     | McCrery      | Thune         |
| Ewing       | McDade       | Tiahrt        |
| Fawell      | McHugh       | Trafficant    |
| Fowler      | McInnis      | Upton         |
| Gallely     | McIntosh     | Weller        |
| Gekas       | McKeon       | Whitfield     |
| Gibbons     | Mica         | Wolf          |
| Goode       | Miller (FL)  | Young (AK)    |
| Goodlatte   | Moran (KS)   |               |

**NOES—276**

|              |             |            |
|--------------|-------------|------------|
| Abercrombie  | Becerra     | Borski     |
| Ackerman     | Bentsen     | Boswell    |
| Aderholt     | Berman      | Boucher    |
| Allen        | Berry       | Boyd       |
| Andrews      | Bilbray     | Brady (PA) |
| Bachus       | Bishop      | Brown (CA) |
| Baesler      | Blagojevich | Brown (FL) |
| Baldacci     | Blumenauer  | Campbell   |
| Barrett (NE) | Blunt       | Canady     |
| Barrett (WI) | Boehert     | Capps      |
| Bass         | Bonilla     | Cardin     |
| Bateman      | Bonior      | Carson     |

|               |                    |               |
|---------------|--------------------|---------------|
| Castle        | Jackson-Lee        | Porter        |
| Chambliss     | (TX)               | Poshard       |
| Chenoweth     | Jefferson          | Price (NC)    |
| Clay          | Jenkins            | Quinn         |
| Clayton       | Johnson (CT)       | Ramstad       |
| Clement       | Johnson (WI)       | Rangel        |
| Clyburn       | Johnson, E. B.     | Redmond       |
| Coble         | Kanjorski          | Reyes         |
| Collins       | Kasich             | Riley         |
| Condit        | Kelly              | Rivers        |
| Conyers       | Kennedy (RI)       | Rodriguez     |
| Cox           | Kennelly           | Roemer        |
| Coyne         | Kildee             | Rohrabacher   |
| Cramer        | Kilpatrick         | Ros-Lehtinen  |
| Cummings      | Kim                | Rothman       |
| Danner        | Kind (WI)          | Roukema       |
| Davis (FL)    | King (NY)          | Roybal-Allard |
| Davis (IL)    | Klecicka           | Royce         |
| Davis (VA)    | Kucinich           | Rush          |
| Deal          | LaFalce            | Ryun          |
| DeFazio       | Lampson            | Sabo          |
| DeGette       | Lantos             | Sanchez       |
| DeLauro       | Largent            | Sanders       |
| Deutsch       | Lazio              | Sandlin       |
| Dickey        | Leach              | Sanford       |
| Dicks         | Lee                | Sawyer        |
| Dingell       | Levin              | Scarborough   |
| Dixon         | Lewis (GA)         | Schaffer, Bob |
| Doggett       | LoBiondo           | Schumer       |
| Dooley        | Lofgren            | Scott         |
| Doolittle     | Lowe               | Sensenbrenner |
| Doyle         | Maloney (CT)       | Serrano       |
| Dreier        | Maloney (NY)       | Shadegg       |
| Duncan        | Manton             | Shays         |
| Edwards       | Markey             | Sherman       |
| Engel         | Martinez           | Shimkus       |
| Ensign        | Mascara            | Sisisky       |
| Eshoo         | Matsui             | Skaggs        |
| Etheridge     | McCarthy (MO)      | Skelton       |
| Evans         | McCarthy (NY)      | Slaughter     |
| Farr          | McDermott          | Smith, Adam   |
| Fattah        | McGovern           | Smith, Linda  |
| Fazio         | McHale             | Snyder        |
| Flner         | McIntyre           | Spratt        |
| Foley         | McKinney           | Stabenow      |
| Ford          | Meehan             | Stark         |
| Fossella      | Meek (FL)          | Stenholm      |
| Fox           | Meeks (NY)         | Stokes        |
| Frank (MA)    | Menendez           | Strickland    |
| Frelinghuysen | Metcalf            | Stupak        |
| Frost         | Millender-McDonald | Sununu        |
| Furse         | Miller (CA)        | Tanner        |
| Ganske        | Minge              | Tauscher      |
| Gephardt      | Mink               | Taylor (MS)   |
| Gilchrest     | Moran (VA)         | Thompson      |
| Gillmor       | Morella            | Thornberry    |
| Gilman        | Murtha             | Thurman       |
| Gordon        | Myrick             | Tierney       |
| Graham        | Nadler             | Torres        |
| Granger       | Neal               | Towns         |
| Green         | Neumann            | Turner        |
| Greenwood     | Norwood            | Vento         |
| Gutierrez     | Oberstar           | Visclosky     |
| Hall (OH)     | Obey               | Walsh         |
| Hall (TX)     | Oliver             | Wamp          |
| Hamilton      | Ortiz              | Waters        |
| Harman        | Owens              | Watkins       |
| Hastings (FL) | Oxley              | Watt (NC)     |
| Hastings (WA) | Packard            | Watts (OK)    |
| Hilliard      | Pallone            | Waxman        |
| Hinches       | Pascarell          | Weldon (FL)   |
| Hinojosa      | Pastor             | Weldon (PA)   |
| Holden        | Paul               | Wexler        |
| Hooley        | Payne              | Weygand       |
| Hostettler    | Pease              | White         |
| Houghton      | Pelosi             | Wicker        |
| Hoyer         | Petri              | Wilson        |
| Hutchinson    | Pickett            | Wise          |
| Hyde          | Pombo              | Woolsey       |
| Inglis        | Pomeroy            | Yates         |
| Jackson (IL)  |                    |               |

**NOT VOTING—24**

|             |             |            |
|-------------|-------------|------------|
| Ballenger   | Franks (NJ) | Mollohan   |
| Brown (OH)  | Gejdenson   | Parker     |
| Buyer       | Gonzalez    | Riggs      |
| Christensen | Hefner      | Rogan      |
| Costello    | Istook      | Solomon    |
| Delahunt    | John        | Velazquez  |
| DeLay       | McNulty     | Wynn       |
| Forbes      | Moakley     | Young (FL) |

□ 1433

Mr. KASICH changed his vote from "aye" to "no."

So the amendment to the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

**PERSONAL EXPLANATION**

Mr. FORBES. Mr. Chairman, I will be traveling with the President on official business and regret that I will not be able to vote during today's floor proceedings. Were I to be present, I would cast the following rollcall votes:

Roll #367 (the Barr amendment): No;  
 Roll #368 (the McIntosh amendment): No;  
 Roll #369 (the Horn amendment): No;  
 Roll #370 (the Shaw amendment): No;  
 Roll #371 (the Kaptur amendment): No;  
 Roll #372 (the Stearns amendment re: presidential candidates and soft money): Yes;  
 Roll #373 (the Stearns amendment re: residents who served in the Armed Forces): Yes;  
 Roll #374 (the Whitfield amendment re: individual contribution limit): No;  
 Roll #375 (the Whitfield amendment re: "express advocacy"): No;  
 Roll #376 (the English amendment): No.

**PERSONAL EXPLANATION**

Mr. GEJDENSON. Mr. Chairman, today, Friday, July 31, 1998, due to my wife's surgery, I had to return to Connecticut before the last three votes of the day. Had I been present, I would have voted "no" on rollcall votes 374, 375 and 376.

**PERSONAL EXPLANATION**

Mr. ENGEL. Mr. Chairman, I was unable to get to the Chamber due to the funeral procession, and I inadvertently missed rollcall No. 367, amendment 23. Had I been present, I would have noted "no."

Mr. THOMAS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DREIER) having assumed the chair, Mr. GUTKNECHT, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes had come to no resolution thereon.

**UNITED STATES CAPITOL POLICE MEMORIAL FUND**

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that the Committee on House Oversight and the Committee on Ways and Means be discharged from further consideration of the bill (H.R. 4354) to establish the United States Capitol Police Memorial Fund on behalf of the families of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

THE SPEAKER pro tempore (Mr. DREIER). Is there objection to the request of the gentleman from California?

Mr. HOYER. Mr. Speaker, reserving the right to object, and I will not object, but under my reservation, I yield to the gentleman from California.

Mr. THOMAS. Mr. Speaker, I thank the gentleman for yielding.

As we were discussing last night, this is a resolution to create a memorial fund under the title "United States Capitol Police Memorial Fund." It will initially be on behalf of the Gibson and Chestnut families for a period of 6 months, when it will continue in perpetuity as a United States Capitol Police Memorial Fund. It is to create an official fund in the United States Treasury. Therefore, the support and oversight of that is entirely appropriate in using Federal funds.

In addition to that, any contributions to the fund are tax deductible as charitable donations, and because of the description and type of the fund, Federal campaign committees may be able to contribute to the funds as well.

When the gentleman finishes his comments and withdraws his reservation, Mr. Speaker, I have an amendment at the desk which will allow us to conclude the resolution.

Mr. HOYER. Mr. Speaker, reclaiming my time, I said yesterday that for the past 2 days, all of America has paid its respect, its admiration, and its thanks to two heroic officers, two officers who themselves acted in the defense of freedom and this institution, but who also symbolize those who every day place themselves in harm's way to ensure civil order in our democracy, civil order which is absolutely essential if our democracy is to function as our Founding Fathers conceived it.

Mr. Speaker, this resolution, if adopted as I expect it to be unanimously, will provide an additional way in which we can honor those two officers through contributions to this fund that will ensure that the families who have sustained an inestimable loss will nevertheless be, to the extent that we can as a generous Nation provide for them from an economic standpoint, that the loss that they sustained will be to that small degree diminished. It is an appropriate resolution, an appropriate action, and I would be pleased to again, under my reservation, Mr. Speaker, to yield to the distinguished gentleman from California (Mr. THOMAS), chairman of the Committee on House Oversight.

Mr. THOMAS. Mr. Speaker, it is entirely appropriate that at the time that the Chestnut family is, in fact, remembering their father and husband and friend and relative, that we establish this fund. At this time I would also like to thank the gentleman from Maryland for the courtesies and cooperation that he exhibited; indeed, all

of the Members of this House, in terms of the level of intensity of their response to an extremely tragic and unfortunate situation. In all likelihood, this will be the last resolution on this particular subject to come before the House, and I did want to indicate that the House is an institution and each individual in it, I believe, can be extremely proud of the way in which the Capitol community responded to such a tragic incident affecting two of its own.

Mr. HOYER. Mr. Speaker, I withdraw my reservation of objection.

THE SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4354

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

**SECTION 1. ESTABLISHMENT OF UNITED STATES CAPITOL POLICE MEMORIAL FUND.**

There is hereby established in the Treasury of the United States the United States Capitol Police Memorial Fund (hereafter in this Act referred to as the "Fund"). All amounts received by the Capitol Police Board which are designated for deposit into the Fund shall be deposited into the Fund.

**SEC. 2. PAYMENTS FROM FUND FOR FAMILIES OF DETECTIVE GIBSON AND PRIVATE FIRST CLASS CHESTNUT.**

Subject to the regulations issued under section 4, amounts in the Fund shall be paid to the families of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police as follows:

(1) 50 percent of such amounts shall be paid to the widow and children of Detective Gibson.

(2) 50 percent of such amounts shall be paid to the widow and children of Private First Class Chestnut.

**SEC. 3. TAX TREATMENT OF FUND.**

(a) CONTRIBUTIONS TO FUND.—For purposes of the Internal Revenue Code of 1986, any contribution or gift to or for the use of the Fund shall be treated as a contribution or gift for exclusively public purposes to or for the use of an organization described in section 170(c)(1) of such Code.

(b) TREATMENT OF PAYMENTS FROM FUND.—Any payment from the Fund shall not be subject to any Federal, State, or local income or gift tax.

(c) EXEMPTION.—For purposes of such Code, notwithstanding section 501(c)(1)(A) of such Code, the Fund shall be treated as described in section 501(c)(1) of such Code and exempt from tax under section 501(a) of such Code.

**SEC. 4. ADMINISTRATION BY CAPITOL POLICE BOARD.**

The Capitol Police Board shall administer and manage the Fund (including establishing the timing and manner of making payments under section 2) in accordance with regulations issued by the Board, subject to the approval of the Committee on Rules and Administration of the Senate and the Committee on House Oversight of the House of Representatives. Under such regulations, the Board shall pay any balance remaining in the Fund upon the expiration of the 6-month period which begins on the date of the enactment of this Act to the families of Detective John Michael Gibson and Private First Class

Jacob Joseph Chestnut in accordance with section 2, and shall disburse any amounts in the Fund after the expiration of such period in such manner as the Board may establish.

AMENDMENT OFFERED BY MR. THOMAS

Mr. THOMAS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMAS:

Add at the end of section 4 the following: "Under such regulations, and using amounts in the Fund, a financial adviser or trustee, as appropriate, for the families of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police shall be appointed to advise the families respecting disbursement to them of amounts in the Fund."

Mr. THOMAS. Mr. Speaker, I urge that the resolution and amendment be adopted.

Mr. HOYER. Mr. Speaker, I support the amendment.

THE SPEAKER pro tempore. The question is on the amendment offered by the gentleman by the gentleman from California (Mr. THOMAS).

The amendment was agreed to.

THE SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

**CONFERENCE REPORT ON H.R. 1385, WORKFORCE INVESTMENT ACT OF 1998**

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to call up for immediate consideration the conference report on the bill (H.R. 1385) to consolidate, coordinate, and improve employment, training, literacy, and vocational rehabilitation programs in the United States, and for other purposes, and that it be considered as adopted.

The Clerk read the title of the bill.

(For conference report and statement, see proceedings of the House of July 29, 1998 at page 17839.)

THE SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

Mr. CLAY. Mr. Speaker, reserving the right to object, although I do not intend to object, and I yield to the gentleman to explain his unanimous consent request.

Mr. GOODLING. Mr. Speaker, I rise in strong support of the conference report, H.R. 1385, the Workforce Investment Act of 1998. It has been 4 years that Members and staff have been working day and night to put this together, so it is a great day to say that we have finally made it.

I want to thank Members of the House for their contributions and to the development of the legislation. I particularly want to thank the gentleman from California (Mr. MCKEON), the chairman of the Subcommittee on Postsecondary Education, Training and

Lifelong Earning, for his efforts which have brought us here today. Also the gentleman from Michigan (Mr. KILDEE), the ranking Democrat on the subcommittee, for working closely with us to develop this legislation and move the legislation forward in a bipartisan fashion; and the gentleman from Missouri (Mr. CLAY), the ranking Democrat on the committee for his contributions toward this bipartisan effort.

I want to thank Senator JEFFORDS, the chairman of the Senate Labor and Human Resources Committee, and Senator DEWINE, chairman of the Subcommittee on Employment and Training, for their tireless efforts. I also want to make sure that we mention Mary Gardner Claggett and Darch Phillips and Brian Kennedy of the staffs because they have spent hours and hours and hours negotiating all the crossings of the T's and the dotting of the I's. Finally, I want to thank all of those who worked with us to develop the legislation in the administration. They all provided valuable assistance, as we in the Congress developed the bill. I want to repeat that line: as we in the Congress developed the bill.

A number of important organizations who support the legislation have contributed significantly to the conference agreement, including the National Governors Association, the National Conference of State Legislatures, the National Association of Counties, U.S. Chamber of Commerce, the National Association of Manufacturers, the National Alliance of Business, the National Association of Private Industry Council, the Home School Legal Defense Association, the National Center for Family Literacy, the Coalition for Citizens with Disabilities, and many others.

This conference report is based on many positive reforms that are already underway in States and local communities.

H.R. 1385 vastly reduces federal involvement in job training, employment, literacy, and vocational rehabilitation programs; transfers the vast majority of resources and authority to the States and local communities; and most importantly, sends authority and responsibility into the hands of actual individuals—giving people choices in the selection of occupations, services, and service providers so that they are empowered to succeed in today's society.

The Agreement consolidates over 60 federal programs through the establishment of three block grants to States and localities, and through amendments to the Rehabilitation Act of 1973.

In the area of Adult Education and Literacy Programs, the Agreement will provide much-needed services to individuals through a variety of literacy providers, which can meet the unique educational needs of adult learners and assist them in becoming self-sufficient.

Adult education programs are often the key to lifting individuals out of poverty. They open doors for individuals who are illiterate, who are welfare-dependent, who are unemployed or

under-employed, and who are unable to help their children to succeed in school and break the cycle of illiteracy.

To understand the need to provide assistance to adults with low levels of literacy we only need to look at the statistics. Forty-three percent of those with the lowest literacy levels live in poverty, 17 percent receive food stamps, and 70 percent are unemployed or under-employed. More than two-thirds of unwed parents, adults in poverty, school dropouts, and arrestees have below average literacy levels.

This Conference Agreement also allows adults, on a voluntary basis to participate in family literacy programs—an approach to addressing the literacy needs of the nation by simultaneously addressing the educational needs of at least two generations. It is the integration of the best practices of adult education, early childhood, and parent education—designed to restore the family as the focus in education.

For Disadvantaged Youth, the Agreement increases the focus of existing youth programs on longer-term academic and occupational training—on getting young people back to school, rather than stand alone, short-term employment fixes. While allowing the continuation of good summer youth employment programs, the bill requires that all employment experiences under these programs be tied to basic academic and occupational learning opportunities. Under these programs, priority for services is given to hard to serve disadvantaged youth, including a requirement that not less than 30% of local youth program funds be spent on out-of-school youth.

For Adults, the bill establishes a single delivery system for adult employment and training, that maximizes individual choice in the selection of occupations and training providers, while protecting funding for dislocated workers.

Going hand-in-hand with welfare reform, the bill encourages an "employment first" approach to job training.

The bill encourages individual responsibility and personal decision-making through the use of vouchers (individual training accounts) for the purchase of training services. This market-driven system eliminates the decades old tradition of bureaucrats making training decisions for adults. Customer choice makes the job training and employment system more responsive to the skill needs of individuals and the local labor market.

The Agreement provides a strong and active role for business, utilizing business-led local boards for the design and implementation of the training system—making sure that training is provided for the high-skill, high-wage jobs of the future. All training is to occur for occupations that are in demand.

Under the new system, individuals will choose training providers based on performance information accessed through the one-stop delivery system. This will result in a truly market-driven system where the best providers of training will prevail.

With regard to vocational rehabilitation, the Agreement significantly expands opportunities for persons with disabilities.

Under the Conference agreement, individuals with disabilities will finally have access to

a comprehensive job training system that is capable of serving all who come to its doors. Unemployed individuals with disabilities will have broader job opportunities, allowing them to re-enter or in some cases enter the workforce for the first time.

The bill provides a much needed emphasis on self-employment, business ownership, and telecommuting opportunities, as well as improving linkages with employers and the State workforce investment system.

In conclusion, as the barriers to local reforms are removed through this legislation, we will see an array of newly energized programs emerge that will provide individual participants with the information they need to make informed choices—and help them acquire the skills that make them most attractive on the local job market.

We will see reformed systems that make sense in today's economy, and that can adapt as the economy continues to change and grow.

I urge all of my colleagues to join with us in support of this Conference Report on H.R. 1385 that will empower individuals to make their own decisions that will enable them to be self-sufficient and prosper in today's society.

Mr. CLAY. Mr. Speaker, further respecting the right to object, I thank the gentleman, and I rise in support of the resolution.

Mr. Speaker, a highly skilled workforce is essential if we are to be successful in the increasingly competitive global economy. Now, more than ever, we must rely on the skills and productivity of American workers. Education and job training programs provide the opportunity to learn and improve skills. We must make sure that those programs are as effective as possible. So I am pleased to be a part of the effort to improve the quality of our education and training system, while eliminating duplication of efforts and unnecessary bureaucracy.

Let me express my gratitude to the gentleman from Pennsylvania (Mr. GOODLING), to the gentleman from California (Mr. MCKEON), and the gentleman from Michigan (Mr. KILDEE) for their hard work on the House legislation. Also, for their continued efforts to move this bill through conference and on to the President's desk.

□ 1445

I am pleased that there is broad agreement, Mr. Speaker, one, to foster the development of one-stop intake systems that will provide comprehensive information on the kinds of assistance available to those seeking help; two, to tailor job training assistance to the particular needs of each individual; three, to provide those seeking assistance with comprehensive consumer information about the quality of programs; four, to improve the quality of training and the accountability of the system; and five, to streamline and coordinate the delivery of services.

Mr. Speaker, I strongly support this bipartisan legislation, and I urge my

colleagues to vote in favor of the conference report.

Mr. Speaker, continuing my reservation of objection, I yield to the gentleman from California (Mr. MCKEON).

Mr. MCKEON. I thank the gentleman for yielding to me, Mr. Speaker.

I rise in strong support of the conference report for H.R. 1385, the Workforce Investment Act of 1998. This agreement is an important step in addressing the Nation's long-term Workforce preparation needs by helping States and local communities to make sense out of our current confusing array of employment training and literacy programs.

The American economy is strong and is increasingly driven by creativity, innovation, and technology. It has been reported that new high-skilled jobs are growing at nearly three times the rate of other jobs. However, many employers are finding it increasingly difficult to find workers with the skill necessary to fill these high-wage positions.

This agreement will provide opportunities for more Americans to obtain these jobs. The agreement accomplishes long overdue reform, consolidating over 60 Federal programs through the establishment of three block grants to States and localities for the provision of such services, and through amendments to the Rehabilitation Act.

It accomplishes key reforms in this country's job training system by building on the three principles of individual choice, quality training for the 21st century, and the transfer of resources and authority for employment, training and literacy programs to States and local communities.

For youth, we amend the JTPA's current disadvantaged youth programs, increasing the focus of such programs on long-term term academic and occupational training, rather than short-term employment fixes; requiring that all employment experiences under these programs be tied to academic and occupational learning opportunities; and prioritizing services for hard-to-serve disadvantaged youth, including school dropouts.

For adults we establish a single delivery system for adult employment and training that maximizes individual choice through the use of vouchers for "individual training accounts" for the purchase of training services.

This market-driven system, focusing on customer choice, makes the job training and employment system more responsive to the skill needs of individuals in the local labor market. Not only will this conference agreement result in improved services to dislocated workers, but it will also result in enhanced services provided to welfare recipients who must make the transition from welfare to work.

Title II of the Workforce Investment Act amends the current Adult Edu-

cation Act, consolidating adult education programs into a flexible block grant to States. This portion of the agreement includes important linkages to employment and training programs to ensure that individuals seeking employment and training services have the literacy skills they need in order to succeed.

With regard to vocational rehabilitation, this agreement will provide more job opportunities to individuals with disabilities, and provide a much-needed emphasis on self-employment, business ownership, and telecommunicating opportunities, as well as linkages with employers and the State workforce investment system.

This agreement will not only provide the flexibility that States and local communities need to vastly improve their employment and training efforts, but it will provide individuals that are in need of these services with the information, choice, and resources that they need to become skilled and gainfully employed.

The skills of this Nation's workforce are more important today than ever before. This agreement will go far to help States and local communities to reform employment training and literacy programs that address the individual skill needs of their citizens. It will go far to empower individuals to break the cycle of dependency that has plagued our country for too long.

I want to take this opportunity to thank the Members of our committee for their contributions in the development of this legislation; in particular, the gentleman from Pennsylvania (Chairman GOODLING), for his insight and leadership over the years on this issue; and the ranking member of the full committee, the gentleman from Missouri (Mr. CLAY), and the Democrat on the post-secondary subcommittee, the gentleman from Michigan (Mr. KILDEE), with whom I have worked very closely in coming to this agreement. I want to thank them for their help and support.

In addition, I want to thank all of the Senate conferees for their efforts, especially Senator JEFFORDS, the chairman of the Labor and Human Resources Committee, and Senator DEWINE, chairman of the Employment and Training Subcommittee.

I would also like to thank the staff for their hard work on this conference agreement: Vic Klatt, Sally Lovejoy, Mary Gardner Claggett, D'Arcy Philips, Lynn Selmser, Jeff Andrade, Andrea Weiss, and Brian Kennedy from the Democrat staff. I would also like to thank the administration for working with us to make this a bipartisan effort.

Finally, I am very pleased that the National Governors Association, the National Conference of State Legislatures, and the National Association of Counties are supporting this agree-

ment, as well as leading national business operations. This is truly a good agreement that will help this country's workers gain the skills they need to succeed in today's workforce. I urge Members' strong support for this conference report.

Mr. CLAY. Mr. Speaker, continuing under my reservation of objection, I yield to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am very proud to have been part of this bipartisan effort to streamline and reform our Nation's job training system. I have enjoyed working with my friend, the gentleman from California (Mr. BUCK MCKEON), the chairman of the subcommittee, and I also appreciate the hard work and leadership of the gentleman from Pennsylvania (Mr. GOODLING), the Chairman, and the ranking member, the gentleman from Missouri (Mr. CLAY) on this legislation.

The conference report we consider today represents a culmination of a 4-year effort to improve our job training system and eliminate the unnecessary duplication and bureaucracy.

The Workforce Investment Act of 1998 consolidates over 60 separate Federal job training programs into a single coordinated system. The legislation builds on President Clinton's proposed G.I. Bill for Workers by providing individual training accounts, so that those who seek assistance can choose the kind of training that best meets their needs.

The Workforce Investment Act also increases accountability by providing individuals seeking training with report cards on the quality of programs offered by eligible providers, and hold States and localities responsible for meeting high levels of performance. I am also pleased that the legislation protects funding for dislocated workers, and better targets programs for at-risk youth by setting aside a significant amount of dollars for funding out-of-school youth.

I am also pleased that the bill includes a strong summer jobs element, and the concentrated youth opportunity grant program developed by the President and Secretary Herman.

Mr. Speaker, the Workforce Investment Act of 1998 is an example of what we in Congress can do when we put aside our partisan differences and work together to promote the interests of all Americans. Again, I am proud to have been a part of this process, and I urge all of my colleagues to support this conference report.

I would like to thank the staff members who have worked so hard on this: Mary Gardner Claggett, D'Arcy Philips, Vic Klatt, Brian Kennedy, Jennifer Maranzano of my own staff, and Mary Ellen Sprenkel.

Mr. CLAY. Mr. Speaker, continuing to reserve my right to object, I yield to

the gentleman from California (Mr. MARTINEZ).

Mr. MARTINEZ. Mr. Speaker, I rise to support the Conference Report on the Workforce Investment Act, and urge everyone to support it.

Mr. Speaker, I rise today in support of the Conference Report on the Workforce Investment Act.

Trained skills are an essential ingredient not only for individual success, but also for the United States as a whole if we intend to remain competitive in this increasingly technological world.

In the near future this body will legislate to increase the number of immigrants to this country in an attempt to address the current shortage of skilled workers.

What we should be doing, and are attempting to do through this legislation, is increasing the skill level of our own workforce.

Although unemployment is currently at an all time low, there are still too many unemployed and underemployed Americans, and this number will only increase as the welfare reform act mandates those currently on the welfare rolls to enter the workforce.

That is why this bill, the Workforce Investment Act, is so essential.

This bill, which passed both the House and Senate earlier this year with overwhelming support, is, in my opinion, even better today thanks to the long hours and dedication of the conference committee and staff.

This bill consolidates the more than 60 existing Federal training programs, which have often been criticized as being too fragmented and duplicative.

It provides States with the flexibility necessary to implement programs that will best suit their particular needs while maintaining high standards and accountability.

It emphasizes one-stop centers that allow consumers to more easily access job training services. It also targets resources to those who need them most—youth, low-income, and displaced workers.

Last night the Senate passed this bipartisan conference report with unanimous consent. I urge my colleagues to do the same.

Mr. CLAY. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The SPEAKER pro tempore. Without objection, the conference report is agreed to.

There was no objection.

A motion to reconsider was laid on the table.

#### LEGISLATIVE PROGRAM

(Mr. BONIOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BONIOR. Mr. Speaker, I would inquire of the distinguished majority leader if he would outline the schedule for the remainder of the day and for next week.

Mr. ARMEY. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from Texas.

Mr. ARMEY. I thank the gentleman for yielding.

Mr. Speaker, I am pleased to announce that we have concluded legislative business for the week. The House will next meet on Monday, August 3rd, at 10:30 a.m. for morning hour, and at 12 o'clock noon for legislative business. We do not expect any recorded votes before 5 o'clock p.m. on Monday.

On Monday, August 3, we will also consider a number of bills under suspension of the rules, a list of which will be distributed to Members' offices this afternoon.

After suspensions, Mr. Speaker, the House will continue consideration of H.R. 2183, the Bipartisan Campaign Integrity Act of 1997. Following wrap-up debate, we will vote on final passage of the Shays-Meehan substitute on Monday. Mr. Speaker, we also plan to continue consideration of H.R. 4276, the Commerce, Justice, State Appropriations Act on Monday, August 3.

On Tuesday, August 4, the House will take up several bills under suspension of the rules. Following suspensions on Tuesday and throughout the balance of the week, the House will consider the following legislation: continuing consideration of H.R. 4276, the Commerce, Justice, State Appropriations Act; H.R. 4274, the Department of Labor Appropriations Act of 1999; the District of Columbia Appropriations Act of 1999, and House Resolution 507, the Workforce Improvement and Protection Act of 1998.

Mr. Speaker, Members should be prepared to work late next week on these appropriations bills. We hope to conclude legislative business for the week by 2 o'clock p.m. on Friday, August 7.

Mr. BONIOR. Mr. Speaker, I thank my colleague.

If the gentleman would entertain one question to him this afternoon, on several occasions the majority leader has repeated the commitment that the House will complete the campaign finance reform bill by the recess. As the gentleman knows, once we complete the vote, as the gentleman has indicated, on Monday on Shays-Meehan, we still have left in that bill 9 more substitutes, and an unlimited number of amendments to those substitutes.

My question to my friend, the gentleman from Texas, is since we only have 5 more days left before the recess, I want to make sure that the gentleman's commitment to finish this by the recess is firm, and that we will have this bill finished and back to the Senate so they can make a decision on what they want to do with it.

We are certainly hopeful that Shays-Meehan, on our side of the aisle, passes. We have sent it over there to defeat the other substitutes that are being offered, and we hope we get some action this year. But we know we can-

not get any action out of the Congress unless we do this in a timely fashion.

Would the gentleman from Texas (Mr. ARMEY) like to make a comment with respect to the commitment to finish by this recess?

Mr. ARMEY. If the gentleman will continue to yield, Mr. Speaker, I thank the gentleman again for that inquiry. It is a matter of important concern. It weighs heavy on my heart.

Let me just encourage the gentleman from Michigan to understand that I do not know how, but we will have this completed before we leave town by 2 o'clock next Friday.

Mr. BONIOR. That means the bill?

Mr. ARMEY. I will get back with the gentleman later with the details, but we will have it done before we leave town; this bill, all consideration and final action on this bill will be done before 2 o'clock on Friday.

Mr. BONIOR. I thank my colleague for his reassurance.

Mr. DOOLEY of California. Mr. Speaker, will the gentleman yield?

Mr. BONIOR. I yield to the gentleman from California.

Mr. DOOLEY of California. Mr. Speaker, I would also like to address a question to the majority leader.

Yesterday in the Committee on Agriculture we had extensive hearings on the crisis that is occurring in many regions of the country as it is affecting farmers. Three weeks ago I joined with a bipartisan group of Members and the gentleman from Georgia (Speaker GINGRICH) on outlining some relief measures that we can move through Congress in order to address and minimize future damage to the agriculture sector.

On one of those which I think is most important to the agricultural sector, in fact, we have a coalition of 75 organizations that signed a letter supporting the funding of the International Monetary Fund. I did not hear, in the leader's identification of legislative action next week, any mention of the IMF.

I was hoping that the leader could shed some light on when we would consider funding of the IMF, in order that we might prepare and be able to assure the farmers that we are continuing to provide the export opportunities that are needed.

□ 1500

Mr. ARMEY. Mr. Speaker, I thank the gentleman for the inquiry. The gentleman may know, the consideration of the IMF is in the Foreign Operations appropriations bill. I understand that the committee has determined that they will take that bill up for full committee markup when we return from the August work recess period.

Mr. DOOLEY of California. Mr. Speaker, I would just hope that we would not delay any longer. Obviously, that is of critical importance to the ag-

sector, the funding of the International Monetary Fund.

Mr. BONIOR. Mr. Speaker, reclaiming my time, let me reiterate one more time about finishing campaign finance by the end of next week. May I also ask the gentleman from Texas (Mr. ARMEY), on Monday, what time do we expect to have the vote on Shays-Meehan? Will it be before the suspension votes are taken, or after?

Mr. ARMEY. Mr. Speaker, if the gentleman would again yield, the vote will be taken after the suspension votes, and I would guess that the vote on Shays-Meehan would be, if the gentleman will give me a large latitude on the "more or less," 8 o'clock, depending on how many votes are ordered.

Of course, the proponents on that bill want to have a little bit of time for wrapup debate. So, I would say probably between 8:00 and 9:00, is my best estimate.

Mr. BONIOR. Mr. Speaker, I thank the gentleman for this information and for his courtesy.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GUTKNECHT). The Chair will entertain 1-minute speeches.

#### CONGRATULATIONS TO JOHN AND VERNA LESKERA ON THEIR 70TH WEDDING ANNIVERSARY

(Mr. SKIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I want to take a moment to recognize two very special constituents of mine, John and Verna Leskera of Vandalia, Illinois, who will be celebrating their 70th wedding anniversary on August 7 of this year.

John Leskera married the former Verna Bitzer on August 2, 1928 in, Hoopeston, Illinois. They raised one son, Jack, currently of Collinsville, Illinois, and are the grandparents of three, and great-grandparents of six.

Verna, the former schoolteacher, and John, the former business owner, have continued to lead very active lives since their retirement. John, in fact, just learned to water ski at the tender age of 75.

Mr. Speaker, I am honored to join the friends and family members of the Leskeras in wishing continued health and happiness as they celebrate their 70th wedding anniversary, and in the many years to come.

#### UNCERTAINTY AND WORRY IN "OLD BELT" TOBACCO MARKETS

(Mr. GOODE asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. GOODE. Mr. Speaker, next week the "Old Belt" flue-cured tobacco markets open in Southside, Virginia, and the farmers have never faced greater uncertainty. Over the course of the last year, the tobacco farmers in the Fifth District of Virginia, and across the southeastern part of the United States, have been tossed around like a political football.

The farmers were not included in the original settlement, but throughout the debate over the proposed settlement, people on all sides have indicated that they want to protect the tobacco growers. Yet, we see legislation proposed in Congress that will cripple and ruin the American grower. We must fight such proposals.

Mr. Speaker, I just hope that as various political agendas go forward, the hard-working growers and their families and their communities do not end up busted, bankrupt, and broken.

The annual opening of the tobacco markets historically have been a time of optimism and hope. But this year, as the markets open in Southside, Virginia, the optimism is replaced by uncertainty and worry.

#### THE TRUTH, THE WHOLE TRUTH, AND NOT SPIN

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, I rise today to ask some questions. Why did the President's defenders begin by insisting that no sexual liaisons occurred in the White House? Then as evidence against the President mounted, why did his defenders shift their position to say that the President's sex life is a private matter?

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman from Pennsylvania (Mr. PITTS) will suspend. The gentleman may not engage in personal references to the President.

Mr. PITTS. Mr. Speaker, if extramarital sexual liaisons are supposed to be purely private, why are taxpayer funds being used to defend or facilitate or cover-up?

Taxpayer funds must not be used by lawyers to defend in a private civil suit or to attack or undermine investigation of allegation of wrongdoings.

Taxpayer jobs should not be used in any way for defending or promoting the allegations and accusations of anyone.

Mr. Speaker, the people, the American people are waiting for the truth, the whole truth, and nothing but the truth, not spin.

#### REMEMBERING PRIORITIES

(Mr. FOSSELLA asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. FOSSELLA. Mr. Speaker, today we laid to rest one of the Capitol Hill Police officers who died tragically in last week's shooting. And a few days ago, I spoke on the floor because a police officer in my hometown, in Staten Island, was shot in the head by a 17-year-old assailant who just a couple of years ago killed a man when he was 15, and served a total of 18 months in jail and was let go and is alleged to have killed another man before he shot the police officer. We got the news last night that that police officer is now dead.

What that means is that a 6-year-old boy is without a father, a community has been destroyed, and yet we still question what we are going to do with this 15-year-old murderer.

Mr. Speaker, I do not doubt the sincerity of the folks who today engage in campaign finance reform, but let us remember what the priorities are. A police officer is dead, a family is destroyed, and let us pray for them to find the strength to survive.

#### ARE WE NOT ALL AMERICANS?

(Mr. BOB SCHAFFER of Colorado asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I have got some news for House liberals in the Democrat party. A violation of the law is not a poll. A violation of the law does not depend on how the stock market is doing. A violation of the law has nothing to do with vast right-wing conspiracies.

Liberals seem satisfied with the response given by the White House about how the Democrat party accidentally raised nearly \$3 billion from Communist China in the last election cycle, and I understand that.

Liberals are not troubled by the White House discovery that they had 900 FBI files of their political enemies, and I understand that, too.

And liberals do not believe that using the FBI and the IRS to smear Billy Dale in the White House travel office is an abuse of power, and I understand that.

But I do not understand why liberal Democrats in Congress are silent, silent, about the Clinton administration's decision to transfer waiver authority of sensitive technology to Communist China from the State Department and the Commerce Department. After all, Mr. Speaker, are we not all Americans?

#### REPUBLICANS HAVE A BOLD NEW VISION FOR THE 21ST CENTURY

(Mr. WELDON of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELDON of Florida. Mr. Speaker, it appears that the political parties have come full circle. At the beginning of the century, the Republican party, under President Teddy Roosevelt, was the party of reform. As we approach the end of this century, the Republican party is once again the party of reform on almost every single issue.

Education? The Republicans passed education savings accounts and school choice initiatives that are being enacted across the country in the States with Republican governors.

Welfare? It took a Republican Congress to reform a broken system. A system that everyone knew was broken for many years, but was immune to change.

The Tax Code? Republicans in the House passed a bill to sunset the Tax Code and Republicans have crossed the country discussing the flat tax and national sales tax options.

Medicare? Medicare was on track to go bankrupt in 2001, but Republicans in Congress forced the first real Medicare reforms in history this past summer.

Mr. Speaker, the Republican party is the party of reform, of new ideas, innovation, and a bold new vision for the 21st century.

#### AMERICAN MINING INDUSTRY

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, of all the gains of our civilization and this great Nation, nothing has propelled the progress of civilization over the centuries as have the products of the mining industry.

A great deal of what we see around us, what we hear, what we feel or touch, comes from mining. Mining provides the energy and equipment to grow food, to develop lifesaving devices, to build highways and bridges, and to communicate around the globe.

Mining and manufacturing facilities operate in every State and are a vital base to which America's strength and future rely upon. Studies have shown that nearly every Member of Congress has a direct or indirect representation to the mining industry in their districts.

In order to responsibly address America's mining and industrial needs, and to promote its capabilities, I rise today to invite my colleagues to join the Mining Caucus. Together we can serve to educate all Members on regulatory and legislative ideas and their impact on the mining industry.

Mr. Speaker, I urge my colleagues to help establish a strong presence in Congress; one that supports the mining industry, equipment manufacturers, and support service members. Working families in these vital industries are literally the backbone of America.

Remember, if it is not grown, it has to be mined. Our life, our job, and our future depend upon it.

#### ADJOURNMENT TO MONDAY, AUGUST 3, 1998

Mrs. MORELLA. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10:30 a.m. on Monday next for morning hour debates.

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

There was no objection.

#### DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mrs. MORELLA. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### FEDERALISM, EXECUTIVE ORDER 13083, AND H. CON. RES. 299

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. COLLINS) is recognized for 5 minutes.

Mr. COLLINS. Mr. Speaker, our republic recently celebrated 222 years of liberty and freedom. For the last 209 years, these freedoms have been guaranteed by our Constitution.

In spite of this, the Clinton administration is now trying to undermine the Constitution through Executive orders, threatening the powers of Congress, the sovereignty of the States, and the rights of all Americans.

Our Founding Fathers demonstrated timeless wisdom in the crafting of our Constitution and Bill of Rights. The Constitution carefully defines the authority granted to each of the three branches of the Federal Government to ensure a separation and balance of Federal powers.

Additionally, the Tenth Amendment to the Constitution protects the rights of the States to self-determination, requiring that powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

□ 1515

Both of these constitutional provisions guarantee the individual rights of

American citizens throughout the democratic process. Our Bill of Rights and republican form of government ensure that the people maintain the ultimate authority to govern themselves.

The success of our Constitution is clear. The United States is the world's strongest economic power, providing a standard of living to Americans that is the envy of the world. Our Nation is also the world's foremost military power, providing strong protection to American citizens from foreign threats to our liberties and to our democratic principles.

Finally and most importantly, our government is the single greatest guarantor and protector of individual liberties in the world today. The freedom of speech, the freedom of religion, the freedom to own property, the freedom to vote are just a few of the liberties that American citizens enjoy, thanks to the wisdom and foresight of the framers of our Constitution.

Sometimes we take these liberties for granted, but benefits such as public safety, education and the finest health care system in the world should remind us that the Constitution provides us with much more than abstract principles.

In spite of the great successes of our Republic, President Clinton has disregarded our Constitution with the issuance of executive order 13083.

First, the order requires Federal departments and agencies to review State regulations and to dictate State policy without regard to the decisions made by States' own legislatures and agencies.

Second, the order's broad and vague definition of what should be a Federal issue reserves little if any jurisdiction for State and local governments.

Third, by granting Federal jurisdiction over all matters related to international obligations, the executive order threatens to bypass the U.S. Congress, imposing on States and the American people provisions of international treaties or agreements that have not been ratified by the Senate.

Clearly this executive order directly violates the separation and division of powers as provided by the Constitution. It violates the authority of the U.S. Congress, the sovereign rights of States, and threatens the liberties of every American citizen.

In response to this disregard for the Constitution, I have introduced House Concurrent Resolution 299. This resolution sends a message to the American people that representatives in Congress will understand the Constitution and will uphold the principles of the Founding Fathers that have made this Nation so great.

The Congress will protect the rights of States to self-determination and prevent undue Federal intervention into State and local affairs. The Congress will protect the rights of American citizens to life, liberty and the

pursuit of happiness, without unwarranted and unconstitutional intrusions by the Federal departments and Federal agencies.

This resolution also sends a message to the executive and judicial branches of the Federal Government: The Congress will defend the people it represents against Federal actions that undermine the Constitution and threaten the rights of all citizens.

Congress is paying close attention to the actions of the chief executive. We will closely scrutinize any action by any member of the executive branch that threatens to usurp the legislative authority of the Congress, the sovereignty of the States and the freedom of the American people.

Furthermore, Congress will seek to remedy any judicial interpretation of U.S. law that is inconsistent with the intent of Congress, that threatens State rights to self-determination or threatens the liberties guaranteed the people by the Constitution.

Mr. Speaker, I urge each of my colleagues to join me in defense of the powers of the Constitution and sovereignty of the rights of States, the rights of the people, by cosponsoring House Concurrent Resolution 299, reiterating the separation of powers that are established and preserved by our Constitution.

#### THE STATE OF UNITED STATES AGRICULTURE ECONOMY

The SPEAKER pro tempore (Mr. GUTKNECHT). Under a previous order of the House, the gentleman from Minnesota (Mr. MINGE) is recognized for 5 minutes.

Mr. MINGE. Mr. Speaker, I rise this afternoon to discuss the state of the agriculture economy and to report to my colleagues the results of a hearing that was held by the House Committee on Agriculture on Thursday.

That hearing is the first hearing that we have held in the House Committee on Agriculture this session on the farm economy and how the 1996 farm law, farm bill is responding to the crises that we face.

I am pleased that we held the hearing. I regret, however, it has taken so long for us to focus on this problem.

First, I would like to just urge that all of my colleagues recognize the severity of the problem that we face, and probably no State illustrates this better than North Dakota. The State of North Dakota has seen a 98 percent drop in farm income in the last 2 years. It is such a precipitous drop that in North Dakota and the Red River Valley portion of Minnesota just to the east, we see record numbers of farmers selling out, closing down their operations and saying, in this strong national economy, there is no reason why we should be continuing our farming operations.

What I see, in the area that I represent in southern Minnesota and the Chair represents, is a looming crisis. It certainly is not as serious as what we face in the Red River Valley area, but it is one that has the potential of having a parallel dramatic impact.

In the State of Minnesota at large, farm income is down 57 percent from the first quarter of 1996, compared to the first quarter of 1998, 57 percent. Part of the reason that it is down is that in addition to the disease problems that are affecting wheat and barley in the Red River Valley area, we also have severe price depression for agriculture commodities.

Wheat is selling in the neighborhood of \$2.50 a bushel. This is a product that in some years is selling for \$3 to \$4 a bushel. Those would be the average years. At \$2.50 a bushel, wheat can be used as a feed grain. Barley is being used as feed grain.

This has an effect on the price of corn and soybeans. Corn is now selling in the Midwest for below \$2 a bushel. For those of you that are not familiar with what that means to farmers, it means that you lose money, as much as 30, 40 cents on every bushel of corn that you market. Many say, well, if you have a good year, that just means that you are going to have a bigger yield and you can make more money.

What farmers are facing is that the excitement of a bumper crop is being moderated and turning into a much more depressing situation, because the price is collapsing. What is more distressing is that the number of farm families that are willing to maintain their farming operations is dwindling. Time after time, as I visit with families in Minnesota, I hear the common refrain, we have decided that with a good education, the young people that grew up on this farm ought to be pursuing a career in town. We do not think it is a good idea for them to try to continue farming.

As one after another of these farming units disappears, what we see is a phenomenon that is altogether too common and too distressing. It is the collapse of a rural economy and of a rural way of life.

Now, some may say that is just the way the market works. It is the wonders of the marketplace. But before I turn to a couple of things that we can do to try to respond to this and were discussed at the hearing, I would like to focus on the fact that the farm economy does not have the resiliency that some other parts of our economy have. You cannot downsize your operation quickly to respond to changing economic times. Your investment in fixed assets, land principally, but machinery is enormous. You have to use those assets.

At the same time you have risks that are phenomenal, the risk of weather, of course, is familiar to all of us, but the

risk of disease, such as they have suffered in the Red River Valley, the risk of markets such as the collapse of markets in Southeast Asia, which were the promising opportunities for American agricultural exports, all of these things combine to haunt agriculture.

What is the response? Just in a couple of sentences, first, an emergency disaster package for crop insurance that is a bipartisan proposal; second, accelerating the payments coming under the Freedom to Farm Act, a bipartisan proposal; third, extending the marketing loan period, something we might have bipartisanship on; raising or uncapping the marketing loan program. These are a variety of things that were discussed.

I recommend or urge my colleagues to look more closely at what is happening in rural America.

#### H.R. 4355, THE YEAR 2000 INFORMATION DISCLOSURE ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mrs. MORELLA) is recognized for 5 minutes.

Mrs. MORELLA. Mr. Speaker, when it comes to the year 2000 problem, we all know that time is running out and we are competing in a race against the calendar to avert an impending computer catastrophe. This Congress is firmly committed to moving the Federal Government and private industry toward correcting the year 2000 problem in a timely and effective manner.

In order for private industry to be Y2K compliant, given the relatively brief amount of time left before the January 1, 2000, deadline, we must foster an environment for the exchange and the free flow of information among businesses. Allowing information about year 2000 solutions to be widely available can help private industry move expeditiously to correct the problem. But, unfortunately, liability concerns have made many in the private sector reluctant to exchange such information.

At the request of the President, I join today with my colleagues on both sides of the aisle to sponsor H.R. 4355, the Year 2000 Information Disclosure Act. While the bill in its current form may not fully address the liability problems associated with information sharing, I believe it is important to begin the debate on addressing this issue.

As the co-chair of the House Y2K task force along with my co-chair the gentleman from California (Mr. HORN), I intend to work with the appropriate committees of jurisdiction in Congress and with the private industry to craft an effective bill which will promote the open sharing of information about year 2000 solutions.

By working together, and only by working together, we have an opportunity to effectively address the liability concerns of private industry and to

encourage the sharing of important information about solutions to correct the Y2K problem.

Let us move ahead.

Mr. Speaker, I include a statement by the ranking member of the Subcommittee on Technology, the gentleman from Michigan (Mr. BARCIA).

Mr. BARCIA. I want to join my colleagues in introducing the Year 2000 Information Disclosure Act.

We have all read about the potential effects of the Year 2000 computer problem. The Subcommittee on Technology and the Subcommittee on Government Management, Information, and Technology have been at the forefront of publicizing the nature of this problem, and have consistently pushed Agency officials to fix their computer systems. As my colleagues have already outlined the scope of the problem and the provisions of this bill, I want to focus on a few key elements.

First, I want to commend the Administration and especially Mr. John Koskinen, Assistant to the President and Chair of the President's Council on Year 2000 Conversion, for drafting this legislation. Although there has been much discussion regarding what actions Federal agencies should take to correct their systems, the larger private sector issue has been largely ignored. This legislation is the first of several steps necessary to assist the private sector in addressing the Y2K problem in a open and constructive way.

By protecting those who share Y2K information in good faith from liability claims based on exchanges of information, this bill promotes an open and public exchange of information between companies about Y2K solutions. Throughout the Subcommittee on Technology's examination of the Year 2000 computer problem, I have continued to be surprised about the lack of hard facts. The goal of this bill is to make companies feel more secure in sharing information about this problem.

However, this is only a first step, and many important issues remain to be addressed. I believe that the most important element of any national Y2K strategy is informing consumers and small- and medium-sized businesses on how the Y2K problem could affect them. The public needs a Y2K checklist and they need to know what questions to ask. I know my colleagues on the House Y2K Task Force, Representatives HORN, KUCINICH, and MORELLA, share my concerns and I look forward to working with them to develop an appropriate strategy.

In closing, I urge the swift action on this important piece of legislation.

#### HEALTH CARE PROPOSAL FOR SENIORS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Vermont (Mr. SANDERS) is recognized for 5 minutes.

Mr. SANDERS. Mr. Speaker, I want to alert Members about a very disturbing proposal recently offered by the chairman of the House Committee on Ways and Means Subcommittee on Health. This proposal would charge senior citizens in this country an \$8 co-

payment for Medicare home health care visits. At present, as you know, these visits are now without cost for the patient.

Mr. Speaker, in my judgment, if this very terrible proposal were ever passed into law, and let us make sure that it is not, it would cause enormous pain and hardship for some of the weakest and most vulnerable people in this country, low income and sick elderly people. Why, in God's name, would we be making life more difficult for so many people who today are finding it difficult just to pay their bills?

Mr. Speaker, as you know, nearly half of all senior citizens in our country have incomes of less than \$15,000 a year, and about 12 percent of them live in poverty.

□ 1530

Many of them today are finding it extremely difficult to pay their bills, to provide for their prescription drugs and to take care of their other basic necessities of life. These are not the people that we should be going after and making life more difficult for. The thought of forcing sick, fragile, low-income seniors to pick up a new cost which for someone requiring home health care visits 7 days a week could run as high as \$2,500 a year is literally beyond comprehension. Does anyone really think that a sick, needy senior citizen with an income of \$10,000 a year should be asked to pay an additional 6 percent of his or her entire income on health care costs?

And what about some seniors whose incomes may be even lower than the national average. What an outrage to go after low-income senior citizens who are sick, who are fragile, who need home health care visits and tell those people that you have got to pay substantially more for your health care needs.

Mr. Speaker, what I find particularly obscene about this proposal is that it comes one year after the so-called balanced budget agreement which cut Medicare by \$115 billion and most of those savings went for tax breaks for the very wealthy. Three-quarters of the tax breaks went to people making \$100,000 a year or more. So what Congress did last year is cut Medicare, give huge tax breaks for the rich, and then this year the chairman of the relevant subcommittee is saying, "Gee, we don't have enough money for Medicare. I guess we're going to have to ask low-income sick seniors to pay more for home health care visits." This is the Robin Hood proposal in reverse. We take from the poor and some of the most desperate people in this country and we give to some of the wealthiest. This is a proposal that I would hope would be dead on arrival.

Mr. Speaker, 22,000 Vermonters receive home health care in my State. But with last year's Medicare cuts,

many are in danger of losing services through the reduction of payments to efficient home health care agencies that exist in Vermont and a number of other States. In other words, what Vermont was penalized for is having an efficient, cost-effective home health care visitation program. What we should be doing is correcting that absurd formula, making sure that more money goes throughout this country to help agencies like the Visiting Nurses Association provide the quality health care and home visits that they have been doing. We should not be making a bad situation even worse.

Mr. Speaker, I believe that if members of both parties alert the chairman that this horrendous proposal is unacceptable, it will never get off first base, and that is what we should be doing.

#### RECOGNITION OF HEROIC EFFORTS OF BOY SCOUT TROOP 22 OF LOS ALAMOS IN DEATH OF TROOP LEADER DENNIS CARUTHERS

The SPEAKER pro tempore (Mr. PEASE). Under a previous order of the House, the gentleman from New Mexico (Mr. REDMOND) is recognized for 5 minutes.

Mr. REDMOND. Mr. Speaker, I rise today to pay tribute to two Boy Scout leaders and five Boy Scouts of Troop 22 of Los Alamos, New Mexico. Yesterday morning while on a canoe trip between in the boundary waters between the United States and Canada, tragedy struck Troop 22. One of the troop leaders, Dennis Caruthers, suffered a heart attack during a portage. Under the leadership of Mr. Charles Golding, he and the five Boy Scouts tried to save Mr. Caruthers' life. The boys carried Mr. Caruthers 100 rods from the center of the portage to the rescue site. For two hours the Boy Scouts took turns administering CPR until the rescue plane arrived to save the life of their leader. Unfortunately, they were unsuccessful. The medical professionals praised the boys for their excellent emergency response skills. In spite of the loss, the five Boy Scouts had done everything right.

To the Caruthers family, Laurie and the children, we extend our sympathy for your loss and thank you for sharing Dennis with us. To Mr. Charles Golding, we give our thanks for your superb leadership and example for our boys in a time of great crisis. To the boys of Troop 22, Billy Golding, Joseph Matthews, Mason Sturm, David Hunter and Jordan Redmond, we thank you for your heroic effort to save the life of your leader. To our friend Dennis Caruthers, we thank you for your many years of dedicated service to the Boy Scouts of Los Alamos. You were a fine example, a great American.

Dennis, we will miss you.

## PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Speaker, on Wednesday, July 29, due to a death in my family, I was unavoidably absent for rollcall votes on the Texas Radioactive Waste Disposal Act.

Had I been present, I would have voted "no" on rollcall vote 343, and I would have voted "no" on rollcall vote 344.

## ONGOING RAMIFICATIONS OF SEXUAL REVOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. WELDON) is recognized for 5 minutes.

Mr. WELDON of Florida. Mr. Speaker, I rise to draw the attention of my colleagues and the American people to a very important article that was recently published in the *New England Journal of Medicine*, the July 30, 1998 issue, and in particular as well an accompanying editorial authored by Drs. Cohen and Fauci of the National Institutes of Health. This article is entitled "Sexual Transmission of HIV-1, Variant Resistance to Multiple Reverse Transcriptase and Protease Inhibitors" authored by Dr. Hecht as well as many others.

Now, it may seem a little bit unusual for a Member of Congress to be rising talking about something like this article and this accompanying editorial, but let me just say from the outset that as many of my colleagues know, I am a physician and as well I did part of my training in San Francisco in the early 1980s at a time when the AIDS epidemic was just emerging as a critical national health problem. Additionally, after finishing my training and ultimately going into private practice in Florida, I had the opportunity to take care for many years of many AIDS patients. And so this has always been an area of tremendous interest for me, particularly as it relates to government spending, public health, and a lot of social phenomena that has occurred in this country over the last 30 years, in particular as it relates to the sexual revolution.

There were many features of the sexual revolution that occurred in the United States. Having only 5 minutes, I would not be able to dwell on all of them, but I would like to touch on several of the critical features of the sexual revolution, one of which is that premarital sex and having sex with multiple partners, contrary to centuries-long taboos, was now considered socially okay, and indeed as well that homosexual sex and sex with multiple partners was as well considered okay, if it involved two consenting adults.

As we are beginning to see in this country today, there are indeed some significant societal impacts of this revolution, particularly in the form of the explosion of sexually transmitted dis-

eases and its consequences. For example, 20 percent of all Cesarean sections done in the U.S. today are done because of the presence of a sexually transmitted disease in the mother. This has significant public health impact. It has a significant cost impact for our government-run health care, programs like Medicare and Medicaid, and as well the sexual revolution in the homosexual community which led to the AIDS epidemic ultimately spilling over into the heterosexual community.

What is very important about this article, I want to draw to Members' attention, is that we have seen in recent years the good development of the availability of multiple drugs for the treatment of AIDS. Unlike when I first started practicing where the people would develop AIDS and they would die very quickly, we now have this very, very good armamentarium of drugs that allow people to live for years and the death rate from AIDS has dropped off significantly.

There has been in recent years a very, very ominous development of resistance within patients with AIDS to multiple different drugs that we are now using.

The important feature of this article is that what they have documented in this article is there was a gentleman who had developed AIDS in 1990 and had been on multiple drugs over 8 years and had developed a variant of the AIDS virus that was resistant to those drugs. That gentleman had homosexual relations with a gentleman, passed AIDS to that gentleman, and this occurred in San Francisco, and the gentleman who acquired AIDS acquired a form of AIDS that was now resistant to all of the drugs that his partner had been resistant to.

The accompanying editorial reads, "Transmission of Multiresistant Human Immuno Deficiency Virus, the Wake-up Call," a very appropriate title for this editorial.

This is, I would like to say, a very, very serious public health development that we are now seeing, the transmission of multidrug resistance to AIDS.

Unfortunately, the gentleman in this editorial did not address the underlying problem, and this is really the focus of what I want to get at. This disease, as well as the transmission of other sexually transmitted diseases, is a behaviorally transmitted disease and we are not addressing that issue as a public health issue.

Indeed, the authors of this editorial make a glancing comment about how, again, we need more sex education.

Until we as a nation truly begin to lift up abstinence and point out how many of these so-called safe sex regimens are not truly safe, we are never going to be able to deal with this problem.

I would like to draw the Speaker's attention and Members' attention to a

very important article that appeared in the *Atlanta Journal Constitution* just yesterday, and the Surgeon General, David Satcher, spoke at a meeting of the Southern Christian Leadership Conference, where he again reiterated the mantra of the Clinton administration's approach to this problem that we need more sex education and more use of condoms, and in an interview afterwards with the President of the Southern Christian Leadership Conference, Martin Luther King, III, he had this very important statement to make, and it is this: The only way is abstinence. Sex should not be something that we just casually engage in and take lightly.

I am very, very pleased that Mr. King made this statement, particularly in light of the fact that while blacks only make up 13 percent of the U.S. population, they are accounting for 57 percent of the new cases of AIDS. It is time for America to wake up and say that the sexual revolution was a fraud; that the old way was the better way.

I am very disappointed with Drs. Fauci and Cohen that they do not tackle this issue head on but instead make comments about how we need to encourage safe sex more. This is a fraud and a lie.

We are going to begin to see in this country the emergence of multidrug resistant AIDS and we are going to have to invest even more money in developing new drugs, and until we recognize the fact that this is a behavioral problem and that safe sex is not the way to go but abstinence is the way to go, we will never deal with the problem.

## THE YEAR 2000 INFORMATION DISCLOSURE ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from California (Mr. HORN) is recognized for 60 minutes as the designee of the majority leader.

Mr. HORN. Mr. Speaker, yesterday, the administration sent to Congress the Year 2000 Information Disclosure Act. As the chairman, with the gentleman from Maryland (Mrs. MORELLA) as cochairman of the House Task Force on the Year 2000 Problem, we are encouraged to see the President has recommended action on this issue.

Our subcommittees, the gentleman from Maryland (Mrs. MORELLA) as chairman of the Subcommittee on Technology of the Committee on Science, myself as chairman of the Subcommittee on Government Management, Information and Technology of the Committee on Government Reform and Oversight, have long waited for the administration to start very active work in this area.

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This issue should be a national priority. The Year 2000 Information Disclosure Act is an attempt to facilitate the Year 2000 repairs in the private sector. For those that do not know the meaning of that, what we are talking about is what happened in the 1960s when we had large mainframes in computing, and there was very little storage capacity. Somebody had the bright idea, "Hey, why are we always putting the year in as a four-digit year? Why do we not just have 67, not 1967 to represent the year. Indeed, that loosened up a lot of storage space in the very small capacity computers of the day.

Thirty five years later, we face the music. They knew in the 1960s that we would have this year 2000 problem as we passed January 1, 2000; and that is, on that date, the computer will read 00; it will not know if it is 2000 or 1900. With that fact comes some of the chaos with which we are involved.

So this Presidential initiative is correctly an urgent matter for both the administration and Congress. This legislation deserves our very serious consideration in a timely way. This is a bipartisan effort.

Yesterday, by request, the gentleman from Indiana (Mr. BURTON), chairman of the Committee on Government Reform and Oversight, myself, the gentleman from Maryland (Mrs. MORELLA), and 24 original cosponsors introduced H.R. 4355.

Although the year 2000 computer problem is complex and technological, the key to solving it is committed and effective management. Senior executives—whether they are in the Federal Government, whether they are in the State or local governments or in our local hospitals or in our nonprofit organizations as well as the thousands of small businesses and the many large businesses which face a major problem as they rearrange their priorities to make sure that they have freed up the fiscal and the human resources to do that job.

That job begins with an assessment of the situation, that job is then one of fixing and renovating the two-digit years into a four-digit year. Or the job could be doing away with the year if it is no longer needed. Ultimately, the whole phase needs to be completed: testing, validation, and implementation of the computer programs which have been done so that they can make sure that the program will put it back in the operational mode, make sure those computers are working on January 1, 2000.

As many of my colleagues know, we have been grading the executive branch on their degree of compliance. There is a lot of lagging. Social Security is way ahead of the other departments and independent agencies. Social Security is about 93 percent done with a year and a half to go. That is important. So-

cial Security had the wisdom and the vision to start in 1989. No other Federal agency did. A few organizations in the private sector did. But Social Security has set the example of the time we need to assess, to revamp, to implement, and then really test it to be certain that the program works when they are run through the date of January 1, 2000.

The key is the management. Although this problem is in many aspects, "Technical," but nothing is going to happen if management does not take the responsibility and make sure that the technological and human resources are motivated, are dealt with so they can divide up the problem and get that problem solved in a timely way.

That is what this is all about, time. No one by executive order or anything else can change the coming of January 1, 2000. We have to deal with that. This is a worldwide situation. The estimate has been made that the cost of conversion is between \$300 billion to \$500 billion or half a trillion dollars to remedy this problem in both the private and the public sector in the United States.

We have half the computers in the world. So the rest of the world has a similar problem. Needless to say, some organizations are not going to be as active in solving the problem and reaching the goals as will many of the major American firms. This will result in another problem, if we interact with computers from Asia and Europe, Africa, and other parts of the world, we face another very real challenge and that, is that our converted systems will be polluted by those which have not been revamped.

To be successful, organizations will have to work with other organizations. I commend the administration for sharing our various codes dealing with missiles with Russia and others. We do not want any mistakes when it comes to missile targeting, missile maintenance, and all the rest.

Besides these problems with the typical computer, we also have embedded chips that guide our elevators, our microwaves, many TV sets, so forth. There are billions of them throughout the world.

But what we have done in the two subcommittees over the last 3 years is to ask various agencies of the Federal Government, (and the same needs to be done at the State and local government, at the major businesses and the hospitals, and all the rest) the question: "What are your critical mission systems?"—then focus on converting those systems as a high priority. That is where we are now with the Federal Government.

The President did appoint a coordinator, Mr. John Koskinen in February. He took office in March. But the clock is ticking. So this legislation is very important. It is sort of a Good Samari-

tan bill to make sure that one firm can cooperate with the other, one business with the other, industries with the other.

When that executive pulls together those fiscal and human resources, it is very important that management know what is going on, because what has happened and what was predicted in our first hearing in April of 1996 was that executives who are behind in the conversion will start to panic. The cost of human resources will rise. Where do I find programmers who know COBAL, a language out of the 1960s. Where do I find FORTRAN experts.

A lot of the COBAL people have retired, but their codes and systems live on. Flexibility has been authorized for those hired by the Federal government. COBAL specialists are being brought out of retirement. And the government is letting them keep their retirement stipend.

So the problem is when we get the skilled employees we have people bidding up the cost of labor higher and higher, whether it be in our regional hospitals, whether it be in our State and local governments, whether it be in business or any other organizational entity that depends on computing power.

Part of the process in any of these organizations, as I noted, is to assess an organization's vulnerability to the problem, both within the organization and through all of its information trading partners. Organizations should share information in order to identify the obstacles and master solutions as quickly as possible.

A potential barrier, however, to this efficient approach is the fear that any disclosure of information related to the year 2000 problem could increase an organization's risk of being sued. The executives of companies are afraid that they will be sued if they disclose the status of the year 2000 compliance of their own products and there are any errors in this information. This would obviously be a major concern.

The Year 2000 Information Disclosure Act is an attempt to relieve that concern and encourage that exchange of information between firms and industries. The key provision of the bill shields companies that make inaccurate statements on year 2000 issues from civil liability unless the statements are knowingly false or negligent.

We can all make mistakes in this complicated area. The hope is that this would facilitate effective action as the clock ticks toward January 1, 2000. This approach raises some concerns. No one that I know wants to relieve companies of liability for building bad products or doing sloppy work or simply being careless with the truth. H.R. 4355 is not designed to protect those examples of wrong conduct. We need to be very careful that we do not inadvertently give any negligent company

or any negligent organization a free ride.

There has been some debate over whether the liability protections of this bill should extend to communications with consumers. Drawing a line between certain types of communications will prove to be very difficult. At the same time, we do not want to create a situation where unscrupulous companies can take advantage of the year 2000 problem.

The Year 2000 Information Disclosure Act raises a variety of other challenges. For example, should liability protections be extended to accurate statements, or should only inaccurate statements be covered? Also, who should be covered by the provisions of the bill?

These are all difficult questions requiring careful, well-informed answers within our committee system of the House of Representatives. The Committee on the Judiciary has jurisdiction on this matter, and we hope that they will give it a very close review and that we will have it before us, hopefully, in the next month.

The test for the positive liability legislation is whether it promotes effective year 2000 repairs without creating a windfall for negligent organizations. This is a very hard balance to strike, but we cannot proceed without that balance. Counterproductive legislation is worse than no legislation at all.

I encourage all my colleagues to think carefully about the need to facilitate year 2000 repairs and to consider the best way to accomplish that through congressional action. If there is positive legislation to be passed, we should act quickly. Time is short. The millennium date change will soon be upon us.

Mr. Speaker, because of the importance of this legislation, I ask that H.R. 4355 be printed in the RECORD for all of our colleagues to review, and I also enclose a sectional analysis prepared by the administration which will guide my colleagues through the bill.

We would welcome all these thoughts, as I am sure would the chairman of the Committee on the Judiciary, the gentleman from Illinois (Mr. HYDE). We look forward to seeing this legislation progress through the legislative process.

I include the documents referred to as follows:

H.R. 4355

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Year 2000 Information Disclosure Act".

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds the following:

(1) Thousands of computer systems, software, and semiconductors are not capable of recognizing certain dates in 1999 and after December 31, 1999, and will read dates in the

year 2000 and thereafter as if they represent the year 1900 or thereafter. This could cripple systems that are essential to the functioning of markets, commerce, consumer products, utilities, government, and safety systems in the United States and throughout the world. Reprogramming or replacing affected systems before this problem cripples essential systems is a matter of national and global interest.

(2) The prompt and thorough disclosure and exchange of information related to Year 2000 readiness of entities, products, and services would greatly enhance the ability of public and private entities to improve their Year 2000 readiness and, thus, is a matter of national importance and a vital factor in minimizing disruption to the Nation's economic well-being.

(3) Concern about the potential for legal liability associated with the disclosure and exchange of Year 2000 compliance information is impeding the disclosure and exchange of such information.

(4) The capability to freely disseminate and exchange information relating to Year 2000 readiness with the public and with other companies without undue concern about litigation is critical to the ability of public and private entities to address Year 2000 needs in a timely manner.

(5) The national interest will be served by uniform legal standards in connection with the disclosure and exchange of Year 2000 readiness information that will promote disclosures and exchanges of such information in a timely fashion.

(b) PURPOSES.—Based upon the powers contained in Article I, Section 8, Clause 3 of the United States Constitution, the purposes of this Act are to promote the free disclosure and exchange of information related to Year 2000 readiness and to lessen burdens on interstate commerce by establishing certain uniform legal principles in connection with the disclosure and exchange of information related to Year 2000 readiness.

#### SEC. 3. DEFINITIONS.

For purposes of this Act, the following definitions apply:

(1) YEAR 2000 STATEMENT.—The term "Year 2000 statement" means any statement—

(A) concerning an assessment, projection, or estimate concerning Year 2000 processing capabilities of any entity or entities, product, or service, or a set of products or services;

(B) concerning plans, objectives, or timetables for implementing or verifying the Year 2000 processing capabilities of an entity or entities, a product, or service, or a set of products or services; or

(C) concerning test plans, test dates, test results, or operational problems or solutions related to Year 2000 processing by—

(i) products; or

(ii) services that incorporate or utilize products.

(2) STATEMENT.—The term "statement" means a disclosure or other conveyance of information by 1 party to another or to the public, in any form or medium whatsoever, excluding, for the purposes of any actions brought under the securities laws, as that term is defined in section 3(a)(47) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(47)), documents or materials filed with the Securities and Exchange Commission, or with Federal banking regulators pursuant to section 12(i) of the Securities Exchange Act of 1934, or disclosures or writings made specifically in connection with the sale or offering of securities.

(3) YEAR 2000 PROCESSING.—The term "Year 2000 processing" means the processing (in-

cluding, without limitation, calculating, comparing, sequencing, displaying, or storing), transmitting, or receiving of date or date/time data from, into, and between the twentieth and twenty-first centuries, and the years 1999 and 2000, and leap year calculations.

(4) YEAR 2000 INTERNET WEBSITE.—The term "Year 2000 Internet website" means an Internet website or other similar electronically accessible service, designated on the website or service by the person creating or controlling the website or service as an area where Year 2000 statements and other information about the Year 2000 processing capabilities of an entity or entities, a product, service, or a set of products or services, are posted or otherwise made accessible to the general public.

(5) COVERED ACTION.—The term "covered action" means a civil action arising under Federal or State, law except for any civil action arising under Federal or State law brought by a Federal, State, or other public entity, agency, or authority acting in a regulatory, supervisory, or enforcement capacity.

(6) REPUBLICATION.—The term "republishing" means any repetition of a statement originally made by another.

(7) CONSUMER.—The term "consumer" means an individual who buys a consumer product other than for purposes of resale.

(8) CONSUMER PRODUCT.—The term "consumer product" means any personal property or service which is normally used for personal, family, or household purposes.

#### SEC. 4. PROTECTION FOR YEAR 2000 STATEMENTS.

(a) IN GENERAL.—Except as otherwise provided in subsection (c), in any covered action, to the extent such action is based on an allegedly false, inaccurate, or misleading Year 2000 statement, the maker of any such statement shall not be liable under Federal or State law with respect thereto unless the claimant establishes, in addition to all other requisite elements of the applicable action, that the statement was material, and—

(1) where the statement was not a republication, that the statement was—

(A) made with knowledge that the statement was false, inaccurate, or misleading;

(B) made with an intent to mislead or deceive; or

(C) made with a grossly negligent failure to determine or verify that the statement was accurate and not false or misleading; and

(2) where the statement was a republication of a statement regarding a third party, that the republication was made—

(A) with knowledge that the statement was false, inaccurate, or misleading; or

(B) without a disclosure by the maker that the republished or repeated statement is based on information supplied by another and that the maker has not verified the statement.

(b) YEAR 2000 INTERNET WEBSITE.—In any covered action in which the adequacy of notice about Year 2000 processing is at issue and no clearly more effective method of notice is practicable, the posting of a notice by the entity purporting to have provided such notice on that entity's Year 2000 Internet website shall be presumed to be an adequate mechanism for providing such notice. Nothing in this subsection shall—

(1) alter or amend any Federal or State statute or regulation requiring that notice about Year 2000 processing be provided using a different mechanism;

(2) create a duty to provide notice about Year 2000 processing;

(3) preclude or suggest the use of any other medium for notice about Year 2000 processing or require the use of an Internet website; or

(4) mandate the content or timing of any notices about Year 2000 processing.

(c) **DEFAMATION OR SIMILAR CLAIMS.**—In any covered action arising under any Federal or State law of defamation, or any Federal or State law relating to trade disparagement or a similar claim, to the extent such action is based on an allegedly false Year 2000 statement, whether oral or published in any medium, the maker of any such Year 2000 statement shall not be liable with respect to such statement, unless the claimant establishes by clear and convincing evidence, in addition to all other requisite elements of the applicable action, that the statement was made with knowledge that the statement was false or with reckless disregard as to its truth or falsity.

(d) **LIMITATION ON EFFECT OF YEAR 2000 STATEMENTS.**—In any covered action, no Year 2000 statement shall be interpreted or construed as an amendment to or alteration of a written contract or written warranty, whether entered into by a public or private party. This subsection shall not apply—

(1) to the extent the party whose statement is alleged to have amended or altered a contract or warranty has otherwise agreed in writing to so alter or amend the written contract or written warranty;

(2) to Year 2000 statements made in conjunction with the formation of the written contract or written warranty; or

(3) where the contract or warranty specifically provides for its amendment or alteration through the making of a Year 2000 statement.

Existing law shall apply to determine what effect, if any, a Year 2000 statement within the scope of paragraph (1), (2), or (3) has on a written contract or written warranty.

(e) **SPECIAL DATA GATHERING.**—A Federal entity, agency, or authority may expressly designate requests for the voluntary provision of information relating to Year 2000 processing (including without limitation, Year 2000 statements) as "Special Year 2000 Data Gathering Requests" made pursuant to this subsection. Information provided in response to such requests shall be prohibited from disclosure under the Freedom of Information Act (5 U.S.C. 552 et seq.), and may not be used by any Federal entity, agency, or authority, directly or indirectly, in any civil action arising under any Federal or State law. *Provided, however,* That nothing in this subsection shall preclude a Federal entity, agency, or authority from separately obtaining the information submitted in response to this subsection through the use of independent legal authorities and using such separately obtained information in any action.

#### SEC. 5. EXCLUSIONS.

(a) **CONSUMER INFORMATION.**—This Act does not cover statements made directly to a consumer in connection with the sale of a consumer product by the seller or manufacturer or provider of the consumer product.

(b) **EFFECT ON INFORMATION DISCLOSURE.**—This Act does not affect, abrogate, amend, or alter, and shall not be construed to affect, abrogate, amend, or alter, the authority of a Federal or State entity, agency, or authority to enforce a requirement to provide, disclose, or not to disclose, information under a Federal or State statute or regulation or to enforce such statute or regulation.

(c) **CONTRACTS AND OTHER CLAIMS.**—Except as may be otherwise provided in subsection 4(d), this Act does not affect, abrogate,

amend, or alter, and shall not be construed to affect, abrogate, amend, or alter, any right by written contract, whether entered into by a public or private party, under any Federal or State law, nor shall it preclude claims not based solely on Year 2000 statements.

(d) **DUTY OR STANDARD OF CARE.**—This Act shall not be deemed to impose upon the maker or publisher of any Year 2000 statement any increased obligation, duty, or standard of care than is otherwise applicable under Federal or State law. Nor does this Act preclude any party from making or providing any additional disclaimer or like provisions in connection with any Year 2000 statement.

(e) **TRADEMARKS.**—This Act does not affect, abrogate, amend, or alter, and shall not be construed to affect, abrogate, amend, or alter, any right in a trademark, trade name, or service mark, under any Federal or State law.

(f) **INJUNCTIVE RELIEF.**—Nothing in this Act shall be deemed to preclude a claimant from seeking temporary or permanent injunctive relief with respect to a Year 2000 statement.

#### SEC. 6. APPLICABILITY.

This Act shall apply to any Year 2000 statement made on or after July 14, 1998, through July 14, 2001. This Act shall not affect or apply to any action pending on July 14, 1998.

#### CO-SPONSORS OF THE YEAR 2000 BILL

Mr. Horn, Mrs. Morella, Mr. Davis (Virginia), Mr. Sanford, Mr. Kucinich, Mr. Waxman, Mr. Sensenbrenner, Mr. Barcia, Mr. Dingell, Mr. Leach, Mr. LaFalce, Mr. Boucher, Mr. Gordon, Ms. McCarthy (Missouri), Mr. Blumenauer, Mr. Luther, Mr. Brown (California), Ms. DeLauro, Mr. Cummings, Mr. Moran (Virginia), Ms. Johnson (Texas), Ms. DeGette, Mrs. Capps, Ms. Lofgren, Mr. Doyle, and Mr. Lampson.

#### ADMINISTRATION SECTIONAL ANALYSIS

##### SECTION 1—SHORT TITLE

This section provides a short title for the bill.

##### SECTION 2—FINDINGS

The findings contained in this section declare that the Year 2000 technology problem (hereinafter referred to as "Y2K") presents a serious challenge to our Nation's economic security and well-being. This technology problem may cause computers and embedded systems which run our critical infrastructure to malfunction as we progress from the year 1999 into the new Millennium. Businesses and organizations, both public and private, throughout the United States and abroad have a very limited period of time to address this problem and ensure that these critical structures continue to operate in a sound and effective manner. This technology problem cuts across all segments of our economy. The bill does not address other concerns held by private sector companies about broader liability questions related to Y2K.

The findings declare that the potential for legal liability associated with the disclosure and exchange of information on Y2K compliance and readiness has caused a chilling effect on the ability to address this problem. The purpose of this bill is to promote the open sharing of information among all entities, including competitors, about the Y2K problem and solutions to remedy that problem. The bill facilitates this purpose by establishing a uniform standard of legal liability to protect those who share Y2K information in good faith from claims based on disclosures and exchanges of information.

It should be noted that the Administration has taken steps to allay fears about the potential for antitrust action against parties exchanging information related to Y2K. The Department of Justice has stated in a business review letter to the Securities Industry Association that competitors in any industry who merely share information on Y2K solutions are not in violation of the antitrust laws.

#### SECTION 3—DEFINITIONS

This section defines certain terms used in the bill. Of particular note, a "covered action" is defined to include any civil action involving either Federal or State law. The definition also includes any civil action brought by or against a Federal, State, or other public entity in which the Federal, State, or other public entity is essentially acting as a customer. Specifically excluded from the coverage of this bill are actions in which a Federal, State, or other public entity is acting in a regulatory, supervisory, or enforcement capacity. Thus, the bill will not limit public regulators, supervisors, and enforcement agencies from carrying out their responsibilities with regard to Y2K information that may be false, inaccurate, or misleading.

The definition of "statement" excludes, for purposes of actions brought under the securities laws, certain materials filed with the Securities and Exchange Commission (SEC) or with Federal banking regulators. Under Section 12(i) of the Securities Exchange Act of 1934, banks and savings associations must file periodic reports with their appropriate Federal banking agency instead of the SEC. This exclusion would also cover those reports. Also, excluded, for these purposes, are any disclosures or writings made specifically in connection with the sale or offering of securities. In addition, this bill is not intended to apply to internal communications within an organization.

The term "consumer product" covers only personal property or services normally used by an individual for personal, family, or household purposes. It does not cover the same product or service when purchased by a business user. However, a product normally purchased for personal use, that may be used only incidentally for business purposes, would still be a consumer product. (For example, if a computer is marketed for use for family bills, communications, and internet access, but a family member may on occasion use it for professional purposes, the product remains a consumer product.)

#### SECTION 4—PROTECTION FOR YEAR 2000 STATEMENTS

This section generally deals with five issues, namely, a standard of liability for actions involving Y2K information, use of an Internet website to provide notice, defamation actions, an exclusion for written contracts and warranties, and special Y2K information gathering by Federal agencies.

This section provides limited liability protection for claims that one party may bring based on an allegedly false, inaccurate, or misleading Y2K statement made by another.

Subsection (a) addresses claims arising from false, misleading or inaccurate Y2K statements. Where the information contained in a Y2K statement is originally developed by the person or entity making the statement, there would be no liability imposed on the maker, regardless of current law, unless the claimant also proves: (a) that the Y2K statement was material to the underlying legal claim; and (b) that the statement was either (i) made with knowledge

that it was false, inaccurate, or misleading, (ii) made with an intent to mislead or deceive others, or (iii) made with a grossly negligent failure to determine or verify that the statement was accurate and not false and misleading.

In the case of a statement being a republication or restatement of information originating from another entity, the claimant would need to prove the additional elements of: (x) that the Y2K statement was material to the underlying legal claim, and (y) that the statement was republished or repeated either (i) with knowledge that it was false, inaccurate, or misleading, or (ii) without a disclosure by the republisher that the statement was based on information supplied to it by another entity. This subsection is not intended to give protection to the republication of Y2K statements where the subject of the Y2K statement is the party making the republication.

Subsection (b) establishes a method of providing others with Y2K information through the posting of such information on the entity's Y2K Internet Website where no clearly more effective method of providing notice is practicable. No duty is created for any entity to provide such information; the subsection only grants approval to one medium for notification where notice is required to be provided and no specific medium for notice has been stated. Where a medium for notification is specified either by statute, regulation, or contract, this subsection will not have any effect. Since the Internet is an effective way to distribute to the public Y2K information, this subsection encourages the use of an Internet website as a means of disseminating Y2K information by giving a presumption of adequacy of notice where no other form of notice is dictated by statute or otherwise or is practicable. This section only addresses the adequacy of the mechanism of notice and does not purport to address the adequacy of the substance of the notice or its timeliness.

Subsection (c) addresses claims for defamation, trade disparagement, or the like. In these actions, the additional element to be proven by the claimant, by clear and convincing evidence, is that the Y2K statement was made with knowledge that it was false or with reckless disregard as to the statement's truth or falsity. This section does not preclude a person or entity from seeking injunctive relief against a false, inaccurate, or misleading Y2K statement.

Subsection (d) reinforces that the bill does not alter, and should not be construed to alter, written contracts by stating that no Y2K statement shall be interpreted or construed as an amendment to or alteration of any public or private written contract or warranty provided that certain explicit conditions are not present.

Subsection (e) grants Federal agencies and authorities the right to designate any request for the voluntary provision of information relating to Y2K processing as a "Special Year 2000 Data Gathering Request," thereby exempting any response from disclosure under the Freedom of Information Act and being used, either directly or indirectly, against the entity providing the response. This subsection does not prevent an agency or authority from separately obtaining from an entity, through its independent legal authority, the information provided in response to a "Special Year 2000 Data Gathering Request," and using such separately acquired information in any action.

#### SECTION 5—EXCLUSIONS

Subsection (a) makes clear that this bill does not cover statements made directly to a

consumer in connection with the sale of a consumer product or service by the seller, manufacturer, or provider of that product or service, because protection for such statements is not necessary to further the purpose of the bill—to encourage the sharing of information regarding Y2K problems and solutions so that organizations can move quickly and efficiently to make their systems ready for January 1, 2000. This exclusion is intended to cover statements made directly to a consumer, such as advertisements in mass media that are directed to consumers, as opposed to advertisements in trade publications directed to business users or a website providing information about a company's products or services that would be of use or interest to those other than consumers as defined in the Act. The exclusion does not cover statements made to an individual buying a consumer product for purposes of resale rather than for personal, family, or household purposes, and the bill continues to cover such statements.

Subsection (b) makes clear that this bill does not affect, abrogate, amend, or alter the authority of any Federal or State agency to enforce a requirement to provide, disclose, or not disclose information under a Federal or State statute or regulation. Other subsections provide that the bill does not affect, abrogate, amend, or alter written contracts or rights in trademark, trade name, or service name. Thus, a Y2K statement does not necessarily fulfill an entity's obligation under other Federal or State statutes or regulations to provide information about its Y2K status to a Federal or State agency or to consumers. Separately, if any Federal or State statute or regulation (or court or agency order issued under a statute or regulation) prohibits the disclosure of any information, such information may not be included in a Y2K statement. This includes, for example, information contained in or related to examination reports prepared by the financial institutions regulatory agencies. Further, the bill does not preclude a claimant from seeking injunctive relief with respect to a Y2K statement. This injunctive relief may either ban or proscribe an activity, to be affirmative in nature.

#### SECTION 6—APPLICABILITY

This bill applies to any Y2K statement covered by its terms that is made during a three-year period commencing on July 14, 1998, and ending on July 14, 2001. The bill extends its protections beyond the year 2000 because all Y2K technology problems will not be cured by January 2000. This is an ongoing problem which will require the free flow of information for months, and possibly years, into the new Millennium. By the same token, this bill provides a high degree of protection from liability to makers of a narrow category of statements that may be false, inaccurate, or misleading. Therefore, this protection should not be extended for a period of time beyond what is needed and reasonable. For these reasons, the bill provides a three-year window in which the protection is available. Finally, should a claim arise after this three-year window, but result from a statement made within that period, the claim would remain subject to the provisions of this Act.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROGAN (at the request of Mr. ARMEY) for today on account of personal reasons.

Mr. FORBES (at the request of Mr. ARMEY) for today on account of official business with the President.

Mr. DELAY (at the request of Mr. ARMEY) until 3 p.m. today on account of attending the funeral of Officer Chestnut.

Mr. BROWN of Ohio (at the request of Mr. GEPHARDT) today on account of family business.

Mr. McNULTY (at the request of Mr. GEPHARDT) today after 2:15 p.m.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GOODE) to revise and extend their remarks and include extraneous material:)

Ms. NORTON, today, for 5 minutes.

Mr. MINGE, today, for 5 minutes.

Ms. JACKSON-LEE of Texas, today, for 5 minutes.

Mr. MEEHAN, today, for 5 minutes.

Mr. SANDERS, today, for 5 minutes.

(The following Members (at the request of Mrs. MORELLA) to revise and extend their remarks and include extraneous material:)

Mr. REDMOND, today, for 5 minutes.

Mr. COLLINS, today, for 5 minutes.

Mr. BEREUTER, today, for 5 minutes.

Mrs. MORELLA, today, for 5 minutes.

Mr. HORN, today, for 5 minutes.

Mr. WELDON of Florida, today, for 5 minutes.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. GOODE) and to include extraneous material:)

Mr. KIND.

Mr. DOYLE.

Mr. ANDREWS.

Mr. WATT of North Carolina.

Mr. SANDERS.

Mr. BARRETT of Wisconsin.

Mr. SERRANO.

Mr. GEDDENSON.

Ms. JACKSON-LEE of Texas.

Mr. EVANS.

Mr. GREEN.

(The following Members (at the request of Mrs. MORELLA) and to include extraneous material:)

Mr. PORTER.

Mr. SHIMKUS.

Mr. BEREUTER.

Mr. SOLOMON.

Mr. INGLIS of South Carolina.

Mr. BATEMAN.

Mr. YOUNG of Alaska.

Mr. BILBRAY.

Mr. FOSSELLA.

Mr. FRANKS of New Jersey.

Mr. HORN.

(The following Members (at the request of Mr. HORN) and to include extraneous material:)

Mr. LEACH.  
Mr. NEY.  
Ms. NORTON.  
Mr. KUCINICH.  
Mr. TAYLOR of North Carolina.  
Mr. DAVIS of Virginia.  
Mrs. CHENOWETH.  
Mr. MCGOVERN.

#### SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 53. An act to require the general application of the antitrust laws to major league baseball, and for other purposes; to the Committee on the Judiciary.

S. 314. An act to provide a process for identifying the functions of the Federal Government that are not inherently governmental functions, and for other purposes; to the Committee on Government Reform and Oversight.

S. 512. An act to amend chapter 47 of title 18, United States Code, relating to identify fraud, and for other purposes; to the Committee on the Judiciary.

S. 1134. An act granting the consent and approval of Congress to an interstate forest fire protection compact; to the Committee on the Judiciary.

S. Con. Res. 115. Concurrent resolution to authorize the printing of copies of the publication entitled "The United States Capitol" as a Senate document; to the Committee on House Oversight.

#### ADJOURNMENT

Mr. HORN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 57 minutes p.m.), under its previous order, the House adjourned until Monday, August 3, 1998, at 10:30 a.m. for morning hour debates.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

10417. A letter from the Chairman, Appraisal Subcommittee, Federal Financial Institutions Examination Council, transmitting the 1997 Annual Report of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council, pursuant to Public Law 101-73, section 1103(a)(4) (103 Stat. 512); to the Committee on Banking and Financial Services.

10418. A letter from the Assistant Secretary, Office of Special Education and Rehabilitative Services, Department of Education, transmitting Notice of Final Funding Priorities for Fiscal Years 1998-1999 for Rehabilitation Research Projects and Rehabilitation Research and Training Centers, pursuant to 20 U.S.C. 1232(f); to the Committee on Education and the Workforce.

10419. A letter from the Acting Assistant General Counsel for Regulations, Department of Education, transmitting the Depart-

ment's final rule—Notice of Final Funding Priorities for Fiscal Years 1998-1999 for Certain Centers and Projects—received July 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

10420. 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 Revision; Bay Area Air Quality Management District [CA 179-0061; FRL-6131-4] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10421. 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 Revision; Mendocino County Air Quality Management District [CA 071-0069; FRL-6129-5] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10422. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Primary and Secondary Drinking Water Regulations: Analytical Methods for Regulated Drinking Water Contaminants [WH-FRL-6132-2] (RIN: 2040-AC77) received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10423. 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; Colorado; Control of Landfill Gas Emissions from Existing Municipal Solid Waste Landfills [CO-001-0026a; FRL-6131-7] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10424. A letter from the AMD-Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Part 90 of the Commission's Rules to Adopt Regulations for Automatic Vehicle Monitoring Systems [PR Docket No. 93-61] received July 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10425. A letter from the Interim Auditor, District of Columbia, transmitting a copy of a report entitled "Fiscal Year 1997 Annual Report on Advisory Neighborhood Commissions," pursuant to D.C. Code section 47-117(d); to the Committee on Government Reform and Oversight.

10426. A letter from the President, James Madison Memorial Fellowship Foundation, transmitting the 1995 annual report of the Foundation, pursuant to Public Law 99-591, section 814(b) (100 Stat. 3341-81); to the Committee on Government Reform and Oversight.

10427. A letter from the Director, Office of Personnel Management, transmitting the agency's eleventh annual report on drug and alcohol abuse prevention, treatment, and rehabilitation programs and services for Federal civilian employees covering fiscal year 1996, pursuant to 5 U.S.C. 7363; to the Committee on Government Reform and Oversight.

10428. A letter from the Secretary of Transportation, transmitting the Secretary's Management Report on Management Decisions and Final Actions on Office of Inspector General Audit Recommendations for the period ending September 30, 1997, pursuant to 31

U.S.C. 9106; to the Committee on Government Reform and Oversight.

10429. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone; Gloucester Harbor Fireworks Display, Gloucester [CGD01-98-080] (RIN: 2115-AA97) received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10430. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Kelso Bayou, La [CGD08-94-028] (RIN: 2115-AE47) received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10431. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Maule Aerospace Technology Corp. M-4, M-5, M-6, M-7, MX-7, and MXT-7 Series Airplanes and Models MT-7-235 and M-8-235 Airplanes [Docket No. 98-CE-01-AD; Amendment 39-10669; AD 98-15-18] (RIN: 2120-AA64) received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10432. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC-9, DC-9-80, and C-9 (Military) Series Airplanes, and Model MD-88 Airplanes [Docket No. 97-NM-105-AD; Amendment 39-10666; AD 98-15-15] (RIN: 2120-AA64) received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10433. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron, Inc. Model 412 Helicopters and Agusta S.p.A Model AB 412 Helicopters; Correction [Docket No. 97-SW-58-AD; Amendment 39-10421; AD 98-07-03] (RIN: 2120-AA64) received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10434. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Fees for Air Traffic Services for Certain Flights Through U.S.—Controlled Airspace [Docket No. 28860; Amendment No. 187-7] (RIN: 2120-AG17) received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10435. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Helicopter Systems Model 369A, 369D, 369E, 369F, 369FF, 369H, 369HE, 369HM, 369HS, 500N, 600N, and OH-6A Helicopters [Docket No. 98-SW-22-AD; Amendment 39-10675; AD 98-15-26] (RIN: 2120-AA64) received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10436. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747-100 Series Airplanes [Docket No. 97-NM-82-AD; Amendment 39-10672; AD 98-15-21] (RIN: 2120-AA64) received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10437. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasileira de

Aeronautica S.A. (EMBRAER) Model EMB-120 Series Airplanes [Docket No. 98-NM-33-AD; Amendment 39-10673; AD 98-15-22] (RIN: 2120-AA64) received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10438. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Stemme GmbH & Co. KG Model S10-V Sailplanes [Docket No. 97-CE-128-AD; Amendment 39-10674; AD 98-15-24] (RIN: 2120-AA64) received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10439. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Beaver Dam, WI [Airspace Docket No. 98-AGL-29] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10440. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; New Lisbon, WI [Airspace Docket No. 98-AGL-28] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10441. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Richland Center, WI [Airspace Docket No. 98-AGL-30] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10442. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Waupun, WI [Airspace Docket No. 98-AGL-27] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10443. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Jet Route J-502; VOR Federal Airway V-444; and Colored Federal Airways Amber 2 and Amber 15; AK [Airspace Docket No. 98-AAL-8] (RIN: 2120-AA66) received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10444. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Ainsworth, NE [Airspace Docket No. 98-ACE-16] received July 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10445. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Knoxville, IA [Airspace Docket No. 98-ACE-12] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10446. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Remove Class E Airspace and Establish Class E Airspace; Springfield, MO [Airspace Docket No. 98-ACE-20] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10447. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to

Class E Airspace; Kimball, NE [Airspace Docket No. 98-ACE-10] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10448. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Scottsbluff, NE [Airspace Docket No. 98-ACE-18] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10449. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Gordon, NE [Airspace Docket No. 98-ACE-9] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10450. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Cambridge, NE [Airspace Docket No. 98-ACE-11] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10451. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Marshall, MN [Airspace Docket No. 98-AGL-33] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10452. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Faribault, MN [Airspace Docket No. 98-AGL-26] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10453. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Prairie Du Chien, WI [Airspace Docket No. 98-AGL-32] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10454. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Wilmington Clington Field, OH [Airspace Docket No. 98-AGL-31] received July 21, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10455. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Administrative, Procedural, and Miscellaneous [Revenue Procedure 98-41] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10456. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Effective Date of Nondiscrimination Regulations for Church Plans [Notice 98-39] received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

10457. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Conversion to the Euro [TD 8776] (RIN: 1545-AW34) received July 28, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

## 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. LIVINGSTON: Committee on Appropriations. Report on the Revised Suballocation of Budget Totals for Fiscal Year 1999 (Rept. 105-662). Referred to the Committee of the Whole House on the State of the Union.

Mr. GEKAS: Committee on the Judiciary. H.R. 2592. A bill to amend title 11 of the United States Code to provide private trustees the right to seek judicial review of United States trustee action related to trustee expenses and trustee removal; with an amendment (Rept. 105-663). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURTON: Committee on Government Reform and Oversight. Making the Federal Government Accountable: Enforcing the Mandate for Effective Financial Management (Rept. 105-664). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCCOLLUM: Committee on the Judiciary. H.R. 2070. A bill to amend title 18, United States Code, to provide for the mandatory testing for serious transmissible diseases of incarcerated persons whose bodily fluids come into contact with corrections personnel and notice to those personnel of the results of the tests, and for other purposes; with amendments (Rept. 105-665). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Florida: Committee on Resources. H.R. 4284. A bill to authorize the Government of India to establish a memorial to honor Mahatma Gandhi in the District of Columbia (Rept. 105-666). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCCOLLUM: Committee on the Judiciary. H.R. 4090. A bill to provide for a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty; with an amendment (Rept. 105-667). Referred to the Committee of the Whole House on the State of the Union.

### DISCHARGE OF COMMITTEE

Pursuant to clause 5 of rule X, the Committee on the Judiciary discharged from further consideration. H.R. 1756 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

Pursuant to clause 5 of rule X, the Committee on the Judiciary discharged from further consideration of H.R. 4005.

### TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X, the following action was taken by the Speaker:

H.R. 4005. Referral to the Committee on Ways and Means extended for a period ending not later than August 7, 1998.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mrs. ROUKEMA (for herself and Mr. VENTO):

H.R. 4364. A bill to streamline the regulation of depository institutions, to safeguard confidential banking and credit union supervisory information, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. FOX of Pennsylvania (for himself, Mr. MURTHA, Mr. MCDADE, Mr. PITTS, Mr. GREENWOOD, Mr. WELDON of Pennsylvania, Mr. HOLDEN, Mr. MCHALE, Mr. BORSKI, Mr. FATTAH, Mr. BRADY of Pennsylvania, Mr. PETERSON of Pennsylvania, Mr. GOODLING, Mr. MASCARA, Mr. DOYLE, Mr. COYNE, Mr. ENGLISH of Pennsylvania, Mr. SHUSTER, Mr. KLINK, Mr. KANJORSKI, and Mr. GEKAS):

H.R. 4365. A bill to designate certain lands in the Valley Forge National Historical Park as the Valley Forge National Cemetery; to the Committee on Resources, and in addition to the Committee on Veterans' Affairs, 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. GOODLATTE:

H.R. 4366. A bill to require the Secretary of Agriculture to enter into an agreement with the Commissioner of Social Security to take certain actions to ensure that food stamp benefits are not provided for deceased individuals; and to amend the Food Stamp Act of 1977 to require State agencies to verify that such benefits are not provided for such individuals; to the Committee on Agriculture, and in addition to the Committee on Ways and Means, 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. EVANS (for himself, Mr. FILNER, Mr. PETERSON of Minnesota, Ms. BROWN of Florida, Mr. MASCARA, Ms. LEE, Mr. GUTIERREZ, Mr. RODRIGUEZ, Ms. CARSON, Mr. ABERCROMBIE, and Mr. KENNEDY of Massachusetts):

H.R. 4367. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide priority health care to veterans who received one or more nasopharyngeal radium irradiation treatments during active military, naval, or air service; to the Committee on Veterans' Affairs.

By Mr. EVANS (for himself, Mr. FILNER, Mr. PETERSON of Minnesota, Ms. BROWN of Florida, Mr. MASCARA, Ms. LEE, Ms. CARSON, Mr. ABERCROMBIE, Mr. KENNEDY of Massachusetts, and Mr. RODRIGUEZ):

H.R. 4368. A bill to amend title 38, United States Code, to expand the list of diseases presumed to be service connected with respect to radiation-exposed veterans; to the Committee on Veterans' Affairs.

By Mr. CANADY of Florida:

H.R. 4369. A bill to amend title II of the Social Security Act to provide for a more equitable formula for applying the earnings test during the first year of an individual's entitlement to benefits; to the Committee on Ways and Means.

By Mr. COBURN (for himself, Mr. MCGOVERN, Mr. WEYGAND, Mr. CARDIN, Mr. BARTON of Texas, Mr. FRANK of Massachusetts, Mr. TIERNEY, Mr. HALL of Texas, Ms. KILPATRICK, Mr. WAMP, Mr. OLVER, Mr. DELAHUNT, Mr. NORWOOD, Mr. ACKERMAN, Mr. JEFFERSON, Ms. STABENOW, Mr. BERRY, Mr. MOAKLEY, Mr. SANDLIN, Mr. NEAL of Massachusetts,

Mr. KENNEDY of Massachusetts, Mrs. MCCARTHY of New York, Mr. SUNUNU, Mr. BARR of North Carolina, Mr. MARKEY, and Mr. MEEHAN):

H.R. 4370. A bill to amend title XVIII of the Social Security Act to preserve access to home health services 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. HAYWORTH:

H.R. 4371. A bill to provide for the conveyance of the Woodland Lake Park tract in Apache-Sitgreaves National Forest in the State of Arizona to the town of Pinetop-Lakeside, Arizona; to the Committee on Resources.

By Mr. HAYWORTH:

H.R. 4372. A bill to provide for the development of a management plan for the Woodland Lake Park tract in Apache-Sitgreaves National Forest in the State of Arizona reflecting the current use of the tract as a public park; to the Committee on Resources.

By Mr. HAYWORTH:

H.R. 4373. A bill to provide for the sale of the Woodland Lake Park tract in Apache-Sitgreaves National Forest in the State of Arizona to the town of Pinetop-Lakeside, Arizona; to the Committee on Resources.

By Mr. KENNEDY of Rhode Island (for himself and Mr. ENGLISH of Pennsylvania):

H.R. 4374. A bill to amend title 38, United States Code, to provide that health-care benefits shall be furnished by the Department of Veterans Affairs to veterans with tobacco-related illnesses in accordance with the standards in effect under Department of Veterans Affairs General Counsel opinions issued before the enactment of the Transportation Equity Act for the 21st Century; to the Committee on Veterans' Affairs.

By Mr. MEEHAN:

H.R. 4375. A bill to provide provisions relating to Castano actions; to the Committee on Commerce, and in addition to the Committees on Ways and Means, 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 Mrs. MORELLA (for herself, Mr. BEREUTER, Ms. NORTON, Mrs. MALONEY of New York, and Ms. DELAURO):

H.R. 4376. A bill to initiate a coordinated national effort to prevent, detect, and educate the public concerning Fetal Alcohol Syndrome and Fetal Alcohol Effect and to identify effective interventions for children, adolescents, and adults with Fetal Alcohol Syndrome and Fetal Alcohol Effect, and for other purposes; to the Committee on Commerce.

By Mr. NUSSLE (for himself and Mr. CARDIN):

H.R. 4377. A bill to amend title XVIII of the Social Security Act to expand the membership of the Medicare Payment Advisory Commission to 17; 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. PETERSON of Pennsylvania (for himself, Mr. BARR of Georgia, Mr. BARTON of Texas, and Mr. ENGLISH of Pennsylvania):

H.R. 4378. A bill to require local educational agencies to develop and implement a random drug testing program for students in grades 7 through 12; to the Committee on Education and the Workforce.

By Mr. SCHUMER:

H.R. 4379. A bill to amend the Internal Revenue Code of 1986 to use 33 1/3 percent of any Federal budget surplus in the general fund to rebate taxpayers based on their payroll taxes and to provide that the remainder of the surplus shall be used to increase discretionary nondefense spending and to reduce the outstanding public debt; 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. BARR of Georgia (for himself, Mr. DELAY, and Mr. BURTON of Indiana):

H. Res. 514. A resolution expressing the sense of the House of Representatives that Attorney General Janet Reno should apply to the Special Division of the United States Court of Appeals for the appointment of an independent counsel to investigate a number of matters relating to the campaign finance investigation currently being conducted by the Department of Justice; to the Committee on the Judiciary.

## MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

387. The SPEAKER presented a memorial of the Legislature of the State of Alaska, relative to House Joint Resolution 59 memorializing the Congress to present to the legislatures of the several states an amendment to the Constitution of the United States that would specifically provide the Congress power to prohibit the physical desecration of the Flag of the United States; to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. BORSKI, Mr. SERRANO, Mr. KLINK, and Mr. GUTIERREZ of Illinois.

H.R. 536: Mr. JACQUES.

H.R. 693: Mr. FOSSELLA.

H.R. 1176: Mr. LEWIS of California.

H.R. 1232: Mrs. CAPPAS and Mr. RADANOVICH.

H.R. 1560: Mrs. CLAYTON, Mr. KILDREE, Ms. JACKSON-LEE of Texas, Mr. TORRES, Mrs. MINK of Hawaii, Mr. ABERCROMBIE, Mr. BROWN of Ohio, Mr. McDERMOTT, Mr. HEFNER, Mr. TIERNEY, Mr. MENENDEZ, Mr. SANFORD, Mr. EWING, Ms. ROS-LEHTINEN, Mrs. LINDA SMITH of Washington, Mr. WELDON of Pennsylvania, Mr. TAUZIN, Mr. BERMAN, Mr. BILIRAKIS, Mr. BENTSEN, Mr. FAZIO of California, Mrs. CAPPAS, Mr. BAESLER, Mr. BARCIA of Michigan, Mr. BARRETT of Wisconsin, Mr. BERRY, Mr. BOSWELL, Mr. BROWN of California, Mr. CARDIN, Mr. CLEMENT, Mr. CONDIT, Mr. COYNE, Mr. CRAMER, Mr. DAVIS of Florida, Mr. DELAHUNT, Mr. BECERRA, Ms. DELAURO, Mr. DIXON, Mr. DOOLEY of California, Mr. DICKS, Mr. EDWARDS, Mr. ENGEL, Ms. ESHOO, Mr. EVANS, Mr. FARR of California, Mr. FILNER, Mr. FORD, Mr. FRANK of Massachusetts, Mr. GUTIERREZ, Mr. HAMILTON, Mr. HASTINGS of Florida, Mr. HINCHEY,

Mr. HOYER, Mr. JACKSON of Illinois, Ms. KILPATRICK, Mr. KIND of Wisconsin, Mr. KUCINICH, Mr. KLECZKA, Ms. LEE, Mr. LEWIS of Georgia, Mr. LIPINSKI, Mrs. LOWEY, Mr. MARKEY, Mr. NADLER, Mr. SERRANO, Mr. WAXMAN, Mr. RODRIGUEZ, Mr. MATSUI, Mr. MINGE, Mrs. THURMAN, Mr. MCGOVERN, and Ms. SLAUGHTER.

H.R. 1667: Mr. CANADY of Florida.

H.R. 2450: Mr. WATKINS.

H.R. 2755: Mr. BARRETT of Wisconsin.

H.R. 2953: Mr. BORSKI, Ms. ROYBAL-ALLARD, Mr. KENNEDY of Rhode Island, and Mr. STARK.

H.R. 3111: Ms. CARSON.

H.R. 3258: Mr. KENNEDY of Massachusetts, Mr. HINCHEY, and Mr. VENTO.

H.R. 3262: Mr. BLAGOJEVICH.

H.R. 3475: Mr. SHADEGG.

H.R. 3567: Mr. KLECZKA.

H.R. 3612: Mr. ANDREWS, Mr. SMITH of New Jersey, Mr. FRANKS of New Jersey, Mr. PASCRELL, Mr. FRELINGHUYSEN, Mr. PAPPAS, Mr. LOBIONDO, Mr. ROTHMAN, Mr. PAYNE, Mr. MENENDEZ, Mrs. ROUKEMA, and Mr. SAXTON.

H.R. 3747: Mr. CALVERT and Mr. ENGLISH of Pennsylvania.

H.R. 3767: Mr. SHAW.

H.R. 3783: Mr. SOUDER and Mr. STEARNS.

H.R. 3790: Mr. BATEMAN, Mr. SOUDER, Mr. COBLE, Mr. HUNTER, Mr. BACHUS, Mr. BLUNT, Mr. ROHRBACHER, Mr. PITTS, Mr. ARCHER, Ms. DUNN of Washington, Mr. CHAMBLISS, Mr. HULSHOF, Mr. BAKER, Mr. SHUSTER, Mr. DAN SCHAEFER of Colorado, Mr. MCDADE, Mr. UPTON, Mr. FOSSELLA, Mr. HOUGHTON, Mr. EWING, Mr. GILCHREST, Mr. DUNCAN, Mr. BARRETT of Nebraska, and Mr. SMITH of Texas.

H.R. 3792: Mr. PITTS and Mr. COOK.

H.R. 3855: Mrs. MINK of Hawaii, Mr. COYNE, Mr. TIERNEY, and Mr. MARKEY.

H.R. 3876: Mr. COYNE.

H.R. 3940: Mr. MATSUI.

H.R. 3942: Mr. BLUNT.

H.R. 4019: Mr. FOX of Pennsylvania and Mr. YATES.

H.R. 4028: Mrs. TAUSCHER, Ms. STABENOW, and Mr. BALDACCI.

H.R. 4070: Mr. EDWARDS.

H.R. 4071: Mrs. MINK of Hawaii.

H.R. 4073: Mr. STARK, Ms. LEE, Mr. FORD, Mrs. CLAYTON, and Ms. MCCARTHY of Missouri.

H.R. 4090: Mr. LOBIONDO, Mr. CANADY of Florida, Mr. ROYCE, and Mr. WELDON of Pennsylvania.

H.R. 4126: Mr. WATKINS.

H.R. 4146: Mr. LAFALCE.

H.R. 4153: Mr. COOK, Mrs. MYRICK, Mrs. CLAYTON, Mrs. MORELLA, Mr. HINCHEY, and Mr. METCALF.

H.R. 4174: Mr. HALL of Texas, Mr. ROYCE, Mr. MILLER of Florida, Mr. GOSS, Mr. SOLUMON, Mr. MANZULLO, Mr. SHAYS, Mr. MCCRERY, Mrs. MYRICK, Mr. COBURN, Mr. KLUG, Mr. SNOWBARGER, Mr. FRANKS of New Jersey, Mr. SUNUNU, Mr. SHERMAN, Mr. HOEKSTRA, Mr. SHADEGG, Mr. GOODLING, Mr. SENSENBRENNER, Mr. NEUMANN, Mr. NUSSLE, Mr. BEREUTER, Mr. HERGER, Mr. KOLBE, Mr. COX of California, Mr. HOBSON, and Mr. PORTMAN.

H.R. 4196: Mr. MANZULLO.

H.R. 4213: Mrs. CUBIN, Mr. WALSH, Mr. QUINN, Mr. SCARBOROUGH, Mr. DICKEY, Mr. GILMAN, Mr. MANZULLO, Mr. SESSIONS, Mr. PICKERING, Mr. ENGLISH of Pennsylvania, Mr. MCINTOSH, and Mr. COOK.

H.R. 4214: Ms. KAPTUR, Ms. KILPATRICK, Mr. WISE, Mr. BORSKI, Ms. DELAURO, and Mr. RANGEL.

H.R. 4220: Mr. GOODE.

H.R. 4228: Mrs. MYRICK, Mr. DOOLITTLE, and Mr. TALENT.

H.R. 4233: Mr. NADLER, Mr. MARKEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LIPINSKI, Mr. MATSUI, Ms. PELOSI, Ms. MILLENDER-MCDONALD, Mr. MCDERMOTT, Mr. WEXLER, Mr. PASCRELL, Mrs. MCCARTHY of New York, and Mr. BROWN, of California.

H.R. 4238: Mr. GUTIERREZ and Ms. STABENOW.

H.R. 4255: Mr. PICKERING.

H.R. 4285: Mr. JEFFERSON and Mr. WELLER.

H.R. 4339: Mr. GEKAS and Mr. BURTON of Indiana.

H.R. 4341: Mr. SKAGGS and Mr. MCGOVERN.

H.J. Res. 123: Mr. SANDLIN.

H. Con. Res. 210: Mrs. MORELLA and Ms. DUNN of Washington.

H. Con. Res. 290: Mr. PETERSON of Pennsylvania, Mr. CRAPO, Mr. ENGLIS of South Carolina, and Mr. NETHERCUTT.

H. Con. Res. 313: Mrs. LOWEY and Mr. MILLER of California.

H. Res. 460: Mr. POSHARD, Mr. DAVIS of Florida, and Mr. GUTIERREZ.

H. Res. 475: Mr. FORD, Mr. HASTINGS of Florida, and Mr. LEACH.

H. Res. 512: Mr. RAMSTAD, Mr. BAESLER, Mr. BALDACCI, Mr. BARRETT of Wisconsin, Mr. BARCIA of Michigan, Mr. BERRY, Mr.

BISHOP, Mr. BROWN of Ohio, Mr. BRADY of Pennsylvania, Mr. CAMP, Ms. CARSON, Mr. CHRISTENSEN, Mr. CLYBURN, Ms. DANNER, Mr. DAVIS of Florida, Mr. DEUTSCH, Ms. DELAURO, Mr. DOOLEY of California, Mr. ENGLISH of Pennsylvania, Mr. ETHERIDGE, Mr. FAZIO of California, Mr. FILNER, Mr. GORDON, Mr. HILLIARD, Mr. HINCHEY, Mr. JOHN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Wisconsin, Ms. KAPTUR, Mr. KIND of Wisconsin, Ms. KILPATRICK, Mr. KLINK, Mr. LAMPSON, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. MASCARA, Mr. MATSUI, Mr. MENENDEZ, Ms. MCKINNEY, Mr. OXLEY, Mr. PASCRELL, Mr. POMEROY, Mr. QUINN, Mr. RAHALL, Mr. REYES, Mr. SABO, Mr. SANDLIN, Mr. SERRANO, Ms. STABENOW, Mr. STRICKLAND, Mr. TAYLOR of Mississippi, Mr. THOMPSON, Mr. TIERNEY, Mrs. THURMAN, Mr. VENTO, Mr. VISCIOSKY, Mr. WAMP, Mr. WATT of North Carolina, Mr. WISE, and Mr. WYNN.

## AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 4276

OFFERED BY: MR. BARR OF GEORGIA

AMENDMENT NO. 38: At the end of the bill, insert after the last section (preceding the short title) the following:

SEC. \_\_\_\_ . No funds appropriated under this or any other Act shall be used to carry out Executive Order 13083, signed by the President on May 14, 1998.

H.R. 4276

OFFERED BY: MR. BARR OF GEORGIA

AMENDMENT NO. 39: At the end of the bill, insert after the last section (preceding the short title) the following:

SEC. \_\_\_\_ . None of the funds in this Act may be used to carry out Executive Order 13087 or any regulation issued to carry out such order.

H.R. 4276

OFFERED BY: MR. COLLINS

AMENDMENT NO. 40: Page 38, line 22, insert "(decreased by \$6,000,000)" after "\$24,000,000".