

o'clock a.m. on Wednesday, August 12, 1992.

¶100.31 SMALL BUSINESS INNOVATION RESEARCH PROGRAM

Mr. LAFALCE moved to suspend the rules and pass the bill (H.R. 4400) to provide the Administrator of the Small Business Administration continued authority to administer the Small Business Innovation Research Program, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. MCNULTY, recognized Mr. LAFALCE and Mr. IRELAND, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MCNULTY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶100.32 NATIONAL RAILROAD PASSENGER CORPORATION AUTHORIZATION

Mr. SWIFT moved to suspend the rules and pass the bill (H.R. 4250) to authorize appropriations for the National Railroad Passenger Corporation, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. MCNULTY, recognized Mr. SWIFT and Mr. RITTER, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MCNULTY, announced that two-thirds of the Members present had voted in the affirmative.

On a division demanded by Mr. SEN-SEN-BRENNER, there appeared, yeas—8, nays—3.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶100.33 PERMISSION TO FILE REPORT

On motion of Mr. SWIFT, by unanimous consent, the Committee on Energy and Commerce was granted permission until 5 p.m., Friday, August 14, 1992, to file a report on the bill (H.R. 5730) to amend the Toxic Substances Control Act to reduce the levels of lead in the environment, and for other purposes.

¶100.34 CALIFORNIA INDIANS AND TRIBES

Mr. MILLER of California moved to suspend the rules and pass the bill (H.R. 2144) to provide restoration of the Federal trust relationship with and assistance to the terminated tribes of California Indians and the individual members thereof; to extend Federal recognition to certain Indian tribes in California; to establish administrative procedures and guidelines to clarify the status of certain Indian tribes in California; to establish a Federal Commission on policies and programs affecting California Indians; and for other purposes; as amended.

The SPEAKER pro tempore, Mr. MCNULTY, recognized Mr. MILLER of California and Mr. RHODES, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MCNULTY, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MARLENEE objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. MCNULTY, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed until Wednesday, August 12, 1992, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

¶100.35 MOTION TO ADJOURN

Mr. MARLENEE moved that the House do now adjourn.

The question being put,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. MCNULTY, announced that the nays had it.

Mr. MARLENEE objected to the vote on the ground that a quorum was not present and not voting.

Subsequently,

Mr. MARLENEE withdrew his point of order.

So the motion to adjourn was not agreed to.

¶100.36 FALSE CLAIMS AMENDMENTS

Mr. FRANK moved to suspend the rules and pass the bill (H.R. 4563) to amend the False Claims Act to provide certain limitations on Federal employees filing qui tam actions, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. MCNULTY, recognized Mr. FRANK and Mr. GEKAS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MCNULTY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof,

the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶100.37 CUSTOMS SERVICE DAMAGE

Mr. FRANK moved to suspend the rules and pass the bill (H.R. 2731) to amend section 2680(c) of title 28, United States Code, to allow Federal tort claims arising from certain acts of customs or other law enforcement officers, and to amend section 3724 of title 31, United States Code, to extend to the Secretary of the Treasury the authority to settle claims for damages resulting from law enforcement activities of the Customs Service; as amended.

The SPEAKER pro tempore, Mr. MCNULTY, recognized Mr. FRANK and Mr. GEKAS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MCNULTY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to amend section 3724 of title 31, United States Code, to extend to the Secretary of the Treasury the authority to settle claims for damages resulting from law enforcement activities of the Customs Service, the Bureau of Alcohol, Tobacco, and Firearms, or the United States Secret Service."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

¶100.38 KENNEDY ASSASSINATION MATERIALS

Mr. CONYERS moved to suspend the rules and pass the joint resolution (H.J. Res. 454) to provide for the expeditious disclosure of records relevant to the assassination of President John F. Kennedy; as amended.

The SPEAKER pro tempore, Mr. MCNULTY, recognized Mr. CONYERS and Mr. SHAYS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said joint resolution, as amended?

The SPEAKER pro tempore, Mr. MCNULTY, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SEN-SEN-BRENNER demanded that the vote be taken by the yeas and nays, which demand was not supported by one-fifth of the Members present, so the yeas and nays were refused.

Mr. SENSENBRENNER objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. McNULTY, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed until Wednesday, August 12, 1992, pursuant to the prior announcement of the Chair.

The point of no quorum was considered as withdrawn.

#### ¶100.39 PERMISSION TO FILE SUNDRY REPORTS

On motion of Mr. CONYERS, by unanimous consent, the Committee on Government Operations was granted permission until 6 p.m., Friday, August 28, 1992, to file three investigative reports.

#### ¶100.40 DRUG DEPENDENT FEDERAL OFFENDERS AUTHORIZATION

Mr. SCHUMER moved to suspend the rules and pass the bill (H.R. 4776) to amend the Contract Services for Drug Dependent Federal Offenders Act of 1978 to provide additional authorizations of appropriations.

The SPEAKER pro tempore, Mr. McNULTY, recognized Mr. SCHUMER and Mr. SENSENBRENNER, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. McNULTY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

#### ¶100.41 U.S. SENTENCING COMMISSION

Mr. SCHUMER moved to suspend the rules and pass the bill of the Senate (S. 1963) to amend section 992 of title 28, United States Code, to provide a member of the United States Sentencing Commission whose term has expired may continue to serve until a successor is appointed or until the expiration of the next session of Congress.

The SPEAKER pro tempore, Mr. McNULTY, recognized Mr. SCHUMER and Mr. SENSENBRENNER, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. McNULTY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

#### ¶100.42 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5487) "An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1993, and for other purposes."

The message also announced that the Senate agreed to the amendments of the House to the amendments of the Senate numbered 2, 4, 7, 8, 15, 16, 18, 19, 24, 35, 47, 67, 69, 74, 80, 98, 99, 101, 106, 119, and 120, to the above-entitled bill.

#### ¶100.43 COPYRIGHT FAIR USE

Mr. HUGHES moved to suspend the rules and pass the bill (H.R. 4412) to amend Title 17, United States Code, relating to fair use of copyrighted works; as amended.

The SPEAKER pro tempore, Mr. McNULTY, recognized Mr. HUGHES and Mr. MOORHEAD, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. McNULTY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

#### ¶100.44 WILD BIRD CONSERVATION

Mr. STUDDS moved to suspend the rules and pass the bill (H.R. 5013) to promote the conservation of exotic wild birds; as amended.

The SPEAKER pro tempore, Mr. McNULTY, recognized Mr. STUDDS and Mr. BATEMAN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. McNULTY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to promote the conservation of wild exotic birds, to provide for the Great Lakes Fish and Wildlife Tissue Bank, to reauthorize the Fish and Wildlife Conservation Act of 1980, to reauthorize the African Elephant Conservation Act, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

#### ¶100.45 SPOTTED OWL CONSERVATION

Mr. STUDDS moved to suspend the rules and pass the bill (H.R. 4615) to contribute to the conservation of the northern spotted owl and the protection of old growth resources through support for an experimental management program on State-owned trust lands on the western Olympic Peninsula of the State of Washington; as amended.

The SPEAKER pro tempore, Mr. McNULTY, recognized Mr. STUDDS and Mr. BATEMAN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. McNULTY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

#### ¶100.46 U.S.-HONG KONG POLICY

Mr. FALEOMAVAEGA moved to suspend the rules and pass the bill of the Senate (S. 1731) to establish the policy of United States with respect to Hong Kong, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. McNULTY, recognized Mr. FALEOMAVAEGA and Mr. BROOMFIELD, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. McNULTY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to set forth the policy of the United States with respect to Hong Kong, and for other purposes."