

H.R. 4831: Mr. GENE GREEN of Texas.
H.R. 4887: Mr. SENSENBRENNER.
H.R. 4912: Mr. MARTINEZ, Ms. DANNER, and Mr. RIDGE.

H.R. 4957: Mr. WISE, Mr. SWETT, and Mrs. BYRNE.

H.R. 5032: Mr. CAMP, Mr. WELDON, and Mr. CANADY.

H.R. 5043: Mr. SCHUMER, Mr. APPELGATE, Mr. HOCHBRUECKNER, Mr. POSHARD, Mr. BROWN of Ohio, Mr. STUPAK, Mr. SANDERS, and Mr. GUNDERSON.

H.R. 5062: Mr. KLUG, Mr. BUYER, Mr. RIDGE, Mr. WOLF, Mr. COSTELLO, Ms. NORTON, Mr. FRANKS of Connecticut, Mr. POSHARD, Ms. DANNER, Mr. CONYERS, Mr. MCCANDLESS, Mr. HANSEN, Mr. DIAZ-BALART, Mr. GUNDERSON, Ms. DUNN, Mr. MONTGOMERY, Mr. RAVENEL, and Mr. MOLINARI.

H.R. 5064: Mr. WATT.

H.R. 5100: Mr. BALLENGER, Mr. COSTELLO, Mr. CRANE, Mr. DELAY, Mr. EMERSON, Mr. FIELDS of Texas, Mr. GORDON, Mr. HAMILTON, Mr. KYL, Mr. SARPALIUS, and Mr. TALENT.

H.R. 5111: Mr. SPRATT, Mr. SERRANO, and Mr. ANDREWS of New Jersey.

H.R. 5128: Mr. PRYCE of Ohio, Mr. NEAL of North Carolina, Mr. STUPAK, and Mr. RUSH.

H.R. 5130: Mr. KYL and Mr. SANTORUM.

H.R. 5141: Mr. SANDERS, Mr. GONZALEZ, Mr. KENNEDY, Mr. MCCLOSKEY, Mr. DELLUMS, Mr. JEFFERSON, Mrs. MINK of Hawaii, Mr. OWENS, Ms. WOOLSEY, Mr. HAMBURG, Mr. CONYERS, Mr. MOAKLEY, Mr. SHAYS, Mr. REYNOLDS, Ms. MCKINNEY, Mr. FLAKE, Mr. WATT, Mr. ANDREWS of New Jersey, Mr. LEACH, Mr. SANGMEISTER, Mr. BARCA of Wisconsin, Mr. MCDERMOTT, Mr. YATES, Mr. EDWARDS of California, Mr. BEILENSON, and Mr. HASTINGS.

H.R. 5159: Ms. SHEPHERD and Mr. FINGERHUT.

H.J. Res. 385: Mr. SAM JOHNSON, Mr. ABERCROMBIE, and Mr. OLVER.

H.J. Res. 402: Mr. WILSON, Mr. OXLEY, Mr. SAWYER, Mr. HEFNER, Mr. EMERSON and Mr. MORAN.

H.J. Res. 405: Mr. SHARP, Mr. SYNAR, Mr. HALL of Texas, Mr. RICHARDSON, Mr. COOPER, Mr. ROWLAND, Mr. STUDDS, Mr. PALLONE, Mr. GENE GREEN of Texas, Mr. ANDREWS of Texas, Mr. HUNTER, Mr. SPENCE, Mr. SHUSTER, Mr. LANCASTER, Mr. DUNCAN, Mr. CALLAHAN, Mr. BOEHLERT, Mr. LEWIS of California, Mr. BRYANT, Mr. CAMP, Mr. VALENTINE, Mr. TEJEDA, Mr. ORTIZ, Mr. SABO, Mr. WISE, Mrs. THURMAN, Mr. BARTON of Texas, Mr. GONZALEZ, Mr. MONTGOMERY, Mr. HOEKSTRA, Mr. ENGEL, Mr. TANNER, Mr. PETE GEREN of Texas, Mr. ACKERMAN, Mr. BATEMAN, Mr. SAXTON, Ms. DUNN, Mr. COBLE, Mr. PARKER, Mr. COLEMAN, Mr. DEAL, Mr. ORTON, Mr. BONILLA, Mr. ABERCROMBIE, Mr. MILLER of California, Mr. HASTINGS, Mr. MCCOLLUM, Mr. POSHARD, Mr. DICKS, and Mr. ROSE.

H.J. Res. 411: Mr. WILSON, Mr. HANSEN, Mrs. MORELLA, Mr. BATEMAN, Mr. FAZIO, Mr. APPELGATE, Mr. McNULTY, Mr. GEJDENSON, Mr. WALSH, Mr. PICKETT, Mr. COSTELLO, Mr. LANCASTER, Mr. MCCLOSKEY, Mr. PALLONE, Mr. GENE GREEN of Texas, Mr. MANN, Mr. HOBSON, Mr. ROTH, Mr. ANDREWS of New Jersey, Mr. CASTLE, Mr. FRANK of Massachusetts, Mr. HINCHEY, Mr. SKEEN, Mr. ACKERMAN, Mr. YOUNG of Alaska, Mr. CALLAHAN, Mr. DEUTSCH, Mr. MARTINEZ, and Mr. MOORHEAD.

H.J. Res. 418: Mr. REED, Ms. ENGLISH of Arizona, Mr. FLAKE, Mr. SANDERS, Mrs. KENNELLY, Mr. PETRI, Ms. LAMBERT, Mr. WAXMAN, Mr. MCCANDLESS, Mr. HUNTER, Mr. DIXON, Ms. ESHOO, Mr. EDWARDS of California, Mr. FAZIO, Mr. MILLER of California, Ms. DELAURO, Mr. GEJDENSON, Ms. BROWN of Florida, Mr. GIBBONS, Mr. PETERSON of Florida, Mrs. FOWLER, Mr. DARDEN, Mrs. COLLINS of Illinois, Mr. COSTELLO, Mr. POSHARD, Mr. RUSH, Mr. FAWELL, Mr. JACOBS, Ms. LONG, Mr. SMITH of Iowa, Mr. MYERS of Indiana,

Mr. BAESLER, Mr. BARLOW, Mr. ROGERS, Mr. FIELDS of Louisiana, Mr. MARKEY, Mr. MOAKLEY, Mr. BARCIA of Michigan, Mr. DINGELL, Mr. CAMP, Mr. THOMPSON, Mr. SKELTON, Mr. BILBRAY, Mr. KLEIN, Mr. PALLONE, Mr. SMITH of New Jersey, Mr. ENGEL, Mr. McNULTY, Ms. SLAUGHTER, Ms. MOLINARI, Mrs. CLAYTON, Mr. REGULA, Mr. FINGERHUT, Mr. MANN, Mr. KANJORSKI, Ms. MARGOLIES-MEZVINSKY, Mr. MURTHA, Mr. GOODLING, Mr. WELDON, Mr. DERRICK, Mr. SPRATT, Mr. QUILLEN, Mr. EDWARDS of Texas, Mr. DE LA GARZA, Mr. GONZALEZ, Mr. HALL of Texas, Mr. BARTON of Texas, Mrs. BYRNE, Mr. PICKETT, Mr. INSLEE, Mr. MOLLOHAN, Mr. RAHALL, Mr. WISE, and Mr. BARCA of Wisconsin.

H. Con. Res. 148: Mr. SHUSTER and Mr. JEFFERSON.

H. Con. Res. 173: Mr. KNOLLENBERG, Mr. CALLAHAN, Mr. REGULA, Mrs. THURMAN, Mr. GOODLING, Mr. FALEOMAVAEGA, Mr. WHEAT, Mrs. MEEK of Florida, Mr. LEWIS of Florida, Mrs. UNSOELD, Mr. SANDERS, Ms. NORTON, Ms. FURSE, and Mr. SISISKY.

H. Con. Res. 199: Mr. BILIRAKIS and Mr. BORSKI.

H. Con. Res. 216: Mr. SKAGGS, Mr. LEACH, Mr. ROHRBACHER, Mr. PORTER, Mr. MCCURDY, Mr. DORNAN, Mr. SCHIFF, Mr. WAXMAN, Mr. MORAN, and Mrs. BYRNE.

H. Con. Res. 249: Mr. KLEIN, Mr. ANDREWS of New Jersey, Mr. FINGERHUT, Mr. KOPETSKI, Mr. LEWIS of Georgia, Mr. SWETT, Mr. PACKARD, Mr. HINCHEY, and Ms. SLAUGHTER.

H. Con. Res. 255: Ms. ESHOO.

H. Res. 372: Ms. KAPTUR.

H. Res. 519: Mr. HERGER.

H. Res. 541: Mr. BROWN of Ohio and Mr. FINGERHUT.

H. Res. 546: Mr. EVERETT and Mr. ZIMMER.

H. Res. 561: Mr. MOAKLEY and Mr. MANTON.

WEDNESDAY, OCTOBER 5, 1994 (120)

The House was called to order by the SPEAKER.

¶120.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, October 4, 1994.

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

¶120.2 COMMUNICATIONS

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

3908. A letter from the Director of Legislation, Department of the Navy, transmitting notice that the Navy intends to renew the lease of the *Albert David* (FF 1050), pursuant to 10 U.S.C. 7307(B)(2); to the Committee on Armed Services.

3909. A letter from the Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting the Commission's fiscal year 1993 annual report on the operations of the Office of General Counsel, pursuant to 42 U.S.C. 2000e-4(e); to the Committee on Education and Labor.

3910. A letter from the Administrator, Environmental Protection Agency, transmitting a report on nitrogen oxide emissions and their control from uninstalled aircraft engines in enclosed test cells, pursuant to 42 U.S.C. 7521(a)(3)(E); to the Committee on Energy and Commerce.

3911. A letter from the Secretary of Energy, transmitting a report on barriers to the increased utilization of coal combustion, desulfurization byproducts by governmental and commercial sectors; to the Committee on Energy and Commerce.

3912. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions by Jerome Gary Cooper, of Alabama, to be Ambassador Extraordinary and Plenipotentiary of the United States to Jamaica and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3913. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting certification that no U.N. agency or U.N. affiliated agency grants any official status, accreditation, or recognition to any organization which promotes, condones, or seeks the legalization of pedophilia, or which includes as a subsidiary or member any such organization, pursuant to Public Law 103-236, section 102(g); to the Committee on Foreign Affairs.

3914. A communication from the President of the United States, transmitting a report on sanctions on Vietnam, pursuant to section 522 of the Foreign Relations Authorization Act, fiscal years 1994 and 1995 (Public Law 103-236); to the Committee on Foreign Affairs.

3915. A letter from the Manager, Western Farm Credit Bank, transmitting the Bank's 1993 annual report on Federal Government pension plans, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Operations.

3916. A letter from the Secretary of Transportation, transmitting the Department's annual report on relative cost of shipbuilding for fiscal year 1993; to the Committee on Merchant Marine and Fisheries.

3917. A communication from the President of the United States, transmitting notification of the intent of the Department of Defense to make purchases and purchase commitments, and to enter into cost sharing arrangements for equipment to develop manufacturing processes under the Defense Production Act of 1950, pursuant to 50 U.S.C. App. 2093 (H. Doc. No. 103-322); jointly, to the Committees on Appropriations and Banking, Finance and Urban Affairs, and ordered to be printed.

3918. A letter from the Administrator, Federal Aviation Administration, transmitting the FAA report of progress on developing and certifying the Traffic Alert and Collision Avoidance System [TCAS] for the period April through June 1994, pursuant to Public Law 100-223, section 203(b) (101 Stat. 1518); jointly, to the Committees on Public Works and Transportation and Science, Space, and Technology.

¶120.3 PROVIDING FOR THE

CONSIDERATION OF H. CON. RES. 301

Mr. DERRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 563):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the concurrent resolution (H. Con. Res. 301) expressing the sense of the Congress regarding entitlements. General debate shall be confined to the concurrent resolution and the amendments made in order by this resolution and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations. After general debate the concurrent resolution shall be considered for amendment under the five-minute rule and shall be considered as read, and the question on adopting the amendment numbered 1 in the report of the Committee on Rules accompanying this resolution shall be considered as pending without intervening motion or debate. No

other amendment shall be in order except those printed in the report of the Committee on Rules. Each other amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against amendments printed in the report are waived. At the conclusion of consideration of the concurrent resolution for amendment, the Committee shall rise and report the concurrent resolution to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the concurrent resolution and amendments thereto to final adoption without intervening motion or demand for division of the question.

When said resolution was considered. After debate,

On motion of Mr. DERRICK, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. FIELDS of Louisiana, announced that the yeas had it.

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

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared

Yeas 83
Nays 339

¶120.4

[Roll No. 483]
YEAS—83

Bacchus (FL)	Hoagland	Murphy
Barca	Hoyer	Neal (NC)
Berman	Hutto	Oberstar
Bonior	Jacobs	Olver
Browder	Johnston	Orton
Bryant	Kanjorski	Parker
Clement	Kennedy	Payne (VA)
Collins (IL)	Klecicka	Pelosi
Conyers	Klink	Penny
Cooper	LaFalce	Pickle
Coppersmith	Lambert	Reynolds
Coyne	LaRocco	Rostenkowski
Darden	Lloyd	Sabo
Deal	Long	Sangmeister
Derrick	Mann	Sawyer
Deutsch	Margolies-	Shepherd
Dixon	Mezvinsky	Stark
Dooley	Martinez	Stenholm
Edwards (CA)	Matsui	Swift
Fazio	Mazzoli	Tanner
Foglietta	McDermott	Taylor (MS)
Frank (MA)	Meehan	Torres
Frost	Miller (CA)	Valentine
Gephardt	Mineta	Vento
Gibbons	Minge	Visclosky
Hamilton	Moakley	Watt
Hansen	Montgomery	Waxman
Hastings	Moran	Williams

NAYS—339

Abercrombie	Barrett (WI)	Boehner
Ackerman	Bartlett	Bonilla
Allard	Barton	Borski
Andrews (ME)	Bateman	Boucher
Andrews (NJ)	Becerra	Brewster
Andrews (TX)	Beilenson	Brooks
Applegate	Bentley	Brown (CA)
Archer	Bereuter	Brown (FL)
Armey	Bevill	Brown (OH)
Bachus (AL)	Bilbray	Bunning
Baesler	Bilirakis	Burton
Baker (CA)	Bishop	Buyer
Baker (LA)	Blackwell	Byrne
Ballenger	Bliley	Callahan
Barlow	Blute	Calvert
Barrett (NE)	Boehler	Camp

Canady	Huffington	Portman
Cantwell	Hughes	Poshard
Cardin	Hunter	Price (NC)
Carr	Hutchinson	Pryce (OH)
Castle	Hyde	Quillen
Chapman	Inglis	Quinn
Clay	Inhofe	Rahall
Clinger	Inslee	Ramstad
Clyburn	Istook	Rangel
Coble	Jefferson	Ravenel
Coleman	Johnson (CT)	Reed
Collins (GA)	Johnson (GA)	Regula
Collins (MI)	Johnson (SD)	Richardson
Combest	Johnson, E. B.	Ridge
Condit	Johnson, Sam	Roberts
Costello	Kaptur	Roemer
Cox	Kasich	Rogers
Cramer	Kennelly	Rohrabacher
Crane	Kildee	Ros-Lehtinen
Crapo	Kim	Rose
Cunningham	King	Roth
Danner	Kingston	Roukema
de la Garza	Klein	Rowland
DeFazio	Klug	Roybal-Allard
DeLauro	Knollenberg	Royce
DeLay	Kolbe	Rush
Dellums	Kopetski	Sanders
Diaz-Balart	Kreidler	Santorum
Dickens	Kyl	Sarpalius
Dingell	Lancaster	Saxton
Doolittle	Lantos	Schaefer
Dornan	Laughlin	Schenk
Dreier	Lazio	Schiff
Duncan	Leach	Schroeder
Dunn	Lehman	Schumer
Durbin	Levin	Scott
Edwards (TX)	Levy	Sensenbrenner
Ehlers	Lewis (CA)	Serrano
Emerson	Lewis (FL)	Shaw
Engel	Lewis (GA)	Shays
English	Lewis (KY)	Shuster
Eshoo	Lightfoot	Sisisky
Evans	Linder	Skaggs
Everett	Lipinski	Skeen
Ewing	Livingston	Skelton
Farr	Lowe	Slaughter
Fawell	Lucas	Smith (IA)
Fields (LA)	Machtley	Smith (MI)
Fields (TX)	Maloney	Smith (NJ)
Filner	Manton	Smith (OR)
Fingerhut	Manzullo	Smith (TX)
Fish	Markey	Snowe
Flake	McCandless	Solomon
Ford (TN)	McCloskey	Spence
Fowler	McCollum	Spratt
Franks (CT)	McCrery	Stearns
Franks (NJ)	McCurdy	Stokes
Furse	McDade	Strickland
Galegally	McHale	Studds
Gedjenson	McHugh	Stump
Gekas	McInnis	Stupak
Geras	McKeon	Swett
Geran	McKinney	Synar
Gilchrest	McMillan	Talent
Gillmor	Meek	Tauzin
Gilman	Menendez	Taylor (NC)
Gingrich	Meyers	Tejeda
Glickman	Mfume	Thomas (CA)
Gonzalez	Mica	Thomas (WY)
Goodlatte	Michel	Thompson
Goodling	Miller (FL)	Thornton
Gordon	Mink	Thurman
Goss	Molinari	Torkildsen
Grams	Mollohan	Torrice
Grandy	Moorhead	Towns
Green	Morella	Traficant
Greenwood	Murtha	Unsoeld
Gunderson	Myers	Upton
Gutierrez	Nadler	Velazquez
Hall (OH)	Neal (MA)	Volkmer
Hall (TX)	Nussle	Vucanovich
Hancock	Obey	Walker
Harman	Ortiz	Walsh
Hastert	Owens	Walters
Hayes	Oxley	Weldo
Hefley	Packard	Wheat
Hefner	Pallone	Wilson
Hergert	Pastor	Wise
Hilliard	Paxon	Wolf
Hinche	Payne (NJ)	Woolsey
Hobson	Peterson (FL)	Wyden
Hochbrueckner	Peterson (MN)	Wynn
Hoke	Petri	Yates
Hoke	Pickett	Young (AK)
Holden	Pombo	Young (FL)
Horn	Pomeroy	Zeliff
Houghton	Porter	Zimmer

NOT VOTING—12

Barcia	Hamburg	Sundquist
Clayton	McNulty	Tucker
Ford (MI)	Sharp	Washington
Gallo	Slattery	Whitten

So the resolution was not agreed to. A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶120.5 MESSAGE FROM THE SENATE

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

H.R. 810. An Act for the relief of Elizabeth Hill;

H.R. 2902. An Act to amend the District of Columbia Self-Government and Governmental Reorganization Act to reauthorize the annual Federal payment to the District of Columbia for fiscal year 1996, and for other purposes;

H.R. 4308. An Act to authorize appropriations to assist in carrying out the North American Wetlands Conservation Act for fiscal years 1995 through 1998, and for other purposes;

H.J. Res. 389. Joint resolution to designate the second Sunday in October of 1994 as "National Children's Day";

H.J. Res. 398. Joint resolution to establish the fourth Sunday of July as "Parents' Day";

H.J. Res. 401. Joint resolution designating the month of March 1995 and March 1996 as "Irish-American Heritage Month"; and

H.J. Res. 415. Joint resolution designating the week beginning October 16, 1994, as "National Penny Charity Week."

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested a bill of the House of the following title:

H.R. 4709. An Act to make certain technical corrections, and for other purposes.

The message also announced that the Senate agreed to the amendment of the House to the amendment of the Senate to the bill (H.R. 4217) "An Act to reform the Federal crop insurance program, and for other purposes."

The message also announced that the Senate agreed to the amendment of the House to the bill (S. 2406) entitled "An Act to amend title 17, United States Code, relating to the definition of a local service area of a primary transmitter, and for other purposes."

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

S. 340. An Act to amend the Federal Food, Drug, and Cosmetic Act to clarify the application of the Act with respect to alternate uses of new animal drugs and new drugs intended for human use, and for other purposes;

S. 927. An Act for the relief of Wade Bomar, and for other purposes;

S. 1216. An Act to resolve the 107th meridian boundary dispute between the Crow Indian Tribe and the United States;

S. 2341. An Act to amend chapter 30 of title 35, United States Code, to afford third parties an opportunity for greater participation in reauthorization proceedings before the United States Patent and Trademark Office, and for other purposes;

S. 2457. An Act for the relief of Benchmark Rail Group, Inc;

S. 2475. An Act to authorize assistance to promote the peaceful resolution of conflicts in Africa;

S. 2500. An Act to enable producers and feeders of sheep and importers of sheep and sheep products to develop, finance, and carry out a nationally coordinated program for sheep and sheep product promotion, research, and information, and for other purposes; and

S. Con. Res. 77. Concurrent Resolution Expressing the sense of Congress regarding the United States position on the dissection of aircraft at the 11th meeting of the Facilitation Division of the International Civil Aviation Organization.

¶120.6 ORDER OF BUSINESS—

CONSIDERATION OF H.J. RES. 416

On motion of Mr. GEJDENSON, by unanimous consent,

Ordered. That at any time hereafter the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of House Joint Resolution 416; that the first reading of the joint resolution be dispensed with; that all points of order against the joint resolution and against its consideration be waived; that general debate be confined to the joint resolution and not to exceed four hours, equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, or their designees; that after general debate the Committee of the Whole rise without motion; and that no further consideration of the joint resolution be in order except pursuant to a subsequent order of the House.

¶120.7 TIMBER SALES RECEIPTS

On motion of Mr. DICKS, by unanimous consent, the Committee on Agriculture and the Committee on Natural Resources were discharged from further consideration of the bill (H.R. 5161) to amend the Omnibus Budget Reconciliation Act of 1993 to permit the prompt sharing of timber sale receipts of the Forest Service and the Bureau of Land Management.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

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

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

¶120.8 PROVIDING FOR THE

CONSIDERATION OF H.R. 5044

Mr. MOAKLEY, by direction of the Committee on Rules, called up the following resolution (H. Res. 562):

Resolved. That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5044) to establish the American Heritage Areas Partnership Program, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the

bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule for a period not to exceed three hours (excluding time consumed by recorded votes and proceedings incidental thereto). Each section shall be considered as read. No amendment to the bill shall be in order unless printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII before the beginning of consideration of the bill. Any amendment to the bill caused to be printed in the Record by Representative Vento of Minnesota may amend portions of the bill not yet read for amendment. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

When said resolution was considered. After debate,

By unanimous consent, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

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

¶120.9 AMERICAN HERITAGE AREAS PARTNERSHIP PROGRAM

The SPEAKER pro tempore, Mr. TORRICELLI, pursuant to House Resolution 562 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5044) to establish the American Heritage Areas Partnership Program, and for other purposes.

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

¶120.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. REGULA to the amendments en bloc submitted by Mr. TAUZIN:

Amendment submitted by Mr. REGULA:

In the en bloc amendments offered by Mr. Tauzin to H.R. 5044, in the amendments to section 105—

(1) Strike "PRIVATE PROPERTY OWNERS" and insert "LOCAL GOVERNMENTS";

(2) strike "privately owned property" and insert "county, city, or town"; and

(3) strike "area unless" and all that follows through the period and insert the following "boundaries of the area unless the government of such county, city, or town agrees to be so included and submits notification of such agreement to the Secretary."

In the en bloc amendments offered by Mr. Tauzin to H.R. 5044, in the amendments offered to section 106—

(1) strike "line 19" and all that follows through "own the property." and insert the following "strike lines 13 through 19 and re-

designate the following subparagraphs accordingly."; and

(2) strike "Page 15, line 18" and all that follows through "line 3 on page 17."

In the en bloc amendments offered by Mr. Tauzin to H.R. 5044, in the amendments to section 107, strike "Page 18, beginning" and all that follows through "line 23 and insert a period."

In the en bloc amendments offered by Mr. Tauzin to H.R. 5044, in the amendments to section 108, strike "Page 24, line 14" and all that follows through "insert '107(c)(1)'."

In the en bloc amendments offered by Mr. Tauzin to H.R. 5044, in the amendments to section 109—

)1) strike "Page 25, strike" and all that follows through line 3; and

(2) strike "Page 29" and all that follows through "page 30." and insert the following: Page 30, line 3, insert "and" after the semicolon.

Page 30, line 7, delete "with the" and all that follows through line 14 and insert the following, "to minimize any real or potential adverse impact on an American Heritage Area."

Amendments en bloc submitted by Mr. TAUZIN:

Page 9, after line 24, insert the following:

(9) CONSENT OF PRIVATE PROPERTY OWNERS.—No privately owned property shall be included within the area unless informed written consent to such inclusion is submitted to the management entity for the proposed American Heritage Area by all of the persons who own the property.

Page 14, line 19, after the period insert the following: "No privately owned property shall be included in such list unless informed written consent to such inclusion is submitted to the management entity for the area by all of the persons who own the property."

Page 15, line 18, strike "approval" and insert "submission".

Page 16, strike line 1 and all that follows through line 2 and insert the following:

(b) APPROVAL AND DISAPPROVAL OF COMFACTS.—

Page 16, line 7, strike "or management plan".

Page 16, line 8, strike "or".

Page 16, line 9, strike "management plan".

Page 16, line 10, strike "or plan".

Page 16, line 15, strike "or management plan".

Page 16, line 19, strike "or plan".

Page 16, line 21, strike "or plan".

Page 16, strike line 23 and all that follows through line 3 on page 17.

Page 18, beginning on line 20, strike "for approval".

Page 20, line 22, strike "for the" and all that follows through line 23 and insert a period.

Page 19, line 22, insert "and" after the semicolon.

Page 20, line 2, strike "; and" and insert a period.

Page 20, strike line 3 and all that follows through line 6.

Page 24, line 14, strike "approved" and insert "submitted".

Page 24, line 15, strike "106(b)" and insert "107(c)(1)".

Page 25, strike line 13 and all that follows through line 15 and insert the following:

SEC. 109. DUTIES AND AUTHORITIES OF SECRETARY.

The duties and authorities of the Secretary under this title shall include the following:

Page 25, line 16, insert "(A)" after "GRANTS.—".

Page 26, after line 4, insert the following:

(B) The Secretary may not, as a condition of the award of a grant under this section, require any recipient of such a grant to enact or modify land use restrictions.

Page 29, strike line 19 and all that follows through line 14 on page 30.

It was decided in the affirmative { Yeas 222 Nays 202

¶120.11 [Roll No. 484] AYES—222

- Abercrombie, Ackerman, Andrews (ME), Andrews (TX), Applegate, Bacchus (FL), Barlow, Barrett (WI), Bateman, Becerra, Beilenson, Bereuter, Berman, Bilbray, Blute, Boehlert, Bonior, Borski, Boucher, Brown (CA), Brown (FL), Brown (OH), Bryant, Byrne, Cantwell, Cardin, Clay, Clayton, Clinger, Clyburn, Coleman, Collins (IL), Collins (MI), Conyers, Coppersmith, Costello, Coyne, Darden, de Lugo (VI), Deal, DeFazio, DeLauro, Dellums, Derrick, Deutsch, Dicks, Dingell, Dixon, Durbin, Edwards (CA), Ehlers, Engel, English, Eshoo, Evans, Faleomavaega (AS), Farr, Filner, Fingerhut, Flake, Foglietta, Ford (MI), Ford (TN), Frank (MA), Franks (CT), Franks (NJ), Furse, Gejdenson, Gephardt, Gibbons, Gilchrist, Gillmor, Gilman, Greenwood, Gutierrez, Hall (OH), Hamburg, Hastings, Hinchey, Hoagland, Hobson, Hoyer, Hughes, Jacobs, Jefferson, Johnson (CT), Johnson (GA), Johnson (SD), Johnson, E.B., Johnston, Kanjorski, Kaptur, Kennedy, Kennelly, Kildee, King, Kleczka, Klein, Klink, Kopetski, Kreidler, LaFalce, Lantos, LaRocco, Lazio, Levin, Levy, Lewis (GA), Livingston, Lloyd, Lowey, Machtley, Maloney, Mann, Manton, Margolies-Mezvinsky, Markey, Martinez, Matsui, Mazzoli, McCloskey, McColлум, McHale, McKinney, McMillan, McNulty, Meehan, Meek, Menendez, Mfume, Michel, Miller (CA), Mineta, Mink, Moakley, Molinari, Mollohan, Moran, Morella, Murtha, Myers, Nadler, Neal (MA), Neal (NC), Norton (DC), Oberstar, Obey, Olver, Owens, Oxley, Pallone, Pastor, Payne (NJ), Pelosi, Pickle, Porter, Portman, Price (NC), Pryce (OH), Quillen, Rahall, Rangel, Ravenel, Reed, Regula, Reynolds, Richardson, Ridge, Rogers, Romero-Barcelo (PR), Rose, Rostenkowski, Roukema, Rowland, Roybal-Allard, Rush, Sabo, Sanders, Sangmeister, Sawyer, Schroeder, Schumer, Scott, Serrano, Sharp, Shaw, Shays, Shepherd, Skaggs, Slaughter, Spence, Spratt, Stark, Stokes, Studds, Swift, Synar, Thompson, Torkildsen, Torres, Torricelli, Towns, Traficant, Underwood (GU), Unsoeld, Velazquez, Vento, Visclosky, Waters, Watt, Waxman, Weldon, Wheat, Williams, Wise, Wolf, Woolsey, Wyden, Wynn, Yates, Young (FL), Zimmer

NOES—202

- Allard, Andrews (NJ), Archer, Arney, Baesler, Baker (CA), Baker (LA), Ballenger, Barca, Barcia, Barrett (NE), Bartlett, Barton, Bentley, Bilirakis, Bishop, Bliley, Boehner, Bonilla, Brewster, Brooks, Bunning, Burton, Buyer, Calvert, Camp, Canady, Carr, Castle, Chapman, Clement, Coble, Collins (GA), Combast, Condit, Cooper, Cox, Crane, Crapo, Cunningham, Danner, de la Garza

- DeLay, Diaz-Balart, Dickey, Dooley, Doolittle, Dornan, Dreier, Duncan, Dunn, Edwards (TX), Emerson, Everett, Ewing, Fawell, Fazio, Fields (LA), Fields (TX), Fowler, Frost, Gallegly, Gekas, Geren, Gingrich, Glickman, Gonzalez, Goodlatte, Goodling, Gordon, Goss, Grams, Grandy, Green, Gunderson, Hall (TX), Hamilton, Hancock, Hansen, Harman, Hastert, Hayes, Hefley, Hefner, Herger, Hochbrueckner, Hoke, Holden, Horn, Houghton, Huffington, Hunter, Hutchinson, Hutto, Hyde, Bachus (AL), Bevell, Blackwell, Browder, Callahan, Cramer, Fish, Gallo, Hilliard, McDermott, Slattery, Sundquist, Tucker, Washington, Whitten, Inglis, Inhofe, Inslee, Istook, Johnson, Sam, Kasich, Kim, Kingston, Klug, Knollenberg, Kolbe, Kyl, Lambert, Lancaster, Laughlin, Leach, Lehman, Lewis (CA), Lewis (FL), Lewis (KY), Lightfoot, Linder, Lipinski, Long, Lucas, Manzullo, McCandless, McCrery, McCurdy, McDade, McHugh, McInnis, McKeon, Meyers, Mica, Miller (FL), Minge, Montgomery, Moorhead, Murphy, Nussle, Ortiz, Orton, Packard, Parker, Paxon, Payne (VA), Penny, Peterson (FL), Peterson (MN), Petri, Pickett, Pombo, Pomeroy

NOT VOTING—15

- Poshard, Quinn, Ramstad, Roberts, Roemer, Rohrabacher, Ros-Lehtinen, Roth, Royce, Santorum, Sarpalius, Saxton, Schaefer, Schenk, Schiff, Sensenbrenner, Shuster, Sisisky, Skeeen, Skelton, Smith (IA), Smith (MI), Smith (NJ), Smith (OR), Smith (TX), Solomon, Stearns, Stenholm, Strickland, Stump, Stupak, Swett, Talent, Tanner, Tauzin, Taylor (MS), Taylor (NC), Tejada, Thomas (CA), Thomas (WY), Thornton, Thurman, Upton, Valentine, Volkmer, Vucanovich, Walker, Walsh, Wilson, Young (AK), Zeliff

So the amendment to the amendments en bloc was agreed to. After some further time,

¶120.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. RAHALL to the amendment submitted by Mr. TAUZIN: Amendment submitted by Mr. RAHALL:

In the amendment offered by Mr. TAUZIN to page 23 of section 107 of H.R. 5044, on line 5, strike "an administrative" and all that follows through line 10 and insert the following: a process to provide information to the owners of private property with respect to obtaining just compensation due as a result of a taking of private property under the Fifth Amendment of the Constitution of the United States.

Amendment submitted by Mr. TAUZIN:

Page 23, after line 24, insert the following: (g) PROTECTION OF PRIVATE PROPERTY.—The management entity for an American Heritage Area shall publish procedures to ensure that the rights of owners of private property are protected. Such procedures shall include an administrative process to provide compensation to the owner of pri-

vate property if the use or value of all or any portion of the private property is substantially diminished as a result of the designation of the American Heritage Area or the management plan for the American Heritage Area.

It was decided in the affirmative { Yeas 234 Nays 187

¶120.13 [Roll No. 485] AYES—234

- Abercrombie, Ackerman, Andrews (ME), Andrews (TX), Applegate, Bacchus (FL), Baesler, Barca, Barlow, Barrett (WI), Bateman, Becerra, Beilenson, Bereuter, Berman, Bilbray, Blute, Boehlert, Bonior, Borski, Boucher, Brown (CA), Brown (FL), Brown (OH), Bryant, Buyer, Byrne, Cantwell, Cardin, Clayton, Clinger, Clyburn, Coleman, Collins (IL), Collins (MI), Conyers, Coppersmith, Costello, Coyne, Darden, de Lugo (VI), Deal, DeFazio, DeLauro, Dellums, Derrick, Deutsch, Dicks, Dingell, Dixon, Durbin, Edwards (CA), Ehlers, Engel, English, Eshoo, Evans, Faleomavaega (AS), Farr, Fawell, Filner, Fingerhut, Fish, Flake, Foglietta, Ford (MI), Ford (TN), Frank (MA), Franks (CT), Franks (NJ), Furse, Gejdenson, Gephardt, Gibbons, Gilchrist, Gillmor, Gilman, Glickman, Gonzalez, Greenwood, Gutierrez, Hall (OH), Hamburg, Harman, Hastings, Hefner, Hinchey, Hoagland, Hobson, Hochbrueckner, Hoke, Holden, Hoyer, Hughes, Jefferson, Johnson (CT), Johnson (GA), Johnson (SD), Johnson, E. B., Johnston, Kanjorski, Kaptur, Kasich, Kennedy, Kennelly, Kildee, King, Kleczka, Klein, Klink, Kopetski, Kreidler, Lantos, LaRocco, Lazio, Levin, Levy, Lewis (GA), Lloyd, Lowey, Machtley, Maloney, Mann, Manton, Margolies-Mezvinsky, Markey, Martinez, Matsui, Mazzoli, McCloskey, McDade, McDermott, McHale, McKinney, Meehan, Meek, Menendez, Meyers, Mfume, Michel, Miller (CA), Mineta, Mink, Moakley, Molinari, Mollohan, Moran, Morella, Murtha, Nadler, Neal (MA), Neal (NC), Norton (DC), Oberstar, Obey, Olver, Owens, Oxley, Pallone, Pastor, Payne (NJ), Pelosi, Pickle, Porter, Portman, Price (NC), Pryce (OH), Quillen, Rahall, Rangel, Ravenel, Reed, Regula, Reynolds, Richardson, Rogers, Romero-Barcelo (PR), Rose, Rostenkowski, Roukema, Rowland, Roybal-Allard, Rush, Sabo, Sanders, Sangmeister, Sawyer, Schroeder, Schumer, Scott, Serrano, Sharp, Shays, Shepherd, Skaggs, Slaughter, Smith (NJ), Snowe, Spratt, Stark, Stokes, Strickland, Studds, Swett, Swift, Synar, Thompson, Thornton, Torkildsen, Torres, Torricelli, Towns, Traficant, Underwood (GU), Unsoeld, Velazquez, Vento, Visclosky, Waters, Watt, Waxman, Weldon, Wheat, Williams, Wise, Wolf, Woolsey, Wyden, Wynn, Yates, Young (FL), Zimmer

NOES—187

- Allard, Andrews (NJ), Archer, Arney, Baker (CA), Baker (LA), Ballenger, Barcia, Barrett (NE), Bartlett, Barton, Bentley, Ballenger, Bilirakis, Bishop, Bliley, Boehner, Bonilla, Brewster

Brooks	Horn	Penny
Bunning	Houghton	Peterson (FL)
Calvert	Huffington	Peterson (MN)
Camp	Hunter	Petri
Canady	Hutchinson	Pickett
Castle	Hutto	Pombo
Clement	Hyde	Pomeroy
Coble	Inglis	Poshard
Collins (GA)	Inhofe	Quinn
Combust	Inslee	Ramstad
Condit	Istook	Roberts
Cooper	Johnson, Sam	Roemer
Cox	Kim	Rohrabacher
Crane	Kingston	Ros-Lehtinen
Crapo	Klug	Roth
Cunningham	Knollenberg	Royce
Danner	Kolbe	Sarpaluis
de la Garza	Kyl	Saxton
DeLay	LaFalce	Schaefer
Diaz-Balart	Lambert	Schenk
Dickey	Lancaster	Schiff
Dooley	Laughlin	Sensenbrenner
Doolittle	Leach	Shaw
Dornan	Lehman	Shuster
Dreier	Lewis (CA)	Sisisky
Duncan	Lewis (FL)	Skeean
Dunn	Lewis (KY)	Skelton
Edwards (TX)	Lightfoot	Smith (IA)
Emerson	Linder	Smith (MI)
Everett	Lipinski	Smith (OR)
Ewing	Livingston	Smith (TX)
Fazio	Long	Solomon
Fields (LA)	Lucas	Spence
Fields (TX)	Manzullo	Stearns
Fowler	McCandless	Stenholm
Frost	McCollum	Stump
Gallegly	McCrery	Stupak
Gekas	McCurdy	Talent
Geren	McHugh	Tanner
Gingrich	McInnis	Tauzin
Goodlatte	McKeon	Taylor (MS)
Goodling	McMillan	Taylor (NC)
Gordon	McNulty	Tejeda
Goss	Mica	Thomas (CA)
Grams	Miller (FL)	Thomas (WY)
Grandy	Minge	Thurman
Green	Montgomery	Upton
Gunderson	Moorhead	Valentine
Hall (TX)	Murphy	Volkmer
Hamilton	Myers	Vucanovich
Hancock	Nussle	Walker
Hansen	Ortiz	Walsh
Hastert	Orton	Wilson
Hayes	Packard	Young (AK)
Hefley	Parker	Zeliff
Herger	Paxon	
Hoekstra	Payne (VA)	

NOT VOTING—18

Bachus (AL)	Carr	Ridge
Bevill	Chapman	Slattery
Blackwell	Cramer	Sundquist
Browder	Gallo	Tucker
Burton	Hilliard	Washington
Callahan	Jacobs	Whitten

So the amendment to the amendment was agreed to.

After some further time,

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

When Mr. MENENDEZ, Chairman, pursuant to House Resolution 562, reported the bill back to the House with sundry amendments adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 12, after line 13, insert the following:

(E) An inventory of the amount of land in the area owned by public, private, and private nonprofit entities, respectively.

Page 17, after line 3, insert the following:

(4) NO REQUIREMENT FOR LAND USE REGULATION AS CONDITION FOR APPROVAL.—No provision of this title shall be construed to require any change in land use regulation as a condition of approval of a compact, management plan, or revision of a compact or management plan by the Secretary.

Page 26, line 2, insert "under this section" after "grants".

Page 29, line 20, strike "directly affecting" and insert "within".

Page 31, line 20, strike "\$10,000,000" and insert "\$8,000,000".

Page 33, line 15, strike "\$25,000,000" and insert "\$14,500,000".

Page 53, strike lines 11 through 16 and insert the following:

(d) BOUNDARIES.—

(1) IN GENERAL.—Except as otherwise provided in paragraph (2), the Heritage Area shall be comprised of the lands generally depicted on the map entitled "Hudson River Valley National Heritage Area", numbered P50—8002, and dated August 1994. The map shall be on file and available for public inspection in the office of the Director of the National Park Service.

(2) LOCAL AGREEMENT TO INCLUSION.—Each of the following counties, cities, and towns in the State of New York shall not be included within the boundaries of the Heritage Area unless the government of such county, city, or town agrees to be so included and submits notification of such agreement to the Secretary:

(A) The counties of Greene and Columbia.

(B) Any city or town within the county of Greene or Columbia.

(C) The counties of Rensselaer and Dutchess.

(D) Any city or town (except the town of Hyde Park) within the county of Rensselaer or Dutchess and located entirely within the 22d Congressional District of New York.

Page 72, line 17, strike "additional".

Page 72, line 18, strike ", which the city" and all that follows through "provision of law," on line 20.

Page 72, line 23, after "subsection" insert the following: ", unless the city is obligated to perform the work or pay the expenses under a statute other than this Act".

Page 103, after line 10, insert the following:

TITLE VII—BUY AMERICAN POLICY

SEC. 701. PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available under this Act should be American-made.

(b) NOTICE REQUIREMENT.—In using funds made available under this Act to provide financial assistance to, or enter into any contract with, any entity, the Secretary, to the greatest extent practicable, shall provide to the entity a notice describing the statement made by the Congress in subsection (a).

In the en bloc amendments offered by Mr. Tauzin to H.R. 5044, in the amendments to section 105—

(1) Strike "PRIVATE PROPERTY OWNERS" and insert "LOCAL GOVERNMENTS";

(2) strike "privately owned property" and insert "county, city, or town"; and

(3) strike "area unless" and all that follows through the period and insert the following "boundaries of the area unless the government of such county, city, or town agrees to be so included and submits notification of such agreement to the Secretary."

In the en bloc amendments offered by Mr. Tauzin to H.R. 5044, in the amendments offered to section 106—

(1) strike "line 19" and all that follows through "own the property." and insert the following "strike lines 13 through 19 and redesignate the following subparagraphs accordingly."; and

(2) strike "Page 15, line 18" and all that follows through "line 3 on page 17."

In the en bloc amendments offered by Mr. Tauzin to H.R. 5044, in the amendments to section 107, strike "Page 18, beginning" and all that follows through "line 23 and insert a period."

In the en bloc amendments offered by Mr. Tauzin to H.R. 5044, in the amendments to section 108, strike "Page 24, line 14" and all that follows through "insert '107(c)(1)'".

In the en bloc amendments offered by Mr. Tauzin to H.R. 5044, in the amendments to section 109—

)1) strike "Page 25, strike" and all that follows through line 3; and

(2) strike "Page 29" and all that follows through "page 30." and insert the following:

Page 30, line 3, insert "and" after the semicolon.

Page 30, line 7, delete "with the" and all that follows through line 14 and insert the following, "to minimize any real or potential adverse impact on an American Heritage Area."

Page 9, after line 24, insert the following:

(9) CONSENT OF PRIVATE PROPERTY OWNERS.—No privately owned property shall be included within the area unless informed written consent to such inclusion is submitted to the management entity for the proposed American Heritage Area by all of the persons who own the property.

Page 14, line 19, after the period insert the following: "No privately owned property shall be included in such list unless informed written consent to such inclusion is submitted to the management entity for the area by all of the persons who own the property."

Page 15, line 18, strike "approval" and insert "submission".

Page 16, strike line 1 and all that follows through line 2 and insert the following:

(b) APPROVAL AND DISAPPROVAL OF COMPACTS.—

Page 16, line 7, strike "or management plan".

Page 16, line 8, strike "or".

Page 16, line 9, strike "management plan".

Page 16, line 10, strike "or plan".

Page 16, line 15, strike "or management plan".

Page 16, line 19, strike "or plan".

Page 16, line 21, strike "or plan".

Page 16, strike line 23 and all that follows through line 3 on page 17.

Page 18, beginning on line 20, strike "for approval".

Page 20, line 22, strike "for the" and all that follows through line 23 and insert a period.

Page 19, line 22, insert "and" after the semicolon.

Page 20, line 2, strike "; and" and insert a period.

Page 20, strike line 3 and all that follows through line 6.

Page 24, line 14, strike "approved" and insert "submitted".

Page 24, line 15, strike "106(b)" and insert "107(c)(1)".

Page 25, strike line 13 and all that follows through line 15 and insert the following:

SEC. 109. DUTIES AND AUTHORITIES OF SECRETARY.

The duties and authorities of the Secretary under this title shall include the following:

Page 25, line 16, insert "(A)" after "GRANTS.—".

Page 26, after line 4, insert the following:

(B) The Secretary may not, as a condition of the award of a grant under this section, require any recipient of such a grant to enact or modify land use restrictions.

Page 29, strike line 19 and all that follows through line 14 on page 30.

In the amendment offered by Mr. TAUZIN to page 23 of section 107 of H.R. 5044, on line 5, strike "an administrative" and all that follows through line 10 and insert the following:

a process to provide information to the owners of private property with respect to obtaining just compensation due as a result of a taking of private property under the Fifth Amendment of the Constitution of the United States.

Page 23, after line 24, insert the following: (g) PROTECTION OF PRIVATE PROPERTY.—The management entity for an American Heritage Area shall publish procedures to ensure that the rights of owners of private property are protected. Such procedures shall include an administrative process to provide compensation to the owner of private property if the use or value of all or any portion of the private property is substantially diminished as a result of the designation of the American Heritage Area or the management plan for the American Heritage Area.

Page 35, after line 11, insert the following: SEC. 115. FISHING AND HUNTING SAVINGS CLAUSE.

(a) NO DIMINISHMENT OF STATE AUTHORITY.—The designation of an American Heritage Area shall not diminish the authority of the affected State or States to manage fish and wildlife, including the regulation of fishing and hunting within such Area.

(b) NO CONDITIONING OF APPROVAL AND ASSISTANCE.—Limitations on fishing, hunting, or trapping may not be made a condition for the approval of a compact or management plan, the provision of assistance for early actions pursuant to section 106 (a)(4), the determination of eligibility for Federal funds, or the receipt, in connection with the American Heritage Area status of an area, of any other form of assistance from the Secretary or other Federal agencies.

Page 18, after line 4, insert the following: (3) MEMBERSHIP.—A management entity for an American Heritage Area should, to the fullest extent possible, consist of diverse governmental, business, and nonprofit groups within the geographic area of the American Heritage Area.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce, Will the House pass said bill? The SPEAKER pro tempore, Mr. HOYER, announced that the yeas had it.

Mr. VENTO demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 281 Nays 137

Table with 3 columns: Name, Roll No. 486, YEAS—281. Lists names of members such as Abercrombie, Ackerman, Andrews (ME), etc.

Table with 2 columns: Name, NAYS—137. Lists names of members such as Gajdenson, Gephardt, Gibbons, etc.

Table with 2 columns: Name, NAYS—137. Lists names of members such as Reynolds, Richardson, Roemer, etc.

Table with 2 columns: Name, NAYS—137. Lists names of members such as Orton, Parker, Paxon, etc.

Table with 2 columns: Name, NAYS—137. Lists names of members such as Schiff, Sensenbrenner, Shaw, etc.

Table with 2 columns: Name, NAYS—137. Lists names of members such as Tanner, Taylor (MS), Taylor (NC), etc.

NOT VOTING—16

Table with 3 columns: Name, Name, Name. Lists names of members not voting such as Bachus (AL), Bevell, Browder, etc.

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

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

¶120.15 ORDER OF BUSINESS—MODIFICATION OF SUSPENSION

On motion of Mr. KILDEE, by unanimous consent,

Ordered, That the motion to suspend the rules and pass the bill of the Senate (S. 1614) to amend the Child Nutrition Act of 1966 and the National Lunch Act to promote healthy eating habits for children and to extend certain authorities contained in such Acts through fiscal year 1998, and for other purposes, be modified as follows:

- (1) Page 11, line 12, after "subsection (a)(1)(A)(ii)", insert "and section 4(e)(1)".
(2) Page 47, line 23, strike "subsection" and insert "section".
(3) Page 47, line 24, strike "\$1,700,000" and insert "\$1,800,000".
(4) Page 47, line 24, strike "\$2,400,000" and insert "\$2,600,000".
(5) Page 47, line 25, strike "\$2,900,000" and insert "\$3,100,000".
(6) Page 48, line 1, strike "\$3,300,000" and insert "\$3,400,000".
(7) Page 56, line 6, strike "\$375,000" and insert "\$475,000".
(8) Page 56, line 7, strike "\$425,000" and insert "\$525,000".
(9) Page 74, beginning on line 8, strike "\$1,900,000" and all that follows through "1999" on line 11 and insert "and \$2,000,000 for fiscal year 1996".

(10) Page 87, beginning on line 18, strike \$150,000" and all that follows through "1998" on line 20 and insert "\$200,000 for each of fiscal years 1995 and 1996, \$150,000 for fiscal year 1997, and \$100,000 for fiscal year 1998".

¶120.16 S. 986—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VISCLOSKY, pursuant to clause 5, rule I, announced the unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 986) to provide for an interpretive center at the Civil War Battlefield of Corinth, Mississippi, and for other purposes; as amended.

The question being put, Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 363
Nays 45

¶120.17 [Roll No. 487]
YEAS—363

- Abercrombie
- Ackerman
- Andrews (ME)
- Andrews (NJ)
- Andrews (TX)
- Applegate
- Bacchus (FL)
- Baessler
- Baker (LA)
- Ballenger
- Barca
- Barcia
- Barlow
- Barrett (NE)
- Barrett (WI)
- Bartlett
- Barton
- Bateman
- Becerra
- Beilenson
- Bereuter
- Berman
- Bilbray
- Bilirakis
- Bishop
- Blackwell
- Blute
- Boehlert
- Bonilla
- Bonior
- Borski
- Boucher
- Brewster
- Brooks
- Brown (CA)
- Brown (FL)
- Brown (OH)
- Bryant
- Bunning
- Burton
- Buyer
- Byrne
- Calvert
- Canady
- Cantwell
- Cardin
- Castle
- Chapman
- Clay
- Clayton
- Clement
- Clinger
- Clyburn
- Coleman
- Collins (GA)
- Collins (IL)
- Collins (MI)
- Combest
- Condit
- Conyers
- Cooper
- Coppersmith
- Costello
- Cox
- Coyne
- Crapo
- Cunningham
- Danner
- Darden
- de la Garza
- Deal
- DeLauro
- Dellums
- Derrick
- Deutsch
- Diaz-Balart
- Dickey
- Dicks
- Dingell
- Dixon
- Dooley
- Dornan
- Dreier
- Dunn
- Durbin
- Edwards (CA)
- Edwards (TX)
- Emerson
- Engel
- English
- Eshoo
- Evans
- Everett
- Ewing
- Farr
- Fazio
- Fields (LA)
- Filner
- Fingerhut
- Fish
- Flake
- Foglietta
- Ford (MI)
- Ford (TN)
- Fowler
- Franks (CT)
- Franks (NJ)
- Frost
- Furse
- Gallegly
- Gejdenson
- Gekas
- Gephardt
- Geren
- Gibbons
- Gilchrest
- Gillmor
- Gilman
- Gingrich
- Glickman
- Gonzalez
- Goodling
- Gordon
- Grandy
- Green
- Gunderson
- Gutierrez
- Hall (OH)
- Hall (TX)
- Hamburg
- Hamilton
- Harman
- Hastert
- Hastings
- Hayes
- Hefner
- Herge
- Hinche
- Hoagland
- Hobson
- Hochbrueckner
- Hoke
- Holden
- Horn
- Houghton
- Hoyer
- Hughes
- Hunter
- Hutchinson
- Hutto
- Hyde
- Inhofe
- Inslee
- Istook
- Jacobs
- Jefferson
- Johnson (CT)
- Johnson (GA)
- Johnson (SD)
- Johnson, E.B.
- Johnson, Sam
- Johnston
- Kanjorski
- Kaptur
- Kasich
- Kennedy
- Kennelly
- Kildee
- Kim
- King
- Kingston
- Kleczka
- Klein
- Klink
- Knollenberg
- Kolbe
- Kopetski
- Kreidler
- Kyl
- LaFalce
- Lambert
- Lancaster
- Lantos
- LaRocco
- Laughlin
- Leach
- Lehman
- Levin
- Levy
- Lewis (FL)
- Lewis (GA)
- Lewis (KY)
- Lightfoot
- Linder
- Lipinski
- Livingston
- Lloyd
- Long
- Lowey
- Lucas
- Machtley
- Maloney
- Mann
- Manton
- Markey
- Martinez
- Matsui
- Mazzoli
- McCandless
- McCloskey
- McCollum
- McCrery
- McCurdy
- McDermott
- McHale
- McHugh
- McInnis
- McKeon
- McKinney
- McMillan
- McNulty
- Meehan
- Meek
- Menendez
- Meyers
- Mfume
- Michel
- Miller (CA)
- Mineta
- Minge
- Mink
- Moakley
- Molinari
- Mollohan
- Montgomery
- Moorhead
- Moran
- Morella
- Murphy
- Murtha
- Myers
- Nadler
- Neal (MA)
- Neal (NC)
- Nussle
- Oberstar
- Olver
- Ortiz
- Owens
- Oxley
- Packard
- Pallone
- Parker
- Paxon
- Payne (NJ)
- Payne (VA)
- Pelosi
- Penny
- Peterson (MN)
- Petri
- Pickett
- Pickle
- Pomeroy
- Portman
- Poshard
- Price (NC)
- Quillen
- Quinn
- Rahall
- Rangel
- Ravenel
- Reed
- Regula
- Reynolds
- Richardson
- Roberts
- Roemer
- Rogers
- Ros-Lehtinen
- Rose
- Rostenkowski
- Roth
- Roukema
- Rowland
- Roybal-Allard
- Rush
- Sanders
- Sangmeister
- Santorum
- Sarpalius
- Sawyer
- Saxton
- Schaefer
- Stump
- Schiff
- Schroeder
- Schumer
- Scott
- Serrano
- Sharp
- Shaw
- Shays
- Shepherd
- Shuster
- Sisisky
- Skaggs
- Skeen
- Skelton
- Slaughter
- Smith (IA)
- Smith (MI)
- Smith (NJ)
- Smith (OR)
- Smith (TX)
- Snowe
- Solomon
- Spence
- Spratt
- Stark
- Stearns
- Stenholm
- Strickland
- Studds
- Stump
- Stupak
- Swett
- Swift
- Synar
- Talent
- Tanner
- Tauzin
- Taylor (MS)
- Tejeda
- Thomas (CA)
- Thompson
- Thornton
- Thurman
- Torkildsen
- Torricelli
- Towns
- Trafigant
- Unsoeld
- Valentine
- Velazquez
- Vento
- Visclosky
- Volkmer
- Vucanovich
- Walker
- Walsh
- Waters
- Watt
- Waxman
- Weldon
- Wheat
- Whitten
- Wise
- Woolsey
- Wyden
- Wynn
- Young (AK)
- Young (FL)
- Zimmer

- Reynolds
- Richardson
- Roberts
- Roemer
- Rogers
- Ros-Lehtinen
- Rose
- Rostenkowski
- Roth
- Roukema
- Rowland
- Roybal-Allard
- Rush
- Sanders
- Sangmeister
- Santorum
- Sarpalius
- Sawyer
- Saxton
- Schaefer
- Stump
- Schiff
- Schroeder
- Schumer
- Scott
- Serrano
- Sharp
- Shaw
- Shays
- Shepherd
- Shuster
- Sisisky
- Skaggs
- Skeen
- Skelton
- Slaughter
- Smith (IA)
- Smith (MI)
- Smith (NJ)
- Smith (OR)
- Smith (TX)
- Snowe
- Solomon
- Spence
- Spratt
- Stark
- Stearns
- Stenholm
- Strickland
- Studds
- Stump
- Stupak
- Swett
- Swift
- Synar
- Talent
- Tanner
- Tauzin
- Taylor (MS)
- Tejeda
- Thomas (CA)
- Thompson
- Thornton
- Thurman
- Torkildsen
- Torricelli
- Towns
- Trafigant
- Unsoeld
- Valentine
- Velazquez
- Vento
- Visclosky
- Volkmer
- Vucanovich
- Walker
- Walsh
- Waters
- Watt
- Waxman
- Weldon
- Wheat
- Whitten
- Wise
- Woolsey
- Wyden
- Wynn
- Young (AK)
- Young (FL)
- Zimmer

NAYS—45

- Allard
- Archer
- Armey
- Baker (CA)
- Billey
- Boehner
- Camp
- Coble
- Crane
- DeFazio
- DeLay
- Doolittle
- Duncan
- Ehlers
- Fawell
- Fields (TX)
- Goodlatte
- Goss
- Grams
- Greenwood
- Hancock
- Hansen
- Hefley
- Hoekstra
- Huffington
- Inglis
- Klug
- Lazio
- Manzullo
- Margolies-
- Mezvinsky
- Mica
- Miller (FL)
- Orton
- Pombo
- Porter
- Pryce (OH)
- Ramstad
- Rohrabacher
- Royce
- Sensenbrenner
- Taylor (NC)
- Thomas (WY)
- Upton
- Williams
- Zeliff

NOT VOTING—26

- Bachus (AL)
- Bentley
- Bevill
- Browder
- Callahan
- Carr
- Cramer
- Frank (MA)
- Gallo
- Hilliard
- Lewis (CA)
- McDade
- Obey
- Pastor
- Peterson (FL)
- Ridge
- Sabo
- Slattery
- Stokes
- Sundquist
- Torres
- Tucker
- Washington
- Wilson
- Wolf
- Yates

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 amendment.

¶120.18 H.R. 5116—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VIS-CLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5116) to amend title 11 of the United States Code; as amended.

The question being put, viva voce, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. VIS-CLOSKY, announced that two-thirds of those 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.

¶120.19 H.R. 4922—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VIS-CLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4922) to amend title 18, United States Code, to make clear a telecommunications carrier's duty to cooperate in the interception of communications for law enforcement purposes, and for other purposes; as amended.

The question being put, viva voce, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. VIS-CLOSKY, announced that two-thirds of those 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.

¶120.20 S. 1457—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VIS-CLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1457) to amend the Aleutian and Privilof Restitution Act to increase authorization for appropriation to compensate Aleut villages for church property lost, damaged, or destroyed during World War II; as amended.

The question being put, viva voce, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. VIS-CLOSKY, announced that two-thirds of those 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 amendment.

¶120.21 S. 922—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VIS-CLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 922) to provide that a State court may not modify an order of another State

court requiring the payment of child support unless the recipient of child support payments resides in the State in which the modification is sought or consents to the seeking of the modification in that court.

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. VISCLOSKY, announced that two-thirds of those 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.

¶120.22 H.R. 5140—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VISCLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5140) to provide for improved procedures for the enforcement of child support obligations of members of the Armed Forces.

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. VISCLOSKY, announced that two-thirds of those 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.

¶120.23 H.R. 3059—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VISCLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3059) to establish a National Maritime Heritage Program to make grants available for educational programs and the restoration of America's cultural resources for the purpose of preserving America's endangered maritime heritage; as amended.

The question being put, *viva voce*,

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

The SPEAKER pro tempore, Mr. VISCLOSKY, announced that two-thirds of those 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.

¶120.24 H.R. 5139—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VISCLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5139) to amend title 39, United States Code, to provide for procedures under which persons involuntarily separated by the United States Postal Service as a result of having been improperly arrested by the Postal Inspection Service on narcotics charges may seek reemployment.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 300
Nays 117

¶120.25 [Roll No. 488] YEAS—300

Abercrombie	Edwards (TX)	Kapture
Ackerman	Engel	Kasich
Andrews (ME)	English	Kennedy
Andrews (NJ)	Eshoo	Kennelly
Andrews (TX)	Evans	Kildee
Applegate	Everett	King
Bacchus (FL)	Ewing	Kleczka
Baesler	Farr	Klein
Barca	Fazio	Klink
Barcia	Fields (LA)	Kopetski
Barlow	Filner	Kreidler
Barrett (WI)	Fingerhut	LaFalce
Bateman	Fish	Lancaster
Becerra	Flake	Lantos
Beilenson	Foglietta	LaRocco
Berman	Ford (MI)	Laughlin
Bilbray	Ford (TN)	Lazio
Bishop	Franks (CT)	Lehman
Blackwell	Franks (NJ)	Levin
Boehlert	Frost	Levy
Bonilla	Furse	Lewis (GA)
Bonior	Gejdenson	Lipinski
Borski	Gephardt	Livingston
Boucher	Geren	Lloyd
Brewster	Gibbons	Long
Brooks	Gilchrest	Lowey
Brown (FL)	Gillmor	Machtley
Brown (OH)	Gilman	Maloney
Bryant	Glickman	Mann
Burton	Gonzalez	Manton
Byrne	Gordon	Markey
Calvert	Grandy	Martinez
Cantwell	Green	Matsui
Cardin	Gutierrez	Mazzoli
Chapman	Gunderson	McCloskey
Clay	Hall (OH)	McCrery
Clement	Hamburg	McCurdy
Clinger	Hamilton	McDade
Clyburn	Harman	McDermott
Coleman	Hastert	McHale
Collins (IL)	Hastings	McInnis
Collins (MI)	Hayes	McKinney
Condit	Hefner	McMillan
Conyers	Hinchev	McNulty
Cooper	Hoagland	Meehan
Coppersmith	Hobson	Meek
Costello	Hochbrueckner	Menendez
Coyne	Hoke	Mfume
Cunningham	Holden	Miller (CA)
Darden	Horn	Mineta
de la Garza	Houghton	Minge
Deal	Hoyer	Mink
DeFazio	Hughes	Moakley
DeLauro	Hutto	Mollohan
Dellums	Hyde	Montgomery
Derrick	Inslee	Moran
Deutsch	Jacobs	Morella
Diaz-Balart	Jefferson	Murphy
Dickey	Johnson (CT)	Murtha
Dicks	Johnson (GA)	Myers
Dingell	Johnson (SD)	Nadler
Dixon	Johnson, E. B.	Neal (MA)
Dooley	Johnson, Sam	Neal (NC)
Durbin	Johnston	Oberstar
Edwards (CA)	Kanjorski	Obey

Olver	Roybal-Allard	Synar
Ortiz	Rush	Tauzin
Orton	Sabo	Taylor (NC)
Owens	Sanders	Tejeda
Pallone	Sangmeister	Thomas (CA)
Parker	Sarpalius	Thompson
Pastor	Sawyer	Thornton
Payne (NJ)	Saxton	Thurman
Payne (VA)	Schaefer	Torkildsen
Pelosi	Schenk	Torres
Peterson (FL)	Schiff	Torricelli
Peterson (MN)	Schroeder	Towns
Pickett	Schumer	Trafficant
Pickle	Scott	Unsoeld
Pombo	Serrano	Velazquez
Pomeroy	Sharp	Vento
Porter	Shaw	Visclosky
Poshard	Shays	Volkmer
Price (NC)	Shepherd	Walsh
Quillen	Sisisky	Waters
Quinn	Skaggs	Watt
Rahall	Skeen	Waxman
Rangel	Skelton	Weldon
Reed	Slaughter	Whelan
Regula	Smith (IA)	Whitten
Reynolds	Snowe	Williams
Richardson	Spence	Wilson
Roemer	Stark	Wise
Rohrabacher	Stenholm	Wolf
Ros-Lehtinen	Stokes	Woolsey
Rose	Strickland	Wyden
Rostenkowski	Studds	Wynn
Roth	Stupak	Yates
Roukema	Swett	Young (AK)
Rowland	Swift	Zeliff

NAYS—117

Allard	Goodlatte	Michel
Archer	Goodling	Miller (FL)
Armey	Goss	Molinari
Baker (CA)	Grams	Moorhead
Baker (LA)	Greenwood	Nussle
Ballenger	Hall (TX)	Oxley
Barrett (NE)	Hancock	Packard
Bartlett	Hansen	Paxon
Barton	Hefley	Penny
Bentley	Herger	Petri
Bereuter	Hoekstra	Portman
Bilirakis	Huffington	Pryce (OH)
Bliley	Hunter	Ramstad
Boehner	Hutchinson	Ravenel
Bunning	Inglis	Roberts
Buyer	Inhofe	Rogers
Camp	Istook	Royce
Canady	Kim	Santorum
Castle	Kingston	Sensenbrenner
Coble	Klug	Shuster
Collins (GA)	Knollenberg	Smith (MI)
Combust	Kolbe	Smith (NJ)
Cox	Kyl	Smith (OR)
Crane	Lambert	Smith (TX)
Crapo	Leach	Solomon
Danner	Lewis (CA)	Spratt
DeLay	Lewis (FL)	Stearns
Doolittle	Lewis (KY)	Stump
Dornan	Lightfoot	Talent
Dreier	Linder	Tanner
Duncan	Lucas	Taylor (MS)
Dunn	Manzullo	Thomas (WY)
Ehlers	Margolies-	Upton
Emerson	Mezvinsky	Valentine
Fawell	McCandless	Vucanovich
Fields (TX)	McCollum	Walker
Fowler	McHugh	Young (FL)
Gallegly	McKeon	Zimmer
Gekas	Meyers	
Gingrich	Mica	

NOT VOTING—17

Bachus (AL)	Carr	Ridge
Bevill	Clayton	Slattery
Blute	Cramer	Sundquist
Browder	Frank (MA)	Tucker
Brown (CA)	Gallo	Washington
Callahan	Hilliard	

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.

¶120.26 H.R. 2135—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VIS-CLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2135) to provide for a National Native American Veterans' Memorial; as amended.

The question being put, *viva voce*, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. VIS-CLOSKY, announced that two-thirds of those 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.

¶120.27 S. 720—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VIS-CLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 720) to clean up open dumps on Indian lands, and for other purposes; as amended.

The question being put, *viva voce*, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. VIS-CLOSKY, announced that two-thirds of those 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 amendment.

¶120.28 H.R. 4653—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VIS-CLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 4653) to settle certain Indian land claims within the State of Connecticut, and for other purposes.

The question being put, *viva voce*, Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. VIS-CLOSKY, announced that two-thirds of those present had voted in the affirmative.

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

A motion to reconsider the vote whereby the rules were suspended and

said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶120.29 H.R. 4533—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VIS-CLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4533) to promote entrepreneurial management of National Park Service, and for other purposes; as amended.

The question being put, Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 242
negative Nays 174

¶120.30 [Roll No. 489]

YEAS—242

Abercrombie	Gilchrest	Meehan
Ackerman	Gillmor	Meek
Andrews (ME)	Gingrich	Meyers
Andrews (TX)	Glickman	Mfume
Bacchus (FL)	Gonzalez	Miller (CA)
Baesler	Goodlatte	Mineta
Barca	Goss	Minge
Barlow	Grams	Moakley
Barrett (WI)	Gutierrez	Mollohan
Barton	Hall (OH)	Montgomery
Bateman	Hamburg	Moran
Becerra	Hamilton	Morella
Beilenson	Hansen	Murtha
Bereuter	Harman	Neal (MA)
Berman	Hastings	Neal (NC)
Bilbray	Hefner	Oberstar
Bishop	Hinchev	Obey
Blackwell	Hoagland	Olver
Blute	Hobson	Ortiz
Boehlert	Hochbrueckner	Orton
Bonior	Hoke	Parker
Borski	Horn	Pastor
Boucher	Houghton	Payne (VA)
Brooks	Hoyer	Pelosi
Brown (FL)	Hughes	Penny
Brown (OH)	Hutto	Peterson (FL)
Bryant	Inslee	Pickett
Byrne	Jacobs	Pickle
Cantwell	Johnson (CT)	Pomeroy
Chapman	Johnson (GA)	Porter
Clyburn	Johnson (SD)	Portman
Coleman	Johnson, E.B.	Price (NC)
Collins (IL)	Johnston	Rahall
Collins (MI)	Kanjorski	Rangel
Combest	Kaptur	Ravenel
Conyers	Kasich	Reed
Coppersmith	Kennedy	Regula
Coyne	Kennelly	Reynolds
Darden	Kildee	Richardson
de la Garza	Klecza	Roberts
Deal	Klink	Roemer
DeLauro	Kolbe	Rose
Dellums	Kopetski	Rostenkowski
Derrick	Kreidler	Roukema
Deutsch	Kyl	Roybal-Allard
Dicks	LaFalce	Rush
Dingell	Lambert	Sabo
Dixon	Lantos	Sanders
Dooley	Lehman	Sangmeister
Dunn	Levin	Sarpalius
Durbin	Lewis (GA)	Sawyer
Edwards (CA)	Lloyd	Schenk
English	Long	Schroeder
Eshoo	Lowey	Scott
Evans	Lucas	Serrano
Farr	Machtley	Sharp
Fazio	Mann	Shays
Filner	Manton	Shepherd
Fingerhut	Margolies-	Sisisky
Flake	Mezvinsky	Skaggs
Foglietta	Markey	Slaughter
Ford (MI)	Martinez	Smith (MI)
Fowler	Matsui	Smith (OR)
Franks (NJ)	Mazzoli	Smith (TX)
Frost	McCloskey	Snowe
Furse	McDermott	Spence
Gejdenson	McKinney	Spratt
Gephardt	McMillan	Stark
Gibbons	McNulty	Stenholm

Strickland	Thurman	Waxman
Studds	Torkildsen	Wheat
Stupak	Torres	Whitten
Sweet	Towns	Williams
Swift	Traficant	Wilson
Synar	Unsoeld	Wise
Tanner	Upton	Wolf
Tauzin	Vento	Woolsey
Tejeda	Visclosky	Wyden
Thomas (WY)	Volkmer	Wynn
Thompson	Waters	Yates
Thornton	Watt	Young (AK)

NAYS—174

Allard	Gekas	Miller (FL)
Andrews (NJ)	Geren	Mink
Applegate	Gilman	Molinari
Archer	Goodling	Moorhead
Armey	Gordon	Murphy
Baker (CA)	Grandy	Myers
Baker (LA)	Green	Nadler
Ballenger	Greenwood	Nussle
Barcia	Gunderson	Owens
Barrett (NE)	Hall (TX)	Oxley
Bartlett	Hancock	Packard
Bentley	Hastert	Pallone
Bilirakis	Hayes	Paxon
Bliley	Hefley	Payne (NJ)
Boehner	Herger	Peterson (MN)
Bonilla	Hoekstra	Petri
Brewster	Holden	Pombo
Bunning	Huffington	Poshard
Buyer	Hunter	Pryce (OH)
Calvert	Hutchinson	Quillen
Camp	Hyde	Quinn
Canady	Inglis	Ramstad
Cardin	Inhofe	Rogers
Castle	Istook	Rohrabacher
Clay	Jefferson	Ros-Lehtinen
Clement	Johnson, Sam	Roth
Clinger	Kim	Rowland
Coble	King	Royce
Collins (GA)	Kingston	Santorum
Condit	Klein	Saxton
Cooper	Klug	Schaefer
Costello	Knollenberg	Schiff
Cox	Lancaster	Schumer
Crane	LaRocco	Sensenbrenner
Crapo	Laughlin	Shaw
Cunningham	Lazio	Shuster
Danner	Leach	Skeen
DeFazio	Levy	Skelton
DeLay	Lewis (CA)	Smith (IA)
Diaz-Balart	Lewis (FL)	Smith (NJ)
Dickey	Lewis (KY)	Solomon
Doolittle	Lightfoot	Stearns
Dornan	Linder	Stokes
Dreier	Lipinski	Stump
Duncan	Livingston	Talent
Edwards (TX)	Maloney	Taylor (MS)
Ehlers	Manzullo	Taylor (NC)
Emerson	McCandless	Thomas (CA)
Engel	McCollum	Torricelli
Everett	McCrery	Valentine
Ewing	McDade	Velazquez
Fawell	McHale	Vucanovich
Fields (LA)	McHugh	Walker
Fields (TX)	McInnis	Walsh
Fish	McKeon	Weldon
Ford (TN)	Menendez	Young (FL)
Franks (CT)	Mica	Zeliff
Gallegly	Michel	Zimmer

NOT VOTING—18

Bachus (AL)	Carr	McCurdy
Bevill	Clayton	Ridge
Browder	Cramer	Slattery
Brown (CA)	Frank (MA)	Sundquist
Burton	Gallo	Tucker
Callahan	Hilliard	Washington

So, two-thirds of the Members present not having voted in favor thereof, the rules were not suspended and said bill, as amended, was not passed.

¶120.31 S. 1919—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VIS-CLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1919) to improve water quality within the Rio Puerco watershed and to help restore the ecological health of the Rio Grande through the cooperative

identification and implementation of best management practices which are consistent with the ecological, geological, cultural, sociological, and economic conditions in the region; as amended.

The question being put,
Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the $\left\{ \begin{array}{l} \text{Yeas} \dots\dots 220 \\ \text{negative} \dots\dots\dots \text{Nays} \dots\dots 196 \end{array} \right.$

¶120.32 [Roll No. 490]
YEAS—220

Abercrombie	Gibbons	Olver
Ackerman	Gilchrest	Owens
Andrews (ME)	Gilman	Pallone
Andrews (TX)	Gonzalez	Pastor
Applegate	Gordon	Payne (NJ)
Bacchus (FL)	Green	Payne (VA)
Baesler	Gutierrez	Pelosi
Barca	Hall (OH)	Peterson (FL)
Barlow	Hamburge	Peterson (MN)
Barrett (WI)	Hamilton	Pickle
Bateman	Harman	Pomeroy
Becerra	Hastings	Price (NC)
Beilenson	Hefner	Rangel
Bereuter	Hinchey	Reed
Berman	Hoagland	Regula
Bilbray	Hochbrueckner	Reynolds
Bishop	Horn	Richardson
Blackwell	Hoyer	Ros-Lehtinen
Blute	Hughes	Rose
Bonilla	Inslee	Rostenkowski
Bonior	Johnson (CT)	Roybal-Allard
Borski	Johnson (GA)	Rush
Boucher	Johnson (SD)	Sabo
Brooks	Johnson, E. B.	Sawyer
Brown (FL)	Johnston	Schenk
Brown (OH)	Kanjorski	Schiff
Bryant	Kennedy	Schroeder
Byrne	Kennelly	Scott
Cantwell	Kildee	Serrano
Cardin	Kleczka	Sharp
Clay	Klein	Shays
Clement	Klink	Shepherd
Clinger	Kolbe	Shuster
Clyburn	Kopetski	Skaggs
Coleman	Kreidler	Skeen
Collins (IL)	LaFalce	Slaughter
Collins (MI)	Lancaster	Smith (IA)
Conyers	Lantos	Snowe
Coppersmith	LaRocco	Spratt
Coyne	Lehman	Stark
Darden	Levin	Stokes
de la Garza	Lewis (GA)	Strickland
Deal	Lloyd	Studds
DeLauro	Long	Stupak
Dellums	Lowey	Swift
Derrick	Machtley	Synar
Deutsch	Maloney	Tejeda
Diaz-Balart	Mann	Thomas (WY)
Dicks	Manton	Thompson
Dingell	Markey	Thurman
Dixon	Martinez	Torkildsen
Dooley	Matsui	Torres
Dunn	Mazzoli	Torrice
Durbin	McCloskey	Towns
Edwards (CA)	McDermott	Traficant
Edwards (TX)	McKinney	Unsoeld
Ehlers	Meehan	Velazquez
Engel	Meek	Vento
English	Menendez	Visclosky
Eshoo	Mfume	Waters
Evans	Miller (CA)	Watt
Farr	Mink	Waxman
Fazio	Mintz	Wheat
Fields (LA)	Moakley	Whitten
Filner	Mollohan	Williams
Fingerhut	Montgomery	Wilson
Flake	Moran	Wise
Foglietta	Morella	Woolsey
Ford (MI)	Murtha	Wyden
Ford (TN)	Nadler	Wynn
Frost	Neal (MA)	Yates
Furse	Neal (NC)	Young (AK)
Gejdenson	Oberstar	
Gephardt	Obey	

NAYS—196

Allard	Armedy	Ballenger
Andrews (NJ)	Baker (CA)	Barcia
Archer	Baker (LA)	Barrett (NE)

Bartlett	Hobson	Packard
Barton	Hoekstra	Parker
Bentley	Hoke	Paxon
Bilirakis	Holden	Penny
Bliley	Houghton	Petri
Boehlert	Huffington	Pickett
Boehner	Hunter	Pombo
Brewster	Hutchinson	Porter
Bunning	Hutto	Portman
Burton	Hyde	Poshard
Buyer	Inglis	Pryce (OH)
Calvert	Inhofe	Quillen
Camp	Istook	Quinn
Canady	Jacobs	Rahall
Castle	Jefferson	Ramstad
Chapman	Johnson, Sam	Ravenel
Coble	Kaptur	Roberts
Collins (GA)	Kasich	Roemer
Combest	Kim	Rogers
Condit	King	Rohrabacher
Cooper	Kingston	Roth
Costello	Klug	Roukema
Cox	Knollenberg	Rowland
Crane	Kyl	Royce
Crapo	Lambert	Sangmeister
Cunningham	Laughlin	Santorum
Danner	Lazio	Sarpalius
DeFazio	Leach	Saxton
DeLay	Levy	Schaefer
Dickey	Lewis (CA)	Schumer
Doolittle	Lewis (FL)	Sensenbrenner
Dornan	Lewis (KY)	Shaw
Dreier	Lightfoot	Sisisky
Duncan	Linder	Skelton
Emerson	Lipinski	Smith (MI)
Everett	Livingston	Smith (NJ)
Ewing	Lucas	Smith (OR)
Fawell	Manzullo	Smith (TX)
Fields (TX)	Margolies-	Solomon
Fish	Mezvinsky	Spence
Fowler	McCandless	Stearns
Franks (CT)	McCollum	Stenholm
Franks (NJ)	McCrery	Stump
Galleghy	McDade	Swett
Gekas	McHale	Talent
Geren	McHugh	Tanner
Gillmor	McInnis	Tauzin
Gingrich	McKeon	Taylor (MS)
Glickman	McMillan	Taylor (NC)
Goodlatte	McNulty	Thomas (CA)
Goodling	Meyers	Thornton
Goss	Mica	Upton
Grams	Michel	Valentine
Grandy	Miller (FL)	Volkmer
Greenwood	Minge	Vucanovich
Gunderson	Molinaro	Walker
Hall (TX)	Moorhead	Walsh
Hancock	Murphy	Weldon
Hansen	Myers	Wolf
Hastert	Nussle	Young (FL)
Hayes	Ortiz	Zeliff
Hefley	Orton	Zimmer
Herger	Oxley	

NOT VOTING—18

Bachus (AL)	Clayton	Ridge
Bevill	Cramer	Sanders
Browder	Frank (MA)	Slattery
Brown (CA)	Gallo	Sundquist
Callahan	Hilliard	Tucker
Carr	McCurdy	Washington

So, two-thirds of the Members present not having voted in favor thereof, the rules were not suspended and said bill, as amended, was not passed.

¶120.33 S. 1614—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VIS-CLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1614) to amend the Child Nutrition Act of 1966 and the National Lunch Act to promote healthy eating habits for children and to extend certain authorities contained in such Act through fiscal year 1998, and for other purposes; as amended.

The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. VIS-CLOSKY, announced that two-thirds of those 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 amendment.

¶120.34 S. 1225—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VIS-CLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1225) to authorize and encourage the President to conclude an agreement with Mexico to establish a United States-Mexico Border Health Commission.

The question being put,
Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the $\left\{ \begin{array}{l} \text{Yeas} \dots\dots 308 \\ \text{affirmative} \dots\dots\dots \text{Nays} \dots\dots 103 \end{array} \right.$

¶120.35 [Roll No. 491]
YEAS—308

Abercrombie	Costello	Gonzalez
Ackerman	Coyne	Gordon
Andrews (ME)	Cunningham	Grandy
Andrews (NJ)	Danner	Green
Andrews (TX)	Darden	Gunderson
Applegate	de la Garza	Gutierrez
Archer	Deal	Hall (OH)
Armey	DeFazio	Hall (TX)
Bacchus (FL)	DeLauro	Hamburg
Baesler	DeLay	Hamilton
Baker (CA)	Dellums	Harman
Barcia	Derrick	Hastings
Barlow	Deutsch	Hayes
Barrett (WI)	Diaz-Balart	Hefner
Barton	Dickey	Hinchey
Bateman	Dicks	Hoagland
Beilenson	Dingell	Hochbrueckner
Bereuter	Dixon	Horn
Berman	Dooley	Hoyer
Bilbray	Dornan	Huffington
Bilirakis	Dunn	Hughes
Bishop	Durbin	Hunter
Blackwell	Edwards (CA)	Hutchinson
Bliley	Edwards (TX)	Hutto
Blute	Ehlers	Hyde
Boehlert	Engel	Jacobs
Bonilla	English	Jefferson
Bonior	Eshoo	Johnson (CT)
Borski	Evans	Johnson (GA)
Boucher	Fazio	Johnson (SD)
Brewster	Fields (LA)	Johnson, E. B.
Brooks	Fields (TX)	Johnson, Sam
Brown (FL)	Filner	Johnston
Brown (OH)	Fingerhut	Kanjorski
Bryant	Fish	Kaptur
Buyer	Flake	Kennedy
Byrne	Foglietta	Kennelly
Calvert	Ford (MI)	Kildee
Cantwell	Ford (TN)	Kleczka
Cardin	Fowler	Klein
Chapman	Frost	Klink
Clay	Furse	Kolbe
Clement	Gejdenson	Kopetski
Clyburn	Gephardt	Kreidler
Coleman	Geren	Kyl
Collins (IL)	Gibbons	LaFalce
Collins (MI)	Gilchrest	Lambert
Combest	Gillmor	Lancaster
Condit	Gilman	Lantos
Conyers	Gingrich	LaRocco
Coppersmith	Glickman	Laughlin

Leach	Nussle	Skaggs
Lehman	Oberstar	Skeen
Levin	Obey	Skelton
Lewis (GA)	Olver	Slaughter
Lightfoot	Ortiz	Smith (IA)
Lipinski	Owens	Smith (MI)
Livingston	Pallone	Smith (TX)
Lloyd	Parker	Snowe
Long	Pastor	Spence
Lowe	Payne (VA)	Spratt
Lucas	Pelosi	Stark
Machtley	Peterson (FL)	Stenholm
Maloney	Peterson (MN)	Stokes
Mann	Pickett	Strickland
Manton	Pickle	Studds
Markey	Pomeroy	Stupak
Martinez	Poshard	Swift
Matsui	Price (NC)	Synar
Mazzoli	Quillen	Talent
McCandless	Rahall	Tanner
McCloskey	Ramstad	Tauzin
McCollum	Rangel	Taylor (MS)
McCrery	Ravenel	Tejeda
McDade	Reed	Thomas (CA)
McDermott	Reynolds	Thompson
McHale	Richardson	Thornton
McInnis	Roberts	Thurman
McKeon	Roemer	Torkildsen
McKinney	Ros-Lehtinen	Torres
McMillan	Rose	Torricelli
McNulty	Rostenkowski	Towns
Meehan	Roth	Trafiacant
Meek	Roukema	Unsoeld
Menendez	Rowland	Velazquez
Mfume	Roybal-Allard	Vento
Miller (CA)	Rush	Visclosky
Mineta	Sabo	Volkmer
Minge	Sangmeister	Vucanovich
Mink	Sarpalius	Waters
Moakley	Sawyer	Watt
Molinari	Saxton	Waxman
Mollohan	Schaefer	Wheat
Montgomery	Schen	Whitten
Moorhead	Schiff	Williams
Moran	Schroeder	Wilson
Morella	Schumer	Wise
Murphy	Scott	Woolsey
Murtha	Serrano	Wyden
Myers	Sharp	Wynn
Nadler	Shays	Yates
Neal (MA)	Shepherd	Young (FL)
Neal (NC)	Sisisky	

NAYS—103

Allard	Greenwood	Packard
Baker (LA)	Hancock	Paxon
Ballenger	Hansen	Penny
Barca	Hastert	Petri
Barrett (NE)	Hefley	Pombo
Bartlett	Herger	Porter
Bentley	Hobson	Portman
Boehner	Hoekstra	Pryce (OH)
Bunning	Hoke	Quinn
Burton	Holden	Regula
Camp	Houghton	Rogers
Canady	Inglis	Rohrabacher
Castle	Inhofe	Royce
Clinger	Inslee	Santorum
Coble	Istook	Sensenbrenner
Collins (GA)	Kasich	Shaw
Cooper	Kim	Shuster
Cox	King	Smith (NJ)
Crane	Kingston	Smith (OR)
Crapo	Klug	Solomon
Doolittle	Knollenberg	Stearns
Dreier	Lazio	Stump
Duncan	Levy	Swett
Emerson	Lewis (CA)	Taylor (NC)
Everett	Lewis (FL)	Thomas (WY)
Ewing	Lewis (KY)	Upton
Fawell	Linder	Valentine
Franks (CT)	Manzullo	Walker
Franks (NJ)	Margolies-	Walsh
Galleghy	Mezvinsky	Weldon
Gekas	McHugh	Wolf
Goodlatte	Meyers	Young (AK)
Goodling	Miller (FL)	Zeliff
Goss	Orton	Zimmer
Grams	Oxley	

NOT VOTING—23

Bachus (AL)	Cramer	Payne (NJ)
Becerra	Farr	Ridge
Bevill	Frank (MA)	Sanders
Browder	Gallo	Slattery
Brown (CA)	Hilliard	Sundquist
Callahan	McCurdy	Tucker
Carr	Mica	Washington
Clayton	Michel	

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.

¶120.36 H.R. 5155—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VIS-CLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5155) to authorize the transfer of naval vessels to certain foreign countries.

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. VIS-CLOSKY, announced that two-thirds of those 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.

¶120.37 H. CON. RES. 302—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VIS-CLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 302) urging the President to promote political stability in Tajikistan through efforts to encourage political resolution of the conflict and respect for human rights and through the provision of humanitarian assistance and, subject to certain conditions, economic assistance.

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. VIS-CLOSKY, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

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

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

¶120.38 H. RES. 561—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VIS-CLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H.

Res. 561) expressing the sense of the House of Representatives with respect to the prospects for peace in Northern Ireland.

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. VIS-CLOSKY, announced that two-thirds of those 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 agreed to.

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

¶120.39 H. RES. 560—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VIS-CLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 560) concerning United States support for the new South Africa.

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. VIS-CLOSKY, announced that two-thirds of those present had voted in the affirmative.

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

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

¶120.40 H. CON. RES. 278—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VIS-CLOSKY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 278) expressing the sense of the Congress regarding United States policy towards Vietnam.

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. VIS-CLOSKY, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

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

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

¶120.41 H. CON. RES. 216—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VIS-CLOSKY, pursuant to clause 5, rule I,

announced the further unfinished business to be the motion to suspend the rules and agree to the concurrent resolution (H. Con. Res. 216) expressing the sense of the Congress regarding human rights in Vietnam; as amended.

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

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

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

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

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

¶120.42 H.R. 2826—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VISCLOSKEY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 2826) to provide for an investigation of the whereabouts of the United States citizens and others who have been missing from Cyprus since 1974.

The question being put, *viva voce*,

Will the House suspend the rules and agree to said amendment?

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

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

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

Ordered, That the Clerk notify the Senate thereof.

¶120.43 H.R. 3485—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. VISCLOSKEY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and agree to the amendments of the Senate to the bill (H.R. 3485) to authorize appropriations for carrying out the Earthquake Hazards Reduction Act of 1977 for fiscal years 1994, 1995, and 1996.

The question being put, *viva voce*,

Will the House suspend the rules and agree to said amendments?

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

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments were agreed to.

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

Ordered, That the Clerk notify the Senate thereof.

¶120.44 PUBLIC WORKS PROJECTS

The SPEAKER pro tempore, Mr. VISCLOSKEY, laid before the House a communication, which was read as follows:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON PUBLIC WORKS AND
TRANSPORTATION,

Washington, DC, September 28, 1994.

Hon. THOMAS S. FOLEY,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Enclosed are copies of resolutions adopted today by the Committee on Public Works and Transportation. These resolutions authorize studies of potential water resources projects by the Secretary of the Army in accordance with the provisions of section 4 of the Act of March 4, 1913, section 2 of the Act of June 15, 1955, and section 204 of the Flood Control Act of 1970.

Sincerely yours,

NORMAN Y. MINETA,
*Chair, Committee on Public Works
and Transportation.*

The communication, together with the accompanying papers, was referred to the Committee on Appropriations.

¶120.45 PUBLIC WORKS PROJECTS

The SPEAKER pro tempore, Mr. VISCLOSKEY, laid before the House a communication, which was read as follows:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON PUBLIC WORKS AND
TRANSPORTATION,

Washington, DC, September 28, 1994.

Hon. THOMAS S. FOLEY,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Enclosed are copies of two resolutions adopted today by the Committee on Public Works and Transportation. These resolutions authorize small watershed projects of the Soil Conservation Service in accordance with the provisions of section 2 of the Watershed Protection and Flood Prevention Act (Public Law 83-566).

Sincerely yours,

NORMAN Y. MINETA,
*Chair, Committee on Public Works
and Transportation.*

The communication, together with the accompanying papers, was referred to the Committee on Appropriations.

¶120.46 DISINSECTION OF PLANES

On motion of Mr. OBERSTAR, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 77):

Whereas the United States has a responsibility to protect the health and safety of United States air travelers in the United States and abroad;

Whereas the United States ended the practice of aircraft cabin disinsection 15 years ago, after determining that the process was ineffective and posed a possible death risk to aircraft passengers;

Whereas 27 countries require disinsection of aircraft cabins by the spraying of an insecticide while passengers are on board the aircraft or by a residual pesticide treatment which is not registered for use in the United States.

Whereas the United States 10,000,000 people fly every year from the United States to countries that require disinsection of aircraft;

Whereas the United States pilots and flight attendants on flights to such countries are repeatedly exposed to the chemicals used in disinsection of aircraft;

Whereas approximately 53,000,000 Americans, more than 20 percent of the population, suffer chronic respiratory problems that put them at special risk to aircraft cabin disinsection procedures;

Whereas no tests have been conducted to determine whether insecticides used for aircraft cabin disinsection are safe for use in unventilated aircraft cabins or for people with chemical sensitivities or breathing conditions;

Whereas there has been a decrease in the number of insecticides registered for aircraft cabin disinsection by the Environmental Protection Agency by reason of the health concerns raised with respect to such insecticides, and there is no indication that insecticides produced in foreign countries which might serve to replace such insecticides present any less threat to health;

Whereas Annex 9 to the Convention on International Civil Aviation, done at Chicago, December 7, 1944, states that "Contracting States shall ensure that their procedures for disinsecting or any other remedial measure are not injurious to the health of passengers and crew and cause the minimum of discomfort to them";

Whereas the Facilitation Division of the International Civil Aviation Organization is scheduled to meet in the Spring of 1995 to discuss changes to the standards set forth in Annex 9 to the Convention; and

Whereas the United States will be a participant at that meeting; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that the United States delegation to the Spring 1995 meeting of the Facilitation Division of the International Civil Aviation Organization—

(1) seek to amend the Convention on International Civil Aviation, done at Chicago, December 7, 1944, to end aircraft disinsection practices that threaten the health of aircraft passengers and crew; and

(2) make every effort to gain the support and cosponsorship of other member nations of the organization of that amendment.

When said concurrent resolution was considered and agreed to.

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

Ordered, That the Clerk notify the Senate thereof.

¶120.47 SHEEP PRODUCT PROMOTION

On motion of Mr. DE LA GARZA, by unanimous consent, the bill of the Senate (S. 2500) to enable producers and feeders of sheep and importers of sheep and sheep products to develop, finance, and carry out a nationally coordinated program for sheep and sheep product promotion, research, and information, and for other purposes; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

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

Ordered, That the Clerk notify the Senate thereof.

¶120.48 ATLANTIC BLUEFIN TUNA
CONSERVATION

On motion of Mr. STUDDS, by unanimous consent, the Committee on Merchant Marine and Fisheries was discharged from further consideration of the following concurrent resolution (H. Con. Res. 295):

Whereas Atlantic bluefin tuna are a valuable commercial and recreational fishery of the United States;

Whereas many other countries also harvest Atlantic bluefin tuna in the Atlantic Ocean and the Mediterranean Sea;

Whereas the International Commission for the Conservation of Atlantic Tunas (hereinafter referred to as the Commission), was established in 1969 to develop conservation and management recommendations for Atlantic bluefin tuna and other highly migratory species in the Atlantic Ocean and the Mediterranean Sea;

Whereas the Commission adopted conservation and management recommendations in 1974 to ensure the recovery and sustainability of Atlantic bluefin tuna throughout the Atlantic Ocean and the Mediterranean Sea;

Whereas in 1981, the Commission adopted a management strategy for Atlantic bluefin tuna predicated on a hypothesis that two stocks of the fish existed; a western stock found in the Atlantic west of 45 degrees west longitude (hereinafter referred to as the 45 degree line), and an eastern stock found in the Atlantic Ocean east of the 45 degree line and in the Mediterranean Sea;

Whereas since 1981, the Commission has adopted additional, more restrictive conservation and management recommendations for Atlantic bluefin tuna for countries that harvest bluefin tuna west of the 45 degree line, including a 25 percent quota reduction since 1991 with an additional 40 percent quota reduction scheduled for 1995;

Whereas the United States and other Commission members that harvest bluefin tuna west of the 45 degree line have implemented all conservation and management recommendations adopted by the Commission for Atlantic bluefin tuna west of the 45 degree line;

Whereas many other Commission members do not comply with the conservation and management recommendations adopted by the Commission for Atlantic bluefin tuna east of the 45 degree line;

Whereas a recent National Academy of Sciences (NAS) review of the scientific data used by the Commission concluded that the available data is consistent with a one stock management strategy for bluefin tuna in the North Atlantic;

Whereas the NAS review also found that abundance of Atlantic bluefin tuna in the western Atlantic has remained stable since 1988, in contrast to the roughly 50 percent decline in abundance reported by the Commission;

Whereas the continued unrestricted harvesting of Atlantic bluefin tuna east of the 45 degree line and in the Mediterranean Sea will undermine the Commission's recommendations being implemented west of the line to rebuild Atlantic bluefin tuna; and

Whereas, in order to successfully rebuild the Atlantic bluefin tuna stock, conservation and management recommendations must be adopted and implemented throughout the Atlantic Ocean and the Mediterranean Sea; Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring). That it is the sense of the Congress that—

(1) the United States and the International Commission for the Conservation of Atlantic Tunas (hereinafter referred to as the Com-

mission) should continue to promote the conservation and management of Atlantic bluefin tuna throughout the Atlantic Ocean and Mediterranean Sea and develop a program to rebuild Atlantic bluefin tuna that requires the participation of all nations that harvest this species;

(2) the United States should ensure that the scientific findings and recommendations of the National Academy of Sciences Atlantic bluefin tuna review panel are made available to and included in the considerations of the Commission's scientific advisory panel;

(3) the United States should oppose any further quota reductions for nations harvesting Atlantic bluefin tuna west of the 45 degree line until the impacts of recent conservation measures can be determined, and until all nations harvesting Atlantic bluefin tuna west and east of the 45 degree line share equally in conservation and rebuilding efforts for the Atlantic bluefin tuna resources;

(4) the continued harvesting by fishermen from any country which is a member of the Commission and which does not comply with the conservation and management recommendations of the Commission will be considered by the Congress to diminish the effectiveness of an international fishery conservation program and, as such, will be considered by the Congress to be subject to the embargo provision in section 6 of the Atlantic Tunas Convention Act;

(5) the United States should encourage other nations with significant markets for Atlantic bluefin tuna to prohibit the importation of that species from harvesting nations which did not comply with the conservation and management recommendations adopted by the Commission; and

(6) the United States should encourage the Commission to adopt recommendations authorizing the use of discretionary trade actions as enforcement measures when the actions of a nation are undermining the effectiveness of conservation and management recommendations of the Commission.

When said concurrent resolution was considered.

Mr. STUDDS submitted the following amendment in the nature of a substitute which was agreed to:

Strike out all after the resolving clause and insert:

(1) the United States and the International Commission for the Conservation of Atlantic Tunas (hereinafter referred to as the Commission) should continue to promote the conservation and management of Atlantic bluefin tuna throughout the Atlantic Ocean and Mediterranean Sea and develop a program to rebuild Atlantic bluefin tuna that requires the participation of all nations that harvest this species;

(2) the United States should ensure that the scientific findings and recommendations of the National Academy of Sciences Atlantic bluefin tuna review panel are made available to and included in the considerations of the Commission's scientific advisory panel;

(3) the United States should oppose any further quota reductions for nations harvesting Atlantic bluefin tuna west of the 45 degree line and insist that all nations harvesting Atlantic bluefin tuna west and east of the 45 degree line implement comparable conservation and rebuilding programs for the Atlantic bluefin tuna resource;

(4) the continued harvesting by fishermen from any country which is a member of the Commission and which does not comply with the conservation and management recommendations of the Commission will be considered by the Congress to diminish the effectiveness of an international fishery conservation program and, as such, will be considered by the Congress to be subject to the

embargo provision in Section 6 of the Atlantic Tunas Convention Act;

(5) the United States should encourage other nations with significant markets for Atlantic bluefin tuna to prohibit the importation of that species from harvesting nations which do not comply with the conservation and management recommendations adopted by the Commission; and

(6) the United States should encourage the Commission to adopt recommendations authorizing the use of discretionary trade actions as enforcement measures when the actions of a nation are undermining the effectiveness of conservation and management recommendations of the Commission.

The concurrent resolution, as amended, was agreed to.

Mr. STUDDS submitted the following amendment to the preamble, which was agreed to:

Amend the preamble to read as follows:

Whereas Atlantic bluefin tuna are a valuable commercial and recreational fishery of the United States;

Whereas many other countries also harvest Atlantic bluefin tuna in the Atlantic Ocean and the Mediterranean Sea;

Whereas the International Commission for the Conservation of Atlantic Tunas (hereinafter referred to as the Commission), was established in 1969 to develop conservation and management recommendations for Atlantic bluefin tuna and other highly migratory species in the Atlantic Ocean and the Mediterranean Sea;

Whereas the Commission adopted conservation and management recommendations in 1974 to ensure the recovery and sustainability of Atlantic bluefin tuna throughout the Atlantic Ocean and the Mediterranean Sea;

Whereas in 1981, the Commission adopted a management strategy for Atlantic bluefin tuna predicated on a hypothesis that two stocks of the fish existed: a western stock found in the Atlantic west of 45 degrees west longitude (hereinafter referred to as the 45 degree line), and an eastern stock found in the Atlantic Ocean east of the 45 degree line and in the Mediterranean Sea;

Whereas since 1981, the Commission has adopted additional, more restrictive conservation and management recommendations for Atlantic bluefin tuna for countries that harvest bluefin tuna west of the 45 degree line, including a 25% quota reduction since 1991 with an additional 40% quota reduction scheduled for 1995;

Whereas the United States and other Commission members that harvest bluefin tuna west of the 45 degree line have implemented all conservation and management recommendations adopted by the Commission for Atlantic bluefin tuna west of the 45 degree line;

Whereas many other Commission members do not comply with the conservation and management recommendations adopted by the Commission for Atlantic bluefin tuna east of the 45 degree line;

Whereas a recent National Academy of Sciences (NAS) review of the scientific data used by the Commission concluded that the available data is consistent with a one stock management strategy for bluefin tuna in the North Atlantic;

Whereas the NAS review also found that abundance of Atlantic bluefin tuna in the western Atlantic has remained stable since 1988, in contrast to the roughly 50% decline in abundance reported by the Commission;

Whereas the continued unrestricted harvesting of Atlantic bluefin tuna east of the 45 degree line and in the Mediterranean Sea

will undermine the Commission's recommendations being implemented west of the line to rebuild Atlantic bluefin tuna;

Whereas, in order to successfully rebuild the Atlantic bluefin tuna stock, conservation and management recommendations must be adopted and implemented throughout the Atlantic Ocean and the Mediterranean Sea.

A motion to reconsider the votes whereby said concurrent resolution, as amended, was agreed to and the preamble was amended was, by unanimous consent, laid on the table.

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

¶120.49 FAIR CREDIT REPORTING

On motion of Mr. KENNEDY, by unanimous consent, the Committee on Banking, Finance and Urban Affairs was discharged from further consideration of the bill (H.R. 5178) to amend the Fair Credit Reporting Act, and for other purposes.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

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

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

¶120.50 DISCLOSURES BY CONSUMER REPORTING AGENCIES

On motion of Mr. KENNEDY, by unanimous consent, the Committee on Banking, Finance and Urban Affairs was discharged from further consideration of the bill (H.R. 5143) to amend the Fair Credit Reporting Act to provide for disclosures by consumer reporting agencies to the Federal Bureau of Investigation for counterintelligence purposes.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

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

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

¶120.51 WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON S. 21

Mr. GORDON, by direction of the Committee on Rules, reported (Rept. No. 103-839) the resolution (H. Res. 568) waiving certain points of order against the conference report to accompany the bill of the Senate (S. 21) to designate certain lands in the California Desert as wilderness, to establish Death Valley, Joshua Tree, and Mojave National Parks, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶120.52 SAN DIEGO OCEAN DISCHARGE

On motion of Mr. FILNER, by unanimous consent, the Committee on Public Works and Transportation and the Committee on Merchant Marine and

Fisheries were discharged from further consideration of the bill (H.R. 5176) to amend the Federal Water Pollution Control Act relating to San Diego ocean discharge and waste water reclamation.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

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

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

¶120.53 PROVIDING FOR THE CONSIDERATION OF S. 455

Mr. GORDON, by direction of the Committee on Rules, called up the following resolution (H. Res. 565):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (S. 455) to amend title 31, United States Code, to increase Federal payments to units of general local government for entitlement lands, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule and shall be considered as read. No amendment shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. GORDON, the previous question was ordered on the resolution.

The question being put, *viva voce*,

Will the House agree to said resolution?

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

Mr. VENTO demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. VISCLOSKEY, pursuant to clause 5, rule I,

announced that further proceedings on the motion were postponed until Thursday, October 6, 1994.

¶120.54 INVESTMENT ADVISORS RECOVERY COSTS

On motion of Mr. MARKEY, by unanimous consent, the Committee on Energy and Commerce was discharged from further consideration of the bill of the Senate (S. 423) to provide for recovery of costs of supervision and regulation of investment advisors and their activities, and for other purposes.

Mr. MARKEY submitted the following amendment in the nature of a substitute which was agreed to:

Strike all after the enacting clause, and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Investment Advisers Amendments of 1994".

SEC. 2. ADDITIONAL RESOURCES FOR INVESTMENT ADVISER SUPERVISION.

(a) FEES FOR REGISTRANTS AND APPLICANTS.—The Investment Advisers Act of 1940 (15 U.S.C. 80b-1 et seq.) is amended by inserting after section 203 the following new section:

"FEES FOR REGISTRANTS AND APPLICANTS

"SEC. 203A. (a) IN GENERAL.—The Commission is authorized, in accordance with this section, to collect fees to recover the costs of registration, supervision, and regulation of investment advisers and their activities. Any such fees shall be collected, and shall be available, only to the extent provided in advance in appropriations Acts. No appropriations Act may authorize fees to be collected under this section during any fiscal year after fiscal year 1995, unless the amount appropriated by such Act for such costs for such fiscal year equals or exceeds the aggregate amount that may reasonably be expected to be collected by such fees. Any such fees shall be deposited as an offsetting collection to the Commission's appropriation and may remain available for such purposes for the succeeding fiscal year. The costs covered by such fees shall be limited to the costs of Commission expenses for registration, examinations, and surveys of persons registered or required to register under this title.

"(b) TIME FOR PAYMENT.—

"(1) NEW REGISTRANTS.—At the time of filing an application for registration under this title, the applicant shall pay to the Commission the fee specified in subsection (c). No part of such fee shall be refunded to the applicant. The filing of an application for registration under this title shall not be deemed to have occurred unless the application is accompanied by the fee required under subsection (c).

"(2) ONGOING REGISTRANTS.—Each investment adviser, the registration of which is effective on the last day of its fiscal year, shall pay the Commission the fee specified in subsection (c). Such payment shall be made not later than 90 days after the end of its fiscal year, or at such other time as the Commission, by rule, shall determine, unless its registration has been withdrawn, canceled, or revoked prior to that date. No part of such fee shall be refunded to the investment adviser.

"(c) COST-BASED SCHEDULE OF FEES.—For any fiscal year for which fees are authorized to be collected by an appropriations Act, the amount of any fees due from investment advisers in accordance with subsection (b) shall be determined according to the following schedule:

"Assets under management	Fee due:
Less than \$10,000,000	\$300
\$10,000,000 or more, but less than \$25,000,000.	\$500
\$25,000,000 or more, but less than \$50,000,000.	\$1,000
\$50,000,000 or more, but less than \$100,000,000.	\$2,500
\$100,000,000 or more, but less than \$250,000,000.	\$4,000
\$250,000,000 or more, but less than \$500,000,000.	\$5,000
\$500,000,000 or more	\$7,000.

"(d) **SUSPENSION FOR FAILURE TO PAY.**—The Commission, by order, may suspend the registration of any investment adviser if it finds, after notice, that such investment adviser has failed to pay when due any fee required by this section. The Commission shall reinstate such registration upon payment of the fee (and any penalty due), if such suspension was based solely on the failure to pay the fee.

"(e) **DEFINITION OF ASSETS UNDER MANAGEMENT.**—As used in this section, the term 'assets under management' means the client assets with respect to which an investment adviser provides continuous and regular supervisory or management services.

"(f) **RULEMAKING.**—The Commission may adopt such rules as are necessary to carry out this section."

(b) **EFFECTIVE DATE.**—The amendments made by this section shall become effective—

(1) in the case of section 203A(f) of the Investment Advisers Act of 1940 (as added by this section), upon the date of enactment of this Act; and

(2) in the case of subsections (a) through (e) of section 203A of the Investment Advisers Act of 1940 (as added by this section), upon the adoption by the Securities and Exchange Commission of implementing rules in accordance with section 203A(f) of such Act.

SEC. 3. SURVEYS.

The Investment Advisers Act of 1940 (15 U.S.C. 80b-1 et seq.) is amended by inserting after section 222 the following new section:

"SURVEYS

"SEC. 223. (a) **SURVEYS OF UNREGISTERED PERSONS.**—

"(1) **IN GENERAL.**—The Commission shall, not later than 3 years after the date of enactment of this section, and thereafter as appropriate, provide for the conduct of a survey to determine the extent of, and reasons for, the failure of persons to register as required by this title.

"(2) **ACTIONS BASED ON SURVEY.**—The Commission shall, on the basis of the results of the survey conducted under paragraph (1), establish objectives for the reduction or elimination of any failures identified therein and shall include in any annual reports to the Congress under section 23(b) of the Securities Exchange Act of 1934 submitted after completion of the first survey—

"(A) a statement of such objectives;

"(B) an evaluation of the success in attaining those objectives during the preceding year; and

"(C) such recommendations as the Commission considers appropriate to assist in the attainment of those objectives.

"(3) **PATTERNS OF NONCOMPLIANCE.**—If the survey conducted under paragraph (1) identifies any pattern of noncompliance with the registration requirements of this title and the rules issued under this title, the Commission shall undertake such rulemaking proceedings as may be necessary to correct such patterns of noncompliance.

"(b) **PROVISIONS NOT LIMITATION.**—The provisions of this section shall not be construed to limit the authority of the Commission to issue rules under this title, to conduct an examination or investigation at any time, or

to institute proceedings under this title or any other provision of law."

SEC. 4. DESIGNATION OF SELF-REGULATORY ORGANIZATIONS.

The Investment Advisers Act of 1940 (15 U.S.C. 80b-1 et seq.) is amended by inserting after section 223 (as added by section 3 of this Act) the following new section:

"DESIGNATION OF SELF-REGULATORY ORGANIZATIONS

"SEC. 224. (a) **DESIGNATION TO CONDUCT EXAMINATIONS.**—

"(1) **IN GENERAL.**—The Commission may by rule, consistent with the public interest, the protection of investors, and the purposes of this title, designate one or more self-regulatory organizations registered with the Commission under section 6 or 15A of the Securities Exchange Act of 1934, to conduct periodic examinations of its members, and affiliates of members, that are registered or required to register under this title, to determine compliance with applicable provisions of this title and the rules and regulations issued under this title. Any such rule shall specify the minimum scope and frequency for such examinations and shall, to the extent consistent with the protection of investors, be designed to avoid unnecessary regulatory duplication or undue regulatory burdens.

"(2) **AUTHORITY OF ORGANIZATION.**—Any self-regulatory organization designated under paragraph (1) may discipline the members and affiliates of members described in paragraph (1) for violations of the applicable provisions of this title and the rules and regulations issued under this title pursuant to the standards and procedures set forth in sections 6, 15A, and 19 of the Securities Exchange Act of 1934.

"(3) **PENALTIES.**—Any money penalties imposed by a self-regulatory organization for violations of this title shall not exceed those contained in section 203(i).

"(b) **LIMITATIONS.**—

"(1) **PRIMARY BUSINESS LIMITATION.**—The Commission shall not exercise the designation authority contained in subsection (a) with respect to a member or affiliate of a member if the primary business of the member and its affiliates is investment advisory activities.

"(2) **LIMITATION WITH RESPECT TO AFFILIATES OF MEMBERS.**—The Commission shall not exercise the authority contained in subsection (a) with respect to an affiliate of a member of a self-regulatory organization if—

"(A) the primary business of the affiliate is investment advisory activities;

"(B) the affiliate is an affiliate of the member solely as a result of the adviser's (or an associated person of the adviser's) registration with the member as a registered representative; and

"(C) the affiliate is a registered representative of the member solely to enable the adviser to execute transactions that are incidental to the investment adviser's primary business;

unless the Commission determines, in accordance with such other criteria as the Commission establishes by rule, that such exercise of designation authority is consistent with the public interest, the protection of investors, the purposes of this title, and the objectives of the Commission's investment adviser examination program.

"(3) **LIMITATION WITH RESPECT TO SAVINGS ASSOCIATION AFFILIATES OF MEMBERS.**—The Commission shall not exercise the authority contained in subsection (a) with respect to an affiliate of a member of a self-regulatory organization if the affiliate is a savings association, as such term is defined in section 3(b)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1813(b)(1)).

"(4) **DEFINITIONAL RULES.**—For purposes of this subsection, the Commission may, by rule, establish criteria for defining the terms 'primary business' and 'incidental to the investment adviser's primary business'.

"(c) **AUTHORITY TO IMPOSE FEES.**—

"(1) **IN GENERAL.**—Any self-regulatory organization designated by the Commission to perform the examinations specified in subsection (a) shall have the authority to collect fees in accordance with this subsection.

"(2) **LIMITATION.**—The total fee paid by a registered investment adviser under this subsection shall not exceed an amount determined in accordance with rules prescribed by the Commission. Such rules shall require that the fees collected by a self-regulatory organization under this subsection—

"(A) cover only the costs of the self-regulatory organization's expenses for examinations conducted pursuant to subsection (a);

"(B) as to any investment adviser, bear a reasonable relationship to the costs of conducting an examination of that adviser pursuant to subsection (a); and

"(C) not exceed such portion of the fee authorized under section 203A as the Commission determines is allocable to the Commission's expenses for conducting such an examination.

"(3) **REDUCTION OF SECTION 203A FEES.**—The amount of any fee that a registered investment adviser is required to pay to the Commission under section 203A with respect to any fiscal year shall be reduced by the amount paid to a self-regulatory organization in accordance with this subsection with respect to such fiscal year.

"(d) **EFFECTIVE DATE OF RULE.**—A rule issued by the Commission under this section shall become effective not earlier than 90 days after the date on which the Commission submits to the House of Representatives and the Senate a report—

"(1) containing the text of the proposed rule and the reasons therefor;

"(2) describing the procedures to be used to coordinate the collection of fees by the Commission under section 203A and by a self-regulatory organization under the rule; and

"(3) containing such other information as may be necessary to describe the implementation and enforcement of the rule.

"(e) **DEFINITION.**—For purposes of this section, the term 'affiliate' means any person directly or indirectly controlling, controlled by, or under common control with a member of a self-regulatory organization."

SEC. 5. ADDITIONAL DISCLOSURE OBLIGATIONS OF INVESTMENT ADVISERS.

(a) **DISCLOSURE OBLIGATIONS.**—Section 204 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-4) is amended—

(1) by striking the section heading and inserting the following:

"PERIODIC REPORTS AND OTHER DISCLOSURE REQUIREMENTS";

(2) by inserting "(a) **PERIODIC AND OTHER REPORTS.**—" after "SEC. 204."; and

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

"(b) **REVIEW OF CONFLICTS OF INTEREST.**—

"(1) **EXAMINATION.**—The Commission shall, not later than 1 year after the date of enactment of this subsection, examine the nature of the conflicts of interest with an investment adviser's fiduciary duties that may arise when an investment adviser is compensated on the basis of commissions or fees from the sale of investment products to clients or receives credits toward non-cash compensation.

"(2) **RULES.**—On the basis of the examination conducted under paragraph (1), the Commission shall prescribe any rules that may be necessary and appropriate in the public interest or for the protection of investors and consistent with the purposes of this title

to require that the existence and extent of any material conflicts of interest between investment advisers and their clients be fully disclosed. Such rules shall take into account the rules applicable to registered brokers and dealers and their associated persons under the Federal securities laws (including the rules of self-regulatory organizations registered thereunder).

“(c) FACILITIES FOR FILING RECORDS AND REPORTS; ACCESS TO DISCIPLINARY AND OTHER INFORMATION.—

“(1) FILING DEPOSITORIES.—The Commission, by rule, may require any investment adviser—

“(A) to file with the Commission any fee, application, report, or notice required by this title or by the rules issued under this title through any entity designated by the Commission for that purpose; and

“(B) to pay all reasonable costs associated with—

“(i) such filing; and
“(ii) the maintenance of a process to receive and respond to inquiries under paragraph (2).

“(2) RESPONSE TO INQUIRIES.—
“(A) IN GENERAL.—An entity designated by the Commission under paragraph (1) shall—

“(i) establish and maintain a readily accessible telephonic or other electronic process to receive inquiries regarding disciplinary actions and proceedings involving investment advisers and persons associated with investment advisers; and

“(ii) respond promptly to such inquiries.

“(B) FEES.—An entity designated by the Commission under paragraph (1) may charge a person, other than an individual investor, reasonable fees for the cost of providing written responses to inquiries.

“(C) LIABILITY.—An entity designated by the Commission under paragraph (1) shall not be liable for any action taken or omitted in good faith under this paragraph.”.

SEC. 6. COMPLETION OF RULEMAKING INITIATIVES REQUIRED.

Section 204 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-4), as amended by section 5, is amended by adding at the end the following new subsections:

“(d) REGISTRATION FORM REVISIONS.—

“(1) STATEMENTS IN ANNUAL REPORTS.—The Commission shall include in each of the first 3 annual reports submitted pursuant to section 23(b) of the Securities Exchange Act of 1934 after the date of enactment of this subsection a statement describing the status of—

“(A) the Commission’s proposals for the revision of the form required for the registration of investment advisers under this title;

“(B) consultations with State securities commissions and other State authorities concerning the collection and dissemination of information contained on such form; and

“(C) the implementation of systems to collect and disseminate such information to enforce compliance with this title.

“(2) ANALYSIS REQUIRED.—The first statement required by paragraph (1) shall include an analysis of the methods by which the revisions of such registration form will result in—

“(A) the timely and effective disclosure to investment adviser clients of material facts concerning the background, compensation, services, and practices of the adviser; and

“(B) the prominent disclosure to such clients of—

“(i) any conflicts of interest;
“(ii) methods available for securing additional information concerning the adviser and its employees;

“(iii) remedies available with respect to disputes arising out of the advisory relationship; and

“(iv) any conviction of the investment adviser or any person associated with the in-

vestment adviser within 10 years preceding the filing of any application for registration, or at any time thereafter, of any crime that is punishable by imprisonment for 1 or more years, or of a substantially equivalent crime by a foreign court of competent jurisdiction.”.

SEC. 7. BOND REQUIREMENT.

Section 208 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-8) is amended by adding at the end the following new subsection:

“(e)(1) The Commission may require, by rules and regulations for the protection of investors, any investment adviser registered under section 203 that—

“(A) is authorized to exercise investment discretion, as defined in section 3(a)(35) of the Securities Exchange Act of 1934, with respect to an account;

“(B) has access to the securities or funds of a client; or

“(C) is an investment adviser of an investment company, as defined in section 2(a)(20) of the Investment Company Act of 1940,

to obtain a bond from a reputable fidelity insurance company against larceny and embezzlement in such reasonable amounts and covering such officers, partners, directors, and employees of the investment adviser as the Commission may prescribe.

“(2) In implementing paragraph (1), the Commission shall consider—

“(A) the degree of risk to client assets that is involved;

“(B) the cost and availability of fidelity bonds;

“(C) existing fidelity bonding requirements;

“(D) any alternative means to protect client assets; and

“(E) the results, findings, and conclusions of the study required by paragraph (3).

“(3) Before implementing paragraph (1), the Commission shall study (and shall make such study and its conclusions and findings available to the public)—

“(A) the availability of fidelity bonds, both for large-scale and small-scale investment advisers, and also for investment advisers not located in urban areas; and

“(B) the impact of the provisions of paragraph (1) on the competitive position of small-scale investment advisers.

“(4) If the Commission adopts any rule or regulation pursuant to paragraph (1), the Commission may, by rule, exempt any person or class of persons from the requirements of this subsection and the rules issued under this subsection, under such terms or conditions and for such period as the Commission shall prescribe. The Commission shall exempt any investment adviser from the requirements of this subsection if—

“(A) fidelity bonds are not readily or reasonably available in the urban or rural areas in which such investment adviser is located; or

“(B) the cost of obtaining a fidelity bond would have a substantial adverse impact on such investment adviser’s competitive position.”.

When said bill, as amended, was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the 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 amendment.

¶120.55 MOTION TO ADJOURN

Mrs. BENTLEY moved that the House do now adjourn.

The question being put, viva voce, Will the House now adjourn?

The SPEAKER pro tempore, Mr. VIS-CLOSKY, announced that the nays had it.

Mrs. BENTLEY 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.

¶120.56 PROVIDING FOR THE CONSIDERATION OF H.R. 5110

Mr. DERRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 564):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5110) to approve and implement the trade agreements concluded in the Uruguay Round of multilateral trade negotiations. The first reading of the bill shall be dispensed with. All points of order against the bill and against its consideration are waived. General debate shall proceed without intervening motion, shall be confined to the bill, and shall not exceed four hours equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. Pursuant to section 151(d) of the Trade Act of 1974, after general debate the Committee shall rise and report the bill to the House. Pursuant to section 151(f)(2) of the Trade Act of 1974, the previous question shall be considered as ordered on the bill to final passage without intervening motion.

When said resolution was considered. After debate,

On motion of Mr. DERRICK, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER announced that the yeas had it.

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

A quorum not being present, The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared $\left\{ \begin{array}{ll} \text{Yeas} & \dots\dots 298 \\ \text{Nays} & \dots\dots 123 \end{array} \right.$

¶120.57 [Roll No. 492] YEAS—298

Abercrombie	Blackwell	Coleman
Ackerman	Bliley	Collins (IL)
Andrews (TX)	Boehner	Collins (MI)
Archer	Bonior	Combest
Armey	Borski	Cooper
Bacchus (FL)	Boucher	Coppersmith
Bachus (AL)	Brewster	Cox
Baesler	Brooks	Coyne
Baker (CA)	Brown (CA)	Crane
Baker (LA)	Brown (FL)	Darden
Ballenger	Bryant	de la Garza
Barca	Bunning	DeLauro
Barlow	Byrne	DeLay
Barrett (NE)	Calvert	Dellums
Barrett (WI)	Camp	Derrick
Barton	Cantwell	Deutsch
Bateman	Cardin	Dicks
Becerra	Castle	Dingell
Beilenson	Chapman	Dixon
Bereuter	Clay	Dooley
Berman	Clayton	Dreier
Bevill	Clinger	Dunn
Bishop	Clyburn	Durbin

Edwards (TX)	Kreidler	Pickle
Engel	Kyl	Pomeroy
English	LaFalce	Porter
Eshoo	Lambert	Portman
Ewing	Lancaster	Poshard
Farr	LaRocco	Price (NC)
Fawell	Laughlin	Pryce (OH)
Fazio	Lazio	Ramstad
Fields (LA)	Leach	Rangel
Fields (TX)	Lehman	Reed
Filner	Levin	Regula
Fish	Levy	Reynolds
Flake	Lewis (CA)	Richardson
Foglietta	Lewis (GA)	Roberts
Foley	Lightfoot	Roemer
Ford (TN)	Linder	Rostenkowski
Fowler	Lloyd	Roukema
Frank (MA)	Long	Rowland
Franks (CT)	Lowe	Roybal-Allard
Franks (NJ)	Machtley	Rush
Frost	Maloney	Sabo
Furse	Mann	Sangmeister
Gejdenson	Manton	Santorum
Gekas	Manzullo	Sarpalio
Gephardt	Margolies-	Sawyer
Geren	Mezvinsky	Saxton
Gibbons	Markey	Schenk
Gilchrest	Matsui	Schroeder
Gingrich	Mazzoli	Schumer
Gonzalez	McCandless	Serrano
Goodlatte	McCloskey	Shaw
Gordon	McCollum	Shays
Goss	McCrary	Shepherd
Grams	McCurdy	Sisisky
Grandy	McDade	Skaggs
Green	McDermott	Skeen
Greenwood	McHale	Skelton
Gutiérrez	McKeon	Slaughter
Hall (OH)	McKinney	Smith (IA)
Hamilton	McMillan	Smith (MI)
Hancock	McNulty	Smith (OR)
Hansen	Meehan	Solomon
Harman	Meek	Stark
Hastert	Menendez	Stearns
Hayes	Meyers	Stenholm
Herger	Mfume	Studds
Hoagland	Michel	Swift
Hobson	Miller (CA)	Synar
Hoekstra	Miller (FL)	Talent
Hoke	Mineta	Tanner
Horn	Minge	Tauzin
Houghton	Mink	Tejeda
Hoyer	Moakley	Thomas (CA)
Huffington	Molinari	Thomas (WY)
Hughes	Montgomery	Thompson
Hutto	Moran	Thornton
Hyde	Morella	Torres
Inslee	Murtha	Torricelli
Jacobs	Nadler	Towns
Jefferson	Neal (MA)	Unsoeld
Johnson (CT)	Neal (NC)	Valentine
Johnson (GA)	Nussle	Vento
Johnson (SD)	Oberstar	Visclosky
Johnson, E. B.	Olver	Walker
Johnson, Sam	Ortiz	Waters
Johnston	Orton	Watt
Kanjorski	Oxley	Waxman
Kasich	Packard	Weldon
Kennedy	Parker	Wheat
Kennelly	Pastor	Williams
Kim	Paxon	Wilson
King	Payne (NJ)	Wolf
Klecicka	Pelosi	Wyden
Klein	Penny	Wynn
Knollenberg	Peterson (FL)	Young (FL)
Kolbe	Petri	Zimmer
Kopetski	Pickett	

NAYS—123

Allard	Conyers	Glickman
Andrews (ME)	Costello	Goodling
Andrews (NJ)	Cramer	Gunderson
Applegate	Crapo	Hall (TX)
Barcia	Cunningham	Hamburg
Bartlett	Danner	Hastings
Bentley	Deal	Hefley
Bilbray	DeFazio	Hefner
Bilirakis	Diaz-Balart	Hilliard
Blute	Dickey	Hinchee
Boehlert	Doolittle	Hochbrueckner
Bonilla	Dornan	Holden
Browder	Duncan	Hunter
Brown (OH)	Ehlers	Hutchinson
Burton	Emerson	Inglis
Buyer	Evans	Inhofe
Callahan	Everett	Istook
Canady	Fingerhut	Kaptur
Coble	Galleghy	Kildee
Collins (GA)	Gillmor	Kingston
Condit	Gilman	Klink

Klug	Quillen	Spratt
Lantos	Quinn	Stokes
Lewis (FL)	Rahall	Strickland
Lewis (KY)	Ravenel	Stump
Lipinski	Rogers	Stupak
Livingston	Rohrabacher	Swett
Lucas	Ros-Lehtinen	Taylor (MS)
McHugh	Rose	Taylor (NC)
McInnis	Roth	Thurman
Mica	Royce	Torkildsen
Mollohan	Sanders	Traficant
Moorhead	Schaefer	Upton
Murphy	Schiff	Velazquez
Myers	Scott	Volkmer
Obey	Sensenbrenner	Vucanovich
Owens	Shuster	Walsh
Pallone	Smith (NJ)	Wise
Payne (VA)	Smith (TX)	Woolsey
Peterson (MN)	Snowe	Young (AK)
Pombo	Spence	Zeliff

NOT VOTING—14

Carr	Martinez	Tucker
Clement	Ridge	Washington
Edwards (CA)	Sharp	Whitten
Ford (MI)	Slattery	Yates
Gallo	Sundquist	

So the resolution was agreed to.

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

¶120.58 PEACE IN AFRICA

On motion of Mr. JOHNSTON, by unanimous consent, the bill of the Senate (S. 2475) to authorize assistance to promote the peaceful resolution of conflicts in Africa; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

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

Ordered. That the Clerk notify the Senate thereof.

¶120.59 SUBPOENA

The SPEAKER pro tempore, Mr. HUGHES, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 5, 1994.

Hon. THOMAS S. FOLEY,
Speaker of the House, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you that pursuant to Rule L (50) of the Rules of the House that my office has been served with a subpoena issued by the Municipal Court of the State of California, in and for the City and County of San Francisco, in connection with a criminal case involving constituent casework.

After consultation with the General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

SAM FARR,
Member of Congress.

¶120.60 U.S. ARMED FORCES IN HAITI

The SPEAKER pro tempore, Mr. HUGHES, pursuant to the order of the House agreed to earlier today and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the joint resolution (H.J. Res. 416) providing limited authorization for the participation of United States Armed Forces in the multinational

force in Haiti and providing for the prompt withdrawal of United States Armed Forces from Haiti.

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

**THURSDAY, OCTOBER 6
(LEGISLATIVE DAY OF OCTOBER 5),
1994**

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

When Mr. MAZZOLI, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶120.61 PROVIDING FOR THE FURTHER
CONSIDERATION OF H.J. RES. 416

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 103-840) the resolution (H. Res. 570) providing for further consideration of the joint resolution (H.J. Res. 416) providing limited authorization for the participation of United States Armed Forces in multinational force in Haiti and providing for the prompt withdrawal of United States Forces from Haiti.

When said resolution and report were referred to the House Calendar and ordered printed.

¶120.62 AMENDING THE RULES OF THE
HOUSE OF REPRESENTATIVES

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 103-841) the resolution (H. Res. 571) amending the Rules of the House of Representatives to apply certain laws to the House of Representatives, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶120.63 SENATE BILLS REFERRED

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

S. 927. An Act for the relief of Wade Bomar, and for other purposes; to the Committee on the Judiciary.

S. 2341. An Act to amend chapter 30 of title 35, United States Code, to afford third parties an opportunity for greater participation in reexamination proceedings before the United States Patent and Trademark Office, and for other purposes; to the Committee on the Judiciary.

S. 2457. An Act for the relief of Benchmark Rail Group, Inc.; to the Committee on the Judiciary.

¶120.64 ENROLLED BILL AND JOINT
RESOLUTIONS SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 810. An Act for the relief of Elizabeth M. Hill.

H.J. Res. 389. Joint resolution to designate the second Sunday in October of 1994 as "National Children's Day."

H.J. Res. 398. Joint resolution to establish the fourth Sunday of July as "Parents' Day."

H.J. Res. 415. Joint resolution designating the week beginning October 16, 1994, as "National Penny Charity Week."

¶120.65 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 316. An Act to establish the Saguaro National Park in the State of Arizona, and for other purposes.

S. 1233. An Act to resolve the status of certain lands in Arizona that are subject to a claim as a grant of public lands for railroad purposes, and for other purposes.

¶120.66 BILLS PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On September 30, 1994:

H.R. 4649. An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1995, and for other purposes.

On October 4, 1994:

H.R. 995. An Act to amend title 38, United States Code, to improve reemployment rights and benefits of veterans and other benefits of employment of certain members of the uniformed services, and for other purposes.

H.R. 4543. An Act to designate the United States courthouse to be constructed at 907 Richland Street in Columbia, South Carolina, as the "Matthew J. Perry, Jr. United States Courthouse."

H.R. 3694. An Act to amend title 5, United States Code, to permit the garnishment of an annuity under the Civil Service Retirement System or the Federal Employees Retirement System, if necessary to satisfy a judgment against an annuitant for physically, sexually, or emotionally abusing a child.

H.R. 4299. An Act to authorize appropriations for the fiscal year 1995 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

¶120.67 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BACHUS of Alabama, for today from 12 o'clock noon until 7 p.m.; and

To Mr. CALLAHAN, for today from 12 o'clock noon until 7 p.m.

And then,

¶120.68 ADJOURNMENT

On motion of Mr. PAYNE of New Jersey, at 12 o'clock and 15 minutes a.m., Thursday, October 6 (Legislative Day of Wednesday, October 5), 1994, the House adjourned.

¶120.69 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. MILLER of California: Committee on Natural Resources. S. 455. An act to amend title 31, United States Code, to increase Federal payments to units of general local government for entitlement lands, and for other purposes (Rept. No. 103-838). Referred to the Committee of the Whole House on the State of the Union.

Mr. BEILENSON: Committee on Rules. House Resolution 568. Resolution waiving points of order against the conference report to accompany the bill (S. 21) to designate certain lands in the California desert as wilderness, to establish Death Valley, Joshua Tree, and Mojave National Parks, and for other purposes (Rept. No. 103-839). Referred to the House Calendar.

Mr. HALL of Ohio: Committee on Rules. House Resolution 570. Resolution providing for further consideration of the joint resolution (H.J. 416) providing limited authorization for the participation of United States Armed Forces in multinational force in Haiti and providing for the prompt withdrawal of United States Forces for Haiti (Rept. No. 103-840). Referred to the House Calendar.

Mr. MOAKLEY: Committee on Rules. House Resolution 571. Resolution amending the Rules of the House of Representatives to apply certain laws to the House of Representatives, and for other purposes (Rept. No. 103-841). Referred to the House Calendar.

¶120.70 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 Mr. FILNER (for himself, Ms. SCHENK, and Mr. CUNNINGHAM):

H.R. 5176. A bill to amend the Federal Water Pollution Control Act relating to San Diego ocean discharge and waste water reclamation; jointly, to the Committees on Public Works and Transportation and Merchant Marine and Fisheries.

By Ms. SNOWE (for herself and Mr. ANDREWS of New Jersey):

H.R. 5177. A bill to authorize the Secretary of State to deny passports to noncustodial parents subject to State arrest warrants in cases of nonpayment of child support; to the Committee on Foreign Affairs.

By Mr. GONZALEZ (for himself, Mr. LEACH, Mr. KENNEDY, Mr. MCCANDLESS, and Mr. LAROCCO):

H.R. 5178. A bill to amend the Fair Credit Reporting Act, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Ms. NORTON:

H.R. 5179. A bill to amend title 5, United States Code, to strengthen child support enforcement orders through the garnishment of amounts payable to Federal employees, and for other purposes; jointly, to the Committees on Post Office and Civil Service, Government Operations, and Foreign Affairs.

By Mr. ANDREWS of New Jersey:

H.R. 5180. A bill to reform the child support enforcement system in order to maximize collections of child support payments on behalf of poor children in the United States; jointly, to the Committees on Ways and Means, the Judiciary, and Banking, Finance and Urban Affairs.

By Mr. BAKER of Louisiana:

H.R. 5181. A bill to amend section 18 of the United States Housing Act of 1937 to improve the program providing for demolition and disposition of public housing; to the Committee on Banking, Finance and Urban Affairs.

By Mr. BARTON of Texas:

H.R. 5182. A bill to adjust the designation of controlled airspace around the Dallas/Fort

Worth Airport, TX, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. DE LA GARZA (for himself, Mr. ROBERTS, Mr. STENHOLM, Mr. GUNDERSON, Mr. ROSE, Mr. SMITH of Oregon, Mr. INSLEE, Mr. COMBEST, Mr. ALLARD, Mr. SKEEN, Mr. THOMAS of Wyoming, Mr. BONILLA, Mr. MCINNIS, Mr. CRAPO, Mr. BARLOW, Mr. HOLDEN, Mr. PENNY, Mrs. VUCANOVICH, Mr. VOLKMER, Mr. WILLIAMS, Mr. SMITH of Texas, Mr. EDWARDS of Texas, and Mr. JOHNSON of South Dakota):

H.R. 5183. A bill to enable producers and feeders of sheep and importers of sheep and sheep products to develop, finance, and carry out a nationally coordinated program for sheep and sheep product promotion, research, and information, and for other purposes; to the Committee on Agriculture.

By Mr. GUNDERSON (for himself and Mr. ROBERTS):

H.R. 5184. A bill to enable the Secretary of Agriculture to adjust the base period of milk production when calculating refunds of assessments made in calendar year 1994 under section 204(h) of the Agricultural Act of 1949 on milk producers affected by floods and excessive moisture during calendar year 1993; to the Committee on Agriculture.

By Mr. HERGER:

H.R. 5185. A bill to amend the National Historic Preservation Act to prohibit the inclusion of certain sites on the National Register of Historic Places, and for other purposes; to the Committee on Natural Resources.

By Mr. HUGHES (by request):

H.R. 5186. A bill to amend title 18, United States Code, with respect to the Bureau of Prisons; jointly, to the Committees on the Judiciary and Government Operations.

By Mr. KILDEE:

H.R. 5187. A bill to amend section 7(m) of the Fair Labor Standards Act of 1938 to eliminate the partial overtime exemption for employees that perform services necessary and incidental to the sale and processing of green and cigar leaf tobacco; to the Committee on Education and Labor.

By Mr. KIM:

H.R. 5188. A bill to authorize the export of medical devices to countries which have approved such devices; to the Committee on Energy and Commerce.

By Mr. LIVINGSTON:

H.R. 5189. A bill to amend title 28, United States Code, to provide that a reasonable attorney's fee shall be awarded as a part of the cost to prevailing defendants in Federal civil actions; to the Committee on the Judiciary.

By Mr. MINGE:

H.R. 5190. A bill to direct the Secretary of the Interior to convey to the State of Minnesota the New London National Fish Hatchery production facility; to the Committee on Merchant Marine and Fisheries.

By Mr. MONTGOMERY:

H.R. 5191. A bill to amend the charter of the Veterans of Foreign Wars; to the Committee on the Judiciary.

By Mr. PAYNE of New Jersey (for himself, Mr. RUSH, Mr. EVANS, Mrs. JOHNSON of Connecticut, Mr. WOLF, Mr. MFUME, Mr. BONIOR, and Mr. MACHTELEY):

H.R. 5192. A bill to require the Secretary of the Treasury to mint coins in commemoration of black Revolutionary War patriots; to the Committee on Banking, Finance and Urban Affairs.

By Mr. PETRI:

H.R. 5193. A bill to amend the Internal Revenue Code of 1986 to reform the earned income tax credit; to the Committee on Ways and Means.

By Mrs. SCHROEDER (for herself and Mrs. MORELLA):

H.R. 5194. A bill to amend title 13, United States Code, to require the Bureau of the

Census to measure the status of women, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. STARK:

H.R. 5195. A bill to require the Federal Trade Commission to issue a trade regulation rule which requires the release of prescriptions for contact lenses; to the Committee on Energy and Commerce.

By Mr. TAUZIN:

H.R. 5196. A bill to suspend temporarily the duty on C.I. Pigment Yellow 139; to the Committee on Ways and Means.

By Mr. TAUZIN:

H.R. 5197: A bill to suspend temporarily the duty on nickel isoindoline pigment; to the Committee on Ways and Means.

By Mr. DEFAZIO:

H. Con. Res. 307. Concurrent resolution expressing the sense of Congress regarding the U.S. position on the dissection of aircraft at the 11th meeting of the Facilitation Division of the International Civil Aviation Organization; jointly, to the Committees on Foreign Affairs and Public Works and Transportation.

By Mr. HOYER (for himself and Mr. WOLF):

H. Con. Res. 308. Concurrent resolution concerning the removal of Russian troops from the independent nation of Moldova; to the Committee on Foreign Affairs.

By Mr. LEWIS of Kentucky (for himself, Mr. CALVERT, Mr. SAM JOHNSON, Mr. HUTCHINSON, Mr. CANADY, Mr. DOOLITTLE, Mr. TALENT, Mr. EHLERS, and Mr. LUCAS):

H. Res. 569. Resolution expressing the sense of the House of Representatives that the work of grassroots organizations should not be considered lobbying; to the Commission on the Judiciary.

¶120.71 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII.

Mr. WILSON introduced a bill (H.R. 5198) to authorize the Secretary of Agriculture to convey certain lands in the Sam Houston National Forest in the State of Texas to the current occupant of the lands, the Gulf Coast Trades Center; which was referred to the Committee on Natural Resources.

¶120.72 REPORTS OF COMMITTEES ON PRIVATE 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. BROOKS: Committee on the Judiciary. H.R. 3344. A bill for the relief of Lloyd B. Gamble (Rept. No. 103-836). Referred to the House Calendar.

Mr. BROOKS: Committee on the Judiciary. H.R. 3917. A bill for the relief of Arthur A. Carron, Jr., (Rept. No. 103-837). Referred to the House Calendar.

¶120.73 ADDITIONAL SPONSORS

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

H.R. 65: Mr. SAXTON.

H.R. 417: Mr. REGULA, Mr. LEWIS of California, Mr. DORNAN, Mr. HEFLEY, Mr. KLINK, Mr. MCINNIS, Mr. TUCKER, and Mr. GRAMS.

H.R. 1500: Mr. COYNE and Mr. REYNOLDS.

H.R. 2420: Mr. DIXON.

H.R. 2460: Mrs. CLAYTON.

H.R. 2898: Mr. OWENS.

H.R. 2959: Mr. HUTCHINSON.

H.R. 3059: Ms. DELAULO, Mr. CAMP, and Mr. MANTON.

H.R. 3247: Mr. BONIOR.

H.R. 3523: Mr. BROWN of California and Mr. COPPERSMITH.

H.R. 3949: Mr. WILSON.

H.R. 4260: Ms. KAPTUR, Mr. EVANS, Mr. PAYNE of New Jersey, and Mr. DEUTSCH.

H.R. 4271: Ms. DELAULO.

H.R. 4303: Mr. DARDEN.

H.R. 4416: Mr. HAMILTON, Mr. McCLOSKEY, Mr. KINGSTON, Mr. SANDERS, Mr. POSHARD, Mr. EMERSON, and Ms. LONG.

H.R. 4491: Mr. FIELDS of Texas, Mr. DUNCAN, Mr. PORTER, and Mr. HEFLEY.

H.R. 4514: Mr. DIXON.

H.R. 4566: Mr. DREIER.

H.R. 4610: Mr. ROBERTS, Mr. COYNE, Mr. DE LA GARZA, Mr. HUGHES, and Mrs. JOHNSON of Connecticut.

H.R. 4636: Mr. SAWYER and Mr. HUGHES.

H.R. 4698: Mr. LEWIS of Georgia and Mr. EVANS.

H.R. 4786: Mr. BEILENSEN.

H.R. 4789: Mr. McDERMOTT.

H.R. 4809: Ms. ESHO, Mr. MENENDEZ, Mrs. UNSOELD, Mr. SAWYER, Mr. BOUCHER, Mr. BARCA of Wisconsin, Mr. STUPAK, Mr. HOCHBRUECKNER, Mr. BEREUTER, Mr. McHALE, and Mr. GINGRICH.

H.R. 4936: Mr. THOMPSON, Mr. VISCLOSKY, and Mr. KINGSTON.

H.R. 4955: Mr. LEWIS OF GEORGIA, Mr. FINGERHUT, Mr. BERMAN, Mr. MINETA, and Mr. SANDERS.

H.R. 4994: Mr. SANDERS.

H.R. 5005: Mr. ENGEL and Mr. ACKERMAN.

H.R. 5033: Mr. CLINGER, Mr. BOEHRNER, Mr. DICKEY, Mr. LIVINGSTON, Mr. COSTELLO, Mr. BACHUS of Alabama, Mr. TORKILDSEN, and Mr. McCANDLESS.

H.R. 5037: Mr. EHLERS.

H.R. 5062: Mr. PETERSON of Minnesota, Mr. BONILLA, Mr. CLEMENT, Mr. SERRANO, Mr. TAYLOR of Mississippi, Mr. KINGSTON, Mr. CAMP, Mr. TUCKER, and Ms. MARGOLIES-MEZVINSKY.

H.R. 5071: Mr. APPLIGATE, Mr. VOLKMER, Mr. MCCURDY, Mr. JACOBS, Ms. PRYCE of Ohio, Mr. DINGELL, Mr. OXLEY, and Mr. WILLIAMS.

H.R. 5082: Mr. ZIMMER, Mr. KYL, Mr. STUMP, Mr. STEARNS, Mr. BARTON of Texas, Mr. SAWYER, Mr. GENE GREEN of Texas, Mr. SHAW, Mr. DE LA GARZA, Mr. MICA, Mr. GALLEGLY, Mr. KLECZKA, Mr. FINGERHUT, Mr. BUYER, Mr. FRANKS of Connecticut, Ms. WOOLSEY, Mr. LEWIS of Florida, Mr. FROST, Mr. SHAYS, Mr. STENHOLM, Mr. EHLERS, Mr. BARRETT of Wisconsin, Mr. SENSENBRENNER, Mr. OXLEY, Mr. SWIFT, Mr. HYDE, Mr. BURTON of Indiana, Mr. BONILLA, Mr. WILSON, Mr. BRYANT, Mr. BROOKS, Mr. SARPALIUS, Mr. LAZIO, Mr. COMBEST, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. VENTO, Ms. KAPTUR, Mr. HOAGLAND, Mr. CHAPMAN, Mr. PETE GEREN of Texas, Mr. TALENT, Mr. SMITH of Texas, Mr. EDWARDS of Texas, Mr. ORTIZ, Mr. TEJEDA, Mr. LAUGHLIN, Mr. COLEMAN, Mr. SAM JOHNSON, Mr. SKELTON, Mr. BAESLER, Mr. HAMILTON, Mr. HALL of Ohio, Mr. APPLIGATE, Mr. GOODLING, Mr. GEJDENSON, Ms. BROWN of California, and Mr. HOKE.

H.R. 5111: Ms. ENGLISH of Arizona, Mr. HAYES, Mr. ROBERTS, and Mr. HUTCHINSON.

H.R. 5141: Mr. DEUTSCH, Mr. BONIOR, Mr. GENE GREEN of Texas, Mr. BROWN of California, Mr. LANTOS, Mr. ABERCROMBIE, Mr. JOHNSTON of Florida, Mr. FILNER, Mr. STOKES, Mr. STARK, Mr. LAZIO, Mr. PENNY, Mr. SWETT, Mr. MORAN, Ms. WATERS, Ms. SCHENK, Mr. CALVERT, Mr. EVANS, Mr. BILBRAY, and Mr. GEJDENSON.

H.J. Res. 184: Mr. WYNN, Mr. RANGEL, Mr. JEFFERSON, Mr. CALLAHAN, Mr. CONYERS, Mr. KILDEE, Ms. BROWN of Florida, Mr. CALVERT, and Mr. CRANE.

H.J. Res. 332: Mr. McHALE, Mr. HOBSON, Mr. LEVIN, Mr. ABERCROMBIE, Mr. ROWLAND, Mr. HOYER, Mr. DEUTSCH, Mr. SABO, Mr. FISH, Mr. CAMP, and Mr. OBERSTAR.

H.J. Res. 385: Mr. SWETT and Mr. GORDON.

H.J. Res. 400: Mr. PARKER, Mr. LEWIS of Florida, and Mr. MARTINEZ.

H.J. Res. 411: Mr. LANTOS, Mr. MINETA, Mr. FISH, Mrs. MALONEY, Mr. WYNN, Mr. UNDERWOOD, Mr. RICHARDSON, Mr. COPPERSMITH, Mr. DORNAN, Mr. PACKARD, Mr. HEFNER, Mr. TAYLOR of North Carolina, Mr. WATT, Mr. CLEMENT, Mr. ROWLAND, and Mr. SPRATT.

H. Con. Res. 20: Mr. MOORHEAD.

H. Con. Res. 148: Mr. HOLDEN and Mr. MOORHEAD.

H. Con. Res. 166: Mr. DREIER.

H. Con. Res. 262: Mr. CAMP and Mr. HOYER.

H. Con. Res. 281: Mr. DEUTSCH.

H. Con. Res. 297: Mr. STUMP.

H. Res. 234: Mr. COX, Mr. ROHRBACHER, Mr. SHAW, and Mr. ACKERMAN.

H. Res. 464: Mr. MARTINEZ.

H. Res. 525: Mr. ZIMMER and Ms. PRYCE of Ohio.

H. Res. 541: Mr. MFUME.

¶120.74 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 173: Mr. HEFLEY.

H.R. 1420: Mr. PETERSON of Minnesota.

H.R. 3949: Mr. RANGEL.

H.R. 4129: Mr. BAESLER.

THURSDAY, October 6, 1994 (121)

The House was called to order by the SPEAKER.

¶121.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, October 5, 1994.

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

¶121.2 COMMUNICATIONS

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

3919. A letter from the Auditor, District of Columbia, transmitting a copy of a report entitled "Review of Implementation of the D.C. Depository Act During Fiscal Year 1992 and 1993," pursuant to D.C. Code, section 47-117(d); to the Committee on the District of Columbia.

3920. A letter from the Inspector General, Environmental Protection Agency, transmitting the EPA's annual Superfund report for fiscal year 1993, pursuant to 31 U.S.C. 7501 note; to the Committee on Energy and Commerce.

3921. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on missile proliferation, pursuant to 22 U.S.C. 2797 note; to the Committee on Foreign Affairs.

3922. A letter from the Acting Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1999 resulting from passage of H.R. 3841, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-582); to the Committee on Government Operations.

3923. A letter from the Chair, Federal Energy Regulatory Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the fiscal year 1993, pursuant to 5 U.S.C. 552b(j); to the Committee on Energy and Commerce.

3924. A letter from the Administrator, Federal Aviation Administration, transmitting its report on progress in correcting defi-