

Kennedy International Airport and LaGuardia Airport in New York City, New York.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Administrator shall transmit to Congress a report on the results of the study conducted under subsection (a), including proposed locations for the offshore platforms. Such locations shall be as far as possible from populated areas while providing appropriate safety measures for John F. Kennedy International Airport and LaGuardia Airport.

SEC. 1218. TRAIN WHISTLE REQUIREMENTS.

(a) IN GENERAL.—Section 20153 is amended by adding at the end the following:

“(i) REGULATIONS.—In issuing regulations under this section, the Secretary—

“(1) shall take into account the interest of communities that—

“(A) have in effect restrictions on the sounding of a locomotive horn at highway-rail grade crossings; or

“(B) have not been subject to the routine (as defined by the Secretary) sounding of a locomotive horn at highway-rail grade crossings;

“(2) shall work in partnership with affected communities to provide technical assistance and shall provide a reasonable amount of time for local communities to install supplementary safety measures, taking into account local safety initiatives (such as public awareness initiatives and highway-rail grade crossing traffic law enforcement programs) subject to such terms and condition as the Secretary deems necessary, to protect public safety; and

“(3) may waive (in whole or in part) any requirement of this section (other than a requirement of this subsection or subsection (j)) that the Secretary determines is not likely to contribute significantly to public safety.

“(j) EFFECTIVE DATE OF REGULATIONS.—Any regulations under this section shall not take effect before the 365th day following the date of publication of the final rule.”

SEC. 1219. INCREASED FEES.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Surface Transportation Board shall not increase fees for services to be collected from small shippers in connection with rail maximum rate complaints pursuant to part 1002 of title 49, Code of Federal Regulations, Ex Parte No. 542.

(b) APPLICABILITY.—Subsection (a) shall no longer be effective after September 30, 1998.

SEC. 1220. STRUCTURES INTERFERING WITH AIR COMMERCE.

(a) LANDFILLS.—Section 44718 is amended by adding at the end the following:

“(d) LANDFILLS.—For the purposes of enhancing aviation safety, in a case in which 2 landfills have been proposed to be constructed or established within 6 miles of a commercial service airport with fewer than 50,000 enplanements per year, no person shall construct or establish either landfill if an official of the Federal Aviation Administration has stated in writing within the 3-year period ending on the date of the enactment of this subsection that 1 of the landfills would be incompatible with aircraft operations at the airport, unless the landfill is already active on such date of enactment or the airport operator agrees to the construction or establishment of the landfill.”

(b) CIVIL PENALTIES.—Section 46301 is amended by inserting “44718(d),” after “44716,” in each of subsections (a)(1)(A), (d)(2), and (f)(1)(A)(i).

SEC. 1221. HAWAII CARGO.

Notwithstanding any other provision of law, and for a period that shall not extend beyond September 30, 1998, an air carrier which commenced all-cargo turnaround service during November 1995 with Stage 2 air-

craft with a maximum weight of more than 75,000 pounds may operate no more than one Stage 2 aircraft in all-cargo turnaround service and may also maintain a second such aircraft in reserve. The reserve aircraft may only be used as a replacement aircraft when the first aircraft is not airworthy or is unavailable due to closure of an airport at which the first aircraft is located in the State of Hawaii.

SEC. 1222. LIMITATION ON AUTHORITY OF STATES TO REGULATE GAMBLING DEVICES ON VESSELS.

Subsection (b)(2) of section 5 of the Act of January 2, 1951 (commonly referred to as the “Johnson Act”) (64 Stat. 1135, chapter 1194; 15 U.S.C. 1175), is amended by adding at the end the following:

“(C) EXCLUSION OF CERTAIN VOYAGES AND SEGMENTS.—Except for a voyage or segment of a voyage that occurs within the boundaries of the State of Hawaii, a voyage or segment of a voyage is not described in subparagraph (B) if such voyage or segment includes or consists of a segment—

“(i) that begins that ends in the same State;

“(ii) that is part of a voyage to another State or to a foreign country; and

“(iii) in which the vessel reaches the other State or foreign country within 3 days after leaving the State in which such segment begins.”

SEC. 1223. CLARIFYING AMENDMENT.

Section 1 of the Railway Labor Act (45 U.S.C. 151) is amended by inserting “, any express company that would have been subject to subtitle IV of title 49, United States Code, as of December 31, 1995,” after “Board” the first place it appears in the first paragraph. And the Senate agree to the same.

From the Committee on Transportation and Infrastructure, for consideration of the House bill (except section 501) and the Senate amendment (except section 1001), and modifications committed to conference:

BUD SHUSTER,
BILL CLINGER,
JOHN J. DUNCAN, JR.,

From the Committee on Transportation and Infrastructure, for consideration of section 501 of the House bill and section 1001 of the Senate amendment, and modifications committed to conference:

BUD SHUSTER,
BILL CLINGER,

As additional conferees from the Committee on Rules, for consideration of section 675 of the Senate bill, and modifications committed to conference:

DAVID DREIER,
JOHN LINDER,

As additional conferees from the Committee on Science, for consideration of sections 601-05 of the House bill, and section 103 of the Senate amendment, and modifications committed to conference:

ROBERT S. WALKER,
CONNIE MORELLA,

As additional conferees from the Committee on Science, for consideration of section 501 of the Senate amendment and modifications committed to conference:

ROBERT S. WALKER,
F. JAMES SENSENBRENNER,
Jr.,

As additional conferees from the Committee on Ways and Means, for the consideration of section 501 of the House bill, and sections 417, 906, and 1001 of the Senate amendment and modifications committed to conference:

BILL ARCHER,
PHIL CRANE,
SAM M. GIBBS,

Managers on the Part of the House.

LARRY PRESSLER,
TED STEVENS,
JOHN MCCAIN,

FRITZ HOLLINGS,
WENDELL H. FORD,

Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

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

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

Mr. VOLKMER 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 218
Nays 198

¶116.17 [Roll No. 446]
YEAS—218

Allard	Everett	Linder
Archer	Ewing	LoBiondo
Arney	Fawell	Longley
Bachus	Fields (TX)	Lucas
Baker (CA)	Foley	Manzullo
Baker (LA)	Ford	McCollum
Ballenger	Fowler	McCrery
Barrett (NE)	Franks (CT)	McInnis
Bartlett	Franks (NJ)	McIntosh
Barton	Frelinghuysen	McKeon
Bass	Funderburk	Meyers
Bateman	Gallegly	Mica
Bereuter	Ganske	Miller (FL)
Bilbray	Gekas	Molinari
Bilirakis	Geren	Montgomery
Bliley	Gilchrest	Moorhead
Blute	Gillmor	Morella
Boehner	Goodlatte	Myrick
Bonilla	Goodling	Nethercutt
Bono	Gordon	Norwood
Brewster	Goss	Nussle
Browder	Graham	Oxley
Brownback	Greene (UT)	Packard
Bryant (TN)	Greenwood	Parker
Bunn	Gunderson	Paxon
Bunning	Gutknecht	Payne (VA)
Burr	Hall (TX)	Petri
Burton	Hancock	Pickett
Buyer	Hansen	Pombo
Callahan	Hastert	Porter
Calvert	Hastings (WA)	Portman
Camp	Hayworth	Pryce
Campbell	Hefley	Radanovich
Castle	Heger	Rahall
Chabot	Hilleary	Ramstad
Chambliss	Hobson	Riggs
Chenoweth	Hoekstra	Roberts
Christensen	Horn	Rogers
Chrysler	Hostettler	Rohrabacher
Clement	Houghton	Roth
Clinger	Hunter	Roukema
Coble	Hutchinson	Salmon
Coburn	Hyde	Saxton
Collins (GA)	Inglis	Scarborough
Combest	Istook	Schaefer
Condit	Johnson (CT)	Schiff
Cox	Johnson, Sam	Seastrand
Cramer	Jones	Shadegg
Crane	Kasich	Shaw
Crapo	Kelly	Shays
Cremeans	Kim	Shuster
Cubin	Kingston	Skeen
Cunningham	Klug	Smith (MI)
Deal	Knollenberg	Smith (TX)
DeLay	Kolbe	Souder
Dickey	LaHood	Spence
Doggett	Largent	Stearns
Dooley	Latham	Stenholm
Doolittle	LaTourette	Stockman
Dornan	Laughlin	Stump
Dreier	Lazio	Talent
Duncan	Leach	Tanner
Dunn	Lewis (CA)	Tate
Ehlers	Lewis (KY)	Tauzin
Ehrlich	Lightfoot	Taylor (MS)
Ensign	Lincoln	Taylor (NC)

Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Walker

Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White

Whitfield
Wicker
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—198

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barr
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Blumenauer
Boehlert
Bonior
Borski
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Canady
Cardin
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Conyers
Cooley
Costello
Coyne
Cummings
Danner
Davis
de la Garza
DeFazio
DeLauro
Diaz-Balart
Dicks
Dingell
Dixon
Doyle
Durbin
Edwards
Engel
English
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Flanagan
Foglietta
Forbes
Fox
Frank (MA)
Furse
Gejdenson
Gephardt
Gibbons
Gilman
Gonzalez

Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hoke
Holden
Hoyer
Jackson (IL)
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
King
Klecza
Klink
LaFalce
Lantos
Schumer
Levin
Lewis (GA)
Lipinski
Livingston
Lofgren
Lowe
Luther
Maloney
Manton
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McDade
McDermott
McHale
McHugh
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Millender-
McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran
Murtha
Myers
Nadler
Neal
Neumann
Ney

Oberstar
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (MN)
Pomeroy
Poshard
Quinn
Rangel
Reed
Regula
Richardson
Rivers
Roemer
Ros-Lehtinen
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sanford
Sawyer
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Spratt
Stark
Stokes
Studds
Stupak
Tejeda
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wilson
Wise
Wolf
Woolsey
Wynn
Yates

NOT VOTING—17

Boucher
Chapman
Collins (MI)
Dellums
Deutsch
Frisa

Frost
Green (TX)
Hayes
Heineman
Jackson-Lee
(TX)

Obey
Peterson (FL)
Quillen
Rose
Solomon
Thompson

So the conference report was agreed to.

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

Ordered, That the Clerk notify the Senate thereof.

116.18 NOTICE OF SUSPENSION OF THE RULES

Mr. LINDER, pursuant to House Resolution 525, at 2:21 p.m. announced the

Speaker will recognize Members for motions to suspend the rules under clause 1, rule XXVII, today with respect to the following bills:

H.R. 4000, POW/MIA; H.R. 4041, Dos Palos Land Conveyance; H.R. 3219, Native American Housing; S. 1004, Coast Guard Reauthorization Conference Report; S. 1505, Pipeline Safety; H.R. 2779, Metric Conversion; and S. 1972, Older American Indian Tech. Amendments.

116.19 PRIVILEGES OF THE HOUSE—RETURN OF SENATE BILL

Mr. ARCHER rose to a question of the privileges of the House and submitted the following resolution (H. Res. 545):

Resolved, That the bill of the Senate (S. 1311) entitled the "National Physical Fitness and Sports Foundation Establishment Act", in the opinion of this House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House and that such bill be respectfully returned to the Senate with a message communicating this resolution.

The SPEAKER pro tempore, Mr. NEY, ruled that the resolution submitted did present a question of the privileges of the House under rule IX, and recognized Mr. ARCHER and Mr. GIBBONS, each for thirty minutes.

After debate, By unanimous consent, 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. NEY, announced that the yeas had it.

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.

Ordered, That the Clerk notify the Senate thereof.

116.20 NOTICE OF SUSPENSION OF THE RULES

Mr. LONGLEY, pursuant to House Resolution 525, at 2:38 p.m. announced the Speaker will recognize a Member for a motion to suspend the rules under clause 1, rule XXVII, today with respect to the bill from the Senate (S. 1918) to amend trade laws and related provisions to clarify the designation of normal trade relations.

116.21 MESSAGES FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

116.22 H.R. 4073—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. NEY, pursuant to clause 5, rule I, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4073) to authorize the National Park Service to coordinate programs with, provide technical assistance to, and enter into cooperative agreements with, the National Un-

derground Railroad Freedom Center in Cincinnati, Ohio, 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 244
negative } Nays 170

116.23 [Roll No. 447]

YEAS—244

Allard	Frisa	Ney
Archer	Funderburk	Norwood
Armey	Galleghy	Nussle
Bachus	Ganske	Ortiz
Baker (CA)	Gekas	Oxley
Baker (LA)	Gilchrest	Packard
Ballenger	Gillmor	Parker
Barr	Gilman	Paxon
Barrett (NE)	Goodlatte	Payne (VA)
Bartlett	Goodling	Peterson (MN)
Barton	Goss	Petri
Bass	Graham	Pombo
Bateman	Greene (UT)	Porter
Bereuter	Greenwood	Portman
Bilbray	Gutknecht	Pryce
Bilirakis	Hall (OH)	Quinn
Bliley	Hall (TX)	Radanovich
Blute	Hamilton	Ramstad
Boehlert	Hancock	Regula
Boehner	Hansen	Riggs
Bonilla	Hastert	Roberts
Bono	Hastings (WA)	Rogers
Brewster	Hayworth	Rohrabacher
Brown (OH)	Hefley	Ros-Lehtinen
Brownback	Herger	Roth
Bryant (TN)	Hilleary	Roukema
Bunn	Hobson	Royce
Bunning	Hoke	Salmon
Burr	Horn	Sanford
Burton	Hostettler	Sawyer
Buyer	Houghton	Saxton
Callahan	Hutchinson	Scarborough
Calvert	Hyde	Schaefer
Camp	Inglis	Schiff
Campbell	Istook	Seastrand
Canady	Jacobs	Sensenbrenner
Cardin	Johnson (CT)	Shadegg
Castle	Johnson, Sam	Shaw
Chabot	Jones	Shays
Chambliss	Kasich	Shuster
Christensen	Kelly	Skeen
Chrysler	Kim	Smith (MI)
Clinger	King	Smith (NJ)
Coble	Kingston	Smith (TX)
Coburn	Klug	Smith (WA)
Collins (GA)	Knollenberg	Solomon
Combest	Kolbe	Souder
Condit	LaHood	Spence
Cooley	Largent	Stearns
Cox	Latham	Stockman
Crane	LaTourette	Stokes
Crapo	Laughlin	Stump
Creameans	Lazio	Talent
Cubin	Leach	Tate
Cunningham	Lewis (CA)	Tauzin
Davis	Lewis (KY)	Taylor (MS)
de la Garza	Lightfoot	Taylor (NC)
Deal	Linder	Tejeda
DeLay	Livingston	Thomas
Diaz-Balart	LoBiondo	Thornberry
Dickey	Longley	Tiahrt
Doolittle	Lucas	Torkildsen
Dornan	Manzullo	Traficant
Dreier	Martini	Upton
Duncan	McCollum	Vucanovich
Dunn	McCrery	Walker
Ehlers	McDade	Walsh
Ehrlich	McHugh	Wamp
English	McInnis	Watts (OK)
Ensign	McIntosh	Weldon (FL)
Everett	McKeon	Weldon (PA)
Ewing	Metcalf	Weller
Fawell	Mica	White
Fields (TX)	Miller (FL)	Whitfield
Flanagan	Molinari	Wicker
Foley	Montgomery	Wolf
Forbes	Moorhead	Young (AK)
Fowler	Morella	Young (FL)
Fox	Myers	Zeliff
Franks (CT)	Myrick	Zimmer
Franks (NJ)	Nethercutt	
Frelinghuysen	Neumann	