

SHERMAN, Mr. SAWYER, Ms. DELAURO, Mr. SANDERS, Mr. ETHERIDGE, Mr. ALLEN, and Mr. MARTINEZ.

H.R. 1204: Mr. FILNER and Mr. GALLEGLY.

H.R. 1205: Mr. ENGLISH of Pennsylvania and Mr. MCKEON.

H.J. Res. 47: Mr. TIERNEY.

H.J. Res. 54: Mrs. CLAYTON, Mr. DELAHUNT, Mr. GOODLING, Mr. HILLIARD, Mr. HOBSON, Mr. PEASE, and Mr. SHAW.

H.J. Res. 59: Mr. PAUL and Mr. CHAMBLISS.

H. Con. Res. 6: Ms. KAPTUR.

H. Con. Res. 8: Ms. DEGETTE, Mr. DICKS, Mr. DELLUMS, and Mr. MANTON.

H. Con. Res. 14: Mr. WEXLER.

H. Con. Res. 27: Mr. FORD, Ms. RIVERS, Mr. WATT of North Carolina, Mr. CLAY, Mr. McNULTY, Mr. QUINN, Mrs. CLAYTON, Mr. BARRETT of Wisconsin, Mr. MASCARA, and Mr. FLAKE.

H. Con. Res. 40: Mr. MALONEY of New York, Mr. UNDERWOOD, Mr. FILNER, Mr. DELLUMS, Mr. MCGOVERN, Mrs. TAUSCHER, Mr. DAVIS of Illinois, Mr. OLVER, Mr. LEWIS of Georgia, and Ms. SLAUGHTER.

H. Con. Res. 43: Ms. SLAUGHTER and Mr. WELLER.

H. Con. Res. 50: Ms. ROS-LEHTINEN, Mrs. MALONEY of New York, Mr. FRANKS of New Jersey, Mr. HASTINGS of Florida, Ms. NORTON, Mrs. KELLY, Mr. MANTON, Mr. MCGOVERN, Mrs. MEEK of Florida, Mr. ENGEL, Mr. WATTS of Oklahoma, Mr. KING of New York, Mr. WEXLER, Ms. DUNN of Washington, and Mrs. MORELLA.

H. Con. Res. 55: Mr. FOLEY, Mrs. MALONEY of New York, and Mr. CUNNINGHAM.

H. Res. 26: Mr. MCDERMOTT, Mr. BROWN of California, Mrs. MORELLA, Mr. WATT of North Carolina, Ms. NORTON, Ms. RIVERS, Mr. GREEN, and Mr. BONIOR.

H. Res. 98: Mr. ADERHOLT and Mr. SESSIONS.

¶28.31 PETITIONS, ETC.

Under clause 1 of rule XXII.

9. The SPEAKER presented a petition of the Republican Party of San Mateo County, CA, relative to the American Land Sovereignty Protection Act; which was referred to the Committee on Resources.

WEDNESDAY, APRIL 9, 1997 (29)

¶29.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. GUTKNECHT, who laid before the House the following communication:

WASHINGTON, DC,
April 9, 1997.

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

NEWT GINGRICH,
Speaker of the House of Representatives.

¶29.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. GUTKNECHT, announced he had examined and approved the Journal of the proceedings of Tuesday, April 8, 1997.

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

¶29.3 COMMUNICATIONS

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

2656. A letter from the Executive Director, Defense Environmental Response Task Force, Department of Defense, transmitting the report on the actions of the Defense En-

vironmental Response Task Force for fiscal year 1995, pursuant to Public Law 101-510, section 2923(c)(1) (104 Stat. 1821); to the Committee on National Security.

2657. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Streamlined Research and Development Clause Lists [DFARS Case 96-D028] received April 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

2658. A letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation entitled "Retirement of Regular Commissioned Officers at Age 62, Exception for Deputy Chief and Chief of Chaplains"; to the Committee on National Security.

2659. A letter from the Assistant Secretary for Health Affairs, Department of Defense, transmitting notification that the final report for the plan ensuring the provision of medical care to any natural child of a member of the Armed Forces will be available no later than June, 1997; to the Committee on National Security.

2660. A letter from the Secretary of Housing and Urban Development, transmitting a report entitled "Moving Toward a Lead-Safe America: A Report to the Congress of the United States", pursuant to Public Law 102-550, section 1061(b) (106 Stat. 3927); to the Committee on Banking and Financial Services.

2661. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting a report on whether organizations make sensitive consumer identification information available to the public, and whether such activities create undue potential for fraud and risk of loss to insured depository institutions, pursuant to Public Law 104-208 section 2422(c) (100 Stat. 3009); to the Committee on Banking and Financial Services.

2662. A letter from the Clerk, U.S. Court of Appeals for the District of Columbia Circuit, transmitting an opinion of the U.S. Court of Appeals for the District of Columbia Circuit (No. 96-7030—*Carole Kolstad v. American Dental Association* (March 21, 1997)); to the Committee on Education and the Workforce.

2663. A letter from the Acting Secretary of Energy, transmitting a report entitled "District Heating, Cooling, and Cogeneration: Benefits, Constraints, and Recommendations," pursuant to section 172(b) of the Energy Policy Act of 1992; to the Committee on Commerce.

2664. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the Administration's report entitled "Annual Report to Congress—Progress on Superfund Implementation in Fiscal Year 1996," pursuant to 45 U.S.C. 9651; to the Committee on Commerce.

2665. A letter from the Director, Defense Security Assistance Agency, transmitting a copy of Transmittal No. 97-A, which relates to the Department of the Navy's proposed enhancements or upgrades from the level of sensitivity of technology or capability of defense article(s) previously sold to the Coordination Council for North American Affairs [CCNAA], currently identified as the Taipei Economic and Cultural Representative Office [TECRO] in the United States, pursuant to 22 U.S.C. 2776(b)(5)(C); to the Committee on International Relations.

2666. A letter from the Chairman of the Board, African Development Foundation, transmitting a draft of proposed legislation to authorize appropriations for the African Development Foundation, pursuant to 31 U.S.C. 1110; to the Committee on International Relations.

2667. A letter from the President, Inter-American Foundation, transmitting a draft

of proposed legislation to authorize appropriations for fiscal years 1998 and 1999 for the Inter-American Foundation, pursuant to 31 U.S.C. 1110; to the Committee on International Relations.

2668. A letter from the president and CEO, Overseas Private Investment Corporation, transmitting a draft of proposed legislation entitled the "Overseas Private Investment Corporation Amendments Act of 1997"; to the Committee on International Relations.

2669. A communication from the President of the United States, transmitting a letter notifying Congress that on March 25, 1997, a standby evacuation force of the U.S. military personnel from the United States European Command and the United States deployed to Congo and Gabon to provide enhanced security for the more than 300 American private citizens, government employees, and selected third country nationals in Kinshasa, Zaire, should their evacuation become necessary (H. Doc. No. 105-63); to the Committee on International Relations and ordered to be printed.

2670. A letter from the Director, Office of Personnel Management, transmitting notification that OPM has approved proposals for five personnel management demonstration projects for the Department of the Army, submitted by the Department of Defense, pursuant to Public Law 103-337, section 342(b) (108 Stat. 2721); to the Committee on Government Reform and Oversight.

2671. A letter from the Assistant Attorney General of the United States, transmitting a draft of proposed legislation entitled the "Radiation Exposure Compensation Act Amendments of 1997"; to the Committee on the Judiciary.

2672. A letter from the Assistant Attorney General, Department of Justice, transmitting a copy of the Bureau of Justice Assistance report entitled, "Fiscal Year 1995 Annual Report to Congress," pursuant to 42 U.S.C. 3789e; to the Committee on the Judiciary.

2673. A letter from the Clerk, U.S. Court of Appeals for the District of Columbia Circuit, transmitting an opinion of the U.S. Court of Appeals for the District of Columbia Circuit (No. 95-7164—*Rafic Saadeh v. Fawaz Farouki* (March 4, 1997)); to the Committee on the Judiciary.

2674. A letter from the Clerk, U.S. Court of Appeals for the District of Columbia Circuit, transmitting an opinion of the U.S. Court of Appeals for the District of Columbia Circuit (No. 96-5148—*United States of America v. Consumer Health Services of America, Inc. and Roger Schlossberg, Trustee* (March 18, 1997)); to the Committee on the Judiciary.

2675. A letter from the Clerk, U.S. Court of Appeals for the District of Columbia Circuit, transmitting an opinion of the U.S. Court of Appeals for the District of Columbia Circuit (No. 96-3060—*United States of America v. Leo Darryl Harrington* (March 25, 1997)); to the Committee on the Judiciary.

2676. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's report entitled "The Superfund Innovative Technology Evaluation Program, Annual Report to Congress FY 1995," pursuant to 42 U.S.C. 9604; to the Committee on Science.

2677. A letter from the Director, National Science Foundation, transmitting a draft of proposed legislation entitled the "National Science Foundation Authorization Act for Fiscal Years 1998 and 1999," pursuant to 31 U.S.C. 1110; to the Committee on Science.

2678. A letter from the Chairman, Prospective Payment Assessment Commission, transmitting the annual report on the Prospective Payment Assessment Commission, pursuant to 42 U.S.C. 1395ww(e)(6)(G)(i); to the Committee on Ways and Means.

2679. A letter from the Secretary of Transportation, transmitting a draft of proposed

legislation entitled the "Maritime Administration Authorization Act for Fiscal Years 1998 and 1999," pursuant to 31 U.S.C. 1110; jointly, to the Committees on National Security and Transportation and Infrastructure.

29.4 MESSAGE 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.

29.5 MESSAGE FROM THE SENATE

A message from the Senate by Ms. McDevitt, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 412. An Act to approve a settlement agreement between the Bureau of Reclamation and the Oroville-Tonasket Irrigation District.

29.6 PROVIDING FOR THE CONSIDERATION OF CERTAIN MOTIONS TO SUSPEND THE RULES

Mr. DREIER, by direction of the Committee on Rules, called up the following resolution (H. Res. 107):

Resolved, That it shall be in order at any time on Wednesday, April 9, 1997, or on Thursday, April 10, 1997, for the Speaker to entertain motions that the House suspend the rules. The Speaker or his designee shall consult with the minority leader or his designee on the designation of any matter for consideration pursuant to this resolution.

When said resolution was considered,

29.7 WORDS TAKEN DOWN

Mr. MILLER of California during debate, addressed the House and, during the course of his remarks,

Mr. DELAY demanded that certain words be taken down.

The Clerk read the words taken down as follows:

If you give \$10,000, you can have a meeting. You know what you get, ladies and gentlemen? You get seats in the gallery. You the public get seats in the gallery. You know what big donors get? They get access to leadership power and decisions. That is under the existing system, and that is why we are saying it has to be reformed. Two years ago we watched as top lobbyists sat in the majority whip's office and drafted legislation to the Clean Water Act.

The SPEAKER pro tempore, Mr. GUTKNECHT, held the words taken down not to be unparliamentary, and said:

"In the opinion of the Chair, there was no direct reference to a Member specifically performing a quid pro quo. Therefore, the Chair will rule that the words are not unparliamentary."

Accordingly,

The SPEAKER pro tempore, Mr. GUTKNECHT, recognized Mr. MILLER of California to proceed in order.

After debate,

Mr. DREIER moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

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

Ms. SLAUGHTER 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 213
Nays 196

29.8 [Roll No. 74] YEAS—213

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| Aderholt | Gillmor | Oxley |
| Archer | Gilman | Packard |
| Armey | Goodlatte | Pappas |
| Bachus | Goodling | Parker |
| Baker | Goss | Paul |
| Barrett (NE) | Graham | Paxon |
| Bartlett | Greenwood | Pease |
| Bass | Gutknecht | Peterson (PA) |
| Bateman | Hansen | Petri |
| Bereuter | Hastert | Pickering |
| Bilbray | Hastings (WA) | Pitts |
| Bilirakis | Hayworth | Pombo |
| Bliley | Hefley | Portman |
| Blunt | Herger | Pryce (OH) |
| Boehler | Hill | Quinn |
| Boehner | Hilleary | Radanovich |
| Bonilla | Hobson | Ramstad |
| Bono | Hoekstra | Regula |
| Brady | Horn | Riggs |
| Bryant | Hostettler | Riley |
| Bunning | Houghton | Rogan |
| Burr | Hulshof | Rogers |
| Burton | Hunter | Rohrabacher |
| Buyer | Hutchinson | Ros-Lehtinen |
| Callahan | Hyde | Roukema |
| Calvert | Inglis | Royce |
| Camp | Jenkins | Salmon |
| Campbell | Johnson (CT) | Sanford |
| Canady | Johnson, Sam | Saxton |
| Cannon | Jones | Scarborough |
| Castle | Kasich | Schaefer, Dan |
| Chabot | Kelly | Schaffer, Bob |
| Chenoweth | Kim | Sensenbrenner |
| Christensen | King (NY) | Sessions |
| Coble | Kingston | Shadegg |
| Coburn | Klug | Shaw |
| Collins | Knollenberg | Shays |
| Combust | Kolbe | Shimkus |
| Cook | LaHood | Shuster |
| Cooksey | Largent | Skeen |
| Cox | Latham | Smith (MI) |
| Crane | LaTourrette | Smith (NJ) |
| Crapo | Lazio | Smith (OR) |
| Cubin | Leach | Smith (TX) |
| Cunningham | Lewis (CA) | Smith, Linda |
| Davis (VA) | Lewis (KY) | Snowbarger |
| Deal | Linder | Solomon |
| DeLay | Livingston | Souder |
| Diaz-Balart | LoBiondo | Spence |
| Dickey | Lucas | Stearns |
| Dreier | Manzullo | Stump |
| Duncan | McCollum | Sununu |
| Dunn | McCrery | Talent |
| Ehlers | McDade | Tauzin |
| Ehrlich | McHugh | Taylor (NC) |
| Emerson | McInnis | Thomas |
| English | McIntosh | Thornberry |
| Ensign | McKeon | Thune |
| Everett | Metcalf | Tiaht |
| Ewing | Mica | Upton |
| Foley | Miller (FL) | Walsh |
| Forbes | Molinari | Wamp |
| Fowler | Moran (KS) | Watkins |
| Fox | Morella | Weldon (FL) |
| Franks (NJ) | Myrick | Weldon (PA) |
| Frelinghuysen | Nethercutt | Weller |
| Galleghy | Neumann | White |
| Ganske | Ney | Whitfield |
| Gekas | Northup | Wicker |
| Gibbons | Norwood | Wolf |
| Gilchrist | Nussle | Young (FL) |

NAYS—196

| | | |
|--------------|------------|------------|
| Abercrombie | Bonior | Clyburn |
| Ackerman | Borski | Condit |
| Allen | Boswell | Conyers |
| Baesler | Boucher | Costello |
| Baldacci | Brown (CA) | Coyne |
| Barcia | Brown (FL) | Cramer |
| Barrett (WI) | Brown (OH) | Cummings |
| Bentsen | Capps | Danner |
| Berman | Cardin | Davis (FL) |
| Berry | Clay | Davis (IL) |
| Blagojevich | Clayton | DeFazio |
| Blumenauer | Clement | DeGette |

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|------------------|--------------------|---------------|
| DeLauro | Kildee | Pomeroy |
| Dellums | Kilpatrick | Poshard |
| Deutsch | Kind (WI) | Price (NC) |
| Dicks | Kleczka | Rahall |
| Dingell | Klink | Rangel |
| Dixon | Kucinich | Reyes |
| Doggett | LaFalce | Rivers |
| Dooley | Lampson | Roemer |
| Doyle | Lantos | Rothman |
| Edwards | Levin | Roybal-Allard |
| Engel | Lewis (GA) | Rush |
| Eshoo | Lipinski | Sabo |
| Etheridge | Lofgren | Sanchez |
| Evans | Lowey | Sanders |
| Fattah | Luther | Sandlin |
| Fazio | Maloney (CT) | Sawyer |
| Flake | Maloney (NY) | Schumer |
| Foglietta | Manton | Scott |
| Ford | Markey | Serrano |
| Frank (MA) | Martinez | Sherman |
| Frost | Mascara | Sisisky |
| Furse | Matsui | Skaggs |
| Gejdenson | McCarthy (MO) | Skelton |
| Gephardt | McDermott | Slaughter |
| Gonzalez | McGovern | Smith, Adam |
| Goode | McHale | Snyder |
| Gordon | McIntyre | Spratt |
| Green | McKinney | Stabenow |
| Gutierrez | McNulty | Stenholm |
| Hall (OH) | Meehan | Stokes |
| Hall (TX) | Meek | Strickland |
| Hamilton | Menendez | Stupak |
| Harman | Millender-McDonald | Tanner |
| Hastings (FL) | Miller (CA) | Tauscher |
| Hilliard | Minge | Taylor (MS) |
| Hinchee | Mink | Thompson |
| Hinojosa | Moakley | Thurman |
| Holden | Mollohan | Tierney |
| Hoolley | Moran (VA) | Torres |
| Hoyer | Murtha | Towns |
| Jackson (IL) | Nadler | Trafficant |
| Jackson-Lee (TX) | Neal | Turner |
| Jefferson | Oberstar | Velazquez |
| John | Obey | Vento |
| Johnson (WI) | Olver | Visclosky |
| Johnson, E. B. | Ortiz | Waters |
| Kanjorski | Owens | Watt (NC) |
| Kaptur | Pallone | Waxman |
| Kennedy (MA) | Pascarell | Wexler |
| Kennedy (RI) | Pastor | Weygand |
| Kennelly | Payne | Wise |
| | Pelosi | Woolsey |
| | Pickett | Wynn |
| | | Yates |

NOT VOTING—23

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|-----------|---------------|---------------|
| Andrews | Chambliss | Peterson (MN) |
| Ballenger | Doolittle | Porter |
| Barr | Fawell | Ryun |
| Barton | Filner | Schiff |
| Becerra | Granger | Stark |
| Bishop | Hefner | Watts (OK) |
| Boyd | Istook | Young (AK) |
| Carson | McCarthy (NY) | |

So the previous question on the resolution was ordered.

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

The SPEAKER pro tempore, Mr. GUTKNECHT, 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.

29.9 VETERANS EMPLOYMENT OPPORTUNITIES

Mr. MICA moved to suspend the rules and pass the bill (H.R. 240) to amend title 5, United States Code, to provide that consideration may not be denied to preference eligibles applying for certain positions in the competitive service, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. GUTKNECHT, recognized Mr. MICA and Mr. HOLDEN, each for 20 minutes.

After debate,

The question being put, viva voce,