

72.6 RIEGLE-NEAL CLARIFICATION ACT

On motion of Mrs. ROUKEMA, by unanimous consent, the bill (H.R. 1306) to amend the Federal Deposit Insurance Act to clarify the applicability of host State laws to any branch in such State of an out-of-State bank; together with the following amendments of the Senate thereto, was taken from the Speaker's table:

Page 2, lines 2 and 3, strike out "Clarification" and insert "Amendments".

Page 2, line 5, before "Subsection" insert: (a) ACTIVITIES OF BRANCHES OF OUT-OF-STATE BANKS.—

Page 3, strike out lines 3 through 7 and insert:

"(3) SAVINGS PROVISION.—No provision of this subsection shall be construed as affecting the applicability of—

"(A) any State law of any home State under subsection (b), (c), or (d) of section 44; or

"(B) Federal law to State banks and State bank branches in the home State or the host State.

Page 3, after line 10 insert:

(b) LAW APPLICABLE TO INTERSTATE BRANCHING OPERATIONS.—Section 5155(f)(1) of the Revised Statutes (12 U.S.C. 36(f)(1)) is amended by adding at the end the following:

"(C) REVIEW AND REPORT ON ACTIONS BY COMPTROLLER.—The Comptroller of the Currency shall conduct an annual review of the actions it has taken with regard to the applicability of State law to national banks (or their branches) during the preceding year, and shall include in its annual report required under section 333 of the Revised Statutes (12 U.S.C. 14) the results of the review and the reasons for each such action. The first such review and report after the date of enactment of this subparagraph shall encompass all such actions taken on or after January 1, 1992."

Page 3, after line 10 insert:

SEC. 3. RIGHT OF STATE TO OPT OUT.

Nothing in this Act alters the right of States under section 525 of Public Law 96-221.

Amend the title so as to read: "An Act to amend Federal law to clarify the applicability of host State laws to any branch in such State of an out-of-State bank, and for other purposes."

On motion of Mrs. ROUKEMA, said Senate amendments were agreed to.

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

Ordered, That the Clerk notify the Senate thereof.

72.7 ORDER OF BUSINESS—USE OF ROTUNDA AUTHORIZATION

On motion of Mr. THOMAS, by unanimous consent,

Ordered, That the authorization contained in House Concurrent Resolution 216 (passed in the 104th Congress) relating to use of the rotunda for a ceremony to commemorate the placement of the Portrait Monument in the Capitol Rotunda, be extended to the 105th Congress, subject to concurrence by the Senate.

72.8 CORRECTIONS CALENDAR

Pursuant to clause 4, rule XIII,

The SPEAKER pro tempore, Mr. RADANOVICH, directed the Corrections Calendar to be called.

When,

72.9 LIFE INSURANCE BENEFITS

The Committee of the Whole House on the state of the Union was discharged from further consideration of the bill (H.R. 1316) to amend chapter 87 of title 5, United States Code, with respect to the order of precedence to be applied in the payment of life insurance benefits.

When said bill was considered and read twice.

The SPEAKER pro tempore, Mr. RADANOVICH, pursuant to clause 4 of rule XIII, recognized Mr. MICA and Mr. CUMMINGS, each for 30 minutes.

After debate,

The following amendment recommended by the Committee on Government Reform and Oversight, was submitted:

Strike out all after the enacting clause and insert:

SECTION 1. DOMESTIC RELATIONS ORDERS.

Section 8705 of title 5, United States Code, is amended—

(1) in subsection (a) by striking "(a) The" and inserting "(a) Except as provided in subsection (e), the"; and

(2) by adding at the end the following:

"(e)(1) Any amount which would otherwise be paid to a person determined under the order of precedence named by subsection (a) shall be paid (in whole or in part) by the Office to another person if and to the extent expressly provided for in the terms of any court decree of divorce, annulment, or legal separation, or the terms of any court order or court-approved property settlement agreement incident to any court decree of divorce, annulment, or legal separation.

"(2) For purposes of this subsection, a decree, order, or agreement referred to in paragraph (1) shall not be effective unless it is received, before the date of the covered employee's death, by the employing agency or, if the employee has separated from service, by the Office.

"(3) A designation under this subsection with respect to any person may not be changed except—

"(A) with the written consent of such person, if received as described in paragraph (2); or

"(B) by modification of the decree, order, or agreement, as the case may be, if received as described in paragraph (2).

"(4) The Office shall prescribe any regulations necessary to carry out this subsection, including regulations for the application of this subsection in the event that 2 or more decrees, orders, or agreements, are received with respect to the same amount."

SEC. 2. DIRECTED ASSIGNMENT.

Section 8706(e) of title 5, United States Code, is amended—

(1) by striking "(e)" and inserting "(e)(1)"; and

(2) by adding at the end the following:

"(2) A court decree of divorce, annulment, or legal separation, or the terms of a court-approved property settlement agreement incident to any court decree of divorce, annulment, or legal separation, many direct that an insured employee or former employee make an irrevocable assignment of the employee's or former employee's incidents of ownership in insurance under this chapter (if there is no previous assignment) to the person specified in the court order or court-approved property settlement agreement."

After debate,

Pursuant to clause 4 of rule XIII, the previous question on the amendment and the bill was considered as ordered.

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

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

So the amendment was agreed to.

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. RADANOVICH, announced that three-fifths of the Members present had voted in the affirmative.

So, three-fifths of the Members present having voted in favor thereof, the bill was 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.

72.10 MFN—CHINA

Mr. CRANE, pursuant to the order of the House of June 23, 1997, called up the joint resolution (H.J. Res. 79) disapproving the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of the People's Republic of China.

When said joint resolution was considered and read twice.

After debate,

Pursuant to the order of the House of June 23, 1997, the previous question was considered as ordered.

The joint resolution 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 joint resolution?

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

Mr. BUNNING demanded a recorded vote on passage of said joint resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 173 negative } Nays 259

72.11 [Roll No. 231] AYES—173

Table with 3 columns: Name, Name, Name. Lists members of the House who voted 'AYES' for the bill.

Hinchey Mink
 Hobson Molinari
 Horn Mollohan
 Hostettler Myrick
 Hoyer Nadler
 Hunter Norwood
 Hyde Obey
 Inglis Olver
 Jackson (IL) Owens
 Jones Pallone
 Kaptur Pappas
 Kasich Parker
 Kennedy (MA) Pascrell
 Kennedy (RI) Paxon
 Kildee Payne
 Kilpatrick Pelosi
 King (NY) Pickering
 Kingston Pombo
 Klink Rahall
 Klug Riley
 Kucinich Rivers
 Lantos Rogan
 Lewis (GA) Rogers
 Lewis (KY) Rohrabacher
 Lipinski Ros-Lehtinen
 LoBiondo Rothman
 Maloney (CT) Royce
 Markey Sabo
 Mascara Sanchez
 McCarthy (NY) Sanders
 McInnis Sanford
 McIntyre Scarborough
 McKinney Schaffer, Bob
 Menendez Scott
 Miller (CA) Sensenbrenner

Peterson (PA) Salmon
 Petri Sandlin
 Pickett Sawyer
 Pitts Saxton
 Pomeroy Schaefer, Dan
 Porter Schumer
 Portman Serrano
 Poshard Sessions
 Price (NC) Shadegg
 Pryce (OH) Shaw
 Quinn Shays
 Radanovich Sherman
 Ramstad Shimkus
 Taylor (MS) Shuster
 Thompson Skaggs
 Redmond Skeen
 Tiahrt Skelton
 Tierney Reyes
 Torres Riggs
 Traficant Rodriguez
 Upton Roemer
 Velazquez Roemema
 Regula Ruybal-Allard
 Vento Snowbarger
 Visclosky Snyder
 Wamp Stabenow
 Waters
 Watt (NC)
 Watts (OK)
 Waxman
 Weldon (FL)
 Wexler
 Weygand
 Wolf
 Woolsey
 Wynn

Chenoweth
 Christensen
 Clement
 Clyburn
 Coble
 Coburn
 Collins
 Combest
 Condit
 Conyers
 Cook
 Cooksey
 Coyne
 Cramer
 Crane
 Crapo
 Cubin
 Cunningham
 Danner
 Davis (FL)
 Davis (IL)
 Davis (VA)
 Deal
 DeGette
 Delahunt
 DeLauro
 DeLay
 Dellums
 Deutsch
 Diaz-Balart
 Dickey
 Dicks
 Dingell
 Dixon
 Doggett
 Dooley
 Doolittle
 Doyle
 Dreier
 Duncan
 Dunn
 Edwards
 Ehlers
 Ehrlich
 Emerson
 Engel
 Eshoo
 Etheridge
 Evans
 Ewing
 Farr
 Fattah
 Fawell
 Flake
 Foley
 Forbes
 Ford
 Fowler
 Frank (MA)
 Franks (NJ)
 Frelinghuysen
 Frost
 Furse
 Gallegly
 Ganske
 Gejdenson
 Gekas
 Gilchrest
 Gillmor
 Gilman
 Gonzalez
 Goode
 Goodlatte
 Goodling
 Gordon
 Goss
 Graham
 Granger
 Greenwood
 Gutierrez
 Hall (OH)
 Hall (TX)
 Hamilton
 Hansen
 Harman
 Hastert
 Hastings (WA)
 Hayworth
 Herger
 Hill
 Hilleary
 Hinchey
 Hinojosa
 Hobson
 Hoekstra
 Holden
 Hooley
 Houghton
 Hulshof
 Hutchinson
 Istook
 Jackson-Lee
 (TX)
 Jefferson
 Jenkins
 John
 Johnson (CT)
 Johnson (WI)
 Johnson, E. B.
 Johnson, Sam
 Kanjorski
 Kelly
 Kennelly
 Kim

NOT VOTING—3
 Cox Schiff Yates

So the joint resolution was not passed.

¶72.12 ORDER OF BUSINESS—VOTE ON APPROVAL OF THE JOURNAL

On motion of Mr. DREIER, by unanimous consent,

Ordered, That, if proceedings on the Journal resume immediately after an electronic vote on another question, then the minimum time for any electronic vote on agreeing to the Speaker's approval of the Journal may be five minutes.

¶72.13 UNFINISHED BUSINESS—APPROVAL OF THE JOURNAL

THE SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Monday, June 23, 1997.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

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

Mr. UPTON demanded a recorded vote on agreeing to the Chair's approval of the Journal, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 369
 affirmative } Nays 59

¶72.14 [Roll No. 232] AYES—369

Ackerman
 Allen
 Andrews
 Archer
 Armev
 Bachus
 Baesler
 Baker
 Baldacci
 Ballenger
 Barrett (NE)
 Barrett (WI)
 Bass
 Bateman
 Becerra
 Bentsen
 Bereuter
 Berry
 Bilbray
 Bilirakis
 Blagojevich
 Bliley
 Blumenauer
 Boehlert
 Boehner
 Bonilla
 Boswell
 Boucher
 Boyd
 Brady
 Brown (CA)
 Brown (FL)
 Bryant
 Buyer
 Callahan
 Calvert
 Camp
 Campbell
 Canady
 Cannon
 Capps
 Castle
 Chabot
 Christensen
 Clement
 Coble
 Combest
 Conyers
 Cooksey
 Cramer
 Crane
 Cunningham
 Davis (FL)
 Davis (VA)
 DeGette
 DeLay
 Deutsch
 Dicks
 Dingell
 Dixon
 Doggett
 Dooley
 Doyle

Bentsen
 Bereuter
 Bertran
 Berry
 Bilbray
 Bilirakis
 Bishop
 Blagojevich
 Bliley
 Blumenauer
 Blunt
 Boehler
 Boehner
 Bonilla
 Bonior
 Bono
 Boswell
 Boucher
 Boyd
 Brady
 Brown (FL)
 Bryant
 Bunning
 Burr
 Burton
 Buyer
 Callahan
 Calvert
 Camp
 Campbell
 Canady
 Cannon
 Capps
 Cardin
 Carson
 Castle
 Chabot
 Chambliss

Oxley
 Packard
 Pappas
 Parker
 Pastor
 Paul
 Paxon
 Payne
 Pease
 Pelosi
 Peterson (MN)
 Peterson (PA)
 Petri
 Pickering
 Pitts
 Pomeroy
 Porter
 Portman
 Price (NC)
 Pryce (OH)
 Quinn
 Radanovich
 Rahall
 Rangel
 Regula
 Reyes
 Riggs
 Riley
 Rivers
 Rodriguez
 Roemer
 Rogan
 Rogers
 Rohrabacher
 Ros-Lehtinen
 Rothman
 Roukema
 Ruybal-Allard
 Royce
 Ryan
 Salmon
 Sanchez
 Sanders
 Sandlin
 Sanford
 Sawyer
 Saxton
 Scarborough
 Schaefer, Dan
 Schumer
 Scott
 Sensenbrenner
 Serrano
 Shadegg
 Shaw
 Shays
 Sherman
 Shimkus
 Shuster
 Sisisky
 Skaggs
 Skeen
 Skelton
 Slaughter
 Smith (MI)
 Smith (NJ)
 Smith (OR)
 Smith (TX)
 Smith, Adam
 Smith, Linda
 Snowbarger
 Snyder
 Solomon
 Souder
 Spence
 Spratt
 Stabenow
 Stearns
 Stenholm
 Stokes
 Stump
 Talent
 Tanner
 Tauscher
 Tauzin
 Thomas
 Thornberry
 Thune
 Thurman
 Neal
 Nethercutt
 Torres
 Towns
 Traficant
 Turner
 Upton
 Vento
 Walsh
 Wamp