

transmitting certification of a proposed license for the export of defense articles or defense services sold commercially to Germany (Transmittal No. DTC-72-97), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

4166. A letter from the District of Columbia Auditor, transmitting a copy of a report entitled "Fiscal Year 1996 Annual Report on Advisory Neighborhood Commissions," pursuant to D.C. Code section 47-117(d); to the Committee on Government Reform and Oversight.

4167. A letter from the Executive Director, Committee for Purchase From People Who Are Blind or Severely Disabled, transmitting the Committee's final rule—Additions to and Deletions from the Procurement List [I.D. 97-013] received July 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

4168. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska, Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska [Docket No. 961126334-7025-02; I.D. 070397A] received July 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4169. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Bering Sea Subarea of the Bering Sea and Aleutian Islands [Docket No. 961107312-7021-02; I.D. 070197C] received July 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4170. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No. 961126334-7025-02; I.D. 070397B] received July 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4171. A letter from the General Counsel, National Tropical Botanical Garden, transmitting the annual audit report of the National Tropical Botanical Garden, Calendar Year 1996, pursuant to Public Law 88-449, section 10(b) (78 Stat. 498); to the Committee on the Judiciary.

4172. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Ayres Corporation S2R Series Airplanes (Federal Aviation Administration) [Docket No. 97-CE-44-AD; Amdt. 39-10071; AD 97-13-11] (RIN: 2120-AA64) received July 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4173. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Aircraft Company Model 172R Airplanes (Federal Aviation Administration) [Docket No. 97-CE-35-AD; Amdt. 39-10070; AD 97-12-06] (RIN: 2120-AA64) received July 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4174. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Industrie Aeronautique E Meccaniche Model Piaggio P-180 Airplanes (Federal Aviation Administration) [Docket No. 96-CE-62-AD; Amdt. 39-10072; AD 97-14-14] (RIN: 2120-AA64) received July 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4175. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Britten-Norman Ltd. BN-2A and BN-2A Mk 111 Series Airplanes (Federal Aviation Administration) [Docket No. 96-CE-24-AD; Amdt. 39-10058; AD 97-14-01] (RIN: 2120-AA64) received July 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4176. A letter from the Secretary of Health and Human Services, transmitting the Department's final rule—Medicare Program; Schedule of Limits on Home Health Agency Costs Per Visit for Cost Reporting Periods Beginning on or After July 1, 1997 (Health Care Financing Administration) [BPD-889-NC] (RIN: 0938-AH88) received June 30, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Commerce.

¶77.4 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. 1901. An Act to clarify that the protections of the Federal Tort Claims Act apply to the members and personnel of the National Gambling Impact Study Commission.

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. 680. An Act to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer of surplus personal property to States for donation to nonprofit providers of necessities to impoverished families and individuals, and to authorize the transfer of surplus real property to States, political subdivisions and instrumentalities of States, and nonprofit organizations for providing housing or housing assistance for low-income individuals or families.

¶77.5 UNFINISHED BUSINESS—APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. GILLMOR, 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 Wednesday, July 9, 1997.

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

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

Mr. GIBBONS 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 .....	264
	Nays .....	49
	Answered	
	present	1

¶77.6 [Roll No. 256]  
YEAS—364

Ackerman	Allen	Archer
Aderholt	Andrews	Bachus

Baessler	Flake	Martinez
Baker	Foley	Mascara
Baldacci	Forbes	Matsui
Ballenger	Ford	McCarthy (MO)
Barcia	Fowler	McCarthy (NY)
Barr	Frank (MA)	McCollum
Barrett (NE)	Franks (NJ)	McCrery
Barrett (WI)	Frelinghuysen	McDade
Bartlett	Frost	McGovern
Barton	Furse	McHale
Bass	Gallegly	McHugh
Bateman	Ganske	McInnis
Bentsen	Gejdenson	McIntosh
Bereuter	Gekas	McIntyre
Berman	Gillmor	McKeon
Berry	Gilman	McKinney
Bilbray	Gonzalez	McNulty
Bilirakis	Goode	Meehan
Bishop	Goodlatte	Meek
Blagojevich	Goodling	Menendez
Bliley	Gordon	Metcalf
Blumenauer	Goss	Mica
Blunt	Graham	Miller-
Boehkert	Granger	McDonald
Boehner	Green	Miller (CA)
Bonilla	Greenwood	Miller (FL)
Bono	Hall (OH)	Minge
Boswell	Hall (TX)	Mink
Boucher	Hamilton	Moakley
Boyd	Hansen	Molinaro
Brady	Harman	Mollohan
Brown (FL)	Hastert	Morella
Brown (OH)	Hastings (WA)	Murtha
Bryant	Hayworth	Myrick
Bunning	Hefner	Nadler
Burr	Herger	Neal
Burton	Hill	Nethercutt
Buyer	Hinojosa	Neumann
Callahan	Hobson	Ney
Calvert	Hoekstra	Northup
Camp	Holden	Norwood
Campbell	Hooley	Nussle
Canady	Horn	Ortiz
Cannon	Hostettler	Owens
Capps	Houghton	Oxley
Cardin	Hoyer	Packard
Carson	Hulshof	Pappas
Castle	Hunter	Parker
Chabot	Hyde	Pastor
Chambliss	Inglis	Paul
Chenoweth	Istook	Paxon
Christensen	Jackson (IL)	Payne
Clayton	Jackson-Lee	Pease
Clement	(TX)	Pelosi
Clyburn	Jenkins	Peterson (PA)
Coble	John	Petri
Coburn	Johnson (CT)	Pickering
Collins	Johnson (WI)	Pitts
Combest	Johnson, E. B.	Pomeroy
Condit	Johnson, Sam	Porter
Conyers	Jones	Portman
Cook	Kanjorski	Price (NC)
Cooksey	Kaptur	Pryce (OH)
Cox	Kasich	Quinn
Coyne	Kelly	Radanovich
Cramer	Kennedy (MA)	Rahall
Crapo	Kennedy (RI)	Rangel
Cubin	Kennedy	Redmond
Cummings	Kildee	Regula
Danner	Kilpatrick	Reyes
Davis (FL)	Kim	Riley
Davis (IL)	Kind (WI)	Rivers
Davis (VA)	King (NY)	Rodriguez
Deal	Kingston	Roemer
DeGette	Klecza	Rogan
Delahunt	Klink	Rogers
DeLauro	Klug	Rohrabacher
DeLay	Knollenberg	Ros-Lehtinen
Dellums	Kolbe	Rothman
Deutsch	LaHood	Roukema
Dickey	Lampson	Roybal-Allard
Dicks	Lantos	Royce
Dingell	Largent	Ryun
Doggett	Latham	Salmon
Dooley	LaTourette	Sanchez
Doolittle	Lazio	Sandlin
Doyle	Leach	Sanford
Dreier	Levin	Sawyer
Duncan	Lewis (CA)	Saxton
Dunn	Lewis (KY)	Scarborough
Ehlers	Linder	Schaefer, Dan
Ehrlich	Lipinski	Schumer
Emerson	Livingston	Scott
Engel	Lofgren	Sensenbrenner
Eshoo	Lowe	Serrano
Etheridge	Lucas	Sessions
Evans	Luther	Shadegg
Everett	Maloney (CT)	Shaw
Ewing	Maloney (NY)	Shays
Farr	Manzullo	Sherman

Shimkus Stenholm Velazquez  
 Shuster Stokes Vento  
 Sisisky Strickland Walsh  
 Skaggs Stump Watkins  
 Skeen Sununu Watt (NC)  
 Skelton Talent Watts (OK)  
 Smith (MI) Tanner Waxman  
 Smith (NJ) Tauscher Weldon (FL)  
 Smith (OR) Tauzin Weldon (PA)  
 Smith (TX) Taylor (NC) Wexler  
 Smith, Adam Thomas Weygand  
 Smith, Linda Thornberry White  
 Snowbarger Thune Whitfield  
 Snyder Thurman Wicker  
 Solomon Tierney Wise  
 Spence Torres Wolf  
 Spratt Towns Woolsey  
 Stabenow Traficant Wynn  
 Stark Turner Yates  
 Stearns Upton Young (FL)

NAYS—49

Abercrombie Gutknecht Pascrell  
 Bonior Hastings (FL) Pickett  
 Borski Hefley Poshard  
 Brown (CA) Hilleary Ramstad  
 Clay Hilliard Rush  
 Costello Hinchey Sabo  
 Cunningham Hutchinson Schaffer, Bob  
 DeFazio Kucinich Stupak  
 English LaFalce Taylor (MS)  
 Ensign Lewis (GA) Thompson  
 Fawell LoBiondo Tiahrt  
 Fazio McDermott Visclosky  
 Filner Moran (KS) Wamp  
 Fox Oberstar Waters  
 Gephardt Obey Weller  
 Gibbons Olver  
 Gutierrez Pallone

ANSWERED "PRESENT"—1

Gilchrest

NOT VOTING—20

Arney Foglietta Riggs  
 Becerra Jefferson Sanders  
 Crane Manton Schiff  
 Diaz-Balart Markey Slaughter  
 Dixon Moran (VA) Souder  
 Edwards Peterson (MN) Young (AK)  
 Fattah Pombo

So the Journal was approved.

77.7 BUDGET RECONCILIATION

On motion of Mr. KASICH, by unanimous consent, the bill (H.R. 2015) to provide for reconciliation pursuant to subsections (b)(2) and (d) of section 105 of the concurrent resolution on the budget for the fiscal year 1998; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. KASICH, it was,

*Resolved*, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

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

77.8 MOTION TO INSTRUCT CONFEREES—H.R. 2015

Mr. SPRATT moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on H.R. 2015, be instructed as follows:

(1) On the matters pertaining to increasing the age of eligibility for medicare, reject the provisions contained in section 5611 of the Senate amendment.

(2) On the matters pertaining to the minimum wage, worker protections, and civil rights—

(A) insist on paragraphs (2) and (3), and reject the remainder, of section 417(f) of the Social Security Act, as amended by sections

5006 and 9006 of the bill, as passed the House, and

(B) reject the provisions contained in sections 5004 and 9004 of the bill, as passed the House.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

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

Mr. SPRATT 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 { Yeas ..... 414  
 affirmative ..... { Nays ..... 14

77.9 [Roll No. 257] YEAS—414

Abercrombie Combest Ganske  
 Ackerman Condit Gejdenson  
 Aderholt Conyers Gekas  
 Allen Cook Gephardt  
 Andrews Cooksey Gibbons  
 Archer Costello Gilchrest  
 Bachus Cox Gillmor  
 Baesler Coyne Gilman  
 Baker Cramer Gonzalez  
 Baldacci Crane Goode  
 Ballenger Crapo Goodlatte  
 Barcia Cubin Goodling  
 Barrett (NE) Cummings Gordon  
 Barrett (WI) Cunningham Goss  
 Bartlett Danner Graham  
 Bass Davis (FL) Granger  
 Bateman Davis (IL) Green  
 Becerra Davis (VA) Greenwood  
 Bentsen Deal Gutierrez  
 Bereuter DeFazio Gutknecht  
 Berman DeGette Hall (OH)  
 Berry Delahunt Hall (TX)  
 Bilbray DeLauro Hamilton  
 Bilirakis DeLay Hansen  
 Bishop Dellums Harman  
 Blagojevich Deutsch Hastert  
 Biley Diaz-Balart Hastings (FL)  
 Blumenauer Dickey Hastings (WA)  
 Blunt Dicks Hayworth  
 Boehlert Dingell Hefley  
 Boehner Dixon Hefner  
 Bonilla Doggett Herger  
 Bonior Dooley Hill  
 Bono Doolittle Hilleary  
 Borski Doyle Hilliard  
 Boswell Dreier Hinchey  
 Boucher Duncan Hinojosa  
 Boyd Dunn Hobson  
 Brady Edwards Hoekstra  
 Brown (CA) Ehlers Holden  
 Brown (FL) Emerson Hooley  
 Brown (OH) Engel Horn  
 Bryant English Hostettler  
 Bunning Ensign Houghton  
 Burr Eshoo Hoyer  
 Buyer Etheridge Hulshof  
 Callahan Evans Hunter  
 Calvert Everett Hutchinson  
 Camp Ewing Hyde  
 Canady Farr Inglis  
 Cannon Fattah Istook  
 Capps Fawell Jackson (IL)  
 Cardin Fazio Jackson-Lee  
 Carson Filner (TX)  
 Castle Flake Jefferson  
 Chabot Foglietta Jenkins  
 Chambliss Foley John  
 Chenoweth Forbes Johnson (CT)  
 Christensen Ford Johnson (WI)  
 Clay Fox Johnson, E. B.  
 Clayton Frank (MA) Jones  
 Clement Franks (NJ) Kanjorski  
 Clyburn Frelinghuysen Kaptur  
 Coble Frost Kasich  
 Coburn Furse Kelly  
 Collins Gallegly Kennedy (MA)

Kennedy (RI) Murtha Sessions  
 Kennelly Myrick Shaw  
 Kildee Nadler Sherman  
 Kilpatrick Neal Shimkus  
 Kim Nethercutt Shuster  
 Kind (WI) Neumann Sisisky  
 King (NY) Ney Skeen  
 Kingston Northup Skelton  
 Kleczka Norwood Smith (MI)  
 Klink Nussle Smith (NJ)  
 Klug Oberstar Smith (OR)  
 Knollenberg Obey Smith (TX)  
 Kucinich Olver Smith, Adam  
 LaFalce Ortiz Smith, Linda  
 LaHood Owens Snowbarger  
 Lampson Oxley Snyder  
 Lantos Packard Solomon  
 Largent Pallone Souder  
 Latham Pappas Spence  
 LaTourette Parker Spratt  
 Lazio Pascrell Stabenow  
 Leach Pastor Stark  
 Levin Paul Stearns  
 Lewis (CA) Paxon Stenholm  
 Lewis (GA) Payne Stokes  
 Lewis (KY) Pease Strickland  
 Linder Pelosi Stump  
 Lipinski Peterson (MN) Stupak  
 Livingston Peterson (PA) Sununu  
 LoBiondo Petri Talent  
 Lofgren Pickering Tanner  
 Lowey Pickett Tauscher  
 Lucas Pitts Tauzin  
 Luther Pombo Taylor (MS)  
 Maloney (CT) Pomeroy Taylor (NC)  
 Maloney (NY) Portman Thomas  
 Manton Poshard Thompson  
 Manzullo Price (NC) Thornberry  
 Martinez Pryce (OH) Thune  
 Mascara Quinn Thurman  
 Matsui Radanovich Tiahrt  
 McCarthy (MO) Rahall Tierney  
 McCarthy (NY) Ramstad Torres  
 McCollum Rangel Towns  
 McCrery Redmond Traficant  
 McDade Regula Turner  
 McDermott Reyes Upton  
 McGovern Riley Velazquez  
 McHale Rivers Vento  
 McHugh Rodriguez Visclosky  
 McInnis Roemer Walsh  
 McIntosh Rogan Wamp  
 McIntyre Rogers Waters  
 McKeon Ros-Lehtinen Watkins  
 McKinney Rothman Watt (NC)  
 McNulty Roukema Watts (OK)  
 Meehan Roybal-Allard Waxman  
 Meek Royce Weldon (FL)  
 Menendez Rush Weldon (PA)  
 Metcalf Ryun Weller  
 Mica Sabo Wexler  
 Millender Salmon Weygand  
 McDonald Sanchez White  
 Miller (CA) Sanders Whitfield  
 Miller (FL) Sandlin Wicker  
 Minge Sawyer Wise  
 Mink Saxton Wolf  
 Moakley Schaefer, Dan Woolsey  
 Molinari Schaffer, Bob Wynn  
 Mollohan Schumer Yates  
 Moran (KS) Scott Young (AK)  
 Moran (VA) Sensenbrenner Young (FL)  
 Morella Serrano

NAYS—14

Barr Johnson, Sam Sanford  
 Barton Kolbe Scarborough  
 Campbell Porter Shadegg  
 Ehrlich Riggs Shays  
 Fowler Rohrabacher

NOT VOTING—6

Arney Markey Skaggs  
 Burton Schiff Slaughter

So the motion to instruct the managers on the part of the House was agreed to.

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

77.10 APPOINTMENT OF CONFEREES—H.R. 2015

Thereupon, the SPEAKER pro tempore, Mr. GILLMOR, by unanimous consent, appointed the following Mem-