

section 105 of the concurrent resolution on the budget for fiscal year 1998.

¶93.6 50TH ANNIVERSARY OF
INDEPENDENCE FOR INDIA AND
PAKISTAN

The SPEAKER, pursuant to the provisions of House Resolution 157 and the order of the House of Thursday, July 31, 1997, announced the appointment of the following Members of the House as members of the delegation attending the 50th anniversary of the independence of India and Pakistan: Messrs. GILMAN, ACKERMAN, HASTINGS of Florida, ENGEL, and FALEOMAVAEGA.

¶93.7 DESIGNATION OF DEPUTY CLERK OF
THE HOUSE

The SPEAKER laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, August 1, 1997.

Hon. NEWT GINGRICH,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Under Clause 4 of Rule III of the Rules of the U.S. House of Representatives, I herewith designate Mr. Jeff Trandahl, Deputy Clerk, along with Ms. Julie Perrier, Assistant Clerk and Mr. Ray Strong, Assistant Clerk, to sign any and all papers and do all other acts for me under the name of the Clerk of the House which they would be authorized to do by virtue of this designation, except such as are provided by statute, in case of my temporary absence or disability.

This designation shall remain in effect for the 105th Congress or until modified by me.

Sincerely yours,

ROBIN H. CARLE,
Clerk, House of Representatives.

¶93.8 RESIGNATION AS MEMBER OF
HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, August 4, 1997.

Hon. NEWT GINGRICH,
Speaker of the House, The Capitol, H-232, Washington, DC.

DEAR MR. SPEAKER: This missive comes as an official announcement of my resignation from the U.S. House of Representatives, effective October 15, 1997.

My duties and responsibilities as pastor of the Allen A.M.E. Church in Jamaica, New York, has grown to such a level that I am needed there on a more consistent basis. I have enjoyed the opportunities that you have given me to converse with you regarding my ideas for community, educational, and economic development. I hope that my leaving does not preclude our ability to, in some way, continue these discussions in the future.

With warmest regards, I am

Sincerely,

FLOYD H. FLAKE,
Member of Congress.

¶93.9 COMMUNICATION FROM THE
CLERK—MESSAGE FROM THE
PRESIDENT

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 11, 1997.

Hon. NEWT GINGRICH,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives. I have the honor to transmit correspondence received from the White House on August 11, 1997 at 3:12 p.m. and said to contain a message from the President pursuant to the Line Item Veto Act (P.L. 104-130) transmitting one cancellation with respect to the Balanced Budget Act of 1997 (P.L. 105-33).

With warm regards,

ROBIN H. CARLE,
Clerk, House of Representatives.

¶93.10 CANCELLATION PURSUANT TO LINE
ITEM VETO ACT—H.R. 2015

The Clerk then read the message from the President, as follows:

THE WHITE HOUSE,
Washington, August 11, 1997.

Hon. NEWT GINGRICH,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: In accordance with the Line Item Veto Act, I hereby cancel one item of new direct spending, as specified in the attached report, contained in the "Balanced Budget Act of 1997" (Public Law 105-33; H.R. 2015). I have determined that this cancellation will reduce the Federal budget deficit, will not impair any essential Government functions, and will not harm the national interest. This letter, together with its attachment, constitutes a special message under section 1022 of the Congressional Budget and Impoundment Control Act of 1974, as amended.

Sincerely,

WILLIAM J. CLINTON.

Pursuant to the section 1025(a) of the Congressional Budget and Impoundment Control Act of 1974, the message, together with the accompanying papers, was referred to the Committee on the Budget and the Committee on Commerce and ordered to be printed (H. Doc. 105-115).

¶93.11 COMMUNICATION FROM THE
CLERK—MESSAGE FROM THE
PRESIDENT

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 11, 1997.

Hon. NEWT GINGRICH,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit correspondence received from the White House on August 11, 1997 at 3:12 p.m. and said to contain a message from the President pursuant to the Line Item Veto Act (P.L. 104-130) transmitting two cancellations with respect to the Taxpayer Relief Act of 1997 (P.L. 105-34).

With warm regards,

ROBIN H. CARLE,
Clerk, House of Representatives.

¶93.12 CANCELLATION PURSUANT TO LINE
ITEM VETO ACT—H.R. 2014

The Clerk then read the message from the President, as follows:

THE WHITE HOUSE,
Washington, August 11, 1997.

Hon. NEWT GINGRICH,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: In accordance with the Line Item Veto Act, I hereby cancel two limited tax benefits, as specified in the attached reports, contained in the "Taxpayer Relief Act of 1997" (Public Law 105-34; H.R. 2014). I have determined that each of these cancellations will reduce the Federal budget deficit, will not impair any essential Government functions, and will not harm the national interest. This letter, together with its attachments, constitutes a special message under section 1022 of the Congressional Budget and Impoundment Control Act of 1974, as amended.

Sincerely,

WILLIAM J. CLINTON.

Pursuant to the section 1025(a) of the Congressional Budget and Impoundment Control Act of 1974, the message, together with the accompanying papers, was referred to the Committee on the Budget and the Committee on Ways and Means and ordered to be printed (H. Doc. 105-116).

¶93.13 PUBLIC WORKS PROJECTS

The SPEAKER laid before the House a communication, which was read as follows:

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE, HOUSE OF REP-
RESENTATIVES,

Washington, DC, July 25, 1997.

Hon. NEWT GINGRICH,
Speaker of the House, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Enclosed are copies of resolutions adopted on July 23, 1997 by the Committee on Transportation and Infrastructure. Copies of the resolutions are being transmitted to the Department of the Army.

With kind personal regards, I am

Sincerely,

BUD SHUSTER, *Chairman.*

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

¶93.14 PUBLIC WORKS PROJECTS

The SPEAKER laid before the House a communication, which was read as follows:

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE, HOUSE OF REP-
RESENTATIVES,

Washington, DC, August 13, 1997.

Hon. NEWT GINGRICH,
Speaker, House of Representatives, The Capitol, Washington, DC.

DEAR NEWT: Enclosed please find copies of resolutions approved by the Committee on Transportation and Infrastructure on July 23, 1997, in accordance with 40 U.S.C. Sec. 606.

With warm regards, I remain

Sincerely,

BUD SHUSTER, *Chairman.*

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

¶93.15 SUBPOENA

The SPEAKER laid before the House the following communication from Mr. HANSEN, Chairman, Committee on Standards of Official Conduct:

HOUSE OF REPRESENTATIVES, COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT,
Washington, DC, July 31, 1997.

Hon. NEWT GINGRICH,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule L of the Rules of the House of Representatives, that the Committee on Standards of Official Conduct has been served with a subpoena (for documents) issued by the U.S. District Court for the District of Massachusetts and directed to the "Keeper of the Records."

After consulting with the Office of General Counsel, the Committee will make the determinations required by Rule L.

Sincerely,

JAMES V. HANSEN,
Chairman.

¶93.16 SUBPOENA RESPONSE

The SPEAKER laid before the House the following communication from Mr. DINGELL:

HOUSE OF REPRESENTATIVES,
Washington, DC, August 6, 1997.

Hon. NEWT GINGRICH,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule L (50) of the Rules of the House of Representatives, that I have received a subpoena (for documents and testimony) issued by the U.S. District Court for the Central District of California in the matter of *Oxycel Laboratories, Inc., et al. v. Patrick, et al., No. SA CV-96-1119 AHS (EEx)*. The subpoena was directed to "The Office of Congressman John D. Dingell."

After consultation with the Office of General Counsel, I have determined that the subpoena appears not to be consistent with the rights and privileges of the House and, therefore, should be resisted.

Sincerely,

JOHN D. DINGELL.

¶93.17 SUBPOENA

The SPEAKER laid before the House the following communication from Mr. SHUSTER, Chairman, Committee on Transportation and Infrastructure:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, August 7, 1997.

Hon. NEWT GINGRICH,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that the Committee on Transportation and Infrastructure has been served with a subpoena (for documents) issued by the U.S. District Court for the District of Massachusetts and directed to the "Keeper of Records."

After consulting with the Office of General Counsel, the Committee will make the determination required by Rule L.

Sincerely,

BUD SHUSTER,
Chairman.

¶93.18 SUBPOENA

The SPEAKER laid before the House the following communication from Jay Eagen, Chief Administrative Officer, House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,

Washington, DC, August 8, 1997.

Hon. NEWT GINGRICH,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that the Office of the Chief Administrative Officer ("CAO") has been served with a subpoena (for documents) issued by the U.S. District Court for the District of Massachusetts and directed to the "Keeper of Records."

After consulting with the Office of the General Counsel, the CAO will make the determinations required by Rule L.

Sincerely,

JAY EAGEN,
Chief Administrative Officer.

¶93.19 SUBPOENA RESPONSE

The SPEAKER laid before the House the following communication from Ms. RIVERS:

HOUSE OF REPRESENTATIVES,
August 18, 1997.

Hon. NEWT GINGRICH,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER GINGRICH: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that I have been served with a subpoena issued by the Third Judicial Circuit Court of the State of Michigan in the case of *Marcus Management, Inc. v. Robert Marquess, et al., Case No. 97-715508 CK*.

After consultation with the Office of the General Counsel, I have determined that the subpoena relates to my official duties, and that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

LYNN N. RIVERS.

¶93.20 ADVISORY COMMITTEE ON THE RECORDS OF CONGRESS

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 12, 1997.

Hon. NEWT GINGRICH,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 2702(a)(1)(B)(vi) of Public Law 101-509, I hereby appoint as a member of the Advisory Committee on the Records of Congress the following person: Mr. Roger Davidson, 3510 Edmunds Street, N.W., Washington, D.C. 20007.

With warm regards,

ROBIN H. CARLE, Clerk.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶93.21 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 1119

Mr. TRAFICANT, pursuant to clause 1(c) of rule XXVIII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 1119) to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998

and 1999, and for other purposes, to insist upon the provisions of section 1032 of the House bill (relating to the assignment of Department of Defense personnel to border patrol and control).

¶93.22 MILITARY CONSTRUCTION APPROPRIATIONS

On motion of Mr. PACKARD, by unanimous consent, the bill (H.R. 2016) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes; together with the amendments of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. PACKARD, it was,

Resolved, That the House disagree to the amendments 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.

¶93.23 MOTION TO INSTRUCT CONFEREES—H.R. 2016

Mr. HEFNER moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on H.R. 2016, be instructed to insist on the House position with respect to funding for family housing, dormitories and barracks for military personnel serving worldwide.

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. SNOWBARGER, announced that the yeas had it.

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.

¶93.24 APPOINTMENT OF CONFEREES—H.R. 2016

Thereupon, the SPEAKER pro tempore, Mr. SNOWBARGER, by unanimous consent, appointed Messrs. PACKARD, PORTER, HOBSON, WICKER, KINGSTON, PARKER, TIAHRT, WAMP, LIVINGSTON, HEFNER, OLVER, EDWARDS, DICKS, HOYER, and OBEY, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶93.25 VA-HUD APPROPRIATIONS

On motion of Mr. LEWIS of California, by unanimous consent, the bill (H.R. 2158) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1998, and for other purposes; together