

August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4926. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Realignment of VOR Federal Airways in the vicinity of Helena, AR (Federal Aviation Administration) [Airspace Docket No. 96-ASW-31] (RIN: 2120-AA66) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4927. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Removal of Class D Airspace; Glenview, IL (Federal Aviation Administration) [Airspace Docket No. 97-AGL-2] (RIN: 2120-AA66) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4928. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Ely, MN (Federal Aviation Administration) [Airspace Docket No. 97-AGL-12] (RIN: 2120-AA66) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4929. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace, Aurora, MO (Federal Aviation Administration) [Docket No. 97-ACE-15] (RIN: 2120-AA66) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4930. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Saab Model SAAB 2000 Series Airplanes (Federal Aviation Administration) [Docket No. 96-NM-167-AD; Amdt. 39-10099; AD 97-16-07] (RIN: 2120-AA64) received August 25, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4931. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Grand River, MI (Coast Guard) [CGD09-97-008] (RIN: 2115-AE47) received August 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4932. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone; San Pedro Bay, CA (Coast Guard) [COTP Los Angeles-Long Beach, CA; 97-005] (RIN: 2115-AA97) received August 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4933. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Hood Canal, WA (Coast Guard) [CGD13-95-011] (RIN: 2115-AE47) received August 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4934. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, Florida (Coast Guard) [CGD07-97-020] (RIN: 2115-AE47) received August 11, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4935. A letter from the Acting Assistant Secretary, Department of Defense, transmitting the Department's report on the Civilian Separation Pay Program during Fiscal Year 1996, pursuant to 5 U.S.C. 5597 nt.; jointly to the Committees on National Security and Government Reform and Oversight.

4936. A letter from the Secretary of Energy, transmitting a report to notify that the Department will require an additional 45 days to transmit the implementation plan for addressing the issues raised in the Defense Nuclear Facilities Safety Board's Recommendation 97-1 concerning the safe storage of uranium-233 material, pursuant to 42 U.S.C. 2286d(e); jointly to the Committees on National Security and Commerce.

4937. A letter from the Acting Secretary, Department of Energy, transmitting the Department's Annual Report to the Congress on activities of the Department of Energy in response to recommendations and other interactions with the Defense Nuclear Facilities Safety Board, pursuant to 42 U.S.C. 2286e(b); jointly to the Committees on Commerce and National Security.

4938. A letter from the President and Chief Executive Officer, United States Enrichment Corporation, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954 to provide additional funding for continued predeployment activities relating to the Atomic Vapor Laser Isotopic Separation Technology for the Enrichment of Uranium; jointly to the Committees on Commerce and the Budget.

4939. A letter from the Acting Director, Defense Security Assistance Agency, transmitting a report authorizing the transfer of up to \$100M in defense articles and services to the Government of Bosnia-Herzegovina, pursuant to Public Law 104-107, section 540(c); jointly to the Committees on International Relations and Appropriations.

4940. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on intent to obligate funds for additional program proposals for purposes of Nonproliferation and Disarmament Fund activities, pursuant to Public Law 104-208, title II; jointly to the Committees on International Relations and Appropriations.

#### ¶96.8 MISSISSIPPI SIOUX INDIANS JUDGMENT FUND

Mr. HILL moved to suspend the rules and pass the bill (H.R. 976) to provide for the disposition of certain funds appropriated to pay judgment in favor of the Mississippi Sioux Indians, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. UPTON, recognized Mr. HILL and Mr. KILDEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. UPTON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

#### ¶96.9 AGUA CALIENTE BAND OF CAHUILLA INDIANS

Mr. HILL moved to suspend the rules and pass the bill (H.R. 700) to remove the restriction on the distribution of certain revenues from the Mineral

Springs parcel to certain members of the Agua Caliente Band of Cahuilla Indians; as amended.

The SPEAKER pro tempore, Mr. UPTON, recognized Mr. HILL and Mr. KILDEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. UPTON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

#### ¶96.10 NEED-BASED EDUCATIONAL AID

Mr. SMITH of Texas moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 1866) to continue favorable treatment for need-based educational aid under the antitrust laws:

Page 2, strike out lines 4 through 17 and insert:

#### SEC. 2. CONTINUATION OF FAVORABLE TREATMENT FOR NEED-BASED EDUCATIONAL AID UNDER THE ANTI-TRUST LAWS.

(a) AMENDMENTS.—Section 568 of the Improving America's Schools Act of 1994 (15 U.S.C. 1 note) is amended—

(1) in subsection (a)—

(A) in the heading, by striking "TEMPORARY"; and

(B) by striking paragraph (4) and inserting the following:

"(4) to exchange through an independent third party, before awarding need-based financial aid to any of such students who is commonly admitted to the institutions of higher education involved, data submitted by the student so admitted, the student's family, or a financial institution on behalf of the student or the student's family relating to assets, liabilities, income, expenses, the number of family members, and the number of the student's siblings in college, if each of such institutions of higher education is permitted to retrieve such data only once with respect to the student."; and

(2) in subsection (d), by striking "September 30, 1997" and inserting "September 30, 2001".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect immediately before September 30, 1997.

The SPEAKER pro tempore, Mr. UPTON, recognized Mr. SMITH of Texas and Mr. FRANK of Massachusetts, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. UPTON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶96.11 RECESS—3:10 P.M.

The SPEAKER pro tempore, Mr. UPTON, pursuant to clause 12 of rule I, declared the House in recess at 3 o'clock and 10 minutes p.m., until approximately 6 o'clock p.m.

¶96.12 AFTER RECESS—6:05 P.M.

The SPEAKER pro tempore, Mr. COBLE, called the House to order.

¶96.13 LABOR, HHS APPROPRIATIONS

The SPEAKER pro tempore, Mr. COBLE, pursuant to the order of the House of July 31, 1997 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2264) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

Mr. GOODLATTE, Chairman of the Committee of the Whole, resumed the chair; and after some time spent therein,

¶96.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BLUNT:

Page 17, line 6, after the first dollar amount, insert the following: "(reduced by \$11,250.00)"

Page 69, line 26, after each dollar amount., insert the following: "(increased by \$11,250,000)." Level-funds OSHA, transfers increase to Vocational and Adult education.

It was decided in the { Yeas ..... 160 negative ..... } Nays ..... 237

¶96.15 [Roll No. 369] AYES—160

Aderholt Coble Hastert
Archer Coburn Hastings (WA)
Armey Collins Hayworth
Bachus Combest Hefley
Ballenger Cook Herger
Barr Cox Hill
Barrett (NE) Crane Hilleary
Bartlett Crapo Hobson
Barton Cubin Hoekstra
Bass Cunningham Hostettler
Bereuter Deal Hulshof
Bilbray DeLay Hunter
Bilirakis Doolittle Hutchinson
Blunt Dreier Inglis
Boehner Duncan Istook
Bonilla Dunn Jenkins
Bono Ehlers Johnson, Sam
Brady Ehrlich Jones
Bryant Emerson Kingston
Bunning Ensign Klug
Burr Everett Kolbe
Burton Foley Largent
Buyer Fowler Latham
Callahan Ganske Lewis (KY)
Calvert Gibbons Linder
Camp Goode Lucas
Canady Goodlatte Manzullo
Cannon Goss McCollum
Chabot Graham McIntosh
Chambliss Granger McKeon
Chenoweth Gutknecht Mica
Christensen Hall (TX) Moran (KS)

Myrick
Nethercutt
Neumann
Norwood
Nussle
Oxley
Packard
Parker
Paul
Paxon
Peterson (PA)
Pickering
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Ramstad
Redmond
Riggs
Riley
Rogan
Rogers
Rohrabacher
Royce
Ryun
Salmon
Sanford
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Skeen
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns

NOES—237

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barrett (WI)
Bateman
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehler
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Campbell
Cardin
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
Davis (VA)
DeFazio
DeGette
DeLahunt
DeLauro
Dempsey
Lewis (CA)
Lewis (GA)
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (NY)
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Millender
McDonald
Gillmor
Gilman
Goodling
Gordon
Green
Greenwood
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hinchey
Hinojosa
Holden
Hooley
Horn
Houghton
Hoyer
Hyde
Jackson (IL)
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Klecza
Kucinich
LaFalce
LaHood
Lampson
Lantos
LaTourette
Lazio
Leach
Levin
Saxton
Lewis (GA)
Schumer
Scott
Shays
Sherman
Shimkus
Sisisky
Skaggs
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tauscher
Tauzin
Thompson
Thurman
Tierney
Torres
Traficant
Turner
Vento
Visclosky
Walsh
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Nadler
Neal
Ney
Northrup
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pappas
Pastore
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Pomeroy
Porter
Poshard
Price (NC)
Rahall
Regula
Reyes
Rivers
Rodriguez
Roemer
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schumer
Scott
Shays
Sherman
Shimkus
Sisisky
Skaggs
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith, Adam
Snyder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tauscher
Tauzin
Thompson
Thurman
Tierney
Torres
Traficant
Turner
Vento
Visclosky
Walsh

Waters
Watt (NC)
Waxman
Weldon (PA)
Wexler
Wise
Wolf
Woolsey
Wynn
Yates

NOT VOTING—36

Baker Hansen Pickett
Barcia Hilliard Quinn
Bliley Jackson-Lee Rangel
Capps (TX) Schiff
Carson Jefferson Serrano
Cooksey Kasich Shuster
Dellums Kennedy (RI) Towns
Dingell Klink Velazquez
Forbes Knollenberg Weygand
Frelinghuysen McCarthy (MO) Whitfield
Gallegly McInnis Young (FL)
Gephardt Miller (CA)
Solomon Murtha

So the amendment was not agreed to. After some further time,

¶96.16 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. NORWOOD:

Page 17, line 6, after the first dollar amount, insert the following: "(reduced by \$11,250,000)".

Page 68, line 17, after each dollar amount, insert the following: "(increased by \$11,250,000)".

Level-funds OSHA, transfers increase to IDEA, Individuals With Disabilities Education Act.

It was decided in the { Yeas ..... 157 negative ..... } Nays ..... 240

¶96.17 [Roll No. 370] AYES—157

Aderholt Frelinghuysen Peterson (PA)
Archer Ganske Pickering
Armey Gibbons Pitts
Bachus Gilchrist Pombo
Ballenger Goode Portman
Barr Goodlatte Pryce (OH)
Bartlett Graham Ramstad
Barton Granger Redmond
Bass Gutknecht Riggs
Bereuter Hall (TX) Riley
Bilbray Bilbray Hastings (WA) Rogan
Bilirakis Hayworth Rogers
Blunt Hefley Rohrabacher
Boehner Herger Royce
Bonilla Hill Ryan
Bono Hilleary Salmon
Brady Hoekstra Sanford
Bryant Hostettler Schaefer, Dan
Bunning Hulshof Schaffer, Bob
Burr Hunter Sensenbrenner
Burton Hutchinson Sessions
Buyer Inglis Shadegg
Callahan Istook Skeen
Calvert Jenkins Smith (MI)
Camp Johnson, Sam Smith (OR)
Canady Jones Smith (TX)
Cannon Kasich Smith, Linda
Chabot Kim Snowbarger
Chambliss Kingston Solomon
Chenoweth Klug Souder
Christensen Largent Spence
Coble Latham Stearns
Coburn Lewis (KY) Stenholm
Collins Linder Stump
Combest Lucas Sununu
Cook Manzullo Talent
Cox McCollum Tauzin
Crane McCrery Taylor (MS)
Crapo McIntosh Taylor (NC)
Cubin McIntyre Thornberry
Cunningham McKeon Thune
Deal Mica Tiahrt
DeLay Moran (KS) Upton
Doolittle Myrick Wamp
Dreier Nethercutt Watkins
Duncan Neumann Watts (OK)
Dunn Norwood Weldon (FL)
Ehlers Nussle White
Ehrlich Oxley Whitfield
Emerson Packard Wicker
Ensign Parker Young (AK)
Everett Paul
Fowler Paxon