

State of Florida has the necessary authority to fulfill the Agreement—

(A) sign the Settlement Agreement on behalf of the United States; and

(B) ensure that an individual other than the Secretary who is a representative of the Bureau of Indian Affairs also signs the Settlement Agreement;

(3) upon finding that all necessary conditions precedent to the transfer of Miccosukee land to the Florida Department of Transportation as provided in the Settlement Agreement have been or will be met so that the Agreement has been or will be fulfilled, but for the execution of that land transfer and related land transfers—

(A) transfer ownership of the Miccosukee land to the Florida Department of Transportation in accordance with the Settlement Agreement, including in the transfer solely and exclusively that Miccosukee land identified in the Settlement Agreement for transfer to the Florida Department of Transportation; and

(B) in conjunction with the land transfer referred to in subparagraph (A), transfer no land other than the land referred to in that subparagraph to the Florida Department of Transportation; and

(4) upon finding that all necessary conditions precedent to the transfer of Florida lands from the State of Florida to the United States have been or will be met so that the Agreement has been or will be fulfilled but for the execution of that land transfer and related land transfers, receive and accept in trust for the use and benefit of the Miccosukee Tribe ownership of all land identified in the Settlement Agreement for transfer to the United States.

SEC. 706. MICCOSUKEE INDIAN RESERVATION LANDS.—The lands transferred and held in trust for the Miccosukee Tribe under section 705(4) shall be Miccosukee Indian Reservation lands.

SEC. 707. MISCELLANEOUS.—(a) RULE OF CONSTRUCTION.—Nothing in this Act or the Settlement Agreement shall—

(1) the eligibility of the Miccosukee Tribe or its members to receive any services or benefits under any program of the Federal Government; or

(2) diminish the trust responsibility of the United States to the Miccosukee Tribe and its members.

(b) NO REDUCTIONS IN PAYMENTS.—No payment made pursuant to this Act or the Settlement Agreement shall result in any reduction or denial of any benefits or services under any program of the Federal Government to the Miccosukee Tribe or its members, with respect to which the Tribe or the members of the Tribe are entitled or eligible because of the status of—

(1) the Miccosukee Tribe as a federally recognized Indian tribe; or

(2) any member of the Miccosukee Tribe as a member of the Tribe.

(c) TAXATION.—

(1) IN GENERAL.—

(A) MONIES.—None of the monies paid to the Miccosukee Tribe under this Act or the Settlement Agreement shall be taxable under Federal or State law.

(B) LANDS.—None of the lands conveyed to the Miccosukee Tribe under this Act or the Settlement Agreement shall be taxable under Federal or State law.

(2) PAYMENTS AND CONVEYANCES NOT TAXABLE EVENTS.—No payment or conveyance referred to in paragraph (1) shall be considered to be a taxable event.

And the Senate agree to the same.

- RALPH REGULA, JOSEPH M. MCDADE, JIM KOLBE, JOE SKEEN, CHARLES H. TAYLOR, GEORGE R. NETHERCUTT,

- Jr., DAN MILLER, ZACH WAMP, BOB LIVINGSTON, SIDNEY R. YATES, JOHN P. MURTHA, NORM DICKS, DAVID E. SKAGGS, JAMES P. MORAN, DAVID OBEY,

Managers on the Part of the House.

- SLADE GORTON, TED STEVENS, THAD COCHRAN, PETE V. DOMENICI, CONRAD BURNS, ROBERT F. BENNETT, JUDD GREGG, BEN NIGHTHORSE, CAMPBELL, ROBERT BYRD, PATRICK LEAHY, DALE BUMPERS, ERNEST HOLLINGS, HARRY REID, BYRON DORGAN, BARBARA BOXER,

Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. LATOURETTE, announced that pursuant to clause 7 of rule XV the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas 233 affirmative Nays 171

120.16

[Roll No. 531] YEAS—233

- Abercrombie, Crapo, Greenwood, Ackerman, Cummings, Gutknecht, Allen, Danner, Hall (OH), Archer, Davis (FL), Hamilton, Arney, Davis (VA), Hansen, Baesler, Deal, Harman, Baker, DeLauro, Hastert, Baldacci, Deutsch, Hastings (WA), Barcia, Diaz-Balart, Hefner, Barrett (NE), Dicks, Herger, Bass, Dooley, Hill, Bateman, Doyle, Hilliard, Bentsen, Dreier, Hobson, Berry, Dunn, Horn, Bilbray, Edwards, Hoyer, Bilirakis, Ehlers, Hunter, Bishop, Emerson, Hyde, Bliley, English, Jackson (IL), Boehlert, Eshoo, Jackson-Lee, Boehner, Etheridge, (TX), Bonilla, Farr, Jefferson, Bono, Fattah, Jenkins, Boswell, Fawell, John, Boucher, Fazio, Johnson (CT), Boyd, Flake, Kaptur, Brown (CA), Foley, Kelly, Burr, Forbes, Kennelly, Buyer, Fowler, Kim, Calvert, Fox, King (NY), Canady, Frank (MA), Kingston, Cannon, Franks (NJ), Kleczka, Capps, Frelinghuysen, Klink, Cardin, Gallegly, Knollenberg, Castle, Ganske, Kolbe, Chambliss, Gekas, LaTourrette, Clay, Gilchrest, Lazio, Clayton, Gillmor, Lewis (CA), Clement, Gilman, Lewis (GA), Clyburn, Goode, Linder, Collins, Goodlatte, Livingston, Cook, Gordon, LoBiondo, Coyne, Goss, Lofgren, Cramer, Granger, Lucas

- Manton, Martinez, Mascara, Matsui, McCrery, McDade, McHale, McHugh, McInnis, McIntyre, McKeon, Meek, Menendez, Metcalf, Mica, Millender-McDonald, Miller (FL), Mink, Moran (VA), Murtha, Nethercutt, Ney, Northup, Norwood, Nussle, Oberstar, Obey, Olver, Ortiz, Owens, Oxley, Packard, Pappas, Pastor, Peterson (PA), Pickett, Pombo, Pomeroy, Porter, Portman, Price (NC), Pryce (OH), Quinn, Radanovich, Rahall, Ramstad, Redmond, Regula, Reyes, Riggs, Rodriguez, Rogers, Ros-Lehtinen, Roukema, Sabo, Sawyer, Saxton, Scott, Serrano, Shaw, Shays, Sherman, Shuster, Sisisky, Skaggs, Skeen, Smith (MI), Smith (TX), Smith, Linda, Snyder, Solomon, Spence, Stokes, Strickland, Stupak, Sununu, Tanner, Tauscher, Tauzin, Taylor (NC), Thomas, Thompson, Thune, Torres, Towns, Traficant, Turner, Upton, Visclosky, Walsh, Wamp, Waters, Watkins, Weldon (PA), Weller, White, Whitfield, Wicker, Wise, Wolf, Woolsey, Wynn, Yates, Young (AK), Young (FL)

NAYS—171

- Aderholt, Green, Neumann, Andrews, Gutierrez, Pallone, Bachus, Hall (TX), Pascarell, Ballenger, Hastings (FL), Paul, Barr, Hayworth, Paxon, Barrett (WI), Hefley, Pease, Bartlett, Hilleary, Peterson (MN), Barton, Hinchey, Petri, Becerra, Hinojosa, Pickering, Berman, Hoekstra, Pitts, Blagojevich, Holden, Poshard, Blumenauer, Hooley, Riley, Blunt, Hostettler, Rivers, Bonior, Hulshof, Roemer, Borski, Hutchinson, Rogan, Brady, Inglis, Rohrabacher, Brown (FL), Johnson (WI), Rothman, Brown (OH), Johnson, E.B., Roybal-Allard, Bryant, Johnson, Sam, Royce, Bunning, Jones, Rush, Burton, Kanjorski, Salmon, Camp, Kasich, Sanchez, Campbell, Kennedy (MA), Sanders, Carson, Kennedy (RI), Sanford, Chabot, Kildee, Schaefer, Dan, Christensen, Kilpatrick, Schaffer, Bob, Coble, Kind (WI), Schumer, Coburn, Kucinich, Sensenbrenner, Combust, LaFalce, Sessions, Condit, Lampson, Shadegg, Conyers, Lantos, Shimkus, Costello, Largent, Skelton, Cox, Latham, Slaughter, Crane, Levin, Smith (NJ), Cunningham, Lewis (KY), Smith, Adam, Davis (IL), Lipinski, Snowbarger, DeFazio, Lowey, Souder, DeGette, Luther, Spratt, Delahunt, Maloney (CT), Stabenow, DeLay, Maloney (NY), Stark, Dellums, Manzullo, Stearns, Dingell, Markey, Stenholm, Dixon, McCarthy (MO), Stump, Doggett, McCollum, Talent, Doolittle, McDermott, Taylor (MS), Duncan, McGovern, Thornberry, Ehrlich, McKinney, Thurman, Engel, McNulty, Tiahrt, Ensign, Meehan, Tierney, Evans, Miller (CA), Velazquez, Filner, Minge, Vento, Frost, Moakley, Watt (NC), Furse, Moran (KS), Watts (OK), Gejdenson, Morella, Waxman, Gibbons, Myrick, Weldon (FL), Goodling, Nadler, Wexler, Graham, Neal, Weygand

NOT VOTING—29

- Bereuter, Cooksey, Everett, Callahan, Cubin, Ewing, Chenoweth, Dickey, Foglietta

Ford	Leach	Rangel
Gephardt	McCarthy (NY)	Ryun
Gonzalez	McIntosh	Sandlin
Houghton	Mollohan	Scarborough
Istook	Parker	Schiff
Klug	Payne	Smith (OR)
LaHood	Pelosi	

So the conference report was agreed to.

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

Ordered, That the Clerk notify the Senate thereof.

¶120.17 PROVIDING FOR THE CONSIDERATION OF H.R. 1270

Mr. SOLOMON, by direction of the Committee on Rules, reported (Rept. No. 105-345) the resolution (H. Res. 280) providing for the consideration of the bill (H.R. 1270) to amend the Nuclear Waste Policy Act of 1982.

When said resolution and report were referred to the House Calendar and ordered printed.

¶120.18 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mrs. MORELLA, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, October 29, 1997, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

¶120.19 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1266. An Act to interpret the term "kidnaping" in extradition treaties to which the United States is a party; and to the Committee on International Relations.

¶120.20 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mrs. MCCARTHY of New York, for today;

To Mr. PAYNE, for today through October 29;

To Mr. BEREUTER, for today;
To Mr. BILIRAKIS, for today after 10:00 a.m.;

To Mrs. CHENOWETH, for today; and
To Mr. SANDLIN, for today after 1:15 p.m.

And then,

¶120.21 ADJOURNMENT

On motion of Mr. FRANK of Massachusetts, pursuant to the special order heretofore agreed to, at 4 o'clock and 10 minutes p.m., the House adjourned until 10:30 a.m. on Tuesday, October 28, 1997.

¶120.22 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HYDE: Committee on the Judiciary. H.R. 424. A bill to provide for increased mandatory minimum sentences for criminals

possessing firearms, and for other purposes; with an amendment (Rept. No. 105-344). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 280. Resolution providing for consideration of the bill (H.R. 1270) to amend the Nuclear Waste Policy Act of 1982 (Rept. No. 105-345). Referred to the House Calendar.

Mr. SMITH of Oregon: Committee on Agriculture. H.R. 2493. A bill to establish a mechanism by which the Secretary of Agriculture and the Secretary of the Interior can provide for uniform management of livestock grazing on Federal lands; with an amendment (Rept. No. 105-346, Pt. 1). Ordered to be printed.

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2493. A bill to establish a mechanism by which the Secretary of Agriculture and the Secretary of the Interior can provide for uniform management of livestock grazing on Federal lands; with an amendment (Rept. No. 105-346, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on Science. H.R. 1702. A bill to encourage the development of a commercial space industry in the United States, and for other purposes; with an amendment (Rept. No. 105-347). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOODLING: Committee on Education and the Workforce. H.R. 2614. A bill to improve the reading and literacy skills of children and families by improving in-service instructional practices for teachers who teach reading, to stimulate the development of more high-quality family literacy programs, to support extended learning-time opportunities for children, to ensure that children can read well and independently not later than third grade, and for other purposes; with an amendment (Rept. No. 105-348). Referred to the Committee of the Whole House on the State of the Union.

¶120.23 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. TANNER:
H.R. 2730. A bill to designate the Federal building located at 309 North Church Street in Dyersburg, Tennessee, as the "Jere Cooper Federal Building"; to the Committee on Transportation and Infrastructure.

By Mr. TAUZIN (for himself, Mr. CRAMER, Mr. BURN of North Carolina, Mr. BACHUS, Mr. BAESLER, Mr. BARRITT of Wisconsin, Mr. BERRY, Mr. BILIRAKIS, Mr. BRYANT, Mr. CAMP, Mr. CANADY of Florida, Mr. CARDIN, Mr. CHAMBLISS, Mrs. CLAYTON, Mr. CLEMENT, Mr. CLYBURN, Mr. COBLE, Mr. DICKEY, Mr. DICKS, Mr. DUNCAN, Ms. DUNN of Washington, Mr. EHLERS, Mrs. FOWLER, Mr. FOX of Pennsylvania, Mr. FRANKS of New Jersey, Mr. FROST, Mr. GILLMOR, Mr. GOODLING, Mr. GORDON, Mr. GREEN, Mr. HEFLEY, Mr. HEFNER, Mr. HILLEARY, Mr. HOLDEN, Mr. INGLIS of South Carolina, Ms. KAPTUR, Mrs. KENNELLY of Connecticut, Mr. KLUG, Mr. LATHAM, Mr. LATOURETTE, Mr. LINDER, Mr. LIVINGSTON, Mr. LUTHER, Mr. MANTON, Mr. MANZULLO, Mr. MATSUI, Mr. MCINNIS, Mr. MCINTYRE, Mr. MINGE, Mr. NETHERCUTT, Mr. NEY, Mrs. NORTHUP, Mr. NORWOOD, Mr. PICKERING, Mr. PRICE of North Carolina, Mr. REGULA, Mr. ROHRBACHER, Ms. ROYBAL-ALLARD, Mr. ROYCE, Mr. SANDLIN, Mr. SAWYER, Mr. DAN

SCHAEFER of Colorado, Mr. SENSENBRENNER, Mr. SISISKY, Mr. SKAGGS, Mr. SKEEN, Mr. SMITH of Oregon, Mr. SPRATT, Mr. TANNER, Mr. TORRES, Mr. TOWNS, Mr. UPTON, Mr. WAMP, Mr. WATKINS, Mr. WHITFIELD, and Mr. WICKER);

H.R. 2733. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to clarify liability under that Act for certain recycling transactions; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARR of Georgia (for himself, Mr. SESSIONS, Mr. GOODE, Mr. BARTON of Texas, Mr. WISE, Mr. BUNNING of Kentucky, Mr. BARTLETT of Maryland, Mr. NORWOOD, Mr. BARCIA of Michigan, Mr. CUNNINGHAM, Mr. WATTS of Oklahoma, and Mr. BRADY):

H.R. 2734. A bill to clarify the standard required for the importation of sporting arms into the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. DOOLEY of California:
H.R. 2735. A bill to amend the Agricultural Adjustment Act to exempt actions undertaken to administer a marketing order issued under such Act from the antitrust laws; to the Committee on the Judiciary, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIBBONS:
H.R. 2736. A bill to amend the Omnibus Taxpayer Bill of Rights to clarify that quotas and goals shall not be used as a basis for evaluating Internal Revenue Services employees; to the Committee on Ways and Means.

By Mr. HINOJOSA:
H.R. 2737. A bill to redesignate the Federal facilities located at 2413 East Highway 83, and 2301 South International Boulevard, in Weslaco, Texas, as the "Kika de la Garza Subtropical Agricultural Research Center"; to the Committee on Agriculture.

By Ms. KAPTUR (for herself, Mr. LIPINSKI, Mr. RUSH, Mr. DELLUMS, and Mr. HEFNER):

H.R. 2738. A bill to amend the Agricultural Fair Practices Act of 1967 to provide for the accreditation of associations of agricultural producers, to promote good faith bargaining between such accredited associations and the handlers of agricultural products, and to strengthen the enforcement authorities to respond to violations of the Act; to the Committee on Agriculture.

By Mr. MCDADE:
H.R. 2739. A bill to amend title 28, United States Code, to create a Judicial Conduct Board and a Court of Judicial Discipline to investigate and make determinations with respect to complaints regarding judicial discipline; to the Committee on the Judiciary.

By Mr. MCINNIS (for himself, Mr. COX of California, and Mr. MCHALE):

H.R. 2740. A bill to limit attorneys' fees in the tobacco settlement; to the Committee on the Judiciary.

By Mr. MCKEON (for himself, Mr. HERGER, Mr. DREIER, Mrs. EMERSON, Mr. CALVERT, Mr. CUNNINGHAM, Mr. GALLEGLY, Mr. HORN, Mr. LEWIS of California, and Mr. ROGAN):

H.R. 2741. A bill to provide a conditional exemption under section 404 of the Federal Water Pollution Control Act, relating to discharges of dredged or fill material, for maintenance of certain flood control projects; to