

H.R. 1776: Mr. RAMSTAD.
 H.R. 1782: Mr. NADLER.
 H.R. 1797: Mr. GIBBONS and Mr. SHADEGG.
 H.R. 1870: Mr. MCGOVERN.
 H.R. 1873: Ms. SANCHEZ and Mr. OLVER.
 H.R. 1874: Mr. BERMAN.
 H.R. 1904: Mr. THOMPSON.
 H.R. 1909: Mr. JENKINS.
 H.R. 1987: Mr. FRANK of Massachusetts, Mr. MORAN of Virginia, Mr. DEFazio, Mr. TOWNS, and Mr. CLEMENT.
 H.R. 2009: Ms. DEGETTE, Mr. TOWNS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GRAHAM, Mr. EHLERS, Mr. GALLEGLY, Mr. RILEY, Mr. FILNER, Ms. RIVERS and Mr. ENGEL.
 H.R. 2023: Mrs. LOWEY, Ms. CARSON, and Ms. MCKINNEY.
 H.R. 2029: Mr. CALVERT.
 H.R. 2038: Mr. GRAHAM, Mr. HOEKSTRA, and Mr. GOODLATTE.
 H.R. 2050: Mr. PICKETT.
 H.R. 2053: Mr. THOMPSON and Mr. VENTO.
 H.R. 2081: Mr. NETHERCUTT.
 H.R. 2163: Mr. ROYCE.
 H.R. 2191: Mr. GREENWOOD.
 H.R. 2199: Mrs. MALONEY of New York, Ms. LOFGREN, Mr. DELLUMS, Ms. SLAUGHTER, Ms. WOOLSEY, Mr. DAVIS of Illinois, and Mr. WAXMAN.
 H.R. 2221: Mr. BAKER, Mr. COOKSEY, Mr. LOBIONDO, and Mr. MCINTYRE.
 H.R. 2275: Mr. NADLER, Mrs. MORELLA, and Ms. WOOLSEY.
 H.R. 2292: Mr. TALENT and Mr. SHAYS.
 H.R. 2327: Mr. BARTON of Texas and Mrs. CUBIN.
 H.R. 2349: Mr. STARK, Mr. ROYCE, Mr. PACKARD, and Mr. DREIER.
 H.R. 2404: Mr. VENTO.
 H.R. 2421: Ms. FURSE, Mr. CONYERS, Ms. WOOLSEY, and Mr. PAUL.
 H.R. 2422: Ms. WOOLSEY and Mr. RUSH.
 H.R. 2451: Mr. SHERMAN.
 H.R. 2454: Mr. FRANK of Massachusetts and Ms. JACKSON-LEE.
 H.R. 2457: Mr. BARRETT of Wisconsin, Mr. FRANK of Massachusetts, Ms. JACKSON-LEE, and Mr. CLEMENT.
 H.R. 2468: Ms. BROWN of Florida, Mr. MARTINEZ, and Mr. HINCHEY.
 H.R. 2503: Mr. MANTON, Mr. THOMPSON and Mr. CLEMENT.
 H.R. 2543: Mr. THOMPSON.
 H.R. 2549: Mr. YATES.
 H.R. 2568: Mr. WYNN, Mrs. MINK of Hawaii, Mrs. CHENOWETH, Mr. LIPINSKI, Mr. FATTAH, Mr. BARLETT of Maryland, Mr. SNOWBARGER, and Mr. BLAGOJEVICH.
 H.R. 2591: Mr. GUTIERREZ, Mr. JACKSON, Mr. YATES, Mr. FOX of Pennsylvania, Mr. MCNULTY, Mr. SAXTON, Mr. LAFALCE, Mrs. KELLY, Mr. BENTSEN, Mr. FROST, Mrs. MORELLA, and Mr. MCGOVERN.
 H.R. 2599: Ms. JACKSON-LEE.
 H.R. 2600: Mr. SAM JOHNSON, Mr. HILL, and Mr. MCINTYRE.
 H.R. 2604: Mr. KIM, Mr. NEAL of Massachusetts, Mr. KLINK, Mr. MURTHA, Mr. HOLDEN, Ms. KAPTUR, Mr. KANJORSKI, Mr. SHAW, and Ms. JACKSON-LEE.
 H.R. 2609: Mr. CALVERT, Mr. DOOLITTLE, Mr. BONILLA, Mr. MCINTOSH, Mr. GOODE, Mr. GILLMOR, and Mr. HALL of Texas.
 H.R. 2625: Mr. SHADEGG, Mr. CALVERT, Mr. RYUN, Mr. TALENT, Mr. GIBBONS, Mr. THUNE, Mr. WICKER, Mr. MCKEON, and Mr. WELDON of Pennsylvania.
 H.R. 2626: Mr. DEFazio and Mr. HILL.
 H.R. 2627: Mr. MCHALE, Mr. HUTCHINSON, and Mr. COMBEST.
 H.R. 2635: Mrs. MALONEY of New York, Mr. GUTIERREZ, Mr. BLAGOJEVICH, Mr. OLVER, Mr. YATES, Ms. SANCHEZ, Ms. WOOLSEY, Mr. DELLUMS, Mr. RANGEL, Mr. BONIOR, Mr. TORRES, Mr. DEFazio, and Mr. TALENT.
 H.R. 2639: Mr. WELDON of Florida and Mr. SANDLIN.
 H.R. 2652: Mr. HALL of Ohio.

H.R. 2657: Mr. COLLINS and Mr. SESSIONS.
 H.R. 2709: Mr. MCINTYRE, Mr. ENGEL, Mr. LOBIONDO, Mr. WOLF, Mr. GEPHARDT, Mr. NEUMANN, Mr. BLUNT, Mr. HAYWORTH, Mr. LIVINGSTON, Mr. BROWN of Ohio, Mr. FOLEY, Mr. HILL, Mr. EHRlich, Mr. BACHUS, Mr. BAKER, Mr. ROEMER, Mr. MCNULTY, Mr. ROTHMAN, Mr. MENENDEZ, Mr. VISCLOSKY, Mr. FROST, Mr. LATHAM, and Mr. KENNEDY of Rhode Island.
 H.R. 2713: Ms. KILPATRICK, Mr. RUSH, and Mr. KENNEDY of Rhode Island.
 H.R. 2717: Mr. BARRETT of Wisconsin, Mr. MCINTYRE, Ms. FURSE, Mr. STUPAK, and Mr. WEYGAND.
 H. Con. Res. 13: Ms. MILLENDER-McDONALD and Mr. LIPINSKI.
 H. Con. Res. 55: Mr. STUPAK.
 H. Con. Res. 121: Ms. JACKSON-LEE, Mr. EWING, Mr. GREEN, Mr. NEUMANN, Mr. RODRIGUEZ, Mr. PALLONE, Mr. STUPAK, Mr. COOKSEY, Mr. BAKER, Mr. COBLE, Mr. HORN, Mr. HASTINGS of Florida, Mr. PETERSON of Pennsylvania, Mr. MCCRERY, Mr. BLILEY, Mr. MCDADE, and Mr. LIVINGSTON.
 H. Con. Res. 150: Mr. PICKERING, Mr. OBERSTAR, and Mr. CRapo.
 H. Con. Res. 156: Mr. SAXTON, Mr. HINCHEY, Mr. STARK, and Mr. Manton.
 H. Con. Res. 160: Mr. TORRES, Mr. FATTAH, Mr. SANDERS, Ms. ESHOO, Mr. MILLER of California, Mr. ABERCROMBIE, and Mr. HINCHEY.
 H. Con. Res. 162: Mr. BURTON of Indiana, Mr. MORAN of Virginia, and Mr. WELDON of Pennsylvania.
 H. Con. Res. 170: Mr. BAKER and Mr. HASTINGS of Washington.
 H. Res. 26: Mr. FAWELL, Ms. STABENOW, Ms. KILPATRICK, and Mr. MCGOVERN.
 H. Res. 139: Mr. WELLER and Mr. PAPPAS.
 H. Res. 279: Mr. STARK, Mr. WAXMAN, Mr. WEYGAND, and Mr. ACKERMAN.

¶121.39 PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

25. The SPEAKER presented a petition of the Butler Township Board of Commissioners of Lyndora, Pennsylvania, relative to Resolution No. 97-16 expressing concerns regarding personal wireless communication service facilities; which was referred to the Committee on Commerce.

WEDNESDAY, OCTOBER 29, 1997 (122)

The House was called to order by the SPEAKER.

¶122.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, October 28, 1997.

Pursuant to clause 1, rule I, the Journal was approved.

¶122.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

5675. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—APHIS Policy Regarding Importation of Animals and Animal Products [Docket No. 94-106-8] (RIN: 0579-AA71) received October 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5676. A letter from the Director, Office of Management and Budget, transmitting a report on appropriations legislation pursuant

to the Balanced Budget and Emergency Deficit Control Act of 1985 (Section 251(a)(7)), as amended by the Budget Enforcement Act of 1997; to the Committee on the Budget.

5677. A letter from the AMD—Performance Evaluation and RECORDS Management, Federal Communications Commission, transmitting the Commission's final rule—Implementation of Section 9 of the Communications Act; Assessment and Collection of Regulatory Fees for Fiscal Year 1997 [MD Docket No. 96-186] received October 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5678. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Food Labeling; Nutrient Content Claims: Definition for "High Potency" and Definitions of "Antioxidant" for Use in Nutrient Content Claims for Dietary Supplements and Conventional Foods; Correction [Docket Nos. 95N-0245, 95N-0282, and 95N-0347] (RIN: 0910AA59) received October 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5679. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement for production of major military equipment with Japan (Transmittal No. DTC-111-97), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

5680. A letter from the President, Institute of American Indian Arts, transmitting the consolidated report for FY 1997 covering both the annual report on audit and investigative coverage required by the Inspector General Act of 1978, as amended, and the Federal Managers' Financial Integrity Act report, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

5681. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule—Fellowship and Similar Appointments in the Excepted Service (RIN: 3206-AH91) received October 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

5682. A letter from the Special Counsel, U.S. Office of Special Counsel, transmitting the FY 1997 annual report under the Federal Managers' Financial Integrity Act (FMFIA) of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

5683. 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; Reallocation of Pacific Cod [Docket No. 961107312-7021-02; I.D. 101697B] received October 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5684. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Business Expenses [Revenue Procedure 97-52] received October 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

¶122.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2107) "An Act making appropriations for the Department of the Interior and related agencies for

the fiscal year ending September 30, 1998, and for other purposes.”.

¶122.4 THE LATE HONORABLE WALTER H. CAPPS

Mr. FAZIO, submitted the following privileged resolution (H. Res. 286):

Resolved, That the House has heard with profound sorrow of the death of the Honorable WALTER H. CAPPS, a Representative from the State of California.

Resolved, That a committee of such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

When said resolution was considered and agreed to.

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

Ordered, That the Clerk notify the Senate thereof.

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

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 283):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1270) to amend the Nuclear Waste Policy Act of 1982. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 306 of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed eighty minutes, with sixty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce and twenty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 5(a) of rule XXI or section 306 of the Congressional Budget Act of 1974 are waived. Notwithstanding clause 5(c) of rule XXIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member

designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. Points of order against the last amendment printed in the report of the Committee on Rules for failure to comply with clause 5(a) of rule XXI or section 306 of the Congressional Budget Act of 1974 are waived. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. After a motion that the Committee rise has been rejected on a day, the Chairman may entertain another such motion on that day only if offered by the majority leader or his designee. After a motion to strike out the enacting words of the bill (as described in clause 7 of rule XXIII) has been rejected, the Chairman may not entertain another such motion during further consideration of the bill. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. After passage of H.R. 1270, it shall be in order to take from the Speaker's table the bill, S. 104, and to consider the Senate bill in the House. Points of order against consideration of the Senate bill for failure to comply with section 306 of the Congressional Budget Act of 1974 are waived. It shall be in order to move to strike all after the enacting clause of the Senate bill and to insert in lieu thereof the provisions of H.R. 1270 as passed by the House. If the motion is adopted and the Senate bill, as amended, is passed, then it shall be in order to move that the House insist on its amendment to S. 104 and request a conference with the Senate thereon.

When said resolution was read.

Pending consideration of said resolution,

¶122.6 MOTION TO ADJOURN

Mr. ENSIGN moved that the House do now adjourn.

The question being put, *viva voce*,

Will the House now adjourn?

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

Mr. ENSIGN 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 29
Nays 374

¶122.7

[Roll No. 535]

YEAS—29

Ackerman	Foglietta	Lewis (GA)
Andrews	Ford	Markey
DeFazio	Gephardt	McDermott
DeGette	Gibbons	McNulty
Delahunt	Gordon	Mink
Dellums	Hillery	Obey
Ensign	Jackson (IL)	Olver
Eshoo	Jefferson	Stark
Fattah	LaFalce	Torres
Filner	Lewis (CA)	

NAYS—374

Abercrombie	Deal	John
Aderholt	DeLauro	Johnson (CT)
Allen	DeLay	Johnson (WI)
Archer	Deutsch	Johnson, E.B.
Armey	Diaz-Balart	Jones
Bachus	Dicks	Kanjorski
Baesler	Dingell	Kaptur
Baker	Dixon	Kasich
Baldacci	Doggett	Kennedy (MA)
Ballenger	Dooley	Kennedy (RI)
Barcia	Doolittle	Kennelly
Barr	Doyle	Kildee
Barrett (NE)	Dreier	Kilpatrick
Barrett (WI)	Duncan	Kim
Bartlett	Dunn	Kind (WI)
Barton	Edwards	King (NY)
Bass	Ehlers	Kingston
Bateman	Ehrlich	Klecza
Becerra	Emerson	Klink
Bentsen	Engel	Klug
Bereuter	Etheridge	Knollenberg
Berman	Evans	Kolbe
Berry	Everett	Kucinich
Bilbray	Ewing	LaHood
Bilirakis	Farr	Lampson
Bishop	Fawell	Lantos
Blagojevich	Fazio	Largent
Bliley	Foley	Latham
Blumenauer	Forbes	LaTourrette
Blunt	Fowler	Lazio
Boehlert	Fox	Leach
Boehner	Frank (MA)	Levin
Bonilla	Franks (NJ)	Lewis (KY)
Bonior	Frelinghuysen	Linder
Borski	Frost	Lipinski
Boswell	Furse	Livingston
Boucher	Galleghy	LoBiondo
Boyd	Ganske	Lofgren
Brady	Gejdenson	Lowe
Brown (FL)	Gilchrest	Lucas
Brown (OH)	Gillmor	Luther
Bryant	Gilman	Maloney (CT)
Bunning	Goode	Maloney (NY)
Burr	Goodlatte	Manton
Burton	Goodling	Manzullo
Buyer	Goss	Mascara
Callahan	Graham	Matsui
Calvert	Green	McCarthy (MO)
Camp	Greenwood	McCarthy (NY)
Campbell	Gutierrez	McCollum
Canady	Gutknecht	McCrery
Cannon	Hall (OH)	McDade
Cardin	Hall (TX)	McGovern
Carson	Hamilton	McHale
Castle	Harman	McHugh
Chabot	Hastert	McInnis
Chambliss	Hastings (FL)	McIntyre
Chenoweth	Hastings (WA)	McKeon
Christensen	Hayworth	McKinney
Clay	Hefley	Meehan
Clayton	Hefner	Meek
Clement	Heger	Menendez
Clyburn	Hill	Metcalf
Coble	Hilliard	Mica
Coburn	Hinche	Millender-
Collins	Hinojosa	McDonald
Combest	Hobson	Miller (CA)
Condit	Hoekstra	Miller (FL)
Cook	Holden	Minge
Cooksey	Hooley	Moakley
Costello	Horn	Mollohan
Cox	Hostettler	Moran (KS)
Coyne	Hoyer	Moran (VA)
Cramer	Hulshof	Morella
Crane	Hunter	Murtha
Crapo	Hutchinson	Nadler
Cummings	Hyde	Neal
Cunningham	Inglis	Nethercutt
Danner	Istook	Neumann
Davis (FL)	Jackson-Lee	Ney
Davis (IL)	(TX)	Northup
Davis (VA)	Jenkins	Norwood