

THURSDAY, NOVEMBER 6, 1997 (127)**¶127.1 DESIGNATION OF SPEAKER PRO TEMPORE**

The House was called to order by the SPEAKER pro tempore, Mr. GILLMOR, who laid before the House the following communication:

WASHINGTON, DC,
November 6, 1997.

I hereby designate the Honorable PAUL E. GILLMOR to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

¶127.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. GILLMOR, announced he had examined and approved the Journal of the proceedings of Thursday, November 5, 1997.

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

¶127.3 COMMUNICATIONS

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

5788. A letter from the Vice Chair, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Chile, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

5789. A letter from the AMD—Performance Evaluation and RECORDS Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Parris Island and Hampton, South Carolina) [MM Docket No. 96-250, RM-8952] received October 31, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5790. A letter from the AMD—Performance Evaluation and RECORDS Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Winner and Wessington Springs, South Dakota) [MM Docket No. 96-124, RM-8813, RM-8864] received October 31, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5791. A letter from the AMD—Performance Evaluation and RECORDS Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (New London, Iowa) [MM Docket No. 97-148, RM-9088] received October 31, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5792. A letter from the AMD—Performance Evaluation and RECORDS Management, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Levan, Oakley, Utah and Green River, Wyoming) [MM Docket No. 96-230, RM-8911, RM-9049] received October 31, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5793. 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 New Zealand (Transmittal No. DTC-125-97), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

5794. 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 Canada

(Transmittal No. DTC-131-97), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

5795. 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 Germany (Transmittal No. DTC-128-97), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

5796. A letter from the Executive Director, Committee for Purchase from People Who Are Blind or Severely Disabled, transmitting a consolidated report on audit and investigative coverage required by the Inspector General Act of 1978, as amended, and the Federal Managers' Financial Integrity Act, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

5797. A letter from the Chairman, Federal Mine Safety and Health Review Commission, transmitting a consolidated report on audit and investigative coverage required by the Inspector General Act of 1978, as amended, and the Federal Managers' Financial Integrity Act, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

5798. A letter from the Executive Director, Japan-United States Friendship Commission, transmitting the FY 1997 report pursuant to the Inspector General Act Amendment of 1988 and the Federal Managers' Financial Integrity Act, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

5799. A letter from the Acting Associate Administrator for Legislative Affairs, National Aeronautics and Space Administration, transmitting NASA's 1998 Strategic Plan, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

5800. A letter from the Acting Executive Director, National Commission on Libraries and Information Science, transmitting the FY 1997 report pursuant to the Inspector General Act and the Federal Managers' Financial Integrity Act, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

5801. A letter from the Independent Counsel, Office of Independent Counsel, transmitting the FY 1997 report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

5802. A letter from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting the annual report providing information on the FY 1997 activities of the agency's formal management control review program, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

5803. A letter from the Director, The President's Crime Prevention Council, transmitting a consolidated annual report required by the Inspector General Act of 1978, as amended, and the Federal Managers' Financial Integrity Act, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

5804. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Tax Treatment of Cafeteria Plans [TD 8738] (RIN: 1545-AV43) received November 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5805. A letter from the Administrator, National Aeronautics and Space Administra-

tion, transmitting the triennial report on the present state of knowledge of the Earth's upper atmosphere, pursuant to Public Law 101-549; jointly to the Committees on Science and Commerce.

¶127.4 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. 2367. An Act to amend title 38, United States Code, to provide a cost-of-living adjustment in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of such veterans.

The message also announced that the Senate had passed bills and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 714. An Act to extend and improve the Native American Veteran Housing Loan Pilot Program of the Department of Veterans Affairs, to extend certain authorities of the Secretary of Veterans Affairs relating to services for homeless veterans, to extend certain other authorities of the Secretary, and for other purposes;

S. 1377. An Act to amend the Act incorporating the American Legion to make a technical correction;

S. 1378. An Act to extend the authorization of use of official mail in the location and recovery of missing children, and for other purposes;

S. Con. Res. 61. Concurrent resolution authorizing printing of a revised edition of the publication entitled "Our Flag";

S. Con. Res. 62. Concurrent resolution authorizing printing of the brochure entitled "How Our Laws Are Made"; and

S. Con. Res. 63. Concurrent resolution authorizing printing of the pamphlet entitled "The Constitution of the United States of America".

¶127.5 MOTION TO ADJOURN

Mr. MENENDEZ moved that the House do now adjourn.

The question being put, *viva voce*,
Will the House now adjourn?

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

Mr. MENENDEZ 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	85
Nays	315

¶127.6 [Roll No. 585]**YEAS—85**

Andrews	DeLauro	Hastings (FL)
Barrett (WI)	Deutsch	Hilleary
Becerra	Dicks	Hinchey
Berry	Dingell	Hinojosa
Blumenauer	Doggett	Jackson (IL)
Boswell	Engel	Jackson-Lee
Brown (FL)	Eshoo	(TX)
Brown (OH)	Evans	Johnson (WI)
Clement	Farr	Johnson, E. B.
Clyburn	Fazio	Kennedy (RI)
Conyers	Filner	Kennelly
Coyne	Frank (MA)	Kilpatrick
Cummings	Furse	Kind (WI)
Davis (IL)	Gejdenson	LaFalce
DeFazio	Hall (OH)	Lantos

Levin	Oberstar	Smith, Adam
Markey	Obey	Snyder
McCarthy (MO)	Olver	Spratt
McDermott	Owens	Stabenow
McGovern	Pallone	Stark
McKeon	Payne	Strickland
McNulty	Pelosi	Stupak
Meek	Peterson (MN)	Tauscher
Menendez	Pomerooy	Thompson
Metcalf	Reyes	Thurman
Millender-	Rush	Torres
McDonald	Sabo	Velazquez
Miller (CA)	Sanchez	Wise
Nadler	Slaughter	Woolsey

NAYS—315

Abercrombie	Etheridge	Linder
Ackerman	Everett	Lipinski
Aderholt	Ewing	Livingston
Allen	Fattah	LoBiondo
Archer	Fawell	Lofgren
Armey	Flake	Lowey
Bachus	Foley	Lucas
Baesler	Ford	Luther
Baker	Fossella	Maloney (CT)
Baldacci	Fowler	Maloney (NY)
Ballenger	Fox	Manton
Barcia	Franks (NJ)	Manzullo
Barr	Frelinghuysen	Martinez
Barrett (NE)	Frost	Mascara
Bartlett	Galleghy	Matsui
Barton	Ganske	McCarthy (NY)
Bass	Gekas	McCollum
Bateman	Gibbons	McDade
Bentsen	Gilchrest	McHale
Bereuter	Gillmor	McHugh
Berman	Gilman	McInnis
Bilbray	Goode	McIntosh
Bilirakis	Goodlatte	McIntyre
Blagojevich	Goodling	Meehan
Bliley	Gordon	Miller (FL)
Blunt	Goss	Minge
Boehlert	Graham	Moakley
Boehner	Granger	Mollohan
Bonilla	Green	Moran (KS)
Borski	Greenwood	Moran (VA)
Boyd	Gutierrez	Morella
Brady	Guthrie	Murtha
Brown (CA)	Hall (TX)	Myrick
Bryant	Hamilton	Neal
Bunning	Hansen	Nethercatt
Burr	Harman	Neumann
Burton	Hastert	Ney
Buyer	Hastings (WA)	Northup
Callahan	Hayworth	Norwood
Calvert	Hefley	Nussle
Camp	Hefner	Ortiz
Campbell	Hill	Packard
Canady	Hilliard	Pappas
Cannon	Hobson	Parker
Cardin	Hoekstra	Pascrell
Castle	Holden	Pastor
Chabot	Hooley	Paxon
Chambliss	Horn	Pease
Chenoweth	Hostettler	Peterson (PA)
Christensen	Houghton	Petri
Clay	Hoyer	Pickering
Clayton	Hulshof	Pickett
Coble	Hunter	Pitts
Coburn	Hutchinson	Pombo
Combest	Hyde	Porter
Condit	Inglis	Poshard
Cook	Istook	Price (NC)
Cooksey	Jenkins	Pryce (OH)
Costello	John	Quinn
Cox	Johnson (CT)	Radanovich
Cramer	Johnson, Sam	Rahall
Crapo	Jones	Ramstad
Cunningham	Kanjorski	Redmond
Danner	Kaptur	Regula
Davis (FL)	Kasich	Riggs
Davis (VA)	Kelly	Rivers
Deal	Kildee	Rodriguez
DeGette	Kim	Roemer
Delahunt	King (NY)	Rogan
DeLay	Kingston	Rogers
Diaz-Balart	Klecza	Rohrabacher
Dickey	Klink	Ros-Lehtinen
Dooley	Klug	Rothman
Doolittle	Knollenberg	Roukema
Doyle	Kolbe	Royce
Dreier	Kucinich	Ryun
Duncan	LaHood	Salmon
Dunn	Lampson	Sanders
Edwards	Largent	Sandlin
Ehlers	Latham	Sanford
Ehrlich	LaTourette	Sawyer
Emerson	Lazio	Saxton
English	Lewis (CA)	Schaefer, Dan
Ensign	Lewis (KY)	Schaffer, Bob

Schumer	Solomon	Vento
Scott	Souder	Visclosky
Sensenbrenner	Spence	Walsh
Serrano	Stearns	Wamp
Sessions	Stenholm	Waters
Shadegg	Stokes	Watkins
Shaw	Stump	Watt (NC)
Shays	Sununu	Watts (OK)
Sherman	Talent	Waxman
Shimkus	Tanner	Weldon (FL)
Shuster	Tauzin	Weldon (PA)
Sisisky	Taylor (MS)	Weller
Skaggs	Taylor (NC)	Wexler
Skean	Thomas	Weygand
Skelton	Thornberry	White
Smith (MI)	Thune	Whitfield
Smith (NJ)	Tiahrt	Wicker
Smith (OR)	Tierney	Wolf
Smith (TX)	Traficant	Wynn
Smith, Linda	Turner	Yates
Snowbarger	Upton	Young (FL)

NOT VOTING—33

Bishop	Forbes	Mink
Bonior	Gephardt	Oxley
Bono	Gonzalez	Paul
Boucher	Herger	Portman
Carson	Jefferson	Rangel
Collins	Kennedy (MA)	Riley
Crane	Leach	Roybal-Allard
Cubin	Lewis (GA)	Scarborough
Dellums	McCrery	Schiff
Dixon	McKinney	Towns
Foglietta	Mica	Young (AK)

So the motion to adjourn was not agreed to.

¶127.7 WAIVING CLAUSE 4(B), RULE XI FOR CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. SOLOMON, by direction of the Committee on Rules, called up the following resolution (H. Res. 305):

Resolved, That the requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported from that committee before November 10, 1997, providing for consideration or disposition of any of the following:

(1) A bill or joint resolution making general appropriations for the fiscal year ending September 30, 1998, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

(2) A bill or joint resolution that includes provisions making continuing appropriations for fiscal year 1998, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

SEC. 2. It shall be in order at any time before November 10, 1997, for the Speaker, to entertain motions to suspend the rules, provided that the object of any such motion is announced from the floor at least one hour before the motion is offered. In scheduling the consideration of legislation under this authority, the Speaker or his designee shall consult with the minority leader or his designee.

SEC. 3. During the remainder of the first session of the One Hundred Fifth Congress—

(1) notwithstanding clause 2(a)(1) of rule IX, a resolution noticed as a question of the privileges of the House during the period from November 4, 1997, through the adoption of this resolution shall have precedence of all other questions except motions to adjourn only at a time designated by the Speaker; and

(2) the Speaker may not recognize a Member other than the majority leader or the minority leader to offer from the floor, or to announce an intention to offer, a resolution as a question of the privileges of the House.

Pending consideration of said resolution,

¶127.8 MOTION TO ADJOURN

Mr. REYES moved that the House do now adjourn.

The question being put, viva voce, Will the House now adjourn?

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

Mr. REYES demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 100
negative } Nays 309

¶127.9 [Roll No. 586] AYES—100

Ackerman	Frank (MA)	Miller (CA)
Andrews	Furse	Moakley
Barrett (WI)	Gejdenson	Nadler
Becerra	Gephardt	Neal
Berman	Harman	Oberstar
Berry	Hastings (FL)	Obey
Bishop	Hefner	Olver
Blumenauer	Hilleary	Owens
Bonior	Hinchev	Pallone
Boucher	Hinojosa	Payne
Brady	Jackson (IL)	Pelosi
Brown (FL)	Jackson-Lee	Peterson (MN)
Brown (OH)	(TX)	Reyes
Chambliss	Jefferson	Sabo
Clayton	Johnson (WI)	Sanchez
Clement	Johnson, E. B.	Sawyer
Clyburn	Kennedy (RI)	Skelton
Conyers	Kennelly	Slaughter
Coyne	Kilpatrick	Snyder
Cummings	LaFalce	Spratt
DeFazio	Lampson	Stabenow
DeGette	Lantos	Stark
Delahunt	Levin	Strickland
DeLauro	Lowey	Stupak
Dellums	Markey	Thompson
Deutsch	Martinez	Thurman
Dingell	McCarthy (MO)	Tierney
Doggett	McDermott	Torres
Engel	McGovern	Towns
Eshoo	McNulty	Velazquez
Etheridge	Meek	Vento
Evans	Menendez	Waters
Farr	Millender-	Wise
Filner	McDonald	Woolsey

NOES—309

Abercrombie	Campbell	Ehlers
Aderholt	Canady	Ehrlich
Allen	Cannon	Emerson
Archer	Cardin	English
Armey	Castle	Ensign
Bachus	Chabot	Everett
Baesler	Chenoweth	Ewing
Baker	Christensen	Fattah
Baldacci	Clay	Fawell
Ballenger	Coble	Flake
Barcia	Coburn	Foley
Barr	Collins	Ford
Barrett (NE)	Combest	Fossella
Bartlett	Condit	Fowler
Barton	Cook	Fox
Bass	Cooksey	Franks (NJ)
Bateman	Costello	Frelinghuysen
Bentsen	Cox	Frost
Bereuter	Cramer	Galleghy
Bilbray	Crapo	Ganske
Bilirakis	Cunningham	Gekas
Blagojevich	Danner	Gibbons
Bliley	Davis (FL)	Gilchrest
Blunt	Davis (IL)	Gillmor
Boehlert	Davis (VA)	Gilman
Boehner	Deal	Goode
Bonilla	DeLay	Goodlatte
Borski	Diaz-Balart	Goodling
Boswell	Dickey	Gordon
Boyd	Dicks	Goss
Brown (CA)	Dixon	Graham
Bryant	Dooley	Granger
Bunning	Doolittle	Green
Burton	Doyle	Greenwood
Buyer	Dreier	Gutierrez
Callahan	Duncan	Guthrie
Calvert	Dunn	Hall (OH)
Camp	Edwards	Hall (TX)