

Directives; Gulfstream Model G-159 Series Airplanes (Federal Aviation Administration) [Docket No. 97-NM-172-AD; Amdt. 39-10348; AD 98-04-36] (RIN: 2120-AA64) received February 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7561. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model DC-3 and DC-4 Series Airplanes (Federal Aviation Administration) [Docket No. 97-NM-173-AD; Amdt. 39-10347; AD 98-04-35] (RIN: 2120-AA64) received February 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7562. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Mitsubishi Model YS-11 and YS-11A Series Airplanes (Federal Aviation Administration) [Docket No. 97-NM-174-AD; Amdt. 39-10346; AD 98-04-34] (RIN: 2120-AA64) received February 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7563. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Gulfstream American (Frakes Aviation) Model G-73 (Mallard) and G-73T Series Airplanes (Federal Aviation Administration) [Docket No. 97-NM-175-AD; Amdt. 39-10345; AD 98-04-33] (RIN: 2120-AA64) received February 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7564. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Lockheed Model L-14 and L-18 Series Airplanes (Federal Aviation Administration) [Docket No. 97-NM-176-AD; Amdt. 39-10344; AD 98-04-32] (RIN: 2120-AA64) received February 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7565. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Fairchild Model F27 and FH227 Series Airplanes (Federal Aviation Administration) [Docket No. 97-NM-177-AD; Amdt. 39-10343; AD 98-04-31] (RIN: 2120-AA64) received February 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7566. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety/Security Zone Regulations; Swift Creek Channel, Freeport, NY (Coast Guard) [CGD01-97-135] (RIN: 2115-AA97) received February 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7567. A letter from the Chairman, Surface Transportation Board, transmitting the Board's final rule—Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services, 1998 Update [STB Ex. Parte No. 542 (Sub-No. 2)] received February 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7568. A letter from the Acting Deputy Director, National Institute of Standards and Technology, transmitting the Institute's final rule—Physics Laboratory 1998 Summer Undergraduate Research Fellowships (SURF)—Partnerships in Atomic, Molecular and Optical (AMO) Physics and Materials Science and Engineering Laboratory (MSEL) 1998 Summer Undergraduate Research Fellowships (SURF) [Docket No. 971029258-7258-01] (RIN: 0693-ZA17) received February 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

7569. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 98-11] received February 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7570. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Contributions to Foreign Partnerships Under Section 6038B [Notice 98-17] received February 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7571. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Definition Relating to Corporate Reorganizations [Rev. Rul. 98-10] received February 24, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7572. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Dole Amendment determination and the accompanying justification for national interest determination relating to Haiti, pursuant to Public Law 105-118, section 562; jointly to the Committees on International Relations and Appropriations.

7573. A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend title 10, United States Code, to reform and reorganize the Department of Defense, to streamline its operations, to eliminate its inefficiencies, to reallocate its functions, and for other purposes; jointly to the Committees on National Security, Government Reform and Oversight, Rules, Education and the Workforce, and Resources.

¶9.4 PROVIDING FOR THE CONSIDERATION OF H.R. 1544

Mr. MCINNIS, by direction of the Committee on Rules, called up the following resolution (H. Res. 367):

*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. 1544) to prevent Federal agencies from pursuing policies of unjustifiable nonacquiescence in, and relitigation of, precedents established in the Federal judicial circuits. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. 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 the Judiciary now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. 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 min-

imum time for electronic voting on the first in any series of questions shall be fifteen minutes. 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 recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. MCINNIS, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

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

¶9.5 FEDERAL AGENCY COMPLIANCE

The SPEAKER pro tempore, Mr. BUNNING, pursuant to House Resolution 367 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1544) to prevent Federal agencies from pursuing policies of unjustifiable nonacquiescence in, and relitigation of, precedents established in the Federal judicial circuits.

The SPEAKER pro tempore, Mr. BUNNING, by unanimous consent, designated Mrs. EMERSON as Chairman of the Committee of the Whole; and after some time spent therein,

The Committee rose informally to receive messages from the President.

The SPEAKER pro tempore, Mr. GOODLATTE, assumed the Chair.

¶9.6 MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

The Committee resumed its sitting; and after some further time spent therein,

¶9.7 RECORDED VOTE

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

Page 5, insert after line 20 the following:

SEC. 4. APPLICATION.

The amendments made by section 2 shall apply only with respect to agency actions which involve a Federal health benefit programs, a Federal program under which cash is paid based on need or insurance benefits are paid, or the Internal Revenue Code of 1986 and the amendments made by section 3 shall apply on with respect to proceedings in courts which involve a Federal health benefit programs, a Federal program under which cash is paid based on need or insurance benefits are paid, or the Internal Revenue Code of 1986.

Page 3, line 4 and beginning in line 10, strike "Government" and insert "agency".