

The question being put, viva voce, Will the House recommit said conference report?

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

Mr. McDERMOTT 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 ..... 116  
Nays ..... 292

65.22 [Roll No. 273] YEAS—116

Abercrombie	Gutierrez	Obey
Allen	Hastings (FL)	Olver
Andrews	Hefner	Ortiz
Baldacci	Hilliard	Owens
Barrett (WI)	Hinchey	Pallone
Becerra	Hoyer	Payne
Blagojevich	Jackson (IL)	Pelosi
Blumenauer	Jackson-Lee	Peterson (MN)
Bonior	(TX)	Poshard
Borski	Jefferson	Price (NC)
Brady (PA)	Johnson, E. B.	Rahall
Brown (FL)	Kanjorski	Rangel
Brown (OH)	Kaptur	Rivers
Cardin	Kennedy (RI)	Rodriguez
Carson	Kildee	Roybal-Allard
Clyburn	Kilpatrick	Rush
Conyers	Kind (WI)	Sabo
Costello	Klink	Sanders
Coyne	Kucinich	Sawyer
Cummings	LaFalce	Scott
Davis (IL)	Lantos	Skaggs
DeFazio	Lee	Smith, Adam
DeGette	Levin	Snyder
Delahunt	Lipinski	Spratt
DeLauro	Luther	Stark
Dicks	Manton	Stenholm
Doggett	Matsui	Stokes
Dooley	McDermott	Strickland
Edwards	McGovern	Stupak
Engel	McHale	Thompson
Etheridge	Meeke (FL)	Tierney
Evans	Meeks (NY)	Towns
Fattah	Menendez	Vento
Fazio	Millender-	Visclosky
Filner	McDonald	Waters
Ford	Miller (CA)	Waxman
Frank (MA)	Minge	Wise
Furse	Mink	Yates
Gejdenson	Nadler	
Gephardt	Oberstar	

NAYS—292

Ackerman	Buyer	Doolittle
Aderholt	Callahan	Doyle
Archer	Calvert	Dreier
Armey	Camp	Duncan
Bachus	Campbell	Dunn
Baesler	Canady	Ehlers
Baker	Cannon	Ehrlich
Ballenger	Capps	Emerson
Barcia	Castle	English
Barr	Chabot	Ensign
Barrett (NE)	Chambliss	Eshoo
Bartlett	Chenoweth	Everett
Barton	Christensen	Ewing
Bass	Clayton	Farr
Bateman	Clement	Fawell
Bentsen	Coble	Foley
Bereuter	Coburn	Forbes
Berry	Collins	Fossella
Bilbray	Combest	Fowler
Bilirakis	Condit	Fox
Bishop	Cook	Franks (NJ)
Blunt	Cooksey	Frelinghuysen
Boehlert	Cramer	Frost
Boehner	Crane	Galleghy
Bonilla	Crapo	Ganske
Bono	Cubin	Gekas
Boswell	Cunningham	Gibbons
Boucher	Danner	Gilchrest
Boyd	Davis (FL)	Gillmor
Brown (CA)	Davis (VA)	Gilman
Bryant	Deal	Goode
Bunning	DeLay	Goodlatte
Burr	Deutsch	Goodling
Burton	Dickey	Gordon
		Goss

Graham	McCollum	Scarborough
Granger	McCrery	Schaefer, Dan
Green	McHugh	Schaffer, Bob
Greenwood	McInnis	Schumer
Gutknecht	McIntosh	Sensenbrenner
Hall (OH)	McIntyre	Sessions
Hall (TX)	McKeon	Shadegg
Hansen	McKinney	Shaw
Harman	McNulty	Shays
Hastert	Metcalf	Sherman
Hastings (WA)	Mica	Shimkus
Hayworth	Miller (FL)	Shuster
Hefley	Mollohan	Sisisky
Hergert	Moran (KS)	Skeen
Hill	Moran (VA)	Skelton
Hilleary	Morella	Slaughter
Hobson	Murtha	Smith (MI)
Hoekstra	Myrick	Smith (NJ)
Holden	Nethercutt	Smith (OR)
Hooley	Neumann	Smith (TX)
Horn	Ney	Smith, Linda
Hostettler	Northup	Snowbarger
Houghton	Norwood	Solomon
Hunter	Nussle	Spence
Hyde	Oxley	Stabenow
Inglis	Pappas	Stearns
Istook	Parker	Stump
Jenkins	Pascrell	Sununu
John	Pastor	Talent
Johnson (CT)	Paul	Tanner
Johnson (WI)	Paxon	Tauscher
Johnson, Sam	Pease	Tauzin
Jones	Peterson (PA)	Taylor (MS)
Kasich	Petri	Taylor (NC)
Kelly	Pickering	Thomas
Kennedy (MA)	Pickett	Thornberry
Kennelly	Pitts	Thune
Kim	Pombo	Thurman
King (NY)	Pomerooy	Tiahrt
Kingston	Porter	Torres
Kleczka	Portman	Traficant
Knollenberg	Pryce (OH)	Upton
Kolbe	Quinn	Walsh
LaHood	Radanovich	Wamp
Largent	Ramstad	Watkins
Latham	Redmond	Watt (NC)
LaTourette	Regula	Watts (OK)
Lazio	Riggs	Weldon (FL)
Leach	Riley	Weldon (PA)
Lewis (KY)	Roemer	Weller
Linder	Rogan	Wexler
Livingston	Rogers	Weygand
LoBiondo	Rohrabacher	White
Lofgren	Ros-Lehtinen	Whitfield
Lowey	Rothman	Wicker
Lucas	Roukema	Wilson
Maloney (CT)	Royce	Wolf
Maloney (NY)	Ryun	Woolsey
Manzullo	Salmon	Wynn
Martinez	Sanchez	Young (AK)
Mascara	Sandlin	Young (FL)
McCarthy (MO)	Sanford	
McCarthy (NY)	Saxton	

NOT VOTING—26

Berman	Hulshof	Moakley
Brady (TX)	Hutchinson	Neal
Clay	Klug	Packard
Cox	Lampson	Reyes
Dingell	Lewis (CA)	Serrano
Dixon	Lewis (GA)	Souder
Gonzalez	Markey	Turner
Hamilton	McDade	Velazquez
Hinojosa	Meehan	

So the motion to recommit the conference report with instructions was not agreed to.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. PEASE, announced that the yeas had it.

Mr. ARCHER demanded a recorded vote on agreeing to said conference report, 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 affirmative { Yeas ..... 402  
Nays ..... 8

65.23 [Roll No. 274] AYES—402

Abercrombie	Diaz-Balart	Kanjorski
Ackerman	Dickey	Kaptur
Aderholt	Dicks	Kasich
Allen	Doggett	Kelly
Andrews	Dooley	Kennedy (MA)
Archer	Doolittle	Kennedy (RI)
Armey	Doyle	Kennelly
Bachus	Dreier	Kildee
Baesler	Duncan	Kilpatrick
Baker	Dunn	Kim
Baldacci	Edwards	Kind (WI)
Ballenger	Ehlers	King (NY)
Barcia	Ehrlich	Kingston
Barr	Emerson	Kleczka
Barrett (NE)	Engel	Klink
Barrett (WI)	English	Knollenberg
Bartlett	Ensign	Kolbe
Barton	Eshoo	Kucinich
Bass	Etheridge	LaFalce
Bateman	Evans	LaHood
Becerra	Everett	Lantos
Bentsen	Ewing	Largent
Bereuter	Farr	Latham
Berry	Fawell	LaTourette
Bilbray	Filner	Lazio
Bilirakis	Foley	Leach
Bishop	Forbes	Lee
Blagojevich	Ford	Levin
Blumenauer	Fossella	Lewis (CA)
Blunt	Fowler	Lewis (KY)
Boehlert	Fox	Linder
Boehner	Franks (NJ)	Lipinski
Bonilla	Frelinghuysen	Livingston
Bonior	Frost	LoBiondo
Bono	Furse	Lofgren
Borski	Galleghy	Lowey
Boswell	Ganske	Lucas
Boucher	Gejdenson	Luther
Boyd	Gekas	Maloney (CT)
Brady (PA)	Gephardt	Maloney (NY)
Brown (CA)	Gibbons	Manton
Brown (FL)	Gilchrest	Manzullo
Brown (OH)	Gillmor	Mascara
Brown (OH)	Gilman	McCarthy (MO)
Bryant	Gingrich	McCarthy (NY)
Bunning	Goode	McCollum
Burr	Goodlatte	McCrery
Burton	Goodling	McGovern
Buyer	Gordon	McHale
Callahan	Goss	McHugh
Calvert	Graham	McInnis
Camp	Granger	McIntosh
Campbell	Green	McIntyre
Canady	Greenwood	McKeon
Cannon	Gutierrez	McKinney
Capps	Gutknecht	McNulty
Cardin	Hall (OH)	Meek (FL)
Carson	Hall (TX)	Meeks (NY)
Castle	Hansen	Menendez
Chabot	Harman	Metcalf
Chambliss	Hastert	Mica
Chenoweth	Hastings (FL)	Millender-
Christensen	Hastings (WA)	McDonald
Clayton	Hayworth	Miller (CA)
Clement	Hefley	Miller (FL)
Clyburn	Hefner	Minge
Coble	Hergert	Mink
Coburn	Hill	Mollohan
Coin	Hilleary	Moran (KS)
Combest	Hilliard	Moran (VA)
Condit	Hinchey	Morella
Conyers	Hobson	Murtha
Cook	Hoekstra	Myrick
Cooksey	Holden	Nadler
Costello	Hooley	Nethercutt
Cox	Horn	Neumann
Coyne	Hostettler	Ney
Cramer	Houghton	Northup
Crane	Hoyer	Norwood
Crapo	Hunter	Nussle
Cubin	Hyde	Oberstar
Cummings	Inglis	Obey
Cunningham	Istook	Olver
Danner	Jackson (IL)	Ortiz
Davis (FL)	Jackson-Lee	Owens
Davis (IL)	(TX)	Oxley
Davis (VA)		Pallone
Deal	Jefferson	Pappas
DeFazio	Jenkins	Parker
DeGette	John	Pascrell
Delahunt	Johnson (CT)	Pastor
DeLauro	Johnson (WI)	Paxon
DeLay	Johnson, E. B.	
Deutsch	Johnson, Sam	Payne
	Jones	

Pease	Sanford	Tanner
Pelosi	Sawyer	Tauscher
Peterson (MN)	Saxton	Tauzin
Peterson (PA)	Scarborough	Taylor (MS)
Petri	Schaefer, Dan	Taylor (NC)
Pickering	Schaffer, Bob	Thomas
Pickett	Schumer	Thompson
Pitts	Scott	Thornberry
Pombo	Sensenbrenner	Thune
Pomeroy	Sessions	Thurman
Porter	Shadegg	Tiahrt
Portman	Shaw	Tierney
Poshard	Shays	Torres
Price (NC)	Sherman	Towns
Pryce (OH)	Shimkus	Traficant
Quinn	Shuster	Upton
Radanovich	Sisisky	Vento
Rahall	Skaggs	Visclosky
Ramstad	Skeen	Walsh
Rangel	Skelton	Wamp
Redmond	Slaughter	Waters
Regula	Smith (MI)	Watkins
Riggs	Smith (NJ)	Watt (NC)
Riley	Smith (OR)	Watts (OK)
Rivers	Smith (TX)	Waxman
Rodriguez	Smith, Adam	Weldon (FL)
Roemer	Snowbarger	Weldon (PA)
Rogan	Snyder	Weller
Rogers	Solomon	Wexler
Rohrabacher	Spence	Weygand
Ros-Lehtinen	Spratt	White
Rothman	Stabenow	Whitfield
Roukema	Stark	Wicker
Roybal-Allard	Stearns	Wilson
Royce	Stenholm	Wise
Rush	Stokes	Wolf
Ryun	Strickland	Woolsey
Salmon	Stump	Wynn
Sanchez	Stupak	Young (AK)
Sanders	Sununu	Young (FL)
Sandlin	Talent	

NOES—8

Fazio	Matsui	Smith, Linda
Frank (MA)	McDermott	Yates
Martinez	Sabo	

NOT VOTING—25

Berman	Hulshof	Neal
Brady (TX)	Hutchinson	Packard
Clay	Klug	Reyes
Dingell	Lampson	Serrano
Dixon	Lewis (GA)	Souder
Fattah	Markey	Turner
Gonzalez	McDade	Velazquez
Hamilton	Meehan	
Hinojosa	Moakley	

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.

¶65.24 PERMISSION TO FILE REPORT

On motion of Mr. YOUNG of Florida, by unanimous consent, the Committee on Appropriations was granted permission until midnight, Wednesday, July 8, 1998, to file a privileged report on the bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1999, and for other purposes.

Pursuant to clause 8 of rule XXI, all points of order were reserved.

¶65.25 PERMISSION TO FILE REPORT

On motion of Mr. YOUNG of Florida, by unanimous consent, the Committee on appropriations was granted permission until midnight, Wednesday, July 8, 1998, to file a privileged report on the bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations and

offices for the fiscal year ending September 30, 1999, and for other purposes.

Pursuant to clause 8 of rule XXI, all points of order were reserved.

¶65.26 CHILD SUPPORT PERFORMANCE AND INCENTIVE

On motion of Mr. SHAW, by unanimous consent, the bill (H.R. 3130) to provide for an alternative penalty procedure for States that fail to meet Federal child support data processing requirements, to reform Federal incentive payments for effective child support performance, and to provide for a more flexible penalty procedure for States that violate interjurisdictional adoption requirements; together with the following amendments of the Senate thereto, was taken from the Speaker's table:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Support Performance and Incentive Act of 1998".

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—CHILD SUPPORT DATA PROCESSING REQUIREMENTS

Sec. 101. Alternative penalty procedure.

Sec. 102. Authority to waive single statewide automated data processing and information retrieval system requirement.

TITLE II—CHILD SUPPORT INCENTIVE SYSTEM

Sec. 201. Incentive payments to States.

TITLE III—ADOPTION PROVISIONS

Sec. 301. More flexible penalty procedure to be applied for failing to permit inter-jurisdictional adoption.

TITLE IV—MISCELLANEOUS

Sec. 401. Elimination of barriers to the effective establishment and enforcement of medical child support.

Sec. 402. Safeguard of new employee information.

Sec. 403. Conforming amendments regarding the collection and use of social security numbers for purposes of child support enforcement.

Sec. 404. Elimination of definition regarding high-volume automated administrative enforcement of child support.

Sec. 405. General accounting office reports.

Sec. 406. Technical corrections.

TITLE I—CHILD SUPPORT DATA PROCESSING REQUIREMENTS

SEC. 101. ALTERNATIVE PENALTY PROCEDURE.

(a) IN GENERAL.—Section 455(a) of the Social Security Act (42 U.S.C. 655(a)) is amended by adding at the end the following:

"(4)(A)(i) If—

"(I) the Secretary determines that a State plan under section 454 would (in the absence of this paragraph) be disapproved for the failure of the State to comply with section 454(24)(A), and that the State has made and is continuing to make a good faith effort to so comply; and

"(II) the State has submitted to the Secretary a corrective compliance plan that describes how, by when, and at what cost the State will achieve such compliance, which has been approved by the Secretary, then the Secretary shall not disapprove the State plan under section 454, and the Secretary shall reduce the amount otherwise

payable to the State under paragraph (1)(A) of this subsection for the fiscal year by the penalty amount.

"(ii) The Secretary may only impose a single reduction of the amount otherwise payable to the State under paragraph (1)(A) of this subsection for a fiscal year for the failure of the State to comply during such fiscal year with section 454(24)(A) or with any other provision of this part that imposes a requirement with respect to the establishment or operation of an automated data processing and information retrieval system.

"(B) In this paragraph:

"(i) The term 'penalty amount' means, with respect to a failure of a State to comply with section 454(24)—

"(I) 4 percent of the penalty base, in the case of the 1st fiscal year in which such a failure by the State occurs;

"(II) 8 percent of the penalty base, in the case of the 2nd such fiscal year;

"(III) 16 percent of the penalty base, in the case of the 3rd such fiscal year; or

"(IV) 30 percent of the penalty base, in the case of the 4th or any subsequent such fiscal year.

"(ii) The term 'penalty base' means, with respect to a failure of a State to comply with section 454(24) during a fiscal year, the amount otherwise payable to the State under paragraph (1)(A) of this subsection for the preceding fiscal year.

"(C)(i) The Secretary shall waive a penalty under this paragraph for any failure of a State to comply with section 454(24)(A) during a fiscal year if—

"(I) at any time during the fiscal year, the State has submitted to the Secretary a request that the Secretary certify the State as having met the requirements of such section;

"(II) the Secretary subsequently provides the certification (regardless of whether the certification is provided in that fiscal year) as a result of a timely review conducted pursuant to the request; and

"(III) the State has not failed such a review.

"(ii) With respect to only the 1st or 2nd fiscal years in which a reduction is imposed under this paragraph for the failure of a State to comply with section 454(24)(A), if the State achieves compliance with section 454(24)(A) during the 2nd fiscal year, in the case of a reduction imposed for 1 fiscal year, or during the 3rd fiscal year, in the case of a reduction imposed for 2 consecutive fiscal years, the Secretary shall increase the amount otherwise payable to the State under paragraph (1)(A) of this subsection for such 2nd or 3rd fiscal year, as the case may be, by an amount equal to 20 percent of the reduction imposed for the immediately preceding fiscal year.

"(iii) The Secretary shall reduce the amount of any reduction that, in the absence of this clause, would be required to be made under this paragraph by reason of the failure of a State to achieve compliance with section 454(24)(B) during the fiscal year, by an amount equal to 20 percent of the amount of the otherwise required reduction, for each State performance measure described in section 458A(b)(4) with respect to which the applicable percentage under section 458A(b)(6) for the fiscal year is 100 percent, if the Secretary has made the determination described in section 458A(b)(5)(B) with respect to the State for the fiscal year.

"(D) The preceding provisions of this paragraph (except for subparagraph (C)(i)) shall apply, separately and independently, to a failure to comply with section 454(24)(B) in the same manner in which the preceding provisions apply to a failure to comply with section 454(24)(A)."

(b) INAPPLICABILITY OF PENALTY UNDER TANF PROGRAM.—Section 409(a)(8)(A)(i)(III) of such Act (42 U.S.C. 609(a)(8)(A)(i)(III)) is