

H.R. 4335. A bill to transfer to the Secretary of the Interior the functions of the Secretary of Commerce and the National Marine Fisheries Service under the Endangered Species Act of 1973; to the Committee on Resources.

By Mr. BARR of Georgia:

H. Con. Res. 308. Concurrent resolution expressing the sense of the Congress with respect to the failure of Attorney General Janet Reno to seek application for an independent counsel to investigate a number of matters relating to the financing of campaigns in the 1996 Federal election, including the conduct of President Clinton and Vice President Gore; to the Committee on the Judiciary.

By Mr. PAYNE (for himself, Mr. BERMAN, Mr. GILMAN, Mr. SMITH of New Jersey, Mr. MENENDEZ, Mr. LANTOS, and Mr. HASTINGS of Florida):

H. Con. Res. 309. Concurrent resolution condemning the forced abduction of Ugandan children and their use as soldiers; to the Committee on International Relations.

#### ¶74.24 REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

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

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 379. A bill for the relief of Larry Errol Pieterse (Rept. No. 105-644. Referred to the Committee of the Whole House.

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 2744. A bill for the relief of Chong Ho Kwak. (Rept. No. 105-645). Referred to the Committee of the Whole House.

#### ¶74.25 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 59: Mr. WHITFIELD.  
 H.R. 303: Ms. DELAURO.  
 H.R. 997: Mr. KOLBE.  
 H.R. 1126: Mr. SANDLIN, Mr. CRANE, and Ms. DUNN of Washington.  
 H.R. 1283: Ms. VELAZQUEZ.  
 H.R. 1289: Ms. KAPTUR.  
 H.R. 1382: Ms. KAPTUR and Mr. KING of New York.  
 H.R. 1401: Mr. SANDERS.  
 H.R. 1450: Mr. STOKES.  
 H.R. 1773: Mr. WAMP.  
 H.R. 1995: Mr. FRANKS of New Jersey.  
 H.R. 2023: Mr. ROTHMAN.  
 H.R. 2409: Mr. KAPTUR and Mr. SOUDER.  
 H.R. 2456: Mrs. WILSON.  
 H.R. 2602: Mr. LANTOS.  
 H.R. 2635: Ms. VELAZQUEZ and Mr. UPTON.  
 H.R. 2754: Mr. SHERMAN and Ms. CHRISTIAN-GREEN.  
 H.R. 2951: Mr. HAYWORTH.  
 H.R. 3068: Ms. LEE.  
 H.R. 3081: Mrs. CLAYTON and Mr. MALONEY of Connecticut.  
 H.R. 3215: Mrs. THURMAN.  
 H.R. 3248: Mr. ENSIGN and Mr. COLLINS.  
 H.R. 3254: Mr. CAMPBELL, Mrs. BONO, Mr. ROYCE, and Mr. THOMAS.  
 H.R. 3290: Mrs. BONO.  
 H.R. 3320: Mr. FORBES, Mr. BISHOP, Ms. MCKINNEY, and Mr. ADAM SMITH of Washington.  
 H.R. 3400: Mr. SHERMAN and Ms. CHRISTIAN-GREEN.  
 H.R. 3445: Mr. FALEOMAVAEGA.  
 H.R. 3567: Mr. METCALF.  
 H.R. 3572: Mr. LAMPSON.  
 H.R. 3610: Mr. GORDON and Mr. DEAL of Georgia.  
 H.R. 3629: Mr. SOUDER.  
 H.R. 3681: Mr. BACHUS.  
 H.R. 3734: Mr. PICKERING.

H.R. 3780: Mr. LEWIS of Georgia, Mr. ENSIGN, Mr. CALVERT, and Mr. CRANE.

H.R. 3783: Mr. BUYER, Ms. FURSE, Mr. FOLEY, and Mr. CHRISTENSEN.

H.R. 3876: Mr. THOMPSON, Mr. GORDON, Mr. CARDIN, Mr. EVANS, Ms. MCKINNEY, Mr. LAMPSON, Mr. NADLER, and Mr. SHERMAN.

H.R. 3918: Mr. SERRANO, Mr. SCHUMER, and Mr. NADLER.

H.R. 3992: Mr. WELLER, Mr. BUNNING of Kentucky, Mr. GOODE, Mr. SESSIONS, Mr. TALENT, and Mr. BONILLA.

H.R. 3995: Mr. FRANK of Massachusetts, Mr. VENTO, and Ms. ROYBAL-ALLARD.

H.R. 4009: Mr. BOSWELL, Mr. CRAMER, Mr. BONIOR, Ms. FURSE, Mrs. CAPPS, and Ms. MCCARTHY of Missouri.

H.R. 4025: Mrs. THURMAN.

H.R. 4028: Mr. TAYLOR of Mississippi, Mr. FILNER, and Ms. KAPTUR.

H.R. 4031: Mr. RUSH, Mr. WAXMAN, and Ms. FURSE.

H.R. 4071: Mr. OBERSTAR, Mr. STRICKLAND, and Mr. ADERHOLT.

H.R. 4078: Mr. MCGOVERN, Mr. ABERCROMBIE, and Mr. FORD.

H.R. 4095: Mr. BONIOR, Mr. FALEOMAVAEGA, Mr. MENENDEZ, and Mr. BEREUTER.

H.R. 4121: Ms. LOFGREN, Mr. ENGLISH of Pennsylvania, Mrs. THURMAN, Mr. GREENWOOD, and Ms. SANCHEZ.

H.R. 4134: Mr. BALDACCI.

H.R. 4167: Mr. CHRISTENSEN.

H.R. 4188: Mr. BILIRAKIS.

H.R. 4204: Mr. MCCOLLUM, Mr. NUSSLE, and Mr. BLUNT.

H.R. 4206: Mr. DINGELL, Ms. ROYBAL-ALLARD, Mr. TOWNS, Mr. SCHUMER, Mr. MARKEY, Ms. MCKINNEY, Mrs. MORELLA, Mr. PALLONE, Mr. PAYNE, and Mr. MATSUI.

H.R. 4209: Mr. ENGEL.

H.R. 4211: Mr. EHLERS, Mr. HASTINGS of Florida, and Mr. ENGLISH of Pennsylvania.

H.R. 4213: Mr. FOLEY and Mr. RILEY.

H.R. 4224: Mr. LEWIS of Georgia, Mr. BAESLER, and Mr. BONIOR.

H.R. 4233: Mr. SABO, Mr. STARK, Mrs. CLAYTON, Ms. FURSE, Mrs. TAUSCHER, and Mr. FILNER.

H.R. 4250: Mr. BLUNT, Mr. KNOLLENBERG, and Mr. HILL.

H.R. 4258: Mr. CANNON and Mr. BURR of North Carolina.

H.R. 4265: Mr. NORWOOD, Mr. EDWARDS, Mr. HILL, Ms. GRANGER, and Mr. INGLIS of South Carolina.

H.R. 4275: Mr. ROGERS, Mr. HOUGHTON, Mrs. EMERSON, Mr. HINCHEY, Mr. WATTS of Oklahoma, Mr. NEY, Mr. CLYBURN, Mr. RAHALL, Mr. PETERSON of Minnesota, Mr. BALDACCI, Ms. DELAURO, Mr. WISE, Mr. MCGOVERN, Mr. SANDLIN, Mr. LAMPSON, Mr. BOSWELL, Mr. LIPINSKI, Mr. BORSKI, Mr. HOLDEN, Ms. NORTON, Mr. WALSH, Mr. BOUCHER, Mr. BUNNING of Kentucky, Mr. ADERHOLT, Mr. BOEHLERT, and Mr. WICKER.

H.R. 4281: Mr. GOODE.

H. Con. Res. 122: Mr. ABERCROMBIE, Mr. ENGEL, Mr. FORBES, Mr. HINCHEY, Ms. ROSLEHTINEN, Mr. SPRATT, Mr. WAXMAN, and Mr. YATES.

H. Con. Res. 148: Mr. FRANKS of New Jersey.

H. Con. Res. 184: Mr. MCGOVERN.

H. Con. Res. 185: Mr. UNDERWOOD, Mr. MARKEY, Mr. HOYER, Mr. OLVER, Mrs. MALONEY of New York, Mr. SABO, Mr. PITTS, and Mr. LAMPSON.

H. Con. Res. 203: Mr. PETRI.

H. Con. Res. 239: Ms. KILPATRICK.

H. Con. Res. 299: Mr. STUMP, Mr. CAMPBELL, and Mr. HASTINGS of Washington.

H. Con. Res. 303: Mr. HINCHEY.

H. Con. Res. 304: Mr. CARDIN, Mrs. KELLY, Mr. MILLER of California, and Mr. BONIOR.

#### ¶74.26 PETITIONS, ETC.

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

69. The SPEAKER presented a petition of Peter Strzelczyk, M.D., citizen of Katowice, Poland, relative to a demand for damages for the estate of his wife, Ewa Strzelczyk, resulting from the Cavalese, Italy tragedy; to the Committee on the Judiciary.

70. Also, a petition of Peter Strzelczyk, M.D., citizen of Katowice, Poland, relative to a demand for damages for the estate of his son, Filip Strzelczyk, resulting from the Cavalese, Italy tragedy; to the Committee on the Judiciary.

### MONDAY, JULY 27, 1998 (75)

#### ¶75.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order at 10:30 o'clock a.m. by the SPEAKER pro tempore, Mr. COBLE, who laid before the House the following communication:

WASHINGTON, DC,  
 July 27, 1998.

I hereby designate the Honorable HOWARD COBLE to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
*Speaker of the House of Representatives.*

#### ¶75.2 RECESS—10:31 A.M.

The SPEAKER pro tempore, Mr. COBLE, pursuant to clause 12 of rule I, declared the House in recess until 12 o'clock noon in lieu of morning hour debates.

#### ¶75.3 AFTER RECESS—12 NOON

The SPEAKER pro tempore, Mr. SHIMKUS, called the House to order.

#### ¶75.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SHIMKUS, announced he had examined and approved the Journal of the proceedings of Friday, July 24, 1998.

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

#### ¶75.5 COMMUNICATIONS

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

10316. A letter from the Secretary of Defense, transmitting a plan on the advisability and feasibility of permitting non-appropriated fund instrumentalities (NAFIs) to enter into public-private partnerships to benefit Morale, Welfare and Recreation (MWR) programs, pursuant to Public Law 105-85; to the Committee on National Security.

10317. A letter from the Acting Chairman, Thrift Depositor Protection Oversight Board, transmitting the annual report of the Thrift Depositor Protection Oversight Board on the Resolution Funding Corporation for the calendar year 1997, pursuant to Public Law 101-73, section 511(a) (103 Stat. 404); to the Committee on Banking and Financial Services.

10318. A letter from the Secretary of Health and Human Services, transmitting a draft of proposed legislation to provide financial assistance to States for family-centered and family-directed statewide systems of support for families of children with disabilities, and for other purposes; to the Committee on Education and the Workforce.

10319. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Securities Credit Transactions; List of Marginable OTC Stocks; List of Foreign Margin Stocks [Regulations T and X] re-

ceived July 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10320. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 12-398, "Whistleblower Reinforcement Act of 1998" received July 21, 1998, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform and Oversight.

10321. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Irish Potatoes Grown in Colorado: Decreased Assessment Rate [Docket No. FV98-948-1 IFR] received July 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10322. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Fresh Bartlett Pears Grown in Oregon and Washington; Decreased Assessment Rate [Docket No. FV98-931-1 IFR] received July 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10323. A letter from the Director, Office of Surface Mining Reclamation and Enforcement, transmitting the Office's final rule—Surface Coal Mining and Reclamation Operations under the Federal Lands Program; State-Federal Cooperative Agreements; Montana [30 CFR Part 926] received July 20, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10324. A letter from the Acting Secretary, Federal Trade Commission, transmitting the Commission's final rule—Premerger Notification; Reporting and Waiting Period Requirements [16 CFR Part 802] received June 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

10325. A letter from the General Counsel, National Tropical Botanical Garden, transmitting the annual audit report of the National Tropical Botanical Garden, Calendar Year 1997, pursuant to Public Law 88-449, section 10(b) (78 Stat. 498); to the Committee on the Judiciary.

10326. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to extend the United States Department of Agriculture Personnel Management Demonstration Project; jointly to the Committees on Government Reform and Oversight and Agriculture.

10327. A letter from the Administrators of Federal Aviation Administration and National Aeronautics and Space Administration, transmitting a joint report to Congress on the progress being made under the Subsonic Noise Reduction Technology Program, Fiscal Year 1997, pursuant to 49 U.S.C. app. 1353 nt.; jointly to the Committees on Transportation and Infrastructure and Science.

10328. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a draft of proposed legislation to provide for implementation by the United States of the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, and for other purposes; jointly to the Committees on International Relations, Ways and Means, the Judiciary, and Government Reform and Oversight.

¶75.6 USE OF CAPITOL ROTUNDA FOR SLAIN CAPITOL POLICE OFFICERS

On motion of Mr. DELAY, by unanimous consent, the Committee on House Oversight was discharged from further consideration of the following concurrent resolution (H. Con. Res. 310):

*Resolved by the House of Representatives (the Senate concurring),*

**SECTION 1. AUTHORIZING USE OF ROTUNDA OF THE CAPITOL FOR MEMORIAL SERVICE FOR DETECTIVE JOHN MICHAEL GIBSON AND PRIVATE FIRST CLASS JACOB JOSEPH CHESTNUT.**

The rotunda of the Capitol is authorized to be used for a memorial service and proceedings related thereto for Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police on Tuesday, July 28, 1998, under the direction of the United States Capitol Police Board.

**SEC. 2. PLACEMENT OF PLAQUE IN CAPITOL IN MEMORY OF DETECTIVE GIBSON AND PRIVATE FIRST CLASS CHESTNUT.**

The Architect of the Capitol shall place a plaque in honor of the memory of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police at an appropriate site in the United States Capitol, with the approval of the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

**SEC. 3. PAYMENT OF FUNERAL EXPENSES FOR JOHN GIBSON AND JACOB JOSEPH CHESTNUT.**

(a) IN GENERAL.—The Sergeant at Arms of the House of Representatives is authorized and directed to make such arrangements as may be necessary for funeral services for Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police, including payments for travel expenses of immediate family members, and for the attendance of Members of the House of Representatives at such services, including payments for expenses incurred by Members in attending such services.

(b) SOURCE AND MANNER OF MAKING PAYMENTS.—Any payment made under subsection (a) shall be made from the applicable accounts of the House of Representatives, using vouchers approved in a manner directed by the Committee on House Oversight.

**SEC. 4. PAYMENT OF SURVIVOR'S GRATUITY TO WIDOWS OF JOHN GIBSON AND JACOB JOSEPH CHESTNUT.**

(a) IN GENERAL.—In accordance with the first sentence of the last undesignated paragraph under the center heading "HOUSE OF REPRESENTATIVES" in the first section of the Legislative Branch Appropriation Act, 1955 (2 U.S.C. 125), the Chief Administrative Officer of the House of Representatives is authorized and directed to pay, from the applicable accounts of the House of Representatives—

(1) a gratuity to the widow of Detective John Michael Gibson of the United States Capitol Police in the amount of \$51,866.00; and

(2) a gratuity to the widow of Private First Class Jacob Joseph Chestnut of the United States Capitol Police in the amount of \$47,280.00.

(b) TREATMENT AS GIFT.—Each gratuity paid under subsection (a) shall be held to have been a gift.

**SEC. 5. SENSE OF CONGRESS REGARDING ESTABLISHMENT OF CAPITOL POLICE MEMORIAL FUND.**

It is the sense of Congress that there should be established under law a United States Capitol Police Memorial Fund for the surviving spouse and children of members of the United States Capitol Police who are slain in the line of duty.

When said concurrent resolution was considered and agreed to.

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

*Ordered.* That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶75.7 RECESS—12:25 P.M.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 12 of rule I, declared the House in recess at 12 o'clock and 25 minutes p.m. until approximately 5 o'clock p.m.

¶75.8 AFTER RECESS—5:02 P.M.

The SPEAKER pro tempore, Mr. ARMEY, called the House to order.

¶75.9 HONORING DETECTIVE GIBSON AND OFFICER CHESTNUT OF THE U.S. CAPITOL POLICE

On motion of Mr. GINGRICH, by unanimous consent, the House considered the following concurrent resolution (H.Con. Res. 311):

Whereas the Capitol is the people's house, and, as such, it has always been and will remain open to the public;

Whereas millions of people visit the Capitol each year to observe and study the workings of the democratic process;

Whereas the Capitol is the most recognizable symbol of liberty and democracy throughout the world and those who guard the Capitol guard our freedom;

Whereas Private First Class Jacob "J.J." Chestnut and Detective John Michael Gibson sacrificed their lives to protect the lives of hundreds of tourists, staff, and Members of Congress;

Whereas if not for the quick and courageous action of those officers, many innocent people would likely have been injured or killed;

Whereas through their selfless acts, Detective Gibson and Private First Class Chestnut underscored the courage, honor, and dedication shown daily by every member of the United States Capitol Police and every law enforcement officer;

Whereas Private First Class Chestnut, a Vietnam veteran who spent 20 years in the Air Force, was an 18-year veteran of the Capitol Police, and was married to Wen Ling and had five children, Joseph, Janece, Janet, Karen and William;

Whereas Detective Gibson, assigned as Rep. Tom DeLay's bodyguard for the last three years, was an 18-year veteran of the Capitol Police, and was married to Evelyn and had three children, Kristen, John and Daniel;

Whereas Private First Class Chestnut and Detective Gibson were the first United States Capitol Police officers ever killed in the line of duty;

Whereas Private First Class Chestnut and Detective Gibson, and all those who helped apprehend the gunman, assist the injured, and evacuate the building, are true heroes of democracy, and every American owes them a deep debt of gratitude: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That—*

(1) Congress hereby honors the memory of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut of the United States Capitol Police for the selfless acts of heroism they displayed on July 24, 1998, in sacrificing their lives in the line of duty so that others might live; and

(2) when the House of Representatives adjourns on this date and when the Senate adjourns or recesses on this date, they shall do so out of respect to the memory of Detective John Michael Gibson and Private First Class Jacob Joseph Chestnut.

Pending consideration of said concurrent resolution,