

Washington, Mr. HASTINGS of Florida, and Ms. KILPATRICK.

H.R. 4062: Mrs. ROUKEMA.

H.R. 4071: Mr. HILLIARD and Mr. BOSWELL.

H.R. 4092: Mr. FRANK of Massachusetts and Mr. FOLEY.

H.R. 4096: Mr. FAWELL and Mrs. NORTHUP.

H.R. 4196: Mr. MCINTOSH and Mr. DUNCAN.

H.R. 4213: Mr. EHRlich.

H.R. 4220: Mr. WELDON of Pennsylvania.

H.R. 4224: Ms. KILPATRICK and Mr. HILLIARD.

H.R. 4228: Mr. CALVERT and Mr. BUYER.

H.R. 4283: Mr. STUPAK, Mr. WOLF, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. OBERSTAR, Mr. DAVIS of Virginia, and Ms. MCCARTHY of Missouri.

H.R. 4293: Mr. MEEHAN.

H.R. 4298: Mr. KUCINICH and Mr. BONILLA.

H.J. Res. 123: Mr. RILEY and Mr. METCALF.  
H. Con. Res. 213: Mr. WATKINS.

H. Con. Res. 302: Mr. KUCINICH and Ms. STABENOW.

H. Res. 460: Mr. UNDERWOOD, Ms. KILPATRICK, and Mr. CUMMINGS.

## TUESDAY, JULY 28, 1998 (76)

### ¶76.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order at 10:00 o'clock a.m. by the SPEAKER pro tempore, Mr. BURR, who laid before the House the following communication:

WASHINGTON, DC,

July 28, 1998.

I hereby designate the Honorable RICHARD BURR to act as Speaker pro tempore on this day.

NEWT GINGRICH,

*Speaker of the House of Representatives.*

### ¶76.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BURR, announced he had examined and approved the Journal of the proceedings of Monday, July 27, 1998.

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

### ¶76.3 COMMUNICATIONS

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

10329. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Importation of Tomatoes from France, Morocco and Western Sahara, Chile, and Spain [Docket No. 97-016-2] (RIN: 0579-AA88) received July 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

10330. A letter from the Under Secretary for Acquisition and Technology, Department of Defense, transmitting the Secretary's certification that the survivability and lethality testing of the Navy's CH-60 Fleet Combat Support Helicopter otherwise required by section 2366 would be unreasonably expensive and impractical, pursuant to 10 U.S.C. 2366(c)(1); to the Committee on National Security.

10331. A letter from the Director, Operation Test And Evaluation, Department of Defense, transmitting the Secretary's certification that the survivability and lethality testing of the DDG 51 Flight IIA otherwise required by section 2366 would be unreasonably expensive and impractical, pursuant to 10 U.S.C. 2366(c)(1); to the Committee on National Security.

10332. A letter from the Chief, Programs and Legislation Division, Office of Legisla-

tive Liaison, Department of the Air Force, transmitting a report on the Air Force's study of the reengineering of the 38th Engineering and Installation Wing (38 EIW) for implementation in late FY 99 or FY00; to the Committee on National Security.

10333. A letter from the Acting Principal Deputy Under Secretary of Defense (Logistics), Department of Defense, transmitting a report entitled "Logistics Augmentation Program"; to the Committee on National Security.

10334. A letter from the Acting Comptroller of the Currency, transmitting the 1997 Annual Report of the Comptroller of the Currency, pursuant to 12 U.S.C. 14; to the Committee on Banking and Financial Services.

10335. A letter from the Administrator, Rural Housing Service, Department of Agriculture, transmitting the Department's final rule—Guaranteed Rural Rental Housing Program [7 CFR Part 3565] received July 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

10336. A letter from the Secretary of the Treasury, transmitting the certification that supplementary resources are needed to forestall or cope with an impairment of the international monetary system and that the International Monetary Fund has fully explored other means of funding; to the Committee on Banking and Financial Services.

10337. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plan; Indiana [IN75; FRL-6129-7] received July 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10338. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; South Carolina [SC-34-1-9816a; FRL-6129-9] received July 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10339. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Minnesota; Control of Landfill Gas Emissions from Existing Municipal Solid Waste Landfills [MN51-01-7276a; FRL-6128-8] received July 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10340. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Extension of Operating Permits Program Interim Approval Expiration Dates [FRL-6128-9] (RIN: 2060-AF70) received July 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10341. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Protection of Stratospheric Ozone: Reconsideration of Petition Criteria and Incorporation of Montreal Protocol Decisions [FRL-6129-2] (RIN: 2060-AG48) received July 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10342. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans Kentucky: Adoption of General Conformity Regulations [KY-90-1-9735a; FRL-6130-3] received July 21, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10343. A letter from the Director, Office of Regulatory Management and Information,

Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Commonwealth of Kentucky [KY-100-1-9814a; FRL-6126-1] received July 21, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10344. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Commonwealth of Kentucky [KY-93-9821a; FRL-6125-8] received July 21, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10345. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Implementation Plans and Redesignation of the South Coast Air Basin in California to Attainment for Nitrogen Dioxide [CA-189-0078 (a); #FRL-6127-1] received July 21, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10346. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approval Numbers Under the Paperwork Reduction Act: Technical Correction [FRL-6125-1] received July 21, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10347. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Promulgation of Federal Implementation Plan for Arizona—Phoenix PM-10 Moderate Area; Disapproval of State Implementation Plan for Arizona—Phoenix PM-10 Moderate Area [FRL-6129-4] (RIN: 2060-ZA02) received July 21, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10348. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Michigan: Withdrawal of Direct Final Rule [MI67-01-7275; FRL-6128-6] received July 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10349. 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 (Pauls Valley, Ratliff City, and Sulphur, Oklahoma, Abilene, Bowie, Highland Village, Mount Pleasant, and Overton, Texas [MM Docket No. 97-84; RM-9021; RM-9095] received July 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10350. A letter from the AMD—Performance Evaluation and Records Management, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Telecommunications Act of 1996, Amendment of Rules Governing Procedures to Be Followed When Formal Complaints are Filed Against Common Carriers [CC Docket No. 96-238] received July 22, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10351. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Adjustment of the Maximum Retrospective Deferred Premium (RIN: 3150-AG01) received July 21, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

10352. A letter from the Secretary of Energy, transmitting a report on the effect of the U.S./Russian Highly Enriched Uranium Agreement on domestic uranium mining,

conversion, and enrichment industries through April 1998; to the Committee on Commerce.

10353. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with Taiwan [DTC 1-98] received July 20, 1998, pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

10354. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed Manufacturing License Agreement with the United Kingdom [DTC 17-98] received July 21, 1998, pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

10355. A letter from the Secretary of the Interior, transmitting the 26th and 27th Annual Reports on the operation during water years 1996 and 1997 for the reservoirs along the Colorado River, pursuant to 43 U.S.C. 1544; to the Committee on Resources.

10356. A letter from the Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery of the Gulf of Mexico; Texas Closure [I.D. 070298E] received July 21, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

10357. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on plans to establish a program to support the Iraqi democratic opposition; jointly to the Committees on International Relations and Appropriations.

10358. A letter from the Secretary of Health and Human Services, transmitting a report on Medicare coverage of lung volume reduction surgery (LVRS); jointly to the Committees on Commerce, Ways and Means, and Appropriations.

¶76.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate passed a bill of the following title, in which concurrence of the House is requested.

S. 2206. An Act to amend the Head Start Act, the Low-Income Home Energy Assistance Act of 1981, and the Community Services Block Grant Act to reauthorize and make improvements to those Acts, to establish demonstration projects that provide an opportunity for persons with limited means to accumulate assets, and for other purposes.

¶76.5 RECESS—10:17 A.M.

The SPEAKER pro tempore, Mr. BURR, pursuant to clause 12 of rule I, declared the House in recess until approximately 11:30 a.m.

¶76.6 AFTER RECESS—11:30 A.M.

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

¶76.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. BURR, laid before the House a communication, which was read as follows:

¶76.8 CALL OF THE HOUSE

On motion of Mr. CALVERT, a call of the House was ordered.

The call was taken by electronic device, and the following-named Members responded—

¶76.9 [Roll No. 341]

Abercrombie  
Ackerman  
Aderholt  
Allen  
Andrews  
Arney  
Bachus  
Baesler  
Baker  
Baldacci  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Barrett (WI)  
Bartlett  
Bass  
Bentsen  
Bereuter  
Berman  
Berry  
Bilbray  
Bilirakis  
Bishop  
Blagojevich  
Bliley  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonior  
Borski  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Brady (TX)  
Brown (FL)  
Brown (OH)  
Bryant  
Bunning  
Burr  
Calvert  
Camp  
Campbell  
Canady  
Capps  
Cardin  
Carson  
Castle  
Chabot  
Chambliss  
Chenoweth  
Christensen  
Clay  
Clayton  
Clement  
Clyburn  
Coble  
Coburn  
Collins  
Combest  
Condit  
Cook  
Cooksey  
Costello  
Coyne  
Cramer  
Crane  
Crapo  
Cubin  
Cummings  
Cunningham  
Danner  
Davis (FL)  
Davis (IL)  
Davis (VA)  
Deal  
DeFazio  
DeGette  
DeLahunt  
DeLay  
Deutsch  
Diaz-Balart  
Dingell  
Dixon  
Doggett  
Doolittle  
Doyle  
Dreier  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Engel  
English  
Ensign  
Eshoo

Etheridge  
Evans  
Everett  
Ewing  
Farr  
Fattah  
Fazio  
Filner  
Foley  
Forbes  
Ford  
Fossella  
Fowler  
Fox  
Franks (NJ)  
Frelinghuysen  
Frost  
Furse  
Gallegly  
Ganske  
Gejdenson  
Gephardt  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Goode  
Goodlatte  
Goodling  
Gordon  
Goss  
Graham  
Green  
Gutierrez  
Gutknecht  
Hall (TX)  
Hamilton  
Hansen  
Harman  
Hastert  
Hastings (FL)  
Hayworth  
Hefner  
Hill  
Hilleary  
Hilliard  
Hinche  
Hobson  
Hoekstra  
Holden  
Hooley  
Horn  
Hostettler  
Houghton  
Hoyer  
Hulshof  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Jackson (IL)  
Jackson-Lee (TX)  
Jenkins  
John  
Johnson (CT)  
Johnson (WI)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Kanjorski  
Kaptur  
Kasich  
Kelly  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kilpatrick  
Kim  
Kind (WI)  
King (NY)  
Kingston  
Klecza  
Klink  
Klug  
Knollenberg  
Kolbe  
Kucinich  
LaFalce  
LaHood  
Lampson  
Lantos  
Largent  
Latham  
LaTourrette  
Lazio  
Leach

Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
Livingston  
LoBiondo  
Lofgren  
Lowey  
Lucas  
Luther  
Maloney (CT)  
Maloney (NY)  
Manton  
Manzullo  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCrery  
McDermott  
McGovern  
McHale  
McHugh  
McIntosh  
McKeon  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Metkalf  
Millender-  
McDonald  
Miller (CA)  
Miller (FL)  
Minge  
Mink  
Moakley  
Mollohan  
Moran (KS)  
Moran (VA)  
Morella  
Murtha  
Myrick  
Neal  
Nethercutt  
Neumann  
Ney  
Northrup  
Norwood  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Owens  
Oxley  
Packard  
Pallone  
Pappas  
Parker  
Pascrell  
Pastor  
Paul  
Paxon  
Payne  
Pease  
Pelosi  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickett  
Pitts  
Pombo  
Pomeroy  
Porter  
Portman  
Pryce (OH)  
Quinn  
Rahall  
Ramstad  
Rangel  
Redmond  
Regula  
Reyes  
Riggs  
Riley  
Rivers  
Rodriguez  
Roemer  
Rogan  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rothman

Roukema  
Roybal-Allard  
Royce  
Rush  
Ryun  
Sabo  
Salmon  
Sanchez  
Sanders  
Sandlin  
Sawyer  
Saxton  
Schaefer, Dan  
Schaffer, Bob  
Scott  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Shimkus  
Sisisky  
Skaggs  
Skeen  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (OR)  
Smith (TX)  
Smith, Adam  
Smith, Linda  
Snowbarger  
Snyder  
Solomon  
Stokes  
Strickland  
Stump  
Stupak  
Sununu  
Talent  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Thomas  
Thornberry  
Thune  
Thurman  
Tiahrt  
Tierney  
Torres  
Traficant  
Turner  
Upton  
Velazquez  
Vento  
Visclosky  
Walsh  
Wamp  
Waters  
Watt (NC)  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Weygand  
White  
Whitfield  
Wilson  
Wise  
Wolf  
Woolsey  
Wynn  
Yates

Thereupon, the SPEAKER pro tempore, Mr. BURR, announced that 378 Members had been recorded, a quorum.

¶76.10 RECESS—11:56 A.M.

The SPEAKER pro tempore, Mr. BURR, pursuant to clause 12 of rule I, declared the House in recess at 11 o'clock and 56 minutes a.m., until approximately 1 o'clock p.m.

¶76.11 AFTER RECESS—1 P.M.

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

¶76.12 PROVIDING FOR THE CONSIDERATION OF H.R. 4328

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 105-651) the resolution (H. Res. 510) providing for the consideration of the bill (H.R. 4328) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶76.13 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 629

Mr. DREIER, by direction of the Committee on Rules, reported (Rept. No. 105-652) the resolution (H. Res. 511) waiving points of order against the conference report to accompany the bill (H.R. 629) to grant the consent of the Congress to the Texas Low-Level Radioactive Waste Disposal Compact.

When said resolution and report were referred to the House Calendar and ordered printed.

¶76.14 MOTION TO ADJOURN

Mr. GUTKNECHT moved that the House adjourn in honor of the memory of the late Detective John Michael Gibson and Officer Jacob Joseph Chestnut.

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

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

Mr. GUTKNECHT demanded that the vote be taken by the yeas and nays, which demand was supported by one-