

authorized by the Commission, take any action which the Commission is authorized to take by this section.

(c) GIFTS, BEQUESTS, AND DEVICES.—The Commission may accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of aiding or facilitating the work of the Commission.

(d) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(e) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this Act.

(f) IMMUNITY.—The Commission is an agency of the United States for the purpose of part V of title 18, United States Code (relating to immunity of witnesses).

**SEC. 7. REPORT.**

As soon as practicable after reaching its last decision under section 4, the Commission shall submit to the President and the Congress a report containing each decision, including the recommendation of the Commission regarding whether certain community land grants should be reconstituted, so that the Congress may act upon the recommendations.

**SEC. 8. TERMINATION.**

The Commission shall terminate on 180 days after submitting its final report under section 7.

**SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated \$1,000,000 for each of the fiscal years 1999 through 2007 for the purpose of carrying out the activities of the Commission and to establish and operate the Community Land Grant Study Center under section 5.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*, Will the House pass said bill?

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

Mr. MILLER of California 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 ..... 223  
Nays ..... 187

186.9

[Roll No. 421]  
YEAS—223

Aderholt	Bryant	Cook
Archer	Bunning	Cooksey
Armey	Burr	Cox
Bachus	Burton	Crane
Baker	Buyer	Crapo
Ballenger	Callahan	Cubin
Barrett (NE)	Calvert	Cunningham
Bartlett	Camp	Davis (IL)
Barton	Campbell	Davis (VA)
Bass	Canady	Deal
Bateman	Castle	DeLay
Bereuter	Chabot	Diaz-Balart
Bilbray	Chambliss	Dickey
Bilirakis	Chenoweth	Dixon
Bliley	Christensen	Doolittle
Blunt	Coble	Dreier
Boehkert	Coburn	Duncan
Boehner	Collins	Dunn
Bonilla	Combest	Ehlers
Bono	Condit	Ehrlich
Brady (TX)	Conyers	Emerson

English	Kolbe	Rohrabacher
Ensign	Latham	Ros-Lehtinen
Everett	LaTourette	Roukema
Ewing	Lazio	Ryun
Fawell	Leach	Saxton
Foley	Lewis (CA)	Scarborough
Forbes	Lewis (KY)	Schaefer, Dan
Fossella	Linder	Schaffer, Bob
Fowler	Livingston	Sensenbrenner
Fox	LoBiondo	Serrano
Franks (NJ)	Lucas	Sessions
Frelinghuysen	Manzullo	Shaw
Galleghy	McCollum	Shays
Gekas	McCrary	Shimkus
Gibbons	McHugh	Shuster
Gilchrest	McInnis	Skeen
Gillmor	McIntosh	Smith (MI)
Gilman	McKeon	Smith (NJ)
Gingrich	Metcaif	Smith (OR)
Goodling	Mica	Smith (TX)
Goss	Miller (FL)	Smith, Linda
Graham	Moran (KS)	Snowbarger
Granger	Morella	Solomon
Greenwood	Myrick	Souder
Gutknecht	Nethercutt	Spence
Hansen	Neumann	Stearns
Hastert	Ney	Stump
Hastings (WA)	Northup	Sununu
Hayworth	Norwood	Talent
Hefley	Nussle	Taylor (NC)
Hergert	Oxley	Thomas
Hill	Packard	Thornberry
Hilleary	Pappas	Thune
Hobson	Parker	Tiahrt
Hoekstra	Paul	Torres
Horn	Paxon	Traficant
Hostettler	Pease	Visclosky
Houghton	Peterson (PA)	Walsh
Hulshof	Petri	Wamp
Hunter	Pickering	Waters
Hutchinson	Pickett	Watkins
Hyde	Pitts	Watts (OK)
Inglis	Pombo	Weldon (FL)
Istook	Porter	Weldon (PA)
Jenkins	Portman	Weller
Johnson (CT)	Quinn	White
Johnson, Sam	Radanovich	Whitfield
Jones	Rangel	Wicker
Kelly	Redmond	Wilson
Kim	Regula	Wolf
King (NY)	Riggs	Yates
Kingston	Riley	Young (FL)
Klug	Rogan	
Knollenberg	Rogers	

NAYS—187

Abercrombie	Engel	Kucinich
Ackerman	Eshoo	LaFalce
Allen	Etheridge	Lampson
Andrews	Evans	Lantos
Baesler	Farr	Largent
Baldacci	Fattah	Lee
Barr	Fazio	Levin
Barrett (WI)	Filner	Lewis (GA)
Becerra	Ford	Lipinski
Bentsen	Frank (MA)	Lofgren
Berman	Frost	Lowe
Bishop	Ganske	Luther
Blagojevich	Gejdenson	Maloney (CT)
Blumenauer	Goode	Maloney (NY)
Bonior	Goodlatte	Manton
Borski	Gordon	Markey
Boswell	Green	Martinez
Boucher	Gutierrez	Mascara
Boyd	Hall (OH)	Matsui
Brady (PA)	Hall (TX)	McCarthy (MO)
Brown (FL)	Hamilton	McCarthy (NY)
Brown (OH)	Harman	McDermott
Capps	Hastings (FL)	McGovern
Cardin	Hilliard	McHale
Carson	Hinche	McIntyre
Clay	Hinojosa	McKinney
Clayton	Holden	McNulty
Clement	Hooley	Meehan
Clyburn	Hoyer	Meek (FL)
Costello	Jackson (IL)	Meeks (NY)
Coyne	Jackson-Lee	Menendez
Cramer	(TX)	Millender-
Cummings	Jefferson	McDonald
Danner	John	Miller (CA)
Davis (FL)	Johnson (WI)	Minge
DeFazio	Johnson, E. B.	Mink
DeGette	Kanjorski	Mollohan
DeLahunt	Kaptur	Moran (VA)
DeLauro	Kennedy (RI)	Murtha
Deutsch	Kildee	Nadler
Dicks	Kilpatrick	Neal
Doggett	Kind (WI)	Oberstar
Doyle	Kleczka	Ober
Edwards	Klink	Olver

Ortiz	Sabo	Stokes
Owens	Salmon	Strickland
Pallone	Sanchez	Stupak
Pascrell	Sanders	Tanner
Pastor	Sandlin	Tauscher
Payne	Sanford	Taylor (MS)
Pelosi	Sawyer	Thompson
Peterson (MN)	Scott	Thurman
Pomeroy	Shadegg	Tierney
Price (NC)	Sherman	Turner
Rahall	Skaggs	Upton
Ramstad	Skelton	Velazquez
Reyes	Slaughter	Vento
Rivers	Smith, Adam	Watt (NC)
Rodriguez	Snyder	Waxman
Roemer	Spratt	Wexler
Rothman	Stabenow	Weygand
Roybal-Allard	Stark	Woolsey
Royce	Stenholm	Wynn

NOT VOTING—25

Barcia	Hefner	Rush
Berry	Kasich	Schumer
Brown (CA)	Kennedy (MA)	Sisisky
Cannon	Kennelly	Tauzin
Dingell	LaHood	Towns
Dooley	McDade	Wise
Furse	Moakley	Young (AK)
Gephardt	Poshard	
Gonzalez	Pryce (OH)	

So the bill was passed.

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

Ordered, That the Clerk request the concurrence of the Senate in said bill.

186.10 PROVIDING FOR THE CONSIDERATION OF H.R. 3892

Mr. GOSS, by direction of the Committee on Rules, called up the following resolution (H. Res. 516):

*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. 3892) to amend the Elementary and Secondary Education Act of 1965 to establish a program to help children and youth learn English, and for other purposes. 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 Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule for a period not to exceed three hours and, thereafter, as provided in section 2 of this resolution. 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 Education and the Workforce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Before consideration of any other amendment it shall be in order to consider the amendment printed in the Congressional Record and numbered 1 pursuant to clause 6 of rule XXIII, if offered by Representative Riggs of California or his designee. That amendment shall be considered as read, be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. If that amendment is adopted, the provisions of the amendment in the nature of a substitute as then perfected shall be considered as original text for the purpose of further amendment under the five-minute rule. After disposition of the amendment numbered 1, it shall be in order to consider the amendment printed in the Congressional Record and numbered 2 pursu-

ant to clause 6 of rule XXIII, if offered by Representative Riggs of California or his designee, which shall be considered as read. That amendment and all amendments there-to shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent. During consideration of the bill for further 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 minimum time for electronic voting on the first in any series of questions shall be 15 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 amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. After consideration of the bill for amendment under the five minute rule for three hours pursuant to the first section of this resolution, no further amendment to the amendment in the nature of a substitute made in order as original text shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Each further amendment may be offered only by the Member who caused it to be printed or a designee and shall be considered as read. Each further amendment and all amendments thereto shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

When said resolution was considered.

After debate,

On motion of Mr. GOSS, 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.

§86.11 INTELLIGENCE AUTHORIZATION

On motion of Mr. GOSS, by unanimous consent and pursuant to clause 1 of rule XX), the bill (H.R. 3694) to authorize appropriations for fiscal year 1999 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. GOSS, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the

Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

Thereupon, the SPEAKER pro tempore, Mr. SUNUNU, by unanimous consent, appointed the following Members as managers on the part of the House at said conference:

From the Permanent Select Committee on Intelligence, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. GOSS, YOUNG of Florida, LEWIS of California, SHUSTER, MCCOLLUM, CASTLE, BOEHLERT, BASS, GIBBONS, DICKS, DIXON, SKAGGS, Ms. PELOSI, Ms. HARMAN, Messrs. SKELTON and BISHOP.

From the Committee on National Security, for consideration of the House bill and Senate amendment, and modifications committed to conference:

Messrs. SPENCE, STUMP and Ms. SANCHEZ.

Ordered, That the Clerk notify the Senate thereof.

§86.12 ENGLISH LANGUAGE FLUENCY

The SPEAKER pro tempore, Mr. SUNUNU, pursuant to House Resolution 516 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. 3892) to amend the Elementary and Secondary Education Act of 1965 to establish a program to help children and youth learn English, and for other purposes.

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

§86.13 RECORDED VOTE

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

Amendment submitted by Mr. MARTINEZ:

In the matter proposed to be inserted by the amendment on page 17, after line 3, of the bill, strike "learners." and insert "learners, except if necessary for the eligible entity to comply with Federal law (including a Federal court order)."

Amendment submitted by Mr. RIGGS:

Page 16, line 16, strike "and".

Page 17, line 3, strike "students." and insert "students; and".

Page 17, after line 3, insert the following: "(F) the eligible entity is not in violation of any State law, including State constitutional law, regarding the education of English language learners."

It was decided in the { Yeas ..... 205  
negative ..... } Nays ..... 208

§86.14 [Roll No. 422]

AYES—205

Abercrombie	Andrews	Barrett (WI)
Ackerman	Baesler	Becerra
Allen	Baldacci	Bentsen

Berman	Hinojosa	Obey
Bilirakis	Holden	Oliver
Bishop	Hooley	Ortiz
Blagojevich	Horn	Owens
Blumenauer	Houghton	Pallone
Bonior	Hoyer	Pascrell
Borski	Jackson (IL)	Pastor
Boswell	Jackson-Lee	Payne
Boucher	(TX)	Pelosi
Boyd	Jefferson	Peterson (MN)
Brady (PA)	John	Pomeroy
Brown (CA)	Johnson (CT)	Price (NC)
Brown (FL)	Johnson (WI)	Rahall
Brown (OH)	Kanjorski	Ramstad
Campbell	Kaptur	Rangel
Capps	Kennedy (MA)	Redmond
Cardin	Kennedy (RI)	Reyes
Carson	Kildee	Rivers
Clay	Kilpatrick	Rodriguez
Clayton	Kind (WI)	Roemer
Clement	Kleczka	Ros-Lehtinen
Clyburn	Klink	Rothman
Condit	Kucinich	Roybal-Allard
Conyers	LaFalce	Rush
Costello	Lampson	Sabo
Coyne	Lantos	Sanchez
Cramer	Leach	Sanders
Cummings	Lee	Sandlin
Danner	Levin	Sawyer
Davis (FL)	Lewis (CA)	Scott
Davis (IL)	Lewis (GA)	Serrano
DeFazio	Lofgren	Sherman
DeGette	Lowey	Sisisky
Delahunt	Luther	Skaggs
DeLauro	Maloney (CT)	Skeen
Deutsch	Maloney (NY)	Skelton
Diaz-Balart	Manton	Slaughter
Dicks	Markey	Smith, Adam
Dingell	Martinez	Snyder
Dixon	Mascara	Spratt
Doggett	Matsui	Stabenow
Dooley	McCarthy (MO)	Stark
Doyle	McCarthy (NY)	Stenholm
Edwards	McDermott	Stokes
Engel	McHale	Strickland
Eshoo	McIntyre	Stupak
Etheridge	McKinney	Tanner
Evans	McNulty	Tauscher
Farr	Meehan	Taylor (MS)
Fattah	Meek (FL)	Thompson
Fazio	Meeke (NY)	Thurman
Filner	Menendez	Tierney
Ford	Millender-	Torres
Frank (MA)	McDonald	Trafficant
Frost	Miller (CA)	Turner
Gejdenson	Minge	Velazquez
Gordon	Mink	Vento
Green	Moakley	Visclosky
Gutierrez	Mollohan	Waters
Hall (OH)	Moran (VA)	Watt (NC)
Hamilton	Morella	Waxman
Harman	Murtha	Wexler
Hastings (FL)	Nadler	Weygand
Hefner	Neal	Woolsey
Hilliard	Ney	Wynn
Hinche	Oberstar	Yates

NOES—208

Aderholt	Chenoweth	Fox
Armey	Christensen	Franks (NJ)
Bachus	Coble	Frelinghuysen
Baker	Coburn	Galleghy
Ballenger	Collins	Ganske
Barr	Combest	Gekas
Barrett (NE)	Cook	Gibbons
Bartlett	Cooksey	Gilchrest
Barton	Cox	Gillmor
Bass	Crane	Gilman
Bateman	Crapo	Goode
Bereuter	Cubin	Goodlatte
Bilbray	Cunningham	Goodling
Bliley	Davis (VA)	Goss
Blunt	Deal	Graham
Boehlert	DeLay	Granger
Boehner	Dickey	Greenwood
Bonilla	Doolittle	Gutknecht
Bono	Dreier	Hall (TX)
Brady (TX)	Duncan	Hansen
Bryant	Dunn	Hastert
Bunning	Ehlers	Hastings (WA)
Burton	Emerson	Hayworth
Buyer	English	Hefley
Callahan	Ensign	Herger
Calvert	Everett	Hill
Camp	Ewing	Hilleary
Canady	Fawell	Hobson
Cannon	Foley	Hoekstra
Castle	Forbes	Hostetler
Chabot	Fossella	Hulshoff
Chambliss	Fowler	Hutchinson