

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMMONS) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1634

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 1, MEDICARE PRESCRIPTION DRUG AND MODERNIZATION ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on H.R. 1 offered by the gentleman from California (Mrs. CAPPES), on which the yeas and nays were ordered.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from California (Mrs. CAPPES).

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 197, nays 209, not voting 28, as follows:

[Roll No. 615]

YEAS—197

Abercrombie	Edwards	Lewis (GA)
Alexander	Emanuel	Lofgren
Allen	Engel	Lowey
Andrews	Eshoo	Lucas (KY)
Baca	Etheridge	Lynch
Baird	Evans	Majette
Baldwin	Farr	Maloney
Ballance	Fattah	Markey
Becerra	Filner	Marshall
Bell	Ford	Matheson
Berkley	Frank (MA)	Matsui
Berman	Frost	McCarthy (MO)
Berry	Gonzalez	McCarthy (NY)
Bishop (GA)	Gordon	McCollum
Bishop (NY)	Green (TX)	McDermott
Blumenauer	Grijalva	McGovern
Boehlert	Hall	McHugh
Boswell	Harman	McNulty
Boucher	Hill	Meehan
Boyd	Hinchee	Meek (FL)
Brady (PA)	Hinojosa	Meeks (NY)
Brown (OH)	Hoefl	Menendez
Brown, Corrine	Holden	Michaud
Cappes	Holt	Millender-
Capuano	Honda	McDonald
Cardin	Hoolley (OR)	Miller (NC)
Cardoza	Hoyer	Miller, George
Carson (IN)	Inslee	Mollohan
Carson (OK)	Israel	Moore
Case	Jackson (IL)	Moran (VA)
Clay	Jackson-Lee	Murtha
Clyburn	(TX)	Nadler
Conyers	Janklow	Napolitano
Cooper	Jefferson	Norwood
Costello	John	Oberstar
Cramer	Johnson, E. B.	Obey
Crowley	Kanjorski	Olver
Cummings	Kaptur	Owens
Davis (AL)	Kennedy (RI)	Pallone
Davis (CA)	Kildee	Pascrell
Davis (FL)	Kind	Pastor
Davis (IL)	Kleczka	Payne
Davis (TN)	Kucinich	Pelosi
DeFazio	LaHood	Pomeroy
DeGette	Lampson	Price (NC)
Delahunt	Langevin	Quinn
DeLauro	Lantos	Rahall
Deutsch	Larsen (WA)	Rodriguez
Dicks	Larson (CT)	Ross
Dingell	Leach	Rothman
Doggett	Lee	Roybal-Allard
Doyle	Levin	Ruppersberger

Rush	Slaughter	Turner (TX)
Ryan (OH)	Smith (WA)	Udall (CO)
Sabo	Snyder	Udall (NM)
Sanchez, Linda	Solis	Van Hollen
T.	Spratt	Velazquez
Sanchez, Loretta	Stark	Visclosky
Sanders	Stenholm	Waters
Sandlin	Strickland	Watson
Schakowsky	Stupak	Watt
Schiff	Tanner	Waxman
Scott (GA)	Tauscher	Weiner
Scott (VA)	Taylor (MS)	Wexler
Serrano	Thompson (CA)	Woolsey
Sherman	Thompson (MS)	Wu
Skelton	Tierney	

NAYS—209

Aderholt	Garrett (NJ)	Pearce
Akin	Gerlach	Pence
Baker	Gibbons	Peterson (MN)
Balleger	Gilchrest	Peterson (PA)
Barrett (SC)	Gillmor	Petri
Bartlett (MD)	Gingrey	Pickering
Barton (TX)	Goode	Pitts
Bass	Goodlatte	Platts
Beauprez	Granger	Pombo
Bereuter	Graves	Porter
Biggert	Green (WI)	Portman
Bilirakis	Greenwood	Pryce (OH)
Blackburn	Hart	Putnam
Blunt	Hastings (WA)	Radanovich
Boehner	Hayes	Ramstad
Bonilla	Hayworth	Regula
Bonner	Hefley	Rehberg
Bono	Hensarling	Renzi
Boozman	Herger	Reynolds
Bradley (NH)	Hobson	Rogers (AL)
Brady (TX)	Hoekstra	Rogers (KY)
Brown (SC)	Hostettler	Rogers (MI)
Brown-Waite,	Houghton	Rohrabacher
Ginny	Hulshof	Ros-Lehtinen
Burgess	Hunter	Royce
Burns	Hyde	Ryan (WI)
Burr	Isakson	Ryun (KS)
Burton (IN)	Issa	Saxton
Buyer	Istook	Sensenbrenner
Calvert	Johnson (CT)	Sessions
Camp	Johnson (IL)	Shadegg
Cannon	Johnson, Sam	Shaw
Cantor	Jones (NC)	Shays
Capito	Keller	Sherwood
Carter	Kelly	Shimkus
Castle	Kennedy (MN)	Shuster
Chabot	King (IA)	Simmons
Chocola	King (NY)	Simpson
Coble	Kingston	Smith (MI)
Cole	Kirk	Smith (NJ)
Collins	Kline	Smith (TX)
Cox	Knollenberg	Souder
Crane	Kolbe	Stearns
Crenshaw	Latham	Sullivan
Cubin	LaTourette	Sweeney
Culberson	Lewis (CA)	Tancredo
Cunningham	Lewis (KY)	Tauzin
Davis, Jo Ann	Linder	Taylor (NC)
DeLay	LoBiondo	Terry
DeMint	Lucas (OK)	Thomas
Diaz-Balart, L.	McCotter	Thornberry
Diaz-Balart, M.	McCrery	Tiahrt
Doolittle	McKeon	Tiberi
Dreier	Mica	Toomey
Duncan	Miller (FL)	Turner (OH)
Dunn	Miller (MI)	Upton
Ehlers	Miller, Gary	Vitter
Emerson	Moran (KS)	Walden (OR)
English	Murphy	Walsh
Everett	Musgrave	Wamp
Feeney	Myrick	Weldon (FL)
Ferguson	Nethercutt	Weldon (PA)
Flake	Neugebauer	Weller
Foley	Ney	Whitfield
Forbes	Northup	Wicker
Fossella	Nunes	Wilson (NM)
Franks (AZ)	Osborne	Wilson (SC)
Frelinghuysen	Ose	Wolf
Galleghy	Otter	Young (AK)
	Oxley	Young (FL)

NOT VOTING—28

Ackerman	Harris	Nussle
Bachus	Hastings (FL)	Ortiz
Bishop (UT)	Jenkins	Paul
Deal (GA)	Jones (OH)	Rangel
Dooley (CA)	Kilpatrick	Reyes
Fletcher	Lipinski	Schrock
Gephardt	Manzullo	Towns
Goss	McInnis	Wynn
Gutierrez	McIntyre	
Gutknecht	Neal (MA)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1642

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GUTIERREZ. Mr. Speaker, I was inadvertently absent from this Chamber today, November 6, 2003, and missed rollcall vote 615. I would like the Record to show that, had I been present in this Chamber, I would have voted "yea."

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, due to personal business, I was unable to record my vote on four votes ordered for today. Had I been present I would have voted "no" on the amendment offered by Representative GREEN to H.R. 1829, rollcall No. 610; "no" on the amendment offered by Representative JACKSON-LEE to H.R. 1829, rollcall No. 611; "aye" on final passage of H.R. 1829, the Federal Prisons Industries Act, rollcall No. 612; and "aye" on the motion offered by Representative DELAURO to instruct conferees to H.R. 2660, the bill making appropriations for the Departments of Labor, Health and Human Services and Education for Fiscal Year 2004, rollcall No. 613; on the motion to instruct; "aye" on the motion offered by Representative BECERRA to instruct conferees to H.R. 1308, child tax credit legislation, rollcall No. 614; and "aye" on the motion offered by Representative CAPPES to instruct conferees on H.R. 1, Medicare reform legislation, rollcall No. 615.

PERSONAL EXPLANATION

Mr. GOSS. Mr. Speaker, on rollcall Nos. 613, 614, and 615, I was unavoidably detained. Had I been present, I would have voted "nay" on all 3 motions.

AUTHORIZING VISITOR CENTER FOR VIETNAM VETERANS MEMORIAL

Mr. POMBO. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1442) to authorize the design and construction of a visitor center for the Vietnam Veterans Memorial, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

TITLE I—VIETNAM VETERANS MEMORIAL VISITOR CENTER

SEC. 101. VISITOR CENTER

Public Law 96-297 (16 U.S.C. 431 note) is amended by adding at the end the following:

“SEC. 6. VISITOR CENTER.

“(a) AUTHORIZATION.—

“(1) IN GENERAL.—The Vietnam Veterans Memorial Fund, Inc., is authorized to construct a

visitor center at or near the Vietnam Veterans Memorial on Federal land in the District of Columbia, or its environs, subject to the provisions of this section, in order to better inform and educate the public about the Vietnam Veterans Memorial and the Vietnam War.

“(2) LOCATION.—The visitor center shall be located underground.

“(3) CONSULTATION ON DESIGN PHASE.—The Vietnam Veterans Memorial Fund, Inc. shall consult with educators, veterans groups, and the National Park Service in developing the proposed design of the visitor center.

“(b) COMPLIANCE WITH STANDARDS APPLICABLE TO COMMEMORATIVE WORKS.—Chapter 89 of title 40, United States Code, shall apply, including provisions related to the siting, design, construction, and maintenance of the visitor center, and the visitor center shall be considered a commemorative work for the purposes of that Act, except that—

“(1) final approval of the visitor center shall not be withheld;

“(2) the provisions of subsections (b) and (c) of section 8908 of title 40, United States Code, requiring further approval by law for the location of a commemorative work within Area I and prohibiting the siting of a visitor center within the Reserve shall not apply;

“(3) the size of the visitor center shall be limited to the minimum necessary—

“(A) to provide for appropriate educational and interpretive functions; and

“(B) to prevent interference or encroachment on the Vietnam Veterans Memorial and to protect open space and visual sightlines on the Mall; and

“(4) the visitor center shall be constructed and landscaped in a manner harmonious with the site of the Vietnam Veterans Memorial, consistent with the special nature and sanctity of the Mall.

“(c) OPERATION AND MAINTENANCE.—

“(1) IN GENERAL.—The Secretary of the Interior shall—

“(A) operate and maintain the visitor center, except that the Secretary shall enter into a written agreement with the Vietnam Veterans Memorial Fund, Inc. for specified maintenance needs of the visitor center, as determined by the Secretary; and

“(B) as soon as practicable, in consultation with educators and veterans groups, develop a written interpretive plan for the visitor center in accordance with National Park Service policy.

“(2) DONATION FOR PERPETUAL MAINTENANCE AND PRESERVATION.—Paragraph (1)(A) does not waive the requirements of section 8906(b) of title 40, United States Code, with respect to the visitor center.

“(d) FUNDING.—The Vietnam Veterans Memorial Fund, Inc. shall be solely responsible for acceptance of contributions for, and payment of expenses of, the establishment of the visitor center. No Federal funds shall be used to pay any expense of the establishment of the visitor center.”

TITLE II—COMMEMORATIVE WORKS

SEC. 201. SHORT TITLE.

This title may be cited as the “Commemorative Works Clarification and Revision Act of 2003”.

SEC. 202. ESTABLISHMENT OF RESERVE.

(a) FINDINGS.—Congress finds that—

(1) the great cross-axis of the Mall in the District of Columbia, which generally extends from the United States Capitol to the Lincoln Memorial, and from the White House to the Jefferson Memorial, is a substantially completed work of civic art; and

(2) to preserve the integrity of the Mall, a reserve area should be designated within the core of the great cross-axis of the Mall where the siting of new commemorative works is prohibited.

(b) RESERVE.—Section 8908 of title 40, United States Code, is amended by adding at the end the following:

“(c) RESERVE.—After the date of enactment of the Commemorative Works Clarification and Revision Act of 2003, no commemorative work or visitor center shall be located within the Reserve.”

SEC. 203. CLARIFYING AND CONFORMING AMENDMENTS.

(a) PURPOSES.—Section 8901(2) of title 40, United States Code, is amended by striking “Columbia;” and inserting “Columbia and its environs, and to encourage the location of commemorative works within the urban fabric of the District of Columbia;”

(b) DEFINITIONS.—Section 8902 of title 40, United States Code, is amended by striking subsection (a) and inserting the following:

“(a) DEFINITIONS.—In this chapter:

“(1) COMMEMORATIVE WORK.—The term ‘commemorative work’ means any statue, monument, sculpture, memorial, plaque, inscription, or other structure or landscape feature, including a garden or memorial grove, designed to perpetuate in a permanent manner the memory of an individual, group, event or other significant element of American history, except that the term does not include any such item which is located within the interior of a structure or a structure which is primarily used for other purposes.

“(2) THE DISTRICT OF COLUMBIA AND ITS ENVIRONS.—The term ‘the District of Columbia and its environs’ means those lands and properties administered by the National Park Service and the General Services Administration located in the Reserve, Area I, and Area II as depicted on the map entitled ‘Commemorative Areas Washington, DC and Environs’, numbered 869/86501 B, and dated June 24, 2003.

“(3) RESERVE.—The term ‘Reserve’ means the great cross-axis of the Mall, which generally extends from the United States Capitol to the Lincoln Memorial, and from the White House to the Jefferson Memorial, as depicted on the map referenced in paragraph (2).

“(4) SPONSOR.—The term ‘sponsor’ means a public agency, or an individual, group or organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code, and which is authorized by Congress to establish a commemorative work in the District of Columbia and its environs.”

(c) AUTHORIZATION.—Section 8903 of title 40, United States Code, is amended—

(1) in subsection (b)—

(A) by striking “work commemorating a lesser conflict” and inserting “work solely commemorating a limited military engagement”; and

(B) by striking “the event” and inserting “such war or conflict”;

(2) in subsection (d)—

(A) by striking “CONSULTATION WITH NATIONAL CAPITAL MEMORIAL ADVISORY COMMISSION.—” and inserting “CONSULTATION WITH NATIONAL CAPITAL MEMORIAL ADVISORY COMMISSION.—”;

(B) by striking “House Administration” and inserting “Resources”; and

(C) by inserting “Advisory” before “Commission”; and

(3) by striking subsection (e) and inserting the following:

“(e) EXPIRATION OF LEGISLATIVE AUTHORITY.—Any legislative authority for a commemorative work shall expire at the end of the seven-year period beginning on the date of the enactment of such authority, or at the end of the seven-year period beginning on the date of the enactment of legislative authority to locate the commemorative work within Area I, if such additional authority has been granted, unless—

“(1) the Secretary of the Interior or the Administrator of General Services (as appropriate) has issued a construction permit for the commemorative work during that period; or

“(2) the Secretary or the Administrator (as appropriate), in consultation with the National Capital Memorial Advisory Commission, has made a determination that—

“(A) final design approvals have been obtained from the National Capital Planning Commission and the Commission of Fine Arts; and

“(B) 75 percent of the amount estimated to be required to complete the commemorative work has been raised.

If these two conditions have been met, the Secretary or the Administrator (as appropriate) may extend the seven-year legislative authority for a period not to exceed three additional years. Upon expiration of the legislative authority, any previous site and design approvals shall also expire.”

(d) NATIONAL CAPITAL MEMORIAL ADVISORY COMMISSION.—Section 8904 of title 40, United States Code, is amended—

(1) in the heading, by inserting “Advisory” before “Commission”;

(2) in subsection (a), by striking “There is a National” and all that follows through “consists of” and inserting the following: “There is established the National Capital Memorial Advisory Commission, which shall be composed of”;

(3) in subsection (c)—

(A) by inserting “Advisory” before “Commission shall”; and

(B) by striking “Services” and inserting “Services (as appropriate)”;

(4) in subsection (d) by inserting “Advisory” before “Commission”;

(e) SITE AND DESIGN APPROVAL.—Section 8905 of title 40, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “person” each place it appears and inserting “sponsor”; and

(B) in paragraph (1)—

(i) by inserting “Advisory” before “Commission”; and

(ii) by striking “designs” and inserting “design concepts”; and

(2) in subsection (b)—

(A) by striking “Secretary, and Administrator” and inserting “and the Secretary or Administrator (as appropriate)”; and

(B) in paragraph (2)(B), by striking, “open space and existing public use.” and inserting “open space, existing public use, and cultural and natural resources.”

(f) CRITERIA FOR ISSUANCE OF CONSTRUCTION PERMIT.—Section 8906 of title 40, United States Code, is amended—

(1) in subsection (a)(3) and (a)(4) by striking “person” and inserting “sponsor”; and

(2) by striking subsection (b) and inserting the following:

“(b) DONATION FOR PERPETUAL MAINTENANCE AND PRESERVATION.—

“(1) In addition to the criteria described above in subsection (a), no construction permit shall be issued unless the sponsor authorized to construct the commemorative work has donated an amount equal to 10 percent of the total estimated cost of construction to offset the costs of perpetual maintenance and preservation of the commemorative work. All such amounts shall be available for those purposes pursuant to the provisions of this subsection. The provisions of this subsection shall not apply in instances when the commemorative work is constructed by a Department or agency of the Federal Government and less than 50 percent of the funding for such work is provided by private sources.

“(2) Notwithstanding any other provision of law, money on deposit in the Treasury on the date of enactment of the Commemorative Works Clarification and Revision Act of 2003 provided by a sponsor for maintenance pursuant to this subsection shall be credited to a separate account in the Treasury.

“(3) Money provided by a sponsor pursuant to the provisions of this subsection after the date of enactment of the Commemorative Works Clarification and Revision Act of 2003 shall be credited to a separate account with the National Park Foundation.

“(4) Upon request of the Secretary or Administrator (as appropriate), the Secretary of the Treasury or the National Park Foundation shall make all or a portion of such moneys available to the Secretary or the Administrator (as appropriate) for the maintenance of a commemorative

work. Under no circumstances may the Secretary or Administrator request funds from a separate account exceeding the total money in the account established under paragraph (2) or (3). The Secretary and the Administrator shall maintain an inventory of funds available for such purposes. Funds provided under this paragraph shall be available without further appropriation and shall remain available until expended."

(g) AREAS I AND II.—Section 8908(a) of title 40, United States Code, is amended—

(1) by striking "Secretary of the Interior and Administrator of General Services" and inserting "Secretary of the Interior or the Administrator of General Services (as appropriate)"; and

(2) by striking "numbered 869/86581, and dated May 1, 1986" and inserting "entitled 'Commemorative Areas Washington, DC and Environs', numbered 869/86501 B, and dated June 24, 2003".

SEC. 204. SITE AND DESIGN CRITERIA.

Section 8905(b) of title 40, United States Code (as amended by section 203(e)), is amended by adding at the end the following:

"(5) MUSEUMS.—No commemorative work primarily designed as a museum may be located on lands under the jurisdiction of the Secretary in Area I or in East Potomac Park as depicted on the map referenced in section 8902(2).

"(6) SITE-SPECIFIC GUIDELINES.—The National Capital Planning Commission and the Commission of Fine Arts may develop such criteria or guidelines specific to each site that are mutually agreed upon to ensure that the design of the commemorative work carries out the purposes of this chapter.

"(7) DONOR CONTRIBUTIONS.—Donor contributions to commemorative works shall not be acknowledged in any manner as part of the commemorative work or its site."

SEC. 205. NO EFFECT ON PREVIOUSLY APPROVED SITES.

Except for the provision in the amendment made by section 202(b) prohibiting a visitor center from being located in the Reserve (as defined in section 8902 of title 40, United States Code), nothing in this title shall apply to a commemorative work for which a site was approved in accordance with chapter 89 of title 40, United States Code, prior to the date of enactment of this title.

SEC. 206. NATIONAL PARK SERVICE REPORTS.

Within six months after the date of enactment of this title, the Secretary of the Interior, in consultation with the National Capital Planning Commission and the Commission of Fine Arts, shall submit to the Committee on Energy and Natural Resources of the United States Senate, and to the Committee on Resources of the United States House of Representatives reports setting forth plans for the following:

(1) To relocate, as soon as practicable after the date of enactment of this Act, the National Park Service's stable and maintenance facilities that are within the Reserve (as defined in section 8902 of title 40, United States Code).

(2) To relocate, redesign or otherwise alter the concession facilities that are within the Reserve to the extent necessary to make them compatible with the Reserve's character.

(3) To limit the sale or distribution of permitted merchandise to those areas where such activities are less intrusive upon the Reserve, and to relocate any existing sale or distribution structures that would otherwise be inconsistent with the plan.

(4) To make other appropriate changes, if any, to protect the character of the Reserve.

Mr. POMBO (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from California?

There was no objection.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, I was unavoidably detained in my district on November 4. On rollcall vote 603, H. Con. Res. 94, if I had been present, I would have voted aye.

I was unavoidably detained in my district on November 4. For rollcall vote 602, H. Con. Res. 176, if I had been present, I would have voted aye.

I was unavoidably detained in my district on official business on November 5. On rollcall vote 609, H.R. 3365, if I had been present, I would have voted aye.

I was unavoidably detained in my district on official business on November 5. On rollcall vote 608, H.R. 3214, if I had been present, I would have voted aye.

I was unavoidably detained in my district on official business on November 5. On rollcall vote 607, H.R. 2620, if I had been present, I would have voted aye.

I was unavoidably detained in my district on official business on November 5. On rollcall vote 606, H.R. 2559, had I been present, I would have voted aye.

I was unavoidably detained in my district on November 5. On rollcall vote 605, H.J. Res. 76, had I been present, I would have voted aye.

On November 5, rollcall vote 604, H.R. 2443, I was detained in my district on official business. If I had been present, I would have voted aye.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

□ 1645

APPOINTMENT OF CONFEREES ON H.R. 2622, FAIR AND ACCURATE CREDIT TRANSACTIONS ACT OF 2003

Mr. OXLEY. Mr. Speaker, by direction of the Committee on Financial Services and pursuant to clause 1 of rule XXII of the rules of the House of Representatives for the 108th Congress, I move to take from the Speaker's table the bill (H.R. 2622) to amend the Fair Credit Reporting Act, to prevent identity theft, improve resolution of consumer disputes, improve the accuracy of consumer records, make improvements in the use of, and consumer access to, credit information, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore (Mr. SIMMONS). The gentleman from Ohio (Mr. OXLEY) is recognized for 1 hour.

Mr. OXLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a simple motion to get us into conference with the Senate on H.R. 2622, the Fair and Accurate Credit Transactions Act, which the Senate passed yesterday. We have a lot of work to do in a short amount of time.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the motion.

The previous question was ordered. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. OXLEY).

The motion was agreed to.

MOTION TO INSTRUCT CONFEREES OFFERED BY MR. FRANK of Massachusetts

Mr. FRANK of Massachusetts. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. FRANK of Massachusetts moves that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2622 be instructed as follows:

1. That the House conferees insist that section 304 of the House bill relating to the duties of furnishers of information be included in the conference report.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Massachusetts (Mr. FRANK) and the gentleman from Ohio (Mr. OXLEY) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I should inform the membership that it is the earnest hope and, indeed, intention of the gentleman from Ohio and myself to control most of those 30 minutes apiece somewhere else other than on the floor of this House.

I very much appreciated the ability to work with the chairman. We had a difficult issue, the fair credit bill. It is not everything I would have liked to have seen. It is different than it would have been if our side was in the majority. But nevertheless it was a genuinely legislated bill. There was give and take. It is, I think, an improvement over current law. The other body has also passed a bill which has similar characteristics. It is an eminently conferencable bill because both Houses have legislated on similar subjects not in diametrically opposite ways, but in similar ways.

This instruction motion, and we have discussed this with the majority side, has been cut down, as a clever deduction would lead you to believe, since if you read the instruction motion, it consists of a paragraph numbered 1. Ordinarily one does not number a paragraph 1 unless one has a 2. We did have