

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 4104, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1999

MOTION TO RECOMMIT OFFERED BY MR. HOYER

The SPEAKER pro tempore. (Mr. GUTKNECHT). The pending business is the question on the motion to recommit the conference committee report on the bill, H.R. 4104, offered by the gentleman from Maryland (Mr. HOYER) on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion to recommit.

The vote was taken by electronic device, and there were—yeas 202, nays 226, not voting 6, as follows:

[Roll No. 493]

YEAS—202

Abercrombie	Gejdenson	Minge
Ackerman	Gephardt	Mink
Allen	Gilman	Moakley
Andrews	Gonzalez	Moran (VA)
Baesler	Gordon	Morella
Baldacci	Granger	Murtha
Barrett (WI)	Green	Nadler
Bass	Gutierrez	Neal
Becerra	Hamilton	Oberstar
Bentsen	Harman	Obey
Berman	Hastings (FL)	Olver
Bilbray	Hefner	Owens
Bishop	Hilliard	Pallone
Blagojevich	Hinchev	Pascrell
Blumenauer	Hinojosa	Pastor
Boehlert	Hooley	Payne
Bonior	Horn	Pelosi
Borski	Hoyer	Pickett
Boswell	Jackson (IL)	Pomeroy
Boucher	Jackson-Lee	Porter
Boyd	(TX)	Price (NC)
Brady (PA)	Jefferson	Ramstad
Brown (CA)	Johnson (CT)	Rangel
Brown (FL)	Johnson (WI)	Reyes
Brown (OH)	Johnson, E. B.	Rivers
Capps	Kanjorski	Rodriguez
Cardin	Kaptur	Roemer
Carson	Kelly	Rothman
Castle	Kennedy (MA)	Roukema
Clay	Kennedy (RI)	Roybal-Allard
Clayton	Kilpatrick	Rush
Clement	Kind (WI)	Sabo
Clyburn	Kleczka	Sanchez
Condit	Klug	Sanders
Conyers	Kucinich	Sandlin
Coyne	Lampson	Sawyer
Cramer	Lantos	Schumer
Cummings	Lazio	Scott
Davis (FL)	Leach	Serrano
Davis (IL)	Lee	Shays
DeFazio	Levin	Sherman
DeGette	Lewis (GA)	Sisisky
Delahunt	Lofgren	Skaggs
DeLauro	Lowey	Slaughter
Deutsch	Luther	Smith, Adam
Dicks	Maloney (CT)	Snyder
Dingell	Maloney (NY)	Spratt
Dixon	Manton	Stabenow
Doggett	Markey	Stark
Dooley	Martinez	Stokes
Edwards	Matsui	Strickland
Engel	McCarthy (MO)	Tanner
Ensign	McCarthy (NY)	Tauscher
Eshoo	McDermott	Thompson
Etheridge	McGovern	Thurman
Evans	McHale	Tierney
Farr	McIntyre	Torres
Fattah	McKinney	Towns
Fazio	McNulty	Traficant
Filner	Meehan	Turner
Ford	Meek (FL)	Upton
Fox	Meeks (NY)	Velazquez
Frank (MA)	Menendez	Vento
Frelinghuysen	Millender-	Visclosky
Frost	McDonald	Waters
Furse	Miller (CA)	Watt (NC)

Waxman  
Wexler

Aderholt  
Archer  
Army  
Bachus  
Baker  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bateman  
Bereuter  
Berry  
Bilirakis  
Bliley  
Blunt  
Boehner  
Bonilla  
Brady (TX)  
Bryant  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Cannon  
Chabot  
Chambliss  
Chenoweth  
Christensen  
Coble  
Coburn  
Collins  
Combest  
Cook  
Cooksey  
Costello  
Cox  
Crane  
Crapo  
Cubin  
Cunningham  
Danner  
Davis (VA)  
Deal  
DeLay  
Diaz-Balart  
Dickey  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Ehlers  
Ehrlich  
Emerson  
English  
Everett  
Ewing  
Fawell  
Foley  
Forbes  
Fossella  
Fowler  
Franks (NJ)  
Gallegly  
Ganske  
Gekas  
Gibbons  
Gilchrist

Weygand  
Wise

NAYS—226  
Gillmor  
Goode  
Goodlatte  
Goodling  
Goss  
Graham  
Greenwood  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hansen  
Hastert  
Hastings (WA)  
Hayworth  
Hefley  
Herger  
Hill  
Hilleary  
Hobson  
Hobson  
Holden  
Hostettler  
Houghton  
Hulshof  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Jenkins  
John  
Johnson, Sam  
Jones  
Kasich  
Kildee  
Kim  
King (NY)  
Kingston  
Klink  
Knollenberg  
Kolbe  
LaFalce  
LaHood  
Largent  
Latham  
LaTourette  
Lewis (CA)  
Lewis (KY)  
Linder  
Lipinski  
Livingston  
LoBiondo  
Lucas  
Manzullo  
Mascara  
McCollum  
McDade  
McHugh  
McInnis  
McIntosh  
McKeon  
Metcalf  
Mica  
Miller (FL)  
Mollohan  
Moran (KS)  
Myrick  
Nethercutt  
Neumann  
Ney  
Northup  
Norwood  
Nussle  
Ortiz  
Oxley  
Packard

Woolsey  
Wynn

Pappas  
Parker  
Paul  
Paxon  
Pease  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Pombo  
Portman  
Quinn  
Radanovich  
Rahall  
Redmond  
Regula  
Riggs  
Riley  
Rogan  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Royce  
Ryun  
Salmon  
Sanford  
Saxton  
Scarborough  
Schaefer, Dan  
Schaffer, Bob  
Sensenbrenner  
Sessions  
Shadegg  
Shaw  
Shimkus  
Shuster  
Skeem  
Skelton  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith, Linda  
Snowbarger  
Solomon  
Souder  
Spence  
Stearns  
Stenholm  
Stump  
Stupak  
Sununu  
Talent  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Thomas  
Thornberry  
Thune  
Tiahrt  
Walsh  
Wamp  
Watkins  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Wilson  
Wolf  
Young (AK)  
Young (FL)

The vote was taken by electronic device, and there were—yeas 290, nays 137, not voting 7, as follows:

[Roll No. 494]  
YEAS—290

Aderholt	Gekas	Neal
Allen	Gibbons	Nethercutt
Archer	Gilchrist	Ney
Army	Gillmor	Northup
Bachus	Gilman	Norwood
Baesler	Goode	Nussle
Baker	Goodling	Oberstar
Ballenger	Goss	Olver
Barcia	Graham	Ortiz
Barr	Granger	Oxley
Barrett (NE)	Greenwood	Packard
Bartlett	Gutknecht	Pappas
Barton	Hall (OH)	Parker
Bass	Hall (TX)	Pascrell
Bateman	Hamilton	Pastor
Bereuter	Hansen	Paxon
Berry	Hastert	Pease
Bilbray	Hastings (WA)	Peterson (PA)
Bilirakis	Hayworth	Pickering
Bishop	Hefley	Pickett
Bliley	Herger	Pitts
Blunt	Hill	Pombo
Boehlert	Hilleary	Pomeroy
Boehner	Hinojosa	Porter
Bonilla	Hobson	Portman
Bono	Hoekstra	Price (NC)
Borski	Holden	Quinn
Boswell	Horn	Radanovich
Boyd	Hostettler	Rahall
Brady (TX)	Houghton	Ramstad
Brown (FL)	Hoyer	Redmond
Bryant	Hulshof	Regula
Bunning	Hunter	Reyes
Burr	Hutchinson	Riggs
Burton	Hyde	Riley
Buyer	Inglis	Rodriguez
Callahan	Istook	Rogan
Calvert	Jenkins	Rogers
Camp	John	Rohrabacher
Campbell	Johnson (CT)	Roukema
Canady	Johnson, Sam	Royce
Cannon	Jones	Ryun
Chabot	Kanjorski	Sabo
Chambliss	Kaptur	Salmon
Chenoweth	Kasich	Sawyer
Christensen	Chabot	Saxton
Coble	Chambliss	Scarborough
Coburn	Christensen	Schaefer, Dan
Collins	Clayton	Scott
Combest	Clement	Sessions
Cook	Coble	Shadegg
Cooksey	Coburn	Shaw
Costello	Collins	Shays
Cox	Combust	Shimkus
Crane	Condit	Shuster
Crapo	Cook	Sisisky
Cubin	Cooksey	Skeen
Cunningham	Costello	Skelton
Danner	Cox	Slaughter
Davis (VA)	Cramer	Smith (MI)
Deal	Cubin	Smith (NJ)
DeLay	Cunningham	Smith (TX)
Diaz-Balart	Danner	Smith, Linda
Dickey	Davis (FL)	Snyder
Doolittle	Davis (VA)	Solomon
Doyle	Deal	Souder
Dreier	DeLay	Spence
Duncan	Dickey	Livingston
Dunn	Dicks	LoBiondo
Ehlers	Dooley	Lucas
Ehrlich	Doyle	Manton
Emerson	Dreier	Manzullo
English	Dunn	Martinez
Everett	Ehlers	Mascara
Ewing	Ehrlich	McCollum
Fawell	Emerson	McDade
Foley	English	McHale
Forbes	Ensign	McHugh
Fossella	Everett	McInnis
Fowler	Ewing	McIntosh
Franks (NJ)	Fawell	McIntyre
Gallegly	Fazio	McKeon
Ganske	Foley	Meek (FL)
Gekas	Forbes	Tiahrt
Gibbons	Ford	Torres
Gilchrist	Fossella	Traficant
	Fowler	Turner
	Fox	Upton
	Franks (NJ)	Vento
	Frelinghuysen	Visclosky
	Gallegly	Walsh
	Ganske	Wamp
		Watkins

NOT VOTING—6

□ 2122

Mr. COX of California changed his vote from “yea” to “nay.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. GUTKNECHT). The question is on the conference report.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
Weygand

White  
Whitfield  
Wicker  
Wilson  
Wise

Wolf  
Wynn  
Young (AK)  
Young (FL)

## NAYS—137

Abercrombie  
Ackerman  
Andrews  
Baldacci  
Barrett (WI)  
Becerra  
Bentsen  
Berman  
Blagojevich  
Blumenauer  
Bonior  
Boucher  
Brady (PA)  
Brown (CA)  
Brown (OH)  
Carson  
Chenoweth  
Clay  
Clyburn  
Conyers  
Coyne  
Crane  
Crapo  
Cummings  
Davis (IL)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Deutsch  
Diaz-Balart  
Dingell  
Dixon  
Doggett  
Doolittle  
Duncan  
Edwards  
Engel  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Filner  
Frank (MA)  
Frost  
Furse

Gejdenson  
Gephardt  
Gonzalez  
Goodlatte  
Gordon  
Green  
Gutierrez  
Harman  
Hastings (FL)  
Hefner  
Hilliard  
Hinchey  
Hooley  
Jackson (IL)  
Jackson-Lee  
(TX)

Mink  
Moran (KS)  
Nadler  
Neumann  
Obey  
Owens  
Pallone  
Paul  
Payne  
Pelosi  
Peterson (MN)  
Petri  
Rangel  
Rivers  
Roemer  
Ros-Lehtinen  
Rothman  
Roybal-Allard  
Rush  
Sanchez  
Sanders  
Sandlin  
Sanford  
Schaffer, Bob  
Schumer  
Sensenbrenner  
Serrano  
Sherman  
Skaggs  
Smith, Adam  
Stabenow  
Stark  
Stokes  
Tauscher  
Taylor (MS)  
Thompson  
Thurman  
Tierney  
Towns  
Velazquez  
Waters  
Watt (NC)  
Waxman  
Wexler  
Woolsey

## NOT VOTING—7

Kennelly  
Markey  
McCrary

Poshard  
Pryce (OH)  
Smith (OR)

Yates

□ 2138

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GUTKNECHT). Pursuant to the provisions of House Resolution 577, the Chair desires to inform Members that the official picture of the House while in session will be taken immediately after approval of the Journal when the House convenes tomorrow.

The Chair further announces that any recorded votes requested tonight will be postponed until tomorrow.

## ANNOUNCEMENT OF BILLS AND RESOLUTIONS TO BE CONSIDERED UNDER SUSPENSION OF THE RULES ON THURSDAY, OCTOBER 8, 1998

Mr. HULSHOF. Mr. Speaker, pursuant to H. Res. 575, I announce the fol-

lowing suspensions to be considered on Thursday October 8:

H.R. 4364, Depository Institution Regulatory Streamlining Act of 1998;  
H. Res. 578, Science Policy Report;  
H. Res. 565, Mammograms;  
H.R. 2263, Theodore Roosevelt;  
H.R. 4506, International Child Labor Relief Act of 1998;

H.R. 4660, To Provide Rewards for Information Leading to the Arrest or Conviction of Any Individual for the Commission of an Act, or Conspiracy to Act, of International Terrorism, Narcotics Related Offenses, or for Serious Violations of International Humanitarian Law Relating to the Former Yugoslavia;

H. Con. Res. 320, Supporting the Baltic People of Estonia, Latvia, and Lithuania, and Condemning the Nazi Soviet Pact of Non-Aggression of August 23, 1939;

H. Res. 557, Expressing Support for U.S. Government Efforts to Identify Holocaust Era Assets, Urging the Restitution of Individual and Communal Property;

H. Con. Res. 331, Expressing the Sense of Congress Concerning the Inadequacy of Sewage Infrastructure Facilities in Tijuana, Mexico;

H. Con. Res. 309, Condemning the Forced Abduction of Ugandan Children and Their Use As Soldiers;

H.R. 3874, William F. Goodling Child Nutrition Reauthorization Act of 1998;

S. 2206, Coats Human Services Reauthorization Act of 1998;

S.J. Res. 51;

S. 1021;

H.R. 2281, WIPO; and

H.R. 2109, Campaign Finance Sunshine.

## CURT FLOOD ACT OF 1998

Mr. HYDE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 53) to require the general application of the antitrust laws to major league baseball, and for other purposes.

The Clerk read as follows:

S. 53

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Curt Flood Act of 1998".

## SEC. 2. PURPOSE.

It is the purpose of this legislation to state that major league baseball players are covered under the antitrust laws (i.e., that major league baseball players will have the same rights under the antitrust laws as do other professional athletes, e.g., football and basketball players), along with a provision that makes it clear that the passage of this Act does not change the application of the antitrust laws in any other context or with respect to any other person or entity.

## SEC. 3. APPLICATION OF THE ANTITRUST LAWS TO PROFESSIONAL MAJOR LEAGUE BASEBALL.

The Clayton Act (15 U.S.C. §12 et seq.) is amended by adding at the end the following new section:

"SEC. 27. (a) Subject to subsections (b) through (d), the conduct, acts, practices, or

agreements of persons in the business of organized professional major league baseball directly relating to or affecting employment of major league baseball players to play baseball at the major league level are subject to the antitrust laws to the same extent such conduct, acts, practices, or agreements would be subject to the antitrust laws if engaged in by persons in any other professional sports business affecting interstate commerce.

"(b) No court shall rely on the enactment of this section as a basis for changing the application of the antitrust laws to any conduct, acts, practices, or agreements other than those set forth in subsection (a). This section does not create, permit or imply a cause of action by which to challenge under the antitrust laws, or otherwise apply the antitrust laws to, any conduct, acts, practices, or agreements that do not directly relate to or affect employment of major league baseball players to play baseball at the major league level, including but not limited to—

"(1) any conduct, acts, practices, or agreements of persons engaging in, conducting or participating in the business of organized professional baseball relating to or affecting employment to play baseball at the minor league level, any organized professional baseball amateur or first-year player draft, or any reserve clause as applied to minor league players;

"(2) the agreement between organized professional major league baseball teams and the teams of the National Association of Professional Baseball Leagues, commonly known as the 'Professional Baseball Agreement', the relationship between organized professional major league baseball and organized professional minor league baseball, or any other matter relating to organized professional baseball's minor leagues;

"(3) any conduct, acts, practices, or agreements of persons engaging in, conducting or participating in the business of organized professional baseball relating to or affecting franchise expansion, location or relocation, franchise ownership issues, including ownership transfers, the relationship between the Office of the Commissioner and franchise owners, the marketing or sales of the entertainment product of organized professional baseball and the licensing of intellectual property rights owned or held by organized professional baseball teams individually or collectively;

"(4) any conduct, acts, practices, or agreements protected by Public Law 87-331 (15 U.S.C. §1291 et seq.) (commonly known as the 'Sports Broadcasting Act of 1961');

"(5) the relationship between persons in the business of organized professional baseball and umpires or other individuals who are employed in the business of organized professional baseball by such persons; or

"(6) any conduct, acts, practices, or agreements of persons not in the business of organized professional major league baseball.

"(c) Only a major league baseball player has standing to sue under this section. For the purposes of this section, a major league baseball player is—

"(1) a person who is a party to a major league player's contract, or is playing baseball at the major league level; or

"(2) a person who was a party to a major league player's contract or playing baseball at the major league level at the time of the injury that is the subject of the complaint; or

"(3) a person who has been a party to a major league player's contract or who has played baseball at the major league level, and who claims he has been injured in his efforts to secure a subsequent major league player's contract by an alleged violation of