

H.R. 4243: Mr. SYNAR, Ms. SLAUGHTER, and Mr. LAFALCE.

H.R. 4271: Mr. LOWERY of California and Mr. SANGMEISTER.

H.R. 4277: Mr. TOWNS, Mr. TORRES, and Ms. HORN.

H.J. Res. 27: Mr. GILLMOR.

H.J. Res. 351: Mr. KOSTMAYER, Mr. LEHMAN of Florida, Mr. HUGHES, Mrs. PATTERSON, MS. PELOSI, Mr. HOCHBRUECKNER, Mr. BEILSON, Mr. MORAN, Mr. MRAZEK, Mr. LAFALCE, Mrs. BOXER, and Mr. WAXMAN.

H.J. Res. 402: Mr. ALLEN, Mr. EMERSON, Mr. TRAFICANT, Mr. MURPHY, and Mr. PICKETT.

H.J. Res. 407: Mr. TRAXLER, Mr. MAVROULES, Mr. McMILLAN of North Carolina, Mr. DARDEN, Mr. McGRATH, Mr. SARPALIUS, Mr. BOUCHER, Mr. HUGHES, Mr. WALSH, Mr. GONZALEZ, and Mr. ANDERSON.

H.J. Res. 411: Mr. WALSH, Ms. NORTON, Mrs. ROUKEMA, Mr. LAGOMARSINO, Mrs. LOWEY of New York, and Mr. MATSUI.

H.J. Res. 414: Mr. VANDER JAGT, Mr. HORTON, Mr. OWENS of Utah, Mr. SCHUMER, Mr. ACKERMAN, Mr. RITTER, Mr. LEHMAN of Florida, Mr. GILLMOR, Mr. SHAYS, Mr. SOLARZ, Mr. DE LUGO, Mr. DORNAN of California, Mr. FASCELL, Mr. ERDREICH, Mr. GORDON, Mr. PAXON, Mr. SOLOMON, Mr. TOWNS, Mr. KOSTMAYER, and Mr. MURPHY.

H. Con. Res. 192: Mr. CHANDLER, Mr. ATKINS, Mr. LANTOS, Mr. JOHNSTON of Florida, Mr. FASCELL, Mr. IRELAND, Mr. SCHEUER, Mr. HUGHES, Mr. ECKART, Mr. YATRON, Mr. LAFALCE, Mr. COYNE, Mr. FEIGHAN, Mr. TRAFICANT, and Mr. JENKINS.

H. Con. Res. 239: Ms. ROS-LEHTINEN and Mr. HOYER.

H. Con. Res. 263: Mrs. MORELLA, Mr. CARPER, and Mrs. SCHROEDER.

H. Con. Res. 264: Mr. ROHRABACHER, Mr. LAFALCE, and Mr. HUGHES.

H. Con. Res. 266: Mr. GILMAN, Mr. KOPETSKI, Mr. ANDREWS of Maine, Mr. RANGEL, Mr. LEVINE of California, Mr. MCHUGH, Mr. JONES of Georgia, Mr. McDERMOTT, Mr. SANDERS, and Mr. PASTOR.

H. Con. Res. 272: Mr. McMILLEN of Maryland, Mr. ACKERMAN, Mr. LEWIS of Florida, Mr. ROYBAL, Mr. LEVINE of California, and Mr. MANTON.

H. Con. Res. 274: Mr. POSHARD, Mr. JONES of North Carolina, Mr. TAYLOR of North Carolina, Mr. GOSS, and Mr. TOWNS.

H. Con. Res. 277: Mr. WALSH, Mr. BROOKS, Mr. STENHOLM, Mr. BRYANT, Mr. COMBEST, Mr. GEKAS, Mr. LAUGHLIN, and Mr. ORTIZ.

H. Res. 271: Mr. SANDERS and Mr. MFUME.

H. Res. 322: Mr. JEFFERSON, Mr. TORRES, Mr. GLICKMAN, Mr. GALLEGLY, Mr. McCLOSKEY, Mr. MILLER of Washington, and Mr. MURPHY.

H. Res. 332: Mr. SHAYS and Mr. EWING.

H. Res. 359: Mr. LEVINE of California.

17.33 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H. Res. 194: Mr. CHAPMAN and Mrs. LLOYD.

WEDNESDAY, FEBRUARY 26, 1992 (18)

The House was called to order by the SPEAKER.

18.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, February 25, 1992.

Mr. PAXON, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the yeas had it.

Mr. PAXON 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	282
Nays	115
	1

18.2

[Roll No. 22]

YEAS—282

- | | | |
|--------------|---------------|---------------|
| Abercrombie | Espy | Luken |
| Ackerman | Evans | Manton |
| Alexander | Ewing | Markey |
| Anderson | Fazio | Martinez |
| Andrews (ME) | Feighan | Matsui |
| Andrews (NJ) | Fish | Mavroules |
| Andrews (TX) | Flake | Mazzoli |
| Annunzio | Foglietta | McCloskey |
| Anthony | Ford (MI) | McCollum |
| Applegate | Ford (TN) | McCurdy |
| Archer | Frank (MA) | McGrath |
| Aspin | Frost | McHugh |
| Atkins | Gaydos | McMillen (MD) |
| AuCoin | Gejdenson | McNulty |
| Bacchus | Gephardt | Mfume |
| Barnard | Geren | Mineta |
| Bateman | Gillmor | Mink |
| Beilenson | Gilman | Moakley |
| Bennett | Glickman | Montgomery |
| Berman | Gonzalez | Moran |
| Bevill | Gordon | Morrison |
| Bilbray | Gradison | Murtha |
| Blackwell | Green | Myers |
| Bonior | Guarini | Nagle |
| Borski | Gunderson | Natcher |
| Boucher | Hall (OH) | Neal (MA) |
| Brooks | Hall (TX) | Neal (NC) |
| Broomfield | Hamilton | Nichols |
| Browder | Hammerschmidt | Nowak |
| Brown | Harris | Oakar |
| Bruce | Hatcher | Oberstar |
| Bryant | Hayes (IL) | Obey |
| Bustamante | Hefner | Olin |
| Byron | Hertel | Ortiz |
| Cardin | Hoagland | Orton |
| Carper | Hochbrueckner | Owens (NY) |
| Carr | Horn | Owens (UT) |
| Chapman | Horton | Oxley |
| Clement | Hubbard | Packard |
| Clinger | Huckaby | Pallone |
| Collins (IL) | Hughes | Panetta |
| Collins (MI) | Hutto | Parker |
| Combest | Hyde | Pastor |
| Condit | Jefferson | Patterson |
| Conyers | Jenkins | Payne (NJ) |
| Cooper | Johnson (CT) | Payne (VA) |
| Costello | Johnson (SD) | Pelosi |
| Cox (IL) | Johnson (TX) | Perkins |
| Coyne | Johnston | Peterson (FL) |
| Cramer | Jones (GA) | Peterson (MN) |
| Darden | Jones (NC) | Petri |
| Davis | Jontz | Pickett |
| de la Garza | Kanjorski | Pickle |
| DeFazio | Kaptur | Porter |
| DeLauro | Kennedy | Poshard |
| Dellums | Kennelly | Price |
| Derrick | Kildee | Quillen |
| Dicks | Kleczka | Rangel |
| Dingell | Kolter | Ravenel |
| Dixon | Kopetski | Ray |
| Donnelly | Kostmayer | Reed |
| Dorgan (ND) | LaFalce | Richardson |
| Dornan (CA) | Lancaster | Rinaldo |
| Downey | Lantos | Ritter |
| Dreier | LaRocco | Roe |
| Durbin | Laughlin | Roemer |
| Dwyer | Lehman (CA) | Rose |
| Dymally | Lehman (FL) | Rostenkowski |
| Early | Levin (MI) | Rowland |
| Eckart | Levine (CA) | Roybal |
| Edwards (CA) | Lewis (GA) | Sabo |
| Edwards (OK) | Lipinski | Sangmeister |
| Edwards (TX) | Livingston | Sarpalius |
| Emerson | Lloyd | Sawyer |
| English | Long | Scheuer |
| Erdreich | Lowey (NY) | Schulze |

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|------------|-------------|-----------|
| Schumer | Stark | Unsoeld |
| Serrano | Stenholm | Valentine |
| Shaw | Stokes | Vento |
| Shuster | Studds | Visclosky |
| Sisisky | Swett | Volkmer |
| Skaggs | Swift | Walsh |
| Skeen | Synar | Waters |
| Skelton | Tallon | Waxman |
| Slattery | Tanner | Weiss |
| Slaughter | Tauzin | Wheat |
| Smith (FL) | Taylor (MS) | Williams |
| Smith (IA) | Thomas (GA) | Wilson |
| Snowe | Thornton | Wise |
| Solarz | Torres | Wolpe |
| Spence | Torricelli | Wyden |
| Spratt | Towns | Wylie |
| Staggers | Traficant | Yates |
| Stallings | Traxler | Yatron |

NAYS—115

- | | | |
|---------------|---------------|---------------|
| Allard | Hastert | Ramstad |
| Allen | Hefley | Regula |
| Armey | Henry | Rhodes |
| Baker | Herger | Ridge |
| Ballenger | Holloway | Riggs |
| Barrett | Hopkins | Roberts |
| Barton | Hunter | Rogers |
| Bentley | Inhofe | Rohrabacher |
| Bereuter | Jacobs | Ros-Lehtinen |
| Bilirakis | James | Roth |
| Bliley | Klug | Roukema |
| Boehlert | Kolbe | Santorum |
| Boehner | Kyl | Saxton |
| Bunning | Lagomarsino | Schaefer |
| Burton | Leach | Schiff |
| Callahan | Lent | Schroeder |
| Camp | Lewis (CA) | Sensenbrenner |
| Campbell (CA) | Lewis (FL) | Shays |
| Campbell (CO) | Lightfoot | Sikorski |
| Clay | Machtley | Smith (OR) |
| Coble | Marlenee | Solomon |
| Coleman (MO) | Martin | Stearns |
| Cox (CA) | McCandless | Stump |
| Crane | McCrery | Sundquist |
| Cunningham | McDade | Taylor (NC) |
| DeLay | McEwen | Thomas (CA) |
| Doolittle | McMillan (NC) | Thomas (WY) |
| Duncan | Meyers | Upton |
| Fawell | Michel | Vucanovich |
| Franks (CT) | Miller (OH) | Walker |
| Galleghy | Miller (WA) | Weber |
| Gallo | Molinari | Weldon |
| Gekas | Moorhead | Wolf |
| Gilchrest | Morella | Young (AK) |
| Gingrich | Murphy | Young (FL) |
| Goodling | Nussle | Zeliff |
| Goss | Paxon | Zimmer |
| Grandy | Penny | |
| Hancock | Pursell | |

ANSWERED "PRESENT"—1

Chandler

NOT VOTING—36

- | | | |
|--------------|-------------|-------------|
| Boxer | Hayes (LA) | Olver |
| Brewster | Hobson | Pease |
| Coleman (TX) | Houghton | Rahall |
| Coughlin | Hoyer | Russo |
| Dannemeyer | Ireland | Sanders |
| Dickinson | Kasich | Savage |
| Dooley | Lowery (CA) | Sharp |
| Engel | McDermott | Smith (NJ) |
| Fascell | Miller (CA) | Smith (TX) |
| Fields | Mollohan | Vander Jagt |
| Gibbons | Moody | Washington |
| Hansen | Mrazek | Whitten |

So the Journal was approved.

18.3 COMMUNICATIONS

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

2887. A letter from the Assistant Secretary, Department of Defense, transmitting a report on the consolidation of supply depots, pursuant to Public Law 102-190, section 313(a)(3) (105 Stat. 1336); to the Committee on Armed Services.

2888. A letter from the Secretary of Defense, transmitting the Department's Annual Report to Congress for Fiscal Year 1992, pursuant to 10 U.S.C. 113; to the Committee on Armed Services.

2889. A letter from the Under Secretary of Defense, transmitting the Secretary's certification with respect to the Navy's AOE 6

program, pursuant to 10 U.S.C. 2433; to the Committee on Armed Services.

2890. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend chapter 138 of title 10, United States Code; to the Committee on Armed Services.

2891. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation entitled, "Military Construction Authorization Act, 1993"; to the Committee on Armed Services.

2892. A letter from the Secretary, Housing and Urban Development, transmitting a report on the feasibility and effectiveness of establishing uniform standards for training and certification of executive directors and other officers and members of local, regional, and State public housing agencies, pursuant to Public Law 101-625, section 502(b) (104 Stat. 4183); to the Committee on Banking, Finance and Urban Affairs.

2893. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-151, "Advisory Neighborhood Commission Election Temporary Act of 1992," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

2894. A letter from the Director, Agency for International Development, transmitting a report on economic conditions prevailing in Turkey that may affect its ability to meet its international debt obligations and to stabilize its economy, pursuant to 22 U.S.C. 2346 note; to the Committee on Foreign Affairs.

2895. A letter from the Director, Agency for International Development, transmitting a report on economic conditions prevailing in Portugal that may affect its ability to meet its international debt obligations and to stabilize its economy, pursuant to 22 U.S.C. 2346 note; to the Committee on Foreign Affairs.

2896. A letter from the Director, Agency for International Development, transmitting a report on economic conditions prevailing in Egypt that may affect its ability to meet international debt obligations and stabilize its economy, pursuant to 22 U.S.C. 2346 note; to the Committee on Foreign Affairs.

2897. A letter from the Director, Office of Management and Budget, transmitting OMB estimate of the amount of change in outlays or receipts, as the case may be, in each fiscal year through fiscal year 1995 resulting from passage of S. 1415, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-582); to the Committee on Government Operations.

2898. A letter from the Assistant Secretary (Management), Department of the Treasury, transmitting a report on its activities under the Freedom of Information Act for calendar year 1991, pursuant to 5 U.S.C. 552(e); to the Committee on Government Operations.

2899. A letter from the National Endowment for Democracy, transmitting a report on its activities under the Freedom of Information Act for calendar year 1991, pursuant to 5 U.S.C. 552(e); to the Committee on Government Operations.

2900. A letter from the Chairman, National Transportation Safety Board, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1991, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Operations.

2901. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a report on its activities under the Freedom of Information Act for calendar year 1991, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2902. A letter from the U.S. International Trade Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1991, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

2903. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2904. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notice of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Interior and Insular Affairs.

2905. A letter from the Assistant Secretary of the Department of the Interior, transmitting a draft of proposed legislation to amend the Surface Mining Control and Reclamation Act of 1977, as amended, to extend authority to collect abandoned mine reclamation fees; to the Committee on Interior and Insular Affairs.

¶18.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate agreed to the report of the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2212) "An Act regarding the extension of most-favored-nation treatment to the products of the People's Republic of China, and for other purposes."

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested.

S. 2166. An Act to reduce the Nation's dependence on imported oil, to provide for the energy security of the Nation, and for other purposes.

The message also announced that, pursuant to Public Law 101-649, the Chair, on behalf of the Republican leader, appointed Mr. Richard Estrada of Texas and Mr. Michael Teitelbaum of New York, as members of the Commission on Legal Immigration Reform.

¶18.5 PROVIDING FOR THE CONSIDERATION OF H.R. 4210

Mr. DERRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 374):

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 the consideration of the bill (H.R. 4210) to amend the Internal Revenue Code of 1986 to provide incentives for increased economic growth and to provide tax relief for families, and the first reading of the bill shall be dispensed with. All points of order against consideration of the bill are hereby waived. After general debate, which shall be confined to the bill and the amendments made in order by this resolution and which shall not exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment under the five-minute rule. Immediately upon the conclusion of the general debate and notwithstanding any rule of the House, the Chair shall put the question, without further debate, on adopting an amendment in the nature of substitute consisting of the text of the bill H.R. 4210. No further amendment to the bill shall be in order except the following amendments in this order: (1) an amendment

in the nature of a substitute consisting of the text of the bill H.R. 4200 as modified by the amendment in section 2 of this resolution, to be offered by Representative Michel of Illinois or Representative Archer of Texas or their designee; and (2) an amendment in the nature of a substitute consisting of the text of the bill H.R. 4287, to be offered by Representative Rostenkowski of Illinois or his designee. Both amendments shall be considered as having been read and shall not be subject to amendment. Each amendment shall be debatable for not to exceed one hour, to be equally divided and controlled by the proponent and a Member opposed thereto. All points of order against each amendment in the nature of a substitute are hereby waived. If more than one amendment in the nature of a substitute is adopted, only the last such amendment which is adopted shall be considered as finally adopted in the Committee of the Whole and reported back to the House. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendment as may have been adopted, and the previous question shall be considered as having been ordered on the bill and amendment thereto final passage without intervening motion except one motion to recommit, which may not contain instructions.

SEC. 2. At the end of line 25, page 14 of H.R. 4200, insert the following new sentence: "Notwithstanding any other provision of this chapter, in the case of a taxpayer other than a corporation, any amount treated as ordinary income under this subsection shall be subject to tax at a rate not in excess of 28 percent."

Pending consideration of said resolution,

¶18.6 POINT OF ORDER

Mr. SOLOMON made a point of order against said resolution, and said:

"Mr. Speaker, I make a point of order against the consideration of House Resolution 374 on grounds that it is in violation of clause 4(b) of House rule XI, and ask to be heard on my point of order.

"Mr. Speaker, I regret that I must again rise to make this point of order that the minority's right to offer a motion to recommit of its choosing is being violated. I thought I had assurances from your leadership that this right would not be further abridged pending a promised Rules Committee inquiry into the legislative history behind this rule.

"Mr. Speaker, as you will recall, on January 3, 1991, I transmitted to you, the majority leader, and the chairman and other members of the Rules Committee a 48-page report prepared by our Rules Committee minority staff entitled, 'The Motion to Recommit in the U.S. House of Representatives: The Rape of a Minority Right.'

"That paper traces the legislative history and the intent behind the two rules at issue here, which were adopted by the House back in 1909.

"In essence, Mr. Speaker, that report documents that the two rules were specifically adopted to permit the minority the right to offer a motion to recommit of its own choosing, including one with instructions, so that it could go get a final vote on its position.

"Mr. Speaker, that report goes on to conclude that a 1934 precedent that has