

H.R. 4130: Mr. LIVINGSTON, Mr. RAMSTAD, and Mr. LAGOMARSINO.

H.R. 4151: Mr. TOWNS.

H.R. 4161: Mr. JONTZ and Mr. JEFFERSON.

H.R. 4169: Mr. HUCKABY and Mr. RAVENEL.

H.R. 4178: Mr. LEVINE of California and Mr. ROE.

H.R. 4196: Mr. JAMES, Mr. LANTOS, Mr. GORDON, Mr. LAGOMARSINO, Mr. JENKINS, Mr. FROST, Mr. RITTER, Mr. HOCHBRUECKNER, Mr. ROGERS, Mr. HOYER, Mr. NEAL of North Carolina, Mr. TAUZIN, and Mr. ANDREWS of New Jersey.

H.R. 4207: Mr. BRUCE, Mr. PENNY, Mr. WEBER, Mr. INHOFE, Mr. SWETT, and Mr. KOPETSKI.

H.R. 4227: Mr. RANGEL, Mr. MATSUI, Mr. STARK, Mr. LEVINE of California, Mr. FAZIO, Ms. PELOSI, Mr. MILLER of California, Mr. BILBRAY, Mr. LANTOS, Mr. TORRES, Mr. DELUMS, Mrs. MINK, Mr. TOWNS, and Mr. CONDIT.

H.R. 4271: Mr. MCDERMOTT, Mr. CARDIN, Mr. PASTOR, Mr. LENT, Mr. COLEMAN of Texas, Mr. TRAXLER, and Mr. SANDERS.

H.R. 4277: Mr. ROEMER, Mr. BROWN, and Mr. BONIOR.

H.R. 4280: Mr. EWING, Mr. BALLENGER, and Mr. MCCRERY.

H.R. 4285: Mr. ANDERSON, Mr. GALLEGLY, and Mr. FROST.

H.R. 4286: Mr. GORDON and Mr. LAFALCE.

H.R. 4293: Mr. HOCHBRUECKNER, Mr. LENT, Mr. TRAFICANT, Mr. RANGEL, Mr. SCHIFF, and Mr. ROE.

H.R. 4304: Mr. SABO and Ms. HORN.

H.R. 4319: Mr. BEREUTER and Mrs. JOHNSON of Connecticut.

H.J. Res. 143: Mr. BLILEY.

H.J. Res. 272: Mr. YATRON, Mr. ROGERS, Mr. LEWIS of Florida, Mr. HENRY, Mr. FISH, Mr. MCDADE, Mr. MRAZEK, Mrs. MORELLA, Mr. HORTON, Mr. HAMILTON, Mr. RAVENEL, Mr. NATCHER, Mrs. PATTERSON, Mr. WOLPE, Mr. NICHOLS, Mr. THOMAS of Wyoming, Mr. LIVINGSTON, Mr. MYERS of Indiana, Mr. WEBER, Mr. MURPHY, Mr. LAFALCE, Mr. STOKES, Mr. HUTTO, Mr. TAUZIN, Mr. DE LUGO, Mr. DIXON, Mr. MCCOLLUM, Mr. HYDE, Mr. DOOLEY, Mr. DARDEN, Mr. HUBBARD, Mr. DYMALLY, Mr. KILDEE, Mr. APPLIGATE, Mr. BOEHLERT, Mr. SUNDQUIST, Mr. MCDERMOTT, Mr. DICKS, Mrs. UNSOELD, Mr. SWIFT, Mr. TOWNS, Mr. MURTHA, Mr. HOUGHTON, Mr. BONIOR, and Mr. LEWIS of Georgia.

H.J. Res. 357: Mr. RANGEL.

H.J. Res. 371: Mr. NATCHER, Mr. OWENS of Utah, Mr. PAXON, Mr. TALLON, Mr. TRAFICANT, Mr. TAUZIN, Mr. TRAXLER, and Mr. YOUNG of Alaska.

H.J. Res. 388: Mrs. UNSOELD, Mr. DORGAN of North Dakota, Mrs. MEYERS of Kansas, and Mr. WEBER.

H.J. Res. 402: Mr. DOOLITTLE, Mr. MARTINEZ, Mr. BOUCHER, and Mr. SISISKY.

H.J. Res. 403: Mr. WEISS, Mr. HUGHES, Mr. ATKINS, Mr. TRAFICANT, Mr. BARRETT, Mr. MOORHEAD, Ms. MOLINARI, Mr. SOLOMON, Mr. NORTON, Mr. KLUG, Mr. FROST, Mr. LEWIS of California, Mr. GILMAN, Mr. SCHUMER, Mr. SISISKY, Mr. EVANS, Mr. KOPETSKI, Mr. ESPY, Mr. CAMP, Mr. DWYER of New Jersey, Mrs. VUCANOVICH, Mr. FASCELL, Mr. MCCLOSKEY, Mr. MARTIN, Mr. HOBSON, and Mr. LANTOS.

H.J. Res. 411: Mr. DWYER of New Jersey, Mr. McGRATH, Mr. FROST, and Mr. SOLOMON.

H.J. Res. 423: Mr. MILLER of Washington.

H. Con. Res. 224: Mr. DINGELL.

H. Con. Res. 248: Mr. HERTEL and Mr. TAUZIN.

H. Con. Res. 271: Mr. OWENS of Utah, Mr. KOLTER, Mr. FROST, and Mr. JONTZ.

H. Con. Res. 277: Mr. WILSON, Mrs. VUCANOVICH, and Mr. MOORHEAD.

H. Con. Res. 281: Mr. ATKINS, Mr. WEBER, Mr. ACKERMAN, Ms. MOLINARI, Mr. SMITH of Florida, and Mrs. MORELLA.

H. Res. 234: Mr. DURBIN.

H. Res. 322: Mr. GORDON, Mr. KYL, and Mr. LAGOMARSINO.

H. Res. 331: Mr. DURBIN, Ms. HORN, Mrs. PATTERSON, Mr. MARTINEZ, Mrs. LLOYD, Mr. SARPALIUS, Mr. PAYNE of Virginia, Mr. WILSON, Mr. FROST, Mr. OWENS of New York, Mr. LIPINSKI, Mr. EVANS, and Mr. DWYER of New Jersey.

H. Res. 332: Mr. BEREUTER and Mrs. ROUKEMA.

H. Res. 376: Mr. GOSS, Mr. BOEHLER, and Mrs. ROUKEMA.

H. Res. 384: Mr. NUSSLE, Mr. EMERSON, and Mr. SPRATT.

### WEDNESDAY, MARCH 4, 1992 (22)

The House was called to order by the SPEAKER.

#### ¶22.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, March 3, 1992.

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

#### ¶22.2 COMMUNICATIONS

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

3001. A letter from the Comptroller of the Department of Defense, transmitting one report of violation that occurred in the Department of the Navy, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

3002. A letter from the Secretary of the Navy, transmitting notification that a major defense acquisition program has breached the unit cost by more than 15 percent, pursuant to 10 U.S.C. 2433; to the Committee on Armed Services.

3003. A letter from the Secretary of Energy, transmitting the annual report of actions under the Powerplant and Industrial Fuel Use Act of 1978 during calendar year 1991, pursuant to 42 U.S.C. 8482; to the Committee on Energy and Commerce.

3004. A letter from the Secretary of Energy, transmitting the 1991 report to the Congress on energy targets, pursuant to 42 U.S.C. 7361(c); to the Committee on Energy and Commerce.

3005. A letter from the Director, U.S. Arms Control and Disarmament Agency, transmitting the fiscal year 1993 arms control impact statement, pursuant to 22 U.S.C. 2576; to the Committee on Foreign Affairs.

3006. A letter from the Deputy Secretary of Defense, transmitting a report of 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.

3007. A letter from the Office of Administration, Executive Office of the President, transmitting a report of 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.

3008. A letter from the Secretary, Federal Trade Commission, transmitting a report of 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.

3009. A letter from the Chairman, National Endowment for the Arts, transmitting a report of 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.

3010. A letter from the Railroad Retirement Board, 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.

3011. A letter from the Executive Director, U.S. Holocaust Memorial Council, transmitting the Council's annual report in compliance with the Inspector General Act Amendments of 1988; to the Committee on Government Operations.

3012. 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.

3013. 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.

3014. 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.

3015. A letter from the Administrator of National Banks, Comptroller of the Currency, transmitting the annual report of consumer complaints filed against national banks and the disposition of those complaints; jointly, to the Committees on Energy and Commerce and Banking, Finance and Urban Affairs.

#### ¶22.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a bill and a concurrent resolution of the House of the following titles:

H.R. 2092. An Act to carry out obligations of the United States under the U.N. Charter and other international agreements pertaining to the protection of human rights by establishing a civil action for recovery of damages from an individual who engages in torture or extrajudicial killing; and

H. Con. Res. 239. Concurrent resolution congratulating the people of Lithuania for their successful peaceful revolution and their continuing commitment to the ideals of democracy.

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. 1150. An Act to reauthorize the Higher Education Act of 1965, and for other purposes.

#### ¶22.4 H.R. 2321—UNFINISHED BUSINESS

The SPEAKER, pursuant to the order of the House of March 3, 1992, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2321) to establish the Dayton Aviation Heritage National Historical Park in the State of Ohio, and for other purposes; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER announced that two-thirds of those present had voted in the affirmative.

Mr. BURTON 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 ..... 278  
Nays ..... 133

¶22.5 [Roll No. 35]  
YEAS—278

Abercrombie	Gillmor	Myers
Ackerman	Gilman	Nagle
Alexander	Gingrich	Neal (MA)
Anderson	Glickman	Nowak
Andrews (NJ)	Gonzalez	Oakar
Andrews (TX)	Gordon	Obey
Annunzio	Gradison	Olver
Anthony	Green	Ortiz
Applegate	Guarini	Owens (NY)
Aspin	Gunderson	Owens (UT)
Atkins	Hall (OH)	Oxley
AuCoin	Hamilton	Packard
Bacchus	Harris	Panetta
Ballenger	Hatcher	Parker
Barnard	Hayes (IL)	Pastor
Bateman	Hayes (LA)	Payne (NJ)
Beilenson	Hefner	Pease
Bennett	Hoagland	Pelosi
Bereuter	Hobson	Perkins
Berman	Hochbrueckner	Peterson (FL)
Bevill	Horton	Peterson (MN)
Bilbray	Hoyer	Pickett
Blackwell	Huckaby	Pickle
Boehlert	Ireland	Price
Boehner	Jefferson	Pursell
Bonior	Jenkins	Quillen
Borski	Johnson (CT)	Rahall
Boucher	Johnston	Rangel
Brooks	Jones (GA)	Reed
Broomfield	Jones (NC)	Regula
Browder	Jontz	Rhodes
Brown	Kanjorski	Richardson
Bryant	Kaptur	Riggs
Bustamante	Kasich	Roe
Campbell (CO)	Kennedy	Rogers
Cardin	Kennelly	Rose
Carper	Kildee	Rostenkowski
Carr	Kleczka	Rowland
Clay	Kolbe	Roybal
Clinger	Kolter	Russo
Coleman (TX)	Kopetski	Sabo
Collins (IL)	Kostmayer	Sanders
Collins (MI)	LaFalce	Sangmeister
Conyers	Lancaster	Sawyer
Cooper	Lantos	Scheuer
Costello	LaRocco	Schulze
Coughlin	Leach	Schumer
Cox (IL)	Lehman (CA)	Serrano
Coyne	Lehman (FL)	Sharp
Darden	Lent	Shaw
Davis	Levin (MI)	Shuster
de la Garza	Lewis (CA)	Sikorski
DeFazio	Lewis (GA)	Sisisky
DeLauro	Lightfoot	Skeen
DeLay	Lipinski	Skelton
Dellums	Long	Slaughter
Derrick	Lowey (NY)	Smith (FL)
Dickinson	Luken	Smith (IA)
Dicks	Manton	Smith (NJ)
Dingell	Markey	Solarz
Dixon	Marlenee	Spratt
Donnelly	Martin	Staggers
Dooley	Martinez	Stallings
Doolittle	Matsui	Stark
Dornan (CA)	Mavroules	Stokes
Downey	Mazzoli	Studds
Durbin	McCloskey	Swift
Dwyer	McDermott	Synar
Dymally	McEwen	Tallon
Early	McGrath	Tauzin
Eckart	McHugh	Taylor (NC)
Edwards (CA)	McMillen (MD)	Thomas (CA)
Edwards (TX)	McNulty	Thomas (GA)
Emerson	Mfume	Torres
Engel	Michel	Torricelli
Erdreich	Miller (CA)	Towns
Espy	Miller (OH)	Traficant
Evans	Mineta	Traxler
Fazio	Mink	Unsoeld
Feighan	Moakley	Upton
Fish	Molinari	Vander Jagt
Flake	Mollohan	Vento
Foglietta	Montgomery	Visclosky
Ford (MI)	Moody	Volkmer
Ford (TN)	Moorhead	Walsh
Frank (MA)	Moran	Washington
Gaydos	Morella	Waters
Gejdenson	Mrazek	Waxman
Gephardt	Murphy	Wheat
Gilchrest	Murtha	Williams

Wilson  
Wise  
Wolf

Wolpe  
Wyden  
Wylie

Yatron  
Young (AK)

NAYS—133

Allard	Hall (TX)	Penny
Allen	Hancock	Petri
Andrews (ME)	Hansen	Porter
Archer	Hastert	Poshard
Armey	Hefley	Ramstad
Baker	Henry	Ravenel
Barrett	Herger	Ray
Barton	Holloway	Ridge
Bentley	Hopkins	Rinaldo
Bliley	Horn	Ritter
Brewster	Houghton	Roberts
Bruce	Hubbard	Roemer
Bunning	Hughes	Rohrabacher
Burton	Hunter	Roth
Byron	Hutto	Roukema
Callahan	Inhofe	Santorum
Camp	Jacobs	Sarpaluis
Campbell (CA)	James	Saxton
Chandler	Johnson (SD)	Schaefer
Chapman	Johnson (TX)	Schroeder
Clement	Klug	Sensenbrenner
Coble	Kyl	Shays
Coleman (MO)	Lagomarsino	Skaggs
Combest	Laughlin	Slattery
Condit	Lewis (FL)	Smith (OR)
Cox (CA)	Lloyd	Smith (TX)
Cramer	Lowery (CA)	Snowe
Crane	Machtley	Solomon
Cunningham	McCandless	Spence
Dorgan (ND)	McCollum	Stearns
Dreier	McCrery	Stenholm
Duncan	McCurdy	Stump
Edwards (OK)	McMillan (NC)	Sundquist
English	Meyers	Swett
Ewing	Miller (WA)	Tanner
Fawell	Morrison	Taylor (MS)
Fields	Natcher	Thomas (WY)
Franks (CT)	Nichols	Valentine
Gallegly	Nussle	Vucanovich
Gallo	Olin	Walker
Gekas	Orton	Weldon
Geren	Pallone	Young (FL)
Goodling	Patterson	Zimmer
Goss	Paxon	
Grandy	Payne (VA)	

NOT VOTING—23

Bilirakis	Hyde	Schiff
Boxer	Levine (CA)	Thornton
Dannemeyer	Livingston	Weber
Fascell	McDade	Weiss
Frost	Neal (NC)	Whitten
Gibbons	Oberstar	Yates
Hammerschmidt	Ros-Lehtinen	Zeliff
Hertel	Savage	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

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

¶22.6 RESIGNATION AS MEMBER OF HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,  
Washington, DC, February 21, 1992.

Hon. THOMAS S. FOLEY,  
*Speaker, U.S. House of Representatives, Capitol Building, Washington, DC.*

DEAR MR. SPEAKER: This letter should serve as the official notice of my resignation from the United States Congress effective March 4, 1992.

It has been an honor working with you and the other members of Congress since 1985.

My warmest personal regards,  
Sincerely yours,

JAIME B. FUSTER,  
*Member of Congress.*

¶22.7 COMMUNICATION FROM GOVERNOR OF COMMONWEALTH OF PUERTO RICO—RESIDENT COMMISSIONER APPOINTMENT

The SPEAKER laid before the House a communication, which was read as follows:

COMMONWEALTH OF PUERTO RICO,  
OFFICE OF THE GOVERNOR,  
San Juan, PR, February 21, 1992.

Hon. THOMAS S. FOLEY,  
*Speaker, U.S. House of Representatives, the Capitol, Washington, DC.*

DEAR MR. SPEAKER: I have officially appointed Mr. Antonio J. Colorado to fill the vacancy that will ensue on March 4, 1992, from the resignation of Jaime B. Fuster as Resident Commissioner of the Commonwealth of Puerto Rico in the United States House of Representatives. The Senate of the Commonwealth of Puerto Rico has confirmed Mr. Colorado's appointment, as required by Section 36 of the 1950 Puerto Rican Federal Relations Act, 48 U.S.C. §745.

With my best personal regards, I am

Sincerely yours,  
RAFAEL HERNÁNDEZ COLÓN.

¶22.8 RESIDENT COMMISSIONER SWORN IN

Mr. ANTONIO J. COLORADO of the Commonwealth of Puerto Rico, presented himself at the bar of the House and took the oath of office prescribed by law.

¶22.9 PROVIDING FOR THE CONSIDERATION OF H. CON. RES. 287

Mr. DERRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 386):

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b), rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the concurrent resolution (H. Con. Res. 287) setting forth the congressional budget for the United States Government for the fiscal years 1993, 1994, 1995, 1996, and 1997, and the first reading shall be dispensed with. All points of order against the consideration of the concurrent resolution, except for section 606(b) of the Congressional Budget Act of 1974, are hereby waived. After general debate, which shall be confined to the concurrent resolution and the amendments made in order by this resolution and which shall continue not to exceed three hours, including a period of one hour on the subject of economic goals and policies, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, the concurrent resolution shall be considered as having been read for amendment under the five-minute rule. No amendment to the concurrent resolution shall be in order except the amendments printed in the report of the Committee on Rules accompanying this resolution. Said amendments shall be considered in the order and manner specified in the report. Said amendments shall be considered as having been read and shall be debatable for the time specified in the report. Said amendments shall not be subject to amendment. If more than one amendment in the nature of a substitute is adopted, only the last amendment which is adopted in the Committee of the Whole shall be considered as finally adopted and reported back to the House. All points of order against the amendments printed in the report of the Committee on Rules are hereby waived. Notwithstanding any provision of this resolution, it shall be in order to consider the amendment or