

Skaggs	Studds	Valentine
Skeen	Swett	Vento
Skelton	Swift	Visclosky
Slatery	Synar	Volkmer
Slaughter	Tallon	Washington
Smith (FL)	Tanner	Waters
Smith (IA)	Tauzin	Waxman
Smith (NJ)	Taylor (MS)	Wheat
Snowe	Thomas (WY)	Williams
Solarz	Thornton	Wilson
Spratt	Torres	Wise
Staggers	Torrice	Wolpe
Stallings	Towns	Wyden
Stark	Traficant	Yates
Stenholm	Traxler	Yatron
Stokes	Unsoeld	

NAYS—110

Allard	Hefley	Quillen
Allen	Henry	Ramstad
Army	Herger	Regula
Ballenger	Hobson	Rhodes
Barrett	Hopkins	Ridge
Barton	Inhofe	Riggs
Bentley	Ireland	Roberts
Bereuter	Jacobs	Rogers
Bilirakis	James	Rohrabacher
Bliley	Kolbe	Ros-Lehtinen
Boehlert	Kyl	Roth
Boehner	Lagomarsino	Roukema
Bunning	Leach	Schaefer
Burton	Lewis (CA)	Schroeder
Callahan	Lewis (FL)	Sensenbrenner
Camp	Lightfoot	Shays
Clay	Lloyd	Shuster
Coble	Machtley	Shivers
Coleman (MO)	Martin	Smith (OR)
Coughlin	McCandless	Solomon
Crane	McCollum	Spence
Cunningham	McCreary	Stearns
DeLay	McDade	Stump
Doolittle	McEwen	Sundquist
Emerson	McGrath	Taylor (NC)
Fawell	McMillan (NC)	Upton
Fields	Meyers	Vander Jagt
Franks (CT)	Michel	Vucanovich
Gallely	Miller (OH)	Walker
Gekas	Miller (WA)	Walsh
Gilchrist	Molinari	Weldon
Gingrich	Moorhead	Wolf
Goodling	Morella	Young (AK)
Goss	Murphy	Young (FL)
Grandy	Nussle	Zeliff
Hancock	Paxon	Zimmer
Hastert	Porter	

NOT VOTING—61

Abercrombie	Gaydos	Orton
AuCoin	Hatcher	Pelosi
Baker	Hayes (LA)	Perkins
Barnard	Hertel	Pursell
Blackwell	Holloway	Reed
Boxer	Huckaby	Roe
Brewster	Hunter	Roybal
Bruce	Hyde	Russo
Campbell (CA)	LaFalce	Sanders
Chandler	Laughlin	Santorum
Collins (IL)	Lehman (FL)	Savage
Conyers	Levine (CA)	Saxton
Dannemeyer	Lipinski	Smith (TX)
Dellums	Livingston	Thomas (CA)
Dickinson	Lowery (CA)	Thomas (GA)
Dixon	Manton	Weber
Dornan (CA)	Marlenee	Weiss
Dymally	Miller (CA)	Whitten
Edwards (OK)	Mollohan	Wylie
Ford (MI)	Morrison	
Gallo	Mrazek	

So the Journal was approved.

32.3 COMMUNICATIONS

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

3124. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to recover costs of carrying out Federal marketing agreements and orders; to the Committee on Agriculture

3125. A letter from the Department of Defense, transmitting the calendar year 1991 report on extraordinary contractual actions to facilitate the national defense pursuant to 50 U.S.C. 1434; to the Committee on Armed Services.

3126. A letter from the Comptroller, Department of Defense, transmitting the De-

partment's multiyear defense program, pursuant to 10 U.S.C. 114; to the Committee on Armed Services.

3127. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting political contributions by nominees as chiefs of mission, ambassadors at large, or ministers, and their families, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

3128. A letter from the Administrator, Small Business Administration, transmitting a report of activities under the Freedom of Information Act for calendar year 1991, pursuant to 5 U.S.C. 552(a); to the Committee on Government Operations.

3129. 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.

3130. 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.

3131. 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.

3132. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to extend the duration of the Patent and Trademark Office user fee surcharge through 1997; to the Committee on the Judiciary.

3133. A letter from the Executive Director, U.S. Holocaust Memorial Council, transmitting a draft of proposed legislation to authorize appropriations to carry out the programs of the U.S. Holocaust Memorial Council; jointly, to the Committees on House Administration, Interior and Insular Affairs, and Post Office and Civil Service.

32.4 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate disagreed to the amendments of the House to the bill (S. 3) "An Act to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits for Senate election campaigns, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appointed Mr. FORD, Mr. BOREN, Mr. MITCHELL, Mr. MCCONNELL, and Mr. GRAMM to be the conferees on the part of the Senate.

32.5 ENROLLED JOINT RESOLUTIONS SIGNED

The SPEAKER pro tempore, Mr. McNULTY, announced that pursuant to clause 4, rule I, the Speaker signed the following enrolled joint resolutions, on Thursday, March 19, 1992:

H.J. Res. 284. A joint resolution to designate the week beginning April 12, 1992, as "National Public Safety Telecommunicators Week".

H.J. Res. 446. A joint resolution waiving certain enrollment requirements with respect to H.R. 4210 of the 102nd Congress.

32.6 SUBMISSION OF CONFERENCE REPORT—H.R. 4210

Mr. ROSTENKOWSKI submitted a conference report (Rept. No. 102-461) on 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; together with a statement thereon, for printing in the Record under the rule.

32.7 PROVIDING FOR THE CONSIDERATION OF H.R. 3553

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 102-462) the resolution (H. Res. 403) providing for the consideration of the bill (H.R. 3553) to amend and extend the Higher Education Act of 1965.

When said resolution and report were referred to the House Calendar and ordered printed.

32.8 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT ON H.R. 4210

Mr. DERRICK, by direction of the Committee on Rules, called up the following resolution (H. Res. 402):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report on 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. All points of order against the conference report and against its consideration are hereby waived. The conference report shall be considered as having been read when called up for consideration.

When said resolution was considered. After debate,

On motion of Mr. DERRICK, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce, Will the House agree to said resolution?

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

Mr. DERRICK 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 244
Nays 151

32.9 [Roll No. 53] YEAS—244

Abercrombie	Bonior	Condit
Ackerman	Borski	Conyers
Alexander	Boucher	Cooper
Anderson	Boxer	Costello
Andrews (ME)	Brewster	Cox (IL)
Andrews (NJ)	Brooks	Coyne
Andrews (TX)	Browder	Cramer
Annunzio	Brown	Darden
Anthony	Bryant	de la Garza
Applegate	Bustamante	DeFazio
Aspin	Byron	DeLauro
Atkins	Campbell (CO)	Dellums
AuCoin	Cardin	Derrick
Bacchus	Carper	Dicks
Beilenson	Carr	Dingell
Bennett	Chapman	Dixon
Berman	Clay	Donnelly
Bevill	Clement	Dooley
Bilbray	Coleman (TX)	Dorgan (ND)
Blackwell	Collins (MI)	Downey

Durbin
Dwyer
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Erdeich
Espy
Evans
Fascell
Fazio
Feighan
Flake
Foglietta
Ford (TN)
Frank (MA)
Frost
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Glickman
Gonzalez
Gordon
Guarini
Hall (OH)
Hall (TX)
Hamilton
Harris
Hayes (IL)
Hefner
Hertel
Hoagland
Hochbrueckner
Horn
Hoyer
Hubbard
Hutto
Jacobs
Jefferson
Jenkins
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Klecza
Kolter
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco

Lehman (CA)
Levin (MI)
Lewis (GA)
Lloyd
Long
Lowey (NY)
Luken
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McHugh
McMillen (MD)
McNulty
Mfume
Mineta
Mink
Moakley
Mollohan
Montgomery
Moody
Moran
Murphy
Murtha
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Owens (NY)
Owens (UT)
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Poshard
Price
Rahall
Rangel
Ray
Reed
Richardson

Roemer
Rose
Rostenkowski
Rowland
Roybal
Sabo
Sanders
Sangmeister
Sarpalius
Savage
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sharp
Sikorski
Sisisky
Skelton
Slattery
Slaughter (NY)
Smith (FL)
Smith (IA)
Solarz
Spratt
Staggers
Stallings
Stark
Stenholm
Stokes
Studds
Sweet
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thornton
Torres
Torrucelli
Towns
Traficant
Traxler
Unsoeld
Valentine
Vento
Visclosky
Volkmer
Washington
Waxman
Weiss
Wheat
Williams
Wilson
Wise
Wolpe
Wyden
Yates
Yatron

Rhodes
Ridge
Riggs
Rinaldo
Ritter
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Santorum
Saxton
Schaefer
Schiff

Schulze
Sensenbrenner
Shaw
Shays
Shuster
Skeen
Smith (NJ)
Smith (OR)
Snowe
Solomon
Spence
Stearns
Stump
Sundquist
Taylor (NC)

Thomas (WY)
Upton
Vander Jagt
Vucanovich
Walker
Walsh
Weber
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—39

Baker
Barnard
Bruce
Campbell (CA)
Chandler
Collins (IL)
Dannemeyer
Dickinson
Dymally
Edwards (OK)
Ford (MI)
Hastert
Hatcher

Hayes (LA)
Holloway
Huckaby
Laughlin
Lehman (FL)
Levine (CA)
Lipinski
Livingston
Manton
Marlenee
Miller (CA)
Miller (WA)
Morrison

Mrazek
Nagle
Orton
Pursell
Roe
Russo
Skaggs
Smith (TX)
Thomas (CA)
Thomas (GA)
Waters
Whitten
Wylie

So 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.

§32.10 TAX RELIEF AND ECONOMIC GROWTH

Mr. ROSTENKOWSKI, pursuant to House Resolution 402, called up the following conference report (Rept. No. 102-461):

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to 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, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE, ETC.

(a) SHORT TITLE.—This Act may be cited as the "Tax Fairness and Economic Growth Act of 1992".

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) SECTION 15 NOT TO APPLY.—No amendment made by this Act shall be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986.

(d) UNDERPAYMENT OF ESTIMATED TAX.—No addition to tax shall be made under section 6654 or 6655 of the Internal Revenue Code of 1986 for the 1st required installment for any taxable year beginning in 1992 with respect to any underpayment to the extent such underpayment was created or increased by any amendment made by this Act. Any reduction in an installment by reason of the preceding sentence shall be recaptured by increasing the amount of the 1st succeeding required installment by the amount of such reduction.

(e) TABLE OF CONTENTS.—

TITLE I—MIDDLE CLASS TAX RELIEF
Sec. 1001. Working family credit.

Sec. 1002. Simplification and expansion of earned income tax credit.
Sec. 1003. Credit for interest on education loans.
Sec. 1004. Income exclusion for education bonds expanded.
Sec. 1005. Modifications of one-time exclusion of gain from sale of principal residence.
Sec. 1006. Treatment of employer-provided transportation benefits.

TITLE II—PROMOTION OF LONG-TERM ECONOMIC GROWTH

Subtitle A—Increased Savings

PART I—RETIREMENT SAVINGS INCENTIVES
SUBPART A—RESTORATION OF IRA DEDUCTION
Sec. 2001. Restoration of IRA deduction.
Sec. 2002. Inflation adjustment for deductible amount.
Sec. 2003. Coordination of IRA deduction limit with elective deferral limit.
SUBPART B—NONDEDUCTIBLE TAX-FREE IRAS
Sec. 2011. Establishment of nondeductible tax-free individual retirement accounts.

PART II—PENALTY-FREE DISTRIBUTIONS

Sec. 2021. Penalty-free withdrawals for first home purchase, higher education expenses, medical expenses, and expenses of unemployed individuals.
Sec. 2022. Contributions must be held at least 5 years in certain cases.

Subtitle B—Capital Gain Provisions

PART I—PROGRESSIVE CAPITAL GAIN RATES
Sec. 2101. Progressive capital gain rates.
Sec. 2102. Increase in holding period required for long-term capital gain treatment.
Sec. 2103. Recapture under section 1250 of total amount of depreciation.

PART II—SMALL BUSINESS STOCK

Sec. 2111. 50-percent exclusion for gain from certain small business stock.

Subtitle C—Investment in Real Estate

PART I—MODIFICATION OF PASSIVE LOSS RULES
Sec. 2201. Modification of passive loss rules.
PART II—PROVISIONS RELATING TO REAL ESTATE INVESTMENTS BY PENSION FUNDS

Sec. 2211. Real estate property acquired by a qualified organization.
Sec. 2212. Special rules for investments in partnerships.
Sec. 2213. Title-holding companies permitted to receive small amounts of unrelated business taxable income.
Sec. 2214. Exclusion from unrelated business tax of gains from certain property.
Sec. 2215. Exclusion from unrelated business tax of certain fees and option premiums.
Sec. 2216. Treatment of pension fund investments in real estate investment trusts.

Subtitle D—Temporary Investment Incentives

Sec. 2301. Special depreciation allowance for certain equipment acquired in 1992.
Sec. 2302. Temporary increase in amount of expensing for small businesses.

Subtitle E—Extension of Certain Expiring Tax Provisions

Sec. 2401. Research credit.
Sec. 2402. Low-income housing credit.
Sec. 2403. Targeted jobs credit.
Sec. 2404. Qualified mortgage bonds.
Sec. 2405. Qualified small issue bonds.
Sec. 2406. Employer-provided educational assistance.

NAYS—151

Allard
Allen
Archer
Armey
Ballenger
Barrett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Boehner
Broomfield
Bunning
Burton
Callahan
Camp
Clinger
Coble
Coleman (MO)
Combest
Coughlin
Cox (CA)
Crane
Cunningham
Davis
DeLay
Doolittle
Dornan (CA)
Dreier
Duncan
Emerson
Ewing
Fawell

Fields
Fish
Franks (CT)
Gallegly
Gallo
Gekas
Gilchrest
Gillmor
Gilman
Gingrich
Goodling
Goss
Gradison
Grandy
Green
Gunderson
Hammerschmidt
Hancock
Hansen
Hefley
Henry
Herger
Hobson
Hopkins
Horton
Houghton
Hughes
Hunter
Hyde
Inhofe
Ireland
James
Johnson (CT)
Johnson (TX)
Kasich
Klug

Kolbe
Kyl
Lagomarsino
Leach
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lowery (CA)
Machtley
Martin
McCandless
McCollum
McCrery
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Molinari
Moorhead
Morella
Myers
Nichols
Nussle
Oxley
Packard
Paxon
Petri
Porter
Quillen
Ramstad
Ravenel
Regula