

Ordered. That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶61.15 CHORNOBYL NUCLEAR DISASTER ANNIVERSARY

Mr. GILMAN moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 167):

Whereas April 26, 1996, marks the tenth anniversary of the Chornobyl nuclear disaster;

Whereas United Nations General Assembly resolution 50/134 declares April 26, 1996, as the International Day Commemorating the Tenth Anniversary of the Chornobyl Nuclear Power Plant Accident and encourages member states to commemorate this tragic event;

Whereas serious radiological, health, and socioeconomic consequences for the populations of Ukraine, Belarus, and Russia, as well as for the populations of other affected areas, have been identified since the disaster;

Whereas over 3,500,000 inhabitants of the affected areas, including over 1,000,000 children, were exposed to dangerously high levels of radiation;

Whereas the populations of the affected areas, especially children, have experienced significant increases in thyroid cancer, immune deficiency diseases, birth defects, and other conditions, and these trends have accelerated over the 10 years since the disaster;

Whereas the lives and health of people in the affected areas continue to be heavily burdened by the ongoing effects of the Chornobyl accident;

Whereas numerous charitable, humanitarian, and environmental organizations from the United States and the international community have committed to overcome the extensive consequences of the Chornobyl disaster;

Whereas the United States has sought to help the people of Ukraine through various forms of assistance;

Whereas humanitarian assistance and public health research into Chornobyl's consequences will be needed in the coming decades when the greatest number of latent health effects is expected to emerge;

Whereas on December 20, 1995, the Ukrainian Government, the governments of the G-7 countries, and the Commission of the European Communities signed a memorandum of understanding to support the decision of Ukraine to close the Chornobyl nuclear power plant by the year 2000 with adequate support from the G-7 countries and international financial institutions;

Whereas the United States strongly supports the closing of the Chornobyl nuclear power plant and improving nuclear safety in Ukraine; and

Whereas representatives of Ukraine, the G-7 countries, and international financial institutions will meet at lease annually to monitor implementation of the program to close Chornobyl: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes April 26, 1996, as the tenth anniversary of the Chornobyl nuclear power plant disaster;

(2) urges the Government of Ukraine to continue its negotiations with the G-7 countries to implement the December 20, 1995, memorandum of understanding which calls for all nuclear reactors at Chornobyl to be shut down in a safe and expeditious manner; and

(3) calls upon the President—

(A) to support continued and enhanced United States assistance to provide medical relief, humanitarian assistance, social impact planning, and hospital development for Ukraine, Belarus, Russia, and other nations

most heavily afflicted by Chornobyl's aftermath;

(B) to encourage national and international health organizations to expand the scope of research into the public health consequences of Chornobyl, so that the global community can benefit from the findings of such research;

(C) to support the process of closing the Chornobyl nuclear power plant in an expeditious manner as envisioned by the December 20, 1995, memorandum of understanding; and

(D) to support the broadening of Ukraine's regional energy sources which will reduce its dependence on any individual country.

The SPEAKER pro tempore, Mr. WICKER, recognized Mr. GILMAN and Mr. MORAN for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. WICKER, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of New Jersey, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. WICKER, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

¶61.16 PROVIDING FOR THE CONSIDERATION OF H. R. 3415

Mr. DREIER, by direction of the Committee on Rules, called up the following resolution (H. Res. 436):

Resolved. That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3415) to amend to Internal Revenue Code of 1986 to repeal the 4.3-cent increase in the transportation motor fuels excise tax rates enacted by the Omnibus Budget Reconciliation Act of 1993 and dedicated to the general fund of the Treasury. All points of order against the bill and against its consideration are waived. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered.

After debate,

Mr. DREIER moved the previous question on the resolution to its adoption or rejection.

The question being put, *viva voce*, Will the House now order the previous question?

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

Mr. BEILENSEN 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 221
Nays 181

¶61.17 [Roll No. 180] YEAS—221

Allard	Franks (NJ)	Myers
Archer	Frelinghuysen	Myrick
Armedy	Funderburk	Nethercutt
Bachus	Ganske	Neumann
Baker (CA)	Gekas	Ney
Baker (LA)	Gilchrest	Norwood
Ballenger	Gillmor	Nussle
Barr	Gilman	Oxley
Barrett (NE)	Goodlatte	Packard
Bartlett	Goodling	Parker
Barton	Goss	Paxon
Bass	Graham	Petri
Bateman	Greene (UT)	Pombo
Bereuter	Greenwood	Porter
Bilbray	Gunderson	Pryce
Bilirakis	Gutknecht	Quillen
Bliley	Hancock	Quinn
Blute	Hansen	Radanovich
Boehlert	Hastert	Ramstad
Boehner	Hastings (WA)	Regula
Bonilla	Hayes	Riggs
Bono	Hayworth	Roberts
Brownback	Hefley	Rogers
Bryant (TN)	Heineman	Ros-Lehtinen
Bunning	Herger	Roth
Burr	Hilleary	Roukema
Burton	Hobson	Royce
Buyer	Hoekstra	Salmon
Callahan	Hoke	Sanford
Calvert	Horn	Saxton
Camp	Houghton	Scarborough
Campbell	Hunter	Schaefer
Canady	Hutchinson	Schiff
Castle	Hyde	Seastrand
Chabot	Inglis	Sensenbrenner
Chambliss	Istook	Shadegg
Chenoweth	Johnson (CT)	Shaw
Christensen	Johnson, Sam	Shays
Chrysler	Jones	Shuster
Coble	Kasich	Skeen
Collins (GA)	Kelly	Smith (NJ)
Combest	Kim	Smith (TX)
Cooley	King	Smith (WA)
Cox	Klug	Solomon
Crane	Knollenberg	Souder
Crapo	Kolbe	Spence
Creameans	LaHood	Stearns
Cubin	Latham	Stockman
Cunningham	LaTourrette	Stump
Davis	Laughlin	Talent
Deal	Lazio	Tate
DeLay	Leach	Tauzin
Diaz-Balart	Lewis (CA)	Taylor (NC)
Dickey	Lewis (KY)	Thomas
Doolittle	Lightfoot	Thornberry
Dornan	Linder	Tiahrt
Dreier	Livingston	Torkildsen
Duncan	LoBiondo	Upton
Dunn	Longley	Vucanovich
Ehlers	Manzullo	Walker
Ehrlich	Martinez	Walsh
Emerson	Martini	Wamp
English	McCollum	Weldon (FL)
Ensign	McCrery	Weldon (PA)
Everett	McDade	Weller
Ewing	McHugh	White
Fawell	McInnis	Whitfield
Fields (TX)	McKeon	Wicker
Flanagan	Metcalf	Wolf
Foley	Meyers	Young (AK)
Forbes	Mica	Young (FL)
Fowler	Miller (FL)	Zeliff
Fox	Moorhead	Zimmer
Franks (CT)	Morella	

NAYS—181

Abercrombie	Brown (OH)	de la Garza
Ackerman	Bryant (TX)	DeFazio
Andrews	Cardin	DeLauro
Baldacci	Chapman	Dellums
Barcia	Clay	Deutsch
Barrett (WI)	Clayton	Dicks
Becerra	Clement	Dingell
Beilenson	Clyburn	Dixon
Bentsen	Coleman	Doggett
Berman	Collins (IL)	Dooley
Bevill	Collins (MI)	Doyle
Bishop	Condit	Edwards
Bonior	Conyers	Engel
Borski	Costello	Eshoo
Boucher	Coyne	Evans
Brewster	Cramer	Farr
Brown (CA)	Cummings	Fattah
Brown (FL)	Danner	Fazio

Fields (LA)	Lipinski	Rose
Filner	Lofgren	Roybal-Allard
Flake	Luther	Rush
Foglietta	Manton	Sabo
Ford	Markey	Sanders
Frank (MA)	Mascara	Sawyer
Frost	Matsui	Schroeder
Gejdenson	McCarthy	Schumer
Gephardt	McHale	Scott
Geren	McKinney	Serrano
Gibbons	Meehan	Sisisky
Gonzalez	Meek	Skaggs
Gordon	Menendez	Skelton
Green (TX)	Millender-	Slaughter
Hall (OH)	McDonald	Spratt
Hall (TX)	Miller (CA)	Stark
Hamilton	Minge	Stenholm
Hastings (FL)	Mink	Stokes
Hefner	Mollohan	Studds
Hilliard	Montgomery	Stupak
Hinchey	Moran	Tanner
Holden	Murtha	Taylor (MS)
Hoyer	Nadler	Tejeda
Jackson (IL)	Neal	Thompson
Jackson-Lee	Obey	Thornton
(TX)	Olver	Thurman
Jacobs	Orton	Torricelli
Jefferson	Owens	Towns
Johnson (SD)	Pallone	Traficant
Johnson, E.B.	Pastor	Velazquez
Johnston	Payne (NJ)	Vento
Kanjorski	Payne (VA)	Visclosky
Kaptur	Pelosi	Volkmer
Kennedy (MA)	Peterson (MN)	Ward
Kennedy (RI)	Pickett	Waters
Kennelly	Pomeroy	Watt (NC)
Kildee	Poshard	Waxman
Klecicka	Rahall	Williams
LaFalce	Rangel	Wilson
Lantos	Reed	Wise
Levin	Richardson	Woolsey
Lewis (GA)	Rivers	Wynn
Lincoln	Roemer	Yates

NOT VOTING—31

Baesler	Hostettler	Molinari
Browder	Kingston	Oberstar
Bunn	Klink	Ortiz
Clinger	Largent	Peterson (FL)
Coburn	Lowey	Portman
Durbin	Lucas	Rohrabacher
Frisa	Maloney	Smith (MI)
Furse	McDermott	Torres
Gallegly	McIntosh	Watts (OK)
Gutiérrez	McNulty	
Harman	Moakley	

So the previous question on the resolution was ordered.

The question being put, *viva voce*,

Will the House agree to said resolution?

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

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.

61.18 UNFINISHED BUSINESS—APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Monday, May 20, 1996.

The question being put, *viva voce*,

Will the House agree to the Chair's approval of said Journal?

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

So the Journal was approved.

61.19 MOTOR FUELS EXCISE TAX REPEAL

Mr. ARCHER, pursuant to House Resolution 436, called up the bill (H.R. 3415) to amend the Internal Revenue Code of 1986 to repeal the 4.3-cent in-

crease in the transportation motor fuels excise tax rates enacted by the Omnibus Budget Reconciliation Act of 1993 and dedicated to the general fund of the Treasury.

When said bill was read twice.

Pursuant to House Resolution 436, the amendment printed in (H. Rept. No. 104-580) was considered as adopted.

When said bill, as amended, was considered.

After debate,

Pursuant to House Resolution 436, the previous question was ordered on the bill, as amended.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. RANGEL moved to recommit the bill to the Committee on Ways and Means with instructions to report the bill back to the House forthwith with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. PURPOSE.

The purpose of this Act is to repeal the 4.3-cent increase in the transportation motor fuels excise tax rates enacted by the Omnibus Budget Reconciliation Act of 1993 and dedicated to the general fund of the Treasury.

SEC. 2. REPEAL OF 4.3-CENT INCREASE IN FUEL TAX RATES ENACTED BY THE OMNIBUS BUDGET RECONCILIATION ACT OF 1993 AND DEDICATED TO GENERAL FUND OF THE TREASURY.

(a) IN GENERAL.—Section 4081 of the Internal Revenue Code of 1986 (relating to imposition of tax on gasoline and diesel fuel) is amended by adding at the end the following new subsection:

“(f) REPEAL OF 4.3-CENT INCREASE IN FUEL TAX RATES ENACTED BY THE OMNIBUS BUDGET RECONCILIATION ACT OF 1993 AND DEDICATED TO GENERAL FUND OF THE TREASURY.—

“(1) IN GENERAL.—During the applicable period, each rate of tax referred to in paragraph (2) shall be reduced by 4.3 cents per gallon.

“(2) RATES OF TAX.—The rates of tax referred to in this paragraph are the rates of tax otherwise applicable under—

“(A) subsection (a)(2)(A) (relating to gasoline and diesel fuel),

“(B) sections 4091(b)(3)(A) and 4092(b)(2) (relating to aviation fuel),

“(C) section 4042(b)(2)(C) (relating to fuel used on inland waterways),

“(D) paragraph (1) or (2) of section 4041(a) (relating to diesel fuel and special fuels),

“(E) section 4041(c)(2) (relating to gasoline used in noncommercial aviation), and

“(F) section 4041(m)(1)(A)(i) (relating to certain methanol or ethanol fuels).

“(3) COMPARABLE TREATMENT FOR COMPRESSED NATURAL GAS.—No tax shall be imposed by section 4041(a)(3) on any sale or use during the applicable period.

“(4) COMPARABLE TREATMENT UNDER CERTAIN REFUND RULES.—In the case of fuel on which tax is imposed during the applicable period, each of the rates specified in sections 6421(f)(2)(B), 6421(f)(3)(B)(ii), 6427(b)(2)(A), 6427(l)(3)(B)(ii), and 6427(l)(4)(B) shall be reduced by 4.3 cents per gallon.

“(5) COORDINATION WITH HIGHWAY TRUST FUND DEPOSITS.—In the case of fuel on which tax is imposed during the applicable period, each of the rates specified in subparagraphs (A)(i) and (C)(i) of section 9503(f)(3) shall be reduced by 4.3 cents per gallon.

“(6) APPLICABLE PERIOD.—For purposes of this subsection, the term ‘applicable period’ means the period after the 6th day after the

date of the enactment of this subsection and before January 1, 1997.”

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 3. FLOOR STOCK REFUNDS.

(a) IN GENERAL.—If—

(1) before the tax repeal date, tax has been imposed under section 4081 or 4091 of the Internal Revenue Code of 1986 on any liquid, and

(2) on such date such liquid is held by a dealer and has not been used and is intended for sale,

there shall be credited or refunded (without interest) to the person who paid such tax (hereafter in this section referred to as the “taxpayer”) an amount equal to the excess of the tax paid by the taxpayer over the amount of such tax which would be imposed on such liquid had the taxable event occurred on such date.

(b) TIME FOR FILING CLAIMS.—No credit or refund shall be allowed or made under this section unless—

(1) claim therefor is filed with the Secretary of the Treasury before the date which is 6 months after the tax repeal date, and

(2) in any case where liquid is held by a dealer (other than the taxpayer) on the tax repeal date—

(A) the dealer submits a request for refund or credit to the taxpayer before the date which is 3 months after the tax repeal date, and

(B) the taxpayer has repaid or agreed to repay the amount so claimed to such dealer or has obtained the written consent of such dealer to the allowance of the credit or the making of the refund.

(c) EXCEPTION FOR FUEL HELD IN RETAIL STOCKS.—No credit or refund shall be allowed under this section with respect to any liquid in retail stocks held at the place where intended to be sold at retail.

(d) DEFINITIONS.—For purposes of this section—

(1) the terms “dealer” and “held by a dealer” have the respective meanings given to such terms by section 6412 of such Code; except that the term “dealer” includes a producer, and

(2) the term “tax repeal date” means the 7th day after the date of the enactment of this Act.

(e) CERTAIN RULES TO APPLY.—Rules similar to the rules of subsections (b) and (c) of section 6412 of such Code shall apply for purposes of this section.

SEC. 4. FLOOR STOCKS TAX.

(a) IMPOSITION OF TAX.—In the case of any liquid on which tax was imposed under section 4081 or 4091 of the Internal Revenue Code of 1986 before January 1, 1997, and which is held on such date by any person, there is hereby imposed a floor stocks tax of 4.3 cents per gallon.

(b) LIABILITY FOR TAX AND METHOD OF PAYMENT.—

(1) LIABILITY FOR TAX.—A person holding a liquid on January 1, 1997, to which the tax imposed by subsection (a) applies shall be liable for such tax.

(2) METHOD OF PAYMENT.—The tax imposed by subsection (a) shall be paid in such manner as the Secretary shall prescribe.

(3) TIME FOR PAYMENT.—The tax imposed by subsection (a) shall be paid on or before June 30, 1997.

(c) DEFINITIONS.—For purposes of this section—

(1) HELD BY A PERSON.—A liquid shall be considered as “held by a person” if title thereto has passed to such person (whether or not delivery to the person has been made).

(2) GASOLINE AND DIESEL FUEL.—The terms “gasoline” and “diesel fuel” have the respective meanings given such terms by section 4083 of such Code.