

Tiaht Upton Vucanovich Walker Wamp Watts (OK) Weldon (FL) White Whitfield Wicker Wolf Young (FL) Zeliff

NOES—229

Abercrombie Ackerman Andrews Baesler Baldacci Barcia Barrett (WI) Beilenson Bentsen Berman Bevill Bishop Blute Boehlert Bonior Borski Boucher Browder Brown (CA) Brown (FL) Brown (OH) Bryant (TX) Bunn Cardin Chapman Clay Clayton Clement Clyburn Coleman Collins (IL) Condit Conyers Costello Coyne Cramer Cummings Danner de la Garza Deal DeFazio DeLauro Dellums Diaz-Balart Dicks Dingell Dixon Doggett Dooley Doyle Durbin Edwards Engel English Eshoo Evans Farr Fattah Fazio Fields (LA) Filner Flake Flanagan Foglietta Ford Fox Frank (MA) Franks (NJ) Frisa Frost Furse Gejdenson Gephardt Gibbons Gilman Gonzalez Gordon Green (TX) Greenwood Gutierrez Hall (OH) Hamilton Harman Hastings (FL) Hefner Hilliard Hinchey Hoke Holden Houghton Hoyer Jackson (IL) Jackson-Lee (TX) Jacobs Jefferson Johnson (CT) Johnson (SD) Johnson, E. B. Johnston Kanjorski Kaptur Kelly Kennedy (MA) Kennedy (RI) Kennelly Kildee King Kleczka Klink LaFalce LaHood Lantos LaTourrette Leach Levin Lewis (GA) Lincoln Lipinski LoBiondo Lofgren Longley Lowey Luther Maloney Manton Markey Martinez Martini Mascara Matsui McCarthy McDade McDermott McHale McHugh McKinney Meehan Meek Menendez Metcalf Millender- McDonald Miller (CA) Minge Mink Moakley Mollohan Moran Morella Murtha Nadler Neal Ney Oberstar Obey Olver Ortiz Owens Pallone Pastor Payne (NJ) Payne (VA) Pelosi Peterson (FL) Peterson (MN) Pomeroy Poshard Quinn Rahall Rangel Reed Regula Richardson Riggs Rivers Roemer Ros-Lehtinen Rose Roukema Roybal-Allard Rush Sabo Sanders Sawyer Schroeder Schumer Scott Serrano Shays Siskisky Skaggs Skelton Smith (NJ) Smith (WA) Solomon Spratt Stark Stearns Stockman Stokes Studds Tanner Taylor (MS) Tejeda Thorntson Thornton Torres Torricelli Towns Traficant Upton Velazquez Vento Visclosky Volkmer Walsh Waters Watt (NC) Waxman Weldon (PA) Weller Williams Wilson Wise Woolsey Wynn Yates Young (AK) Young (FL) Zimmer

NOT VOTING—8

Becerra Collins (MI) DeLay Deutsch Kingston McNulty Molinari Ward

So subsection (d) of the new section proposed by the amendment was not agreed to.

Pursuant to the rule, 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.

The question being put, viva voce, Will the House pass said bill? The SPEAKER pro tempore, Mr. WALKER, announced that the yeas had it.

Mr. GOODLING demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 281 affirmative ..... } Nays ..... 144

63.11 [Roll No. 195] AYES—281

Abercrombie Ackerman Andrews Bachus Baesler Baldacci Barcia Barrett (WI) Beilenson Bentsen Bereuter Berman Bevill Bilbray Bilirakis Bishop Bliley Blute Boehlert Bonior Borski Boucher Browder Brown (CA) Brown (FL) Brown (OH) Bryant (TX) Bunn Buyer Canady Cardin Castle Chapman Chrysler Clay Clayton Clement Clyburn Coleman Collins (IL) Collins (MI) Condit Conyers Costello Coyne Cramer Cremeans Cummings Danner de la Garza Deal DeFazio DeLauro Dellums Diaz-Balart Dicks Dingell Dixon Doggett Dooley Doyle Duncan Durbin Edwards Ehlers Engel English Ensign Eshoo Evans Farr Fattah Fawell Fazio Fields (LA) Filner Flake Flanagan Foglietta Foleys Forbes Ford Fowler Fox Frank (MA) Franks (NJ) Frelinghuysen Frisa Frost Furse Gallegly Ganske Gejdenson Gephardt Gibbons Gilchrist Gillmor Gilman Gonzalez Goodling Gordon Green (TX) Greenwood Gunderson Gutierrez Gutknecht Hall (OH) Hamilton Harman Hastings (FL) Hayes Hefner Hillery Hilliard Hinchey Hobson Holden Horn Houghton Hoyer Jackson (IL) Jackson-Lee (TX) Jacobs Jefferson Johnson (CT) Johnson (SD) Johnson, E. B. Johnston Kanjorski Kaptur Kasich Kelly Kennedy (MA) Kennedy (RI) Kennelly Kildee King Rigggs Rivers Roberts Roemer Rogers Ros-Lehtinen Roukema Roybal-Allard Rush Sabo Sanders Sawyer Saxton Schiff Schroeder Schumer Scott Serrano Shaw Foglietta Folley Forbes Ford Fowler Fox Frank (MA) Franks (NJ) Frelinghuysen Frisa Frost Furse Gallegly Ganske Gejdenson Gephardt Gibbons Gilchrist Gillmor Gilman Gonzalez Goodling Gordon Green (TX) Greenwood Gunderson Gutierrez Gutknecht Hall (OH) Hamilton Harman Hastings (FL) Hayes Hefner Hillery Hilliard Hinchey Hobson Holden Horn Houghton Hoyer Jackson (IL) Jackson-Lee (TX) Jacobs Jefferson Johnson (CT) Johnson (SD) Johnson, E. B. Johnston Kanjorski Kaptur Kasich Kelly Kennedy (MA) Kennedy (RI) Kennelly Kildee King Rigggs Rivers Roberts Roemer Rogers Ros-Lehtinen Roukema Roybal-Allard Rush Sabo Sanders Sawyer Saxton Schiff Schroeder Schumer Scott Serrano Shaw

Shays Siskisky Skaggs Skelton Slaughter Smith (NJ) Smith (WA) Solomon Spratt Stark Stearns Stockman Stokes Studds Stupak Tanner Tausin Taylor (MS) Tejeda Thompson Thornton Thurman Torkildsen Torres Torricelli Towns Traficant Upton Velazquez Vento Visclosky Volkmer Walsh Waters

NOES—144

Allard Archer Arme Baker (CA) Baker (LA) Ballenger Barr Barrett (NE) Bartlett Barton Bass Bateman Boehner Bonilla Bono Brewster Brownback Bryant (TN) Burr Burton Callahan Calvert Camp Campbell Chabot Chambliss Chenoweth Christensen Clinger Coburn Collins (GA) Combest Cooley Cox Crane Crapo Cuban Cunningham Davis Dickey Doolittle Dornan Dreier Dunn Ehrlich Emerson Everett Ewing Fields (TX) Franks (CT) Funderburk Gekas Geren Goodlatte Goss Graham Greene (UT) Hall (TX) Hancock Hansen Hastert Hastings (WA) Hayworth Hefley Heineman Herger Bunning Hostettler Hunter Hutchinson Hyde Inglis Istook Johnson, Sam Jones Kim Knollenberg Kolbe Largent Latham Laughlin Lewis (KY) Lightfoot Linder Livingston Lucas Manzullo McCollum McInnis McIntosh McKeon Meyers Mica Miller (FL) Montgomery Myers Myrick Nethercutt Norwood Nussle Oxley Packard Parker Paxton Pombo Porter Portman Quillen Radanovich Rohrbacher Rose Roth Royce Salmon Sanford Scarborough Schaefer Seastrand Sensenbrenner Shadegg Shuster Skeen Smith (MI) Smith (TX) Souder Spence Stenholm Stump Talent Tate Taylor (NC) Thomas Thornberry Tiaht Upton Vucanovich Walker Wamp Watts (OK) White Wicker Wolf Zeliff

NOT VOTING—8

Becerra DeLay Deutsch Hoke Kingston McNulty Molinari Ward

So the bill was passed. By unanimous consent, the title was amended so as to read: "An Act to provide tax relief for small businesses, to protect jobs, to create opportunities, to increase the take home pay of workers, to amend the Portal-to-Portal Act of 1947 relating to the payment of wages to employees who use employer owned vehicles, and to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rate and to prevent job loss by providing flexibility to employers in complying with minimum wage and overtime requirements under that Act."

A motion to reconsider the votes whereby said bill was passed and the title was amended was, by unanimous consent, laid on the table.

Pursuant to section 4(b) of House Resolution 440, the text of H.R. 1227

was appended to the engrossment of H.R. 3448, and H.R. 1227 was laid on the table.

¶63.12 CALENDAR WEDNESDAY BUSINESS  
DISPENSED WITH

On motion of Mr. ARMEY, by unanimous consent,

*Ordered*, That business in order for consideration on Wednesday, May 29, 1996, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

¶63.13 SPEAKER AND MINORITY LEADER  
TO ACCEPT RESIGNATIONS, APPOINT  
COMMISSIONS

On motion of Mr. ARMEY, by unanimous consent,

*Ordered*, That, notwithstanding any adjournment of the House until 2:00 p.m., Wednesday, May 29, 1996, the Speaker and the Minority Leader be authorized to accept resignations and to make appointments authorized by law or by the House.

¶63.14 DESIGNATION OF SPEAKER PRO  
TEMPORE TO SIGN ENROLLMENTS

The SPEAKER pro tempore, Mr. GOSS, laid before the House a communication, which was read as follows:

WASHINGTON, DC,  
May 23, 1996.

I hereby designate the Honorable ROBERT S. WALKER to act as Speaker pro tempore to sign enrolled bills and joint resolutions through Wednesday, May 29, 1996.

NEWT GINGRICH,

*Speaker of the House of Representatives.*

By unanimous consent, the designation was accepted.

¶63.15 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 60. Concurrent resolution providing for a conditional adjournment or recess of the Senate and the House of Representatives.

The message also announced that pursuant to Public Law 104-52, as amended by Public Law 104-134, the Chair, on behalf of the majority leader, appoints the Senator from Iowa, Mr. GRASSLEY; David L. Keating, of Maryland; J. Fred Kubik, of Kansas; and Mark L. McConaghy, of Washington, D.C., to the National Commission on Restructuring the Internal Revenue Service.

The message also announced that pursuant to Public Law 104-52, as amended by Public Law 104-134, the Chair, on behalf of the Democratic leader, appoints the Senator from Nebraska, Mr. KERREY; and Fred T. Goldberg, Jr., of Missouri, to the National Commission on Restructuring the Internal Revenue Service.

¶63.16 PUBLIC WORKS PROJECTS

The SPEAKER pro tempore, Mr. GOSS, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES, COM-  
MITTEE ON TRANSPORTATION AND  
INFRASTRUCTURE,

*Washington, DC, May 13, 1996.*

Hon. NEWT GINGRICH,

*Office of the Speaker, U.S. House of Representatives, Washington, DC.*

DEAR SPEAKER GINGRICH: Pursuant to the provisions of the Public Buildings Act of 1959, I am transmitting resolutions approved by the Committee on Transportation and Infrastructure on May 9, 1996.

With kind personal regards, I remain  
Sincerely,

BUD SHUSTER,

*Chairman.*

The communication, together with the accompanying papers, was referred to the Committee on Appropriations.

¶63.17 PUBLIC WORKS PROJECTS

The SPEAKER pro tempore, Mr. GOSS, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES, COM-  
MITTEE ON TRANSPORTATION AND  
INFRASTRUCTURE,

*Washington, DC, May 13, 1996.*

Hon. NEWT GINGRICH,

*Speaker, U.S. House of Representatives, Wash-  
ington, DC.*

DEAR MR. SPEAKER: Enclosed are copies of resolutions adopted on March 7, 1996 and May 9, 1996 by the Committee on Transportation and Infrastructure. A copy of the resolutions are being transmitted to the Department of the Army.

With kind personal regards, I remain  
Sincerely,

BUD SHUSTER,

*Chairman.*

The communication, together with the accompanying papers, was referred to the Committee on Appropriations.

¶63.18 MESSAGE FROM THE PRESIDENT-  
RETIREMENT SAVINGS AND SECURITY  
ACT

The SPEAKER pro tempore, Mr. GOSS, laid before the House a message from the President, which was read as follows:

*To the Congress of the United States:*

I am pleased to transmit today for the consideration of the Congress the "Retirement Savings and Security Act." This legislation is designed to empower all Americans to save for their retirement by expanding pension coverage, increasing portability, and enhancing security. By using both employer and individual tax-advantaged retirement savings programs, Americans can benefit from the opportunities of our changing economy while assuring themselves and their families greater security for the future. A general explanation of the act accompanies this transmittal.

Today, over 58 million American public and private sector workers are covered by employer-sponsored pension or retirement savings plans. Millions more have been able to save through Individual Retirement Accounts (IRAs). The Retirement Savings and Security Act would help expand pensions to the over 51 million American private-sector workers—including over three-quarters of the workers in small businesses—who are not covered by an

employer-sponsored pension or retirement savings program and need both the opportunity and encouragement to start saving. Women particularly need this expanded coverage: fewer than one-third of all women retirees who are 55 or older receive pension benefits, compared with 55 percent of male retirees.

The act would also help the many workers who participate in pension plans to continue to save when they change jobs. It would reassure all workers who save through employer-sponsored plans that the money they have saved, as well as that put aside by employers on their behalf, will be there when they need it.

The Retirement Savings and Security Act would:

- Establish a simple new small business 401(k)-type plan—the National Employee Savings Trust (NEST)—and simplify complex pension laws. The NEST is specifically designed to ensure participation by low- and moderate-wage workers, who will be able to save up to \$5,000 per year tax-deferred, plus receive employer contributions toward retirement. The act would encourage employers of all sizes to cover employees under retirement plans, and it would enable employers to put more money into benefits and less into paying lawyers, accountants, consultants, and actuaries.

- Increase the ability of workers to save for retirement from their first day on the job by removing barriers to pension portability. In particular, employers would be encouraged no longer to require a 1-year wait before employees can contribute to their pension plans. The Federal Government would set the example for other employers by allowing its new employees to begin saving through the Thrift Savings Plan when they are hired, rather than having to wait up to a year. In addition, the Act would reduce from 10 to 5 years the time those participating in multiemployer plans—union plans where workers move from job to job—must work to receive vested benefits. It would also help ensure that returning veterans retain pension benefits and that workers receive their retirement savings even when a previous employer is no longer in existence.

- Expand eligibility for tax-deductible IRAs to 20 million more families. In addition, the Act would encourage savings by making the use of IRAs more flexible by allowing penalty-free withdrawals for education and training, purchase of a first home, catastrophic medical expenses, and long-term unemployment. It would also provide an additional IRA option that provides tax-free distributions instead of tax-deductible contributions.

- Enhance pension security by protecting the savings of millions of State and local workers from their employer's bankruptcy, as hap-