

the Department's final rule—Periodic Inspection and Testing of Cylinders [Docket No. HM-220A, Amendment Numbers 171-143, 173-251] (RIN: 2137-AC59) received May 30, 1996, pursuant to 5 U.S.C. 801(a)(1)(A) to the Committee on Transportation and Infrastructure.

3275. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Miscellaneous Hazardous Materials Regulations; Regulatory Review [Docket HM-222B; Amendment Numbers 171-145, 172-149, 173-253, 176-40, 177-87, 178-116, and 180-9] (RIN: 2137-AC76) received May 30, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3276. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Air Brake Systems [Docket No. 96-050, Notice 1] (RIN: 2127-AG31) received May 30, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3277. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Electric Engineering Requirements for Merchant Vessels (U.S. Coast Guard) [CGD 94-108] (RIN: 2115-AF24) received May 30, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3278. A letter from the Acting Administrator, General Services Administration, transmitting informational copies of 3 lease prospectuses for the Department of Defense in northern Virginia, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

3279. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—National Cemeteries (RIN: 2900-A106) received May 29, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3280. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Delegations of Authority; Tort Claims and Debt Collection (RIN: 2900-ai13) received May 30, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3281. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Gender Policy for VA Publications and Other Communication (RIN: 2900-ai09) received May 30, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3282. A letter from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco and Firearms, transmitting the Bureau's final rule—Basic Permit Requirements Under the Federal Alcohol Administration Act, Non-industrial Use of Spirits and Wine, Bulk Sales and Bottling of Distilled Spirits (95R-023P) (RIN: 1512-AB 43) received May 29, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3283. A letter from the Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule—Unemployment Insurance Program Letter No. 22-96 received May 29, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3284. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update (Notice 96-32) received May 28, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3285. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting

the Service's final rule—Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability (Revenue Procedure 96-33) received May 28, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3286. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update (Notice 96-24) received May 30, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3287. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Reporting of Non-payroll Withheld Tax Liabilities (RIN: 1545-AT86) received May 30, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3288. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Payment by Employer of Expenses for Meals and Entertainment, Club Dues, and Spousal Travel (RIN: 1545-AS74) received May 30, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3289. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Closing Agreements (Revenue Procedure 96-29) received May 30, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3290. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Refund Requests under Section 4972(c)(6) (Announcement 96-26) received May 30, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3291. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of the Department's intent to provide \$8 million in fiscal year 1996 funds for the purpose of supporting the Organization for Security and Cooperation in Europe's [OSCE] efforts to supervise and monitor Bosnian elections, as called for in the Dayton Accords, pursuant to 22 U.S.C. 2394-1(a) and Public Law 104-107, section 515 (110 Stat. 726); jointly, to the Committee on International Relations and Appropriations.

3292. A letter from the Acting Administrator, Agency for International Development, transmitting the Agency's report covering allocations under the economic support fund and international organizations and programs accounts, pursuant to 22 U.S.C. 2413(a) and Public Law 104-107, section 515 (110 Stat. 726); jointly, to the Committee on International Relations and Appropriations.

3293. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation entitled the "Plant Protection Act"; jointly, to the Committee on Agriculture, Ways and Means, and the Judiciary.

3294. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation entitled the "Animal Health Protection Act"; jointly, to the Committee on Agriculture, Ways and Means, and the Judiciary.

¶65.4 COMMUNICATION FROM THE CLERK—CERTIFICATE OF ELECTION

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

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, May 30, 1996.
Hon. NEWT GINGRICH,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a copy of the unofficial

election returns received from the Honorable Phil Keisling, Secretary of State, State of Oregon, indicating that, according to the incomplete results of the Special Election held on May 21, 1996, the Honorable Earl Blumenauer was elected to the office of Representative in Congress, from the Third Congressional District, State of Oregon.

With warm regards,
ROBIN H. CARLE.

STATE OF OREGON,
Salem, OR, May 22, 1996.

Hon. ROBIN H. CARLE,
Clerk, House of Representatives, The Capitol, Washington, DC.

DEAR ROBIN: Pursuant to your request, I am faxing to you the unofficial returns for the Special Election for Representative in Congress in the Third Congressional District as obtained from the Multnomah and Clackamas County Elections. I must emphasize the fact that these returns cannot be considered official since, pursuant to Oregon law, the official returns are not due to the Secretary of States' Office, Elections Division until June 10, 1996. Also, the Elections Division has until June 20, 1996 to canvass the votes and certify the election results. This notification, therefore, cannot be construed as an official certification as required by ORS 254.545 of the Oregon Election Laws.

On May 21, 1996, a special election was held to elect a U.S. Representative to Oregon's Third Congressional District, for a term ending in January, 1997. The incomplete results, as of 12:00 noon May 22, as reported by Multnomah County and Clackamas County, were as follows: (see page 2)

Sincerely,
PHIL KEISLING,
Secretary of State.

U.S. REPRESENTATIVE, THIRD DISTRICT, "INCOMPLETE RESULTS"

	Multnomah	Clackamas
Blumenauer, 50,125 equal	46,135	3,990
Brunelle, 17,085 equal	14,725	2,360
Keating, 2,916 equal	2,703	213
Guillebeau, 1,604 equal	1,501	103

Absentees still to be counted as of 12:00 noon, May 22, 1996:

Multnomah Co. estimated to count	22,500
Clackamas Co. estimated to count	4,000
Total	26,500

Final Certification of the election, as required under Oregon law, must occur no later than June 20, 1996.

¶65.5 ORDER OF BUSINESS—SWEARING IN OF MEMBER-ELECT

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That, notwithstanding the fact that the certificate of election of Mr. Earl Blumenauer, 3rd District of the State of Oregon, has not been received by the Clerk of the House of Representatives, Mr. BLUMENAUER be permitted to take the oath of office as prescribed by law, there being no contest and no question with regard to his election.

Mr. BLUMENAUER then presented himself at the bar of the House and took the oath of office prescribed by law.

¶65.6 COMMITTEES AND SUBCOMMITTEES TO SIT

On motion of Mr. SMITH of Michigan, by unanimous consent, the fol-

lowing committees and their subcommittees were granted permission to sit today during the 5-minute rule on: the Committee on Agriculture, the Committee on Commerce, the Committee on Economic and Educational Opportunities, the Committee on Government Reform and Oversight, the Committee on International Relations, the Committee on the Judiciary, the Committee on Resources, the Committee on Small Business, the Committee on Transportation and Infrastructure, the Committee on Veterans' Affairs, and the Permanent Select Committee on Intelligence.

¶65.7 PROVIDING FOR THE CONSIDERATION OF H.R. 3517

Mr. QUILLEN, by direction of the Committee on Rules, called up the following resolution (H. Res. 442):

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 consideration of the bill (H.R. 3517) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 7 of rule XXI are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five minute rule. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment. The Chairman of the Committee of the Whole may reduce to not less than five minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall be not less than fifteen minutes. After the reading of the final lines of the bill, a motion that the Committee of the Whole rise and report the bill to the House with such amendments as may have been adopted shall, if offered by the majority leader or a designee, have precedence over a motion to amend. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

On motion of Mr. QUILLEN, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, 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.

¶65.8 MILITARY CONSTRUCTION APPROPRIATIONS

The SPEAKER pro tempore, Mr. CHAMBLISS, pursuant to House Resolution 442 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3517) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes.

The SPEAKER pro tempore, Mr. CHAMBLISS, by unanimous consent, designated Mr. LATOURETTE as Chairman of the Committee of the Whole; and after some time spent therein,

¶65.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. FURSE:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . (a) LIMITATION ON USE OF FUNDS.—None of the funds made available in this Act may be used for renovation, repair, or other military construction project in connection with Spinelli Barracks or Taylor Barracks, Mannheim, Germany.

(b) CORRESPONDING REDUCTION IN FUNDS.—The amount otherwise provided by this Act for "MILITARY CONSTRUCTION, ARMY" is hereby reduced by \$17,400,000.

It was decided in the { Yeas 121
negative } Nays 289

¶65.10 [Roll No. 200] AYES—121

Barcia	English	McCarthy
Barrett (WI)	Eshoo	McDermott
Barton	Evans	McInnis
Bass	Fawell	McKinney
Becerra	Filner	Meehan
Beilenson	Fox	Metcalf
Berman	Frank (MA)	Millender-
Blumbray	Franks (NJ)	McDonald
Blumenauer	Furse	Miller (CA)
Brown (CA)	Gillmor	Minge
Brown (OH)	Green (TX)	Mink
Bryant (TX)	Gutierrez	Moakley
Bunn	Hamilton	Myrick
Campbell	Hancock	Nadler
Cardin	Hastings (FL)	Neal
Chabot	Hinchev	Neumann
Clay	Jackson (IL)	Ney
Coburn	Jackson-Lee	Nussle
Collins (MI)	(TX)	Olver
Conyers	Johnston	Owens
Cooley	Kennedy (MA)	Payne (NJ)
Cummings	Klecicka	Pelosi
Danner	Klug	Peterson (MN)
DeFazio	Lantos	Petri
Dellums	Lewis (GA)	Poshard
Deutsch	LoBiondo	Ramstad
Dingell	Lofgren	Rangel
Doggett	Lowe	Rivers
Duncan	Luther	Roemer
Durbin	Maloney	Rohrabacher
Ehlers	Markey	Roukema
Engel	Martini	Royce

Rush	Spratt	Vento
Sanders	Stark	Ward
Sanford	Stockman	Watt (NC)
Schroeder	Stokes	Weller
Schumer	Studds	Williams
Sensenbrenner	Stupak	Woolsey
Shays	Towns	Wynn
Slaughter	Upton	Yates
Smith (MI)	Velazquez	Zimmer

NOES—289

Abercrombie	Flanagan	Mascara
Ackerman	Foley	Matsui
Allard	Forbes	McCollum
Andrews	Fowler	McCrery
Archer	Franks (CT)	McHale
Army	Frelinghuysen	McHugh
Baessler	Frisa	McIntosh
Baker (CA)	Frost	McKeon
Baker (LA)	Funderburk	McNulty
Baldacci	Galleghy	Meek
Ballenger	Ganske	Menendez
Barr	Gejdenson	Meyers
Barrett (NE)	Gekas	Mica
Bartlett	Gephardt	Miller (FL)
Bateman	Gibbons	Montgomery
Bentsen	Gilchrest	Moorhead
Bereuter	Gilman	Moran
Bevill	Gonzalez	Morella
Bilirakis	Goodlatte	Murtha
Bishop	Goodling	Myers
Bliley	Gordon	Nethercutt
Blute	Goss	Norwood
Boehlert	Graham	Oberstar
Boehner	Greene (UT)	Obey
Bonilla	Greenwood	Ortiz
Bonior	Gunderson	Orton
Bono	Hall (OH)	Oxley
Borski	Hall (TX)	Packard
Boucher	Hansen	Pallone
Brewster	Harman	Parker
Browder	Hastert	Pastor
Brown (FL)	Hastings (WA)	Payne (VA)
Brownback	Hayworth	Pickett
Bryant (TN)	Hefley	Pombo
Bunning	Hefner	Porter
Burr	Heineman	Portman
Burton	Herger	Pryce
Buyer	Hilleary	Quillen
Callahan	Hilliard	Radanovich
Calvert	Hobson	Rahall
Canady	Hoekstra	Reed
Castle	Hoke	Regula
Chambliss	Holden	Richardson
Chenoweth	Horn	Riggs
Christensen	Hostettler	Roberts
Chrysler	Hoyer	Rogers
Clayton	Hunter	Ros-Lehtinen
Clement	Hutchinson	Rose
Clinger	Hyde	Roth
Clyburn	Inglis	Roybal-Allard
Coble	Istook	Sabo
Coleman	Jacobs	Salmon
Collins (GA)	Johnson (CT)	Sawyer
Collins (IL)	Johnson (SD)	Saxton
Combust	Johnson, E.B.	Scarborough
Condit	Johnson, Sam	Schaefer
Costello	Jones	Schiff
Cox	Kanjorski	Scott
Coyne	Kaptur	Seastrand
Cramer	Kasich	Serrano
Crane	Kelly	Shadegg
Crapo	Kennedy (RI)	Shaw
Creameans	Kildee	Shuster
Cubin	Kim	Sisisky
Cunningham	King	Skaggs
Davis	Kingston	Skeen
Deal	Klink	Skelton
DeLauro	Knollenberg	Smith (NJ)
DeLay	Kolbe	Smith (TX)
Diaz-Balart	LaFalce	Smith (WA)
Dickey	LaHood	Solomon
Dicks	Largent	Souder
Dixon	Latham	Spence
Dooley	LaTourette	Stearns
Doolittle	Laughlin	Stenholm
Dornan	Lazio	Stump
Doyle	Leach	Talent
Dreier	Levin	Tanner
Dunn	Lewis (CA)	Tate
Edwards	Lewis (KY)	Tauzin
Ehrlich	Lightfoot	Taylor (MS)
Emerson	Linder	Taylor (NC)
Ensign	Lipinski	Tejeda
Everett	Livingston	Thomas
Ewing	Longley	Thompson
Farr	Lucas	Thornberry
Fazio	Manton	Thurman
Fields (TX)	Manzullo	Tiahrt
Flake	Martinez	Torkildsen