

transmitting the Administration's final rule—Medicare Program; Electronic Cost Reporting for Skilled Nursing Facilities and Home Health Agencies [BPD-788-F] (RIN: 0938-AH12) received January 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1630. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and Determination Letters [Rev. Proc. 97-8] received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1631. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Computation of Foreign Taxes Deemed Paid Under Section 902 Pursuant to a Pooling Mechanism for Undistributed Earnings and Foreign Taxes [TD 8708] (RIN: 1545-AL98) received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1632. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and Determination Letters [Rev. Proc. 97-6] received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1633. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and Determination Letters [Rev. Proc. 97-1] received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1634. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and Determination Letters [Rev. Proc. 97-4] received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1635. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rulings and Determination Letters [Rev. Proc. 97-5] received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1636. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Definition of Private Activity Bonds [TD 8712] (RIN: 1545-AU62) received January 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1637. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Intangibles Under Sections 1060 and 338 [TD 8711] (RIN: 1545-AU82) received January 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1638. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Gross Income [Rev. Rul. 97-5] received January 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1639. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rules for Certain Reserves [Rev. Rul. 97-2] received January 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1640. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rules and Regulations [Rev. Proc. 97-14] received January 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1641. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Rules and Regulations [Rev. Proc. 97-13] received January 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1642. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-In, First-Out Inventories [Rev. Rul. 97-6] received January 13, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1643. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Closing Agreements [Rev. Proc. 97-15] received January 16, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1644. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Rev. Rul. 97-7] received January 21, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1645. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Revisions of the Section 338 Consistency Rules with Respect to Target Affiliates that are Controlled Foreign Corporations [TD 8710] (RIN: 1545-AO73) received January 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1646. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Section 42(d)(5) Federal Grants [TD 8713] (RIN: 1545-AU93) received January 24, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1647. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Notice of Intent to Issue Guidance Allowing Farmers to Expediently Change Their Method of Accounting for Deferred Payment Sales Contracts in Computing Alternative Minimum Tax [Notice 97-13] received January 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1648. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 97-8] received January 28, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1649. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-In, First-Out Inventories [Rev. Rul. 97-8] received January 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1650. A letter from the National Director, Tax Forms and Publications Division, Internal Revenue Service, transmitting the Service's final rule—Charge Imposed for Each Request for a Copy of a Tax Return or Other Related Document [Rev. Proc. 97-11] received January 31, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1651. A letter from the Secretary of the Treasury, transmitting a report on the taxation of Social Security and Railroad Retirement benefits in calendar year 1992, pursuant to 42 U.S.C. 401 note; to the Committee on Ways and Means.

1652. A letter from the Chief of Staff, Social Security Administration, transmitting the Administration's final rule—Federal Old-Age, Survivors and Disability Insurance; Determining Disability and Blindness; Extension of Expiration Date for Growth Impairment Listings [Regulations No. 4] (RIN: 0960-AE60) received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1653. A letter from the Chief of Staff, Social Security Administration, transmitting the Administration's final rule—Reduction in Supplemental Security Income (SSI) Payable to Institutionalized Children Whose

Medical Costs are Covered by Private Insurance (RIN: 0960-AE61) received January 21, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1654. A letter from the Director of the Office of Administration and Management, Department of Defense, transmitting the certification that the total cost for the planning, design, construction, and installation of equipment for the renovation of the Pentagon will not exceed \$1,118,000,000, pursuant to Public Law 104-208, section 8079; jointly, to the Committees on National Security and Appropriations.

1655. A letter from the Secretaries of Transportation and Defense, transmitting notification that \$300 million appropriated to the Department of Defense for transfer to the Coast Guard will be used only for the performance of national security functions of the Coast Guard in support of the Department of Defense; jointly, to the Committees on National Security and Transportation and Infrastructure.

1656. A letter from the 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); jointly, to the Committees on International Relations and Appropriations.

1657. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification that Nigeria has adopted a regulatory program governing the incidental taking of certain sea turtles, pursuant to Public Law 101-162, section 609(b)(2) (103 Stat. 1038); jointly, to the Committees on Resources and Appropriations.

1658. A letter from the Assistant Secretary of the Army (Civil Works), Department of the Army, transmitting a plan that reduces the number of Army Corps of Engineers divisions to no less than six and no more than eight, with each division responsible for at least four district offices, pursuant to Public Law 104-206 (110 Stat. 2989); jointly, to the Committees on Transportation and Infrastructure and Appropriations.

1659. A letter from the Secretary of Health and Human Services, transmitting the Department's final rule—Medicare and Medicaid Programs; Requirements for Physician Incentive Plans in Prepaid Health Care Organizations [OMC-010-F] (RIN: 0938-AF74) received January 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); jointly, to the Committees on Ways and Means and Commerce.

¶16.4 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Charlene McDevitt, one of its clerks, announced that the Senate agreed to the following resolution:

S. RES. 49

Whereas the Senate has learned with profound sorrow and deep regret of the passing of our colleague, the Honorable Frank Tejeda;

Whereas Representative Tejeda has spent 4 years in the House of Representatives;

Whereas Representative Tejeda served his country honorably in the United States Marine Corps from 1963 to 1967; and

Whereas Representative Tejeda was awarded the Purple Heart, the Silver Star, the Commandant's Trophy, the Marine Corps Association Award, and the Colonel Phil Yeckel Award for "the best combined record in leadership, academics, and physical fitness"; Now, therefore, be it

Resolved, That—
(1) when the Senate adjourns today, it adjourn as a further mark of admiration and respect to the memory of our departed friend and colleague, who left his mark on Texas and our Nation; and

(2) the Senate extends to his family our thoughts and prayers during this difficult time.

SEC. 2. The Secretary of the Senate shall communicate this resolution to the House of Representatives, and shall transmit an enrolled copy to the family of Representative Frank Tejada.

The message also announced that pursuant to Public Law 85-874, as amended, the Chair, on behalf of the President of the Senate, appointed the Senator from Mississippi [Mr. LOTT] and the Senator from Alaska [Mr. STEVENS] to the Board of Trustees of the John F. Kennedy Center for the Performing Arts.

The message also announced that pursuant to provisions of sections 42 and 43 of title 20, United States Code, the Chair, on behalf of the Vice President, appointed the following Senators as members of the Board of Regents of the Smithsonian Institution: The Senator from Mississippi [Mr. COCHRAN] and the Senator from Tennessee [Mr. FRIST].

The message also announced that pursuant to Public Law 100-458, the Chair, on behalf of the majority leader, appoints William E. Cresswell, of Mississippi, to a term on the Board of Trustees of the John C. Stennis Center for Public Service Training and Development, effective October 11, 1996.

¶6.5 COMMITTEE RESIGNATION—
MAJORITY

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

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 5, 1997.

Hon. NEWT GINGRICH,
Speaker of the House, Washington, DC.

DEAR MR. SPEAKER: Pursuant to my appointment to the Science, International Relations and Resources Committees I wish to tender my resignation to the Committee on Government Reform and Oversight.

Sincerely,

KEVIN BRADY,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶6.6 FRANK M. TEJEDA POST OFFICE
BUILDING

Mr. MCHUGH moved to suspend the rules and pass the bill (H.R. 499) to designate the facility of the United States Postal Service under construction at 7411 Barlito Boulevard in San Antonio, Texas, as the "Frank M. Tejada Post Office Building".

The SPEAKER pro tempore, Mr. MCINNIS, recognized Mr. MCHUGH and Mr. FATTAH, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

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

Mr. MCHUGH 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 400
Nays 0

¶6.7 [Roll No. 9]
YEAS—400

Abercrombie	Dingell	Johnson (CT)
Ackerman	Dixon	Johnson (WI)
Aderholt	Doggett	Johnson, E. B.
Allen	Dooley	Johnson, Sam
Andrews	Doolittle	Jones
Archer	Dreier	Kanjorski
Armey	Duncan	Kaptur
Bachus	Dunn	Kasich
Baesler	Edwards	Kelly
Baker	Ehlers	Kennedy (MA)
Baldacci	Ehrlich	Kennedy (RI)
Balinger	Emerson	Kennelly
Barcia	Engel	Kildee
Barr	English	Kilpatrick
Bartlett	Ensign	Kim
Barton	Eshoo	Kind (WI)
Bass	Etheridge	King (NY)
Bateman	Evans	Kingston
Becerra	Everett	Klecza
Bentsen	Ewing	Klink
Bereuter	Farr	Klug
Berman	Fattah	Knollenberg
Berry	Fawell	Kolbe
Bilbray	Fazio	Kucinich
Bilirakis	Filner	LaFalce
Bishop	Flake	LaHood
Blagojevich	Foley	Lampson
Bliley	Forbes	Lantos
Blumenauer	Ford	Latham
Boehler	Fowler	LaTourette
Boehner	Fox	Leach
Bonilla	Frank (MA)	Levin
Bonior	Franks (NJ)	Lewis (CA)
Bono	Frelinghuysen	Lewis (GA)
Borski	Frost	Lewis (KY)
Boswell	Gallely	Lipinski
Boucher	Ganske	Livingston
Boyd	Gekas	LoBiondo
Brady	Gephardt	Loftgren
Brown (CA)	Gibbons	Lowey
Brown (FL)	Gilchrest	Lucas
Bryant	Gillmor	Luther
Bunning	Gilman	Maloney (CT)
Burr	Gonzalez	Maloney (NY)
Burton	Goode	Manton
Buyer	Goodlatte	Manzullo
Callahan	Goodling	Markey
Calvert	Gordon	Martinez
Camp	Goss	Mascara
Campbell	Graham	Matsui
Canady	Granger	McCarthy (MO)
Cannon	Green	McCarthy (NY)
Capps	Greenwood	McCollum
Cardin	Gutierrez	McCrery
Castle	Gutknecht	McDermott
Chabot	Hall (OH)	McGovern
Chambliss	Hall (TX)	McHale
Christensen	Hamilton	McHugh
Clayton	Hansen	McInnis
Clyburn	Harman	McIntosh
Coble	Hastert	McIntyre
Coburn	Hastings (FL)	McKeon
Collins	Hastings (WA)	McKinney
Combest	Hayworth	McNulty
Condit	Hefley	Meehan
Conyers	Hefner	Meek
Cook	Herger	Menendez
Costello	Hilleary	Metcalf
Cox	Hilliard	Mica
Coyne	Hinchey	Millender-
Cramer	Hinojosa	McDonald
Crane	Hobson	Miller (CA)
Cubin	Hoekstra	Miller (FL)
Cunningham	Holden	Minge
Danner	Hooley	Mink
Davis (FL)	Horn	Moakley
Davis (IL)	Houghton	Molinari
Davis (VA)	Hulshof	Mollohan
Deal	Hunter	Moran (KS)
DeFazio	Hutchinson	Moran (VA)
DeGette	Hyde	Morella
Delahunt	Inglis	Murtha
DeLauro	Istook	Myrick
DeLay	Jackson (IL)	Nadler
Dellums	Jackson-Lee	Neal
Deutsch	(TX)	Nethercutt
Diaz-Balart	Jefferson	Neumann
Dickey	Jenkins	Ney
Dicks	John	Northup

Nussle	Roukema	Stearns
Oberstar	Roybal-Allard	Stenholm
Olver	Royce	Stokes
Ortiz	Rush	Strickland
Owens	Ryun	Stump
Oxley	Sabo	Stupak
Packard	Salmon	Sununu
Pallone	Sanchez	Talent
Pappas	Sanders	Tanner
Parker	Sandlin	Tauscher
Pascrell	Sanford	Tauzin
Pastor	Sawyer	Taylor (MS)
Paul	Saxton	Taylor (NC)
Paxon	Scarborough	Thomas
Payne	Schaefer, Dan	Thompson
Pease	Schaffer, Bob	Thornberry
Pelosi	Schiff	Thune
Peterson (MN)	Schumer	Thurman
Peterson (PA)	Scott	Tiahrt
Petri	Sensenbrenner	Tierney
Pickering	Serrano	Torres
Pickett	Sessions	Upton
Pitts	Shadegg	Velazquez
Pomeroy	Shaw	Vento
Porter	Shays	Visclosky
Portman	Sherman	Walsh
Poshard	Shimkus	Wamp
Price (NC)	Shuster	Waters
Pryce (OH)	Sisisky	Watt (NC)
Quinn	Skaggs	Watts (OK)
Radanovich	Skeen	Waxman
Rahall	Slaughter	Weldon (FL)
Ramstad	Smith (MI)	Weldon (PA)
Rangel	Smith (NJ)	Weller
Regula	Smith (OR)	Wexler
Reyes	Smith (TX)	Weygand
Richardson	Smith, Linda	White
Riggs	Snowbarger	Whitfield
Riley	Snyder	Wicker
Rivers	Solomon	Wise
Rogan	Souder	Wolf
Rogers	Spence	Woolsey
Rohrabacher	Spratt	Wynn
Ros-Lehtinen	Stabenow	Yates
Rothman	Stark	Young (AK)

NOT VOTING—33

Barrett (NE)	Doyle	Norwood
Barrett (WI)	Foglietta	Obey
Blunt	Furse	Pombo
Brown (OH)	Gejdenson	Roemer
Carson	Hill	Skelton
Chenoweth	Hostettler	Smith, Adam
Clay	Hoyer	Towns
Clement	Largent	Trafficant
Cooksey	Lazio	Turner
Crapo	Linder	Watkins
Cummings	McDade	Young (FL)

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

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

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

¶6.8 UNFINISHED BUSINESS—APPROVAL
OF THE JOURNAL

The SPEAKER pro tempore, Mr. MCINNIS, 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 Tuesday, February 4, 1997.

The question being put, *viva voce*, Will the House agree to the Chair's approval of said Journal?

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

Mr. MCHUGH 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.