

Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Lucas  
Luther  
Maloney (CT)  
Maloney (NY)  
Manton  
Martinez  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCrery  
McDermott  
McGovern  
McHale  
McInnis  
McIntyre  
McKeon  
McKinney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Metcalf  
Millender-  
McDonald  
Miller (CA)  
Minge  
Mink  
Moakley  
Moran (KS)  
Morella  
Murtha  
Nadler  
Neal  
Nethercutt  
Northup  
Norwood  
Nussle  
Oberstar  
Obey  
Oliver

NAYS—91

Archer  
Army  
Barr  
Bartlett  
Barton  
Bass  
Billbray  
Bilirakis  
Bliley  
Bryant  
Cannon  
Chabot  
Chenoweth  
Coble  
Coburn  
Collins  
Condit  
Crane  
Crapo  
Cubin  
Cunningham  
Deal  
DeLay  
Doolittle  
Dreier  
Duncan  
Ehrlich  
English  
Ensign  
Fawell  
Fossella

NOT VOTING—18

Burr  
Engel  
Frank (MA)  
Furse  
Gonzalez  
Harman  
Hoyer  
Lewis (GA)  
Markey  
McDade  
Mollohan  
Moran (VA)  
Myrick  
Ney  
Pelosi  
Reyes  
Ros-Lehtinen  
Yates

So it was the decision of the House to consider said conference report.  
After debate on said conference report.

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.  
The question being put, *viva voce*,  
Will the House agree to said conference report?  
The SPEAKER pro tempore, Mr. SUNUNU, announced that the yeas had it.

Mr. SOLOMON 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 ..... 364  
Nays ..... 50

52.18

[Roll No. 204]  
YEAS—364

Abercrombie  
Ackerman  
Aderholt  
Allen  
Andrews  
Armey  
Bachus  
Baesler  
Baker  
Baldacci  
Ballenger  
Barcia  
Barrett (NE)  
Barrett (WI)  
Becerra  
Bentsen  
Bereuter  
Berman  
Berry  
Bilbray  
Bilirakis  
Bishop  
Blagojevich  
Blumenauer  
Boehlert  
Boehner  
Bonilla  
Bonior  
Bono  
Borski  
Boswell  
Boucher  
Boyd  
Brady (PA)  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Bryant  
Bunning  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Capps  
Cardin  
Carson  
Castle  
Chambliss  
Chenoweth  
Christensen  
Clay  
Clayton  
Clement  
Clyburn  
Coble  
Combest  
Condit  
Conyers  
Cook  
Cooksey  
Costello  
Cox  
Coyle  
Cramer  
Crapo  
Cubin  
Cummings  
Cunningham  
Danner  
Davis (FL)  
Davis (IL)  
Davis (VA)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Deutsch  
Diaz-Balart  
Dickey  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Ehrlich  
Emerson  
English  
Eshoo  
Etheridge  
Evans  
Everett  
Ewing  
Farr  
Fattah  
Fawell  
Fazio  
Filner  
Foley  
Forbes  
Ford  
Fossella  
Fowler  
Fox  
Franks (NJ)  
Frelinghuysen  
Frost  
Gallegly  
Ganske  
Gedjenson  
Gekas  
Gephardt  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Goodling  
Gordon  
Graham  
Granger  
Green  
Gutierrez  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hamilton  
Hansen  
Hastert  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Hefner  
Hill  
Hilleary  
Hilliard  
Hinchev  
Hinojosa  
Hobson  
Hoekstra  
Holden  
Hooley  
Horn  
Houghton  
Hoyer  
Hulshof  
Hutchinson  
Hyde  
Inglis  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Jenkins  
John  
Johnson (CT)  
Johnson (WI)  
Johnson, E. B.  
Jones  
Kanjorski  
Kaptur  
Kasich  
Kelly  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kilpatrick  
Kim  
Kind (WI)  
King (NY)  
Kleczka  
Klink  
Klug  
Knollenberg  
Kolbe  
Kucinich  
LaFalce  
LaHood  
Lampson  
Lantos  
Latham  
LaTourette  
Lazio  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (KY)  
Linder  
Lipinski  
Livingston  
LoBiondo  
Lofgren  
Lowey  
Lucas  
Luther  
Maloney (CT)  
Maloney (NY)  
Manton  
Markey  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCrery  
McDermott  
McGovern  
McHale  
McHugh  
McInnis

McIntosh  
McIntyre  
McKeon  
McKinney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Metcalf  
Mica  
Millender-  
McDonald  
Miller (CA)  
Minge  
Mink  
Moakley  
Moran (KS)  
Morella  
Murtha  
Nadler  
Neal  
Nethercutt  
Ney  
Northup  
Norwood  
Nussle  
Oberstar  
Obey  
Oliver  
Ortiz  
Owens  
Oxley  
Packard  
Pallone  
Parker  
Pascrell  
Pastor  
Payne  
Pease  
Peterson (MN)  
Peterson (PA)  
Pickering  
Pickett  
Pitts  
Pomeroy  
Portman  
Poshard  
Price (NC)  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Redmond  
Regula  
Riggs  
Riley  
Rivers  
Rodriguez  
Roemer  
Rogan  
Rogers  
Rothman  
Roybal-Allard  
Rush  
Ryun  
Sabo  
Sanchez  
Sanders  
Sandlin  
Sawyer  
Schaffer, Bob  
Schumer  
Scott  
Serrano  
Sherman  
Shimkus  
Shuster  
Sisisky  
Skaggs  
Skeen  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (OR)  
Smith, Adam  
Smith, Linda  
Snowbarger  
Snyder  
Souder  
Spratt  
Stabenow  
Stark  
Stearns  
Stenholm  
Stokes  
Strickland  
Stupak  
Talent  
Tanner  
Tauscher  
Tauzin  
Thomas  
Thompson  
Thornberry  
Thune  
Thurman  
Tierney  
Torres  
Towns  
Turner  
Upton  
Velazquez  
Vento  
Visclosky  
Walsh  
Waters  
Watkins  
Watt (NC)  
Watts (OK)  
Waxman  
Weldon (PA)  
Weller  
Wexler  
Weygand  
White  
Wicker  
Wise  
Wolf  
Woolsey  
Wynn  
Young (AK)  
Young (FL)

NAYS—50

Archer  
Barr  
Barton  
Bass  
Bliley  
Blunt  
Brady (TX)  
Cannon  
Chabot  
Coburn  
Collins  
Crane  
Deal  
DeLay  
Doolittle  
Ensign  
Goode  
Goodlatte  
Goss  
Greenwood  
Hefley  
Herger  
Hostettler  
Hunter  
Istook  
Johnson, Sam  
Kingston  
Largent  
Manzullo  
Miller (FL)  
Neumann  
Pappas  
Paul  
Rohrabacher  
Roukema  
Royce  
Salmon  
Sanford  
Saxton  
Scarborough  
Schaefer, Dan  
Sensenbrenner  
Shadegg  
Solomon  
Stearns  
Stump  
Sununu  
Taylor (MS)  
Tiahrt  
Weldon (FL)

NOT VOTING—19

Bartlett  
Bateman  
Burr  
Engel  
Frank (MA)  
Furse  
Gonzalez  
Harman  
Harman  
Lewis (GA)  
Martinez  
McDade  
Mollohan  
Moran (VA)  
Myrick  
Pryce (OH)  
Reyes  
Ros-Lehtinen  
Talent  
Yates

So the conference report was agreed to.

A motion to reconsider the vote whereby the foregoing conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

52.19 ORDER OF BUSINESS—  
CONSIDERATION OF H.R. 3989

On motion of Mr. SOLOMON, by unanimous consent,

Ordered, That it may be in order at any time to consider in the House the bill (H.R. 3989) to provide for the enactment of user fees proposed by the President in his budget submission

under section 1105(a) of title 31, United States Code, for fiscal year 1999; that the bill be considered as read for amendment; that the following amendment be considered as adopted:

At the end of the bill add the following title:

TITLE IV—TAX INCREASES

SEC. 401. TAX INCREASES.

It is the sense of the House of Representatives that the following tax increases proposed by the President should be enacted as soon as possible:

- (1) ACCOUNTING PROVISIONS.—
  - (A) Repeal lower of cost or market inventory accounting method.
  - (B) Repeal nonaccrual experience method of accounting and make certain trade receivables ineligible for mark-to-market treatment.
- (2) FINANCIAL PRODUCTS AND INSTITUTIONS.—
  - (A) Defer interest deduction on certain convertible debt.
  - (B) Extend pro rata disallowance of tax-exempt interest expense that applies to banks to all financial intermediaries.
- (3) CORPORATE TAX PROVISIONS.—
  - (A) Eliminate dividends received deduction for certain preferred stock.
  - (B) Repeal tax-free conversion of large C corporations into S corporations.
  - (C) Restrict special net operating loss carryback rules for specified liability losses.
  - (D) Clarify the meaning of “subject to” liabilities under section 357(c).
- (4) INSURANCE PROVISIONS.—
  - (A) Increase the proration percentage for property and casualty insurance companies.
  - (B) Capitalize net premiums for credit life insurance contracts.
  - (C) Modify corporate-owned life insurance rules.
  - (D) Modify reserve rules for annuity contracts.
  - (E) Tax certain exchanges of insurance contracts and reallocations of assets within variable insurance contracts.
  - (F) Modify computation of “investment in the contract” for mortality and expense charges on certain insurance contracts.
- (5) ESTATE AND GIFT TAX PROVISIONS.—
  - (A) Eliminate nonbusiness valuation discounts.
  - (B) Modify treatment of gifts of “present interests” in a trust (repeal “Crummey” case rule).
  - (C) Eliminate gift tax exemption for personal residence trusts.
  - (D) Include qualified terminable interest property trust assets in surviving spouse’s estate.
- (6) FOREIGN TAX PROVISIONS.—
  - (A) Replace sales source rules with activity-based rule.
  - (B) Modify rules relating to foreign oil and gas extraction income.
  - (C) Apply “80/20” company rules on a group-wide basis.
  - (D) Prescribe regulations regarding foreign built-in losses.
  - (E) Prescribe regulations regarding use of hybrids.
  - (F) Modify foreign office material participation exception applicable to certain inventory sales.
  - (G) Modify controlled foreign corporation exception from United States tax on transportation income.
- (7) ADMINISTRATIVE PROVISIONS.—
  - (A) Increase penalties for failure to file correct information returns.
  - (B) Modify definition of substantial understatement penalty for large corporations.
  - (C) Repeal exemption for withholding on gambling.
  - (D) Modify deposit requirement for FUTA.

(E) Clarify and expand math error procedures.

(8) REAL ESTATE INVESTMENT COMPANY PROVISIONS.—

(A) Freeze grandfathered status of stapled or paired-share REITs.

(B) Restrict impermissible businesses indirectly conducted by REITs.

(C) Modify treatment of closely held REITs.

(9) EARNED INCOME TAX COMPLIANCE PROVISIONS.—

(A) Simplify foster child definition under the earned income credit.

(B) Modify definition of qualifying child for purposes of the earned income credit where more than one taxpayer satisfies the requirements with respect to the same child.

(10) OTHER REVENUE-INCREASE PROVISIONS.—

(A) Repeal percentage depletion for certain nonfuel minerals mined on Federal and formerly Federal lands.

(B) Modify depreciation method for tax-exempt use property.

(C) Impose excise tax on purchase of structured settlements.

(D) Reinstate Oil Spill Liability Trust Fund excise tax and increase Trust Fund ceiling to \$5,000,000,000 (through September 30, 2008).

(11) REINSTATE HAZARDOUS SUBSTANCE SUPERFUND EXCISE TAX AND ENVIRONMENTAL INCOME TAX.—

(A) Reinstate Superfund corporate environmental income tax.

(B) Reinstate Superfund excise taxes (through September 30, 2008).

*Ordered further,* That the previous question be considered as ordered on the bill, as amended, to final passage without intervening motion except (1) one hour of debate on the bill, as amended, equally divided and controlled by Representative Solomon and the Minority Leader or his designee; and (2) one motion to recommit with or without instructions.

52.20 PROVIDING FOR THE CONSIDERATION OF H. CON. RES. 284

Mr. SOLOMON, by direction of the Committee on Rules, called up the following resolution (H. Res. 455):

*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 concurrent resolution (H. Con. Res. 284) revising the congressional budget for the United States Government for fiscal year 1998, establishing the congressional budget for the United States Government for fiscal year 1999, and setting forth appropriate budgetary levels for fiscal years 2000, 2001, 2002, and 2003. The first reading of the concurrent resolution shall be dispensed with. General debate shall not exceed three hours, with two hours of general debate confined to the congressional budget equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, and one hour of general debate on the subject of economic goals and policies equally divided and controlled by Representative Saxton of New Jersey and Representative Stark of California or their designees. After general debate the concurrent resolution shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original concurrent resolution for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in part 1 of the report of the Committee on Rules accompanying this resolu-

tion. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part 2 of the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments printed in the report are waived except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the concurrent resolution for amendment. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the concurrent resolution for amendment the Committee shall rise and report the concurrent resolution to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted by the Committee of the Whole to the concurrent resolution or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the concurrent resolution and amendments thereto to final adoption without intervening motion except amendments offered by the chairman of the Committee on the Budget pursuant to section 305(a)(5) of the Congressional Budget Act of 1974 to achieve mathematical consistency. The concurrent resolution shall not be subject to a demand for division of the question of its adoption.

SEC. 2. Rule XLIX shall not apply with respect to the adoption by the Congress of a concurrent resolution on the budget for fiscal year 1999.

When said resolution was considered. After debate,

On motion of Mr. DREIER, 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. SUNUNU, announced that the yeas had it.

Mr. MOAKLEY 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 ..... 216  
Nays ..... 197

52.21 [Roll No. 205] YEAS—216

Aderholt	Barrett (NE)	Bliley
Archer	Bartlett	Blunt
Armey	Barton	Boehler
Bachus	Bass	Boehner
Baker	Bereuter	Bonilla
Ballenger	Bilbray	Bono
Barr	Bilirakis	Brady (TX)