

3149. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance [LOA] to the Taipei Economic and Cultural Representative Office [TECRO] in the United States for defense articles and services (transmittal No. 96-48), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3150. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of a proposed manufacturing license agreement for production of major military equipment with Japan (Transmittal No. DTC-30-96), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

3151. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report on nuclear nonproliferation in South Asia for the period of October 1, 1995, through March 31, 1996, pursuant to 22 U.S.C. 2376(c); to the Committee on International Relations.

3152. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance [LOA] to Greece for defense articles and services (Transmittal No. 96-49), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

3153. A communication from the President of the United States transmitting notification that on May 19, 1996, heavy fighting broke out between government forces and mutinous troops in the capital city of Bangui, Central African Republic, and that on May 20, 1996, the deployment of United States military personnel was ordered to conduct the evacuation from the Central African Republic of private United States citizens and certain United States Government employees (H. Doc. No. 104-220); to the Committee on International Relations and ordered to be printed.

3154. A letter from the Chairwoman, National Mediation Board, transmitting the fiscal year 1995 annual report under the Federal Managers' Financial Integrity Act [FMFIA] of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

3155. A letter from the Secretary of the Treasury, transmitting the fiscal year 1995 annual report under the Federal Managers' Financial Integrity Act [FMFIA] of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

3156. A letter from the Director, Office of Surface Mining, transmitting the Office's final rule—Indiana Regulatory Program (recodification of State law) [IN-132-FOR] received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3157. A letter from the Director, Office of Surface Mining, transmitting the Office's final rule—Texas Regulatory Program (road systems and others) [TX-029-FOR] received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3158. A letter from the Director, Office of Surface Mining, transmitting the Office's final rule—Indiana Regulatory Program (remaining and others) [IN-133-FOR] received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3159. A letter from the Director, Office of Surface Mining, transmitting the Office's final rule—Hopi Tribe Abandoned Mine Land Reclamation Plan [HO-003-FOR] received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3160. A letter from the Director, Office of Surface Mining, transmitting the Office's final rule—Missouri Regulatory Program (re-

vegetation success guidelines) [MO-025-FOR] received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3161. A letter from the Director, Office of Surface Mining, transmitting the Office's final rule—Missouri Regulatory Program (state alternative bonding system and others) [MO-026-FOR] received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3162. A letter from the Director, Office of Surface Mining, transmitting the Office's final rule—Oklahoma Abandoned Mine Land Reclamation Plan (eligible lands and waters, and others) [OK-15-FOR] received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3163. A letter from the Director, Office of Surface Mining, transmitting the Office's final rule—Indiana Regulatory Program (subsidence control) [IN-112-FOR] received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3164. A letter from the Director, Office of Surface Mining, transmitting the Office's final rule—New Mexico Regulatory Program (definitions and others) [NM-036-FOR] received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3165. A letter from the Director, Office of Surface Mining, transmitting the Office's final rule—Colorado Regulatory Program (definitions and others) [CO-029-FOR] received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3166. A letter from the Director, Office of Surface Mining, transmitting the Office's final rule—Virginia Regulatory Program (coal waste) [VA-105] received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3167. A letter from the Director, Office of Surface Mining, transmitting the Office's final rule—Illinois Regulatory Program (termination of jurisdiction and others) [IL-089-FOR] received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3168. A letter from the Director, National Legislative Commission, The American Legion, transmitting a copy of the Legion's financial statements as of December 31, 1995, pursuant to 36 U.S.C. 1101(4) and 1103; to the Committee on the Judiciary.

3169. A letter from the Director, Federal Emergency Management Agency, transmitting notification that funding under title V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, may exceed \$5 million for the response to the emergency declared as a result of the extreme fire hazard in the State of Texas dating back to February 23, 1996, pursuant to 42 U.S.C. 5193(b)(3); to the Committee on Transportation and Infrastructure.

3170. A letter from the Secretary of Transportation, transmitting the Department's report entitled "Report To Congress: Products Used For Airport Pavement Maintenance And Rehabilitation," pursuant to the Federal Aviation Administration Authorization Act of 1994; to the Committee on Transportation and Infrastructure.

3171. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Veterans and Dependents Education: Miscellaneous (RIN 2900-AH60) received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3172. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Interest Rate (Revenue Ruling 96-28) received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3173. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting

the Service's final rule—Definitions Relating to Corporate Reorganizations (Revenue Ruling 96-29) received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3174. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Distribution of Stock and Securities of a Controlled Corporation (Revenue Ruling 96-30) received May 22, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3175. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on allocation of funds the executive branch intends to make available from funding levels established in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996; jointly, to the Committees on Appropriations and International Relations.

3176. A letter from the Secretary of Health and Human Services, transmitting the Secretary's evaluation of the Medicare select demonstration, that is, a Medicare supplemental insurance product limited to 15 States for 3 years, effective January 1, 1992, pursuant to section 4358(d) of the Omnibus Budget Reconciliation Act of 1990; jointly, to the Committees on Commerce and Ways and Means.

3177. A letter from the Chair of the Board, Office of Compliance, transmitting notice of proposed rulemaking for publication in the CONGRESSIONAL RECORD, pursuant to Public Law 104-1, section 304(b)(1) (109 Stat. 29); jointly, to the Committees on House Oversight and Economic and Educational Opportunities.

3178. A letter from the Secretary of Health and Human Services, transmitting the Department's report entitled "Report to Congress: Changes in Physician Participation, Assignment, and Extra Billing in the Medicare Program During 1994—ACTION," pursuant to section 1848(g)(6) of the Social Security Act; jointly, to the Committees on Ways and Means and Commerce.

¶63.4 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

¶63.5 UNFINISHED BUSINESS—H.R. 1227

The SPEAKER pro tempore, Mr. WALKER, announced the unfinished business to be the consideration of the bill (H.R. 1227) to amend the Portal-to-Portal Act of 1947 relating to the payment of wages to employees who use employer owned vehicles.

When said bill was considered pursuant to House Resolution 440 and the order of the House of May 22, 1996.

After debate,

Mr. RIGGS, pursuant to House Resolution 440, offered the following amendment:

Add at the end the following:

SEC. 3. MINIMUM WAGE INCREASE.

(a) SHORT TITLE.—This section may be cited as the "Minimum Wage Increase Act of 1996".

(b) AMENDMENT.—Paragraph (1) of section 6(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)) is amended to read as follows:

"(1) except as otherwise provided in this section, not less than \$4.25 an hour during the period ending on June 30, 1996, not less than \$4.75 an hour during the year beginning

on July 1, 1996, and not less than \$5.15 an hour after the expiration of such year;".

Pending consideration of said amendment,

¶63.6 POINT OF ORDER

Mr. PORTMAN made a point of order against the amendment as violating section 425(a) of the Congressional Budget Act of 1974, and said:

"Mr. Speaker, pursuant to section 425(a) of the Congressional Budget Act, it is not in order for the House to consider any amendment that would increase the direct costs of Federal inter-governmental mandates in excess of \$50 million annually. The precise language in the amendment before us on which this is based is 'Paragraph 1 of section 6(a) of the Fair Labor Standards Act of 1938 is amended to read as follows: Not less than \$.75 an hour during the year beginning July 1, 1996, and not less than \$5.15 an hour after the expiration of such year.'

"It is upon this basis and the impact this amendment would have on State and local government as estimated by the Congressional Budget Office that I raise this point of order, and ask for ruling from the Chair."

The SPEAKER pro tempore, Mr. WALKER, responded to the point and said:

"The gentleman from Ohio [Mr. PORTMAN] makes a point of order that the amendment violates section 425(a) of the Congressional Budget Act of 1974. In accordance with section 426(b)(2) of the Act, the gentleman has met his threshold burden to identify the specific language in the amendment on which he predicates the point of order. Under section 426(b)(4) of the Act, the gentleman from Ohio and a Member opposed each will control 10 minutes of debate on the point of order. Pursuant to section 426(b)(3) of the Act, after debate on the point of order the Chair will put the question of consideration, to wit: 'Will the House now consider the amendment?'"

After debate, The question being put, viva voce, Will the House now consider said amendment?

The SPEAKER pro tempore, Mr. WALKER, announced that the nays appeared to have it.

Mr. CLAY 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 267 Nays 161

¶63.7 [Roll No. 191] YEAS—267

Abercrombie	Beilenson	Boehlert
Ackerman	Bentsen	Bonior
Andrews	Bereuter	Borski
Bachus	Berman	Boucher
Baessler	Bevill	Browder
Baldacci	Bilbray	Brown (CA)
Barcia	Bilirakis	Brown (FL)
Barrett (WI)	Bishop	Brown (OH)
Becerra	Blute	Bryant (TX)

Bunn	Holden	Payne (VA)
Buyer	Horn	Pelosi
Canady	Houghton	Peterson (FL)
Cardin	Hoyer	Peterson (MN)
Castle	Jackson (IL)	Pickett
Chapman	Jackson-Lee	Pomeroy
Clay	(TX)	Poshard
Clayton	Jacobs	Quillen
Clement	Jefferson	Quinn
Clinger	Johnson (CT)	Rahall
Clyburn	Johnson (SD)	Ramstad
Coleman	Johnson, E. B.	Rangel
Collins (IL)	Johnston	Reed
Collins (MI)	Kanjorski	Regula
Condit	Kaptur	Richardson
Conyers	Kelly	Riggs
Costello	Kennedy (MA)	Rivers
Coyne	Kennedy (RI)	Roberts
Cramer	Kennelly	Roemer
Creameans	Kildee	Rogers
Cummings	King	Ros-Lehtinen
Danner	Klecza	Rose
de la Garza	Klink	Roukema
Deal	Klug	Roybal-Allard
DeFazio	LaFalce	Rush
DeLauro	Lantos	Sabo
Dellums	LaTourette	Sanders
Deutsch	Lazio	Sawyer
Diaz-Balart	Leach	Schiff
Dicks	Levin	Schroeder
Dingell	Lewis (CA)	Schumer
Dixon	Lewis (GA)	Scott
Doggett	Lincoln	Serrano
Dooley	Lipinski	Shaw
Doyle	LoBiondo	Shays
Duncan	Lofgren	Sisisky
Durbin	Longley	Skaggs
Edwards	Luther	Skelton
English	Maloney	Slaughter
Ensign	Manton	Smith (NJ)
Eshoo	Markey	Smith (WA)
Evans	Martinez	Solomon
Farr	Martini	Spratt
Fattah	Mascara	Stark
Fazio	Matsui	Stockman
Fields (LA)	McCarthy	Stokes
Filner	McDade	Studds
Flake	McDermott	Stupak
Flanagan	McHale	Tanner
Foglietta	McHugh	Taylor (MS)
Foley	McKinney	Tejeda
Forbes	McNulty	Thompson
Ford	Meehan	Thornton
Fox	Meek	Thurman
Frank (MA)	Menendez	Torkildsen
Franks (NJ)	Metcalfe	Torres
Frisa	Millender-	Torricelli
Frost	McDonald	Towns
Furse	Miller (CA)	Traficant
Gallegly	Minge	Upton
Ganske	Mink	Velazquez
Gejdenson	Moakley	Vento
Gephardt	Mollohan	Visclosky
Gibbons	Moorhead	Volkmer
Gillmor	Moran	Walsh
Gilman	Morella	Waters
Gonzalez	Murtha	Watt (NC)
Gordon	Nadler	Waxman
Green (TX)	Neal	Weldon (PA)
Greenwood	Neumann	Weller
Gunderson	Ney	Whitfield
Gutierrez	Oberstar	Williams
Hall (OH)	Obey	Wilson
Hamilton	Olver	Wise
Harman	Ortiz	Woolsey
Hastings (FL)	Orton	Wynn
Hefner	Owens	Yates
Hilliard	Pallone	Young (AK)
Hinchey	Pastor	Young (FL)
Hobson	Payne (NJ)	Zimmer
Hoke		

NAYS—161

Allard	Brownback	Combest
Archer	Bryant (TN)	Cooley
Armey	Bunning	Cox
Baker (CA)	Burr	Crane
Baker (LA)	Burton	Crapo
Ballenger	Callahan	Cubin
Barr	Calvert	Cunningham
Barrett (NE)	Camp	Davis
Bartlett	Campbell	DeLay
Barton	Chabot	Dickey
Bass	Chambliss	Doolittle
Bateman	Chenoweth	Dornan
Bliley	Christensen	Dreier
Boehner	Chrysler	Dunn
Bonilla	Coble	Ehlers
Bono	Coburn	Ehrlich
Brewster	Collins (GA)	Emerson

Everett	Kingston	Rohrabacher
Ewing	Knollenberg	Roth
Fawell	Kolbe	Royce
Fields (TX)	LaHood	Salmon
Fowler	Largent	Sanford
Frelinghuysen	Latham	Saxton
Funderburk	Laughlin	Scarborough
Gekas	Lewis (KY)	Schaefer
Geran	Lightfoot	Seastrand
Gilchrest	Linder	Sensenbrenner
Goodlatte	Livingston	Shadegg
Goodling	Lucas	Shuster
Goss	Manzullo	Skeen
Graham	McCollum	Smith (MI)
Greene (UT)	McCrery	Smith (TX)
Gutknecht	McInnis	Souder
Hall (TX)	McIntosh	Spence
Hansen	McKeon	Stearns
Hastert	Meyers	Stenholm
Hastings (WA)	Mica	Stump
Hayes	Miller (FL)	Talent
Hayworth	Montgomery	Tate
Hefley	Myers	Tauzin
Heineman	Myrick	Taylor (NC)
Herger	Nethercutt	Thomas
Hilleary	Norwood	Thornberry
Hoekstra	Nussle	Tiahrt
Hostettler	Oxley	Vucanovich
Hunter	Packard	Walker
Hutchinson	Parker	Wamp
Hyde	Paxon	Watts (OK)
Inglis	Petri	Weldon (FL)
Istook	Pombo	White
Johnson, Sam	Porter	Wicker
Jones	Portman	Wolf
Kasich	Pryce	Zeliff
Kim	Radanovich	

NOT VOTING—5

Engel	Hancock	Ward
Franks (CT)	Molinari	

So, the question of consideration was resolved in the affirmative.

When said amendment was considered.

After debate, Pursuant to House Resolution 440, the previous question on the amendment was considered as ordered.

The question being put, viva voce, Will the House agree to the amendment?

The SPEAKER pro tempore, Mr. WALKER, announced that the nays appeared to have it.

Mr. RIGGS demanded a recorded vote on the amendment, 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 266 affirmative Nays 162

¶63.8 [Roll No. 192] AYES—266

Abercrombie	Bunn	Deutsch
Ackerman	Buyer	Diaz-Balart
Andrews	Canady	Dicks
Bachus	Cardin	Dingell
Baessler	Castle	Dixon
Baldacci	Chapman	Doggett
Barrett (WI)	Clay	Dooley
Beilenson	Clayton	Doyle
Bentsen	Clement	Duncan
Bereuter	Clyburn	Durbin
Berman	Coleman	Edwards
Bevill	Collins (IL)	Engel
Bilbray	Collins (MI)	English
Bilirakis	Condit	Ensign
Bishop	Conyers	Eshoo
Blute	Costello	Evans
Boehlert	Coyne	Farr
Bonior	Cramer	Fattah
Bono	Creameans	Fazio
Borski	Cummings	Fields (LA)
Boucher	Danner	Filner
Browder	de la Garza	Flake
Brown (CA)	Deal	Flanagan
Brown (FL)	DeFazio	Foglietta
Brown (OH)	DeLauro	Foley
Bryant (TX)	Dellums	Forbes