

from over charitable gifts in the first place.

With that very minor and I hope not too nagging technicality, I also, as an original cosponsor of the legislation, urge Members to support the passage of this measure.

Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. STARK].

□ 1515

Mr. STARK. Mr. Speaker, I thank the gentleman for his kindness.

I want to support H.R. 2525, granting antitrust relief to charitable gift annuities, because we are going to need some more charitable gifts.

Now, to my modern-day pharisees on the other side of the aisle, I would point out it is, indeed, a Christian thing to do to encourage giving. The Bible uses the word "give" 862 times, and the phrase "stop giving" does not appear at all. But the Republicans are stopping giving.

H.R. 2525 may help that. But I wonder, and I am not a lawyer so I would have to rely on the Committee on the Judiciary, low-income energy assistance is being cut. Should we, therefore, give an exemption to the oil companies?

Food stamps are being capped and cut 20 percent.

POINT OF ORDER

Mr. HYDE. Mr. Speaker, point of order. Should the gentleman's remarks be confined to the bill and not to extraneous matter that may be lurking within his fertile imagination?

The SPEAKER pro tempore (Mr. BARR). The gentleman is correct. The Chair would admonish the gentleman from California to limit his remarks to the subject matter of H.R. 2525 currently pending before this body.

Mr. STARK. I thank the Speaker, and I shall continue to talk about granting of antitrust relief to encourage gift annuities, which I believe is the bill, the nexus of the relationship.

For instance, Medicare, which is being cut where it pays for debt for low-income seniors, the hospitals very much want an antitrust exemption, which is really the nexus of this bill.

Would it not be wise to correct the Republican mistake of cutting Medicare and to give hospitals an antitrust exemption?

Or, in the same vein, H.R. 2525 allows antitrust relief. Would it not be good to give antitrust relief to the landlords of Macy's and Wal-Mart because of the \$33 billion in earned income tax credits being cut out of low-income people while rich people will not need it? I suggest that is within the nexus of H.R. 2525 and antitrust relief.

Finally, college aid is being cut \$5 billion. Last weekend Muskingum College in Ohio was dropping tuition from \$13,000 a year to \$9,000 a year. I remember when MIT and the Ivy leagues were clamped for antitrust for getting together on student aid.

Why not give the college antitrust relief? Then we will not need the col-

lege loan program that the Republican are gutting.

So I say support H.R. 2525. Start a movement. Replace the \$254 billion in charitable cuts the Republicans are making with a Thousand Points of Light.

I urge support of the bill.

Mr. THORNBERRY. Mr. Speaker, I rise today to add my support to the effort being made to assist our Nation's charities, universities, hospitals, and other organizations that hold as their sole objective assisting the needy. The Philanthropy Protection Act and the Charitable Gift Annuity Antitrust Relief Act are necessary steps toward restoring the interpretation of the purpose of charitable gifts. Without these two pieces of legislation, the foundation for donating charitable gifts and trusts will be eliminated.

Because of a lawsuit filed in my district, organizations ranging from the Girl Scouts of America and the Southern Baptist Foundation to the Red Cross and Texas Tech University will be in true danger of losing their primary source of revenue. In an era when we are asking Americans to take greater responsibility for themselves, their families, and their neighbors, we must protect charitable organizations' ability to continue their work.

The two acts offered on the House floor today will establish charitable gift annuities as an exemption from Federal antitrust and securities laws that require interest return at market rates. This will enable charitable organizations to continue to accept planned giving donations from individuals, pay out reasonable annual returns to the donor and provide the excess interest to benevolent activities.

People who give charitable gifts do not do it to get rich—they do it mainly to help others. Using charitable gift annuities and charitable trusts makes it possible for donors to make a contribution, while still retaining some income from their gift. This flexible arrangement allows the funds to be used to care for and educate the less fortunate while at the same time providing investment income for the donor.

In light of the immense benefit of these kind of gifts, it is only unfortunate that these bills were precipitated by some heirs seeking to retain the donations for their own use. Although this originated in the 13th District in Texas, the effects of these two acts will benefit the entire Nation. It is for these reasons that I am proud to join in this bipartisan effort.

Mr. CONYERS. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HYDE. Mr. Speaker, I just want to say how pleasant it is to have the gentleman from Michigan [Mr. CONYERS] on our side.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken.

Mr. HYDE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, further proceedings on this question are postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12, rule I, the Chair declares the House in recess until 5:30 p.m.

Accordingly (at 3 o'clock and 20 minutes p.m.), the House stood in recess until 5:30 p.m.

□ 1730

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BARR) at 5 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair will now put the questions that were postponed earlier today in the order in which each question was entertained.

Votes will be taken in the following order:

H.R. 2519 de novo; and

H.R. 2525 by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

PHILANTHROPY PROTECTION ACT OF 1995

The SPEAKER pro tempore. The pending business is the question de novo on the passage of the bill, H.R. 2519, on which further proceeding were postponed.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. KLECZKA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 421, nays 0, not voting 11, as follows:

[Roll No. 822]

YEAS—421

Abercrombie	Baker (CA)	Bartlett
Ackerman	Baker (LA)	Barton
Allard	Baldacci	Bass
Andrews	Ballenger	Bateman
Archer	Barcia	Becerra
Armey	Barr	Beilenson
Bachus	Barrett (NE)	Bentsen
Baesler	Barrett (WI)	Bereuter

Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Creameans
Cubin
Danner
Davis
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)

Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutiérrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Ingalls
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
Laughlin

Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Manton
Manzullo
Markley
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts

Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Siskisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)

Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torrice
Towns
Traficant
Upton

Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

[Roll No. 823]

YEAS—427

Abercrombie
Ackerman
Allard
Andrews
Archer
Army
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Creameans
Cubin
Cunningham
Danner
Davis
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)

Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)

Ingalls
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
Laughlin

NOT VOTING—11

Coleman
Cunningham
de la Garza
Fowler

Hefner
Kennedy (RI)
Maloney
Pelosi

Radanovich
Royce
Tucker

□ 1752

So (three-fifths having voted in favor thereof) the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CUNNINGHAM. Mr. Speaker, during rollcall vote No. 822, I was detained. I ask that the RECORD reflect had I been present, I would have voted "yea".

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BARR). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device may be taken on the remaining postponed question.

CHARITABLE GIFT ANNUITY ANTITRUST RELIEF ACT OF 1995

The SPEAKER pro tempore. The pending business is the question of passage of the bill, H.R. 2525, on which further proceedings were postponed.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 427, nays 0, not voting 5, as follows: