

Clay	Jackson-Lee	Pelosi	LaHood	Norwood	Smith (WA)
Clayton	(TX)	Peterson (FL)	Largent	Nussle	Solomon
Clyburn	Jacobs	Peterson (MN)	Latham	Ortiz	Souder
Collins (IL)	Johnston	Petri	LaTourette	Oxley	Spence
Collins (MI)	Kaptur	Pickett	Laughlin	Packard	Spratt
Condit	Kennedy (MA)	Porter	Lazio	Parker	Stearns
Conyers	Klecza	Poshard	Levin	Paxon	Stockman
Costello	Klug	Ramstad	Lewis (CA)	Pombo	Stokes
Coyne	LaFalce	Rangel	Lewis (KY)	Pomeroy	Stump
DeFazio	Lantos	Reed	Lightfoot	Portman	Talent
DeLauro	Leach	Riggs	Linder	Pryce	Tanner
Dellums	Lewis (GA)	Roemer	Lipinski	Quillen	Tate
Deutsch	Lincoln	Roth	Livingston	Quinn	Tauzin
Dingell	Lofgren	Roybal-Allard	LoBiondo	Radanovich	Taylor (MS)
Doggett	Lowey	Rush	Longley	Rahall	Taylor (NC)
Duncan	Luther	Sanders	Lucas	Regula	Tejeda
Durbin	Maloney	Sawyer	Manton	Richardson	Thomas
Ehlers	Markey	Schroeder	Manzullo	Rivers	Thornberry
Ensign	McCarthy	Sensenbrenner	Martinez	Roberts	Thornton
Eshoo	McDermott	Serrano	Martini	Rogers	Tiahrt
Evans	McKinney	Shays	Mascara	Rohrabacher	Torkildsen
Farr	McNulty	Slaughter	Matsui	Ros-Lehtinen	Trafigant
Fattah	Meehan	Stark	McCollum	Rose	Vucanovich
Fawell	Meek	Stenholm	McCrery	Roukema	Walker
Fazio	Menendez	Studds	McDade	Royce	Walsh
Fields (LA)	Millender-	Stupak	McHale	Sabo	Wamp
Filner	McDonald	Thompson	McHugh	Salmon	Ward
Flake	Miller (CA)	Thurman	McInnis	Sanford	Watts (OK)
Foglietta	Minge	Torres	McIntosh	Saxton	Weldon (FL)
Ford	Mink	Torricelli	McKeon	Schaefer	Weldon (PA)
Fox	Moakley	Towns	Metcalfe	Schiff	White
Frank (MA)	Nadler	Upton	Meyers	Schumer	Whitfield
Furse	Neal	Velazquez	Mica	Scott	Wicker
Gephardt	Neumann	Vento	Miller (FL)	Seastrand	Wilson
Gibbons	Oberstar	Visclosky	Mollohan	Shadegg	Wise
Gordon	Obey	Volkmer	Montgomery	Shaw	Wolf
Green (TX)	Olver	Waters	Moorhead	Shuster	Wynn
Gutierrez	Orton	Watt (NC)	Moran	Sisisky	Yates
Hastings (FL)	Owens	Waxman	Morella	Skaggs	Young (AK)
Hilliard	Pallone	Weller	Murtha	Skeen	Young (FL)
Hinchey	Williams	Woolsey	Myers	Skelton	Zeliff
Jackson (IL)	Payne (NJ)		Myrick	Smith (MI)	Zimmer
	Payne (VA)		Nethercutt	Smith (NJ)	
			Ney	Smith (TX)	

## NOES—292

Abercrombie	Coburn	Gonzalez
Allard	Coleman	Goodlatte
Archer	Collins (GA)	Goodling
Armey	Combest	Goss
Bachus	Cooley	Graham
Baesler	Cox	Greene (UT)
Baker (CA)	Cramer	Greenwood
Baker (LA)	Crane	Gunderson
Ballenger	Crapo	Gutknecht
Barcia	Creameans	Hall (OH)
Barr	Cubin	Hall (TX)
Barrett (NE)	Cummings	Hamilton
Bartlett	Cunningham	Hancock
Barton	Danner	Hansen
Bass	Davis	Harman
Bateman	de la Garza	Hastert
Beilenson	Deal	Hastings (WA)
Bentsen	DeLay	Hayes
Bereuter	Diaz-Balart	Hayworth
Berman	Dickey	Hefley
Bevill	Dicks	Hefner
Bilbray	Dixon	Heineman
Bilirakis	Dooley	Hergert
Bishop	Doolittle	Hilleary
Blute	Dornan	Hobson
Boehlert	Doyle	Hoekstra
Boehner	Dreier	Holden
Bonilla	Dunn	Horn
Bono	Edwards	Hostettler
Borski	Ehrlich	Houghton
Brewster	Emerson	Hoyer
Browder	Engel	Hunter
Brownback	English	Hutchinson
Bryant (TN)	Everett	Hyde
Bunn	Ewing	Inglis
Bunning	Fields (TX)	Istook
Burr	Flanagan	Jefferson
Burton	Foley	Johnson (CT)
Buyer	Forbes	Johnson (SD)
Callahan	Fowler	Johnson, E. B.
Calvert	Franks (CT)	Johnson, Sam
Campbell	Franks (NJ)	Jones
Canady	Frelinghuysen	Kanjorski
Cardin	Frist	Kasich
Castle	Frost	Kelly
Chabot	Funderburk	Kennedy (RI)
Chambliss	Gallegly	Kennelly
Chapman	Ganske	Kildee
Chenoweth	Gedjenson	Kim
Christensen	Gekas	King
Chrysler	Geren	Kingston
Clement	Gilchrest	Klink
Clinger	Gillmor	Knollenberg
Coble	Gilman	Kolbe

## NOT VOTING—4

Bliley	Molinari
Hoke	Scarborough

□ 1654

Mrs. ROUKEMA and Messrs. SCHUMER, WALSH, BENTSEN, and CUMMINGS changed their vote from "aye" to "no."

Mrs. THURMAN and Messrs. RANGEL, DOGGETT, SHAYS, and FOX of Pennsylvania changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. CHAIRMAN. Are there other amendments to the bill?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HOBSON) having assumed the chair, Mr. DICKEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that committee, having had under consideration the bill (H.R. 3259), to authorize appropriations for fiscal year 1997 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, pursuant to House Resolution 437, he reported the bill back to the House with an amendment adopted by he Committee of the Whole.

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

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 3259, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1997

Mr. COMBEST. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 3259, the Clerk be authorized to make such technical and conforming changes as may be necessary to correct such things as spelling, punctuation, cross-referencing, and section numbering.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### GENERAL LEAVE

Mr. COMBEST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3259, the bill just considered and passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### REPORT OF COMMODITY CREDIT CORPORATION, FISCAL YEAR 1994—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Agriculture:

*To the Congress of the United States:*

In accordance with the provisions of section 13, Public Law 806, 80th Congress (15 U.S.C. 714k), I transmit herewith the report of the Commodity Credit Corporation for fiscal year 1994.

WILLIAM J. CLINTON.

THE WHITE HOUSE, May 22, 1996.

#### COMBINED ANNUAL REPORTS OF NATIONAL SCIENCE FOUNDATION, FISCAL YEARS 1994 AND 1995—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message

from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Science:

*To the Congress of the United States:*

As required by the provisions of section 3(f) of the National Science Foundation Act of 1950, as amended (42 U.S.C. 1862(f)), I transmit herewith the combined annual reports of the National Science Foundation for fiscal years 1994 and 1995.

WILLIAM J. CLINTON.

THE WHITE HOUSE, May 22, 1996.

□ 1700

# COMMUNICATION FROM THE HONORABLE SCOTT MCCINNIS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable SCOTT MCCINNIS, Member of Congress:

U.S. CONGRESS,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 21, 1996.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule L (50) of the Rules of the House, that I have been served with a subpoena issued by the County Court of El Paso County, Colorado.

After consultation with the General Counsel, I will make the determinations required by the Rule.

Sincerely,

SCOTT MCCINNIS,  
Member of Congress.

## PARLIAMENTARY INQUIRIES

Mr. SOLOMON. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. HOBSON). The gentleman will state his parliamentary inquiry.

Mr. SOLOMON. Mr. Speaker, I would inquire when the next vote is expected. I understand that we will now be taking up the rule on the Small Business Job Protection Act and that there will not be another vote on the floor for at least another hour. Is that correct?

Mr. VOLKMER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. VOLKMER. Mr. Speaker, I just want to inquire, the gentleman from New York's inquiry to the Chair does not appear to be a parliamentary inquiry.

Mr. Speaker, what is the House going to take up at this time?

The SPEAKER pro tempore. It is the Chair's understanding that the gentleman from New York may rise to call up a rule.

Mr. VOLKMER. One hour debate on the rule?

The SPEAKER pro tempore. It would be debatable for 1 hour, and the Chair would assume that therefore his suggestion may be correct, but the Chair makes no ruling on that.

## PROVIDING FOR CONSIDERATION OF H.R. 3448, SMALL BUSINESS JOB PROTECTION ACT OF 1996, AND H.R. 1227, EMPLOYEE COMMUTING FLEXIBILITY ACT

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 440 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 440

*Resolved*, That upon the adoption of this resolution it shall be in order without intervention of any point of order (except those arising under section 425(a) of the Congressional Budget Act of 1974) to consider in the House the bill (H.R. 3448) to provide tax relief for small businesses, to protect jobs, to create opportunities, to increase the take home pay of workers, and for other purposes. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill shall be considered as read. All points of order against the committee amendment (except those arising under section 425(a) of the Congressional Budget Act of 1974) are waived. The bill and the amendment shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the bill and the amendment to final passage without intervening motion except one motion to recommit with or without instructions. The yeas and nays shall be considered as ordered on the question of passage of the bill and on any conference report thereon. Clause 5(c) of rule XXI shall not apply to the bill, amendments thereto, or conference report thereon.

SEC. 2. After disposition of H.R. 3448 it shall be in order without intervention of any point of order (except those arising under section 425(a) of the Congressional Budget Act of 1974) to consider in the House 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. The amendment in the nature of a substitute recommended by the Committee on Economic and Educational Opportunities now printed in the bill, modified by the amendment printed in section 3 of this resolution, shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except: (1) ninety minutes of debate on the bill, which shall be equally divided and controlled by the chairman and ranking minority member of the Committee on Economic and Educational Opportunities; (2) the further amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution, which may be offered only by Representative Riggs of California or his designees, shall be in order without intervention of any point of order (except those arising under section 425(a) of the Congressional Budget Act of 1974), shall be considered as read, shall be separately debatable for ninety minutes equally divided and controlled by

the proponent and an opponent, and shall not be subject to a demand for division of the question; (3) the further amendment printed in part 2 of the report of the Committee on Rules accompanying this resolution, which may be offered only by Representative Goodling of Pennsylvania or his designee, shall be in order without intervention of any point of order (except those arising under section 425 (a) of the Congressional Budget Act of 1974), shall be considered as read, shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent, and on which the question shall be divided between the proposed subsection 3(d) and the remainder of the proposed section 3 (and shall not otherwise be subject to a demand for division of the question); and (4) one motion to recommit with or without instructions.

SEC. 3. The amendment in the nature of a substitute recommended by the Committee on Economic and Educational Opportunities now printed in H.R. 1227 is modified by the following amendment: Immediately after the enacting clause insert the following new section (and redesignate succeeding sections accordingly):

"SECTION 1. This act may be cited as the 'Employee Commuting flexibility Act of 1996'."

SEC. 4. (a) In the engrossment of H.R. 3448, the Clerk shall—

(1) await the disposition of H.R. 1227 pursuant to section 2 of this resolution;

(2) add the text of H.R. 1227, as passed by the House, as new matter at the end of H.R. 3448;

(3) conform the title of H.R. 3448 to reflect the addition of the text of H.R. 1227 to the engrossment;

(4) assign appropriate designations to titles within the engrossment; and

(5) conform provisions for short titles within the engrossment.

(b) Upon the addition of the text of H.R. 1227 to the engrossment of H.R. 3448, H.R. 1227 shall be laid on the table.

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio [Mr. HALL], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

(Mr. SOLOMON asked and was given permission to include extraneous material.)

Mr. SOLOMON. Mr. Speaker, this rule is a little different from the usual rule we bring to the House floor. Today we have one rule which makes in order two separate bills.

The first bill is a bill out of the Committee on Ways and Means, H.R. 3448, which provides a series of tax benefits to small business.

The second piece of legislation, H.R. 1227, is a bill out of the Committee on Economic and Educational Opportunities, the Employee Commuting Flexibility Act. This bill will clarify confusion about situations where employees