

rules on those. I can add some amendments to those. I would like to see open rules on those. I can add some amendments to those. I would like to see those open rules. To me an open rule on those bills is a lot more important than an open rule on these bills. The bill of the gentleman from California [Mr. HERGER], nobody wants to touch that. It has been worked on, he has done a good job, and I think it should be passed. And I do not care if you put it under unanimous consent, or suspension, or an open rule, he is going to get his bill passed today. So I am not concerned about those. I am only concerned about the future.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I certainly appreciate those comments, but I should say in closing that I have complete confidence in the chairman of the Committee on Rules and his decision on how the rules should be open.

Mr. Speaker, I urge my colleagues to support the rule.

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

Mr. MCINNIS. Mr. Speaker, I have no further requests for time. I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 101, TAOS PUEBLO INDIANS OF NEW MEXICO LAND TRANSFER

Mrs. WALDHOLTZ. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 51 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 51

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 bill (H.R. 101) to transfer a parcel of land to the Taos Pueblo Indians of New Mexico. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. Each section shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

MODIFICATION OF HOUSE RESOLUTION 51
OFFERED BY MRS. WALDHOLTZ

Mrs. WALDHOLTZ. Mr. Speaker, I ask unanimous consent that the resolution be modified by the amendment I

have placed at the desk. This amendment accords the customary treatment to the committee amendment in the nature of a substitute which was intended but inadvertently omitted from the resolution from the committee.

The Clerk read as follows:

Modification of House Resolution 51 offered by Mrs. WALDHOLTZ:

On page 2, beginning on line 5, strike "Each section shall be considered as read." and insert the following: "It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read."

On page 2, line 9, insert before the last sentence of the resolution the following new sentence: "Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute."

On page 2, line 12, insert before the period at the end of the last sentence of the resolution the following: "with or without instructions".

The SPEAKER. Is there objection to the request of the gentlewoman from Utah?

Mr. FROST. Mr. Speaker, reserving the right to object, it is not my intention to object, but I would ask the gentlewoman from Utah as to what occurred in this instance. Why is the majority coming forward at this point and asking that the rule be amended?

Mrs. WALDHOLTZ. Mr. Speaker, will the gentleman yield?

Mr. FROST. I yield to the gentlewoman from Utah.

Mrs. WALDHOLTZ. Mr. Speaker, this is to correct a technical error. The language the Clerk just read as the body of this amendment was intended to be included. It was not, by inadvertence. We understand there is no objection from the minority. We want to reflect how the committee wanted this to be considered.

Mr. FROST. Mr. Speaker, further reserving the right to object, do I gather this was something that occurred within the Committee on Rules? It was not something that occurred within the committee that originated the bill, but in the production of the rule inside the Committee on Rules?

Mrs. WALDHOLTZ. That is correct.

Mr. FROST. And it was by inadvertence on the part of the staff. We understand there has been some changeover in the staff and some of these things will happen as we all get up to speed.

Mrs. WALDHOLTZ. This was done solely by inadvertence. Our attempt is to reflect accurately the actions of the committee as we consider how this rule should be considered.

Mr. FROST. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Utah?

There was no objection.

The text of House Resolution 51, as modified, is as follows:

H. RES. 51

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 bill (H.R. 101) to transfer a parcel of land to the Taos Pueblo Indians of New Mexico. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill 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 in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

The SPEAKER pro tempore. The gentlewoman from Utah [Mrs. WALDHOLTZ] is recognized for 1 hour.

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

Mr. Speaker, House Resolution 51 is the rule providing for the consideration of H.R. 101, a bill to transfer a parcel of land to the Taos Pueblo Indians of New Mexico.

This is an open rule. It provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill will be considered for amendment under the 5-minute rule. Finally, the rule provides for one motion to recommit.

This rule provides, once again, for fair, open debate.

There has been some concern among some House Members as to why these bills are not simply brought up under suspension of the rules. As the chairman of the Committee on Rules, Mr. SOLOMON, has pointed out, our leadership is committed to bring fewer bills under suspension of the rules since that procedure does not allow for amendments.

Reflecting our commitment to an open, fair process, our leadership has made it more procedurally difficult for a committee chairman to request that a bill be considered under suspension. It's simply easier for them to ask for an open rule.

The chairman of the Resources Committee asked for an open rule on this bill. We agree with that request.

Some of our colleagues may claim that this rule is simply a ploy by the majority to increase the number of open rules, but that is simply not the case.

The Members of this House, and more importantly the American people, deserve full and open debate on important legislation such as this.

This bill resolves a long-standing dispute over lands that are used for religious purposes by the Taos Pueblo Tribe.

Mr. Speaker, H.R. 101 transfers approximately 764 acres of Forest Service land within the Wheeler Peak Wilderness in New Mexico to the Department of Interior to be held in trust for the Taos Pueblo Indians as part of the Pueblo de Taos Reservation.

□ 1650

It returns to the tribe land known as the Bottleneck Tract, which contains the Path of Life Trail, considered sacred to the tribe. And the tribe has agreed to continue to manage this land as wilderness.

Maybe this bill may not seem important to those living in other parts of the country, but it is important to people living in my part of the country, the Western United States, and it is particularly important to the Taos Pueblo Tribe and the people of New Mexico. But it is also important, Mr. Speaker, to every American. Because this bill will remove barriers imposed by the Federal Government to the free exercise of religion by a religious minority.

The principles embodied in this bill deserve the respect of this House to openly debate and consider this legislation.

Action under suspension of the rules requires the cooperation of all Members in order to responsibly and timely pass the legislation. Unfortunately, that cooperation has so far not been a particular hallmark of the 104th Congress, and the best way to protect this important legislation, while keeping our commitment to an open and fair process, is to bring this legislation to the floor under an open rule.

I urge my colleagues to adopt this rule and to support the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 51 is indeed an open rule providing for the consideration of H.R. 101, a bill to transfer a parcel of land to the Taos Pueblo Indians in New Mexico. However, Mr. Speaker, I would like to reiterate some questions raised during the consideration of the previous two rules today.

Given the fact that there is absolutely no controversy surrounding this legislation and the fact that it was re-

ported from the Committee on Resources by voice vote, I do have to ask why H.R. 101 is not being considered on the suspension calendar or under unanimous consent.

Mr. Speaker, yesterday at the meeting of the Committee on Rules, our distinguished chairman stated that it is the policy of the Republican conference to limit the number of bills brought to the House on the suspension calendar, as was mentioned earlier today. The reason, he said, was simply because the consideration of bills on suspension prohibits the offering of amendments.

However, I must point out for the new Members of the House that ordinarily bills considered under suspension have been those that have been thoroughly vetted through the committee process. In past Congresses, it has been common practice to thoroughly examine and deliberate issues in committee and, in so doing, it has been found that often all disputed issues can be resolved, thus eliminating the need for lengthy debate and numerous amendments by the full House.

Mr. Speaker, the chairman of the Committee on Resources told the Committee on Rules yesterday that there is a large backlog of bills pending before his committee. Mr. Speaker, I share his desire to move these bills and would urge him and the Committee on Rules to consider using the suspension calendar to move noncontroversial legislation in the future. And I would observe also that, if I understand the procedures here today, that in fact any germane amendment will be in order when this bill comes up, that this is in fact an open rule, and that any germane amendment can be brought before the House.

Mr. Speaker, I yield back the balance of my time.

Mrs. WALDHOLTZ. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Speaker, I thank the gentlewoman from Utah for yielding time to me. It is a distinct honor to come to the Congress with the gentlewoman and other like-minded reformers of this institution.

Mr. Speaker, I rise in strong support of this resolution, and I see my good friend from New Mexico, who authored this piece, because quite correctly of the concern of his constituents. And certainly while there are some matters of contention within the Committee on Resources, this is not one of them. I think it is exemplary that the gentleman from New Mexico brings forth this legislation, and I certainly rise to champion his cause and those of his constituents and look forward to some reciprocation down the line with other bills of regional interest that we may share.

I also look forward to full and open discussion in this House, in this people's House, on matters where perhaps we do not see eye to eye, for that is the purpose of this institution, to debate the questions of the day. And when we

have common agreement, we should champion those moments as well. This is one such occasion, and I appreciate the opportunity to stand in strong support of this piece of legislation.

Mrs. WALDHOLTZ. Mr. Speaker, I yield myself such time as I may consume.

Let me close simply by saying that it has been often expressed by members of this committee and it is our deeply held belief that wherever possible we need to have open rules to allow for free, honest debate of important issues that come before this body. The rule for this particular piece of legislation is no different. It provides for open debate. And I believe, Mr. Speaker, that that is what the people of our country expect from this House, to provide for the opportunity for a free exchange of ideas while still moving the business of the people forward. I think this rule will do just that, and I urge its adoption.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANAKTUVUK PASS LAND EXCHANGE AND WILDERNESS REDESIGNATION ACT OF 1995

The SPEAKER pro tempore (Mr. UPTON). Pursuant to House Resolution 52 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 400.

□ 1656

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 400) to provide for the exchange of lands within Gates of the Arctic National Park and Preserve, and for other purposes, with Mr. HASTERT in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Alaska [Mr. YOUNG] will be recognized for 30 minutes, and the gentleman from New Mexico [Mr. RICHARDSON] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Alaska [Mr. YOUNG].

Mr. YOUNG. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of H.R. 400, a bill to provide for a land exchange within Gates of the Arctic Park and Preserve. This noncontroversial legislation was reported January 18 by the Resources Committee by a vote of 40 to 0.

H.R. 400 was introduced January 4 and passed the committee, as I said, at