

Montgomery	Richardson	Stump
Moorhead	Riggs	Stupak
Moran	Rivers	Talent
Morella	Roberts	Tanner
Murtha	Roemer	Tate
Myers	Rogers	Tauzin
Myrick	Rohrabacher	Taylor (MS)
Nadler	Ros-Lehtinen	Taylor (NC)
Neal	Rose	Tejeda
Neuhart	Roth	Thomas
Neumann	Roukema	Thompson
Ney	Royce	Thornberry
Norwood	Sabo	Thornton
Nussle	Salmon	Thurman
Oberstar	Sanford	Tiahrt
Obey	Sawyer	Torkildsen
Olver	Saxton	Torricelli
Ortiz	Scarborough	Towns
Orton	Schiff	Upton
Owens	Schroeder	Velazquez
Oxley	Schumer	Vento
Packard	Scott	Visclosky
Pallone	Seastrand	Vucanovich
Parker	Serrano	Waldholtz
Pastor	Shadegg	Walker
Paxon	Shaw	Walsh
Payne (VA)	Shays	Wamp
Pelosi	Shuster	Ward
Peterson (FL)	Skaggs	Watts (OK)
Petri	Skeen	Waxman
Pickett	Smith (MI)	Weldon (FL)
Pombo	Smith (NJ)	Weller
Porter	Smith (TX)	White
Portman	Smith (WA)	Whitfield
Poshard	Solomon	Wicker
Pryce	Souder	Wise
Quillen	Spence	Wolf
Quinn	Spratt	Woolsey
Radanovich	Stark	Wyden
Rahall	Stearns	Wynn
Ramstad	Stenholm	Young (AK)
Rangel	Stockman	Young (FL)
Reed	Stokes	Zeliff
Regula	Studds	Zimmer

NAYS—29

Ackerman	Hilliard	Schaefer
Andrews	Kaptur	Sensenbrenner
Becerra	Martinez	Slaughter
Bellenson	Menendez	Torres
Borski	Payne (NJ)	Trafficant
Clyburn	Peterson (MN)	Waters
Collins (IL)	Pomeroy	Watt (NC)
Danner	Roybal-Allard	Williams
Filner	Rush	Yates
Foglietta	Sanders	

NOT VOTING—10

Abercrombie	Sisisky	Weldon (PA)
Chapman	Skelton	Wilson
Fields (LA)	Tucker	
Funderburk	Volkmer	

□ 1353

Ms. KAPTUR, Mrs. COLLINS of Illinois, Ms. ROYBAL-ALLARD, Mr. BORSKI, and Mr. FOGLIETTA changed their vote from "yea" to "nay."

Ms. EDDIE BERNICE JOHNSON of Texas and Mr. CLAY changed their vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON S. 4, THE SEPARATE ENROLLMENT AND LINE ITEM VETO ACT OF 1995

Mr. DEUTSCH. Mr. Speaker, I offer a motion to instruct conferees on the Senate bill (S. 4) to grant the power to the President to reduce budget authority.

The SPEAKER pro tempore. The Clerk will report the motion to instruct.

The Clerk read as follows:

Mr. DEUTSCH moves that the managers on the part of the House at the conference on the disagreeing votes on the two Houses on the House amendments to the bill S. 4 be instructed, within the scope of the conference, to insist upon the inclusion of provisions to require that the bill apply to the targeted tax benefit provisions of any revenue or reconciliation bill enacted into law during or after fiscal year 1995.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Pursuant to rule XXVIII, the gentleman from Florida [Mr. DEUTSCH] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. CLINGER] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. DEUTSCH].

Mr. DEUTSCH. Mr. Speaker, I yield myself 1 minute and 10 seconds.

Mr. Speaker, on February 6 of this year, this House passed by a 294 vote a line-item veto bill. The Senate subsequently passed the vote as well. It took 7 months. We went through the winter, the spring, the summer, and then we came into the fall, just about the fall again, and September 20, conferees were appointed.

I think there is a question, really, of the sincerity of conferees and appointing conferees when it has taken this long. This is an idea which not only has the support or the voting support of the majority of the Members of this House, but I really think a clear majority of the American people as well: 38 States have line-item vetoes. If we are talking about fiscal restraint, this is the way to go.

What this proposal does, Mr. Speaker, what this motion to instruct says is if we are going to have a line-item veto, let us get the job done. Let us apply it to 1995 appropriations bills and budget bills.

Mr. CLINGER. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I will be brief. We are in the midst of a prolonged hearing on the reconciliation bill up in the Committee on Rules. We have listened to five witnesses over 3½ hours. We have 65 more to go. Hopefully, we will be able to bring the Members a bill tomorrow.

Let me just say to the gentleman from Florida [Mr. DEUTSCH], if he will pay attention over there, without all the discussion, he mentioned or questioned the sincerity of the conferees. Mr. Speaker, I am not going to question his sincerity. I do not think we should do that. He is a friend of mine, and he is a good Member of this body. But, I just have to point out, it is strange that his name appears on the National Taxpayers Union list of big spenders, and yet, he is up here talking about the sincerity of the conferees on the line-item veto. That bothers me a little bit.

First, let me just say this. The amendment does not do what the gen-

tleman claims it does. Neither the House nor the Senate version of the line-item veto contained any retroactive provisions dealing with targeted tax benefits.

The House version did contain retroactive language regarding the applicability to appropriation measures for fiscal year 1995, but that authority was not extended to revenue measures. The gentleman's motion calls upon conferees to apply the targeted tax provisions to any revenue or any reconciliation measure enacted into law during fiscal year 1995. At the same time, the motion urges the conferees to stay within the scope of the conference. These instructions are inconsistent. We cannot have it both ways.

If the gentleman had not included the phrase "within the scope of the conference," he would have been deliberately instructing the conferees to go beyond the scope of the conference, which the gentlemen well knows would be a violation of the rules of the House, and subject to a point or order.

Because he did include this phrase, we can only conclude that this entire motion is purely politically driven, a poor attempt to try and embarrass those Members who happen to support both the line-item veto and the landmark balanced budget we will be approving here on this floor tomorrow.

Because the gentleman's motion is inherently contradictory, I urge that we accept the motion and can honestly state that we will follow the instructions. We will make the line-item veto, as it applies to targeted tax benefits, as retroactive as possible within "his amendment," the scope of the conference, which, according to the gentleman's motion, is not retroactive at all.

□ 1400

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

Mr. Speaker, they are important groups and I seek their support. The organization that you mention is not one of them.

Let me also mention that I would like to offer a wager to the gentleman from New York [Mr. SOLOMON], of Florida oranges versus New York apples, as the whether this is ultimately adopted into law. In front of the world I offer the gentleman that wager. If the gentleman is willing to accept it, I would be happy for him to accept it.

Mr. SOLOMON. Mr. Speaker, I would be glad to take the gentleman's bet.

Mr. DEUTSCH. Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois [Mrs. COLLINS], the ranking member of the Committee on Government Reform and Oversight.

(Mrs. COLLINS of Illinois asked and was given permission to revise and extend her remarks.)

Mrs. COLLINS of Illinois. Mr. Speaker, I support the motion to instruct offered by the gentleman from Florida [Mr. DEUTSCH].

The line-item veto was always intended to apply both to appropriations

and to targeted tax benefits. House conferees have already been instructed to make the line-item veto applicable to current and future fiscal year appropriations. The motion offered by Mr. DEUTSCH reemphasizes that current and future targeted tax breaks should also be covered.

Some have suggested that after receiving publicity for passing the line-item veto, Republican proponents of this legislation wanted to deny President Clinton use of the line-item veto against appropriations bill and against special interest tax breaks.

Floor debate earlier this year suggested that the majority wanted to move ahead in a bipartisan way and also to encourage cooperation between the legislative and executive branches.

Speaker GINGRICH said at that time:

For those who think that this city has to always break down into partisanship, you have a Republican majority giving to a Democratic President this year without any gimmick an increased power over spending, which we think is an important step for America, and therefore it is an important step on a bipartisan basis to do it for the President of the United States without regard to party or ideology.

Mr. Speaker, I do not personally support the line-item veto, but if it is the answer to the country's spending problems that its proponents say it is, then this President should have it now.

Once Congress cedes the line-item veto to a President, it is unlikely ever to get it back. In the future, there will always be Presidents to whom the Congress may not want to give line-item veto power, but they will not have that choice.

If the majority truly believes that the head of the executive branch deserves this power, then there is no excuse to deny him such power now. To deny it is to admit that the bill is merely an exercise in political gamesmanship, to be discarded once it has served its purpose.

Mr. Speaker, this is the second instruction that has been brought to the floor on the line-item veto. I offered the first dealing with applicability of the line-item veto to appropriations, and my motion passed by voice vote. Mr. DEUTSCH's motion also deserves bipartisan support. His is especially timely as we prepare to consider the omnibus budget reconciliation bill, which contains numerous provisions deserving the President's veto.

Mr. Speaker, I urge a vote for the gentleman's motion.

Mr. CLINGER. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. BLUTE], a very valued member of the Committee on Government Reform and Oversight.

Mr. BLUTE. Mr. Speaker, I thank the Chairman for recognizing me and for his leadership on this important issue for our country. We on the House side agree, I think with what the gentleman from Florida [Mr. DEUTSCH] is trying to do and trying to accomplish. Mr. Speaker, 294 Members of the House agreed to limit the use of tax benefits

to certain individuals or special interests, and therefore, we agree with the underlying premise of the motion, but no retroactivity language is in either the House or Senate versions dealing with tax benefits. Because it is outside the scope of the conference, it will be subject to a point of order in both the House and the Senate.

I think the gentleman from Florida and others realize that we still have a fight on our hands to get a strong line-item veto in the hands of the President. We still have a fight to put together the right number of votes to put this over the top. I believe we are moving, and the conference committee is moving, toward agreement with the Senate, and we are getting close to producing a report that will once and for all give the President of the United States a strong line-item veto, as I think most of us support.

Mr. Speaker, I must say, as it regards the sincerity question, as a member of the conference committee, I certainly have observed that Members of the minority party who are appointed to this conference from both the House and the Senate have prefaced their remarks consistently with the statement: I am unalterably opposed to a line-item veto. I am against a line-item veto. I do not want to give the President a line-item veto.

So perhaps, if the conferees from the minority on this conference committee could join with us to do the right thing and give the President the line-item veto, we could move this process forward.

Mr. DEUTSCH. Mr. Speaker, I yield myself 10 seconds. Mr. Speaker, I would point out to my colleague from Massachusetts [Mr. BLUTE] that the majority controls the conference committee and there are Members of your party and my party that voted against this. The Republican party, the day it wants, can pass out of conference without a doubt.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. GENE GREEN].

[Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.]

Mr. GENE GREEN of Texas. Mr. Speaker, I want to thank my colleague from Florida for, one, bringing this motion to instruct to the floor and also for yielding myself 3 minutes.

Mr. Speaker, when the debate came up not only in our committee, and I serve on the Committee on Government Reform and Oversight, I supported the line-item veto both in the committee and also on the floor. I served 20 years in the legislature where we lived under the line-item veto, and I always joked I had the distinction of having line-item veto by both Republicans and Democrats when I was in the legislature, so it was bipartisan.

During my campaigns for a couple of years people said, "Well, we need the line-item veto to control Federal spending." It is not the panacea to control Federal spending. It is just a small weapon in the arsenal to do it.

I guess my concern and the reason I am rising today in support of my colleague from Florida is that the line-item veto has a great deal of bipartisan support; and it seems amazing, here we are at the end of the tenth month of this year and we have not seen it come back to us out of conference committee. In fact, again, as my ranking member on the committee mentioned, this is the second instruction that we have had.

We need to see that as part of the Contract With America and one of the items I supported to my colleague from Massachusetts, because I think it is a good program, it is something that not just future Presidents, but this President should do.

Mr. Speaker, I remember several months ago that this bill was part of the Republican's Contract With America. In fact, the majority took great pains to pose on former President Reagan's birthday and provided, as my colleague Mr. OBEY tells us, holy pictures and likes to say and show their devotion to the Contract With America.

Well, I am sorry that President Reagan has not been able to enjoy the actual gift that they were going to give to him. The problem is, evidently, that maybe they like the idea of line-item veto, but maybe not for President Clinton.

Again, I have had the honor of having items vetoed by both Republican and Democrat Governors in Texas and what is good for the goose is good for the gander. I would hope that before we stay here too long that we will see that come out of the conference committee, a real line-item veto that the President can deal with.

Again, I regret my colleague from New York, Mr. SOLOMON, our chairman of the Committee on Rules, talking about my colleague being listed by some lobby group as a big spender. That group that he mentioned, I noticed a lot of folks from both parties are on their list. Sometimes I wonder if people are more interested in perpetuating their groups than they are actually looking at the Federal budget.

Mr. Speaker, with that, I would hope that my Republican colleagues, to paraphrase St. Augustine, will remember saying, Lord, I am really for the line-item veto, but just not yet.

Mr. CLINGER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Florida [Mr. GOSS].

Mr. GOSS. Mr. Speaker, I thank the distinguished gentleman from Pennsylvania [Mr. CLINGER] for yielding me this time.

Mr. Speaker, I think that some issues are coming out here that are rather clear.

First of all, I think everybody understands that bringing this subject up at this point is a fine time to again focus a little interest on the line-item veto for those of us who want it and have been working very hard to get it. In fact, we have been trying to get it out of conference as rapidly as we can.

I am delighted to have the opportunity to get up and say publicly to the world we are working on this, and we are working on it as rapidly and as faithfully as we can, as we promised we would, to the body.

But it has not been quite as easy as some might imagine. The other body, in fact, has some very significant differences of opinion. We have had an open conference meeting so far. We have met. It turns out that the gap that we predicted was there is, in fact, there.

The other body has some things called special enrollment procedures, some sunset ideas, some things that are very different than what we wanted and are working out to get a tough, effective line-item veto that works for the great majority here who supported that.

So I can report back and I am happy to take advantage of this time and this motion to say that progress is being made and faithful pursuit of the commitment is, in fact, under way.

Now, without sounding partisan, because I do not think we need any more strident, red-hot rhetoric and partisanship out here on this issue right now, I would point out that it strikes me that the main opposition we are getting is from the gentleman who makes the motion, his own party in the other body, from some of the more revered and senior Members, I would say. Again, I do not want to speak out of school about what is going on in conference committee.

I would also point out that the problem with the motion to instruct conferees that we have before us today is self-canceling.

The gentleman, my friend from Florida [Mr. DEUTSCH], well knows that we have to stay within the scope of the conference. The problem is that we have to stick within the scope, and we therefore cannot reach back into decisions about tax provisions that occur before the line-item veto becomes law. That is not within scope.

So what the motion to instruct involves is something that is impossible to do within the Rules of the House. Consequently, what we have is a somewhat meaningless motion in front of us, a meaningless resolution in front of us.

However, I am willing to take that meaninglessness in terms of the substance and try and turn it into a self-purpose by saying, I am glad we have the opportunity to report back to the gentleman and those who care that, indeed, progress is going forward, and I believe we should accept this motion in the interests of bipartisan cooperation to reinforce that position of the House team in conference that will, in fact, accomplish the line-item veto according to what we wanted to be in the House at the very earliest opportunity.

Mr. DEUTSCH. Mr. Speaker, I yield myself 20 seconds.

Mr. Speaker, I am hearing sort of a repetition of debate. I keep hearing

being pointed out that there are Democrats opposed to this issue. There are also Republicans opposed to this issue, but they have been in the majority not that long. Maybe they have not gotten it yet, that they, in fact, are in the majority now; and they do not need any of our votes.

Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, I also support the line-item veto, and I applaud the gentleman from Florida [Mr. DEUTSCH] for moving this issue forward.

The American people want the line-item veto, and they want the line-item veto because they are concerned about two things: They are concerned, on the one hand, about pork barrel spending. They want to see an end to pork barrel spending. On the other hand, they also want to see an end to special interest tax breaks that are tucked away into revenue bills. I think that the gentleman from Florida [Mr. DEUTSCH] does a good job in pointing these two things out.

The American people also want us to act now. They do not want us to go forth with business as usual and say, Well, let us just have one more round, one more for the road, one more round of special interest tax breaks and pork barrel spending in this year's revenues bills. What they want us to do is they want us to act to have it apply to the revenue bills and the appropriation bills that are moving through Congress right now.

They do not want the Republicans, who I understand where they are coming from. They have been out of power a long time. They have a lot of Christmas tree presents that they want to hang, and they want to hang them on these bills. But that is not what the election last fall was all about. The election last fall was ending that type of practice. So I think that the Republicans would be best served if they would just acknowledge what everybody in here knows, and that is that the American people want this practice to stop and they want this practice to stop right now.

Now, the charges that go back and forth on the floor today from the Republicans is that they are saying that the Democrats really are not concerned about this, that they are opposed to it. Well, as Mr. DEUTSCH pointed out, there are many of us who support this.

□ 1415

We frankly are somewhat dubious of the motives of the Republicans because we think what they are going to do is they are going to keep confereeing and confereeing and confereeing until we get to the middle of next year and then pass a measure so President Clinton does not have the opportunity to get rid of their pork.

The best way for us to come together is for the Republicans and the Democrats to say, well, let us do it right

now. Let us pass this measure and let us have this measure apply to appropriation bills right now. Then we can all walk away with clean hands. That is what the American people want.

Mr. GOSS. Mr. Speaker, will the gentleman yield?

Mr. BARRETT of Wisconsin. I yield to the gentleman from Florida.

Mr. GOSS. Mr. Speaker, would the gentleman be willing to use his articulate argument on some members of his own party in the other body? Because in the other body, the gentleman well understands, we only have 53 of us over there and there is something called filibuster and cloture problems.

Mr. BARRETT of Wisconsin. I would be more than happy to.

Mr. GOSS. We need members of the gentleman's party to help us.

Mr. BARRETT of Wisconsin. I would be more than happy to. As I have indicated here and as the gentleman from Florida [Mr. DEUTSCH] has indicated, certainly you in the majority have the power in this body to move forward. The problem in appointing conferees came from this body. That is where the delay was. It was only September 20 that the Speaker in this body appointed those conferees. So there was a lot of foot-dragging, but the foot-dragging was on this side of the aisle.

Mr. GOSS. Mr. Speaker, will the gentleman yield further?

Mr. BARRETT of Wisconsin. I yield to the gentleman from Florida.

Mr. GOSS. I would admit that it did not go as rapidly as I wanted, but in 9 months we got further than your party got in 40 years and I think that is a fair comment.

Mr. BARRETT of Wisconsin. I think the test is going to be when this bill reaches the President's desk. If you drag your feet until mid September of next year, then you have succeeded in your goal. That is, depriving President Clinton of the ability to get rid of your pork-barrel spending and your special interest tax loopholes.

Mr. GOSS. If the gentleman will yield further, with your help, that will not happen.

Mr. CLINGER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, as our freshman class came in, we fought for the line-item veto. The second class to follow that fought for the line-item veto, the 73 Members, and most of them voted for it.

What I have found in the couple of hundred days that we have been here is if we take a look at the delaying tactics, the gridlock tactics of the business at hand.

Let us get through the balanced budget, let us get through the Medicare, let us get through the tax back to the people, let us get back to welfare reform. Let us take care of the business at hand.

We have got everything to go before Christmas. Yes, I have bought my

Christmas tree here because I think we are going to be here at Christmas.

When we get through with that business, we will bring up the line-item veto. But until you quit your delaying tactics on all the legislation from your liberal leadership, then we will never get it done.

Looking at every single bill that we have here, they want to continue spending. There is always a good reason for it. They want to continue more spending.

Your heart is not in what you are saying. Some of the Members are and they fought for line-item veto and I appreciate that. But the overall leadership of the Democratic Party does not have their heart in it and they will not follow through and the continuing gridlock will not allow us to bring it up.

Help us do that and we will be more than happy to bring it.

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

I am going to point out two things. One to my good friend and colleague from Florida, there is a reconciliation bill that we are going to take up actually in a very short period of time that is this high, or higher. It includes untold numbers of pieces of legislation. The gentleman is on the Committee on Rules. He probably does not even know how many different bills.

My colleague still has time. There is another bill you can put in reconciliation, which is the line-item veto bill. That in fact deals with your issue of the Senate filibuster, because as the gentleman is well aware, in the Senate the reconciliation bill needs only 50 votes, or 51 votes. Actually 50 votes because that is something that the President has supported. I assume the Vice President will follow the President's leads on that issue.

You have put everything else in the reconciliation bill. Here is your opportunity to do the right thing.

I have to respond to my colleague's last statement on the floor. Gridlock. My God, when this Chamber has wanted to do something, the rules of this House allow you to do things pretty darn fast when you want to do them fast, without debate, without any discussion. You get it done. We have 1 day hearing, less than a day of hearing on Medicare, 27 days on Whitewater, 84 days on Ruby Ridge. You guys control the time.

There is an incredible limit in terms of what we can do. You can do it today. Here is your opportunity.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Ms. RIVERS].

Ms. RIVERS. Mr. Speaker, I rise in support of this motion. I voted for the line-item veto. I campaigned on it as well as I talked to people across the 13th District in Michigan. I believe the line-item veto is an effective tool in controlling spending in this House and more importantly in reining in the cronyism which tends to permeate the whole appropriations process.

Even in this supposedly reformed Congress, we have seen more than a little pork work its way into the budget. I have voted to cut billions of dollars, many others have as well, and many others were unsuccessful in removing pieces of the budget.

The question of whether or not people are being sincere in their activities since they are now in conference begs the issue of why it took so long to send people to conference. I am left to question whether or not we are dealing with real values here, real principles, or, rather, situational political posturing that says, a line-item veto is good for a Republican President but not very good for a Democratic President.

I put aside my partisan differences to vote for this veto because I believed it was the right thing to do. I would ask the conferees to do exactly the same in order to pass this proposal into law. Our constituents sent us here to do a job, not to fight, not to whine, not to rely on our party affiliation, but to do a job, and they want this veto. Move it now.

Mr. CLINGER. Mr. Speaker, I yield 1 additional minute to the gentleman from Florida [Mr. GOSS].

Mr. GOSS. Mr. Speaker, I just felt that it is important that we understand that we in this body, in the House, are much blessed by orderly rules and a wonderful Committee on Rules that makes sure that things are properly brought forward.

I believe the suggestion of my colleague and good friend, the gentleman from Florida [Mr. DEUTSCH], that we throw this thing into some kind of an omnibus reconciliation bill because we have already passed it on the floor would make sense from the House side. Indeed it might. But we have a problem on the other side. Again, maybe the gentleman and some of his colleagues on that side of the aisle can help us with somebody over there who has a special rule in the other body, where they have a different approach than we do, might be able to prevail on them. Because it still takes the necessary number of votes to overcome objections and the procedures in the other body.

This is not where the problem is here. I know the gentleman from Florida is not suggesting anything as diabolical as that we have got one group in his party here revving this thing up and another group in his party stopping it over there. That would be unthinkable.

Mr. DEUTSCH. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. I thank the gentleman for yielding me the time.

Mr. Speaker, perhaps I was a little naive when I came here on the evening of February 6 to speak in favor of this line-item veto initiative. You see, I labored as a new Member under the misimpression that there might be a way for some genuine bipartisan participation to do something about the

budget deficit, to provide some new tools to get a handle on this Nation's financing, and to change business as usual in this House.

So I, along with other Members on the Democratic side of the aisle, spoke in favor of the Republican initiative on the line-item veto. We have it in Texas. Democrats and Republican Governors alike have used the line-item veto and have used it effectively. I was particularly impressed with the last speaker on the night of February 6 on this issue, the Speaker of the House, NEWT GINGRICH. This was not a speech like so many, one of these gloating speeches about we won and you are dumb. No; this was a serious speech in favor of the line-item veto in which Speaker GINGRICH allowed as how he as a Republican in an act of bipartisanship wanted to be sure that President Clinton, a Democrat, had the line-item veto power in order to get at pork barrel in this budget.

What happened after all the speeches were said and done? Well, the Senate on a bipartisan basis proceeded to act, and they passed the measure. By March or April, they had appointed conferees to consider the line-item veto. And what happened at this rostrum? Nothing. Nothing happened. Nothing happened in March, nothing happened in April, nothing happened in May, nothing happened in June, nothing happened in July, nothing happened in August, and nothing happened through most of the month of September because despite the fine speech that was given here, the Speaker did not want to give President Clinton the power to use the line-item veto to cut through this pork that has been put in these appropriations bills. That is not my opinion alone. Various Republican Members of the U.S. Senate have voiced the same concern about the delay that has transpired month after month, that it was all talk and no action. We saw the very same thing happen here this morning. There is a lobby reform bill that the Senate on a bipartisan basis, Republicans and Democrats coming together, passed 98 to 0.

What happens to it over here? It is still sitting there this afternoon. It has been sitting there for 3 months. The Speaker will not even refer this lobby reform bill to a committee to study it. That is not revolutionary, despite all the proclamations that have been made here about these great revolutionaries reforming the way the budget is handled, reforming the way this House acts, but it is a little revolting that we cannot get bipartisanship to resolve these problems.

I salute the gentleman from Florida for coming here and keeping his word. These people may break their word about what they say they are willing to do on line-item veto but at least you are providing us another opportunity to really come to grips with this problem.

Mr. CLINGER. Mr. Speaker, I yield an additional 2 minutes to the gentleman from Massachusetts [Mr. BLUTE], one of the champions of the line-item veto and a member of the conference committee.

Mr. BLUTE. Mr. Speaker, I thank the chairman for yielding me the time.

Mr. Speaker, I think those colleagues on the other side of the aisle for the most part are very serious about this issue, as we are, have a sense of urgency with the state of fiscal affairs in our country and think that the line-item veto would work in our system of government here at the Federal level like it does in 43 some odd States including my State of Massachusetts, the State of Texas and many, many other States of the union. But I am hearing some very serious selective memory loss problems here on the other side. Because as someone who is relatively new to this Chamber, I recall watching the debates years and years ago in which President Reagan as early as 1981 asked for the line-item veto, and the then majority denied him that line-item veto each and every year of his tenure. Then President Bush was elected and he asked for the line-item veto, and the then majority denied him the line-item veto each and every year. Then President Clinton was elected, and he asked for a strong line-item veto, in the first 2 years of his tenure, and the then majority denied him, their own President, a strong line-item veto.

The new majority has been in office now for about 10 months. In addition to coming forward with the reform of our welfare system, reform of Medicare, Medicaid, and a reconciliation package that I think will bring us toward a balanced budget, we have also gone to conference committee on the line-item veto in 10 short months.

Let us be serious with the American people. In any comparison of who is moving forward quickly on this agenda item, I think the new majority here has to get great credit for moving quickly. It is not easy. There are Members on both sides of the aisle who are opposed to the line-item veto on principled grounds but they have strong reasons for opposing it.

Mr. DEUTSCH. Mr. Speaker, I yield myself such time as I may consume on two points.

One is there is no Member of this Chamber, no political party in this country that has a monopoly on wisdom. I credit my Republican colleagues for moving some issues that I supported and I supported in the last Congress. In fact, this House passed out a line-item veto in this Congress. The House did. The Senate did not in the last Congress.

Again, this truly is a bipartisan issue. This is what is the right thing, 38 States have it, and the thing I think that the American people want. But also let me talk about disingenuous, and I think the American people to some extent are watching this, they

have the ability to watch this, this debate going on.

How disingenuous can someone be to take 7 months to appoint conferees? This is not rocket science. This is not building the Taj Mahal. This is not building the space shuttle. This is naming five people. Just like writing the names. Again, and this is out of a high-technology office, they probably have computers there and they can probably even pull the computers out so it is probably seven key strokes.

□ 1430

To take each month, if they did one keystroke, it is totally disingenuous. The smiles and smirks on the other side on this issue really are disturbing.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. STENHOLM].

(Mr. STENHOLM asked and was given permission to revise and extend his remarks.)

Mr. STENHOLM. Mr. Speaker, I want to do a little revising and extending of some of my own remarks here for just a moment. I was one of those that opposed the line item veto for many years because I believe giving any President one-third plus one minority override was too much power, and I argued that point. I argued it again this year, but a little bit differently.

I came to believe several years ago that line item veto was a good thing and a very positive thing. But I still did not want to give a President one-third plus one. I wanted to give majority rule. In other words, if any President were to go in and veto CHARLIE STENHOLM's favorite line item, that is, somebody else's definition of pork, he could do so. It would be my charge to get 50 percent plus one of my colleagues to agree with me. If the President got 50 percent to agree with him, it would go. I argued that this year, and we lost.

Those who believe true line-item veto, one-third plus one won on the floor of the House.

I have been looking at this and listening to this debate. Tomorrow you will get a chance to vote again for line item veto, H.R. 2. I will vote for it because I believe now those who have convinced me that giving a President one-third plus one is something that is very, very important. So I have changed my mind to the degree that I now believe it is time to do that, whoever the President is.

But I find it very interesting in listening to some of the debate today saying we cannot do it because of the Senate. The Byrd rule is 60 votes. At any time two-thirds of the House or the Senate wish to give a President line item veto, it may be done. I think it is time to turn up the ratchet. I think it is time to turn up the heat bipartisanly and say to both bodies, to the conferees, let us agree on what we are going to give this President and the next President and let us do it now. Let us make it applicable to this year's reconciliation bill, this year's tax bill,

this year's appropriation bills, because I think it will be very helpful to a lot of the other debate going on concerning the reconciliation bill and how we are going to get a balanced budget by the year 2002, which I totally agree with. So I have been listening very, very carefully to all of the debate that is going on and about a train wreck and how we can avoid it.

I think it is extremely important for all of us now, both sides of the aisle, people like me that have had reservations about doing a line item veto, like some of my colleagues on both sides of the aisle have been wanting to do; I have been putting a lot of time and effort into the thought processes, and I think now is the time for us to test this theory and do it the right way.

Let us instruct the conferees in the House and send the message to the other body. Now is the time for us to do this because it will be very constructive to avoiding a train wreck and to getting us to make the tough decisions that are going to be required in getting to a balanced budget in the year 2002.

So I encourage my fellow colleagues on both sides of the aisle, let us look at this issue as it is being portrayed today and support this motion.

Mr. DEUTSCH. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Illinois [Mrs. COLLINS].

Mrs. COLLINS of Illinois. Mr. Speaker, the reason why I wanted this time is because I wanted to point out we have heard repeatedly during this debate on the other side the conferees are doing this and they are doing that. What I want to ask is when were these meetings held. I am a conferee also. I have been to one meeting at which we gave these great speeches and nothing more.

So my question is: When have we had all of these conferences? If so, the Democrats have been left out. I would ask that of the committee chairman, the gentleman from Pennsylvania [Mr. CLINGER], when have we had conference meetings?

Mr. CLINGER. If the gentlewoman will yield, as the gentlewoman well knows, in preparing a conference report, obviously there are staff discussions that lead up to member meetings. The staff discussions have been going on at a very vigorous rate, very expedited rate. We anticipate we will have a members' meetings soon because many of the issues in dispute are being resolved. I think we are going to be able to move to that.

Mrs. COLLINS of Illinois. Reclaiming my time, my staff tells me they have not been invited to any meetings in conference. I would just like to say to the chairman that I would very much appreciate it if the minority staff are invited to these conference staff meetings on this particular issue.

Mr. DEUTSCH. Mr. Speaker, how much time is left on each side?

The SPEAKER pro tempore (Mr. WALKER). The gentleman from Florida

[Mr. DEUTSCH] has 7½ minutes remaining, and the gentleman from Pennsylvania [Mr. CLINGER] has 18 minutes remaining.

The gentleman from Florida [Mr. DEUTSCH] is entitled to close the debate.

Mr. DEUTSCH. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, I think it is important to realize this line-item veto is only half of the line-item veto that we were offered in the Contract With America. The portion about giving line-item power to remove tax loopholes, that went out the door anyway, and now the question is whether we get the other half on spending, and I would just yield the rest of my time to anyone on the Republican side that can explain why it took the Speaker from the spring to September 20 to appoint conferees. If there is any explanation other than to thwart President Clinton's use of it, I would love to hear it. Clearly, the only reason was to thwart President Clinton's use of the line-item veto to get at pork barrel.

If there is any other reason why the Senate appointed conferees in March and April, the House had to wait to name those five conferees all that time, this would be a good time to explain it.

Mr. CLINGER. Mr. Speaker, will the gentleman yield?

Mr. DOGGETT. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. I would just throw the question back. We would like to know on this side of the aisle, while your party was in control of the Congress, why we did not get any opportunity to deal with line-item veto.

Mr. DOGGETT. I think that does answer the question. There is no reason that they could offer other than to thwart President Clinton.

Mr. CLINGER. Mr. Speaker, I yield myself such time as I may consume, just to say we have had an interesting debate, an interesting discussion.

The other side has had an opportunity to beat their breast and make some political points about why we have taken so long to get to conference. I think we have to really focus on what is at issue here, and that is the gist of what the gentleman proposes in his motion to instruct. I am not going to oppose it, because it really has no meaning. It really does not have any impact.

While both the House and Senate bills apply a line-item veto to targeted tax benefits, presented after the date of the line-item veto's enactment, neither S. 4 or H.R. 2 apply the line-item veto retroactive to any tax provisions, and, therefore, tax benefits enacted prior to signing H.R. 2 are not within the scope of either bill and remain fully outside the scope of the conference.

Therefore, by the very terms of the gentleman's motion to stay within the scope of the conference, that is an impossibility, given the nature of the instruction.

So it is an exercise, obviously, to give the other side an opportunity to talk about these things. But the impact of it is meaningless. I am not going to oppose it, because it has no impact.

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

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

Mr. Speaker, ladies and gentlemen, this body is the greatest deliberative body in the world. I mean, I have a thrill every time I come into this Chamber, and really thank God that I have the opportunity to serve the people of my district and the people of this country.

I think what the people of this country want from us is nothing more than taking the high road. That is what they want from us. You know, there is an old expression that all of us know: If it walks like a duck and sounds like a duck and quacks like a duck and smells like a duck and feels like a duck, you know, there is probably a pretty darn good chance it is a duck.

You know, if it sounds like you are delaying, if it sounds like you are delaying, if it talks like you are delaying, if it smells like you are delaying, if it hears like you are delaying, if it feels like you are delaying, then you are delaying.

You can protest as much as you want. But, you know, I just do not believe it stands up to the light of day.

Let me talk about something that has been reported in the press today. This is a USA Today article talking about some of the tax breaks that are in the reconciliation bill as it is coming before us, things like college football coaches, college football coaches. You can read it in today's USA Today: College football, not basketball coaches or volleyball coaches, but college football coaches get a special tax break because they have friends in powerful places. Convenience store owners, because of a large company in a particular Member's district, get a special tax break, and that is someone from Oklahoma who is able to get that into the bill. I mean, this is business as usual. This would make Dan Rostenkowski proud.

Let me just say that, you know, that is what is going on, and that is what should not be going on. If my colleagues on the other side want to be the majority party into the next century, then shame, shame, shame, shame. They should not be doing this.

The same thing in terms of appropriations. Here is a list that my staff prepared for me of really turkeys, I mean outrageous, turkeys, that, you know, it seems as if what is going on to pass this reconciliation bill is a bidding war. You know, Members come and they say, "This is what I need and buy me off and give it to me." Well, that is business as usual. That is not what the American people want.

Again, I say to my colleagues on the other side, the smartest thing they can

do and the best politically but also from a policy perspective is to stop playing the games and pass this bill.

As has been pointed out before, there are 38 States in this country that provide a line-item veto for their Governors, and it has also been pointed out, I served 10 years in the State legislature in Florida.

I served under Republican Governors and served under Democratic Governors as well. I tell you the system worked. It worked in Florida. I have talked to Members from other States. It has worked there. Not only does it give the Governor an opportunity to veto turkeys, outrageous things like these outrageous things like this that we are going to be voting on that are flat-out wrong. What it does, it prevents them from happening. People do not want to be embarrassed by highlighting those issues that might be in there.

You know, it is a very simple debate, as well. The bill needs to apply to this year. If there is going to be line-item veto, apply it this year. There is no rational policy reason why it should not apply to this year, and, you know, we both talk about how we want to get away from the partisan politics, and that is not why people sent us here. I mean, I represent everyone in my district whether they are registered as a Democrat, as a Republican, or Independent or any other party. Americans are Americans. They are not Americans by party definition. What is good for this country does not just fall on individuals in political parties. It is good for this country, and it continues to make this country the greatest country in the world and the greatest country in the history of the world.

I really urge my colleagues who have the ability on the other side of the aisle to use their majority as it should be used, to do the right thing, not to talk on the floor and say one thing but take 7 months to appoint conferees, to smirk when we are talking about issues in terms of resolving this issue, which just has not been done.

Mr. Speaker, I yield such time as he may consume to the gentleman from Utah [Mr. ORTON].

Mr. ORTON. Mr. Speaker, I thank the gentleman for yielding.

I would stand to urge my colleagues to support this motion to instruct conferees.

I have been laboring for many years here to bring to pass a line-item veto. In concept, there are many ways to accomplish it, whether through enhanced rescission, through the line-item veto provisions we recommended earlier in the year. How it is accomplished is not as important as accomplishing it.

I believe that there are some concerns about the constitutionality of some of these issues, but it is proper to instruct conferees at this point.

Let me just add a word of caution. If all we do is instruct conferees and the conferees never really meet and we never really have a conference report,

we still have not accomplished anything. We have been working now for many months to try to push forward the line-item veto concept. I asked on five different appropriation bills to include line-item veto. Rules would not make it in order.

□ 1445

We have attempted to have it included and, in fact, there is one certain way that all of my colleagues could ensure that line-item veto would apply this year, and that is pass the coalition budget alternative tomorrow, the budget reconciliation alternative, because we have this very provision in the coalition budget reconciliation alternative. It would apply line-item veto to the 1996 spending cycle.

Mr. CLINGER. Mr. Speaker, will the gentleman yield?

Mr. ORTON. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. Mr. Speaker, the gentleman surely is aware that the provision included in his bill tomorrow would be subject to some provisions in the Senate that probably would see it stricken?

Mr. ORTON. Mr. Speaker, the Senate could in fact try to strike it. Does that mean that because the other body may try to strike it that we do not act? I think we have to continue to act, to push forth what the people who elected us and sent us here to do want us to do.

The SPEAKER pro tempore (Mr. WALKER). All time has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Florida [Mr. DEUTSCH].

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

Mr. DEUTSCH. 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 381, nays 44, not voting 7, as follows:

[Roll No. 736]

YEAS—381

Ackerman	Barton	Borski
Allard	Bass	Boucher
Andrews	Bateman	Brewster
Archer	Bentsen	Browder
Army	Berman	Brown (CA)
Bachus	Bevill	Brown (FL)
Baessler	Bilbray	Brown (OH)
Baker (CA)	Bilirakis	Brownback
Baker (LA)	Bishop	Bryant (TN)
Baldacci	Bliley	Bryant (TX)
Ballenger	Blute	Bunn
Barcia	Boehlert	Bunning
Barr	Boehner	Burr
Barrett (NE)	Bonilla	Burton
Barrett (WI)	Bonior	Buyer
Bartlett	Bono	Callahan

Calvert	Gunderson	Mfume
Camp	Gutierrez	Mica
Canady	Gutknecht	Miller (CA)
Cardin	Hall (OH)	Miller (FL)
Castle	Hall (TX)	Minge
Chabot	Hamilton	Moakley
Chambliss	Hancock	Molinari
Christensen	Hansen	Montgomery
Chrysler	Harman	Moorhead
Clayton	Hastert	Moran
Clement	Hastings (WA)	Morella
Clinger	Hayes	Murtha
Clyburn	Hayworth	Myrick
Coble	Hefley	Nadler
Coburn	Hefner	Neal
Coleman	Heineman	Nethercutt
Collins (GA)	Herger	Neumann
Collins (IL)	Hilleary	Ney
Collins (MI)	Hilliard	Norwood
Combest	Hinchey	Nussle
Condit	Hobson	Oberstar
Cooley	Hoekstra	Obey
Costello	Hoke	Olver
Cox	Holden	Orton
Coyne	Horn	Oxley
Cramer	Hostettler	Packard
Crane	Houghton	Pallone
Crapo	Hoyer	Parker
Creameans	Hunter	Paxon
Cubin	Hutchinson	Payne (VA)
Cunningham	Hyde	Pelosi
Danner	Inglis	Peterson (FL)
Davis	Istook	Peterson (MN)
de la Garza	Jackson-Lee	Petri
Deal	Jacobs	Pickett
DeFazio	Johnson (CT)	Pombo
DeLauro	Johnson (SD)	Pomeroy
DeLay	Johnson, E. B.	Porter
Deutsch	Johnson, Sam	Portman
Diaz-Balart	Jones	Poshard
Dickey	Kanjorski	Pryce
Dicks	Kaptur	Quillen
Dingell	Kasich	Quinn
Doggett	Kelly	Radanovich
Dooley	Kennedy (MA)	Ramstad
Doolittle	Kennedy (RI)	Reed
Dornan	Kennelly	Regula
Doyle	Kildee	Richardson
Dreier	Kim	Riggs
Duncan	King	Rivers
Dunn	Kingston	Roberts
Durbin	Kleczka	Roemer
Edwards	Klug	Rogers
Ehlers	Knollenberg	Rohrabacher
Ehrlich	Kolbe	Ros-Lehtinen
Emerson	LaFalce	Rose
English	LaHood	Roth
Ensign	Lantos	Royce
Eshoo	Largent	Rush
Everett	Latham	Sabo
Ewing	LaTourette	Salmon
Farr	Laughlin	Sanford
Fattah	Lazio	Sawyer
Fawell	Leach	Saxton
Fazio	Levin	Scarborough
Fields (TX)	Lewis (GA)	Schaefer
Filner	Lewis (KY)	Schiff
Flake	Lightfoot	Schroeder
Flanagan	Lincoln	Schumer
Foglietta	Linder	Scott
Foley	Lipinski	Seastrand
Forbes	Livingston	Sensenbrenner
Ford	LoBiondo	Shadegg
Fowler	Lofgren	Shaw
Fox	Longley	Shays
Frank (MA)	Lowey	Skaggs
Franks (CT)	Lucas	Skeen
Franks (NJ)	Luther	Skelton
Frelinghuysen	Maloney	Slaughter
Frisa	Manton	Smith (MI)
Frost	Manzullo	Smith (NJ)
Funderburk	Markey	Smith (TX)
Furse	Martini	Smith (WA)
Galleghy	Mascara	Solomon
Ganske	Matsui	Souder
Gejdenson	McCarthy	Spence
Gekas	McCollum	Spratt
Gephardt	McCery	Stark
Geren	McDermott	Stearns
Gibbons	McHale	Stenholm
Gilchrest	McHugh	Stockman
Gillmor	McInnis	Studds
Gilman	McIntosh	Stump
Goodlatte	McKeon	Stupak
Goodling	McNulty	Talent
Gordon	Meehan	Tanner
Goss	Menendez	Tate
Graham	Metcalf	Tauzin
Green	Meyers	Taylor (MS)

Taylor (NC)	Visclosky	Whitfield
Tejeda	Vucanovich	Wicker
Thomas	Waldholtz	Wilson
Thornberry	Walker	Wise
Thornton	Walsh	Wolf
Thurman	Wamp	Woolsey
Tiahrt	Ward	Wyden
Torkildsen	Watts (OK)	Wynn
Torricelli	Waxman	Young (AK)
Upton	Weldon (FL)	Young (FL)
Velazquez	Weller	Zeliff
Vento	White	Zimmer

NAYS—44

Abercrombie	Klink	Roukema
Becerra	Lewis (CA)	Roybal-Allard
Beilenson	Martinez	Sanders
Chenoweth	McDade	Serrano
Clay	McKinney	Shuster
Conyers	Meek	Stokes
Dellums	Mink	Thompson
Dixon	Mollohan	Torres
Engel	Myers	Towns
Evans	Ortiz	Trafigant
Gonzalez	Owens	Waters
Greenwood	Pastor	Watt (NC)
Hastings (FL)	Payne (NJ)	Williams
Jefferson	Rahall	Yates
Johnston	Rangel	

NOT VOTING—7

Bereuter	Sisisky	Weldon (PA)
Chapman	Tucker	
Fields (LA)	Volkmer	

□ 1506

Messrs. LEWIS of California, HASTINGS of Florida, MYERS of Indiana, TOWNS, KLINK, and CONYERS changed their vote from "yea" to "nay."

Messrs. KENNEDY of Massachusetts, ZIMMER, BASS, McDERMOTT, LEWIS of Georgia, STARK, and COYNE changed their vote from "nay" to "yea."

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRIVILEGES OF THE HOUSE—DIRECTING SPEAKER TO PROVIDE REMEDY IN RESPONSE TO USE OF FORGED DOCUMENT AT A SUBCOMMITTEE HEARING

Ms. SLAUGHTER. Mr. Speaker, I offer a privileged resolution (H. Res. 244) to direct the Speaker to provide an appropriate remedy in response to the use of a forged document at a subcommittee hearing, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 244

Whereas, on September 28, 1995, the Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs of the Committee on Government Reform and Oversight held a hearing on political advocacy of Federal grantees;

Whereas, the president of the Alliance for Justice, a national association of public interest and civil rights organizations testified at that hearing;

Whereas, a document was placed upon the press table for distribution at the hearing which contained the letterhead, including the name, address, phone number, fax number, and E-mail address of the Alliance for Justice, and the names of certain member organizations and the dollar amounts of Federal grants they received;