

a Sunday session would not necessarily be out of the question, but I would hope that that would not be the case.

Mr. BONIOR. I thank the gentleman.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 6:30 p.m.

Accordingly (at 5 o'clock and 47 minutes p.m.), the House stood in recess until 6:30 p.m.

□ 1838

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MCINNIS) at 6:38 p.m.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of Rule I, the House will stand in recess subject to the call of the Chair.

Accordingly (at 6 o'clock and 39 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1945

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HASTINGS of Washington) at 7:45 p.m.

FURTHER MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate recedes from its amendment numbered 115 to the bill (H.R. 1868) "An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2020) "An Act making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1996, and for other purposes."

The message also announced that the Senate recedes from its amendment numbered 132 to the above-entitled bill.

REREFERRAL OF H.R. 2552, JAMIE WHITTEN WILDERNESS AREA, TO THE COMMITTEE ON NATIONAL SECURITY

Mr. STUMP. Mr. Speaker, I ask unanimous consent that the bill, H.R. 2552, a bill to transfer the Tatum salt

dome property to the State of Mississippi to be designated by the State as the Jamie Whitten Wilderness Area, be rereferred to the Committee on National Security.

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

There was no objection.

COMMUNICATION FROM CHAIRMAN OF THE DEMOCRATIC CAUCUS

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Democratic caucus:

HOUSE OF REPRESENTATIVES,
DEMOCRATIC CAUCUS,
Washington, DC, November 13, 1995.

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

DEAR MR. SPEAKER: This is to inform you that Representative Mike Parker is no longer a member of the Democratic Caucus.

Sincerely,

VIC FAZIO,
Chairman.

COMMUNICATION FROM THE SPEAKER

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

HOUSE OF REPRESENTATIVES,
Washington, DC, November 15, 1995.

Hon. BUD SHUSTER
Chairman Committee on Transportation and Infrastructure, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: This is to advise you that Representative Mike Parker's election to the Committee on Transportation and Infrastructure has been automatically vacated pursuant to clause 6(b) of rule X, effective today.

Sincerely,

NEWT GINGRICH.

COMMUNICATION FROM THE SPEAKER

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

HOUSE OF REPRESENTATIVES,
Washington, DC, November 15, 1995.

Hon. JOHN R. KASICH,
Chairman, Committee on the Budget, Cannon House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: This is to advise you that Representative Mike Parker's appointment to the Committee on the Budget has been automatically vacated pursuant to clause 6(b) of rule X, effective today.

Sincerely,

NEWT GINGRICH.

WAIVING REQUIREMENT OF CLAUSE 4(b) OF RULE XI WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED FROM COMMITTEE ON RULES

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 265 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 265

Resolved, That the requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on or before the legislative day of November 23, 1995, providing for consideration or disposition of any bill or joint resolution that includes provisions making further continuing appropriations for the fiscal year 1996, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon. In no case shall this resolution apply to a resolution providing for consideration or disposition of a bill that is a reconciliation bill within the meaning of section 310 of the Congressional Budget Act of 1974, any amendment reported in disagreement from a conference thereon.

The SPEAKER pro tempore. The gentleman from Florida [Mr. DIAZ-BALART] is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. Beilenson], 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. DIAZ-BALART asked and was given permission to revise and extend his remarks and to include extraneous material.)

Mr. DIAZ-BALART. Mr. Speaker, House Resolution 265 waives clause 4(b) of rule XI—which requires a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee—against the same-day consideration of resolutions reported from the Committee on Rules on or before the legislative day of November 23, 1995, for the consideration or disposition of any measure making further continuing appropriations.

In addition, the rule clarifies that the provisions of House Resolution 265 do not apply to any reconciliation measures.

Mr. Speaker, House Resolution 265 is an expedited procedure to facilitate the same-day consideration of urgent legislative matters. The Rules Committee does not waive the two-thirds requirement very often—10 times by the last Congress under a Democratic majority, and considered and adopted 5 of those times by the full House—and the committee has been very diligent in reserving this waiver for only the most urgent fiscal year matters this Congress—twice this year—and only considered this one time today on the floor by the full House.

House Resolution 265 is necessary to expedite legislation to pay the Federal Government's bills and allow furloughed Federal employees to return to work as quickly as possible. The House has now passed all 13 requisite appropriations bills. While differences over the remaining 10 or so individual spending bills that have not been signed into law are being negotiated

with both the Senate and the President, it is important that the House be able to act immediately on the floor to consider any rule that deals with providing funds for the urgent matter of expired appropriations. I urge adoption of House Resolution 265.

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

Mr. BEILENSEN. Mr. Speaker, I yield myself such time as I may consume. I thank the gentleman from Florida [Mr. DIAZ-BALART] for yielding me the customary 30 minutes of debate time.

Mr. Speaker, we do not object to this rule. We think it is reasonable, as we did in the past when our Republican colleagues supported our requests to waive the two-thirds vote requirement. Of course, we should not even be in a position of debating it tonight. The only reason it is necessary for us to do so is that the Republican controlled Congress has been unable to do its most basic job, and that is to pass appropriations bills. That is why we are here considering this waiver of a standing rule of the House.

The public is wondering what we are doing, as they should. The arguments we will be considering in the context of the next resolution over such a controversial provision as how to reach a balanced budget should be taking place in the context of the budget reconciliation bill, legislation which the House and Senate have in fact already passed.

There is no need to encumber the continuing resolution with this extraneous provision which will be considered where it should be, in the conference report on budget reconciliation, which should be before us on Friday.

We ought to do now what we could have done last week, pass a continuing appropriations measure that is clean and straightforward. The gentleman from Wisconsin, Mr. OBEY, the ranking member of the Committee on Appropriations, has attempted several times to gain unanimous consent to bring his legislation to the floor for that purpose but unfortunately has repeatedly been denied that request.

We repeat, we Democrats remain willing and ready to expedite in a reasonable and responsible manner the business of the House.

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

Mr. DIAZ-BALART. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia [Mr. DAVIS].

Mr. DAVIS. Mr. Speaker, I thank the gentleman for yielding time to me.

Time is of the essence with this. Federal workers have been sitting home the last couple of days. They want to resume their jobs. They want to continue on with governing, which is what this is all about. For Members who believe we should get our Government back up and operating, this rule makes sense. This is urgent legislation, as my colleague noted earlier in his remarks. This is one of the few times we would

waive this rule, but I think that we can get a bipartisan yes to this rule and hopefully to the resolution that will follow.

As I said before, Federal employees want to return to work. They are eager to get on with their business. Many employees, even if they are with funded agencies at this point or are deemed essential employees under the law, are still unable in many cases to perform their work because of other limitations in procurement and hiring and firing that take place because we do not have continuing resolutions in effect. So, should the rule come forward and this resolution be passed and sent to the President, all of this will be resolved should the President sign it.

I think the subsequent resolution is something that the President should sign. The continuing resolution will make sense for several reasons. First of all, the funding levels contained here are adequate for the Federal Government and the District of Columbia government to continue for the next 18 days. There is no dip in the funding that will cut education, that will cut the environmental programs for 18 days and that should hinder that. It is certainly better than what we are being funded today.

Second, it will get our Federal employees back working tomorrow. Third, it strips the Medicare and other riders that the President and the administration have deemed superfluous and have said are unacceptable. We have taken those out.

Finally, it mutually, mutually commits the Congress, both the House and the Senate, and the President to balance the Federal budget with CBO numbers over the next 7 years. This should be no problem for this Congress or Members of both sides of the aisle who have professed to stand for this and for the President who on numerous occasions has said he is for a balanced budget and accepts CBO numbers.

I rise in support of this rule and the subsequent resolution.

Mr. DIAZ-BALART. 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.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 122, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 1996

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 104-343) on the resolution (H. Res. 270) providing for consideration of the joint resolution (H.J. Res. 122) making further continuing appropriations for the fiscal year 1996, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR THE CONSIDERATION OF HOUSE JOINT RESOLUTION 122, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 1996

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 270 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 270

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the joint resolution (H.J. Res. 122) making further continuing appropriations for the fiscal year 1996, and for other purposes. The joint resolution shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except one motion to recommit without or without instructions. The motion to recommit may include instructions only if offered by the Minority Leader or his designee.

The SPEAKER pro tempore. The gentleman from California [Mr. DREIER] is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], 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. DREIER asked and was given permission to revise and extend his remarks and to include extraneous material.)

Mr. DREIER. Mr. Speaker, this rule provides for consideration in the House without intervening points of order of the joint resolution making further continuing appropriations for fiscal year 1996 through December 5, 1995. The rule provides for 1 hour of debate equally divided between the chairman and ranking minority member of the Committee on Appropriations and further provides that the previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except one motion to recommit with or without instructions.

□ 2000

The motion to recommit may include instructions only if offered by the minority leader or his designee.

Mr. Speaker, this continuing resolution is not the legislation that will bring us a balanced budget in 7 years. However, the political confrontation that has preoccupied this city and the national media, if not all Americans for the last few days, has been about one simple, but fundamental issue—balancing the budget.

The continuing resolution we will consider this evening will fund the Government for 20 days. Taken alone,