

The fact is, this debate is a waste of time. For any of our citizens who happen to be watching it today, it is a sad day in my view because it once again demonstrates that we are mistaking motion for movement.

□ 1300

We should not be wasting our time on a meaningless motion like this.

I would urge the Speaker of the House to immediately bring a continuing resolution to the floor so that this charade can stop, so that Government can stay open, so that Government agencies can provide the services to which the taxpayers are entitled, and stop the political game.

Mr. ROGERS. Mr. Speaker, I yield the balance of my time to the gentleman from Florida [Mr. MCCOLLUM], the chairman of the Subcommittee on Crime of the Committee on the Judiciary.

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

Mr. MCCOLLUM. Mr. Speaker, I thank the gentleman for yielding me this time.

I want to say that I truly believe that there is probably no other illustration better than this bill today of the differences between Republicans and Democrats, fundamentally about our approach to government and fundamentally about the revolution that is taking place with the new majority. We are not doing business as usual, and some, I can understand it, on the other side of the aisle would like to see us do it the traditional way.

Yes, there is authorizing legislation that normally would come through the authorizing committee to the floor in this bill, and, yes, we are doing some major changes, different from what the President wants, and, yes, we know that we cannot succeed in some of these votes up and down with a straight ability to override a Presidential veto because we do not have the votes to do that.

But we are determined in our revolution this year in making the change to the new majority to do what the public wants us to do, and that is to make a difference, to really change the way we fight crime, among other things, and the way our Government responds to things.

What this bill does and what this legislation on crime fighting does is to do that. It, first of all, takes a program or two passed by the Democrats in the last Congress that provided Washington business-as-usual grants out there for more police officers and for all kinds of so-called prevention programs that governments would have to apply for and do it the way Washington said, takes all of those programs and rolls them into one single \$10-billion grant program, block-grant program, for which local cities and counties would get the money to fight crime as they see fit. If they wanted to hire new policemen, they could. If they wanted to

do a drug treatment program, they could. If they wanted to use that money for a new piece of equipment, they could do that. Whatever they wanted to do; what is good for Portland, OR, is not good for Charleston. One size does not fit all. That is a very big difference between Republicans and Democrats.

We do not believe Washington should be dictating how to fight crime or many other things to local governments. They ought to be making those decisions, and the President's veto is an indication he does not agree with us. He agrees with the typical business-as-usual liberal Democrats who like big government in Washington.

The second thing in this bill about fighting crime we seem to overlook that is very important, maybe more important in some ways than getting 100,000 cops and changing the way we do business around here and so on, is the fact that we have in this bill a change in the way we go about the incentive program for building new prisons to try to encourage States, if they meet the goal of requiring violent repeat offenders to serve at least 85 percent of their sentences, then they can get prison grant money. Many States are changing their laws to build these prisons. We have prisoners today getting out, serving only a third of their sentences and committing violent crimes over and over again.

We ought to take away the key and throw it away and do away with it.

The last piece in this bill is prison litigation reform. The President vetoed that, too. This bill should not have been vetoed.

The SPEAKER pro tempore (Mr. UPTON). Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. ROGERS].

The motion was agreed to.

A motion to reconsider was laid on the table.

REQUEST FOR COMMITTEE ON APPROPRIATIONS BE DISCHARGED FROM FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION 131, FURTHER CONTINUING APPROPRIATION, FISCAL YEAR 1996

Mr. OBEY. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations be discharged from further consideration of House Joint Resolution 131, which is a clean continuing resolution to extend the Government through January 26, authorize 2.4 percent military pay raise, effective January 1, eliminate 6-month disparity between COLA payment dates for military and civilian retirees in fiscal 1996, and ask for its immediate consideration in the House.

Mr. ROGERS. Mr. Speaker, regular order.

The SPEAKER pro tempore. Under the guidelines consistently issued by successive Speakers as recorded on page 534 of the House rules manual, the Chair is constrained not to entertain the gentleman's request until it has been cleared by the bipartisan floor and committee leaderships, and, therefore, it is not in order at this time.

Mr. OBEY. I hope it will soon be cleared.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2539, THE ICC TERMINATION ACT OF 1995

Mr. QUILLEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 312 and ask for the immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 312

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2539) to abolish the Interstate Commerce Commission, to amend subtitle IV of title 49, United States Code, to reform economic regulation of transportation, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. QUILLEN] is recognized for 1 hour.

Mr. QUILLEN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend, 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. Speaker, House Resolution 312 allows for the consideration of the conference report to accompany H.R. 2539, the Interstate, Commerce Commission Termination Act of 1995. Under the rule, all points of order against the conference report and against its consideration are waived, and the conference report shall be considered as read.

Mr. Speaker, although I do not generally favor granting blanket waivers, the Rules Committee was provided with a list of specific waivers required for consideration of this bill, and this rule was adopted by voice vote in the Rules Committee.

Also, there was discussion yesterday that the Senate might consider a concurrent resolution which would effectively amend this conference report to include the Whitfield amendment as passed by the House. I supported the Whitfield amendment when it was adopted by the House because it provided important protections for small and medium size railroad employees who lose their jobs because of a merger or acquisition. I think this language should have been retained without change in this conference report.

Unfortunately, the language of this concurrent resolution was unavailable to the Rules Committee, and the committee was unable to accommodate consideration of the concurrent resolution in this rule.

Mr. Speaker, funding for the ICC expires at the beginning of next year, and if we do not pass this conference report, the important functions of this agency that are being transferred to the Department of Transportation will fall by the wayside. This bill provides for an orderly termination and transfer of the vital functions of the ICC.

This is an important part of our efforts to downsize the Federal Government, and I urge adoption of the rule and the conference report.

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

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume and I thank my colleague from Tennessee for yielding me the customary half hour.

Mr. Speaker, although this is a standard conference report rule, I am very much opposed to this bill.

Despite promises to the contrary, despite the House-passed compromise on November 14—this bill contains some serious antiworker provisions.

This bill takes away class 2 and class 3 railroad workers' right to collective bargaining. It will hurt thousands of hard working Americans and it is unfair.

Mr. Speaker, nearly every other American worker has the right to collective bargaining, including class 1 railroad workers, class 2 and class 3 railroad workers should have the same worker protection as everyone else.

But, Mr. Speaker, once again, my Republican colleagues are choosing employers over employees.

They are saying that hard-working railroad workers do not deserve the most basic worker protections. They are saying that rail carrier mergers are more important than people.

Thankfully, President Clinton has said he will veto this bill, and I think he should. My colleagues should have kept their word and rail workers should be able to keep their jobs.

Mr. Speaker, I urge my colleagues to oppose this rule. American workers deserve every protection we can give them.

Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. OBERSTAR], ranking member of the committee.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, when the Committee on Rules met last night and our side testified at the meeting of the Committee on Rules, we asked for very few things. We asked that if points of order are going to be waived in this rule, that they be specified, that there be a specific reference to which points of order are to be waived in the interests of fairness and openness, and we asked that issues such as scope, germaneness,

Budget Act problems, 3-day layover of conference reports issue be specified if there are going to be waivers of points of order.

The rule comes out with no specificity whatever. It just waives all points of order.

We also made a very modest request that if the Senate acted on a Senate concurrent resolution to restore the Whitfield amendment as a substitute for the language in the conference report dealing with labor protective provisions, that it be made in order for us to take up that Senate concurrent resolution. The Senate has not yet acted. It may not act on that concurrent resolution. But there is no provision in this rule as we requested. It was a modest request. I thought it was favorably received by the chairman of the Committee on Rules. But it is not included here as a mere courtesy to the Democrats.

This conference report is not a simple matter. This is 164 pages of very technical language dealing with a complex subject in the sunset of the oldest regulatory body in the Federal Government structure dealing with a mode of transportation that, in the 19th century, was the life line of America and all the way up through until the end of World War II was the cornerstone of our national economy, the railroad industry.

We are going to wipe it away. We have a bill with 164 pages of technical language. Points of order are simply waived. They do not say which ones. They do not give us the opportunity to bring up, should it be enacted, should it be passed by the Senate, the Senate concurrent resolution.

I find this very, very curious. I find it unpalatable. I find it inappropriate.

Nonetheless, I recognize that the other side has the votes. We will save our fight for the conference report.

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

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

Mr. Speaker, I urge adoption of the rule and the conference report when it is brought before the House.

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.

PROVIDING FOR CONSIDERATION OF H.R. 558, TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL COMPACT CONSENT ACT

Mr. MCINNIS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 313 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 313

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. 558) to grant the consent of the Congress to the Texas Low-Level Radioactive Waste Disposal Compact. 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 Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. Each section shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed 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 with or without instructions.

□ 1315

The SPEAKER pro tempore. The gentleman from Colorado [Mr. MCINNIS] is recognized for 1 hour.

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

Mr. Speaker, House Resolution 313 is a very simple resolution. The proposed rule is an open rule providing for 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Commerce. After general debate, the bill shall be considered as read for amendment under the 5 minute rule. The resolution allows the Chair to accord priority recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. Finally, Mr. Speaker, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, the chairman of the Committee on Commerce, Mr. BLILEY, requested an open rule for this legislation. This open rule was reported out of the Committee on Rules by unanimous voice vote.

Mr. Speaker, earlier this year, I voted against this legislation under the suspension of the rules because I felt that this legislation should be thoroughly debated. Under the proposed rule, each Member has an opportunity to have their concerns addressed, debated, and ultimately voted up or down by this body. I urge my colleagues to support this rule, as well as the underlying legislation.

Mr. Speaker, I include the following data for the RECORD.