

|           |         |            |
|-----------|---------|------------|
| White     | Wise    | Yates      |
| Whitfield | Wolf    | Young (AK) |
| Wicker    | Woolsey | Young (FL) |
| Williams  | Wyden   | Zeliff     |
| Wilson    | Wynn    | Zimmer     |

## ANSWERED "PRESENT"—14

|               |                |            |
|---------------|----------------|------------|
| Becerra       | Hilliard       | Payne (NJ) |
| Brown (FL)    | Johnson, E. B. | Rangel     |
| Collins (IL)  | Lofgren        | Souder     |
| Dellums       | McKinney       | Waters     |
| Hastings (FL) | Owens          |            |

## NOT VOTING—15

|          |              |          |
|----------|--------------|----------|
| Andrews  | Furse        | Kaptur   |
| Barton   | Gibbons      | McCarthy |
| Boehlert | Gonzalez     | Meek     |
| Ehlers   | Hoke         | Ortiz    |
| Fattah   | Johnson (SD) | Torres   |

## □ 1927

Messrs. DELLUMS, RANGEL, PAYNE of New Jersey, and HILLIARD, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. MCKINNEY changed their vote from "aye" to "present."

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

Mr. CLINGER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do so to announce that in a moment I will move that the Committee do rise for the purpose of a unanimous-consent request, which would provide for the House to sit tomorrow morning starting at 9 o'clock.

Thereafter, I would advise the membership we would go back into the Committee, we will dispose of one additional amendment this evening, and there will be one additional vote anticipated, but we should be completed with all business in Committee by 8 clock.

With that, Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GUNDERSON) having assumed the chair, Mr. LAHOOD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 450), to ensure economy and efficiency of Federal Government operations by establishing a moratorium on regulatory rulemaking actions, and for other purposes, had come to no resolution thereon.

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 HOUR OF MEETING ON TOMORROW

Mr. CLINGER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

Mr. WISE. Mr. Speaker, reserving the right to object, this has been cleared by the leadership on the Democratic side.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

## □ 1930

## REGULATORY TRANSITION ACT OF 1995

The SPEAKER pro tempore. Pursuant to House Resolution 93 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 450.

## □ 1930

## 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 further consideration of the bill (H.R. 450), to ensure economy and efficiency of Federal Government operations by establishing a moratorium on regulatory rulemaking actions, and for other purposes, with Mr. LAHOOD in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from the District of Columbia [Ms. NORTON] as amended had been disposed of.

For what purpose does the gentleman from Indiana [Mr. MCINTOSH] rise?

Mr. MCINTOSH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from Texas [Mr. SMITH].

Mr. SMITH of Texas. Mr. Chairman, I thank the gentleman from Indiana [Mr. MCINTOSH] for yielding to me for the purpose of a colloquy, and I would like to ask the chairman of the subcommittee three questions, if I could. The first question is this: In December 1994, the INS promulgated comprehensive regulations to streamline the asylum process and prevent abuse of the asylum system. Is it your understanding that these regulations would be excluded under section 6(3)(B)(i) as being "limited to streamlining a rule, regulation, or administrative process?"

Mr. MCINTOSH. Yes, that is my understanding of the effect of section 6(3)(B)(i) with respect to streamlining INS regulations of this type.

Mr. SMITH of Texas. In 1994, the Violent Crime Control and Law Enforcement Act and the Immigration and Nationality Technical Corrections Act established a process to expeditiously remove from the United States criminal aliens. Is it your understanding that these regulations will be excluded from the moratorium because they fit within the streamlining exception under section 6(3)(B)(i)?

Mr. MCINTOSH. Yes, that is my understanding.

Mr. SMITH of Texas. And last, I appreciate the gentleman's patience, the third question is: It is my understanding the INS also plans to issue regulations to streamline the rules and procedures for certain types of non-immigrant visas, in part to prevent the abuse of such visas. Is it your understanding such reforms to the visa process fall under the streamlining exclusion under section 6(3)(B)(i)?

Mr. MCINTOSH. Yes, that is my understanding.

Mr. SMITH of Texas. Mr. Chairman, I thank the gentleman from Indiana [Mr. MCINTOSH].

Mr. MCINTOSH. Mr. Chairman, I yield back the balance of my time.

## AMENDMENT OFFERED BY MR. HAYES

Mr. HAYES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HAYES: In section 6(4), in the last sentence, after "restriction" insert the following new clarifying clause: "(including any agency action which establishes, modifies, or conducts a regulatory program for a recreational or subsistence activity, including but not limited to hunting, fishing, and camping, if a Federal law prohibits the recreational or subsistence activity in the absence of the agency action)".

Mr. HAYES (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The CHAIRMAN. Pursuant to the order of the House of today the gentleman from Louisiana [Mr. HAYES] and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. HAYES].

Mr. HAYES. Mr. Chairman, I rise in support of an amendment that while styled as such because of the procedural rules of the House is actually a clarification language of section 64.

As background it should be noted that the reason that we are here this evening is because we have had so many regulatory actions, they have trampled on so many individuals' rights, and we have had so many instances in which we were unable to redress the complaints made by those whom we represent that it boiled over to the point where finally there is a regulatory reaction. I say to my colleagues, incredibly enough the kinds of things that were happening to folks at home that led to this sort of concern are the kinds of things they complain to and to you about when you return there. They walk up and they say, "Look, my son is owning a piece of property that has some water on it. There's no means by which I can tell what it is, and unless I apply for a permit to do something, the Corps of Engineers won't tell me what it is, but the minute I decide to put some kind of crawfish pond there I find out the entire Federal bureaucracy not only wants to tell me what it is, but what to do with it."

Mr. Chairman, we have regulatory overreach that has caused us in representing those half million-plus people who call us Congressmen to come here this evening.

I say to my colleagues, incredibly enough, with the efforts that deserve

applause from Mr. MCINTOSH, Mr. PETERSON, Mr. CONDIT, when those efforts are made, the same agencies do exactly the same thing, only they don't highlight what it is they did to trample rights. They turn around and say, "We will construe this to mean we're going to do more things to you. We're going to construe your action to mean we're not going to have a duck season. We're going to construe your action to mean we're not protecting health." They're in the habit of taking the act, taking the regs, and doing harm to individuals, and they just can't break that habit.

For that reason we are often clarify language, Mr. Chairman.

I do not believe that either the intent, nor actually the text of this bill, requires that this be done, but I do believe that sending a strong message to those who believe regulations equates arrogance, to those who believe regulation means power, to those who believe regulation means enforcement without any glimpse of humanity; that is why the clarifying language is offered.

Mr. BAKER of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. HAYES. I yield to the gentleman from Louisiana for his comments.

Mr. BAKER of Louisiana. Mr. Chairman, I compliment the gentleman on his fine statement and agree with this state of frustration about our growing regulatory process.

In working with the gentleman on this amendment, Mr. Chairman, I think it should be made clear that the action we are about to take is in relation to the Migratory Bird Act. For those who are not familiar with it, having been passed in 1918, it sets a framework in place which prohibits the taking of birds or migratory fowl that are protected by Federal law, and each year the Department of the Interior issues a waiver allowing all States to promulgate their own rules and regulations for the taking of migratory fowl.

Stated in another way, Mr. Chairman, duck or geese hunting.

It is now apparent that unless some action is taken by legislative remedy that this year's season for many avid hunters may be placed in jeopardy. In fact, we received a communication from the Secretary of the Interior indicating that they would be unable to promulgate timely, necessary rules to allow the season to go forward as is customary. For those reasons the gentleman's amendment, as I understand it, allows a provision which says, if the agency does not take action that hunting and fishing seasons would, and their conduct would, not be impaired by the failure of the agency to act timely.

This is an appropriate response and one which the gentleman correctly describes as definitional, only it is not clearly the intention of the authors of the legislation to create this difficulty, and perhaps it does not. But due to the confusion from the secretary's letter which was created we have now con-

sulted with Ducks Unlimited, a number of other organizations who have great interest in this matter, and they have all indicated their strong support for this amendment.

Mr. Chairman, I am happy to rise in support of the gentleman's amendment and commend him for his leadership in this matter.

Mr. VOLKMER. Mr. Chairman, will the gentleman yield?

Mr. HAYES. I yield to the gentleman from Missouri.

Mr. VOLKMER. As I understand it, the gentleman's amendment does not specifically exempt the provisions for water fowl or migratory bird hunting season, but merely puts a provision in it to waive; is that correct, the requirement?

Mr. HAYES. Mr. Chairman, what it does is it takes the definitional section of the word "rule" which is in section 64 of the act, and the language which is included says that the agency action which establishes, modifies or conducts a regulatory program for recreational or subsistence activity, including, but not limited to, hunting, fishing and camping. I believe that it would indeed cover those activities to such an extent that it would not be justified for a Federal agency to say that with the passage of this act they are not empowered to go forward with their regulatory duty in establishing those seasons.

Mr. VOLKMER. In other words, Mr. Chairman, the gentleman is saying that now under this act with his amendment they will be able to provide the proper regulations for those activities?

Mr. HAYES. Yes, sir, with one minor exception. The gentleman from Louisiana [Mr. BAKER] and I decided that the majority leader, the gentleman from Texas [Mr. ARMEY], should not be allowed to fish in Louisiana, so with that one exception it will allow everyone else in America to go forward.

□ 1940

Mr. VOLKMER. Mr. Chairman, I just want to say one other thing: I beg to differ just a wee bit with the gentleman from Louisiana as far as the intent and the purpose of the legislation that is now before us, the act itself. I am sorry, but I personally would have to agree with the Secretary as to the effect of that legislation without the amendment. I am sorry to differ. I do not think it is just for that purpose.

Mr. HAYES. Reclaiming my time, I would simply make this observation as a Democrat who has been here for 8 years. The first chair of the committee that has allowed me to offer an amendment to change language has been this Republican chair, and if I am going to base it upon his actions, then I must interpret his actions in so doing as a good faith effort to accommodate this concern, which would lead me to believe that the language could not have been intentionally crafted, or else he would have refused to do this.

I know that language is quite often a problem, especially when we have elephants and donkeys. We allow language sometimes to take precedence over substance. In this instance, I can only say that the working relationship has not only been fair, but cordial. Like anything, it may be tedious and it may not be easy, but it certainly has been productive, because I think this amendment is about to pass, to the benefit of people across the country.

Mr. VOLKMER. Mr. Chairman, if the gentleman will yield further, I support the amendment.

Mr. Chairman, Louisiana is known as the Sportsman's Paradise. Recreational activities on our bayous, marshes, rivers, and the Gulf of Mexico and in our vast wilderness and wildlife refuge areas are a part of our very way of life. There are over 66,000 duck hunters and over 500 hunting camps for which the annual multiplier effect on Louisiana's economy is \$57 million annually. Hunting in general provides over \$630 million annually to our State. These figures, Mr. Chairman, are conservative.

The amendment that we are offering today is a bipartisan proposal, which is intended to address potential unintended consequences of H.R. 450 that would result in the cancellation or delay of the upcoming duck season and other important hunting and fishing opportunities. As you may know, under the provisions of the Migratory Bird Treaty Act, unless as permitted by a regulatory action of the Department of Interior, it is unlawful to pursue, hunt, take, capture, kill, et cetera, migratory birds. These prohibitions are included as part of treaties between the United States and Great Britain, the United States and Mexico, and the United States and Japan, all of which are for the protection of migratory birds. Section 704 of Title 16 U.S.C. Annotated then summarizes the regulatory process that the Department of Interior must follow to enable migratory bird seasons to go forward.

Our amendment would refine section 6 of the bill to exclude from the definition of regulatory rule making—therefore, from coverage under the moratorium—agency actions in the management of regulatory programs for recreational or subsistence activities including but not limited to hunting, fishing, and camping, if the applicable statute prohibits such activities in the absence of this agency action.

Our amendment would also answer the concerns of my friend from Alaska, Mr. YOUNG, with respect to the prohibitions of subsistence hunting and fishing, which are critical to survival of many of his constituents. Finally, the Department of Interior would also be able to move ahead with plans to open wildlife refuges in Louisiana and California to hunting and fishing.

The Baker-Hayes-Young amendment is consistent with the intent of H.R. 450 to allow agencies to promulgate nonburdensome, common sense directives like the regulatory framework that the Department of Interior, through the U.S. Fish and Wildlife Service, has set up for duck season since the 1950's. The onerous rules that H.R. 450 was proposed to stop are rules which impose needless or wasteful costs on the American economy, whereas, if we fail to clarify this language, recreational endeavors that in fact enhance our economy will be curtailed. We cannot let this happen.

Ducks Unlimited, which represents close to 20,000 conservationists in Louisiana and 550,000 nationwide, in Canada, and Mexico, has indicated to me that our amendment will fix this problem. The DU mission statement to "fulfill the life cycle needs of North American waterfowl" suggests why we must not stand by and presume that the duck season will go ahead without this clarifying amendment. These regulations are crucial to gather the scientific data necessary to ensure the responsible conservation of waterfowl.

Therefore, I urge you to vote for the Baker-Hayes-Young amendment.

Mr. Chairman, is there time for an opponent to the amendment under the provision?

The CHAIRMAN. There is 10 minutes on each side. The gentleman from Louisiana [Mr. HAYES] the proponent, has 10 minutes. There is also 10 minutes for an opponent.

Mr. VOLKMER. Mr. Chairman, I would ask that that 10 minutes be allocated to the gentlewoman from Illinois [Mrs. COLLINS], not that she is opposed to the amendment, because I know she supports it, but just in fairness to give her an opportunity to speak.

The CHAIRMAN. Does the gentlewoman from Illinois seek time in opposition?

Mrs. COLLINS of Illinois. I do, Mr. Chairman.

Mr. HAYES. Mr. Chairman, how much time is remaining for me?

The CHAIRMAN. The gentleman from Louisiana [Mr. HAYES] has 3 minutes remaining, and the gentlewoman from Illinois [Mrs. COLLINS] has 10 minutes remaining.

Mr. HAYES. Mr. Chairman, I yield 30 seconds to the gentleman from Minnesota [Mr. PETERSON].

Mr. PETERSON. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I am one of those that happens to think we do not need this amendment. I think that duck hunting was exempt under what we put together in the committee. But I think that this amendment will reassure any of those that are concerned, and I support the amendment.

Mrs. COLLINS of Illinois. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. KLECZKA].

Mr. KLECZKA. Mr. Chairman, I rise tonight to just seek some clarification. I listened to the author try to explain it, but it was not really clear to me. I have here a Republican handout from one of the previous amendments, and in part it says let us not exempt this bill to death, and as I understand the amendment, what we are doing is being very specific that there is an exemption as it relates to the hunting season for ducks. I think that is pretty important stuff, but I do not know if we should exempt the bill to death.

I recall a previous amendment dealing with a very serious water problem in the Milwaukee area in the State of Wisconsin, and that was the cryptosporidium problem. We tried to exempt the clean water regulations in this bill and we were turned down in

large part by the Republicans, but now we can exempt the bill to death by providing an exemption for ducks.

The problem I have with that is I think clean water and cryptosporidium problems are more important than the duck season. I think it is a sad day in the House of Representatives when we put ducks above water safety in this country, clean water regulations. But so be it, that is the new regime we are working under.

I want to respond to the author of the amendment. I do object to one of the statements made when he indicates that if this was last year the Democrats would not let him offer this amendment, now he has free rein to offer it. My Lord, I would be shocked if we let him offer such nonsense to this bill, especially when we turn down water safety, meeting specs, things of that nature, which on a priority scale, my friends, I would think is a smidgen higher than the all important duck season in this country.

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

Mr. Chairman, I would like to respond to that in the words of Sixty Rayburn, the legendary legislator from the State of Louisiana. Sixty once looked at a Federal legislator and said, "Son, I can explain it to you, but I can't understand it for you."

What I would say to the gentleman is that my observation was that I have been afforded an opportunity to offer an amendment. That amendment is relevant, it is pertinent, and it covers far more items than simply a migratory waterfowl season.

But I would also say that in parishes, counties I represent, 30 percent of Vermilion Parish, 35 percent of Cameron Parish is on tourism-related to hunting. So for a party that cares about the heart and soul of people, one out of three ought to be enough to care about that live in a parish to do something for them. And I would say that this kind of attitude is why I stay in the Democratic Party, waiting for some more Democrats to get there and join me.

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

Mrs. COLLINS of Illinois. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey [Mr. TORRICELLI].

Mr. TORRICELLI. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, I say to my friend, the gentleman from Louisiana [Mr. HAYES], I understand how seriously he feels about this issue. I respect him for bringing it to the floor. But I think a fair point has been made. As he cares passionately about the rights of his constituents to hunt, the economic interests of his State, some of us have felt passionately after years of work about the ability to protect children from the problem of E. coli bacteria, with 4,000 deaths a year; with the problem that our water supplies are being contaminated by bacteria.

The gentleman deserves to have his amendment voted upon. Indeed, he may deserve to have it passed. But a fair point has been made. It cannot escape the attention of the American people that the interests of children, the interests of our citizens and the safety of their homes and restaurants came to this floor. After years of fighting to get Federal regulations to protect them, those regulations are in jeopardy. The comparison was a fair one. I thank the gentleman for raising it.

Mrs. COLLINS of Illinois. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. KANJORSKI].

Mr. KANJORSKI. Mr. Chairman, I understand my colleague's interest in his district and ducks. Now my question is, if the duck lands on water in Wisconsin that is contaminated with cryptosporidium, does the extension of the exception to the duck allow a procedure to protect other ducks from this infection?

Mr. BAKER of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. KANJORSKI. I yield to the gentleman from Louisiana.

Mr. BAKER of Louisiana. Mr. Chairman, I think the whole point of this amendment has been missed. If ducks were present tonight, they would not be for this amendment. This allows a hunting season.

Mr. KANJORSKI. Mr. Chairman, the gentleman's point is well taken. What happens if the hunter is successful and he ingests the duck and he suffers from cryptosporidium? Has it become more important that we protect the ducks and offer the protection to the ducks, or does it become more important to protect people.

□ 1950

Mrs. COLLINS of Illinois. Mr. Chairman, it is very interesting, it seems that this body is about to vote for this duck hunting amendment. And as has been said before, there have been other amendments which I think were just really great amendments. They dealt with the American people.

This body has voted against allowing the FEC rules on personal use of campaign funds to proceed. They have voted against allowing expedited consideration of meritless asylum requests. They have voted against rules and regulations that would allow new HUD rules giving preference to elderly in section 8 housing, rules pertaining to elimination of drug use in Federal housing, designations of empowerment zones that allows database for child molesters. They have voted against, if Members will, child molesters, children, by saying we cannot have any database for child molesters as required in last year's crime bill. And yet they are willing to vote for duck hunting.

Mr. Chairman, this amendment is not the most wonderful amendment I have ever seen in my life. Somebody said, if it looks like a duck, sounds like a duck, quacks like a duck, it is a duck.

Mr. SCHUMER. Mr. Chairman, will the gentlewoman yield?

Mrs. COLLINS of Illinois. I yield to the gentleman from New York.

Mr. SCHUMER. Mr. Chairman, I would just say on an amendment like this, with the National Rifle Association and CHARLES SCHUMER in agreement, how can we turn it down?

Mrs. LINCOLN. Mr. Chairman, it appears that duck hunting season has gotten caught in the crossfire as Republicans continue to move at a breakneck speed to pass the Contract With America.

Hunting is one of the simple pleasures for many of us in Arkansas. But continued Federal attempts to dicker with hunting regulations have turned hunting into a complex legal battle.

The U.S. Fish and wildlife Service has said that today's proposal to place a retroactive moratorium on Federal regulations would cancel next year's waterfowl season.

Each year Fish and Wildlife must issue regulations setting the hunting season and bag limits for migratory waterfowl including ducks, geese, and doves. Their decision is based on a long and complex process of public hearings and meetings, which end shortly before hunting season opens October 1.

As this bill is written, those meetings could not take place because Fish and Wildlife has interpreted hunting season meetings to be outside the realm of routine administrative regulations.

In defense of hunting season, I sent a letter last week to Mr. CLINGER, chairman of the Government Reform and Oversight Committee, asking that waterfowl hunting season regulations be exempt from this bill.

Therefore, I am extremely pleased to see this amendment offered and urge my colleagues to support its passage.

Let me assure the American people that I wholeheartedly support efforts to free them from burdensome and unnecessary Federal regulations. But I fear the unintended consequences of Republicans' efforts to push reforms so quickly.

As a hunter myself and representing approximately 60,000 Arkansas migratory bird hunters, I must be emphatic that canceling the 1995-96 waterfowl season would not be acceptable.

Migratory bird hunters spend \$3.6 billion annually nationwide. In Arkansas, migratory bird hunting brings \$1.5 million to the State and \$31 million in retail sales.

This revenue, in addition to the family traditions that have been built around hunting season, should not be denied by Congress.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in support of the Hayes amendment and in support of H.R. 450.

There has been a lot of talk about which regulations will and will not be affected by the moratorium. Frankly, I have had enough. It's no secret, the administration has identified, in an effort to kill the bill, a select few routine regulations which they say will not continue if this bill is signed into law. Two of those examples are the migratory bird hunting regulations and subsistence hunting regulations in Alaska.

Frankly, I am of the opinion that these activities are permitted—they are routine administrative functions.

However, this amendment is intended to clarify for the Department of the Interior, who

apparently cannot read the law, so they can issue regulations for recreational or subsistence hunting, fishing, and camping for the 1995-96 seasons.

I urge my colleagues' support of this amendment which is offered for the benefit of Alaska Natives and the sports men and women of America.

Mr. COLLINS of Illinois. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. HAYES].

The question was taken; and the Chairman announced that the ayes appeared to have it.

#### RECORDED VOTE

Mr. CLINGER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 383, noes 34, answered "present" 4, not voting 13, as follows:

#### [Roll No 166]

#### AYES—383

|              |               |                |
|--------------|---------------|----------------|
| Abercrombie  | Coleman       | Furse          |
| Ackerman     | Collins (GA)  | Gallegly       |
| Allard       | Combest       | Ganske         |
| Archer       | Condit        | Gejdenson      |
| Armey        | Cooley        | Gekas          |
| Bachus       | Costello      | Gephardt       |
| Baessler     | Cox           | Geren          |
| Baker (CA)   | Coyne         | Gilchrest      |
| Baker (LA)   | Cramer        | Gillmor        |
| Baldacci     | Crane         | Gilman         |
| Ballenger    | Crapo         | Goodlatte      |
| Barcia       | Creameans     | Goodling       |
| Barr         | Cubin         | Gordon         |
| Barrett (NE) | Cunningham    | Goss           |
| Barrett (WI) | Danner        | Graham         |
| Bartlett     | Davis         | Green          |
| Bass         | de la Garza   | Greenwood      |
| Bateman      | Deal          | Gunderson      |
| Bentsen      | DeFazio       | Gutknecht      |
| Bereuter     | DeLauro       | Hall (OH)      |
| Berman       | DeLay         | Hall (TX)      |
| Bevill       | Deutsch       | Hamilton       |
| Bilbray      | Diaz-Balart   | Hancock        |
| Bilirakis    | Dickey        | Hansen         |
| Bishop       | Dicks         | Harman         |
| Bliley       | Dingell       | Hastert        |
| Blute        | Dixon         | Hastings (WA)  |
| Boehlert     | Doggett       | Hayes          |
| Boehner      | Dooley        | Hayworth       |
| Bonilla      | Doolittle     | Hefley         |
| Bonior       | Dornan        | Hefner         |
| Bono         | Dreier        | Heineman       |
| Borski       | Duncan        | Herger         |
| Boucher      | Dunn          | Hilleary       |
| Brewster     | Durbin        | Hilliard       |
| Browder      | Edwards       | Hinchey        |
| Brown (CA)   | Ehrlich       | Hobson         |
| Brown (OH)   | Emerson       | Hoekstra       |
| Brownback    | Engel         | Hoke           |
| Bryant (TN)  | English       | Holden         |
| Bryant (TX)  | Ensign        | Horn           |
| Bunn         | Eshoo         | Hostettler     |
| Bunning      | Evans         | Houghton       |
| Burr         | Everett       | Hoyer          |
| Burton       | Ewing         | Hunter         |
| Buyer        | Farr          | Hutchinson     |
| Callahan     | Fawell        | Hyde           |
| Calvert      | Fazio         | Inglis         |
| Camp         | Fields (LA)   | Istook         |
| Canady       | Fields (TX)   | Jackson-Lee    |
| Cardin       | Filner        | Jefferson      |
| Castle       | Flanagan      | Johnson (CT)   |
| Chabot       | Foley         | Johnson (SD)   |
| Chambliss    | Forbes        | Johnson, E. B. |
| Chapman      | Ford          | Johnson, Sam   |
| Chenoweth    | Fowler        | Jones          |
| Christensen  | Fox           | Kaptur         |
| Chrysler     | Frank (MA)    | Kasich         |
| Clay         | Franks (CT)   | Kelly          |
| Clement      | Franks (NJ)   | Kennedy (MA)   |
| Clinger      | Frelinghuysen | Kennedy (RI)   |
| Clyburn      | Frisa         | Kennelly       |
| Coble        | Frost         | Kildee         |
| Coburn       | Funderburk    | Kim            |

|             |               |             |
|-------------|---------------|-------------|
| King        | Neal          | Shays       |
| Kingston    | Nethercutt    | Shuster     |
| Klink       | Neumann       | Sisisky     |
| Klug        | Ney           | Skaggs      |
| Knollenberg | Norwood       | Skeen       |
| Kolbe       | Nussle        | Skelton     |
| LaFalce     | Oberstar      | Smith (MI)  |
| LaHood      | Obey          | Smith (NJ)  |
| Lantos      | Olver         | Smith (TX)  |
| Largent     | Orton         | Smith (WA)  |
| Latham      | Oxley         | Solomon     |
| LaTourette  | Packard       | Spence      |
| Laughlin    | Pallone       | Spratt      |
| Lazio       | Parker        | Stearns     |
| Leach       | Pastor        | Stenholm    |
| Levin       | Paxon         | Stockman    |
| Lewis (CA)  | Payne (VA)    | Stokes      |
| Lewis (KY)  | Pelosi        | Studds      |
| Lightfoot   | Peterson (FL) | Stump       |
| Lincoln     | Peterson (MN) | Stupak      |
| Lipinski    | Petri         | Talent      |
| Livingston  | Pickett       | Tanner      |
| LoBiondo    | Pombo         | Tate        |
| Lofgren     | Pomeroy       | Tauzin      |
| Longley     | Porter        | Taylor (MS) |
| Lucas       | Portman       | Taylor (NC) |
| Luther      | Poshard       | Tejeda      |
| Maloney     | Pryce         | Thomas      |
| Manton      | Quillen       | Thornberry  |
| Manzullo    | Quinn         | Thornton    |
| Markey      | Radanovich    | Thurman     |
| Martinez    | Rahall        | Tiahrt      |
| Martini     | Ramstad       | Torkildsen  |
| Mascara     | Reed          | Torricelli  |
| Matsui      | Regula        | Trafficant  |
| McCollum    | Reynolds      | Upton       |
| McCrery     | Richardson    | Vento       |
| McDade      | Riggs         | Visclosky   |
| McDermott   | Rivers        | Volkmer     |
| McHugh      | Roberts       | Vucanovich  |
| McInnis     | Roemer        | Waldholtz   |
| McIntosh    | Rogers        | Walker      |
| McKeon      | Rohrabacher   | Walsh       |
| McNulty     | Ros-Lehtinen  | Wamp        |
| Meehan      | Rose          | Ward        |
| Menendez    | Roth          | Watts (OK)  |
| Metcalf     | Roukema       | Waxman      |
| Meyers      | Royce         | Weldon (FL) |
| Mfume       | Sabo          | Weldon (PA) |
| Mica        | Salmon        | Weller      |
| Miller (CA) | Sanders       | White       |
| Miller (FL) | Sanford       | Whitfield   |
| Mineta      | Sawyer        | Wicker      |
| Minge       | Saxton        | Williams    |
| Mink        | Scarborough   | Wilson      |
| Moakley     | Schaefer      | Wise        |
| Molinari    | Schiff        | Wolf        |
| Mollohan    | Schroeder     | Wyden       |
| Montgomery  | Schumer       | Wynn        |
| Moorhead    | Scott         | Young (AK)  |
| Morella     | Seastrand     | Young (FL)  |
| Murtha      | Sensenbrenner | Zeliff      |
| Myers       | Shadegg       | Zimmer      |
| Myrick      | Shaw          |             |

#### NOES—34

|               |               |           |
|---------------|---------------|-----------|
| Beilenson     | Johnston      | Rush      |
| Clayton       | Kanjorski     | Serrano   |
| Collins (IL)  | Klecza        | Thompson  |
| Collins (MI)  | Lewis (GA)    | Torres    |
| Conyers       | Lowe          | Towns     |
| Dellums       | McHale        | Tucker    |
| Doyle         | McKinney      | Velazquez |
| Flake         | Moran         | Waters    |
| Foglietta     | Nadler        | Watt (NC) |
| Gutierrez     | Owens         | Woolsey   |
| Hastings (FL) | Payne (NJ)    |           |
| Jacobs        | Roybal-Allard |           |

#### ANSWERED "PRESENT"—4

|            |           |
|------------|-----------|
| Brown (FL) | Slaughter |
| Rangel     | Souder    |

#### NOT VOTING—13

|         |          |       |
|---------|----------|-------|
| Andrews | Gibbons  | Ortiz |
| Barton  | Gonzalez | Stark |
| Becerra | Linder   | Yates |
| Ehlers  | McCarthy |       |
| Fattah  | Meek     |       |

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Mr. RUSH changed his vote from "aye" to "no."

Messrs. CASTLE, CHRISTENSEN, WHITE, and DAVIS changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. CLINGER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LARGENT) having assumed the chair, Mr. LAHOOD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 450) to ensure economy and efficiency of Federal Government operations by establishing a moratorium on regulatory rulemaking actions, and for other purposes, had come to no resolution thereon.

#### PERMISSION FOR CERTAIN COMMITTEES TO SIT TOMORROW, FRIDAY, FEBRUARY 24, 1995, DURING 5-MINUTE RULE

Mr. HORN. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit tomorrow while the House is meeting in the Committee of the Whole House under the 5-minute rule: The Committee on Banking and Financial Services; the Committee on Commerce; the Committee on International Relations; the Committee on the Judiciary; the Committee on Transportation and Infrastructure; and the Committee on Veterans' Affairs.

It is my understanding that the minority has been consulted and that there is no objection to these requests.

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

Mr. WISE. Mr. Speaker, reserving the right to object, the Democratic minority has been consulted, and has no objection to that request. The agreement is made though, with the understanding that it has also been agreed that there would be 10 one-minute speeches per side when the House convenes in the morning. Is that the gentleman's understanding?

Mr. HORN. Mr. Speaker, if the gentleman will yield, that is our understanding.

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

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

There was no objection.

#### NOTICE OF HEARING ON CAPITAL BUDGETING ON THURSDAY, MARCH 2, 1995

Mr. HORN. Mr. Speaker, I rise to announce that the Subcommittee on Government Management, Information and Technology will be holding a hearing on capital budgeting on Thursday, March 2, 1995, in room 2154 Rayburn House Office Building at 2 p.m. The purpose of this hearing will be to examine the policy aspects of a capital budget.

#### PERMISSION TO INSERT PROGRAM AND REMARKS OF MEMBERS REPRESENTING THE HOUSE AT GEORGE WASHINGTON'S BIRTHDAY CEREMONIES

Mr. HORN. Mr. Speaker, I ask unanimous consent that the program and the remarks of the gentleman from California [Mr. HORN] and the gentleman from New Mexico [Mr. RICHARDSON], the two Members representing the House of Representatives at the wreath-laying ceremony at the Washington Monument for the observance of George Washington's birthday on Wednesday, February 22, 1995, be inserted in today's CONGRESSIONAL RECORD.

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

There was no objection.

#### REMARKS OF THE HONORABLE STEPHEN HORN GEORGE WASHINGTON: A WISE LEADER FOR AN EMERGING NATION

I congratulate the members of the National Park Service, not only on what you have done to preserve history in the nation's capital, but what you have done throughout the nation to give our fellow citizens, young and old, and visitors to our shores a view of the past and to convey the ideals of this nation which has given hope to those less fortunate. You do a great job, and all Americans appreciate it.

When we think of George Washington we think of a person of great character and presence. He was also a good listener, but when he spoke, other people immediately stopped to listen to what he had to say. He was a person of common sense. He was a wise leader.

He also had a sense of humor. Today in the United States Senate, Senator Craig Thomas of Wyoming will read the Farewell Address of President Washington. That tradition of the Senate reminds me that when Thomas Jefferson, who was not at the Constitutional Convention, came back from France, he visited his fellow Virginian and friend, George Washington, at Mount Vernon. He said, "George, you were President of the Constitutional Convention, why did you ever create the Senate of the United States?" Washington looked at Jefferson and said "Tom, why are you pouring your tea into a saucer?" Jefferson answered, "To cool it." "Thus so," smiled Washington, "that is why we created the Senate."

Washington was an outstanding executive, both military and civilian. He set the precedents for the office of the Presidency. When you think of his cabinet, you see four men of great talent: Thomas Jefferson, Secretary of State; Alexander Hamilton, Secretary of the Treasury; General Henry Knox, Secretary of War; and Edmund Randolph, Attorney General. Few cabinets have had such overall distinction. Some might equal it, but it would take ten or twelve people to equal those four.

In his wise and visionary Farewell Address to the nation, which I mentioned earlier, Washington influenced the policy of political parties in this country for over 150 years, when he cautioned against permanent entangling alliances with foreign nations.

It was Washington's wisdom, his thoughtfulness, his presence and character that set the foundation for a nation that would expand from 13 small colonies, newly states, westward across a continent. He had vision, and the characteristics of great leaders. We honor him, with good reason, on this day.

#### REMARKS OF THE HONORABLE BILL RICHARDSON

I am honored to join my colleague, the Honorable Stephen Horn, Councilman Jack Evans, the Park Service and other distinguished guests as we gather at the foot of this imposing monument to honor our nation's first President.

While local residents may grow accustomed to this huge monument, those of us who come here from a far are awestruck by it. We are taken back by its size and shape, its power and the unbelievable view or vision it offers for those who travel to its top. In fact, its size, its power and its vision are very much like the man it recognizes and the man we are honoring today.

George Washington was so admired and revered that no man challenged him for the office of the Presidency—Washington is the only person to seek the office without opposition. His two terms were a great success. He governed with dignity as well as restraint. He provided stability and authority which our young nation so sorely needed. He understood the need to compromise and reach agreement with men of opposing views.

One could easily argue that George Washington understood the Presidency because as Chairman of the Constitutional Convention he helped design our democracy. But, planning for a democracy and instituting a democracy were two very different tasks. Thankfully, George Washington was heroic at both missions.

In fact, George Washington was exceptional at many endeavors. Long before his rise to military leader of the War for Independence, he was a farm boy who had to grow up fast after his father died when he was just 11 years old. He taught himself surveying. Upon the death of his half-brother, he became a land owner of Mount Vernon at age 20. He was an active member of his community and his church. The rest, as they say, is history.

When compared to George Washington's 263rd birthday, we in New Mexico are quite young. Our state is only celebrating our 83rd birthday this year. Even though we may be a bit younger than our nation's founding father, we join our fellow states and countrymen with great enthusiasm and praise in honoring President Washington on this anniversary of his birth.

#### PRESIDENT GEORGE WASHINGTON, 263D BIRTHDAY OBSERVANCE, FEBRUARY 22, 1995, WASHINGTON MONUMENT, WASHINGTON, DC

##### PROGRAM

Opening: Arnold Goldstein, Superintendent, National Capital Parks-Central, National Park Service.

Presentation of the Colors: Joint Armed Services Color Guard.

To the Colors: Old Guard Fife and Drum Corps; Drum Major Anthony Hoxworth.

Welcome: Superintendent Goldstein.

Musical Selection: Old Guard Fife and Drum Corps.

Remarks: Russell Train, First Vice President, Washington National Monument Society; John Reynolds, Deputy Director, National Park Service; The Honorable Jack Evans, Councilmember Ward 2, Council of the District of Columbia; The Honorable Stephen Horn, U.S. House of Representatives, 38th District, California; and The Honorable Bill Richardson, U.S. House of Representatives, 3rd District, New Mexico.

The Wreath of the House of Representatives: Honorable Bill Richardson and Honorable Stephen Horn.

The Wreath of the Washington National Monument Society: Russell Train and Councilmember Jack Evans.