

(1) **CONDITIONAL RELEASE OF TEXTILE IMPORTS.**—A final rule published on December 2, 1994 (59 Fed. Reg. 61798), to provide for the conditional release by the Customs Service of textile imports suspected of being imported in violation of United States quotas.

(2) **TEXTILE IMPORTS.**—Any action which the head of the relevant agency and the Administrator of the Office of Information and Regulatory Affairs certify in writing is a substantive rule, interpretive rule, statement of agency policy, or notice of proposed rulemaking to interpret, implement, or administer laws pertaining to the import of textiles and apparel including section 334 of the Uruguay Round Agreements Act (P.L. 103-465), relating to textile rules of origin.

(3) **CUSTOMS MODERNIZATION.**—Any action which the head of the relevant agency and the Administrator of the Office of Information and Regulatory Affairs certify in writing is a substantive rule, interpretive rule, statement of agency policy, or notice of proposed rulemaking to interpret, implement, or administer laws pertaining to the customs modernization provisions contained in title VI of the North American Free Trade Agreement Implementation Act (P.L. 103-182).

(4) **ACTIONS WITH RESPECT TO CHINA REGARDING INTELLECTUAL PROPERTY PROTECTION AND MARKET ACCESS.**—A regulatory rulemaking action providing notice of a determination that the People's Republic of China's failure to enforce intellectual property rights and to provide market access is unreasonable and constitutes a burden or restriction on United States commerce, and a determination that trade action is appropriate and that sanctions are appropriate, taken under section 304(a)(1)(A)(ii), section 304(a)(1)(B), and section 301(b) of the Trade Act of 1974 and with respect to which a notice of determination was published on February 7, 1995 (60 Fed. Reg. 7230).

(5) **TRANSFER OF SPECTRUM.**—A regulatory rulemaking action by the Federal Communications Commission to transfer 50 megahertz of spectrum below 5 GHz from government use to private use, taken under the Omnibus Budget Reconciliation Act of 1993 and with respect to which notice of proposed rulemaking was published at 59 Federal Register 59393.

(6) **PERSONAL COMMUNICATIONS SERVICES LICENSES.**—A regulatory rulemaking action by the Federal Communications Commission to establish criteria and procedures for issuing licenses utilizing competitive bidding procedures to provide personal communications services—

(A) taken under section 309(j) of the Communications Act and with respect to which a final rule was published on December 7, 1994 (59 Fed. Reg. 63210); or

(B) taken under sections 3(n) and 332 of the Communications Act and with respect to which a final rule was published on December 2, 1994 (59 Fed. Reg. 61828).

(7) **WIDE-AREA SPECIALIZED MOBILE RADIO LICENSES.**—A regulatory rulemaking action by the Federal Communications Commission to provide for competitive bidding for wide-area specialized mobile radio licenses, taken under section 309(j) of the Communications Act and with respect to which a proposed rule was published on February 14, 1995 (60 Fed. Reg. 8341).

(8) **IMPROVED TRADING OPPORTUNITIES FOR REGIONAL EXCHANGES.**—A regulatory rulemaking action by the Securities and Exchange Commission to provide for increased competition among the stock exchanges, taken under the Unlisted Trading Privileges Act of 1994 and with respect to which proposed rulemaking was published on February 9, 1995 (60 Fed. Reg. 7718).

SEC. 10. DELAYING EFFECTIVE DATE OF RULES WITH RESPECT TO SMALL BUSINESSES.

(a) **DELAY EFFECTIVENESS.**—For any rule resulting from a regulatory rulemaking action that is suspended or prohibited by this Act, the effective date of the rule with respect to small businesses may not occur before six months after the end of the moratorium period.

(b) **SMALL BUSINESS DEFINED.**—In this section, the term "small business" means any business with 100 or fewer employees.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

House Resolution 148 was laid on the table.

THE JOURNAL

The **SPEAKER** pro tempore. Pursuant to clause 5 of rule I, the pending business is the question of the Speaker's approval of the Journal.

The question is on agreeing to the Speaker's approval of the Journal.

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

RECORDED VOTE

Mr. **SHADEGG**. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 372, nays 41, answered "present" 1, not voting 20, as follows:

[Roll No. 338]

YEAS—372

Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barrera
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Becerra
Beilenson
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Boucher
Brewster
Browder
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp

Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cramer
Crapo
Creameans
Cubin
Cunningham
Danner
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Doyle
Dreier

Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fields (LA)
Fields (TX)
Luther
Maloney
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Geren
Gilchrist
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood

Gunderson
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Lofgren
Longley
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum

McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
Meehan
Meek
Metcalf
Meyers
Mica
Miller (FL)
Minge
Mink
Moakley
Molinaro
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Peterson (FL)
Peterson (MN)
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Rangel
Reed
Regula
Reynolds
Richardson
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Salmon

Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shuster
Siskisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Velazquez
Vento
Visclosky
Walldholtz
Walker
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—41

Abercrombie
Brown (CA)
Clay
Crane
Durbin
Fazio
Filner
Gephardt
Gibbons
Gillmor
Gutknecht
Hastings (FL)
Hefley
Hilliard

Hinchey
Jacobs
Kennedy (MA)
Levin
Lewis (GA)
Lowey
McNulty
Menendez
Mfume
Miller (CA)
Mineta
Pickett
Pombo
Rahall

Rush
Sabo
Schroeder
Scott
Shays
Stark
Stockman
Stokes
Taylor (MS)
Thompson
Volkmer
Waters
Yates

ANSWERED "PRESENT"—1

Harman

NOT VOTING—20

| | | |
|--------------|----------|------------|
| Bateman | Davis | Klecza |
| Berman | Dornan | Lipinski |
| Bono | Fattah | Pelosi |
| Borski | Flake | Riggs |
| Brown (FL) | Hayes | Schumer |
| Chapman | Hoyer | Vucanovich |
| Collins (IL) | Johnston | |

□ 1216

Messrs. WELDON of Pennsylvania, SERRANO, and WELDON of Florida changed their vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 67, CONCURRENT RESOLUTION ON THE BUDGET—FISCAL YEAR 1996

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 149 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 149

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 concurrent resolution (H. Con. Res. 67) setting forth the congressional budget for the United States Government for the fiscal years 1996, 1997, 1998, 1999, 2000, 2001, and 2002. The first reading of the concurrent resolution shall be dispensed with. All points of order against the concurrent resolution and against its consideration are waived. General debate shall be confined to the congressional budget and shall not exceed six hours (including one hour on the subject of economic goals and policies) equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget. After general debate the concurrent resolution shall be considered for amendment under the five-minute rule. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. The concurrent resolution, as amended, shall be considered as read. No further amendment shall be in order except those designated in section 2 of this resolution. Each amendment may be offered only in the order designated, may be offered only by a Member designated, shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments designated in section 2 are waived except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of the concurrent resolution for amendment. After the conclusion of consideration of the concurrent resolution for amendment, and a final period of general debate, which shall not exceed ten minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget, the Committee shall rise and report the concurrent resolution to the House with such amendment as may have been adopted. The previous question shall be considered as ordered on the concurrent resolution and amendments

thereto to final adoption without intervening motion except amendments offered by the chairman of the Committee on the Budget pursuant to section 305(a)(5) of the Congressional Budget Act of 1974 to achieve mathematical consistency. The concurrent resolution shall not be subject to a demand for division of the question of its adoption.

SEC. 2. The following amendments are in order pursuant to the first section of this resolution:

(1) An amendment in the nature of a substitute by Representative Gephardt of Missouri printed not later than May 16, 1995, in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII, if proposing a Congressional budget in which total outlays for the fiscal year 2002 do not exceed total receipts for that fiscal year.

(2) An amendment in the nature of a substitute by Representative Neumann of Wisconsin or Representative Solomon of New York consisting of the text of House Concurrent Resolution 66.

(3) An amendment in the nature of a substitute by Representative Payne of New Jersey or Representative Owens of New York printed by Representative Payne on May 16, 1995, in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII.

(4) An amendment in the nature of a substitute by the minority leader or a designee printed by him not later than May 17, 1995, in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII, if proposing a Congressional budget based on a revised budget submission by the President to the Congress in which total outlays for the fiscal year 2002 do not exceed total receipts for that fiscal year.

SEC. 3. Rule XLIX shall not apply with respect to the adoption by the Congress of a conference report to accompany a concurrent resolution setting forth the congressional budget for the United States Government for the fiscal years 1996, 1997, 1998, 1999, 2000, 2001, and 2002.

The SPEAKER pro tempore (Mr. GOODLATTE). The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

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

(Mr. SOLOMON asked and was given permission to revise and extend his remarks, and include therein extraneous material.)

Mr. SOLOMON. Mr. Speaker, today is a truly historic day in this Chamber and one that I personally have waited for for a long time, because this will be the first time that this Congress will actually debate how to balance a budget instead of whether we will balance the budget at all.

Why is this so? Because we have written the rules of this debate so that only four alternatives can be offered, and all four alternatives, ladies and gentlemen, balance the budget. Can you believe that? That, ladies and gentlemen, is truly historic. So much so that I am so excited I really can hardly stand it.

Mr. Speaker, let me get to the text of the rule itself, and Members should lis-

ten because it is a complicated, complex rule.

House Resolution 149 is a modified closed rule providing for the consideration of House Concurrent Resolution 67, the concurrent resolution on the budget for fiscal years 1996 through the year 2002. The rule provides for 6 hours of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Budget, including 1 hour of debate on the so-called Humphrey-Hawkins legislation economic goals and policies. All points of order are waived against the budget resolution and its consideration.

This rule provides for the adoption in the House and in the Committee of the Whole of an amendment printed in the Committee on Rules report relating to spending on agriculture programs, and for those Members who might not come from agricultural districts, they might listen to this too. This is a sense-of-Congress provision to reconsider spending reductions in fiscal years 1999 and 2000 if certain conditions are not met. This amendment is language worked out between the Committee on Agriculture chairman and the leadership to ensure that spending reductions for agricultural programs do not have an adverse impact on the farm economy, and that is very important.

This rule makes in order four amendments in the nature of substitutes, subject to 1 hour of debate each, and waives points of order against them, except that it does not allow for the consideration of subsequent substitutes if any one substitute is adopted.

Before I go any further, Mr. Speaker, this is the most important part of my statement, Mr. Speaker, that provision in the rule means quite simply that there are no free votes on this budget resolution coming up. The adoption of any substitute will bring the House to a vote on final adoption of the budget resolution as amended, immediately.

This is the old-fashioned amendment process, it is not a king-of-the-hill or so-called queen-of-the-hill process. The four substitutes in their order of consideration are important, because if any one of these pass, then the debate immediately ceases and we go right to final passage. The first substitute to be offered will be an amendment by Representative GEPHARDT printed in yesterday's CONGRESSIONAL RECORD which is the text of the so-called coalition budget. That is the first substitute before us.

Second, a substitute to be offered by Representatives NEUMANN and SOLOMON, that is myself, consisting of House Concurrent Resolution 66, which you all have before you. This achieves a balanced budget by the fiscal year 2000, that is within 5 years.

Third, a substitute by Representative PAYNE of New Jersey and Representative OWENS of my State of New York printed in yesterday's RECORD, that is the Black Caucus budget.

And fourth, and this is important, an amendment printed in the RECORD by