

PROVIDING FOR CONSIDERATION OF H.R. 2127, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 208 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 208

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. 2127) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, and for other purposes. 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 Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule, and the first amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution shall be considered as pending. The reading of the bill for further amendment shall not proceed until after disposition of the amendments printed in part 1 of the report. Each amendment printed in part 1 of the report may be considered only by a Member designated in the report, shall be considered as read, shall be debatable for ten minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. After disposition of the amendments printed in part 1 of the report, the provisions of the bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule. Further consideration of the bill for amendment shall proceed by title rather than by paragraph. Each title shall be considered as read. Points of order against provisions considered as the original bill for failure to comply with clause 2 or 6 of rule XXI are waived. It shall be in order at any time to consider the amendments printed in part 2 of the report of the Committee on Rules. Each amendment printed in part 2 of the report may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against amendments printed in the report of the Committee on Rules are waived. During further 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.

MOTION TO ADJOURN

Mr. OBEY. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore (Mr. Dickey). The question is on the motion offered by the gentleman from Wisconsin [Mr. OBEY].

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

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by election device, and there were—yeas 120, nays 289, answered “present” 1, not voting 24, as follows:

[Roll No 609]

YEAS—120

Abercrombie
Ackerman
Baldacci
Barcia
Becerra
Bentsen
Bevill
Bishop
Bonior
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Clay
Clayton
Clyburn
Coleman
Collins (MI)
Condit
Conyers
Coyne
Danner
de la Garza
DeLauro
Dellums
Deutsch
Dingell
Dixon
Durbín
Engel
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)

Frost
Gejdenson
Gephardt
Gutierrez
Hastings (FL)
Hayes
Hefner
Hoyer
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Lantos
Levin
Lewis (GA)
Lowey
Maloney
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McKinney
McNulty
Meek
Mineta
Mink
Mollohan
Montgomery
Moran
Nadler
Oberstar
Obey
Olver
Owens

Pallone
Pastor
Payne (NJ)
Pelosi
Pickett
Pomeroy
Rangel
Reed
Richardson
Rivers
Roybal-Allard
Rush
Sabó
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Slaughter
Stark
Stenholm
Stokes
Studds
Thompson
Torres
Torricelli
Towns
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
Woolsey
Wynn
Yates

NAYS—289

Allard
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Beilenson
Bereuter

Berman
Bilbray
Bilirakis
Bliley
Boehert
Boehner
Bonilla
Bono
Borski
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr

Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble

Coburn
Collins (GA)
Collins (IL)
Combest
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremins
Cubin
Cunningham
Davis
Deal
DeFazio
DeLay
Diaz-Balart
Dickey
Dicks
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Eshoo
Everett
Ewing
Fawell
Fields (LA)
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Furse
Gallegly
Ganske
Gekas
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Harman
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary

Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kennelly
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lucas
Luther
Manzullo
Martini
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
Meehan
Menendez
Metcalfe
Meyers
Mica
Miller (FL)
Minge
Molinar
Moorhead
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Oxley
Packard

Parker
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pombo
Porter
Portman
Poshard
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Solomon
Souder
Spence
Spratt
Stearns
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thornton
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Wyden
Young (FL)
Zeliff
Zimmer

ANSWERED “PRESENT”—1

Blute

NOT VOTING—24

Andrews
Bateman
Chapman
Hansen
Hilliard
Jacobs
Manton
Mfume

Miller (CA)
Moakley
Orton
Pryce
Reynolds
Riggs
Roberts
Seastrand

Smith (WA)
Thurman
Tucker
Volkmer
Waldholtz
Williams
Wilson
Young (AK)

□ 1051

Messrs. KIM, MEEHAN, INGLIS of South Carolina, SMITH of New Jersey,

Ms. JACKSON-LEE, and Ms. FURSE changed their vote from "yea" to "nay."

Mr. WARD changed his vote from "nay" to "yea."

So the motion was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 2127, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore (Mr. DICKEY). 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 may consume. During consideration of the resolution, all time yielded is for the purpose of debate only.

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

Mr. SOLOMON. Mr. Speaker, House Resolution 208 is an open rule. It provides for the consideration of the bill, H.R. 2127, which is the fiscal year 1996 appropriation bill for the Departments of Labor, Health and Human Services, and Education.

The rule provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority members of the Committee on Appropriations. However, I would hasten to add that I have been authorized by the Committee on Rules to offer an amendment to extend that general debate time from 1 hour to 2½ hours, plus 90 minutes each on the first three titles of the bill. That will total about 8 hours all together.

Mr. Speaker, the offering of that amendment was contingent on other arrangements being worked out between the chairman and ranking minority member of the Committee on Appropriations. I will withhold that manager's amendment until the end of the rule, in hopes that we could get that unanimous consent worked out.

Mr. Speaker, following general debate, the rule first makes in order two manager's amendments printed in part 1 of the report. The amendments are not subject to amendment and are debatable for 10 minutes each. If adopted, they will become a part of the base text for further amendment purposes.

Mr. Speaker, the rule provides for reading the bill by title rather than by paragraph, with each title considered as read. Members should go back and make sure they know where their amendments come up because of that.

The provisions of clauses 2 and 6 of House rule XXI are waived against provisions in the bill to protect the many unauthorized and legislative provisions in the bill. However, those provisions are subject to cutting and striking amendments under this open rule.

In addition to the regular amendment process, the rule makes in order three additional amendments contained in part 2 of the Committee on Rules report, and it waives points of order against them.

Mr. Speaker, the first of those amendments is by the gentleman from Pennsylvania [Mr. GREENWOOD] that restores \$193 million to the Title X Family Planning Program by transferring the funds from the maternal and child health block grant and migrant health centers.

The Greenwood amendment is subject to one amendment, and that is a substitute amendment by the gentleman from New Jersey [Mr. SMITH] that would terminate funding for the Title X Family Planning Program and would transfer those funds back to the maternal and child health block grant and the migrant health centers.

Both the Greenwood amendment and the Smith substitute are subject to 30 minutes of debate each, divided equally between the proponent and the opponent.

Mr. Speaker, these two amendments are the product of many, many hours of negotiations. The gentleman from Arkansas [Mr. DICKEY] sat through many of them last night between the various parties on both sides of this very controversial issue.

Mr. Speaker, I just want to commend our leadership, and all the Members who did participate in those negotiations, for their good-faith efforts to bring this to a successful conclusion.

The other amendment specifically made in order in part 2 of the committee report is an amendment by the gentleman from Idaho [Mr. CRAPO], myself, and a group of others on a bipartisan basis. That amendment establishes a deficit reduction lockbox law that would apply to this and all future appropriation bills.

That amendment is not subject to amendment and is debatable for 40 minutes, equally divided between the proponent and the opponent.

Mr. Speaker, I am especially pleased with the amendment, since it is the product of the leadership of the gentleman from Idaho [Mr. CRAPO] and a bipartisan group of Members to develop a workable lockbox law that will lock in savings made in the appropriations process for reducing the deficit.

Included in that group of bipartisan Members are the gentleman from Oklahoma [Mr. BREWSTER] and the gentleman from California [Ms. HARMAN] on the Democrat side, and the gentleman from Florida [Mr. FOLEY], the

gentleman from Oklahoma [Mr. LARGENT], the gentleman from New Jersey [Mr. ZIMMER], the gentleman from California [Mr. ROYCE], and the gentleman from Wisconsin [Mr. NEUMANN] on the Republican side, and a number of others.

The Committee on Rules has also reported this as a separate bill, H.R. 1162, that we hope to take up on the floor later this fall. So, Mr. Speaker, we will go in a tandem route where we will have not only a bill working its way through Congress, but we will have this amendment attached to this appropriation bill working its way through Congress as well.

□ 1100

That was a commitment that was made to Members who support this, and we are fulfilling that commitment today. In the meantime, this amendment to the Labor-HHS bill will ensure that from now on we will utilize this process.

We are especially grateful to the Committee on the Budget, the Committee on Government Reform and Oversight, and the Committee on Appropriations for all of their assistance and support in producing this consensus approach to the lockbox. I would be remiss if I did not especially single out the Committee on Rules Subcommittee on Legislative and Budget Process, the gentleman from Florida [Mr. GOSS], sitting next to me over here, who was so instrumental in negotiating this bipartisan compromise, and finally we would commend our leadership on its commitment to bring this amendment forward today on this bill and for having an open mind on the concept while it was being developed.

I think we have once again proved this Congress is a reform Congress and that the reform process did not end on opening day but rather is an ongoing process, as well it should be.

Mr. Speaker, the Labor-HHS-Education bill has been a very, very difficult bill to fashion, given our new glide path towards a balanced budget in the next 7 years. The chairman of the subcommittee, the gentleman from Illinois [Mr. PORTER], and the ranking member, the gentleman from Wisconsin [Mr. OBEY], are to be commended on working together to bring this bill to us today even though they obviously do not agree on all the particulars or priorities in the bill. But we do have the bill here on the floor.

In conclusion, this is a good rule because it is an open and a fair rule that will allow a majority of this House to work its will within the allocations made to this bill and its subcommittee. I, therefore, urge my colleagues to give their strong support for this rule.

The information referred to follows: