

stands in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 16 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1701

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. BURTON of Indiana] at 5 o'clock and 1 minute p.m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment bills and a concurrent resolution of the House of the following titles:

H.R. 1514. An act to authorize and facilitate a program to enhance safety, training, research and development, and safety education in the propane gas industry for the benefit of propane consumers and the public, and for other purposes;

H.R. 1823. An act to amend the Central Utah Project Completion Act to direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Central Utah Water Conservancy District dated December 28, 1965, and November 26, 1985, and for other purposes;

H.R. 2967. An act to extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978, and for other purposes;

H.R. 3660. An act to make amendments to the Reclamation Wastewater and Groundwater Study and Facilities Act, and for other purposes;

H.R. 3871. An act to waive temporarily the Medicaid enrollment composition rule for certain health maintenance organizations;

H.R. 3973. An act to provide for a study of the recommendations of the Joint Federal-State Commission on Policies and Programs Affecting Alaska Natives;

H.R. 4138. An act to authorize the hydrogen research, development, and demonstration programs of the Department of Energy, and for other purposes;

H.R. 4168. An act to amend the Helium Act to authorize the Secretary to enter into agreements with private parties for the recovery and disposal of helium on Federal lands, and for other purposes; and

H. Con. Res. 207. Concurrent resolution approving certain regulations to implement provisions of the Congressional Accountability Act of 1995 relating to labor-management relations with respect to covered employees, other than employees of the House of Representatives and employees of the Senate, and for other purposes.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2779. An act to provide for appropriate implementation of the Metric Conversion Act of 1975 in Federal construction projects, and for other purposes; and

H.R. 3118. An act to amend title 38, United States Code, to reform eligibility for health care provided by the Department of Veterans Affairs.

The message also announced that the Senate has passed a bill of the follow-

ing title in which the concurrence of the House is requested:

S. 2130. An act to extend certain privileges, exemptions, and immunities to Hong Kong Economic and Trade Offices.

ANNOUNCEMENT OF LEGISLATION TO BE CONSIDERED UNDER SUSPENSION OF THE RULES TODAY

Ms. PRYCE. Mr. Speaker, pursuant to House Resolution 525, the following suspensions are expected to be considered today: H.R. 3005, SEC conference report, and S. 2003, armored car.

WAIVING ENROLLMENT REQUIREMENTS WITH RESPECT TO ANY BILL OR JOINT RESOLUTION OF 104TH CONGRESS MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1997

Ms. PRYCE. Mr. Speaker, I ask unanimous consent for the immediate consideration in the House of the joint resolution (H.J. Res. 197) waiving certain enrollment requirements with respect to any bill or joint resolution of the One Hundred Fourth Congress making general or continuing appropriations for fiscal year 1997.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 197

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. WAIVER OF REQUIREMENT FOR PARCHMENT PRINTING.

(a) WAIVER.—The provisions of sections 106 and 107 of title 1, United States Code, are waived with respect to the printing (on parchment or otherwise) of the enrollment of any appropriation measure of the One Hundred Fourth Congress presented to the President after the enactment of this joint resolution.

(b) CERTIFICATION OF ENROLLMENT BY COMMITTEE ON HOUSE OVERSIGHT.—The enrollment of any such measure shall be in such form as the Committee on House Oversight of the House of Representatives certifies to be a true enrollment.

SEC. 2. APPROPRIATION MEASURE DEFINED.

For purposes of this joint resolution, the term "appropriation measure" means a bill or joint resolution that includes provisions making general or continuing appropriations for the fiscal year ending September 30, 1997.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF CERTAIN RESOLUTIONS IN PREPARATION FOR ADJOURNMENT SINE DIE

Ms. PRYCE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 546 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 546

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House a joint resolution waiving certain enrollment requirements with respect to any bill or joint resolution of the One Hundred Fourth Congress making general or continuing appropriations for fiscal year 1997. The joint resolution shall be debatable for one hour equally divided and controlled by the majority leader and the minority leader or their designees. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except one motion to commit.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House a joint resolution appointing the day for the convening of the first session of the One Hundred Fifth Congress and the day for counting in Congress of the electoral votes for President and Vice President cast in December 1996. The joint resolution shall be debatable for one hour equally divided and controlled by the majority leader and the minority leader or their designees. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except one motion to commit.

SEC. 3. A resolution providing that any organizational caucus or conference in the House of Representatives for the One Hundred Fifth Congress may begin on or after November 15, 1996, is hereby adopted.

SEC. 4. A resolution providing for the printing of a revised edition of the Rules and Manual of the House of Representatives for the One Hundred Fifth Congress as a House document, and for the printing and binding of three thousand additional copies for the use of the House, of which nine hundred copies shall be bound in leather with thumb index and delivered as may be directed by the Parliamentarian of the House, is hereby adopted.

SEC. 5. Each committee of the House that is authorized to conduct investigations may file reports to the House thereon following the adjournment of the second session sine die.

SEC. 6. Reports on the activities of committees of the House in the One Hundred Fourth Congress pursuant to clause 1(d) of rule XI may be printed as reports of the One Hundred Fourth Congress.

SEC. 7. The Speaker and the minority leader may accept resignations and make appointments to commissions, boards, and committees following the adjournment of the second session sine die as authorized by law or by the House.

SEC. 8. The chairman and ranking minority member of each standing committee and subcommittee may extend their remarks in the Congressional Record and include a summary of the work of their committee or subcommittee.

SEC. 9. All Members may extend their remarks in the Congressional Record on any matter occurring prior to the adjournment of the second session sine die.

The SPEAKER pro tempore. The gentleman from Ohio [Ms. PRYCE] is recognized for 1 hour.

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

GENERAL LEAVE

Ms. PRYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this resolution and that I may be permitted to insert extraneous materials into the RECORD following debate on the rule.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Ms. PRYCE. Mr. Speaker, House Resolution 546 is a straight-forward resolution providing for the consideration of certain measures in preparation for the sine die adjournment of the second session of the 104th Congress.

Specifically, the rule makes in order resolutions waiving certain requirements with respect to the following actions:

The enrollment of general or continuing appropriations bills for fiscal year 1997; the convening of the first session of the 105th Congress and the day for counting electoral votes for President and Vice President of the United States; the convening of any organizational caucus or conference in the House for the 105th Congress; the printing and distribution of a revised edition of the House Rules and Manual for the 105th Congress; authorizing committees to file investigative reports after the adjournment of the 104th Congress; authorizing the filing and printing of committee activity reports; authority to accept resignations and to make appointments to certain commissions, boards, and committees following adjournment, or as authorized by law or by the House; permitting chairmen and ranking minority members of each committee and subcommittee of the House to revise and extend their remarks in the RECORD on the work of their respective panels; and, finally, permitting all Members to revise and extend their remarks in the RECORD on any matter occurring before the second session of the 104th Congress is adjourned sine die.

Mr. Speaker, ordinarily these non-controversial housekeeping matters are addressed by the House under unanimous consent agreements. But, regrettably, not all of these items have been cleared in advance with our friends in the minority.

So, as a precaution, the Rules Committee has taken the step of preparing a very simple, straight-forward rule in preparation for the sine die adjournment of the second session of this historic 104th Congress. I would assure my colleagues across the aisle that there is no hidden agenda in this rule, and I encourage all Members to give it their full support.

Mr. Speaker, since this may very well be the final rule brought to the floor by the Rules Committee in the 104th Congress, I want to take a moment to publicly commend Chairman SOLOMON for his leadership on the committee and for his commitment to furthering the cause of fair and open debate in this body.

Much has been said in recent weeks about what this Congress has accomplished during the past 2 years. Reform, especially internal reform of the House, has been one of our highest priorities, and the Rules Committee, under Mr. SOLOMON's able leadership, has proudly played an active role in keeping congressional and fiscal reform a front-burner issue.

Of course, I would be remiss if I did not also recognize the many years of hard work by the distinguished chairman emeritus of the Rules Committee, Mr. QUILLEN, as well as the fine contributions of two other Members who will be leaving us at the end of this session—Ms. GREENE of Utah, and Mr. BEILENSON of California. I know their efforts will no doubt be missed by our committee and by this body in the future.

In closing, Mr. Speaker, let me emphasize that the resolution before us is not complicated and it is designed only to facilitate the House's consideration of simple administrative matters related to the operations of the House after this session has concluded its business.

The rule was reported by the Rules Committee last night by a unanimous voice vote, and I urge its swift adoption by the full House today.

Mr. Speaker, I just have to say, with utmost respect, that I hope that the 22-to-10 lead that the Ohio State Buckeyes have over the Fighting Irish does not bring the gentleman from Massachusetts [Mr. MOAKLEY] to take it out on the Republicans this afternoon.

The SPEAKER pro tempore. The Chair would remind the gentlewoman that the Chair is from Indiana.

Ms. PRYCE. Mr. Speaker, I include the following extraneous material for the RECORD:

HOUSE RULES COMMITTEE SPEARHEADS MAJOR REFORMS IN THE 104TH CONGRESS

"The Rules Committee not only hit the ground running on the opening day of the 104th Congress," recalls Chairman Gerald B.H. Solomon (R-NY), "we had parachuted behind the lines weeks before that to lay the groundwork for the most monumental reform of the House in nearly a century."

Solomon continued, "And we didn't rest on our reform laurels following that historic and marathon 14-hour opening day on January 4th of 1995. Our Committee has been spearheading further reforms ever since because we recognize that House restoration and rejuvenation must be an ongoing and dynamic process if we are to keep the People's House close to the people and enable it to confront the problems of the next century." Below is a summary released by Chairman Solomon today of the House reforms adopted to date.

Opening Day House Rules Reforms (H. Res. 6, adopting House Rules for the 104th Congress, Jan. 4, 1995).—The resolution adopting House Rules for the 104th Congress included ten items from the "Contract With America" plus 23 other changes in House Rules. These include reforms that:

Abolished 3 House standing committees (Post Office & Civil Service, Merchant Marine & Fisheries, and District of Columbia);

Limited committees to no more than 5 subcommittees (resulting in the elimination of some 25 subcommittees);

Reduced committee staffs and funding by one-third from the previous Congress;

Placed 6-year term limits on committee and subcommittee chairmen, and an 8-year term limit on the Speaker;

Abolished the use of proxies ("ghost voting") in committees and subcommittees;

Required publication of committee rollcall votes in reports;

Guaranteed broadcast media the right to cover public committee meetings and hearings;

Required three-fifths vote to pass income tax rate increases and prohibited retroactive income tax increases;

Abolished legislative service organizations (taxpayer subsidized special interest caucuses);

Required committee transcripts and Congressional Record to be verbatim accounts;

Prohibited introduction or consideration of commemorative legislation (establishing special days, week, months, etc.);

Required committees to adopt and implement oversight agendas;

Required a comprehensive outside audit of House books;

Abolished joint bill referrals to multiple committees, while requiring designation of a primary committee and time limits on sequential referrals to secondary committees;

Abolished "rolling quorums" that permitted "drop-by voting" to report bills.

Congressional Accountability Act (H.R. 1, passed House Jan. 4, 1995; companion bill, S. 2, enacted into law Jan 23, 1995, Public Law 104-1).—Brought Congress under the same employment laws that apply to the private sector.

Committee Hearing Schedules (H. Res. 43, adopted Jan. 31, 1995).—Required committee hearings to be noticed at least a week in advance unless chairman and ranking minority member agree or committee majority vote on shorter notice.

Unfunded Mandate Reform (H.R. 5, passed House Feb. 1, 1995; Senate companion bill, S. 1, enacted into law March 22, 1995, Public Law 104-4).—Required special procedures and points of order in the House and Senate to identify and vote on unfunded mandates on private sector and state and local governments contained in bills reported by committees and in amendments offered from the floor.

House Corrections Calendar (H. Res. 168, adopted June 20, 1995).—Established a new House Corrections Calendar to consider bills reported by committees to correct "dumb" regulations and clarify intent of Congress by reversing certain court decisions.

House Gift Ban (H. Res. 250, adopted by House Nov. 16, 1995).—Prohibited House Members and staff from accepting gifts from persons other than relatives and close personal friends.

Book Contracts (H. Res. 299, adopted Nov. 30, 1996).—Prohibited House Members and senior staff from accepting advances on books and required pre-approval of contracts by ethics committee.

Deficit Reduction Lock Box (H.R. 1162, passed House Sept. 13, 1995).—Established process for crediting amounts saved on amendments to appropriations bill to apply to deficit reduction.

Legislation Line-Item Veto (H.R. 2, passed House Feb. 6, 1995; Senate companion bill, S. 4, enacted into law April 9, 1996, Public Law 104-130).—Authorized President to cancel certain spending items, special interest tax breaks and entitlement provisions from laws, subject to Congressional override votes).

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

Mr. MOAKLEY. Mr. Speaker, I have no venom. BC won big yesterday, so I am very happy.

Mr. Speaker, I thank the gentlewoman from Ohio [Ms. PRYCE] for yielding me the customary half hour and I yield myself such time as I may consume.

I agree with the gentlewoman from Ohio [Ms. PRYCE] about the colleagues that are leaving the Rules Committee. They have all contributed greatly to the process, all three of them, two Republicans and one Democrat, and the Rules Committee will be a lesser place because of their departure.

Mr. Speaker, I thank my colleague from Ohio, Ms. PRYCE. The rule we are considering this afternoon sounds very complicated.

In fact the business contained in this bill is normally enacted by unanimous consent but, this session is different.

This session we have a very serious ethics investigation going on.

For that reason I urge my colleagues to oppose the previous question.

This rule in and of itself is not particularly problematic but I'm going to ask my colleagues to vote "no" on the previous question.

Late this week the House Ethics Committee voted unanimously to expand the independent counsel's investigation of Speaker GINGRICH. The contents of that new investigation could have some very, very important ramifications for the leadership of the Congress and we must make sure that we have a way to address them. Unless we reconvene we will not be able to, Mr. Speaker; if the previous question is defeated, the House shall reconvene on the first Monday after the independent counsel reports back on its new investigation of Speaker GINGRICH. At the moment we have no idea what will be in the report and we don't know how we may need to respond to its contents if we oppose the previous question we give ourselves a way to respond.

Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Michigan [Mr. BONIOR], the minority whip of the Democratic Party.

Mr. BONIOR. I thank my friend for yielding me this time.

Mr. Speaker, I would like to read the editorial that was in the New York Times this morning, at least one or two paragraphs. It is entitled "Mr. Gingrich's Troubles Deepen."

A House Ethics Committee that had appeared paralyzed by partisan bickering has taken a startling step in its long-stalled investigation of Speaker Newt Gingrich. The committee of five Republicans and five Democrats voted unanimously to broaden its inquiry, adding four new charges against Mr. Gingrich.

POINTS OF ORDER

Mr. WALKER. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will suspend. The gentleman will state his point of order.

Mr. WALKER. The gentleman in the well is engaging in debate which is beyond the rules of the House in that he is discussing matters that are presently active before the Ethics Committee.

The SPEAKER pro tempore. Does the gentleman from Michigan wish to be heard on the point or order?

Mr. BONIOR. I do.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. BONIOR. This resolution, Mr. Speaker, is about what happens to the House after the House of Representatives adjourns. Clearly, the issue which I am addressing is important in resolving that question. The Speaker of the House has traditionally, under the resolutions of recent years, been able to call us back into session if indeed there was a national or international emergency to do so. However, the agreement was reached in terms of giving the Speaker that power. It seems to me with the cloud hanging over the head of this institution because of the alleged violations by the Speaker on tax fraud and misleading the committee and other issues, that in fact the committee has just today broadened in terms of its interest in GOPAC—

Mr. WALKER. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will suspend. The gentleman will state his point of order.

Mr. WALKER. The gentleman in his discussion on the point of order is engaged in debate beyond the rules of the House.

The SPEAKER pro tempore. The point of order is sustained. The gentleman in the well must properly focus on the point of order at hand.

Mr. BONIOR. Mr. Speaker, I am trying to make the point that this resolution is about the Speaker's authority to bring us back.

□ 1715

We are attempting to amend that particular resolution in order, because the Speaker is at question here on a very important point.

In order to trigger the House back into session, if indeed the special counsel issues its report to the Committee on Standards of Official Conduct, it is entirely within the scope of the discussion that we are having on this particular rule.

The SPEAKER pro tempore (Mr. BURTON of Indiana). The Chair is prepared to rule.

Matters pending before the Committee on Standards of Official Conduct regarding the official conduct of sitting Members may not be debated on the House floor if there is not pending a question of the privileges of the House. This has been the consistent ruling of the Chair in this and prior Congresses.

The fact that the committee may have issued an interim status report does not justify such references in debate. This also includes references to proposed House action on and scheduling of matters relating to the conduct of Members.

The gentleman may proceed in order.

POINT OF ORDER

Mr. VOLKMER. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. VOLKMER. Mr. Speaker, according to the resolution presently pending before the House that, in the event that the Committee on Standards of Official Conduct would make a full report to the House subsequent to adjournment sine die, and in that report would either call for the resignation, reprimand, or expulsion of the Speaker, that this House, under this resolution, would not be able to come back in and take up that report.

Now, the debate is, correct me if I am wrong, I think the debate is whether or not this resolution should be amended as to whether or not the House should be able to come back in to take up such a report and take action on that report.

Now, what my point of order is, is the Chair now saying we cannot discuss the aspect of this resolution that is pending before the House?

The SPEAKER pro tempore. The Chair will respond to the gentleman's point of order.

The question is not necessarily merely one of relevance. The question is one of personalities and decorum in debate. Members must avoid personalities within the meaning of rule XIV and the precedents thereunder.

Mr. VOLKMER. You are not saying we cannot debate the issue then. What you are saying is, we should not get into personalities. Is that correct? Is that the Chair's ruling?

The SPEAKER pro tempore. That is the Chair's ruling.

POINT OF ORDER

Mr. GEJDENSON. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. GEJDENSON. Mr. Speaker, in order to try to have an uncensored debate, but without bringing the Speaker into the issue, if Members were to try to have a dialog or debate regarding a potential Speaker indictment or other actions, how would Members be able to inquire as to a debate on this issue without violating the rules of the House?

For instance, if we were not to name this particular Speaker, but simply spoke—

The SPEAKER pro tempore. The gentleman will suspend.

The Chair cannot anticipate that and will rule on that when and if the occasion arises.

The gentleman from Michigan [Mr. BONIOR] may proceed in order.

Mr. BONIOR. Mr. Speaker, the point that I wish to make this evening is that we should not leave it up to the present Speaker to decide whether the House reconvenes to consider his own case. It is a very simple and obvious—

POINT OF ORDER

Mr. LINDER. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. LINDER. The gentleman is referring to matters appropriately before the Committee on Standards of Official Conduct, and he is explicitly out of order.

The SPEAKER pro tempore. The Chair sustains the point of order, and personal references to the Speaker are out of order.

The gentleman may proceed in order.

Mr. BONIOR. I will not reference the Speaker then, Mr. Speaker. What I will do is talk with respect to the procedures.

We are offering, as my distinguished colleague from Massachusetts has just done, an amendment to this resolution which allows the House to reconvene as soon as the outside counsel submits a report. It is as simple as that.

And since the resolution deals with the question of whether or not the Speaker of the House should bring the House back into session during the period in which we are adjourned sine die, it seems to me this is a proper subject for discussion, especially given the particular situation that the House finds itself in with respect to its reputation and with respect to its leader.

So I would ask my colleagues to support the amendment offered by my friend from Massachusetts [Mr. MOAKLEY] and to support the editorial that was written today in the New York Times which supports the position that we have taken this evening.

Ms. PRYCE. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. GOSS].

Mr. GOSS. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, I happened to catch some of this in my office, and I was concerned about what the resolution might say. I have an inquiry to make to the maker of the resolution, which apparently is at the core of this debate.

Mr. Speaker, if I am reading it right, it says the House of Representatives shall convene on the first Monday after the submission of the special counsel's report on Speaker NEWT GINGRICH to the Investigative Subcommittee to the Committee on Standards of Official Conduct. I cannot comment, of course, on anything going on in that subcommittee, but I cannot in any way assure that there is such a thing now or ever as a special counsel's report.

The second thing that I need to point out to the maker of this resolution is that the potential time in this, even if there were to be such a thing as a report at some point, might well be into the future. I presume that the Nation's business should go forward without regard to a resolution that is as ephemeral as this one is. I would like to know whether the maker of the resolution has any time in mind?

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

Mr. GOSS. I will not yield to the gentleman. I will only make that inquiry to those arguing the other point and trying to use dilatory tactics on this rule.

Mr. MOAKLEY. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, it is deeply disturbing that this Congress would choose to leave town with a dark ethical cloud hanging over the U.S. House of Representatives. That cloud, the ethical charges against the Speaker, grows bigger and darker almost every day.

The New York Times today says on its editorial page that we should not adjourn—that the House should not adjourn and simply pass this mess along to a new Congress and a new Ethics Committee. As the New York Times says, "Had the Republicans been less eager to protect the Speaker, the whole case might have been resolved by now."

Clearly this investigation has dragged on for far too long. Let us not contribute to the delay any longer.

POINT OF ORDER

Mr. LINDER. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. LINDER. Mr. Speaker, the gentlewoman is referring to matters before the Committee on Standards of Official Conduct, and she is specifically ignoring the rules of the House.

The SPEAKER pro tempore. The Chair sustains the point of order. The gentleman must proceed in order.

Ms. DELAURO. Mr. Speaker, let us not contribute to the delay any longer. The House should not adjourn without a mechanism in place that resolves the charges once the outside counsel finishes his work. This Congress should reconvene as soon as the outside counsel's report is filed.

POINT OF ORDER

Mr. LINDER. Mr. Speaker, further point of order. The gentlewoman is now referring to matters before the Committee on Standards of Official Conduct with respect to the outside council and she is explicitly ignoring the rules of the House.

The SPEAKER pro tempore. The Chair again sustains the point of order and requests the gentlewoman in the well to proceed in order.

Ms. DELAURO. This Congress should reconvene once there is the continued deliberations of the committee as it so stated in its interim report, so we can bring this inexcusably long process to a just and proper end.

POINT OF ORDER

Mr. SOLOMON. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. SOLOMON. Mr. Speaker, this is not an adjournment resolution. The gentlewoman is out of order.

The SPEAKER pro tempore. For reasons previously stated, the Chair sustains the gentleman's point of order.

Ms. PRYCE. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLO-

MON] the chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I thank my colleague from Columbia, OH, for yielding me the time.

Mr. Speaker, it is just regrettable that it is necessary to waste the time of the House with a routine business resolution of this House such as this, all the items of which in the past have been handled by unanimous consent request, which we agreed to when we were in the minority. What is going on around here? The American people are absolutely fed up and sick of this.

Just think about this: The Democrats have asked for this unnecessary extra hour of debate on a resolution that simply provides for such routine matters as setting dates for our organizing caucuses, so we can come back here and organize for convening the Congress next year, and the printing of House rules and manuals. That is what we are here talking about, the ability of committees to file reports after we adjourn. That benefits both sides of the aisle. Also the ability of Members to revise and extend their remarks in the RECORD.

Mr. Speaker, there is nothing unusual. This is the Democrat resolution that we simply are offering ourselves, that they have offered over the last 14 Congresses.

Mr. Speaker, what have we come to here? There is such a breakdown of comity over such routine matters. I am told some of the Democrat leadership is insisting on debating this rule rather than agreeing to the usual unanimous consent request, not because they object to anything in this resolution, it is a pure and simple resolution, but because they want to vent and rave about various things completely unrelated to the resolution. There is going to be a time when an adjournment resolution comes up to perhaps do those things.

I had hoped we had reached an agreement with the President and the Democrat leadership in this Congress over a final spending bill and that we would be able to gracefully and graciously wrap-up this Congress in a proud spirit of bipartisanship. That is what it was when we worked night and day for the last 72 hours with so sleep at all to put this together, agreeing to what the President asked for.

But I guess that was hoping for too much. I even read in today's rollcall that my good friend, the ranking member on the Committee on Rules, who is managing this rule on the other side, has said that he would not even go out to dinner with a Republican member without bringing a taste tester. That hurts.

Mr. MOAKLEY. Mr. Speaker, if the gentleman will yield, that is only because of the new lobbying ethics.

Mr. SOLOMON. Especially only 2 days after the attended a reception I helped organize upstairs for our departing Committee on Rules members on both sides of the aisle, and I thought the food was pretty good, and I thought

the gentleman did too. He was partaking, and we did not have any taste testers up there.

I guess I am still an optimist, when you get down to it. I know we are capable of better, and I still think we can live up to those same capabilities in the future.

I was so encouraged, for instance, by the various bipartisan task forces that appeared before our Committee on Rules, reform hearings we were holding over the last 2 months, to discuss their efforts to restore comity and decorum and civility to this Chamber. DAVID SKAGGS over there, and RAY LAHOOD over here, working on a bipartisan retreat next session, that was so encouraging. BILL ARCHER and TONY BEILENSON from either side of the aisle, who urged us to delay 1 minute until after the end of the day, and, boy, do I think that is a good idea. That would give us some comity back here.

CHRIS SHAYS on our side of the aisle, DAVID MINGE on your side, TOM BARRETT on your side, SCOTT KLUG on yours, and their bipartisan House reform proposals. And I could go on and on and on.

Mr. Speaker, that is the thing we should be doing. We can do the people's business, and we can do it with a smile on our face. We can still stick up for our party, but you do not get involved in issues like this. What are we hearing upstairs in the Committee on Rules room and what we hear downstairs in this Chamber seem to be totally different. I just wish all Members could have heard those voices of reason, those good sense and sensibility reasons before our committee, and maybe today we could all be singing in some kind of harmony here.

Mr. Speaker, let us just try today to elevate the debate in this Chamber to put aside our personal partisan differences, and maybe, just maybe, we can leave this 104th Congress with a better feeling for each other. We owe that to ourselves and we owe it to the American people because, in the final analysis, we have become a Congress, at least legislatively, a true coming together to work for the good of the people. That is what we have accomplished with this omnibus appropriations bill. It was not easy to do. But even the President and OMB and all of the administration people working with that other body over there, which is not always easy sometimes, we have put the this thing together.

Mr. Speaker, I just want to say we have three members from our Committee on Rules that are retiring, the chairman emeritus, JIMMY GUILLEN, who could not be with us today, and then we have TONY BEILENSON on that side of the aisle, and what a voice of common sense and calm and reason he has been on our committee, and ENID GREENE.

□ 1730

We are going to miss these people so terribly up in the Committee on Rules.

I just wonder what we are going to get in replacement, because in that partisan committee we have had so much comity and we need that kind of comity here on the floor.

So let us stop this bickering, let us get on with this very simply resolution and pass it.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume to say that the piece that the gentleman from New York [Mr. SOLOMON] referred to when I said that the comity that used to exist in this party when the O'Neils, and the Michels, and the Fords were here is lacking now, and we need a taste tester when we go out to eat with people on the other side was, of course, done with tongue in cheek.

There is not a member of the Committee on Rules that I would not go out and eat with tomorrow, especially if Mr. SOLOMON, is picking up the tab.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. BONIOR] the distinguished minority whip.

Mr. BONIOR. Mr. Speaker, I thank my colleague for yielding me this time, and let me, for my friend from New York, put this into some different context as to why we are offering this amendment to the previous question.

We come down to this well, Members on both sides of the aisle, and we give impassioned speeches about human rights, about democracy. We talk about how our fathers and our forefathers fought, wore the uniform of this country, as the gentleman from New York did and as I did and as many of our colleagues did. We talk about the right to vote, the right to vote in an informed way.

And here we are, 39 days or so before the next election, and we have before us an issue in this body that looks like it will go unresolved, despite the fact that my friend from Florida, Mr. GOSS, in the report that the subcommittee put out just on Thursday, indicated that they will be concluded, according to the rules of the committee.

POINT OF ORDER

Mr. LINDER. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. LINDER. The gentleman is referring to matters before the Committee on Standards of Official Conduct. He is ignoring the House rules one more time. At what point, Mr. Speaker, do we go back to regular order, to obeying the House rules so we can conduct our business?

The SPEAKER pro tempore. The Chair sustains the point of order and asks the gentleman in the well to—

Mr. BONIOR. Mr. Speaker, I want to speak to that point of order.

The SPEAKER pro tempore. The Chair will hear the gentleman.

Mr. BONIOR. Mr. Speaker, I did not interrupt the gentleman from Florida [Mr. GOSS] when he made point of order reference to the work that he was doing in the subcommittee, because I thought it was important for this body to hear.

I merely cite point of order citation of the report that they made Thursday to make this point: And that is that the people of the sixth district of Georgia have a right to know what this body and what the outside counsel will determine on a candidate who is running for office in that district. And it is wrong for this body and this institution to adjourn and to give the authority to adjourn to the person whose case is before this body.

POINT OF ORDER

Mr. LINDER. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The Chair sustains the gentleman's point of order against the gentleman from Michigan's remarks. The time of the gentleman has expired.

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

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. Mr. Speaker, I rise today to call on all of my colleagues, Democrats and Republicans, to defeat the previous question and to uphold the recommendation of the bipartisan Committee on Standards of Official Conduct.

Earlier this week the investigative subcommittee charged with investigating the serious allegations against Speaker GINGRICH issued an interim report.

POINT OF ORDER

Mr. LINDER. Mr. Speaker, point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. LINDER. Mr. Speaker, the gentleman is referring to matters before the Committee on Standards of Official Conduct, which is explicitly forbidden by House rules.

The SPEAKER pro tempore. The Chair will sustain the gentleman's point of order. The gentleman in the well will proceed in order.

Mr. LEWIS of Georgia. Mr. Speaker, may I be heard on the point of order?

The SPEAKER pro tempore. The gentleman is recognized to speak on the point of order.

Mr. LEWIS of Georgia. Mr. Speaker, this is unbelievable. This is unreal. This is out of the ordinary. Why can a Member, all of the Members, not read from a report of a standing committee of this body?

The SPEAKER pro tempore. Does the gentleman wish to be heard further on the point of order?

Mr. LEWIS of Georgia. Mr. Speaker, I would like to continue, because I believe we have a mandate, a mission, and a moral obligation.

The SPEAKER pro tempore. The Chair has sustained the point of order, and the gentleman may proceed in order on his own time.

Mr. LEWIS of Georgia. The report was adopted unanimously and it was released—

POINT OF ORDER

Mr. LINDER. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will suspend. The gentleman will state his point of order again.

Mr. LINDER. The gentleman is continuing to refer to matters in spite of recent admonitions by the Chair that he is not complying with the House rules. He continues to abuse the House rules referring to matters before the Committee on Standards of Official Conduct.

The SPEAKER pro tempore. The Chair sustains the point of order.

Mr. LEWIS of Georgia. I want to be heard, Mr. Speaker, on the point of order.

I said to the gentleman from Georgia, Mr. LINDER, before, and I say again, Mr. LINDER, I know the rules of the House, but I think there comes a time when an injustice is so great that one has to challenge even the rules.

Mr. MCINNIS. Regular order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will suspend.

The Chair sustains the point of order and the gentleman will proceed in order.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I wish to speak on the point of order.

The SPEAKER pro tempore. The Chair has ruled. The gentleman may proceed in order.

Mr. LEWIS of Georgia. Mr. Speaker, let me quote from the interim report. The subcommittee is in the process of notifying Representative GINGRICH of these new areas of inquiry.

POINT OF ORDER

Mr. LINDER. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will suspend in the well. The gentleman will state his point of order.

Mr. LINDER. Mr. Speaker, the gentleman is referring to matters before the Committee on Standards of Official Conduct one more time. This is the third or fourth admonition by the Chair. Apparently, he does not understand the rules. Would you please explain them one more time?

Ms. JACKSON-LEE of Texas. Mr. Speaker.

The SPEAKER pro tempore. The Chair will recognize the gentlewoman from Texas [Ms. JACKSON-LEE] briefly on the point of order.

Ms. JACKSON-LEE of Texas. Mr. Speaker, what I am having difficulty in understanding from the gentleman from Georgia, the document that the gentleman from Georgia in the well is speaking about is a public document, and I am trying to understand, Mr. Speaker, why there would be any ruling that would disagree with any Member being allowed to be in the well of the House speaking to a public document and requesting a procedural amendment while we are in the midst of discussing an adjournment resolution.

I believe that the gentleman is appropriate in his remarks.

The SPEAKER pro tempore. The Chair is prepared to rule. The Chair will

repeat the prior ruling. Matters pending before the Committee on Standards of Official Conduct regarding the official conduct of sitting Members may not be debated on the floor where there is not pending a question of the privileges of the House.

This has been the consistent ruling of the Chair in this and prior Congresses. The fact that the committee may have issued an interim status report does not justify such references in debate. This also includes references to proposed House action on scheduling of matters relating to the conduct of Members.

The gentleman may proceed in order.

PARLIAMENTARY INQUIRY

Mr. HEFNER. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HEFNER. My parliamentary inquiry is this: Would it be appropriate at this time to challenge the ruling of the Chair on this procedure?

The SPEAKER pro tempore. It is the prerogative of any Member to appeal the ruling of the Chair.

Mr. HEFNER. I challenge the ruling of the Chair and call for a recorded vote.

The SPEAKER pro tempore. The Chair has ruled. The question is: Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. WALKER

Mr. WALKER. Mr. Speaker, I move to table the appeal from the ruling of the Chair.

The SPEAKER pro tempore. The question is on the motion to table the appeal.

Mr. VOLKMER. Mr. Speaker, is that motion at the desk? The motion is not at the desk and not timely.

Mr. WALKER. Mr. Speaker, the previous motion was not there.

Mr. VOLKMER. Mr. Speaker, the gentleman did not raise it. He is too late. That is dilatory.

Mr. MCINNIS. Regular order.

Mr. HEFNER. Mr. Speaker, parliamentary inquiry.

Mr. LINDER. Mr. Speaker, point of order.

The SPEAKER pro tempore. The gentleman will suspend. The Clerk will report the motion to table.

The Clerk read as follows:

Mr. WALKER moves to table the motion.

The SPEAKER pro tempore. The question is on the motion to table.

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

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

Mr. VOLKMER. Mr. Speaker, I withdraw my point of order.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. VOLKMER] withdraws his point of order.

The motion to table is agreed to.

The SPEAKER pro tempore. The gentleman from Georgia [Mr. LEWIS] will proceed in order.

Mr. LEWIS of Georgia. Mr. Speaker, it is most unfortunate that the American public will not be able to see the outside counsel report before they cast their votes this November.

I have said it repeatedly over the past few weeks that the American people have the right to see that report and to judge for themselves the evidence gathered against the Speaker, NEWT GINGRICH.

POINT OF ORDER

Mr. LINDER. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will suspend. The gentleman will state his point of order.

Mr. LINDER. Mr. Speaker, I reassert my same point of order. The gentleman is referring to matters before the Committee on Standards of Official Conduct.

The SPEAKER pro tempore. Does the gentlewoman from Connecticut [Mrs. JOHNSON] wish to speak on the point of order?

Mrs. JOHNSON of Connecticut. Mr. Speaker, I wish to speak on the point of order.

I would like to remind the Members of this House on both sides of the aisle that rules adopted under the Democrats when they were in the majority, supported by Democrats and Republicans alike, govern the work of the Committee on Standards of Official Conduct and require that its work be made public.

And if the House will have the courage and the civility to let us complete our work, we will complete our work, the matter will be made public, and the Committee on Standards of Official Conduct will hold every Member of this House to those standards.

Mrs. SCHROEDER. Mr. Speaker.

The SPEAKER pro tempore. Does the gentlewoman from Colorado [Mrs. SCHROEDER] wish to speak on the point of order?

Mrs. SCHROEDER. Yes, Mr. Speaker, I would like to be heard on the point of order.

Mr. Speaker, the gentleman from Georgia is making a point that this Speaker has violated those bipartisan rules, or has been accused of that, and that we have been waiting for 2 years, 2 years for this committee to act.

Mr. SOLOMON. Regular order.

Mr. MCINNIS. Regular order.

Mr. LINDER. Regular order.

The SPEAKER pro tempore. The gentlewoman will suspend. The Chair is prepared to rule on the point of order.

The point of order of the gentleman from Georgia is sustained. The gentleman in the well from Georgia must proceed in order.

Mr. LEWIS of Georgia. Mr. Speaker, the bipartisan ethics committee has said it anticipates completing its work by the end of this Congress. We owe it to the American people to dispense with this issue and remove the dark

cloud hanging over this institution before the next Congress.

I urge all of my colleagues, Republicans and Democrats, just as the bipartisan Committee on Standards of Official Conduct did, to do the right thing. Let us return to the 105th Congress untainted by the charges of perjury, tax fraud, money laundering, lying to the Committee on Standards of Official Conduct.

POINT OF ORDER

Mr. LINDER. Point of order.

The SPEAKER pro tempore. The gentleman in the well will suspend.

Mr. LEWIS of Georgia. The American people deserve the right to know what is in this report.

The SPEAKER pro tempore. The gentleman in the well will suspend.

Mr. VOLKMER. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. There is a point of order before the House. The gentleman will state his point of order.

Mr. LINDER. The gentleman in the well is making characterizations of allegations that are nowhere in any reports that anyone knows of. He is characterizing the Speaker and he is out of order.

Mr. VOLKMER. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The Chair sustains the point of order.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. VOLKMER. Mr. Speaker, do not the rules of the House require Members

to have decorum and not to interrupt the speakers, as is being interrupted at this time; and is it not the prerogative of the Chair to make Members be quiet while a Member is speaking on the floor, that has the floor?

The SPEAKER pro tempore. The Chair will inform the gentleman from Missouri [Mr. VOLKMER] that points of order may be made at any time, may interrupt Members in debate.

Mr. VOLKMER. Mr. Speaker, that is not a point of order, to boo. Booing is not a point of order. That is what was going on, and the Chair did not take any action.

The SPEAKER pro tempore. The gentleman will suspend. The Chair was hearing a point of order at the same time there was a little chaotic action in the House, but there was a point of order before the House.

The gentleman in the well from Georgia must proceed in order.

□ 1745

Mr. LEWIS of Georgia. Mr. Speaker, let me close by saying, it is not easy to stand here, but there comes a time when we must stand up for what is right, for what is fair, for what is just. I love this institution, like all of my colleagues. This institution that we are elected to, we have an obligation, a mandate and a mission to remove this dark cloud hanging over this institution, and let us do the right thing and help remove it by releasing this report.

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

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

Mr. Speaker, I urge a "no" vote on the previous question. If the previous question is defeated, I will offer an amendment to the rule. This provision would require that the 104th Congress be reconvened on the first Monday after the Special Counsel submits his report on the Speaker to the Investigative Subcommittee on the Committee on Standards of Official Conduct. This would ensure that Members of the 104th Congress have an opportunity to act upon the findings of this special investigation. I believe it is imperative that the House take this action now to guarantee we can consider the Special Counsel's report. Let me make it clear to my colleagues, both Democrats and Republicans, that defeating the previous question and adopting this amendment is the only way to guarantee that the 104th Congress will be able to act on this matter.

I include the text of this amendment for the RECORD at this point in the debate.

Vote "no" on the previous question.

At the end of the resolution add the following new section:

"Sec. 10. The House of Representatives shall reconvene on the first Monday after the submission of the Special Counsel's report on Speaker NEWT GINGRICH to the Investigative Subcommittee of the Committee on Standards of Official Conduct."

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

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1*	Compliance	H. Res. 6	Closed	None.
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed	None.
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive	N/A.
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive	2R: 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive	N/A.
H.R. 101	To transfer a parcel of land to the Taos Pueblo Indians of New Mexico.	H. Res. 51	Open	N/A.
H.R. 400	To provide for the exchange of lands within Gates of the Arctic National Park Preserve.	H. Res. 52	Open	N/A.
H.R. 440	To provide for the conveyance of lands to certain individuals in Butte County, California.	H. Res. 53	Open	N/A.
H.R. 2*	Line Item Veto	H. Res. 55	Open	N/A.
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open	N/A.
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open	N/A.
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive	N/A.
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open	N/A.
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive	N/A.
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive	N/A.
H.R. 729*	Death Penalty/Habeas	N/A	Restrictive	N/A.
S. 2	Senate Compliance	N/A	Closed	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive	1D.
H.R. 830*	The Paperwork Reduction Act	H. Res. 91	Open	N/A.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive	1D.
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive	N/A.
H.R. 1022*	Risk Assessment	H. Res. 96	Restrictive	N/A.
H.R. 926*	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925*	Private Property Protection Act	H. Res. 101	Restrictive	1D.
H.R. 1058*	Securities Litigation Reform Act	H. Res. 105	Restrictive	1D.
H.R. 988*	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive	N/A.
H.R. 956*	Product Liability and Legal Reform Act	H. Res. 109	Restrictive	8D: 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive	N/A.
H.J. Res. 73*	Term Limits	H. Res. 116	Restrictive	1D: 3R.
H.R. 4*	Welfare Reform	H. Res. 119	Restrictive	5D: 26R.
H.R. 1271*	Family Privacy Act	H. Res. 125	Open	N/A.
H.R. 660*	Housing for Older Persons Act	H. Res. 126	Open	N/A.
H.R. 1215*	The Contract With America Tax Relief Act of 1995	H. Res. 129	Restrictive	1D.
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive	1D.
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A.
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open	N/A.
H.R. 961	Clean Water Act	H. Res. 140	Open	N/A.
H.R. 535	Corning National Fish Hatchery Conveyance Act	H. Res. 144	Open	N/A.
H.R. 584	Conveyance of the Fairport National Fish Hatchery to the State of Iowa.	H. Res. 145	Open	N/A.
H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility.	H. Res. 146	Open	N/A.
H. Con. Res. 67	Budget Resolution	H. Res. 149	Restrictive	3D: 1R.
H.R. 1561	American Overseas Interests Act of 1995	H. Res. 155	Restrictive	N/A.
H.R. 1530	National Defense Authorization Act; FY 1996	H. Res. 164	Restrictive	36R: 18D: 2 Bipartisan.

FLOOR PROCEDURE IN THE 104TH CONGRESS 1ST SESSION; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1817	Military Construction Appropriations: FY 1996	H. Res. 167	Open	N/A
H.R. 1854	Legislative Branch Appropriations	H. Res. 169	Restrictive	5R: 4D: 2 Bipartisan
H.R. 1868	Foreign Operations Appropriations	H. Res. 170	Open	N/A
H.R. 1905	Energy & Water Appropriations	H. Res. 171	Open	N/A
H.J. Res. 79	Constitutional Amendment to Permit Congress and States to Prohibit the Physical Desecration of the American Flag	H. Res. 173	Closed	N/A
H.R. 1944	Recessions Bill	H. Res. 175	Restrictive	N/A
H.R. 1868 (2nd rule)	Foreign Operations Appropriations	H. Res. 177	Restrictive	N/A
H.R. 1977 *Rule Defeated*	Interior Appropriations	H. Res. 185	Open	N/A
H.R. 1977	Interior Appropriations	H. Res. 187	Open	N/A
H.R. 1976	Agriculture Appropriations	H. Res. 188	Open	N/A
H.R. 1977 (3rd rule)	Interior Appropriations	H. Res. 189	Restrictive	N/A
H.R. 2020	Treasury Postal Appropriations	H. Res. 190	Open	N/A
H.J. Res. 96	Disapproving MFN for China	H. Res. 193	Restrictive	N/A
H.R. 2002	Transportation Appropriations	H. Res. 194	Open	N/A
H.R. 70	Exports of Alaskan North Slope Oil	H. Res. 197	Open	N/A
H.R. 2076	Commerce, Justice Appropriations	H. Res. 198	Open	N/A
H.R. 2099	VA/HUD Appropriations	H. Res. 201	Open	N/A
S. 21	Termination of U.S. Arms Embargo on Bosnia	H. Res. 204	Restrictive	1D
H.R. 2126	Defense Appropriations	H. Res. 205	Open	N/A
H.R. 1555	Communications Act of 1995	H. Res. 207	Restrictive	2R/3D/3 Bipartisan
H.R. 2127	Labor/HHS Appropriations Act	H. Res. 208	Open	N/A
H.R. 1594	Economically Targeted Investments	H. Res. 215	Open	N/A
H.R. 1655	Intelligence Authorization	H. Res. 216	Restrictive	N/A
H.R. 1162	Deficit Reduction Lock Box	H. Res. 218	Open	N/A
H.R. 1670	Federal Acquisition Reform Act of 1995	H. Res. 219	Open	N/A
H.R. 1617	To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS)	H. Res. 222	Open	N/A
H.R. 2274	National Highway System Designation Act of 1995	H. Res. 224	Open	N/A
H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995	H. Res. 225	Restrictive	2R/2D
H.R. 743	The Teamwork for Employees and Managers Act of 1995	H. Res. 226	Open	N/A
H.R. 1170	3-Judge Court for Certain Injunctions	H. Res. 227	Open	N/A
H.R. 1601	International Space Station Authorization Act of 1995	H. Res. 228	Open	N/A
H.J. Res. 108	Making Continuing Appropriations for FY 1996	H. Res. 230	Closed	N/A
H.R. 2405	Omnibus Civilian Science Authorization Act of 1995	H. Res. 234	Open	N/A
H.R. 2259	To Disapprove Certain Sentencing Guideline Amendments	H. Res. 237	Restrictive	1D
H.R. 2425	Medicare Preservation Act	H. Res. 238	Restrictive	1D
H.R. 2492	Legislative Branch Appropriations Bill	H. Res. 239	Restrictive	N/A
H.R. 2491	7 Year Balanced Budget Reconciliation Social Security Earnings Test Reform	H. Res. 245	Restrictive	1D
H. Con. Res. 109	Partial Birth Abortion Ban Act of 1995	H. Res. 251	Closed	N/A
H.R. 1833	D.C. Appropriations FY 1996	H. Res. 252	Restrictive	N/A
H.R. 2546	Further Continuing Appropriations for FY 1996	H. Res. 257	Closed	N/A
H.J. Res. 115	Temporary Increase in the Statutory Debt Limit	H. Res. 258	Restrictive	5R
H.R. 2586	ICC Termination	H. Res. 259	Open	N/A
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 261	Closed	N/A
H.R. 2586	Temporary Increase in the Statutory Limit on the Public Debt	H. Res. 262	Closed	N/A
H. Res. 250	House Gift Rule Reform	H. Res. 268	Closed	2R
H.R. 2564	Lobbying Disclosure Act of 1995	H. Res. 269	Open	N/A
H.R. 2606	Prohibition on Funds for Bosnia Deployment	H. Res. 273	Restrictive	N/A
H.R. 1788	Amtrak Reform and Privatization Act of 1995	H. Res. 289	Open	N/A
H.R. 1350	Maritime Security Act of 1995	H. Res. 287	Open	N/A
H.R. 2621	To Protect Federal Trust Funds	H. Res. 293	Closed	N/A
H.R. 1745	Utah Public Lands Management Act of 1995	H. Res. 303	Open	N/A
H. Res. 304	Providing for Debate and Consideration of Three Measures Relating to U.S. Troop Deployments in Bosnia	N/A	Closed	1D: 2R
H. Res. 309	Revised Budget Resolution	H. Res. 309	Closed	N/A
H.R. 558	Texas Low-Level Radioactive Waste Disposal Compact Consent Act	H. Res. 313	Open	N/A
H.R. 2677	The National Parks and National Wildlife Refuge Systems Freedom Act of 1995	H. Res. 323	Closed	N/A
PROCEDURE IN THE 104TH CONGRESS 2D SESSION				
H.R. 1643	To authorize the extension of nondiscriminatory treatment (MFN) to the products of Bulgaria	H. Res. 334	Closed	N/A
H.J. Res. 134	Making continuing appropriations/establishing procedures making the transmission of the continuing resolution H.J. Res. 134	H. Res. 336	Closed	N/A
H. Con. Res. 131	Conveyance of National Marine Fisheries Service Laboratory at Gloucester, Massachusetts	H. Res. 338	Closed	N/A
H.R. 1358				
H.R. 2924	Social Security Guarantee Act	H. Res. 355	Closed	N/A
H.R. 2854	The Agricultural Market Transition Program	H. Res. 366	Restrictive	5D: 9R: 2 Bipartisan
H.R. 994	Regulatory Sunset & Review Act of 1995	H. Res. 368	Open rule: Rule tabled	N/A
H.R. 3021	To Guarantee the Continuing Full Investment of Social Security and Other Federal Funds in Obligations of the United States	H. Res. 371	Closed rule	N/A
H.R. 3019	A Further Downpayment Toward a Balanced Budget	H. Res. 372	Restrictive	2D/2R
H.R. 2703	The Effective Death Penalty and Public Safety Act of 1996	H. Res. 380	Restrictive	6D: 7R: 4 Bipartisan
H.R. 2202	The Immigration and National Interest Act of 1995	H. Res. 384	Restrictive	12D: 19R: 1 Bipartisan
H.J. Res. 165	Making further continuing appropriations for FY 1996	H. Res. 386	Closed	N/A
H.R. 125	The Gun Crime Enforcement and Second Amendment Restoration Act of 1996	H. Res. 388	Closed	N/A
H.R. 3136	The Contract With America Advancement Act of 1996	H. Res. 391	Closed	N/A
H.R. 3103	The Health Coverage Availability and Affordability Act of 1996	H. Res. 392	Restrictive	N/A
H.J. Res. 159	Tax Limitation Constitutional Amendment	H. Res. 395	Restrictive	1D
H.R. 842	Truth in Budgeting Act	H. Res. 396	Open	N/A
H.R. 2715	Paperwork Elimination Act of 1996	H. Res. 409	Open	N/A
H.R. 1675	National Wildlife Refuge Improvement Act of 1995	H. Res. 410	Open	N/A
H.J. Res. 175	Further Continuing Appropriations for FY 1996	H. Res. 411	Closed	N/A
H.R. 2641	United States Marshals Service Improvement Act of 1996	H. Res. 418	Open	N/A
H.R. 2149	The Ocean Shipping Reform Act	H. Res. 419	Open	N/A
H.R. 2974	To amend the Violent Crime Control and Law Enforcement Act of 1994 to provide enhanced penalties for crimes against elderly and child victims	H. Res. 421	Open	N/A
H.R. 3120	To amend Title 18, United States Code, with respect to witness retaliation, witness tampering and jury tampering	H. Res. 422	Open	N/A
H.R. 2406	The United States Housing Act of 1996	H. Res. 426	Open	N/A
H.R. 3322	Omnibus Civilian Science Authorization Act of 1996	H. Res. 427	Open	N/A
H.R. 3286	The Adoption Promotion and Stability Act of 1996	H. Res. 428	Restrictive	1D: 1R
H.R. 3230	Defense Authorization Bill FY 1997	H. Res. 430	Restrictive	41 amends: 20D: 17R: 4 bipartisan
H.R. 3415	Repeal of the 4.3-Cent Increase in Transportation Fuel Taxes	H. Res. 436	Closed	N/A
H.R. 3259	Intelligence Authorization Act for FY 1997	H. Res. 437	Restrictive	N/A
H.R. 3144	The Defend America Act	H. Res. 438	Restrictive	1D
H.R. 3448/H.R. 1227	The Small Business Job Protection Act of 1996, and The Employee Commuting Flexibility Act of 1996	H. Res. 440	Restrictive	2R
H.R. 3517	Military Construction Appropriations FY 1997	H. Res. 442	Open	N/A
H.R. 3540	Foreign Operations Appropriations FY 1997	H. Res. 445	Open	N/A

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 3562	The Wisconsin Works Waiver Approval Act	H. Res. 446	Restrictive	N/A
H.R. 2754	Shipbuilding Trade Agreement Act	H. Res. 448	Restrictive	1R
H.R. 3603	Agriculture Appropriations FY 1997	H. Res. 451	Open	N/A
H.R. 3610	Defense Appropriations FY 1997	H. Res. 453	Open	N/A
H.R. 3662	Interior Appropriations FY 1997	H. Res. 455	Open	N/A
H.R. 3666	VA/HUD Appropriations	H. Res. 456	Open	N/A
H.R. 3675	Transportation Appropriations FY 1997	H. Res. 460	Open	N/A
H.J. Res. 182/H.Res. 461	Disapproving MFN Status for the Peoples Republic of China	H. Res. 463	Closed	N/A
H. Con. Res. 192	Making in order a Concurrent Resolution Providing for the Adjournment of the House over the 4th of July district work period.	H. Res. 465	Closed	N/A
H.R. 3755	Labor/HHS Appropriations FY 1997	H. Res. 472	Open	N/A
H.R. 3754	Legislative Branch Appropriations FY 1997	H. Res. 473	Restrictive	3D; 5R
H.R. 3396	Defense of Marriage Act	H. Res. 474	Restrictive	2D
H.R. 3756	Treasury, Postal Appropriations, FY 1997	H. Res. 475	Open	N/A
H.R. 3814	Commerce, Justice, State Appropriations, FY 1997	H. Res. 479	Open	N/A
H.R. 3820	Campaign Finance Reform Act of 1996	H. Res. 481	Restrictive	1D
H.R. 3734	The Personal Responsibility Act of 1996	H. Res. 482	Restrictive	1D; 1R
H.R. 3816	Energy and Water Appropriations, FY 1997	H. Res. 483	Open	N/A
H.R. 2391	Working Families Flexibility Act of 1996	H. Res. 488	Restrictive	N/A
H.R. 2823	The International Dolphin Conservation Program Act	H. Res. 489	Restrictive	1D
H.R. 123	English as the Official Language	H. Res. 499	Restrictive	4D; 1R
H.R. 3719	The Small Business Programs Improvement Act of 1996	H. Res. 516	Open	N/A
H.R. 3308	United States Armed Forces Protection Act	H. Res. 517	Restrictive	1D; 1R; 1
H.R. 4134	Authorizing to deny public education benefits to certain aliens not lawfully present in the United States.	H. Res. 530	Closed	Bipartisan. N/A

* Contract Bills, 67% restrictive; 33% open. All legislation 1st Session, 53% restrictive; 47% open. *** All legislation 2d Session, 61% restrictive; 39% open. All legislation 104th Congress, 57% restrictive; 43% open. ***** NR indicates that the legislation being considered by the House for amendment has circumvented standard procedure and was never reported from any House committee. PQ Indicates that previous question was ordered on the resolution. Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103d Congress. N/A means not available.

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

Ms. PRYCE. Mr. Speaker, House Resolution 546 is noncontroversial in its form, for a number of minor house-keeping items, and I urge its adoption. Let us pass this final rule and bring us one step closer to finishing our work her in this Congress.

With that, Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. (Mr. BURTON of Indiana). The question is on ordering the previous question.

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

Mr. MOAKLEY. 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. Pursuant to clause 5 of rule I, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

NOTICE

Incomplete record of House proceedings. Except for the following matter, today's House proceedings will be continued in the next issue of the Record.

CONFERENCE REPORT ON H.R. 3610, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1997

Mr. LIVINGSTON submitted the following conference report and statement on the bill (H.R. 3610) making appropriations for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes:

CONFERENCE REPORT (H. REPT. 104-863)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3610) "making appropriations for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

DIVISION A

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 1997, and for other purposes, namely:

TITLE I—OMNIBUS APPROPRIATIONS

Sec. 101(a) For programs, projects or activities in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1997, provided as follows, to be effective as if it had been enacted into law as the regular appropriations Act:

AN ACT Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1997, and for other purposes

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$75,773,000 of which not to exceed \$3,317,000 is for the Facilities Program 2000, to remain available until expended: Provided, That not to exceed 43 permanent positions and 44 full-time equivalent workyears and \$7,477,000 shall be expended for the Department Leadership Program exclusive of augmentation that occurred in these offices in fiscal year 1996: Provided further, That not to exceed 41 permanent positions and 48 full-time equivalent workyears and \$4,660,000 shall be expended for the Offices of Legislative Affairs and Public Affairs: Provided further, That the latter two aforementioned offices shall not be augmented by personnel details, temporary transfers of personnel on either a reimbursable or non-reimbursable basis or any other type of formal or informal transfer or reimbursement of

personnel or funds on either a temporary or long-term basis.

For an additional amount, for enhancements for the Office of Intelligence Policy and Review and security measures, \$3,600,000; of which \$2,170,000 is for security enhancements: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

COUNTERTERRORISM FUND

For necessary expenses, as determined by the Attorney General, \$9,450,000, to remain available until expended, to reimburse any Department of Justice organization for (1) the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as a result of the bombing of the Alfred P. Murrah Federal Building in Oklahoma City or any domestic or international terrorist incident, (2) the costs of providing support to counter, investigate or prosecute domestic or international terrorism, including payment of rewards in connection with these activities, and (3) the costs of conducting a terrorism threat assessment of Federal agencies and their facilities: Provided, That funds provided under this heading shall be available only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act.

For an additional amount for necessary expenses, as determined by the Attorney General, \$20,000,000, to remain available until expended,