

"WHO DO YOU TRUST?"

(Mr. LEWIS of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEWIS of Georgia. Madam Speaker, the entire world has been shocked, appalled, and reviled by the latest wave of terrorist attacks by Hamas in Israel. More than 50 innocent men, women, and children have been killed by suicide bombings in Jerusalem and Tel Aviv.

So I was similarly shocked and reviled to hear a comment made on the House floor last week in the course of debate on the so-called antiterrorist bill. The gentleman from Illinois [Mr. HYDE], the chairman of the Committee on the Judiciary, said this: "Early in the day standing back there, I heard a dear friend of mine, a great Republican say, 'I trust Hamas more than I trust my own Government.'"

He went on to say those words hurt. Those words do hurt indeed. But who, Madam Speaker, who, Mr. HYDE, who on the Republican side really believed they could trust Hamas more than our own Government? Who among my colleagues truly believes they can trust a terrorist organization that sends suicide bombers to rob innocent children more than the U.S. Government?

Madam Speaker, the American people have a right to know who among their elected Representatives trusts Hamas more than the United States. Until that person steps forward, or is identified, a cloud hangs over each and every Republican Member of this House.

COLORECTAL CANCER

(Mr. BURTON of Indiana asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURTON of Indiana. Madam Speaker, I yield to the gentleman from New York [Mr. TOWNS].

Mr. TOWNS. Madam Speaker, I rise today to discuss the health issue that is very important to a vulnerable population; namely, Medicare beneficiaries. This year, colorectal cancer will claim an estimated 54,000 lives. This is the second leading cancer killer in the United States; 134,000 new cases of colorectal cancer will be diagnosed this year, most of them in the elderly population. And we are talking about cutting Medicare.

Madam Speaker, we know that early detection will save lives and save money. The technology exists to eradicate more than 90 percent of colorectal cancer in this country. Let us work toward a Medicare package or preventative benefits, one which will include colorectal cancer screening. It makes good health sense, and it makes good economic sense.

I urge my colleagues to move forward in addressing this disease in the Medicare population, the group most vulnerable to colorectal cancer.

VOTE AGAINST REPEAL OF ASSAULT WEAPON BAN

(Mr. McDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McDERMOTT. Madam Speaker, the Bible says, by your deeds ye shall know them. Now last week by amendment, the Republicans gutted the terrorism bill. Many people asked why did they take out the guts of that bill? By their own words, from the gentleman from Illinois [Mr. HYDE], we know the answer: Because Members on the Republican side trust Hamas more than they trust their own Government.

They were afraid that, if we put the power in the hands of the Government to deal with terrorism, we might turn our eyes away from the Middle East and come to look at some of the organizations in this country. People on this floor have forgotten Oklahoma City. People have forgotten what has happened.

Madam Speaker, we cannot allow our Government to be powerless in the face of terrorist organizations wherever they come from. Now, tomorrow we are going to add insult to injury. The police officers of this country want the assault weapon ban kept in place. But the Republicans, led by the Speaker, are going to bring out a repeal of that ban to this floor to put those guns on the street again.

I urge my colleagues to vote against that bill.

WE CAN FIGHT TERRORISM WITHOUT VIOLATING OUR CONSTITUTION

(Mr. McINNIS asked and was given permission to address the House for 1 minute.)

Mr. McINNIS. Madam Speaker, I yield to my good friend, the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Madam Speaker, I thank the gentleman for yielding to me.

The so-called antiterrorism bill infringing upon the liberties, the constitutional rights of the people of this country. While we are concerned about law and order and fighting terrorism, we do not want to violate the Constitution and hurt the liberties that our forefathers gave to us.

My colleagues on the other side are saying because we did not vote for the terrorism bill the way they wanted it, that we are sanctioning the terrorist activities that took place in Israel where 50 or 60 people were killed by terrorist activities by the Hamas organization. That is a ludicrous argument. We hate that just as much as anybody. We deplore those actions. We want to see those people brought to justice, and our Government is doing everything possible to stop that terrorism, not only there but in the United States.

But in the process, we must not violate the constitutional rights and liberties of American citizens.

A REPUBLICAN MEMBER TRUSTS HAMAS

(Ms. DeLAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DeLAURO. Madam Speaker, the fact of the matter is that the antiterrorism bill passed last week in this body allows Hamas to raise funds in the United States of America, to raise their funds to go out and to kill innocent men and women and children. We had one Member, a colleague from the Republican side of the aisle, say that it was he or she who trusted Hamas more than they trust their own government.

Let me tell my colleagues, how can any Member trust a despicable organization, a bloodthirsty and terrorist organization? The pain and the misery that Hamas has caused may be abstract for some of my colleagues, but it is not for me, and it is not for my constituents. Last year my constituent Joan Davenney of Woodbridge, CT, was in Israel. She was a teacher at the Ezra Academy on a fellowship in Israel studying ways to improve curriculum at her school, a decent, wonderful young woman. Let me say that she was on one of those buses. She was killed by the terrorist organization Hamas. A sad day indeed when Republicans can defend Hamas on this floor.

THE PRESIDENT WILL NOT ASK SECRETARY O'LEARY TO RESIGN

(Mr. TIAHRT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIAHRT. Madam Speaker, Vice President GORE, in his national performance review, indicated that Clinton's Secretary of Energy, Secretary O'Leary, and the Department of Energy, was 40 percent inefficient in their environmental management and it is going to cost the taxpayers \$70 billion over the next 30 years.

Madam Speaker, what does that mean to taxpayers or what is that like? What is the equivalent of being 40 percent inefficient? That is like filling your car with gasoline, putting 10 gallons of it in, or running 10 gallons out of the pump and 4 of it goes on the ground and 6 of it goes in your tank. That is like sitting down at a restaurant, for every five bites you attempt to take, two of them end up in your lap. That is like sending your child to school and expecting your child to sleep for more than 2½ hours every day.

Forty percent inefficient, I think that is too much for the taxpayers. Seventy billion dollars, too much of a burden for the taxpayers. Yet it is condoned by Mr. Clinton. He will not call for reforms. He will not abolish the waste. He will not ask Secretary O'Leary to resign.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 165, FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1996, AND WAIVING REQUIREMENT OF CLAUSE 4(B) OF RULE XI WITH RESPECT TO CERTAIN RESOLUTIONS REPORTED FROM COMMITTEE ON RULES

Mr. MCINNIS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 386 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 386

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 165) making further continuing appropriations for the fiscal year 1996, and for other purposes. The joint resolution shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except one motion to recommit. The motion to recommit may include instructions only if offered by the minority leader or his designee.

SEC. 2. The requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported from that committee before April 1, 1996, and providing for consideration or disposition of any of the following measures.

(1) A bill making general appropriations for the fiscal year ending September 30, 1996, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

(2) A bill or joint resolution that includes provisions making further continuing appropriations for the fiscal year 1996, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

(3) A bill or joint resolution that includes provisions increasing or waiving (for a temporary period or otherwise) the public debt limit under section 3101(b) of title 31, United States Code, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

The SPEAKER pro tempore (Mr. BURTON of Indiana). The gentleman from Colorado [Mr. MCINNIS] is recognized for 1 hour.

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

Mr. Speaker, House Resolution 386 is a closed rule providing for consideration in the House with 1 hour of debate equally divided between the chairman and ranking minority member of the Committee on Appropriations. The rule orders the previous question to final passage without intervening motion except one motion to recommit which, if containing instructions, may only be offered by the minority leader or his designee.

Section 2 of the proposed rule merely waives the requirement of clause 4(b) of rule 11 for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House for resolutions reported from the Rules Committee before April 1, 1996, under certain circumstances.

This narrow waiver will only apply to special rules providing for the consideration or disposition of any measures, amendments, conference reports, or items in disagreement from a conference that make general appropriations for fiscal year 1996, include provisions making continuing appropriations for fiscal year 1996, or any bill, or joint resolution, that includes provision increasing or waiving the public debt limit. The Rules Committee recognized the need for expedited procedures to bring these legislative measures forward as soon as possible. Mr. Speaker, House Resolution 386 is straightforward, and it was reported by the Committee on Rules by voice vote.

In order to prevent a Government shutdown and provide the conferees on the omnibus continuing resolution adequate time to iron out the differences between the House, Senate, and administration, House Joint Resolution 165 is necessary. The legislation will keep the Government operating through March 29, and in the case of AFDC and the Foster Care Program through April 3. I urge my colleagues to support House Resolution 386 and the underlying legislation, House Joint Resolution 165.

□ 1030

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

Mr. Speaker, this rule is proof positive that the Republican majority cannot finish the job they were sent to Washington to do. It seems to me that in addition to bringing about the revolution they have spoken of so often in the past 15 months, their responsibility, as the majority party, is to make sure that the trains run on time. Well, Mr. Speaker, not only have the trains not run on time in this Republican Congress, we have had to live through two major train wrecks, and now, nearly 7 months into fiscal year, most of the train is still off the tracks.

But, Mr. Speaker, my Republican colleagues have added insult to injury by asking this House to once again impose martial law. And what does martial law do, Mr. Speaker? Quite simply, martial law allows a majority to disregard the rules that they once so vigorously defended when they were in the minority. For 4 continuous months the House has operated under procedures that, had they been imposed by the Democrats, my Republican friends would have screamed bloody murder.

Today the Republican leadership plans to bring up the sixth martial law resolution of the 104th Congress. The resolution allows the Speaker to bypass the regular committee process and bring legislation immediately to the

House floor without the normal 1-day layoff period required by the rules of the House. Usually this extraordinary authority is granted only in the final days of a session as adjournment approaches. But under, Republican control, the House has operated under martial law continuously for 4 months, from November 15 through March 15. Today they plan to extend that authority again until April 1.

In the Democratic 103d Congress the House operated under martial law for a total of 5 days with no martial law resolution lasting more than 1 day. In this Republican Congress a single martial law resolution, House Resolution 330, lasted 50 days. In the Democratic 103d Congress each martial law resolution applied to only one bill. Under the Republican control all martial law resolutions have applied to entire classes of bills encompassing everything from spending bills to Bosnia.

So, Mr. Speaker, I am going to make an offer my Republican colleagues should not be able to refuse. Let us go back to regular order and use the rules which have in previous Congresses served both the majority and the minority. Let us not circumvent the rules and undercut the democratic process in an effort to cover up the fact that the Republican majority cannot do its job.

I intend to oppose ordering the previous question in order to be able to offer an alternative rule which strikes the martial law provisions recommended by the Committee on Rules Republicans. I think that after 7 months of delay, if the Republican majority is serious about finally funding the Federal Government, the very least the Republican majority can do is offer the Members of the House the opportunity to take the time to read the bill. Martial law does not give anyone, Republican or Democrats, such an opportunity.

So I would encourage those Members across the aisle who are serious about maintaining democratic, with a small "d," principles to vote again the previous question and to support my alternative to the rule.

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

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

Mr. Speaker, I think initially here we need to clarify a couple of points.

Mr. Speaker, I think at the very initial stages here we need to correct or clarify some of the statements made by my respected friend, the gentleman from the State of Texas [Mr. FROST]. Circumvent the rules? I think the gentleman is confused. This is the rules. That is why we are down here today.

The gentleman and I were both in the Committee on Rules last night. The gentleman did not ask for two rules. We had a voice vote. I did not see this kind of vigorous debate in the Committee on Rules last night. This is kind of a blind side that we are getting down here.

What we are asking for is approval of a rule, and then from that rule let us

go into the debate. Let us talk about he comes up with this magic phantom word called martial law. Again, in due respect to the gentleman from Texas, I call it economic common sense. What does he want to do? Stop the Government?

Of course, some leadership on the Democratic party would like to stop the Government because this is an election year. This is a very convenient time to try to put blame on the Republicans, who have brought more economic sense to this Government than any governing part of this body has brought for 40 years.

We have got some tough decisions to make here. We have got to move this thing forward. We have got negotiations going on between the administration, the President of the United States, between the U.S. Senate and between the U.S. House. We need to allow them some continued time for these kind of negotiations.

We are changing, Mr. Speaker, the habits of this House. We are changing 40 years, in my opinion, of bad habits. We cannot do it overnight. My colleague has got to allow the parties good faith, and he has got to allow them time so that these good-faith negotiations can continue. I do not think it helps the negotiations, it certainly does not help the relations between the two parties on this House floor, to use some of the types of exaggerations that I have just seen in the previous statement.

I would urge my colleagues, look beyond the political aspect of this, put aside the fact that we are in an election year right now, and let us move toward the best interests of this country, and that is called economic common sense.

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

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

If I understand the previous speaker, he is generally making two points. One is that the ends justify the means; and, two, that democracy is a very dangerous thing. What law we are asking for is that this House follow the rules of this House that have been followed for years and years when Democrats were in the majority. The question is are we going to suspend the rules of the House and not require a 1-day layover, a simple 24-hour layover for the House to have a chance to read bills before bringing up a rule on the floor of the House. We very rarely did that when we were in the majority, and only at the end of a session, and only for 1 day at a time.

The new majority wants to suspend the rules of the House for 4 months. I guess they consider democracy very dangerous. The ends perhaps do justify the means in their view, not in mine.

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

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

Mr. Speaker, let us again address the points from the fine gentleman from

the State of Texas. We have got to have a bill by Friday. Does my colleague want to shut the Government down? We have to have a bill by Friday.

Now, I am sorry we cannot allow for time through next week and the following week to read some of the things that the gentleman would like to read. The fact is this Government continues second by second.

Now, we can either allow it to continue on Friday, or we can shut it down.

Now, today is Thursday. That means we have less than 24 hours, or about 24 hours, to do something to keep this Government operating. It is the Republicans' priority to keep the Government on course, but to run it on an economic course that is going to make common sense to the average taxpayer in this country, and that is a balanced budget.

Furthermore, I think it is important to understand that the waiver that we have talked about here, the narrow waiver, it is allowed by the rules. Suspension of the rules is a rule. The gentleman from Texas [Mr. FROST] has many years of experience on the Committee on Rules; he is a very capable individual. He knows this is not undemocratic; that is how the rules are written. We are utilizing the rules. I would be called out of order, the Speaker would not allow me to continue this debate today, if it was not in the rules. If I am not authorized to be on this floor with this proposal, which, as the gentleman from Texas admitted, the Democrats used while they were in the majority, if I were not allowed to do that, it would not be in the rules. Of course it is allowed.

We have got to have this, Mr. Speaker. We have got to continue to allow this Government to operate in a fiscally sound manner.

Now, again it is a dramatic change in the last 40 years of leadership in this House. In the last 40 years of leadership in this House we have accumulated a debt that is about \$38 million an hour. In other words, our Government right now is spending about \$38 million an hour more than it is bringing in. We cannot do that. No country in the history of civilization, no free country in the history of civilization, has survived with the kind of economic factors that we now have in place the way this Government has been run the last 40 years.

The gentleman from Texas [Mr. FROST] knows it, the gentleman and the gentlewomen from all the 50 States in this Union know it. We have got to face up to fiscal reality, and that means that we have got to get some resolution, we have got to allow time for negotiations, and this rule allows it, and that joint resolution will allow the Government to operate in a commonsense, good judgment fashion.

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

Mr. FROST. Mr. Speaker, I yield 5 minutes to the distinguished gen-

tleman from Michigan [Mr. BONIOR], the Democratic whip.

Mr. BONIOR. I thank the gentleman from Texas [Mr. FROST] for yielding the time this morning.

Mr. Speaker, the distinguished political analyst, Kevin Phillips, has said that this is the most unproductive Congress in the last 50 years. I have been here 20 years, and I have never seen this place run so poorly, so inefficiently, and without care and deliberation.

What this resolution we have before us does is say to virtually all Members of the Congress, at least the House, and all of the public, "You can't participate."

Now, what do we mean when we say martial law? The gentleman from Texas [Mr. FROST] has referred to this word, martial law. It means that the Speaker and the majority leader can bring legislation to this floor without going through the committee structure, without hearings, without giving us even a day's notice, bring it right to the floor, and we vote on it, and, as Mr. FROST has said earlier, this is being done for the fourth month in a row. Seventy-three percent of all the bills that have been brought to the House floor have gone right to the floor without committee consideration or approval this year, 73 percent.

Mr. Speaker, we started this Congress by shutting down voices, by closing the Black Caucus, the Women's Caucus, the Hispanic Caucus, and then there was an attack on public television, there was an attack on the Endowment for the Arts, closing down those important voices in our society, and now it has gotten to the point where Members of this body cannot even participate in committee hearings or committee votes, everything dumped right on the floor.

Mr. Speaker, the tragedy with this is it is not getting anything done. It is not getting anything done. This is the sixth martial law resolution we have had on the floor. We are going to be into our 12th continuing resolution in a few minutes.

□ 1045

Yet, we still have not done five appropriation bills from the 1996 fiscal year. We are going backwards. We are not getting anything done. It is not me saying it, it is respected Republicans on the outside who are looking in and saying, "What in God's name is going on up there?"

How does this affect the general public? When you stop and you go and you stop and you go in terms of these resolutions, you throw a lot of uncertainty out there into the public. School boards and school officials all across the country are trying to plan their school year in September. They are trying to figure out how many teachers they need next year, they are trying to figure out the curricula, they are trying to figure out class size. They cannot do that because we have not dealt

with the education budget of this Nation from a Federal perspective.

The cuts that have been proposed by the Republicans have been in the neighborhood of \$3.3 billion, cuts in the DARE Program, the Safe and Drug-free Schools Program, cuts in the Title I Program, which is for math and reading; 40,000 to 50,000 teachers getting pink-slipped all over the country, because they have not done their business.

This is a Congress of do little and delay. They have done little and they have delayed, and they have delayed. My friend, the gentleman from Colorado [Mr. MCINNIS], has had the nerve to stand up here and talk about shutting down the Government. They shut down the Government twice at the cost of \$1.5 billion. That is what it costs to shut the Government down, \$1.5 billion.

Mr. Speaker, there is a better way to run this place. The fair way to do it is to let the public participate, the Members participate, have up and down votes, give us a chance to offer the amendments that are necessary to keep our schools open, to take care of our toxic waste sites. We have toxic waste sites that are not being dealt with because they have not provided the money.

There is a better way to do this, Mr. Speaker. I ask my colleagues to vote against this rule, and to look closely at what the gentlemen on the other side of the aisle and the gentlewomen on the other side of the aisle are offering us in the 12th continuing resolution, which is closed for debate and for consideration by most of the Members of this body and by the American people.

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

Mr. Speaker, it is obvious from the previous remarks that we are into an election year. Let us look at the remarks made by the gentleman from Michigan. First of all, clearly, none of this would have happened, and I do not believe the gentleman's statistics are right. If 50,000 or 40,000 teachers got their pink slips because we said the Government had to operate with a balanced budget, maybe, if in fact that many got pink slips as a direct result of the negotiations here, it happened because President Clinton vetoed and vetoed and vetoed and vetoed and vetoed the budgets that we have given to him.

We are trying to get cooperation from this President. I can tell the Members, we have moved the President a long ways. Did Members ever think we would see this President saying that the era of big Government is over? Did we ever think we would see this President talking about a balanced budget? Finally we have gotten him to that point in the negotiations, but this takes time.

Mr. Speaker, let me point out, too, to assist the gentleman from Michigan, we have a Webster's dictionary up here. He keeps using this words "martial law," as if the gentleman knows what

it says. He is not using it in its proper context. Let me talk about martial law, as given to us by the Webster's dictionary: "Martial law," "The law temporarily imposed upon an area by State or national military forces," military forces, "when civil authority is broken down, or during wartime military operations."

If the gentleman wants to continue to use the term "martial law," then he should clearly stand up here at the podium and talk about, under his definition of martial law, the times the Democrats used it in 1993. I have it right here. House Resolution 61, February 3, 1993, they did exactly the same thing. It is allowed under the rules. House Resolution 111, March 3, 1993, allowed under the rules. House Resolution 142, March 30, allowed under the rules, the same exact thing.

Mr. Speaker, if the gentleman and the gentlewomen from the other side there are trying to continue this argument, which clearly is a diversion from what we need to do, that is to cooperate towards a balanced budget, to cooperate keep this Government operating, if they want to continue to divert attention by using these terms, they should apply them to themselves. We are learning from them. We are using the rules. I could go on and on with this.

I think it is critical to understand that while the President has continued to veto, veto, veto, and veto, we must, as a result of those vetoes, continue to negotiate, negotiate, negotiate, and negotiate. Do Members know what is going to happen as a result of those negotiations? At some point we are going to reach a compromise, a compromise that is good for the American people.

I know the gentleman from Michigan [Mr. BONIOR], and I must say right off the bat, I am not educated at an Ivy League school. I went to a very small school in the mountains of Colorado. I think I am very capable, but not able to quote great scholars. He quotes a distinguished scholar about his analysis of what is happening here in the U.S. House.

Let me quote a couple of people: My buddy Al. He is a rancher, he is not an Ivy League graduate, but do you know what he analyzed? He said "It is about time, it is about time that somebody insisted that this Government, that this Congress, run its budget like every average American citizen has to do. It is about time somebody had enough guts to stand up to the bureaucracy in Washington, D.C. and demand that a balanced budget be in place. It is about time somebody called the President on these vetoes after veto after veto."

Those are the kinds of quotes I can give. I can talk about Linda, I can talk about Betsy. These are just common folk out there. They know what it means to have a balanced budget. They have to balance their checkbook. So let us not use these diversionary tactics, first of all, by using this term

"martial law," unless, of course, you want to apply it to yourselves, as you used it for the last several years.

Let us talk about unity in working towards a balanced budget to bring this Government to an economic, sensible, type of plan that will move us forward in a positive fashion.

Mr. Speaker, let me say that sometimes it is easy for people who observe us debating on this floor to go away with a pretty pessimistic attitude. I am optimistic about the future of this country. I think we have a great future ahead of us. But we do have some responsibilities that we have to carry forward, so the greatness of this country can continue. Those responsibilities right now center on fiscal responsibility. In order for us to get to that fiscal responsibility, we need to pass this rule.

Mr. Speaker, I should point out once again, and again, we can tell it is an election year. We were just in the Committee on Rules last night, so I have lost my memory on what occurred. We did not see this kind of rancor last night. We did not see this kind of debate in the Committee on Rules. In fact, this passed on a voice vote. Do Members know why? Because it is a procedure that has been used in the past, it is a procedure that is necessary to keep this Government from shutting down by tomorrow. I urge that Members support the rule. I urge that we support the House joint resolution.

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

Mr. FROST. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, what we have before us today is conclusive proof that the governing Republican majority in this Congress is both incompetent and does not care about democracy. The gentleman just mentioned that Democrats suspended the rules during the last Congress. We did that for 5 days on five different occasions, 1 day at a time. They have done it for 4 months now, and they want to do it even longer than that. There is a basic disagreement on democracy, on how we should function as a democratic institution.

Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Speaker, the remarks of the gentleman from Colorado are irrelevant . . . He talks about the suspension of the rules, as if—

Mr. MCINNIS. Mr. Speaker, I ask that the words be stricken, the words of the gentleman be stricken.

Mr. NADLER. Mr. Speaker, I did not refer to the gentleman in any way. I said his remarks.

Mr. MCINNIS. The gentleman referred to the gentleman from Colorado. I ask that those words be stricken.

Mr. NADLER. Mr. Speaker, I said those remarks were . . . I did not say he was.

The SPEAKER pro tempore. (Mr. BURTON of Indiana). The gentleman will suspend. The gentleman will be seated.

The Clerk will report the words.

□ 1055

Mr. NADLER. Mr. Speaker, rather than waste time, I will withdraw the remarks.

The SPEAKER pro tempore. Without objection, the gentleman withdraws the remarks.

There was no objection.

The SPEAKER pro tempore. The gentleman from New York may proceed in order.

Mr. NADLER. Mr. Speaker, let me say that most of what the gentleman from Colorado was saying is irrelevant to the point that we are making. The relevance of the balanced budget, the merits of the economics of both sides of the House and of the President are not what is at issue here. What is at issue is an abuse of the rules of the House.

The procedure for suspending the rules and what we call martial law is for an emergency. Instead, it is being used for every single day of this Congress, every single day of this Congress, not to give Members the right to read the bills, to have a bill on the floor without a 1-day layover so we can read them and look at them, to take bills away from committees, put them on the floor without consideration. In an emergency, maybe. The gentleman says it is an emergency. The Government will shut down unless there is a continuing resolution.

No. 1, why do we not have a continuing resolution, instead of lasting a week or two, that lasts until a budget agreement is reached or for the balance of the year? But forgetting that, if that is the emergency, why does the gentleman not ask for a rule that suspends the 1-day rule for 1 day for this bill? Not for another few weeks and keep it going that way.

The gentleman says it is within the rules to suspend the rules. Of course. There is that emergency provision, but this is an abuse of it. Lots of things can be done legally. The Reichstag passed the Enabling Act to give certain powers to the chancellor legally. That was an abuse of an emergency provision. Look what it led to.

I do not compare this to that, but it is the same abuse that eliminates democratic procedures. There is no necessity for it. Let them have a 1-day suspension, if necessary, so we can do this continuing resolution that is made necessary by the irresponsibility of the Republicans by not bringing it up earlier and by refusing lengthy CR's.

But let us not let that excuse be used to say we need to suspend the rules so that the Speaker can at any time bypass the committee, bring brand new legislation to the floor without even a day for Members to read it and a day for the Members of the public to read it. That, sir is an abuse of the Members and of the public.

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

I certainly respect the comments from the gentleman from New York,

and I think that his point is a valid point. It is that exact reasoning from the gentleman from New York that the Democrats, when they were running this House floor and they had control of the Rules Committee, used exactly what he is talking about, using the word "emergency."

Let me refer the gentleman from New York to House Resolution 111, this is March 3, 1993, relating to the emergency unemployment compensation. We can go on from there to House Resolution 150 on March 30, 1993, making emergency appropriations. We can move on from there to House Resolution 153, making emergency appropriations, so on and so forth.

Mr. Speaker, I am going to try and pull us back. I would love to engage in debate with the gentlemen from the other side of the aisle. I think it is exciting. But the fact is we have got to get on with business. The fact is we need to keep this Government up and operating. The fact is we need to operate this Government in an economic, fiscally sane way. So let us pull it back to where we are today.

What are we debating right now? We are debating a rule. This is not the first time that this rule has been debated. In the past this rule has been utilized when the Democrats controlled the chair up there, and now the Republicans intend to use this rule. We need to have it.

Yesterday we debated this rule in the Rules Committee. We did not see this kind of vigorous debate in the Rules Committee. The only time we have seen this kind of vigorous debate is when we are down here on the House floor. Because up in the Rules Committee, we know that we have got to cooperate to keep this Government open tomorrow. That is what we are down to. We are down to 1 day. We are down to 24 hours.

Some would say, well, why did you let it get this close? The fact is very simple. We have got good-faith negotiations going on right now between the administration, between the Senate and between the House.

We can shortcut those negotiations. If we do, it is going to shortcut all of us. It is going to fall way short of a goal that I think, once we put the politics aside, once we put the election year aside, a goal that we want, for this country to be fiscally sound.

We should support this rule. This rule is important for us to move on. As I said, and again I stress this, this rule has been used in the past when the Democrats headed the Rules Committee, and we are using it today. It is not a subversion of democratic procedure. It is an allowed rule up there. The reason for it is for the very kind of circumstances that we face today.

The option, of course, is to go ahead, vote down the rule, as has been proposed by some Members who have taken the opposite stance of mine, and close down the Government tomorrow. We do not think it is necessary to close down the Government tomorrow.

We think you should support this rule and help us keep the Government open. We think your idea of closing down the Government by voting down this rule is not a good idea. It does not make sense. Work with us on this. Help us keep this Government operating for the next few days while the negotiations continue.

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

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Speaker, the gentleman from Colorado movingly referred a moment or two ago to his friends in Colorado who speak common sense and my friends, Betsy and Al and others, are of much the same mind. They know a couple of things, too. They know people have to pay their bills on time, and they sure hate it when they lose their job because somebody else did not do their job. That is what this debate is about.

There is a lot of talk about martial law and whether it is an unusual remedy. It depends on the circumstances. Yes, Democrats did use it for 5 days over a 2-year period and then limited it to one bill at a time. In the Republican majority in this Congress, not yet finished, they have used it for 4 months and covered whole classes of bills.

The definition of an emergency is interesting. They are approaching the definition of emergency about as long as Fidel Castro and Chiang Kai-shek and Generalissimo Franco used their definitions of emergency.

Because what is this martial law resolution? It permits you to skip committees, it permits you to avoid 1-day layovers so Members can read bills. It sets up a situation so your representatives do not know what is in those bills when they vote on them. This is a very, very serious matter. Now they want another one, the 11th this year, to go until April 1, not 1 day, not one bill, April 1.

The gentleman from Colorado speaks about economic common sense. Let us talk about common sense, economic common sense. We are 6 months into the 1996 budget year. Incidentally, they are already trying to work up the 1997 budget even though we do not have a 1996 budget yet. We are 6 months into the 1996 budget year. There have been 11 temporary spending resolutions and another 2 weeks of uncertainty coming up. This is businesslike?

Because the Republican leadership cannot operate the House and cannot agree on a budget, others must suffer. When this next continuing resolution expires on April 1, the West Virginia school boards, 55 of them, will have had to have laid off 226 teachers, 90 aides and denied title I reading and math services to 6,500 students. That is economic common sense, I ask you?

The gentleman says that economic common sense is necessary. What kind of economic common sense is it that costs teachers, that costs parents, that

costs children these opportunities, and is only going to suffer more setbacks?

Let me talk about why they want martial law or why I believe that what happens because of martial law, because nobody knows what will be in the bills that come to the floor. Understandably, they do not know yet. They have not written them. They do not know yet what is in them. But I have to be honest, given what has come in the past, I would not want to know what is in them, either, because it is just better that way.

What finally bothers me is when I hear this analogy that somehow if we do not vote for this, we are 2 days away from the deadline and you are going to shut the Government down.

I tried that in my school, too. It does not matter what school you went to, we all tried the same thing. I would go to the teacher and I would say, "You know, 2 days, I didn't have enough time." The teacher would say, "Yeah, BOB, but you had 6 months to work on this budget."

Actually you had a year because you were supposed to have started a year before. I am not impressed and I do not think the American people are impressed, either. That is why this martial law is not good for the Congress and not good for the democracy.

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

The gentleman from West Virginia is an excellent speaker. He presents his points well, but I think we need to look at the substance of the points.

First of all, one of the points that the gentleman from West Virginia says, "Hey, we're 6 months into this process and we still don't have an agreement." I will tell you why we do not have an agreement, is because of that veto pen down there at the White House, veto, veto, veto.

When you talk about the difficulties that we have had on a compromise up here, you should also point out, to be fair to all parties listening to this debate, that there are three parties in this negotiation: The administration, President Clinton; the U.S. Senate; and the U.S. House. On some occasions the U.S. House and the U.S. Senate have come to a compromise and it has been the administration which has vetoed these bills and caused this kind of delay.

But let me also say, in fairness to the economic history of the last 40 years, it does make economic sense, if necessary, to delay this process if we can move this country toward a balanced budget, if we can get this country to quit spending more than it brings in.

Sure, you can look at the record of the last 40 years and say there were not very many times, if any, and I do not know that history for sure, but even if there were not any times that they went 6 months beyond that deadline, take a look at the product that we got. The product that we have got is a government that spends \$40 million an hour on its debt more than it brings in.

The product we have got is it now requires every man, woman, and child in this country to pick up \$18,000 on their share of what is going to be necessary to get us out of debt.

It is kind of like running a credit card. Most of us have credit cards. Sure, if you can continue to use the credit card and charge and charge and charge and charge, and nobody ever calls you on it or nobody ever forces you to pay up the bill, then it is pretty easy not to delay buying something because you do not have the money. You just go down and charge it. That is what has happened for 40 years. Now before we let you use the charge card, we are saying, "Wait a minute. Look at how much we owe on the charge card."

Certainly we are going to have to spend some money. Obviously education is a priority for all of us. Obviously we have to have a defense. But we need to spend the money more efficiently. Before we just go down and willy-nilly charge anything we want, we have got to be careful with that credit card. That is what we are saying. That is what these negotiations are about.

I think further, let me say to the gentleman from West Virginia, he continues to use the words "martial law," but at least the gentleman from West Virginia also applied that term when the Democrats had the Rules Committee. I would venture to say to the gentleman from West Virginia, the Democrats did not use martial law when they utilized this rule. We are not using martial law by utilization of this rule.

I read the definition over here from Webster's dictionary, martial law, which involves military forces. It is the utilization of the rules to get us to a common point. That common point, which you are coming to very resistantly, and you are tugging and you are pulling getting to that point but you are moving to that point, is a balanced budget for this country. I think that is the essence of what we have to get to.

You say we misuse the title of emergency. Well, folks, we are going to have an emergency in 24 hours. The clock is ticking. It is ticking second by second. That clock right up there, 24 hours from today, if you do not cooperate with us, you are going to shut this Government down.

We do not want the Government shut down. We want a government that is going to operate in an efficient manner and we are asking for your cooperation to give us some more time for good-faith negotiations. Is that too much to ask from you? I do not think so.

Last night when we were in the Rules Committee, they did not think so. We did not have this kind of argument last night in Rules. Let us pass this rule, let us get a good, healthy debate on the floor and let us keep the Government open.

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

Mr. FROST. Mr. Speaker, I yield 3½ minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Well, you may not want it shut down this morning, but you were mighty proud to shut it down twice last year. You use this term "civil disorder." You say that martial law is something that we bring into play when there is civil disorder.

Well, what better term to describe the mess that you have made of this Government? Coming to the American people and bragging about your power to shut down the Government, not once but twice, costing the American taxpayer \$1.5 billion, frittered away by this Republican leadership, totally and completely wasted so that they could have their Government shutdowns. What do they propose today? Well, they want to erect a monument to the mismanagement, to the failures of this Gingrich Congress.

This year after those two Government shutdowns, what have they given us? Loud talk and long weekends. It took them 3 weeks to celebrate Valentine's Day, breaking from this Congress. They come in and they break a little after noon.

There are people across America that these Republican colleagues of ours simply do not understand. They are working families. They are facing a tough time trying to make ends meet. If they for 1 week were to handle their business in the total mismanagement fashion of our Republican colleagues, taking 5 and 6-day weekends, taking 3 weeks for Valentine's Day, working part-time, asking to be paid full time, and caring about the real problems of the American people no time, then those ordinary working families would be out without a job in their own situation.

At the same time, we find ourselves in these sputtering spurts of Government that occur here with the same kind of extremist rhetoric that we heard all of last year from day one. When Republicans over in the other body hear the cry of the American people and approve money so that we can keep Head Start going instead of giving our young children a wrong start, keep our teachers going with Federal support of education, the response from the House Republican leadership is that the Senate Republicans have somehow been spineless, rather than to commend them for their willingness to finally come around and listen to the American people.

There are programs for young people in this country that are going to be shut down unless this kind of extremism can be put to a halt. We got just this week another example of that same kind of extremism, where we have one Member of this body coming and saying that he heard right here in the House a great Republican say, "'I trust Hamas more than I trust my own government.' Those words hurt."

They do indeed hurt, and they hurt not just the pride of this body. They

hurt ordinary working families across this country, because they are the ones that are being savaged, that are being impacted by this kind of extremism in the House that has the Government operating literally from 1 day to the next, without the planning that our local school boards need and our Government agencies need to do their job.

□ 1115

So what is proposed as a solution? What this rule does is to say they think the solution to it all is to do one thing: Give Speaker NEWT GINGRICH more power. I do not believe the American people think the Speaker needs more power. I think they view him as part of the problem instead of part of the solution.

This allows him to come forward with more sneak attacks, just like tomorrow. Every time the American people realize what is happening to them, they come up with some sneak attack and some distraction piece of legislation. There is only one good feature of this resolution that our Republican colleagues are offering, and that is this authority is going to expire on April 1. Yes, they quite appropriately picked April Fools' Day. I say the American people are not going to be fooled again by this kind of nonsense.

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

Mr. Speaker, I find it somewhat amusing that the gentleman defines a sneak attack as an attack that comes tomorrow. That is not too sneaky if it is coming tomorrow.

Second of all, the gentleman talks about how the Republicans have stretched Valentine's Day for 3 weeks. I would let the gentleman from Texas know, I actually got to spend Valentine's Day with my wife, and I wish I could have figured out how to stretch that for 3 weeks, because it was a wonderful day.

Let us get back to the rule here. You want to vote against this rule, then you want to shut down the Government. That is how simple the choice is. It is the bottom line. We can talk about quotes here and there, and we can bring in posters and jump up and down and talk about all these kind of things. But the fact is, if you want to vote against the rule, you vote to shut the Government down tomorrow. No way around it. It is that simple. If you vote against the rule, you shut down the Government tomorrow.

I do not think that is what you really want to do. I think what you really want to do is cause a little havoc, and that is certainly within the debate here. I do not think that is going to get us anywhere. I think we have to pull back, unify, and work towards a balanced budget. You talk about the word "extreme," this word "extreme." What I think most Americans would define as extreme is that you up here, some of you, decide to vote against a rule, this is a procedure, a procedure that has been used by the Democrats, a proce-

cedure used by the Republicans, that you would vote against a rule just to demonstrate a point to shut down the Government tomorrow.

Do not shut it down. You do not need to shut the Government down tomorrow. That would be an extreme move. I would hope that the gentleman from Texas votes for this rule, because if you do not vote for the rule, then I think the next logical step is using the definition of the word "extreme." It shuts the Government down.

Again, let me remind my colleagues, last night when we were in the Committee on Rules, we did not have this kind of debate. The members of the Committee on Rules on both sides of the aisle understood that we need to continue to operate the Government. They understood that we can operate in a positive fashion. Now we have got a little insurgence, coming over here today saying, hey, this is a bad rule. For some reason, we could use the rule, but you cannot use the rule. We see all these kinds of words being used, "extreme, extreme, extreme."

I would suggest we use the words "veto, veto, veto," and once we are through with that debate, let us get to the issue at hand, and that is to vote "yes" on this rule so we can keep the Government from closing down tomorrow.

This is serious business. If we do not pass this rule, this Government is shutting down tomorrow. So let me urge all of my colleagues, let me say to you, Democrats, if you really want to push it, you may win the battle, you may beat the rule, but you are going to lose the war. And who loses if you lose? We all lose. Tomorrow we have got to keep this Government operating. There is no reason. In the past there has been, I think, logical argument on both sides that you have to bring an operation to halt that is spending \$38 million an hour more than it brings in. But tomorrow, you do not have that kind of justification. You do not need to shut this Government down. Vote "yes" on this rule and keep the Government in operation.

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

Mr. FROST. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, my colleague on the other side of the aisle is a little confused. I have listened to him and listened to him and tried to understand what he is saying. He obviously is confused. Let me see if I can set it straight.

We are not suggesting that the CR should not be brought up. The CR will be brought up today, should be brought up today, even under what we are suggesting. The only thing that we are asking is that the martial law provision of this rule be stripped out. Strip that out, you still bring the CR up today, because the CR is laid over 24 hours. That is all we are asking.

The gentleman seems to be very, very confused. He seems to think that

if we won the previous question and we were able to strip out the martial law provision, that the CR could not come up. That is not the case at all. The CR would come up. It would be the next order of business.

I guess perhaps the staff on the other side may explain that to the gentleman, that even if we win, that the CR will be voted on today. I know it is a little hard to follow, what goes on around this place sometimes, but we are not suggesting the CR should not be brought up. We are suggesting it should be brought up, voted on today, so the Government can stay open.

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

Ms. DELAURO. Mr. Speaker, today what we are seeing and what we are listening to is another consequence of the incompetence of those who run this House. The resolution that we debate will grant Speaker GINGRICH extraordinary powers to bypass the regular process of this body and to bring bills immediately to the floor. What does this mean? No time to read the bills, no time to understand what is being voted on, no time for committees to air the process.

It is a subterfuge, a way in which you want to hide what you truly want to do.

We have precedent here: The Medicare debate, its Medicare debate, one hearing on dismantling the Medicare Program, which serves 99 percent of the seniors in this Nation. However, we were able to expose what our Republican colleagues wanted to do about Medicare, and now they have backed off of that issue.

This is a subterfuge tactic to hide what they want to do. The incompetent management has consequences in the lives of working families. Medicare is an example. As we lurch now from one short-term spending bill to another, citizens, businesses, have no idea what the Federal Government is about. My State of Connecticut, the educators are contemplating cutting reading, writing, mathematics programs, for our kids, the programs that talk about making our schools safe for our kids, providing the opportunity for high school students through school to work to be able to move into a profession. College loans will be cut. They do not know in my State of Connecticut what the Federal Government wants to do in funding for education. They are unable to plan for the school year.

I say to my colleague from Colorado that your friend Al's children are in serious jeopardy. Let us not give NEWT GINGRICH any more powers. Let us do the people's business, pass a budget that reflects the values and priorities of this Nation.

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

Mr. Speaker, I do find the previous Speaker's comments entertaining, but I think it is important for us to address the comments of substance, and those

are the comments from the gentleman from Texas. The gentleman from Texas is correct, I am confused, because last night in the Committee on Rules, we offered two separate rules specifically to the gentleman from Texas. I remember his comments. I was there. I was right opposite him. We said to the gentleman from Texas, "Mr. FROST, would you like two rules?" The answer was no.

Now, why two rules? One rule, if you are having a problem with the waiver of the bill, then we will give you a separate rule on the continuing resolution which will stop the Government from shutting down tomorrow. Then you can have a separate rule on this debate on the waiver or on the procedure we are using.

The gentleman from Texas said no. Now I am confused. If he is not attempting to shut down the Government tomorrow, why did he not ask for separate rules last night? It is very clear. The fact is, there is a little game playing going on here. That is OK. We are in a debate. But it gets real, real serious here in about 24 hours. You are going to shut down that Government if you vote "no" on this rule.

Last night, if you were really serious about your objections to the waiver we have requested, you should have asked, you had the opportunity to ask, and you did not ask, for a separate rule. You could have had a separate rule. You did not ask. You did not go after it for the continuing resolution.

Then maybe some of the comments you would have made would have had more merit to me. As we stand right now, we are playing, again as I say, a very serious game with the lives of 240 million Americans when we do not need to. We do not need to shut down the Government tomorrow. We are not at that point in a crisis. We are not at that point in our negotiations where it requires a shutdown, where we walk off the job. Let us stay on the job. The way we stay on the job is you vote "yes" on this rule. If you want to shut down the Government, then go ahead with this game playing, vote "no" on the rule, and then we will see who is confused tomorrow night at about midnight.

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

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Speaker, I rise today against this closed rule. This is just another example of this 2-year experiment, which we have to call the Republican control of Congress. I think in order to evaluate this experiment, we need certain things. We need to look at issues and numbers.

The first issue is priorities. This Republican Congress wants to cut \$3 billion this year from education. Another number, 22. It has decided, this Republican Congress, to cut 22 percent of the environmental protection moneys. That is the protection for health for our children.

Another issue, failures. Another number, 11. This Republican Congress has tried to shut down the Government, or actually failed to keep the Government going, 11 times.

Now, in 208 years, that has never happened before. The U.S. Congress has never threatened to shut down the Government 11 times.

Another failure is five, and another number, five. That is the number of appropriations bills from last year that have not yet been passed this year.

Value, what about value? Well, there is the number 133,000. That is what Members of Congress get paid in order to run the Government, in order to do their job. Well, I would say that the Republican majority has not been able to do its job, so I would say that the American public really has not got their money's worth from this Republican control of Congress.

Mr. Speaker, I rise against this closed rule, another closed rule, and I rise against the priorities of this Republican Congress.

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

Mr. Speaker, to the gentlewoman, let me tell you, there is a big priority right here in front of you, it is in front of me, and it is in front of every one of our colleagues, and that is if you do not vote on this rule and we lose the rule and we shut down the Government tomorrow, that should not be the priority, the shutdown of the Government. We do not need it. The negotiations are not there.

Our priority, the Republican leadership's priority, is to try to keep this Government operating. Now we are trying to negotiate in good faith with the President. All we get is veto, veto, veto, veto, veto, veto, but we think we can negotiate something. We think we should continue the good faith negotiation.

We do not think you need to shut down the Government tomorrow to prove your point that you are displeased with the Committee on Rules. If you are unhappy with the Committee on Rules, come up and have your representative on the Committee on Rules entertain a motion.

Certainly yesterday the members of the Democratic Party on the Committee on Rules had every right, they did not do it, they could have done it, but they did not do it, to offer a motion to have two separate rules. In fact, it was members of the Republican side of the aisle on the Committee on Rules that asked the gentleman from Texas [Mr. FROST], on the Democrat side, would they like two separate rules? The answer was no.

I will tell Members, the cooperation last night in the Committee on Rules was good. It was excellent. But you cannot hardly believe in less than 24 hours the cooperation we saw upstairs in the Committee on Rules has developed into this. There has not been any tough negotiations or disagreements between us in the last 12 hours. What brought this on?

Come on folks. We have got to keep this Government going. We can do it. Vote "yes" on this rule. It is absolutely essential if we want to keep the Government operating.

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

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, I sympathize with the gentleman from Colorado. He has been left all alone on his side to defend this latest trampling of open procedures, and he is a little testy because he apparently thought he had a nice deal worked out last night and democracy has broken out on the floor of the House. I understand that is unsettling, but he has to learn to live with it.

On the other hand, I want to give him credit. Some people think others do not learn things. Clearly he at least has learned that shutting down the Government is a terrible idea. He has several times today talked about how outrageous it is to shut down the Government. One would not infer from that he is part of the majority that made a habit of shutting down the Government as a deliberate tactic. People boasted about shutting down the Government.

Well, they have learned that was not a good thing and the gentleman from Colorado has the zeal of a convert against shutting down the Government. He has joined Government-shutters-down-anonymous. We are on a 12-step program. Unfortunately, it does not include democracy.

What we are being told here is you may not continue to debate these issues openly. You may not have the rules which say you got to wait a day so we can study this big thing. He says you better do this in a hurry or we will shut the Government down.

Why is that the case? Because the Republican majority has not been able to run the place sufficiently to give us enough time. So, yes, they have created an emergency from which they now want to profit.

They are asking us to sacrifice democratic procedures on the altar of their own incompetence. I agree, it is an imposing altar. I have never seen incompetence so dazzlingly displayed. But I do not think that is a justification for shutting down fair procedures.

What is their justification? "Well, you guys did it, too. You guys did it." Every time we talk about one more procedural outrage, they go to the history books and they say "Hey, the Democrats once did that."

Well, as I recall, the Republicans ran in 1994 on a slogan of "Throw the bums out. They have run the House unfairly, they have been undemocratic." Speaker GINGRICH, when he was still Speaker, before he kind of deposed himself and put ARMEY in charge, he used to talk about that.

Now what do we have? Every time the Republicans get in a bind because

of their own incompetence, they decide to do some shortcut that they used to attack us for. So they used to run on the slogan "Throw the bums out." Then they decided to take power and emulate us, and this year apparently their slogan for reelection will be, "Keep the bums in."

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

Mr. Speaker, I think there ought to be a new song and dance out there called veto and spend, veto and spend, veto and spend. The gentleman ought to mention a little of that in his comments, the gentleman from Massachusetts.

But let me also say to the gentleman from Massachusetts, I respect his compliment that I have unilaterally had to take on speaker after speaker after speaker here for the last hour. Bring on your best. I think I can handle it. I am ready for it.

The issue here is not whether or not we have had a great debate in the last hour, and I think we have. Certainly it has been somewhat entertaining. The fact is this: If we do not pass this rule, if we carry through with the gentleman's comments to vote no on this rule and this rule loses, we will close this Government down tomorrow.

□ 1130

As I have said, there are times where it may be necessary to close down the Government for a temporary period of time. This is not one of those times. My colleagues do not need to bring this battle upon themselves. Do not do it. Do not do it to the American people.

Vote "yes" on this rule and keep that Government operating tomorrow. I can tell the Republicans intend to vote "yes" on this rule. We do not think it is time to close down the Government, and we urge them to reconsider their strategy of closing down the Government tomorrow. Do not do it. Vote "yes" on the rule.

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

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. VOLKMER].

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

Mr. VOLKMER. Mr. Speaker, today is another one of those sad days in the history of the 104th Congress. Today, once again, you are seeing the Democratic minority gagged basically by the Republican majority. They are going to, by passing this rule, be able to take up legislation in the foreseeable future all the way to the 1st of April, approximately, without going through the normal process of the rules of the House.

This is not new to the 104th Congress. This is a way that the 104th Congress, under Speaker GINGRICH, has operated for over a year. Yet, a little over a year ago in this well, the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules, said that we were going to have openness in this

Congress, we were going to have over 75 percent of the open rules. Where is the open rule?

So far this year, major legislation, the farm bill, antiterrorism, today we will finish immigration, all of those, major legislation, every one of them, closed rule, semi-closed rule. No open rule. Not letting Members who are elected by their constituents to this house, to this democratic body, any democracy at all, not letting them talk about their amendments and offer their amendments.

Mr. Speaker, no, there is no democracy in this great House of Representatives. This bulwark, this great light for every other nation, we do not have democracy. We have a dictatorship, a strong dictatorship, one that rules with an iron hand and tells Members they do not have to participate. In fact, we cannot even participate in the operation of this House and what legislation goes and what amendments are offered and even what debate is had.

They are limiting time. Even if we get to offer an amendment, opponents to it cannot get up and speak unlimited on it and discuss it. No, no, 10 minutes, 15 minutes for a major amendment. Why? Because they want to run this House with an iron hand, not with openness, not with democracy. There is no democracy in this House of Representatives.

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

It is awful hard not to like the gentleman from Missouri. His comments are amusing, but his comments certainly are not relevant here. He talks about the fact that I, as a representative of the majority party here today, am trying to gag the minority party. I think he probably had 20 speakers, I have spoken this entire time, he has had 20 speakers. There is no gagging going on here.

Let me just say that these comments are all fine, and it may play good for the liveliness of this debate because sometimes these rule debates get pretty boring; but the fact is this. Your President, our President, the President of the United States agrees with this continuing resolution. He does not want to shut down the Government tomorrow. So I urge my colleague to call his President, call our President, call the Democratic National Committee and say, should we really vote no on this rule and shut this Government down? Is this the right strategy to pursue, to shut down the Government tomorrow? It is a darned risky strategy. I do not think they are going to succeed.

Mr. Speaker, I am trying to offer some advice to the Democrats over there that are urging a "no" vote. Do not do it, it will backfire on you. Do not shut down the Government. Work with us on this rule. Cooperate with us. The President is going to sign it. It does not take a rocket scientist to figure this thing out. We have got to keep the Government operating tomorrow.

The gentleman talks about fairness and a gag, the minority leader has the right to offer the final amendment tomorrow to the gentleman from Missouri. We did not gag him. We did not gag any of them in the last hour. There is plenty of time for debate. But do not let that debate run the next 24 hours and shut this Government down. Because if they do, they are making a mistake. We do not need to shut the Government down.

Vote "yes" on this rule or take the option of shutting it down. Do not do the latter because it will hurt every man, woman, and child in this country.

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

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

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

Mr. FROST. Mr. Speaker, I urge a "no" vote on the previous question. If the previous question is defeated, I shall offer an amendment to the rule which will provide an open rule for consideration of a clean continuing resolution without the martial law provisions. These extraordinary procedures would allow the House to bring up a series of budget bills without the normal 1-day layover period required by the rules. It's time to return to the regular order and live by the rule which protects the rights of Members on both sides of the aisle.

I include for the RECORD the text of the amendment I would offer if the previous question were defeated.

AMENDMENT TO H. RES. 386

On page 2, strike all after line 9 through the end of the resolution.

On page 1, strike lines 1 and 2 and insert: "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 joint reso-"

On page 2, line 4, after the period add the following:

"After general debate the joint resolution shall be considered for amendment under the five-minute rule. At the conclusion of consideration of the joint resolution for amendment the Committee shall rise and report the joint resolution to the House with such amendments as many have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the joint resolution."

Explanation: The amendment to the resolution strips out the martial law provisions of the rule and provides on open rule for consideration of the short-term continuing resolution.

Mr. Speaker, every single rule the House has adopted this session has been a restrictive rule; yes, you heard that correctly, the Republican House has so far adopted 100 percent restrictive rules in this session. And if it is adopted, the rule before us will leave that 100 percent purely restrictive rules record intact.

This is the 62d restrictive rule reported out of the Rules Committee this Congress.

In addition more than 72 percent of the legislation considered this session has not been reported from commit-

tee—8 out of 11 measures brought up this session have been unreported.

At this point I include the following information for the RECORD.

FLOOR PROCEDURE IN THE 104TH CONGRESS; 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: contained a closed rule on H.R. 1 within the closed rule	None.
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive: Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A.
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive: only certain substitutes	2R; 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive: considered in House no amendments	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; Pre-printing gets preference	N/A.
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open; Pre-printing gets preference	N/A.
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open; Pre-printing gets preference	N/A.
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive: 10 hr. Time Cap on amendments	N/A.
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open; Pre-printing gets preference: Contains self-executing provision	N/A.
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive: 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive: 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 729*	Death Penalty/Habeas	N/A	Restrictive: brought up under UC with a 6 hr. time cap on amendments	N/A.
S. 2	Senate Compliance	N/A	Closed: Put on Suspension Calendar over Democratic objection	None.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive: makes in order only the Gibbons amendment; Waives all points of order; Contains self-executing provision.	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: makes in order only the Obey substitute	1D.
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive: 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 1022*	Risk Assessment	H. Res. 96	Restrictive: 10 hr. Time Cap on amendments	N/A.
H.R. 926*	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925*	Private Property Protection Act	H. Res. 101	Restrictive: 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	1D.
H.R. 1058*	Securities Litigation Reform Act	H. Res. 105	Restrictive: 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it.	1D.
H.R. 988*	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive: 7 hr. time cap on amendments; Pre-printing gets preference	N/A.
H.R. 956*	Product Liability and Legal Reform Act	H. Res. 109	Restrictive: makes in order only 15 germane amendments and denies 64 germane amendments from being considered.	8D; 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive: Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) of rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A.
H.J. Res. 73*	Term Limits	H. Res. 116	Restrictive: Makes in order only 4 amendments considered under a "Queen of the Hill" procedure and denies 21 germane amendments from being considered.	1D; 3R
H.R. 4*	Welfare Reform	H. Res. 119	Restrictive: Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered: The substitutes are to be considered under a "Queen of the Hill" procedure; All points of order are waived against the amendments.	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: Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute.	1D.
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive: waives cl 2(1)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time.	1D.
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A.
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open; waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XXI against the committee substitute.	N/A.
H.R. 961	Clean Water Act	H. Res. 140	Open; Pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business.	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: Makes in order 4 substitutes under regular order; Gephardt, Neumann/Solomon, Payne/Owens, President's Budget if printed in Record on 5/17/95; waives all points of order against substitutes and concurrent resolution; suspends application of Rule XLIX with respect to the resolution; self-executes Agriculture language.	3D; 1R.
H.R. 1561	American Overseas Interests Act of 1995	H. Res. 155	Restrictive: Requires amendments to be printed in the Record prior to their consideration; 10 hr. time cap; waives cl 2(1)(6) of rule XI against the bill's consideration; Also waives sections 302(f), 303(a), 308(a) and 402(a) against the bill's consideration and the committee amendment in order as original text; waives cl 5(a) of rule XXI against the amendment; amendment consideration is closed at 2:30 p.m. on May 25, 1995. Self-executes provision which removes section 2210 from the bill. This was done at the request of the Budget Committee.	N/A.
H.R. 1530	National Defense Authorization Act FY 1996	H. Res. 164	Restrictive: Makes in order only the amendments printed in the report; waives all points of order against the bill, substitute and amendments printed in the report. Gives the Chairman en bloc authority. Self-executes a provision which strikes section 807 of the bill; provides for an additional 30 min. of debate on Nunn-Lugar section; Allows Mr. Clinger to offer a modification of his amendment with the concurrence of Ms. Collins.	36R; 18D; 2 Bipartisan.
H.R. 1817	Military Construction Appropriations; FY 1996	H. Res. 167	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; 1 hr. general debate; Uses House passed budget numbers as threshold for spending amounts pending passage of Budget.	N/A.
H.R. 1854	Legislative Branch Appropriations	H. Res. 169	Restrictive: Makes in order only 11 amendments; waives sections 302(f) and 308(a) of the Budget Act against the bill and cl. 2 and cl. 6 of rule XXI against the bill. All points of order are waived against the amendments.	5R; 4D; 2 Bipartisan.
H.R. 1868	Foreign Operations Appropriations	H. Res. 170	Open; waives cl. 2, cl. 5(b), and cl. 6 of rule XXI against the bill; makes in order the Gilman amendments as first order of business; waives all points of order against the amendments; if adopted they will be considered as original text; waives cl. 2 of rule XXI against the amendments printed in the report. Pre-printing gets priority (Hall) (Menendez) (Goss) (Smith, NJ).	N/A.
H.R. 1905	Energy & Water Appropriations	H. Res. 171	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; makes in order the Shuster amendment as the first order of business; waives all points of order against the amendment; if adopted it will be considered as original text. Pre-printing gets priority.	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: provides one hour of general debate and one motion to recommit with or without instructions; if there are instructions, the MO is debatable for 1 hr.	N/A.
H.R. 1944	Rescissions Bill	H. Res. 175	Restrictive: Provides for consideration of the bill in the House; Permits the Chairman of the Appropriations Committee to offer one amendment which is unamendable; waives all points of order against the amendment.	N/A.

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

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1868 (2nd rule)	Foreign Operations Appropriations	H. Res. 177	Restrictive; Provides for further consideration of the bill; makes in order only the four amendments printed in the rules report (20 min. each). Waives all points of order against the amendments; Prohibits intervening motions in the Committee of the Whole; Provides for an automatic rise and report following the disposition of the amendments.	N/A.
H.R. 1977 *Rule Defeated*	Interior Appropriations	H. Res. 185	Open; waives sections 302(f) and 308(a) of the Budget Act and cl 2 and cl 6 of rule XXI; provides that the bill be read by title; waives all points of order against the Tauzin amendment; self-executes Budget Committee amendment; waives cl 2(e) of rule XXI against amendments to the bill; Pre-printing gets priority.	N/A.
H.R. 1977	Interior Appropriations	H.Res. 187	Open; waives sections 302(f), 306 and 308(a) of the Budget Act; waives clauses 2 and 6 of rule XXI against provisions in the bill; waives all points of order against the Tauzin amendment; provides that the bill be read by title; self-executes Budget Committee amendment and makes NEA funding subject to House passed authorization; waives cl 2(e) of rule XXI against the amendments to the bill; Pre-printing gets priority.	N/A.
H.R. 1976	Agriculture Appropriations	H. Res. 188	Open; waives clauses 2 and 6 of rule XXI against provisions in the bill; provides that the bill be read by title; Makes Skeen amendment first order of business, if adopted the amendment will be considered as base text (10 min.); Pre-printing gets priority.	N/A.
H.R. 1977 (3rd rule)	Interior Appropriations	H. Res. 189	Restrictive; provides for the further consideration of the bill; allows only amendments pre-printed before July 14th to be considered; limits motions to rise.	N/A.
H.R. 2020	Treasury Postal Appropriations	H. Res. 190	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; provides the bill be read by title; Pre-printing gets priority.	N/A.
H.J. Res. 96	Disapproving MFN for China	H. Res. 193	Restrictive; provides for consideration in the House of H.R. 2058 (90 min.) And H.J. Res. 96 (1 hr). Waives certain provisions of the Trade Act.	N/A.
H.R. 2002	Transportation Appropriations	H. Res. 194	Open; waives cl. 3 of rule XIII and section 401 (a) of the CBA against consideration of the bill; waives cl. 6 and cl. 2 of rule XXI against provisions in the bill; Makes in order the Clinger/Solomon amendment waives all points of order against the amendment (Line Item Veto); provides the bill be read by title; Pre-printing gets priority. *RULE AMENDED*.	N/A.
H.R. 70	Exports of Alaskan North Slope Oil	H. Res. 197	Open; Makes in order the Resources Committee amendment in the nature of a substitute as original text; Pre-printing gets priority; Provides a Senate hook-up with S. 395.	N/A.
H.R. 2076	Commerce, Justice Appropriations	H. Res. 198	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Pre-printing gets priority; provides the bill be read by title..	N/A.
H.R. 2099	VA/HUD Appropriations	H. Res. 201	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Provides that the amendment in part 1 of the report is the first business, if adopted it will be considered as base text (30 min.); waives all points of order against the Klug and Davis amendments; Pre-printing gets priority; Provides that the bill be read by title.	N/A.
S. 21	Termination of U.S. Arms Embargo on Bosnia	H. Res. 204	Restrictive; 3 hours of general debate; Makes in order an amendment to be offered by the Minority Leader or a designee (1 hr); If motion to recommit has instructions it can only be offered by the Minority Leader or a designee.	ID.
H.R. 2126	Defense Appropriations	H. Res. 205	Open; waives cl. 2(1)(6) of rule XI and section 306 of the Congressional Budget Act against consideration of the bill; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; self-executes a strike of sections 8021 and 8024 of the bill as requested by the Budget Committee; Pre-printing gets priority; Provides the bill be read by title.	N/A.
H.R. 1555	Communications Act of 1995	H. Res. 207	Restrictive; waives sec. 302(f) of the Budget Act against consideration of the bill; Makes in order the Commerce Committee amendment as original text and waives sec. 302(f) of the Budget Act and cl. 5(a) of rule XXI against the amendment; Makes in order the Bilely amendment (30 min.) as the first order of business, if adopted it will be original text; makes in order only the amendments printed in the report and waives all points of order against the amendments; provides a Senate hook-up with S. 652.	2R/3D/3 Bi-partisan.
H.R. 2127	Labor/HHS Appropriations Act	H. Res. 208	Open; Provides that the first order of business will be the managers amendments (10 min.), if adopted they will be considered as base text; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; waives all points of order against certain amendments printed in the report; Pre-printing gets priority; Provides the bill be read by title.	N/A.
H.R. 1594	Economically Targeted Investments	H. Res. 215	Open; 2 hr of gen. debate. makes in order the committee substitute as original text	N/A.
H.R. 1655	Intelligence Authorization	H. Res. 216	Restrictive; waives sections 302(f), 308(a) and 401(b) of the Budget Act. Makes in order the committee substitute as modified by Govt. Reform amend (striking sec. 505) and an amendment striking title VII. Cl 7 of rule XVI and cl 5(a) of rule XXI are waived against the substitute. Sections 302(f) and 401(b) of the CBA are also waived against the substitute. Amendments must also be pre-printed in the Congressional record.	N/A.
H.R. 1162	Deficit Reduction Lock Box	H. Res. 218	Open; waives cl 7 of rule XVI against the committee substitute made in order as original text; Pre-printing gets priority.	N/A.
H.R. 1670	Federal Acquisition Reform Act of 1995	H. Res. 219	Open; waives sections 302(f) and 308(a) of the Budget Act against consideration of the bill; bill will be read by title; waives cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Pre-printing gets priority.	N/A.
H.R. 1617	To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS).	H. Res. 222	Open; waives section 302(f) and 401(b) of the Budget Act against the substitute made in order as original text (H.R. 2332), cl. 5(a) of rule XXI is also waived against the substitute. provides for consideration of the managers amendment (10 min.) If adopted, it is considered as base text.	N/A.
H.R. 2274	National Highway System Designation Act of 1995	H. Res. 224	Open; waives section 302(f) of the Budget Act against consideration of the bill; Makes H.R. 2349 in order as original text; waives section 302(f) of the Budget Act against the substitute; provides for the consideration of a managers amendment (10 min.) If adopted, it is considered as base text; Pre-printing gets priority.	N/A.
H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995	H. Res. 225	Restrictive; waives cl 2(L)(2)(B) of rule XI against consideration of the bill; makes in order H.R. 2347 as base text; waives cl 7 of rule XVI against the substitute; Makes Hamilton amendment the first amendment to be considered (1 hr). Makes in order only amendments printed in the report.	2R/2D
H.R. 743	The Teamwork for Employees and managers Act of 1995	H. Res. 226	Open; waives cl 2(1)(2)(b) of rule XI against consideration of the bill; makes in order the committee amendment as original text; Pre-printing gets priority.	N/A.
H.R. 1170	3-Judge Court for Certain Injunctions	H. Res. 227	Open; makes in order a committee amendment as original text; Pre-printing gets priority	N/A.
H.R. 1601	International Space Station Authorization Act of 1995	H. Res. 228	Open; makes in order a committee amendment as original text; pre-printing gets priority	N/A.
H.J. Res. 108	Making Continuing Appropriations for FY 1996	H. Res. 230	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	
H.R. 2405	Omnibus Civilian Science Authorization Act of 1995	H. Res. 234	Open; self-executes a provision striking section 304(b)(3) of the bill (Commerce Committee request); Pre-printing gets priority.	N/A.
H.R. 2259	To Disapprove Certain Sentencing Guideline Amendments	H. Res. 237	Restrictive; waives cl 2(1)(2)(B) of rule XI against the bill's consideration; makes in order the text of the Senate bill S. 1254 as original text; Makes in order only a Conyers substitute; provides a senate hook-up after adoption.	1D
H.R. 2425	Medicare Preservation Act	H. Res. 238	Restrictive; waives all points of order against the bill's consideration; makes in order the text of H.R. 2485 as original text; waives all points of order against H.R. 2485; makes in order only an amendment offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXI (½ requirement on votes raising taxes).	1D
H.R. 2492	Legislative Branch Appropriations Bill	H. Res. 239	Restrictive; provides for consideration of the bill in the House	N/A.
H.R. 2491	7 Year Balanced Budget Reconciliation Social Security Earnings Test Reform.	H. Res. 245	Restrictive; makes in order H.R. 2517 as original text; waives all pints of order against the bill; Makes in order only H.R. 2530 as an amendment only if offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXI (½ requirement on votes raising taxes).	1D
H.R. 1833	Partial Birth Abortion Ban Act of 1995	H. Res. 251	Closed	N/A.
H.R. 2546	D.C. Appropriations FY 1996	H. Res. 252	Restrictive; waives all points of order against the bill's consideration; Makes in order the Walsh amendment as the first order of business (10 min.); if adopted it is considered as base text; waives cl 2 and 6 of rule XXI against the bill; makes in order the Bonilla, Gunderson and Hostettler amendments (30 min.); waives all points of order against the amendments; debate on any further amendments is limited to 30 min. each.	N/A.
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 257	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	N/A.
H.R. 2586	Temporary Increase in the Statutory Debt Limit	H. Res. 258	Restrictive; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee; self-executes 4 amendments in the rule: Solomon, Medicare Coverage of Certain Anti-Cancer Drug Treatments, Habeas Corpus Reform, Chrysler (M); makes in order the Walker amend (40 min.) on regulatory reform.	5R
H.R. 2539	ICC Termination	H. Res. 259	Open; waives section 302(f) and section 308(a)	
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 261	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A.

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

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 2586	Temporary Increase in the Statutory Limit on the Public Debt	H. Res. 262	Closed: provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A.
H. Res. 250	House Gift Rule Reform	H. Res. 268	Closed: provides for consideration of the bill in the House; 30 min. of debate; makes in order the Burton amendment and the Gingrich en bloc amendment (30 min. each); waives all points of order against the amendments; Gingrich is only in order if Burton fails or is not offered.	2R
H.R. 2564	Lobbying Disclosure Act of 1995	H. Res. 269	Open: waives cl. 2(1)(6) of rule XI against the bill's consideration; waives all points of order against the Istook and McIntosh amendments.	N/A.
H.R. 2606	Prohibition on Funds for Bosnia Deployment	H. Res. 273	Restrictive: waives all points of order against the bill's consideration; provides one motion to amend if offered by the Minority Leader or designee (1 hr non-amendable); motion to recommit which may have instructions only if offered by Minority Leader or his designee; if Minority Leader motion is not offered debate time will be extended by 1 hr.	N/A.
H.R. 1788	Amtrak Reform and Privatization Act of 1995	H. Res. 289	Open: waives all points of order against the bill's consideration; makes in order the Transportation substitute modified by the amend in the report; Bill read by title; waives all points of order against the substitute; makes in order a managers amend as the first order of business, if adopted it is considered base text (10 min.); waives all points of order against the amendment; Pre-printing gets priority.	N/A.
H.R. 1350	Maritime Security Act of 1995	H. Res. 287	Open: makes in order the committee substitute as original text; makes in order a managers amendment which if adopted is considered as original text (20 min.) unamendable; pre-printing gets priority.	N/A.
H.R. 2621	To Protect Federal Trust Funds	H. Res.	Closed: provides for the adoption of the Ways & Means amendment printed in the report. 1 hr. of general debate.	N/A.
H.R. 1745	Utah Public Lands Management Act of 1995	H.Res. 303	Open: waives cl 2(1)(6) of rule XI and sections 302(f) and 311(a) of the Budget Act against the bill's consideration. Makes in order the Resources substitute as base text and waives cl 7 of rule XVI and sections 302(f) and 308(a) of the Budget Act; makes in order a managers' amend as the first order of business, if adopted it is considered base text (10 min.)	N/A.
H.Res. 304	Providing for Debate and Consideration of Three Measures Relating to U.S. Troop Deployments in Bosnia.	N/A	Closed: makes in order three resolutions; H.R. 2770 (Dorman), H.Res. 302 (Buyer), and H.Res. 306 (Gephardt); 1 hour of debate on each.	1D; 2R
H.Res. 309	Revised Budget Resolution	H.Res. 309	Closed: provides 2 hours of general debate in the House.	N/A.
H.R. 558	Texas Low-Level Radioactive Waste Disposal Compact Consent Act ...	H.Res. 313	Open: pre-printing gets priority	N/A.
H.R. 2677	The National Parks and National Wildlife Refuge Systems Freedom Act of 1995.	H. Res. 323	Closed: consideration in the House; self-executes Young amendment	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: provides to take the bill from the Speaker's table with the Senate amendment, and consider in the House the motion printed in the Rules Committee report; 1 hr. of general debate; previous question is considered as ordered. ** NR.	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: provides to take from the Speaker's table H.J. Res. 134 with the Senate amendment and concur with the Senate amendment with an amendment (H. Con. Res. 131) which is self-executed in the rule. The rule provides further that the bill shall not be sent back to the Senate until the Senate agrees to the provisions of H. Con. Res. 131. ** NR.	N/A.
H. R. 1358	Conveyance of National Marine Fisheries Service Laboratory at Gloucester, Massachusetts.	H. Res. 338	Closed: provides to take the bill from the Speakers table with the Senate amendment, and consider in the house the motion printed in the Rules Committee report; 1 hr. of general debate; previous question is considered as ordered. ** NR.	N/A.
H.R. 2924	Social Security Guarantee Act	H. Res. 355	Closed: ** NR	N/A.
H.R. 2854	The Agricultural Market Transition Program	H. Res. 366	Restrictive: waives all points of order against the bill; 2 hrs of general debate; makes in order a committee substitute as original text and waives all points of order against the substitute; makes in order only the 16 amends printed in the report and waives all points of order against the amendments; circumvents unfunded mandates law; Chairman has en bloc authority for amends in report (20 min.) on each en bloc.	5D; 9R; 2 Bipartisan.
H.R. 994	Regulatory Sunset & Review Act of 1995	H.Res 368	Open rule: makes in order the Hyde substitute printed in the Record as original text; waives cl 7 of rule XVI against the substitute; Pre-printing gets priority; vacates the House action on S. 219 and provides to take the bill from the Speakers table and consider the Senate bill; allows Chrmn. Clinger a motion to strike all after the enacting clause of the Senate bill and insert the text of H.R. 994 as passed by the House (1 hr) debate; waives germaneness against the motion; provides if the motion is adopted that it is in order for the House to insist on its amendments and request a conference.	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: gives one motion to recommit, which if it contains instructions, may only if offered by the Minority Leader or his designee. ** NR.	N/A.
H.R. 3019	A Further Downpayment Toward a Balanced Budget	H.Res. 372	Restrictive: self-executes CBO language regarding contingency funds in section 2 of the rule; makes in order only the amendments printed in the report; Lowey (20 min), Istook (20 min), Crapo (20 min), Obey (1 hr); waives all points of order against the amendments; gives one motion to recommit, which if contains instructions, may only if offered by the Minority Leader or his designee. ** NR.	2D/2R.
H.R. 2703	The Effective Death Penalty and Public Safety Act of 1996	H. Res. 380	Restrictive: makes in order only the amendments printed in the report; waives all points of order against the amendments; gives Judiciary Chairman en bloc authority (20 min.) on en blocs; provides a Senate hook-up with S. 735. ** NR.	6D; 7R; 4 Bipartisan.
H.R. 2202	The Immigration and National Interest Act of 1995	H. Res. 384	Restrictive: waives all points of order against the bill and amendments in the report except for those arising under sec. 425(a) of the Budget Act (unfunded mandates); 2 hrs. of general debate on the bill; makes in order the committee substitute as base text; makes in order only the amends in the report; gives the Judiciary Chairman en bloc authority (20 min.) of debate on the en blocs; self-executes the Smith (TX) amendment re: employee verification program.	12D; 19R; 1 Bipartisan.
H.J. Res. 165	Making further continuing appropriations for FY 1996	H. Res. 386	Closed: provides for the consideration of the CR in the House and gives one motion to recommit which may contain instructions only if offered by the Minority Leader; the rule also waives cl 4(b) of rule XI against the following: an omnibus appropriations bill, another CR, a bill extending the debt limit. ** NR.	N/A.

* Contract Bills, 67% restrictive; 33% open. ** All legislation 1st Session, 53% restrictive; 47% open. *** Legislation 2d Session. 91% restrictive; 9% open. **** All legislation 104th Congress 62% restrictive; 38% 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. ***** 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. FROST. Mr. Speaker, as I stated earlier, I am asking for a "no" vote on the previous question. This matter, we fully explored this matter today. I would only point out to the gentleman on the other side the concept of martial law really was a concept that was talked about by a Member on his side of the aisle during preceding Congresses, the gentleman from Pennsylvania, Mr. WALKER, who is still with us, and he may want to discuss that with Mr. WALKER some time. But it is Mr. WALKER, who when we were in the majority, stood up at that microphone when they were in the minority and railed against this procedure time and

time again. I have not seen Mr. WALKER on the floor today.

Mr. Speaker, I would be interested to share his observations at this point because he was the leading proponent on your side of the aisle for not suspending the rules, for not doing what you are doing today and have done for 4 months now. I urge my colleagues to vote down the previous question and to proceed with the consideration of this measure in an orderly manner.

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

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

Mr. Speaker, let us first start out by advising the gentleman from Texas

that the gentleman from Missouri [Mr. GEPHARDT] is the one who first utilized this rule in this fashion. Second of all, I do consider the gentleman from Texas a professional friend. We have had a good working business relationship. But let me offer a little advice. Do not shut down the Government in a battle over this rule. It is not right. It is not going to work, and it is going to backfire on you.

Now, from a political viewpoint, maybe it would benefit the Republicans for you to take the hit on this deal, but you do not need to take the hit. I am putting myself above that partisanship and worrying about 250 million people, 230 million people in this country. We

do not need to shut the Government down. That is exactly what you are doing by urging what is, in essence, a "no" vote on the rule. Let us pass the rule. Let us get some more negotiating time for the good-faith negotiations that are going on between the President, the U.S. Senate and the U.S. House.

Mr. Speaker, on this issue of the rule, the gentleman from Texas [Mr. FROST] had the opportunity last night to entertain the type of motions that he is now having introduced into the RECORD. In fact, he did not bring it up on his own initiative, as certainly he had in the past, but he did not bring it up last night. I am not being critical of that point. The point I am making is the chairman of the committee, the Republican chairman, offered to the gentleman from Texas the opportunity to do exactly what he is attempting to do today on the floor.

Mr. Speaker, now they have revised their strategy, and I think their strategy is headed straight for a Government shutdown as that hand moves 24 hours on that clock. We do not want to close this Government down. We should not want to close this Government down. Let us keep the Government open. Let us vote "yes" on the rule.

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

The previous question was ordered.

The 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 noes appeared to have it.

Mr. MCINNIS. 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.

Pursuant to clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the resolution.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 234, nays 187, not voting 10, as follows:

[Roll No. 80]

YEAS—234

Allard	Blue	Chabot
Archer	Boehlert	Chambliss
Armey	Boehner	Chenoweth
Bachus	Bonilla	Christensen
Baesler	Bono	Chrysler
Baker (CA)	Brownback	Clinger
Baker (LA)	Bryant (TN)	Coble
Ballenger	Bunn	Coburn
Barr	Bunning	Collins (GA)
Barrett (NE)	Burr	Combest
Bartlett	Burton	Cooley
Barton	Buyer	Cox
Bass	Callahan	Crane
Bateman	Calvert	Crapo
Bereuter	Camp	Cremeans
Bilbray	Campbell	Cubin
Bilirakis	Canady	Cunningham
Bliley	Castle	Davis

Deal	Inglis	Quillen	McHale	Peterson (FL)	Stenholm
DeLay	Istook	Quinn	McKinney	Peterson (MN)	Studds
Diaz-Balart	Johnson (CT)	Ramstad	McNulty	Pickett	Stupak
Dickey	Johnson, Sam	Regula	Meehan	Pomeroy	Tanner
Doolittle	Jones	Riggs	Meek	Poshard	Taylor (MS)
Dornan	Kasich	Roberts	Menendez	Rahall	Tejeda
Dreier	Kelly	Rogers	Miller (CA)	Rangel	Thompson
Duncan	Kim	Rohrabacher	Minge	Reed	Thornton
Dunn	King	Ros-Lehtinen	Mink	Richardson	Thurman
Ehlers	Kingston	Roth	Mollohan	Rivers	Torres
Ehrlich	Klug	Roukema	Montgomery	Roemer	Torricelli
Emerson	Knollenberg	Royce	Moran	Rose	Towns
English	Kolbe	Salmon	Murtha	Roybal-Allard	Traficant
Ensign	LaHood	Sanford	Nadler	Rush	Velazquez
Everett	Largent	Saxton	Neal	Sabo	Vento
Ewing	Latham	Schaefer	Oberstar	Sanders	Visclosky
Fawell	LaTourette	Schiff	Obeys	Sawyer	Volkmer
Fields (TX)	Laughlin	Seastrand	Olver	Schroeder	Ward
Flanagan	Lazio	Sensenbrenner	Ortiz	Schumer	Watt (NC)
Foley	Leach	Shadegg	Orton	Scott	Waxman
Fowler	Lewis (CA)	Shaw	Owens	Serrano	Wilson
Fox	Lewis (KY)	Shays	Pallone	Sisisky	Wise
Franks (CT)	Lightfoot	Shuster	Pastor	Skaggs	Woolsey
Franks (NJ)	Linder	Skeen	Payne (NJ)	Skelton	Wynn
Frelinghuysen	Livingston	Smith (MI)	Payne (VA)	Slaughter	Yates
Frisa	LoBiondo	Smith (NJ)	Pelosi	Spratt	
Funderburk	Longley	Smith (TX)			
Galleghy	Lucas	Smith (WA)			
Ganske	Manzullo	Solomon	Collins (IL)	Radanovich	Waters
Gekas	Martini	Souder	Forbes	Scarborough	Williams
Gilchrist	McCollum	Spence	Johnston	Stark	
Gillmor	McCrary	Stearns	Moakley	Stokes	
Gilman	McDade	Stockman			
Goodlatte	McHugh	Stump			
Goodling	McInnis	Talent			
Goss	McIntosh	Tate			
Graham	McKeon	Tauzin			
Greenwood	Metcalfe	Taylor (NC)			
Gunderson	Meyers	Thomas			
Gutknecht	Mica	Thornberry			
Hall (TX)	Miller (FL)	Tiahrt			
Hancock	Molinari	Torkildsen			
Hansen	Moorhead	Upton			
Hastert	Morella	Vucanovich			
Hastings (WA)	Myers	Waldholtz			
Hayes	Myrick	Walker			
Hayworth	Nethercutt	Walsh			
Hefley	Neumann	Wamp			
Heineman	Ney	Watts (OK)			
Herger	Norwood	Weldon (FL)			
Hilleary	Nussle	Weldon (PA)			
Hobson	Oxley	Weller			
Hoekstra	Packard	White			
Hoke	Parker	Whitfield			
Horn	Paxon	Wicker			
Hostettler	Petri	Wolf			
Houghton	Pombo	Young (AK)			
Hunter	Porter	Young (FL)			
Hutchinson	Portman	Zeliff			
Hyde	Pryce	Zimmer			

NAYS—187

Abercrombie	DeLauro	Hefner
Ackerman	Dellums	Hilliard
Andrews	Deutsch	Hinchey
Baldacci	Dicks	Holden
Barcia	Dingell	Hoyer
Barrett (WI)	Dixon	Jackson (IL)
Becerra	Doggett	Jackson-Lee
Beilenson	Dooley	(TX)
Bentsen	Doyle	Jacobs
Berman	Durbin	Jefferson
Bevill	Edwards	Johnson (SD)
Bishop	Engel	Johnson, E. B.
Bonior	Eshoo	Kanjorski
Borski	Evans	Kaptur
Boucher	Farr	Kennedy (MA)
Brewster	Fattah	Kennedy (RI)
Browder	Fazio	Kennelly
Brown (CA)	Fields (LA)	Kildee
Brown (FL)	Filner	Kleczka
Brown (OH)	Flake	Klink
Bryant (TX)	Foglietta	LaFalce
Cardin	Ford	Lantos
Chapman	Frank (MA)	Levin
Clay	Frost	Lewis (GA)
Clayton	Furse	Lincoln
Clement	Gejdenson	Lipinski
Clyburn	Gephardt	Lofgren
Coleman	Geren	Lowe
Collins (MI)	Gibbons	Luther
Condit	Gonzalez	Maloney
Conyers	Gordon	Manton
Costello	Green	Markey
Coyne	Gutierrez	Martinez
Cramer	Hall (OH)	Mascara
Danner	Hamilton	Matsui
de la Garza	Harman	McCarthy
DeFazio	Hastings (FL)	McDermott

McHale	Peterson (FL)	Stenholm
McKinney	Peterson (MN)	Studds
McNulty	Pickett	Stupak
Meehan	Pomeroy	Tanner
Meek	Poshard	Taylor (MS)
Menendez	Rahall	Tejeda
Miller (CA)	Rangel	Thompson
Minge	Reed	Thornton
Mink	Richardson	Thurman
Mollohan	Rivers	Torres
Montgomery	Roemer	Torricelli
Moran	Rose	Towns
Murtha	Roybal-Allard	Traficant
Nadler	Rush	Velazquez
Neal	Sabo	Vento
Oberstar	Sanders	Visclosky
Obeys	Sawyer	Volkmer
Olver	Schroeder	Ward
Ortiz	Schumer	Watt (NC)
Orton	Scott	Waxman
Owens	Serrano	Wilson
Pallone	Sisisky	Wise
Pastor	Skaggs	Woolsey
Payne (NJ)	Skelton	Wynn
Payne (VA)	Slaughter	Yates
Pelosi	Spratt	

NOT VOTING—10

Collins (IL)	Radanovich	Waters
Forbes	Scarborough	Williams
Johnston	Stark	
Moakley	Stokes	

□ 1159

Ms. RIVERS and Mr. COYNE changed their vote from "yea" to "nay."

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

So the previous question was ordered. The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. SCARBOROUGH. Mr. Speaker, on roll-call No. 80, I was unavoidably detained and was unable to vote. Had I been present, I would have voted "yea."

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

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

RECORDED VOTE

Mr. FROST. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 237, noes 183, not voting 11, as follows:

[Roll No. 81]

AYES—237

Allard	Bunning	Davis
Archer	Burr	Deal
Armey	Burton	DeLay
Bachus	Buyer	Diaz-Balart
Baesler	Callahan	Dickey
Baker (CA)	Calvert	Doolittle
Baker (LA)	Camp	Dornan
Ballenger	Campbell	Dreier
Barr	Canady	Duncan
Barrett (NE)	Castle	Dunn
Bartlett	Chabot	Ehlers
Barton	Chambliss	Ehrlich
Bass	Chenoweth	Emerson
Bateman	Christensen	English
Bereuter	Chrysler	Ensign
Bilbray	Clinger	Everett
Bilirakis	Coble	Ewing
Bliley	Coburn	Fawell
Blute	Collins (GA)	Fields (TX)
Boehlert	Combest	Flanagan
Boehner	Cooley	Foley
Bonilla	Crane	Forbes
Bono	Crapo	Fowler
Brownback	Cremeans	Fox
Bryant (TN)	Cubin	Franks (CT)
Bunn	Cunningham	Franks (NJ)

Frelinghuysen Laughlin
Frisa Lazio
Funderburk Leach
Gallegly Lewis (CA)
Ganske Lewis (KY)
Gekas Lightfoot
Gilchrest Linder
Gillmor Livingston
Gillman LoBiondo
Goodlatte Longley
Goodling Lucas
Goss Manzullo
Graham Martini
Greenwood McCollum
Gunderson McCrery
Gutknecht McDade
Hall (TX) McHugh
Hancock McInnis
Hansen McIntosh
Hastert McKeon
Hastings (WA) Metcalf
Hayes Meyers
Hayworth Mica
Hefley Miller (FL)
Heineman Molinari
Herger Montgomery
Hilleary Moorhead
Hobson Morella
Hoekstra Myers
Hoke Myrick
Horn Nethercutt
Hostettler Neumann
Houghton Ney
Hunter Norwood
Hutchinson Nussle
Hyde Oxley
Inglis Packard
Istook Parker
Johnson (CT) Paxon
Johnson, Sam Petri
Jones Pombo
Kasich Porter
Kelly Portman
Kim Pryce
King Quillen
Kingston Quinn
Klug Ramstad
Knollenberg Regula
Kolbe Riggs
LaHood Roberts
Largent Rogers
Latham Rohrabacher
LaTourette Ros-Lehtinen

NOES—183

Abercrombie Dooley
Ackerman Doyle
Andrews Durbin
Baldacci Edwards
Barcia Engel
Barrett (WI) Eshoo
Becerra Evans
Beilenson Fattah
Bentsen Fazio
Berman Fields (LA)
Bevill Filner
Bishop Flake
Bonior Foglietta
Borski Ford
Boucher Frank (MA)
Brewster Frank
Browder Furse
Brown (CA) Gejdenson
Brown (FL) Gephardt
Brown (OH) Geren
Bryant (TX) Gibbons
Cardin Gonzalez
Chapman Gordon
Clay Green
Clayton Gutierrez
Clement Hall (OH)
Clyburn Hamilton
Coleman Harman
Collins (MI) Hastings (FL)
Condit Hefner
Conyers Hilliard
Costello Hinchey
Coyne Holden
Cramer Hoyer
Danner Jackson (IL)
de la Garza Jackson-Lee
DeFazio (TX)
DeLauro Jacobs
Dellums Jefferson
Deutsch Johnson (SD)
Dicks Johnson, E. B.
Dingell Kanjorski
Dixon Kaptur
Doggett Kennedy (MA)

Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Soudier
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo

Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stenholm
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson

Thornton
Thurman
Torres
Torricelli
Towns
Velazquez
Vento
Visclosky
Volkmer
Ward
Watt (NC)
Waxman
Wise
Woolsey
Wynn
Yates

NOT VOTING—11

Collins (IL)
Cox
Farr
Johnston
Moakley
Radanovich
Solomon
Stark
Stokes
Waters
Williams

□ 1208

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER
AS COSPONSOR OF H.R. 1972

Ms. FURSE. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1972.

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

There was no objection.

REPEALING TEA IMPORTATION
ACT OF 1897

Mr. KLUG. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2969) to eliminate the Board of Tea Experts by repealing the Tea Importation Act of 1897 and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 2969

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Tea Tasters Repeal Act of 1996".

SEC. 2. REPEAL OF TEA IMPORTATION ACT OF 1897.

The Tea Importation Act (21 U.S.C. 41 et seq.) is repealed.

SEC. 3. EFFECTIVE DATE.

This Act shall take effect on the date of enactment of this Act.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. KLUG] is recognized for 1 hour.

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

Mr. Speaker, I rise in support of H.R. 2969, the Federal Tea Tasters Repeal Act of 1996. This bipartisan legislation repeals the Tea Importation Act of 1897 by eliminating the Federal Board of

Tea Experts. It was favorably reported by the Committee on Ways and Means on February 29.

This bill ends the antiquated and outdated requirement that each lot of imported tea meet taste standards recommended to the Secretary of Health and Human Services by the Federal Board of Tea Experts.

The bill also ends the imposition of a Customs Service fee on tea imports that partly finances tea quality inspections. The cost to the taxpayer for matching teas to the quality standards of the Tea Board is over \$170,000 each year. Tea is the only food or beverage for which the Food and Drug Administration samples every lot upon entry for comparison to a quality standard recommended by a Federal board.

I believe there is no justification for tea being held to a higher Federal standard on behalf of the tea industry, which should assume responsibility for the competitive quality of its products. The Board of Tea Experts is outdated and the taxpayer's money could be more efficiently used elsewhere.

Under the Federal Food, Drug, and Cosmetic Act of 1938, the FDA will continue to examine and sample imported tea for compliance with health and safety standards. The FDA will ensure that tea is held to the same high level of safety and quality as every other food and beverage entering the United States.

I applaud the sponsors of this bill for introducing a measure which strikes a blow for good government by reducing an unnecessary regulatory burden on American industry and the lives of American citizens.

I urge my colleagues to support passage of the bill.

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

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill 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.

PRIVILEGES OF THE HOUSE—RETURNING TO THE SENATE S. 1518,
REPEALING TEA IMPORTATION
ACT OF 1897

Mr. CRANE. Mr. Speaker, I rise to a question of the privileges of the House, and I offer a privileged resolution (H. Res. 387) returning to the Senate the bill S. 1518, and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 387

Resolved, That the bill of the Senate (S. 1518) to eliminate the Board of Tea Experts by prohibiting funding for the Board and by repealing the Tea Importation Act of 1897, in the opinion of this House, contravenes the first clause of the seventh section of the first article of the Constitution of the United