

Riggs	Sisisky	Thurman
Roberts	Skaggs	Tiaht
Roemer	Skeen	Torres
Rogers	Skelton	Torricelli
Rohrabacher	Slaughter	Towns
Ros-Lehtinen	Smith (MI)	Trafficant
Rose	Smith (TX)	Upton
Roth	Smith (WA)	Vucanovich
Roukema	Solomon	Walker
Roybal-Allard	Souder	Wamp
Royce	Spence	Ward
Salmon	Spratt	Waters
Sanford	Stearns	Watt (NC)
Sawyer	Stenholm	Watts (OK)
Saxton	Stokes	Waxman
Scarborough	Studds	Weldon (FL)
Schaefer	Stump	Weldon (PA)
Schiff	Stupak	White
Schumer	Tanner	Whitfield
Scott	Tate	Wicker
Seastrand	Tauzin	Williams
Sensenbrenner	Taylor (NC)	Woolsey
Serrano	Tejeda	Wynn
Shadegg	Thomas	Yates
Shaw	Thompson	Young (AK)
Shays	Thornberry	Young (FL)
Shuster	Thornton	Zeliff

## NAYS—51

Abercrombie	Hefley	Pickett
Borski	Heineman	Pombo
Brown (CA)	Hilleary	Rush
Brown (FL)	Hilliard	Sabo
Chenoweth	Jacobs	Schroeder
Collins (IL)	LaFalce	Smith (NJ)
DeFazio	Latham	Stark
Durbin	Levin	Stockman
Engel	Lewis (GA)	Talent
Ensign	Longley	Taylor (MS)
Everett	Martini	Torkildsen
Filner	McDermott	Velazquez
Flanagan	Meek	Vento
Funderburk	Menendez	Visclosky
Gephardt	Miller (CA)	Volkmer
Gillmor	Oberstar	Weller
Gutierrez	Pallone	Zimmer

## ANSWERED "PRESENT"—1

Harman

## NOT VOTING—23

Beilenson	Frost	Pastor
Berman	Gibbons	Rivers
Bevill	Hayes	Sanders
Bryant (TX)	Johnson (SD)	Walsh
Chapman	Kaptur	Wilson
Clay	Livingston	Wise
de la Garza	Moakley	Wolf
Fields (TX)	Molinari	

□ 1201

So the Journal was approved.

The result of the vote was announced as above recorded.

U.S. MARSHALS SERVICE  
IMPROVEMENT ACT OF 1996

Ms. PRYCE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 418 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 418

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into Committee of the Whole House on the state of the Union of consideration of the bill (H.R. 2641) to amend title 28, United States Code, to provide for appointment of United States marshals by the Director of the United States Marshals Service. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule, It

shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. After passage of H.R. 2641, it shall be in order to take from the Speaker's table the bill S. 1338 and to consider the Senate bill in the House. It shall be in order to move to strike all after the enacting clause of the Senate bill and to insert in lieu thereof the provisions of H.R. 2641 as passed by the House. If the motion is adopted and the Senate bill, as amended, is passed, then it shall be in order to move that the House insist on its amendments to S. 1338 and request a conference with the Senate thereon.

The SPEAKER pro tempore (Mr. GUTKNECHT). The gentlewoman from Ohio [Ms. PRYCE] is recognized for 1 hour.

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

## GENERAL LEAVE

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

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

There was no objection.

Ms. PRYCE. Mr. Speaker, House Resolution 418 provides for the consideration of H.R. 2641, the U.S. Marshals Service Improvement Act of 1996, under a completely open rule. The rule provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary.

The rule also makes in order the Judiciary Committee amendment in the nature of a substitute now printed in the bill as original text for the purpose of amendment, and provides that each section will be considered as read.

The Chairman of the Committee of the Whole may give priority in recogni-

tion to Members who have preprinted their amendments in the CONGRESSIONAL RECORD prior to their consideration, and such amendments will also be considered as read. As is customary, the rule provides for one motion to recommit, with or without instructions.

Finally, after House passage of the bill, the rule provides for the necessary steps to consider the Senate bill, S. 1338, to insert the House-passed provisions, and to request a conference with the Senate.

Mr. Speaker, let me emphasize that this is a wide open rule. Any Member can be heard on any germane amendment to the bill at the appropriate time. Although there is no preprinting requirement contained in this rule, preprinting of amendments in the RECORD is an option that is encouraged, and I hope more Members will consider that option in the future. We on the Rules committee continue to believe that making amendments available for our colleagues to read in advance of floor action serves a very useful purpose and contributes to improving the overall quality of debate.

Mr. Speaker, H.R. 2641, which this open rule makes in order, is a simple, straightforward bill that seeks to take the politics out of appointments to the U.S. Marshals Service by changing the selection of marshals from that of appointment by the President, with the advice and consent of the Senate, to selection by the Attorney General based on relevant criteria such as an individual's law enforcement and administrative expertise.

As a former judge and prosecutor, I worked very closely for many years with highly qualified and well-trained law enforcement officials, at the local, State, and Federal levels. Naturally, I was very surprised to learn that under current law, there is no criteria for the selection of U.S. marshals.

As was noted in the Judiciary Committee report on H.R. 2461, in some instances, appointed marshals lack the law enforcement experience and qualifications necessary to carry out the often multifaceted law enforcement missions currently performed by the U.S. Marshal Service. Today, those missions involve such demanding and sensitive tasks and fugitive apprehension, prisoner transportation, witness protection, the disposal of seized assets, and providing judicial security.

To address these concerns, H.R. 2641 provides that after the year 2000, new marshals will be selected on a competitive basis among career managers within the Marshals Service, rather than simply being nominated by a home State Senator.

In the meantime, marshals selected between the date of enactment of this bill and the year 2000 would continue to be appointed by the President with the advice and consent of the Senate, but would only be permitted to serve 4-year terms.

As one of my Rules Committee colleagues said yesterday, this legislation

would take an important step toward professionalizing the overall Marshals Service by ensuring that only knowledgeable, qualified, career managers who have risen through the ranks of the Service will be considered for the important position of U.S. marshal. The quality of justice is based, in part, on the public's perception of fundamental fairness throughout the judicial system, and the changes advocated in this legislation will help restore fairness to the Marshals Service by taking political cronyism out of the appointments process.

For many in the Nation's law enforcement community, these are trying times, and there seems to be an ever-increasing burden placed on the entire judicial system—not just on the courts or on the local police department, but across the vast spectrum of law enforcement.

As a result, the need for capable, professional law enforcement personnel who have demonstrated outstanding expertise in their fields is very great.

Mr. Speaker, the public at large expects law enforcement positions to be filled by qualified professionals, and not by individuals with convenient political contacts. I believe this legislation makes important and necessary changes to the process by which U.S. marshals are appointed, and hopefully its enactment will serve to improve and enhance public confidence in the ability of Federal law enforcement agencies to effectively protect and defend its citizens.

H.R. 2641 was favorably reported out of the Judiciary Committee by voice vote, as was the rule by the Rules Committee yesterday. I urge my colleagues to support this wide open rule, and continue the spirit of openness and deliberation that we have attempted to restore to this body.

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

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks.)

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume and I thank my colleague from Ohio, Ms. PRYCE, for yielding me the time.

House Resolution 418 is an open rule which will allow full and fair debate on H.R. 2641, a bill to change the way U.S. marshals are appointed.

As my colleague from Ohio described, this rule provides 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary.

Under this rule amendments will be allowed under the 5-minute rule, the normal amending process in the House. All Members, on both sides of the aisle, will have the opportunity to offer amendments.

The U.S. Marshals Service is the Nation's oldest Federal law enforcement

agency, dating back to 1789. The Service has critical responsibilities, including providing protection for the Federal courts and responding to emergencies.

I am particularly proud of the U.S. marshals who are based in the Dayton, OH, Federal building, where I maintain my district office.

This bill will require the U.S. marshals be appointed on a merit-based, competitive process, instead of the current political appointment process. This will improve the professional status of this extremely important Federal agency. It is a long-overdue improvement.

Mr. Speaker, while I do not oppose the rule, I urge a "no" vote on the previous question. If the previous question is defeated, I shall offer an amendment to the rule which would make in order a new section in the rule. This provision would direct the Committee on Rules to report a resolution immediately that would provide for consideration of a bill to incrementally increase the minimum wage from its current \$4.25 an hour to \$5.15 an hour beginning on July 4, 1997.

This provides for a separate vote on the minimum wage. Let me make it clear to my colleagues, both Democrats and Republicans, defeating the previous question will allow the House to vote on the minimum wage increase. That is what 80 percent of Americans want us to do. That is the right thing to do. So let's do it.

□ 1215

Mr. Speaker, I urge Members to vote "no" on the previous question, and I reserve the balance of my time.

#### PARLIAMENTARY INQUIRY

Ms. PRYCE. Mr. Speaker, under House Rule XIV, which requires that a Member must confine himself to the question under debate, is it relevant to the debate on either this rule or the debate it makes in order to engage in a discussion of the merits of the minimum wage?

This is in the nature of a parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore (Mr. GUTKNECHT). The gentlewoman from Ohio [Ms. PRYCE] has made a parliamentary inquiry. The Chair would advise the body that clause 1 of rule XIV requires Members to confine themselves to the question under debate in the House.

As explained on page 529 of the manual, debate on a special order providing for consideration of a bill may range to the merits of the bill to be made in order, but should not range to the merits of a measure not to be considered under that special order.

Mr. HALL of Ohio. Mr. Speaker, I yield myself 1 minute.

I would like to address also what my friend, the gentlewoman from Ohio, has suggested under her parliamentary inquiry.

This rule on this issue has been talked about a number of times in re-

cent years, and probably the clearest guidelines that we have had came during a speech during consideration of a rule under the Speaker's ruling of September 27, 1990.

I am quoting here by saying that "the Chair has ruled that it is certainly within the debate rules of this House to debate whether or not this rule ought to be adopted or another procedure ought to be adopted by the House. But when debate ranges onto the merits of the relative bills not yet before the House, the Chair would admonish the Members that that goes beyond the resolution."

So, Mr. Speaker, it is within the guidelines and many rulings that we have had in the past to bring the issue up to debate the procedure within the rule relative to having a vote on minimum wage. I have tried to confine my remarks thus far to the merits of the rule itself in voting, if, in fact, the previous question would be defeated, bringing up the minimum wage. I offer that to the House.

Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. BONIOR], our leader.

Mr. BONIOR. Mr. Speaker, I thank my friend for yielding time to me.

Mr. Speaker, I am hopeful that Members will vote against the previous question, which will then open up the opportunity for us to offer a rule that will make in order an increase in the minimum wage for literally 12 million people across this country. These are people who clean the toilets, who clean the offices, who work hard for a living; who chose work over welfare, and who are living in this country at a wage that is less than the poverty level in this country; \$8,500 a year, if you make the minimum wage. You cannot raise a family on that.

What do many of these people do? They end up, Mr. Speaker, working overtime. They work second jobs and third jobs. As a result of that, they are not there at home when their kid comes home from school. They are not there for bedtime stories, they are not there to teach them right from wrong. The father is not there for Little League. He is not there for other issues.

#### POINT OR ORDER

Ms. PRYCE. Regular order. Mr. Speaker, I ask the House for regular order.

The SPEAKER pro tempore. For what purpose does the gentlewoman rise?

Ms. PRYCE. To ask the House for regular order, Mr. Speaker.

The SPEAKER pro tempore. Does the gentlewoman make a point or order?

Ms. PRYCE. Pursuant to the House's rulings, I call for regular order: that the gentleman confine his remarks to the resolution at hand.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

The Chair recognizes the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, I would like to be heard on the point or order.

Mr. Speaker, we find ourselves this morning in exactly the same procedural setting and procedural context as when this House considered the omnibus appropriations bill when we met last week. At that time, recognizing that the majority leader, the gentleman from Texas [Mr. ARMEY], had said that he would oppose a minimum wage with every fiber in his body, and that the Speaker of the House had made clear that the American people would have no opportunity to be considered for a raise on this floor by bringing any bill out of committee, we had a procedural context in which the omnibus appropriations bill was before the House, and many Members of this body, indeed, a majority of the Members of this body, having already publicly expressed their support for a minimum wage increase, and so the majority party, the Democrats, on a previous question, decided to raise this issue.

We devoted most of our limited half hour, and unfortunately, we only had a half hour, and we should have been able to devote, indeed, a full day to debating the merits of the need for the American people for a raise. But in exactly the same situation that we find ourselves this morning, we considered the plight of minimum wage families, discussed fully that issue, and today we have the same situation.

Unless the standard has changed, Mr. Speaker, or unless the Republicans are simply fearful that the 10 of their Member who voted against the minimum wage last week, after having had a press conference saying they were in favor of the minimum wage, might this way not have their arms twisted enough, then we ought to be able to have a full and fair debate of this minimum wage issue today in exactly the same situation we were in last week.

The SPEAKER pro tempore. Does the gentleman from California [Mr. MILLER] wish to give advice to the chair on the point of order.

Mr. MILLER of California. Mr. Speaker, on the point or order, I would hopefully advise the Chair against the point of order. The purpose of calling for a vote on the previous question is to open up the rule so that alternatives may be provided. Once that rule is opened up, it is obviously within the authors of that rule to connect unrelated matters, because you can create a rule that is self-enacting, waiving points of order against germaneness or what have you, as does the Committee on Rules.

So for the purpose of us raising for the Members of the House the alternatives which might present themselves also with respect to the minimum wage, it is necessary to do so now as we discuss the rule and discuss the vote on the previous question, because if it is this exact opportunity that gives the minority, which does not control the Committee on Rules, which cannot bring these matters to the floor except

under extraordinary procedures, and this being one of them, a vote against the previous question, we are at liberty to explain to the House under the Rules of the House why we need to have this extraordinary procedure to present to the country an up-or-down vote on the minimum wage.

The gentleman from Michigan in the well has made the point that one of the results of that vote is in fact to try and raise the minimum wage of 12 million people who go to work every day, go to work year round, and end up at the end of the year below the poverty line. The vote on the previous question is the opportunity that allows this.

So when the gentlewoman suggest that somehow the debate around whether or not to vote for the rule and to vote for the previous question is limited to the matter at hand, in terms of the subject matter of the bill that would then be considered after the rule is adopted, that is to limit the debate and to stifle the minority, and prevent the minority from having an opportunity to voice its concerns and to voice legislative alternatives; in this case, the minimum wage.

Why does it have to be done at this point? The reason we have to ask for a vote against the previous question and why the point of order should not be sustained is because that point of order then enforces what we have been told by the Republican majority leader, and that is that he will not allow this vote to come to the floor, that he will fight it with every fiber in his body. That precludes the minority from offering that alternative.

So when the Chair considers the point of order raised by the gentlewoman from Ohio—

Ms. PRYCE. Mr. Speaker, there is no point of order made.

Mr. WALKER. Mr. Speaker, there is a point of regular order before the House.

Ms. PRYCE. Mr. Speaker, I did not ask for a point of order, I had asked for regular order.

The SPEAKER pro tempore. The Chair asked the gentlewoman from Ohio if she was making a point of order, and it was not clear.

Ms. PRYCE. There is no point of order. I was trying to enforce regular order, that we would conform to the rules of this debate as previously announced by the Chair.

The SPEAKER pro tempore. The Chair must treat this as a point of order.

Ms. PRYCE. Mr. Speaker, if that is the case, I withdraw my point of order.

The SPEAKER pro tempore. The gentlewoman from Ohio [Ms. PRYCE] withdraws her point of order.

The gentleman from Michigan [Mr. BONIOR] is recognized for 3 more minutes.

Mr. BONIOR. Mr. Speaker, I thank my friends, the gentleman from California [Mr. MILLER] and the gentleman from Texas [Mr. DOGGETT], for making it clear to those who are listening to us

this afternoon how important this issue is with respect to not only the rights of the minority to put forward a question of great importance to the people of this country, but also for the substantive value of the issue itself, which will affect the lives directly of 12 million people, and, indeed, perhaps many, many more.

When we raise the minimum wage, when we raise the minimum wage, it will not only affect people who make \$4.25 to \$5.15 an hour, about 12 million people, it is going to affect people who make above that, people who make \$5.50, \$6, \$6.50, \$7 an hour, because in fact they will probably be in for a raise as well.

In addition to that, this money will get circulated throughout the economy of the local area, the hardware store, the grocery store, at the gas station. This is one way, one small way, but one way in which we could have what we call the bubble-up effect in the economy, instead of the old trickle-down theory that my colleagues on this side of the aisle have adhered to now for the past 15 or 20 years; which is a theory, by the way, which has not yielded rewards for those at the lower end of the economic strata in our society today.

My colleague, the gentleman from California [Mr. MILLER], was absolutely right. The gentleman from Texas [Mr. ARMEY], the distinguished majority leader, has said that he will fight having a vote on the minimum wage with every fiber of his being. The distinguished majority whip, the gentleman from Texas [Mr. DELAY], is reported to have said that working families trying to exist on \$4.25 an hour do not really exist. They do exist. They are out there. We have heard from them. We have talked to them. The gentleman from Ohio [Mr. BOEHNER], who chairs their conference, said "I will commit suicide before I vote on a clean minimum wage bill."

Mr. Speaker, this is an important issue for the country and for people who are struggling to make work pay. There are a number of States, 10 of them, that have increased the minimum wage above \$4.25 an hour, and there has been no retraction in employment. Oregon has done it, Washington has done it, the District of Columbia has done it, New Jersey has done it.

In fact, there was a recent study done in New Jersey in the restaurant industry by two gentlemen from Princeton, Mr. Card and Mr. Kruger, and their findings were basically when the minimum wage was raised in the State of New Jersey, in the restaurant industry, employment actually increased.

We need to do this. These people work too hard, they give too much of their lives for their families, and it is incumbent upon us to make sure that they get a fair, decent, livable wage.

As I said earlier, Mr. Speaker, when they do not make this wage, when this \$4 or \$5 an hour, they are working two

or three jobs, and that has a detrimental impact on their ability to be there for their kids when they get home.

Mr. Speaker, I would urge my colleagues, and I want to first of all congratulate the 13 Members of the other side of the aisle who stood with us on this issue the last time we had it up on the floor. We invite more of you to come over. This is an issue that will not go away. We will bring it up until we get a clean vote, because we understand and I think you understand a clean vote is going to pass this body. It will pass the Senate. The President will indeed sign it.

I encourage my colleagues, vote "no" on the previous question so we have an opportunity to offer a clean vote on raising the minimum wage for literally millions of workers in this country.

□ 1230

Ms. PRYCE. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, let us talk first about the proposition that the minority party has before the House, and that is that somehow what they will do is defeat the previous question so that they can amend the rule to make in order another piece of language about the rule which is entirely out of order because it is non-germane to the rule before us.

Then what they would intend to do, I assume, is appeal the ruling of the Chair, which would have ruled in an entirely predictable and an entirely legitimate way that what they are attempting to do is totally nongermane. They would then attempt to overrule the ruling of the Chair, which was in fact a proper ruling.

All of this is done in the name of raising the minimum wage. That is an interesting ploy, and I know it comes out of the frustration of the fact that they no longer control the Rules Committee where they used to send down all kinds of outrageous rules for this House to consider, but now finding themselves in the minority, are willing to put aside virtually anything that borders upon a proper decorum in the House in order to do the things that they want to get done. It is really interesting.

Then they go out and parade this as a vote on the issue of minimum wage. There is no vote on the issue of minimum wage here. Virtually everything they are trying to do is out of order, nongermane and completely ludicrous. So the fact is that this is an exercise designed to play games in the House of Representatives.

Mr. WATT of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. WALKER. No, I am going to finish my statement first. I have listened to all of you.

The fact is that they are attempting to tell the American people that they are so interested in this subject that they will go to any lengths, break the rules if necessary, in order to make their case.

Let us understand what the case is they are trying to make. What they want to do is, they want to raise taxes, because the Democrats always want to raise taxes. They love taxes. They love big government.

And the minimum wage is in fact a tax. It is a tax that is particularly cruel to working middle-class families because what it is is a huge inflationary tax within the economy.

This means that you will pay up to 20 percent more for every meal you buy at a restaurant. You will pay up to 20 percent more for that which you buy as food on your table at home. You will pay up to 20 percent more for that which you buy in a store, because what they are doing is imposing an unfunded mandate which is in fact a tax. In fact, it is a big enough tax that the bulk of the minimum wage increase that they are talking about, the minimum wage tax, goes to State and local government: a billion dollars.

Ms. JACKSON-LEE of Texas. Mr. Speaker, will the gentleman yield?

Mr. WALKER. I would prefer to finish my statement if I could. The fact is, I am obviously getting to you. This is obviously of concern to you, to have the truth told.

The fact is that minimum wages imposed upon the States will cost this country an extra billion dollars in State and local taxes. That is a huge tax increase upon the American people, and in my view the fact is that the Democrats know exactly what they are doing.

They detest the idea that we have been trimming back government. They hated the idea that the other day we passed a bill on the floor that cut \$23 billion out of the spending of government, because the fact is they want more government and they want to raise taxes.

This is a tax increase. What the Democrats are proposing, every time they stand up and talk about minimum wage increases, is a tax increase on the American people. They want to impose more and more and more taxes so that they get more and more and more spending. That is what they are talking about here. They would bend the rules of the House, they would make illegitimate appeals of the rulings of the Chair, they will do everything possible to try to bring this minimum wage tax increase before the American people.

Middle-class families ought to look at this and be appalled. This is the way they ran the House when they were in the majority. They cared little about the rights of anyone. They simply did what it is they wanted to do at any given time. The fact is Government spending rose for a period of 25 straight years. We had bigger and bigger Government, we had bigger and bigger taxes. They in fact undermined and destroyed the economy during the period of time that they were in charge, and now they want to get back to it. They want more inflation, they want to re-inflate the economy, they want to in-

crease taxes and do the kinds of things that Democrats are always good at doing.

Do not let this happen. Do not allow them, through some ploy here of the rules, to try to undermine the entire rules process of the House. The rules are here to protect the rights of both majority and minority. The attempt by the minority to overthrow the rules so they can make a clever political point on the House floor I think is totally appalling.

But middle-class America should be particularly concerned about this, because what middle-class America is going to get out of this is a massive tax increase which is going to go to the bottom of their pocketbooks. So I would suggest that anytime we hear the Democrats come to the floor seeking to overthrow the rules of the House so that they can bring forth the minimum wage tax, then it is a real definition of who they are. This is their attempt to make certain that the taxes of the American people go up, not down.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. GENE GREEN].

Mr. GENE GREEN of Texas. Mr. Speaker, I join my colleague from Ohio and friend in also urging all my colleagues to oppose the previous question.

It was interesting to hear the gentleman from Pennsylvania, his creative thinking, talking about an increase in the minimum wage is an increase in taxes. I guess he had to get that. A lot of us Democrats last week voted for that same budget that he was bragging about.

But let me talk about what we need to do today, and the rules of the House permit this. If the previous question is defeated, my colleague from Ohio will have an amendment that will be offered to increase the minimum wage. This amendment would direct the Committee on Rules to immediately consider that, to provide for a minimum wage increase.

We hear a lot of rhetoric about moving people off welfare but the Republican leadership and I guess my colleague from Pennsylvania is scared of an up-or-down vote on a livable wage because this will move people off welfare. We hear about working families do not really exist on \$4.25 an hour, but they do. We in the Democratic Party hope that we will see that increase in the purchasing power.

Last week we talked about this, and I had the opportunity to quote a late and great U.S. Senator from Texas, Ralph Yarborough. All this amendment would require is just to put the jam on the lower shelf for the little people. We are talking about \$4.25 an hour for people that are working hard to support their families, yet they cannot reach up to that top of the shelf to get those tax cuts that the Republican want to give to them.

All we want is to increase their minimum wage a buck an hour, 90 cents an

hour. In fact I am a cosponsor of a Republican's bill to increase it by a buck an hour. I am glad they have taken the leadership to do that. This is a bipartisan effort. Last week we saw, as my colleague from Pennsylvania said, 13 members on the Republican side support it. I know there are more than that as cosponsors of my colleague from New York's bill that I am a cosponsor of.

All we are asking for is a fair, clean vote on a minimum wage increase. Even today in the Washington Post the majority leader in the Senate talked about let us eliminate this gas tax increase from 1993 that goes for budget reduction and deficit reduction, and at the same time increase the minimum wage. Let us do it, Mr. Speaker. I think that is a great idea. That way the little people can reach it not only in their taxes they save on their gas tax, but they get a pay raise at the same time.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Speaker, I urge my colleagues to vote "no" on the previous question so the rule will allow us, then, to have an amendment that would offer the opportunity to talk and discuss the minimum wage.

I would say further that on the other side as we talk about the Republicans not wanting us to do this, Republicans have voted for a minimum wage. I would remind Members the last time, 1989, 135 Republicans voted in this House for the minimum wage increase, including our now Speaker GINGRICH. Thirty-six Republicans voted for it on the Senate side, including the now majority leader, Mr. DOLE, the Presidential nominee for the Republicans. This has been a bipartisan action.

Why can we not have this amendment that will allow us to discuss it? Since that increase in 1989, we all know the price of living has increased and has increased by some 13 percent. Yet we have not done anything about raising the wages of those who are least among us. We need a bipartisan action. Just as we did in 1989, we need it at this time.

I urge a vote against the previous question so we can be allowed an opportunity to discuss what we should discuss for all Americans, a livable minimum wage.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, the Republican men and women in this Chamber who are opposed to an increase in the minimum wage earn more salary from the taxpayer every 15 days than people on the minimum wage earn all year long. Yet they still do not want to provide an additional 25 cents to those workers. We are in charge of that here. People who earn more in 15 days will

not give another 25 cents to the working poor in this country.

What President Clinton's proposal would do is buy 6 months of groceries for a family on a minimum wage. No wonder the American people overwhelmingly support this increase in the minimum wage and reject the stinginess of our colleagues on the Republican side.

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

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank very much the Rules Committee member Mr. HALL for his leadership and I rise to ask that we defeat the previous question. I am sorry that my good friend did not yield to me, the gentleman from Pennsylvania, because I wanted to remind him of our American history.

I am proud to stand in the well of the House with a desperate act of seeking to defeat the previous question. Americans applaud when we desperately try to help other people. It was the American Founding Fathers who dumped their tea in the Boston Harbor, a desperate economic act to be able to say, "No more; no more." And so I am proud to ask to defeat the previous question so that we can do something about raising the minimum wage.

Again, I am sorry the gentleman from Pennsylvania has left the floor because let me tell Members, when New Jersey raised the minimum wage in 1992, it increased the jobs in New Jersey and there was no job loss. There is nothing to say that increasing the minimum wage to \$5.15 per hour, simply 90 cents, will do anything to the American economy but help those who are in need.

Will it help those who are in fact at the bottom rung? Yes, it will. Will it help those who are in fact middle class? Yes, it will.

Let me share with Members, if you have ever worked an 8-hour shift as a dishwasher, or fry cook or if you have never walked miles in 1 day picking peas, beans, lettuce or corn and if you have never cared for the elderly or sick and you have never experienced not affording health care for yourself, then you may not understand the need to raise the minimum wage. At the same time if you are part of a family with four children who work every day, you may understand the need for the increase in the minimum wage because it impacts your wage: increases and how you ultimately will be able to provide for paying for your bills.

This is a time to listen to 80 percent of the American public. This is a time to do a desperate act. We are procedurally correct because what we are asking to do is to defeat the previous question so that we can bring to the House floor a clean bill to raise the minimum wage 90 cents.

I am for the repeal of the Btu tax, and what I would like to see is that the money goes directly back to the consumer. Let us help the consumer today, take the gas tax off, give it back to the consumer and likewise let us raise the minimum wage for the American people, those who do the work that is part of this American economy. This will promote growth. We need to raise the minimum wage. A clean bill to raise the minimum wage 90 cents is what we need now.

Ms. PRYCE. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Speaker, I do not have a little standard here but it is interesting to hear the other side rant and rave about the minimum wage.

This sort of says it all, Bill Clinton, our President, in Time Magazine, February 6, 1995, that was last year, I believe, said, "Raising the minimum wage is the wrong way to raise the income of low-wage earners."

□ 1245

This is just one quote. There are other quotes with the President saying the same thing.

Now, I have only been here 3 years, Mr. Speaker. The first 2 years, the other side of the aisle controlled, as I recall, the House, the other body, the U.S. Senate, and the White House. They controlled it in very large numbers. They could have brought this issue up at any time.

Instead, as I recall, and I was here for that time, what they did was they passed the largest tax increase in history, and they said it would not have any effect on folks. But if you have not been to the gas station lately, I advise these people that are earning \$4.25 an hour, low-income people, to look at their gasoline prices. They raised those gasoline taxes that they are paying, and it hurts the poorest of the poor.

They there is another report, I submit to my colleagues, out today by the Heritage Commission. Look at that report. That report says that people have less money in their pockets, and that is the result of these policies that they did their first 2 years.

This is what the President said. That is what they did. And today they are out here saying that we are not giving this issue a good opportunity to be heard. It will be heard, and we will have a solution. But this is what they said, and that is what they did.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, America needs a raise. The minimum wage, its purchasing power, is approaching a 40-year low, almost as old as I am, since the minimum wage has had purchasing power with as little capability as it does at present.

The gentleman from Pennsylvania says that it is not germane to this debate to talk about the minimum wage, the need for the American people to

have a raise. Well, let me tell you, it is mighty germane to the working people of this country that they get a raise. It may not be germane to the elitist, but it is germane to the people that are out there scrubbing the floors, tending to the nursing homes, picking the peas, as my colleague from Texas said, serving the meals at the fast food restaurants. It is very germane to them. For many it is a question of whether or not they can get out of poverty by having the means to do that.

All that stands between us today and getting a raise for the American people are 10 Members of the Republican side coming over and joining a few of their colleagues from last week and so many Democrats, because it was a mere 10 Republican votes that defeated the raise for America when we considered this issue last week.

If they will simply have the courage to vote the same way they spoke at the press conference when they were facing the TV cameras and said they wanted to give even more than a 90-cent raise, if they will simply vote with us today, those 10 Members who defected, with all the arm twisting that occurred from the Republican leadership last week, then America will get a raise.

Of course, I realize not every Republican Member is going to do that. In fact, the one thing that has changed since last week is that Mr. BOEHNER, the chair of the Republican Conference, has said, "I will commit suicide before I vote on a clean minimum wage bill."

Can you imagine that, hari-kari right here on the floor of the House, falling on their sword? True, the Republicans have been falling on their political swords for the last 16 months, but we finally have a chance for them today to see the light, to join us in doing something to give the people of America a raise that they very much deserve.

Ms. PRYCE. Mr. Speaker, I yield 2 minutes to my good friend, the gentleman from the great Commonwealth of Pennsylvania [Mr. GEKAS].

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

Mr. GEKAS. Mr. Speaker, the gentleman from Texas, who just addressed the House most eloquently, showed his powerful advocacy for a minimum wage. This gentleman, I am sure if I search the CONGRESSIONAL RECORD, when he was in the majority just 2 years ago, along with the President of the United States, did not make such an eloquent speech.

Mr. DOGGETT. Mr. Speaker, will the gentleman yield to a freshman Member who was not here 2 years ago and this is my first opportunity to raise the minimum wage?

Mr. GEKAS. Mr. Speaker, I said I was going to search the RECORD to determine if any similar speeches were made by his colleagues on his side. Do you understand? To see whether or not eloquent speeches of that type were made in favor of a minimum wage. But they could not, because the President of the

United States was against the minimum wage, the Secretary of Labor was against the minimum wage elevation, and so were other functionaries of the Democrat Party.

Now, seeing that the Republicans have taken over in 1994, all of a sudden they see it as a grand scheme, do the Democrats, to embarrass the Republicans about a minimum wage controversy, which is not that great a controversy, yet it sounds good and makes people feel good to know that the Democrats, 2 years after they were in the majority, are in favor of a minimum wage.

What has happened to change the President's mind and all of a sudden he is an advocate of the elevation of the minimum wage, to the Secretary of Labor and to those on that side of the aisle who all of a sudden are minimum wage advocates?

Meanwhile, we have a bill on the floor, the one this rule governs, about trying to bring better government into the selection of U.S. marshals. That is what we ought to be debating ultimately, and to see whether or not we are strong enough to withstand the temptation to go into ultra-virus issues like the minimum wage and concentrating on bringing about better government in the election of U.S. marshals, part of our law enforcement, who do a wonderful job not in just helping the courts, but in helping the community.

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

Ms. FURSE. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I was very interested to hear people talk about how this was going to be a tax increase. We are some of the few people who actually paid by taxes from the American people, and if we raise the minimum wage to \$5.15, the minimum wage people working 40 hours a week would still make less than Members of this House make in 1 month. It is a shame, it is an outrage, that we are not able to get a vote on the minimum wage. That is why I am asking for a vote against the previous question.

I should point out that in Oregon, our legislature raised the minimum wage to \$4.75, and, since 1992, since Bill Clinton has been in office, our unemployment rate has been halved in Oregon. We are doing very well in Oregon. We presently have an initiative from the people of Oregon to raise the minimum wage in Oregon to \$6.50. Yet these people here on this side of the aisle are saying no, we cannot even talk about raising the minimum wage.

Seventy-five percent of people living on minimum wage, and let me tell you if you work 40 hours a week, if you lived on minimum wage today, you would make \$8,840 a year, 75 percent of those people are women; 75 percent are women.

This is anti-women to not allow this vote to be brought to the House floor.

How can we stand here, paid as we are by the American taxpayer, and not have the opportunity to raise the minimum wage for the women of this country who are living on less than \$9,000 a year? A family of two is under the poverty level if they make \$10,260, so somebody making \$8,000 is way below the poverty level.

I urge my colleagues to vote "no" on the previous question. Let us give the American people a raise. They deserve it.

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

Mr. LINDER. Mr. Speaker, this is silly season already. Usually it does not come until August. If this were really an important issue for people earning \$9,000 a year or less, why did not the Democrats, who owned the House, the Senate, and the White House, mention it 2 years ago? Do you know how many times the President talked about the minimum wage in his first 2 years in office? Zero. Not one time.

He has talked about it over 50 times this year, because it is a political issue, and it is a crass and mean political issue, using as pawns in this political battle the very people they are pretending to help.

Raising the minimum wage is income redistribution among the poor. For every four people you purport to give a \$1 increase to, you take one person off the payroll.

That is not compassion. It is the striking difference between the two parties, that one party thinks government should set wages, and the other party believes the economy sets wages.

This argument should be over. There should be zero minimum wage. That is what the New York Times editorial said, a zero minimum wage. Let people who want to start on the first rung of the income ladder earn what they are worth.

Ninety percent of people on minimum wage are not there after 1 year. Many people on the minimum wage earn also tips that are not reported. This is a phony argument for phony political reasons, and, if it was serious, it would have been done 2 years ago.

In addition to that, the minimum wage is simply not germane to this bill and would not be added even if the previous question were defeated, because it is not germane to this bill. It is simply an effort to take up your time and America's time to make political points that they refused to deal with when they were in power.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I really differ strongly with the previous speaker on this issue. First of all, I would say that I do not believe the minimum wage is a partisan issue. There are a lot of Republicans who support an increase in the minimum wage. The problem here is the Republican leadership,

Speaker GINGRICH and the others, who do not want to bring this to the floor, because they know that if it comes to the floor, the majority of Democrats and enough Republicans will vote for it that it will actually pass this House, the Senate, and be signed by the President.

Let us bring it up. What do I care what President Clinton said or what whoever said in the previous Congress? The fact of the matter is now we know that this minimum wage is not keeping up with inflation, and with the people's ability or need and the purchasing power. So it should be passed now.

The reason the Democrats are doing this as often as we are on the previous question or on the rule or whatever, is because we are in the minority and we have no other way to bring it up. We have to keep raising it, so eventually this Republican leadership will wake up and recognize that even its own Members, even a lot of the Republicans, are willing and want this passed and want it brought to the floor.

The time has come. In my home State of New Jersey, we have raised the minimum wage, and it has been a success and it has not affected unemployment.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. WATT].

Mr. WATT of North Carolina. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I want to address the issue that has been raised by several of my colleagues that this bill is about the U.S. Marshals Service. The reason there is no debate about the bill itself is that it is an absolutely non-controversial bill, and is brought to this floor for debate simply so my Republican colleagues can say, "We brought an open rule to the floor, and you can amend it in any way you want."

Well, we want to amend this bill. We want to amend it by attaching a minimum wage provision that will raise the wages of the American people.

So what is their response? The first time we say, "Hey, we have an amendment," they say, "Oh, no, this is not an open rule. You can't amend this bill that way. It is not even germane to talk about it on the floor."

They do not want to talk about it. You just heard the reason they do not want to talk about it, because you have got a bunch of extreme people, some of whom believe there ought not even be a minimum wage in this country, that people ought to be allowed to work for 5 cents an hour if the market dictates that. They do not care about what kind of conditions people are living in, in this country. All they care about is supporting their corporate, rich constituencies.

They talk about supporting a minimum wage, as long as they are on the television. They talk about supporting a gas tax cut, as long as they are on the television. What they will not

admit is if we defeat the previous question on this rule, we can talk about both of those things in the context of this bill.

Democracy is about debate. Bring it off the television and onto the floor of Congress and let us debate it. Let us defeat the previous question on this rule.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. KLINK].

□ 1300

Mr. KLINK. Mr. Speaker, I have heard time and time again that this is a phony argument. There were some of us 2 years ago on the Committee on Education and Labor who talked about the need then, 2 years ago in the previous Congress when our party was leading, that the minimum wage had to be raised. I would point out that now that the Republicans are in charge, there is no longer any committee in Congress with the name labor in its name, which shows, I think, the utmost contempt that that party has for working men and women.

I have heard my colleagues from the other side of the aisle come down and talk repeatedly about the fact we do not need a minimum wage. Well, I come from an area in southwestern Pennsylvania where we have coal fields and steel mills. And when we did not have workers' protection, when we did not have minimum wage, we saw people working for next to nothing. We saw them going into the coal mines. Children were forced to work. They would go in before the sun came up each morning, go into the mines, and come out at night when the sun was down, never seeing daylight. There were no worker protections for them. They had to shop at the company store, take whatever money they would get, and usually they ended up owing the company more at the store than they had made. So they were constantly working themselves into debt.

There is a reason that we have a minimum wage in this country. There is a reason that those on the lowest end need to make a livable wage, need to be able to buy food, need to be able to take care of their families. I will paraphrase a former Republican President, Teddy Roosevelt, who said that for a man or woman to be able to participate in this great country's democracy, they have to be able to afford the absolute minimum, and they have to be able to work and make the money to pay for the absolute minimum and still have time to dedicate to their family and dedicate time to their community.

We have seen this Republican Congress attempt to eliminate the minimum corporate income tax, attempt to cut way back on capital gains for the large corporations, but when it comes to giving a livable wage, lifting from beneath the poverty rate the lowest workers in this country, they constantly try to stifle us. Somewhere between Abraham Lincoln and NEWT

GINGRICH, this party has reversed its position on slavery.

Ms. PRYCE. Mr. Speaker, I yield 5 minutes to the gentleman from Connecticut [Mr. SHAYS].

Mr. SHAYS. Mr. Speaker, I thank the gentlewoman from Ohio for yielding me this time.

Mr. Speaker, there are a large number of Republicans who believe that the minimum wage is destructive and that an increase would be harmful to our country. There are a number of Republicans who take a different view. My purpose for standing there today is to encourage my colleagues to vote to pass the motion for the previous question, but to say that time is running out.

I understand my colleagues on the other side have been forcing this issue each and every week. It does force others to deal with it more quickly than we may have wanted to. But our leadership on this side of the aisle needs the opportunity to see if there is a way to come forward with a package that meets the concerns of us to support a minimum wage and also meets the legitimate concerns of some of my colleagues.

I would like to tell my colleagues why I support an increase in the minimum wage, why I agree with my colleague. It is at a 40-year low. If we do not increase the minimum wage, it will be at a 40-year low. The minimum wage in 1968 was at the high point in terms of its purchasing power. If we had indexed for inflation from 1968, that minimum wage would be \$7.08 today, not \$4.25.

I believe the modest increase that we voted on in 1989 was fair and right. I do not believe it caused unemployment. I do not believe it created higher prices. I believe it lifted up the bottom level. I make the argument with people on my side of the aisle, and anyone else who will listen, that I really believe that if we are looking to get people off of welfare and on to work, we need to lift the minimum wage. But these are all issues that will be debated and have to be debated, and I believe they will be debated, quite frankly.

The issue is, should it happen today? And I would encourage all my Republican colleagues to give our leadership the time to deal with this issue, to give them time to come and present to us their proposal and then we can decide if it meets the test. For me, it has to be passage of minimum wage.

I believe minimum wage will pass, I believe it should pass, and I look forward to voting for it. But on this procedural question on a bill that, quite frankly, is not a substantive bill, I would encourage my colleagues to not be enticed to vote for the minimum wage at this time.

Mr. HALL of Ohio. Mr. Speaker, I yield myself the balance of my time to say I do hope that we defeat the previous question. I will ask for a vote on it.

I look at raising the minimum wage very simply. I have just met a lot of



people around the country, at different food banks and soup kitchens, and they are not making it. A lot of them are working poor, and sometime during the month they run out of money after they pay for their rent and pay for their food and they pay for other

things. Two or three days every month, they run out of money.

In my own district I have 66 food banks, and many of these working poor have to go to these food banks and soup kitchens, most of which are women and children.

For that reason and other reasons, I would hope that we could get a chance

to vote on the minimum wage. That is why I offered the chance to vote no on the previous question so we can make that an issue relative to offering an amendment on the floor on the minimum wage.

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

## 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; PQ .....	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; PQ2 .....	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; PQ.	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 Oboe 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.	N/A.
H.R. 988* .....	The Attorney Accountability Act of 1995 .....	H. Res. 104	Restrictive: 7 hr. time cap on amendments; Pre-printing gets preference .....	8D; 7R.
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; PQ.	N/A.
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.	1D; 3R.
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.	5D; 26R.
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.	N/A.
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; PQ.	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; PQ.	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; PQ.	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; PQ.	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); PQ.	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. 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; PQ.	N/A.
H.R. 1944 .....	Recissions 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; PQ.	N/A.
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; PQ.	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; PQ.	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; PQ.	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; PQ.	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; PQ.	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; PQ. *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(f)(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; PQ.	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; PQ.	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(f)(2)(b) of rule XI against consideration of the bill; makes in order the committee amendment as original text; Pre-printing get 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(f)(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); PQ.	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 points 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); PQ.	1D
H. Con. Res. 109 .....				
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.

## 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.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 (MI); 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
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(l)(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. 293	Closed: provides for the adoption of the Ways & Means amendment printed in the report. 1 hr. of general debate; PQ.	N/A
H.R. 1745 .....	Utah Public Lands Management Act of 1995 .....	H. Res. 303	Open: waives cl 2(l)(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; PQ .....	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; PQ.	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; PQ.	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 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; PQ.	N/A
H.R. 2924 .....	Social Security Guarantee Act .....	H. Res. 355	Closed: ** NR; PQ .....	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; PQ.	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 Speaker's table and consider the Senate bill; allows Chrm. 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; give 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; PQ.	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
H.R. 125 .....	The Gun Crime Enforcement and Second Amendment Restoration Act of 1996.	H. Res. 388	Closed: self-executes an amendment; provides one motion to recommit which may contain instructions only if offered by the Minority Leader or his designee. ** NR.	N/A
H.R. 3136 .....	The Contract With America Advancement Act of 1996 .....	H. Res. 391	Closed: provides for the consideration of the bill in the House; self-executes an amendment in the Rules report; waives all points of order, except sec. 425(a)(unfunded mandates) of the CBA, against the bill's consideration; orders the PQ except 1 hr. of general debate between the Chairman and Ranking Member of Ways and Means; one Archer amendment (10 min.); one motion to recommit which may contain instructions only if offered by the Minority Leader or his designee; Provides a Senate hookup if the Senate passes S. 4 by March 30, 1996. **NR.	N/A
H.R. 3103 .....	The Health Coverage Availability and Affordability Act of 1996 .....	H. Res. 392	Restrictive: 2 hrs. of general debate (45 min. split by Ways and Means) (45 split by Commerce) (30 split by Economic and Educational Opportunities); self-executes H.R. 3160 as modified by the amendment in the Rules report as original text; waives all points of order, except sec. 425(a) (unfunded mandates) of the CBA; makes in order a Democratic substitute (1 hr.) waives all points of order, except sec. 425(a) (unfunded mandates) of the CBA, against the amendment; one motion to recommit which may contain instructions only if offered by the Minority Leader or his designee; waives cl 5(c) of Rule XXI (requiring 3/5 vote on any tax increase) on votes on the bill, amendments or conference reports.	N/A
H.J. Res. 159 .....	Tax Limitation Constitutional Amendment .....	H. Res. 395	Restrictive: provides for consideration of the bill in the House; 3 hrs of general debate; Makes in order H.J. Res. 169 as original text; allows for an amendment to be offered by the Minority Leader or his designee (1 hr) ** NR.	ID
H.R. 842 .....	Truth in Budgeting Act .....	H. Res. 396	Open: 2 hrs. of general debate; Pre-printing gets priority .....	N/A
H.R. 2715 .....	Paperwork Elimination Act of 1996 .....	H. Res. 409	Open: Preprinting get priority .....	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. 1675 .....	National Wildlife Refuge Improvement Act of 1995 .....	H. Res. 410	Open; Makes the Young amendment printed in the 4/16/96 Record in order as original text; waives cl 7 of rule XVI against the amendment; Preprinting gets priority; **NR.	N/A
H.J. Res. 175 .....	Further Continuing Appropriations for FY 1996 .....	H. Res. 411	Closed; provides for consideration of the bill in the House; one motion to recommit which, if containing instructions, may be offered by the Minority Leader or his designee. **NR.	N/A
H.R. 2641 .....	United States Marshals Service Improvement Act of 1996 .....	H. Res. 418	Open; Pre-printing gets priority; Senate hook-up .....	N/A
H.R. 2149 .....	The Ocean Shipping Reform Act .....	H. Res. 419	Open; Makes in order a managers amendment as the first order of business (10 min.); if adopted it is considered as base text; waives cl 7 of rule XVI against the managers amendment; Pre-printing gets priority; makes in order an Oberstar en bloc amendment..	N/A

\* Contract Bills, 67% restrictive; 33% open. \*\* All legislation 1st Session, 53% restrictive; 47% open. \*\*\* All legislation 2d Session, 90% restrictive; 10% open. \*\*\*\* All legislation 104th Congress, 61% restrictive; 39% open. \*\*\*\*\* NR indicates that the legislation being considered by the House for amendment has circumvented standard procedure and was never reported from any House committee. \*\*\*\*\* PQ Indicates that previous question was ordered on the resolution. \*\*\*\*\* Restrictive rules are those which limit the number of amendments which can be offered, and include so-called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103d Congress. N/A means not available.

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

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

Mr. Speaker, let me stress that this is more than an open rule, it is, in fact, a wide open rule. Any Member can be heard on any germane amendment to the bill at the appropriate time. By ordering the previous question and adopting this fair resolution, the House will have an opportunity for a full and open debate on important legislation designed to improve the overall quality and level of professionalism in the U.S. Marshals Service.

I just want to remind everybody what we are talking about here. We are talking about the U.S. Marshals Service.

Mr. Speaker, let me point out that we have been through this same chicanery before, just last week. We checked with the appropriate nonpartisan par-

liamentary experts in this House and, to a person, they confirmed that the amendment that the Democrats want to make in order under this rule is completely nongermane to the rule and to the bill. So do not be fooled. The previous question vote is not a vote on the minimum wage, it is a vote on whether to close the debate and to vote for this rule.

Mr. Speaker, House rules and precedents make it very clear that it is not in order to amend a rule like this to make in order a nongermane amendment to the bill in question. In other words, even if the minority defeated the previous question and offered their amendment, this would be ruled out of order for violating the rules of this House.

At this point, Mr. Speaker, I insert for the RECORD the following material:

## THE PREVIOUS QUESTION VOTE: WHAT IT MEANS

House Rule XVII ("Previous Question") provides in part that: There shall be a motion for the previous question, which, being ordered by a majority of the Members voting, if a quorum is present, shall have the effect to cut off all debate and bring the House to a direct vote upon the immediate question or questions on which it has been asked or ordered.

In the case of a special rule or order of business resolution reported from the House Rules Committee, providing for the consideration of a specified legislative measure, the previous question is moved following the one hour of debate allowed for under House Rules.

The vote on the previous question is simply a procedural vote on whether to proceed to an immediate vote on adopting the resolution that sets the ground rules for debate and amendment on the legislation it would make in order. Therefore, the vote on the previous question has no substantive legislative or policy implications whatsoever.

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,<sup>1</sup> 103D CONGRESS V. 104TH CONGRESS

[As of April 30, 1996]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open <sup>2</sup> .....	46	44	64	60
Modified Closed <sup>3</sup> .....	49	47	26	24
Closed <sup>4</sup> .....	9	9	17	16
Total .....	104	100	107	100

<sup>1</sup> This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

<sup>2</sup> An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

<sup>3</sup> A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

<sup>4</sup> A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

## SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of April 30, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95) .....	O .....	H.R. 5 .....	Unfunded Mandate Reform .....	A: 350-71 (1/19/95).
H. Res. 44 (1/24/95) .....	MC .....	H. Con. Res. 17 .....	Social Security .....	A: 255-172 (1/25/95).
		H.J. Res. 1 .....	Balanced Budget Amdt .....	
H. Res. 51 (1/31/95) .....	O .....	H.R. 101 .....	Land Transfer, Taos Pueblo Indians .....	A: voice vote (2/1/95).
H. Res. 52 (1/31/95) .....	O .....	H.R. 400 .....	Land Exchange, Arctic Nat'l. Park and Preserve .....	A: voice vote (2/1/95).
H. Res. 53 (1/31/95) .....	O .....	H.R. 440 .....	Land Conveyance, Butte County, Calif .....	A: voice vote (2/1/95).
H. Res. 55 (2/1/95) .....	O .....	H.R. 2 .....	Line Item Veto .....	A: voice vote (2/2/95).
H. Res. 60 (2/6/95) .....	O .....	H.R. 665 .....	Victim Restitution .....	A: voice vote (2/7/95).
H. Res. 61 (2/6/95) .....	O .....	H.R. 666 .....	Exclusionary Rule Reform .....	A: voice vote (2/7/95).
H. Res. 63 (2/8/95) .....	MO .....	H.R. 667 .....	Violent Criminal Incarceration .....	A: voice vote (2/9/95).
H. Res. 69 (2/9/95) .....	O .....	H.R. 668 .....	Criminal Alien Deportation .....	A: voice vote (2/10/95).
H. Res. 79 (2/10/95) .....	MO .....	H.R. 728 .....	Law Enforcement Block Grants .....	A: voice vote (2/13/95).
H. Res. 83 (2/13/95) .....	MO .....	H.R. 7 .....	National Security Revitalization .....	PQ: 229-100; A: 227-127 (2/15/95).
H. Res. 88 (2/16/95) .....	MC .....	H.R. 831 .....	Health Insurance Deductibility .....	PQ: 230-191; A: 229-188 (2/21/95).
H. Res. 91 (2/21/95) .....	O .....	H.R. 830 .....	Paperwork Reduction Act .....	A: voice vote (2/22/95).
H. Res. 92 (2/21/95) .....	MC .....	H.R. 889 .....	Defense Supplemental .....	A: 282-144 (2/22/95).
H. Res. 93 (2/22/95) .....	MO .....	H.R. 450 .....	Regulatory Transition Act .....	A: 252-175 (2/23/95).
H. Res. 96 (2/24/95) .....	MO .....	H.R. 1022 .....	Risk Assessment .....	A: 253-165 (2/27/95).
H. Res. 100 (2/27/95) .....	O .....	H.R. 926 .....	Regulatory Reform and Relief Act .....	A: voice vote (2/28/95).
H. Res. 101 (2/28/95) .....	MO .....	H.R. 925 .....	Private Property Protection Act .....	A: 271-151 (3/2/95).
H. Res. 103 (3/3/95) .....	MO .....	H.R. 1058 .....	Securities Litigation Reform .....	
H. Res. 104 (3/3/95) .....	MO .....	H.R. 988 .....	Attorney Accountability Act .....	
H. Res. 105 (3/6/95) .....	MO .....			A: voice vote (3/6/95).
H. Res. 108 (3/7/95) .....	Debate .....	H.R. 956 .....	Product Liability Reform .....	A: 257-155 (3/7/95).
H. Res. 109 (3/8/95) .....	MC .....			A: voice vote (3/8/95).
H. Res. 115 (3/14/95) .....	MO .....	H.R. 1159 .....	Making Emergency Supp. Approps .....	PQ: 234-191 A: 247-181 (3/9/95).
H. Res. 116 (3/15/95) .....	MC .....	H.J. Res. 73 .....	Term Limits Const. Amdt .....	A: 242-190 (3/15/95).
H. Res. 117 (3/16/95) .....	Debate .....	H.R. 4 .....	Personal Responsibility Act of 1995 .....	A: voice vote (3/21/95).
H. Res. 119 (3/21/95) .....	MC .....			A: 217-211 (3/22/95).
H. Res. 125 (4/3/95) .....	O .....	H.R. 1271 .....	Family Privacy Protection Act .....	A: 423-1 (4/4/95).
H. Res. 126 (4/3/95) .....	O .....	H.R. 660 .....	Older Persons Housing Act .....	A: voice vote (4/6/95).

## SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS—Continued

[As of April 30, 1996]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228-204 (4/5/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253-172 (4/6/95).
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95).
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95).
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414-4 (5/10/95).
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95).
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95).
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95).
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252-170 A: 255-168 (5/17/95).
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233-176 (5/23/95).
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225-191 A: 233-183 (6/13/95).
H. Res. 167 (6/15/95)	O	H.R. 1817	MillCon Appropriations FY 1996	PQ: 223-180 A: 245-155 (6/16/95).
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232-196 A: 236-191 (6/20/95).
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221-178 A: 217-175 (6/22/95).
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95).
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258-170 A: 271-152 (6/28/95).
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps	PQ: 236-194 A: 234-192 (6/29/95).
H. Res. 185 (7/1/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235-193 D: 192-238 (7/12/95).
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230-194 A: 229-195 (7/13/95).
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PQ: 242-185 A: voice vote (7/18/95).
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PQ: 232-192 A: voice vote (7/18/95).
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95).
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PQ: 217-202 (7/21/95).
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95).
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95).
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230-189 (7/25/95).
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95).
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409-1 (7/31/95).
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	A: 255-156 (8/2/95).
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 323-104 (8/2/95).
H. Res. 215 (9/7/95)	O	H.R. 1594	Economically Targeted Investments	A: voice vote (9/12/95).
H. Res. 216 (9/7/95)	MO	H.R. 1655	Intelligence Authorization FY 1996	A: voice vote (9/12/95).
H. Res. 218 (9/12/95)	O	H.R. 1162	Deficit Reduction Lockbox	A: voice vote (9/13/95).
H. Res. 219 (9/12/95)	O	H.R. 1670	Federal Acquisition Reform Act	A: 414-0 (9/13/95).
H. Res. 222 (9/18/95)	O	H.R. 1617	CAREERS Act	A: 388-2 (9/19/95).
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	PQ: 241-173 A: 375-39-1 (9/20/95).
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	A: 304-118 (9/20/95).
H. Res. 226 (9/21/95)	O	H.R. 743	Team Act	A: 344-66-1 (9/27/95).
H. Res. 227 (9/21/95)	O	H.R. 1170	3-Judge Court	A: voice vote (9/28/95).
H. Res. 228 (9/21/95)	O	H.R. 1601	Internatl. Space Station	A: voice vote (9/27/95).
H. Res. 230 (9/27/95)	C	H.J. Res. 108	Continuing Resolution FY 1996	A: voice vote (9/28/95).
H. Res. 234 (9/29/95)	O	H.R. 2405	Omnibus Science Auth.	A: voice vote (10/11/95).
H. Res. 237 (10/17/95)	MC	H.R. 2259	Disapprove Sentencing Guidelines	A: voice vote (10/18/95).
H. Res. 238 (10/18/95)	MC	H.R. 2425	Medicare Preservation Act	PQ: 231-194 A: 227-192 (10/19/95).
H. Res. 239 (10/19/95)	C	H.R. 2492	Leg. Branch Approps	PQ: 235-184 A: voice vote (10/31/95).
H. Res. 245 (10/25/95)	MC	H. Con. Res. 109	Social Security Earnings Reform	PQ: 228-191 A: 235-185 (10/26/95).
H. Res. 251 (10/31/95)	C	H.R. 2491	Seven-Year Balanced Budget	A: 237-190 (11/1/95).
H. Res. 252 (10/31/95)	MO	H.R. 1833	Partial Birth Abortion Ban	A: 241-181 (11/1/95).
H. Res. 257 (11/7/95)	C	H.J. Res. 115	Cont. Res. FY 1996	A: 216-210 (11/8/95).
H. Res. 258 (11/8/95)	MC	H.R. 2586	Debt Limit	A: 220-200 (11/10/95).
H. Res. 259 (11/9/95)	O	H.R. 2539	ICC Termination Act	A: voice vote (11/14/95).
H. Res. 261 (11/9/95)	C	H.J. Res. 115	Cont. Resolution	A: 223-182 (11/10/95).
H. Res. 262 (11/9/95)	C	H.R. 2586	Increase Debt Limit	A: 220-185 (11/10/95).
H. Res. 269 (11/15/95)	O	H.R. 2564	Lobbying Reform	A: voice vote (11/16/95).
H. Res. 270 (11/15/95)	C	H.J. Res. 122	Further Cont. Resolution	A: 229-176 (11/15/95).
H. Res. 273 (11/16/95)	MC	H.R. 2606	Prohibition on Funds for Bosnia	A: 239-181 (11/17/95).
H. Res. 284 (11/29/95)	O	H.R. 1788	Amtrak Reform	A: voice vote (11/30/95).
H. Res. 287 (11/30/95)	O	H.R. 1350	Maritime Security Act	A: voice vote (12/6/95).
H. Res. 293 (12/7/95)	C	H.R. 2621	Protect Federal Trust Funds	PQ: 223-183 A: 228-184 (12/14/95).
H. Res. 303 (12/13/95)	O	H.R. 1745	Utah Public Lands	PQ: 230-188 A: 229-189 (12/19/95).
H. Res. 309 (12/18/95)	C	H.Con. Res. 122	Budget Res. W/President	A: voice vote (12/20/95).
H. Res. 313 (12/19/95)	O	H.R. 558	Texas Low-Level Radioactive	Tabled (2/28/96).
H. Res. 323 (12/21/95)	MC	H.R. 2677	Natl. Parks & Wildlife Refuge	PQ: 228-182 A: 244-168 (2/28/96).
H. Res. 366 (2/27/96)	MC	H.R. 2854	Farm Bill	A: voice vote (3/7/96).
H. Res. 368 (2/28/96)	O	H.R. 994	Small Business Growth	PQ: voice vote A: 235-175 (3/7/96).
H. Res. 371 (3/6/96)	C	H.R. 3021	Debt Limit Increase	A: 251-157 (3/13/96).
H. Res. 372 (3/6/96)	MC	H.R. 3019	Cont. Approps. FY 1996	PQ: 233-152 A: voice vote (3/21/96).
H. Res. 380 (3/12/96)	MC	H.R. 2703	Effective Death Penalty	PQ: 234-187 A: 237-183 (3/21/96).
H. Res. 384 (3/14/96)	MC	H.R. 2202	Immigration	A: 244-166 (3/22/96).
H. Res. 386 (3/20/96)	C	H.J. Res. 165	Further Cont. Approps	PQ: 232-180 A: 232-177, (3/28/96).
H. Res. 388 (3/20/96)	C	H.R. 125	Gun Crime Enforcement	PQ: 229-186 A: Voice Vote (3/29/96).
H. Res. 391 (3/27/96)	C	H.R. 3136	Contract w/America Advancement	PQ: 232-168 A: 234-162 (4/15/96).
H. Res. 392 (3/27/96)	MC	H.R. 3103	Health Coverage Affordability	A: voice vote (4/17/96).
H. Res. 395 (3/29/96)	MC	H.J. Res. 159	Tax Limitation Const. Amdmt.	A: voice vote (4/24/96).
H. Res. 396 (3/29/96)	O	H.R. 842	Truth in Budgeting Act	A: voice vote (4/24/96).
H. Res. 409 (4/23/96)	O	H.R. 2715	Paperwork Elimination Act	A: voice vote (4/24/96).
H. Res. 410 (4/23/96)	O	H.R. 1675	Natl. Wildlife Refuge	A: voice vote (4/24/96).
H. Res. 411 (4/23/96)	O	H.J. Res. 175	Further Cont. Approps. FY 1996	A: voice vote (4/24/96).
H. Res. 418 (4/30/96)	O	H.R. 2641	U.S. Marshals Service	
H. Res. 419 (4/30/96)	O	H.R. 2149	Ocean Shipping Reform	

Codes: O=open rule; MO=modified open rule; MC=modified closed rule; C=closed rule; A=adoption vote; D=defeated; PQ=previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

Mr. CONYERS. Mr. Speaker, I rise to oppose the previous question so that we can finally get a vote on the minimum wage—an issue on which Speaker GINGRICH will not let the House speak its will. This despite repeated promises that the new GOP would let the House work the will of the people, and not bottle up legislation simply because they didn't like it.

All we are asking for is a vote on the minimum wage.

The facts are staggering when we look closely at the true value of our \$4.25 per hour minimum wage: the current minimum wage is at its lowest value in 40 years and is 30 percent below its average level of the 1970's. Twelve million Americans earn less than \$5.15

per hour, and 73 percent of minimum wage earners are adults and most are women. And it is estimated that one in five minimum wage earners live below the poverty line. It is clear that our minimum wage is too much minimum and not enough wage.

The last time the minimum wage was increased was 1991—and its value has eroded 50 cents since then. That is why the President has proposed, and I support, a 90 cent increase over 2 years, bringing the wage to \$5.15 per hour.

During the two Government shutdowns, Members of Congress earned more than a minimum wage earner will make in an entire year. This Congress has spent the vast majority of its time trying to take away Medicare and

other benefits from working Americans, while trying to find more tax breaks for the rich. Now we can't even have a vote on this most fundamental matter of basic decency and equity.

This is an outrage to all Americans, and most importantly the 12 million Americans who live on subminimum wages now.

I urge Members to defeat the previous question so that we can finally get a vote this issue which has been muzzled. And don't mistake it—your vote to defeat the previous question will be viewed as your vote on the minimum wage issue. Americans who work full time should be able to earn a livable wage. A full-time worker should not be forced to live in poverty. Americans who work hard and play by the rules deserve the opportunity to create

a better future for their children, and an increase to the minimum wage will do just that. I urge all of my colleagues to vote "aye" on the previous question so that we can finally give 12 million workers a raise this year.

Ms. PRYCE. 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. GUTKNECHT). The question is on ordering the previous question.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to the provisions of 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 vote was taken by electronic device, and there were—yeas 219, nays 203, not voting 11, as follows:

## [Roll No. 140]

## YEAS—219

Allard	Deal	Hyde
Archer	DeLay	Inglis
Armey	Diaz-Balart	Istook
Bachus	Dickey	Johnson (CT)
Baker (CA)	Doolittle	Johnson, Sam
Baker (LA)	Dornan	Jones
Ballenger	Dreier	Kasich
Barr	Dunn	Kelly
Barrett (NE)	Ehlers	Kim
Bartlett	Ehrlich	King
Barton	Emerson	Kingston
Bass	Ensign	Klug
Bateman	Everett	Knollenberg
Bereuter	Ewing	Kolbe
Bilbray	Fawell	LaHood
Bilirakis	Fields (TX)	Largent
Bliley	Foley	Latham
Boehner	Fowler	LaTourette
Bonilla	Fox	Laughlin
Bono	Franks (CT)	Lazio
Brewster	Franks (NJ)	Lewis (CA)
Brownback	Frelinghuysen	Lewis (KY)
Bryant (TN)	Funderburk	Lightfoot
Bunn	Galleghy	Linder
Bunning	Ganske	Livingston
Burr	Gekas	LoBiondo
Burton	Gilchrest	Longley
Buyer	Gillmor	Lucas
Callahan	Goodlatte	Manzullo
Calvert	Goodling	Martini
Camp	Graham	McCollum
Campbell	Greene (UT)	McCrery
Canady	Greenwood	McDade
Castle	Gunderson	McInnis
Chabot	Gutknecht	McIntosh
Chambliss	Hancock	McKeon
Chenoweth	Hansen	Metcalf
Christensen	Hastert	Meyers
Chrysler	Hastings (WA)	Mica
Clinger	Hayworth	Miller (FL)
Coble	Hefley	Moorhead
Coburn	Heineman	Morella
Collins (GA)	Herger	Myrick
Combest	Hilleary	Nethercutt
Cooley	Hobson	Neumann
Cox	Hoekstra	Ney
Crane	Hoke	Norwood
Crapo	Horn	Nussle
Cremeans	Hostettler	Oxley
Cubin	Houghton	Packard
Cunningham	Hunter	Parker
Davis	Hutchinson	Paxon

Petri  
Pombo  
Porter  
Portman  
Pryce  
Quillen  
Radanovich  
Ramstad  
Regula  
Riggs  
Roberts  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Roth  
Roukema  
Royce  
Salmon  
Sanford  
Saxton  
Scarborough

Schaefer  
Schiff  
Seastrand  
Sensenbrenner  
Shadegg  
Shaw  
Shays  
Shuster  
Skeen  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Solomon  
Souder  
Spence  
Stearns  
Stockman  
Stump  
Talent  
Tate

Tauzin  
Taylor (NC)  
Thomas  
Thornberry  
Tiahrt  
Upton  
Vucanovich  
Walker  
Wamp  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Wolf  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

□ 1327

The Clerk announced the following pair:

On this vote:

Mr. Goss for, with Ms. Kaptur against.

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

□ 1330

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. GUTKNECHT). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 418 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2641.

□ 1330

## IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2641) to amend title 28, United States Code, to provide for appointment of United States marshals by the Director of the United States Marshals Service, with Mr. WICKER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Florida [Mr. MCCOLLUM] and the gentleman from Michigan [Mr. CONYERS] each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. MCCOLLUM].

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

I want to thank all of my colleagues for allowing this discussion today. This is a very important piece of legislation, and I do not believe very controversial, but very important.

Mr. Chairman, H.R. 2641, the United States Marshals Service Improvements Act of 1995, changes the selection process of the Nation's 94 U.S. Marshals from that of appointment by the President with the advice and consent of the Senate, to appointment by the Attorney General. U.S. Marshals would be selected on a competitive basis, among career managers within the Marshals Service, rather than being nominated by the administration and approved or rejected by the Senate.

Incumbent U.S. marshals selected before enactment of this bill would perform the duties of their office until their terms expire and successors are appointed. Marshals selected between enactment of the bill and the year 2000 would be appointed by the President, with the advice and consent of the Senate, and serve for 4 years. H.R. 2641 was reported favorably out of the Judiciary

## NAYS—203

Abercrombie  
Ackerman  
Andrews  
Baesler  
Baldacci  
Barcia  
Barrett (WI)  
Becerra  
Beilenson  
Bentsen  
Bevill  
Bishop  
Blute  
Boehlert  
Bonior  
Borski  
Boucher  
Browder  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Cardin  
Chapman  
Clayton  
Clement  
Clyburn  
Coleman  
Collins (IL)  
Collins (MI)  
Condit  
Conyers  
Costello  
Coyne  
Cramer  
Cummings  
Danner  
de la Garza  
DeFazio  
DeLauro  
Dellums  
Deutsch  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doyle  
Duncan  
Durbin  
Edwards  
Engel  
English  
Eshoo  
Evans  
Farr  
Fattah  
Fazio  
Fields (LA)  
Filner  
Flake  
Foglietta  
Forbes  
Ford  
Frank (MA)  
Frisa  
Frost  
Furse  
Gejdenson  
Gephardt

Geren  
Gibbons  
Gilman  
Gonzalez  
Gordon  
Green (TX)  
Gutierrez  
Hall (OH)  
Hall (TX)  
Hamilton  
Harman  
Hastings (FL)  
Hefner  
Hilliard  
Hinchey  
Holden  
Hoyer  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jacobs  
Jefferson  
Johnson (SD)  
Johnson, E. B.  
Johnston  
Kanjorski  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Klecza  
Klink  
LaFalce  
Lantos  
Leach  
Levin  
Lincoln  
Lipinski  
Lofgren  
Lowey  
Luther  
Maloney  
Manton  
Markey  
Martinez  
Mascara  
McCarthy  
McDermott  
McHale  
McHugh  
McKinney  
McNulty  
Meehan  
Meek  
Menendez  
Millender  
McDonald  
Miller (CA)  
Minge  
Mink  
Moakley  
Mollohan  
Montgomery  
Moran  
Murtha  
Nadler  
Neal  
Oberstar  
Obey

Olver  
Ortiz  
Orton  
Owens  
Pallone  
Pastor  
Payne (NJ)  
Payne (VA)  
Pelosi  
Peterson (FL)  
Peterson (MN)  
Pickett  
Pomeroy  
Poshard  
Quinn  
Rahall  
Rangel  
Reed  
Richardson  
Rivers  
Roemer  
Rose  
Roybal-Allard  
Rush  
Sabo  
Sanders  
Sawyer  
Schroeder  
Schumer  
Scott  
Serrano  
Sisisky  
Skaggs  
Skelton  
Slaughter  
Spratt  
Stark  
Stenholm  
Stokes  
Studds  
Stupak  
Tanner  
Taylor (MS)  
Tejeda  
Thompson  
Thornton  
Thurman  
Torkildsen  
Torres  
Torrice  
Towns  
Traficant  
Velazquez  
Vento  
Visclosky  
Volkmer  
Walsh  
Ward  
Waters  
Watt (NC)  
Waxman  
Williams  
Wilson  
Wise  
Woolsey  
Wynn  
Yates

## NOT VOTING—11

Berman  
Bryant (TX)  
Clay  
Flanagan

Goss  
Hayes  
Kaptur  
Lewis (GA)

Matsui  
Molinari  
Myers

Committee by voice vote, without amendment.

I might add that the bill does not change the provisions with respect to the Presidential appointment of the director of the U.S. Marshals Service who will continue just as the law presently reads.

I introduced this bill on behalf of the Federal Law Enforcement Officers Association which strongly desires to enhance the professionalism of the U.S. Marshals Service. The responsibilities of a U.S. marshal are varied and severely challenging. These duties range from maintaining the security of the Federal courts to tracking down fugitives from justice. Moreover, as complex criminal prosecutions continue to increase, the need to move essential witnesses around the country grows with it. This is also a duty of the Marshals Service. However, the current selection process does not take these responsibilities into consideration.

The current selection of U.S. marshals is as varied as the Senators who nominate them. Currently, there is no criteria for selection of a U.S. marshal. There is no age, physical fitness, educational, managerial, or law enforcement requirement or experience needed to become a U.S. marshal. In the past, U.S. marshal positions have been filled by undertakers, coroners, pig farmers, and even a host of a childrens' daytime television program, just to name a few. The only training a newly appointed marshal receives from the Marshals Service is a 40-hour orientation session. Unlike all other Marshals Service employees, the presidentially appointed marshal is not subject to disciplinary actions, cannot be reassigned, and can only be removed by the President or upon the appointment of a successor. This lack of accountability has resulted in a number of problems, including budgetary irresponsibility among individual marshals, and has created a double standard that has a negative impact on morale.

It is important to note that the current appointment process for U.S. marshals is unique among Federal law enforcement agencies. Both the FBI and the DEA select heads of their field offices based upon merit. Special agents in charge are not politically appointed. Instead, they are the best agents who have worked their way to the top. The Marshals Service should have nothing less.

It is my view that H.R. 2641 would be a commonsense approach to professionalizing the U.S. Marshals Service. The Justice Department supports this legislation, and it is similar to a recommendation of Vice President GORE's National Performance Review. This bill is a small but important step in this Congress' ongoing effort to improve the administration of Federal law enforcement, and I certainly urge my colleagues to support it.

And I might add that nothing of the criticism I have given today with respect to the problems that the U.S.

Marshals Service has had from time to time should reflect adversely on the many U.S. marshals who perform their duties admirably and are doing so today, although the qualifications that they have been appointed under are not as strict as the qualifications, in the judgment of the committee, should be. And I believe that today's legislation will provide those kinds of opportunities for the Attorney General to set, by her regulation, standards for the appointment of U.S. marshals and make sure that professional law enforcement officers head our field offices in the future rather than having the opportunity for politics to be played with these very important law enforcement officers.

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

Mr. CONYERS. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, this is a bill that is not opposed in the House, but this is a bill that is opposed in the Senate. Oh yes, there is another body that has to say something about how a bill becomes law, and in the Senate this is not unanimously agreed to. Sorry to announce that, my colleagues. That just happens to be the case.

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

Mr. CONYERS. I yield to the gentleman from Georgia.

Mr. BISHOP. Mr. Chairman, I just want to point out to the gentleman that it is not unanimous in this body either.

Mr. CONYERS. Mr. Chairman, this is the first I heard of that, because everybody told me this was a done deal. It was so put together that we did not even need to close the rule up in the Committee on Rules. They gave us an open rule, as many amendments as we want on something that is going through unanimously, I guess. But, no, I understand that that may not be the case, and so I just want to remind everybody that this generous Committee on Rules that allowed us an open rule, as many amendments as we want, is the same Committee on Rules in the 104th Congress that on about 45 other occasions, when we begged them for an open rule on things that were slightly more important than this, there was no way we could get it because the Democrats on the committee were outvoted every single time. But now on this, how many amendments do we have? Not a single one. But it is an open rule, showing, I guess, that the chairman and the Republican dominated Committee on Rules is doing us a real big favor on May 1, 1996.

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

Mr. MCCOLLUM. Mr. Chairman, I yield such time as he may consume to the gentleman from Georgia [Mr. COLLINS] for purposes of a colloquy.

Mr. COLLINS of Georgia. Mr. Chairman, I thank the gentleman for yielding this time to me, and my purpose

for the colloquy is to be assured that there is nothing in this legislation that would prohibit any law enforcement officer who resides in the jurisdiction of the Marshals Service where the appointment will be made from not being considered for the employment. What I understand we are doing here is we are changing the appointment process from that of a nomination by Senator and a confirmation by the Senator as recommendations of the President.

Mr. Chairman, I yield to the gentleman from Florida [Mr. MCCOLLUM].

Mr. MCCOLLUM. Mr. Chairman, that is correct, I say to the gentleman. While it would be my opinion that the results of this law and the regulations the Attorney General promulgates, who will now have the power of the appointment instead of the President, will be that many of the marshals will be career service promotions. There is nothing that we are doing to put into the law now anything that will keep the Attorney General from being able to appoint a sheriff or another local law enforcement person if she or he wanted to do that, and there is no change in the underlying law either. The same basic law is true for the DEA or the FBI today.

Mr. COLLINS of Georgia. Mr. Chairman, I further inquire, too, about the qualifications for the person being considered for the nomination. Does the gentleman have any idea or suggestion or comments on the age or any type of retirement age or entry level age?

Mr. MCCOLLUM. The bill is silent as to age, and the law that exists today is silent as to age or other qualifications. What I would assume is that the Attorney General will promulgate some guidelines with respect to the qualifications under her regulatory power which the gentleman and I would have a chance to comment on. But I do not see anything in the law that would present any impediment to the qualification of anyone based on the law.

It is just that I am expecting, with the Attorney General having this power instead of the President and having to go through the Senate where they play a lot of politics, that we will certainly have law enforcement people, professional law enforcement people, running these offices in the future. But with respect to any other qualifications, I do not have any preconceived notions.

Mr. COLLINS of Georgia. That also would include any formal law enforcement official.

Mr. MCCOLLUM. That is correct. That is correct. That would be my assumption. But again it will be up to the Attorney General's discretion to the extent that the normal rules apply, the promulgation of regulations for qualifications.

Mr. COLLINS of Georgia. I know the intent of the gentleman from Florida is to take politics out of the appointment as much as possible, but I am concerned, too, that we may form some internal politics within the agency itself

if we are not careful. That is where I want to make sure that no one is culled out from being considered as a nominee or as an appointee for the particular office, services, U.S. marshal.

We have in the central district of Georgia in the past, we have actually had a deputy marshal appointed as U.S. marshal. I know and I understand what the gentleman is trying to do. But any good law enforcement officer should be considered for this appointment, and I want to assure that that will be still available.

Mr. MCCOLLUM. Mr. Chairman, in general I concur with the gentleman's perspective, but the law is silent in this regard. And given the qualifications and the decisions or the discretion is going to rest with the Attorney General, as it does with all other Federal law enforcement local field office appointments, which is what this will become.

□ 1345

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

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

Mr. Chairman, this is a very important bill. It is a big deal. We are going to strip the President of the ability to appoint U.S. marshals. What are we going to do with it? We are going to give it to the Attorney General who is appointed, I think, by the President of the United States. So this is very heavy, Mr. Chairman. We ought to think carefully about this. The Attorney General is better positioned to know who should be a U.S. marshal than the President of the United States, for whom he or she works. Very heavy. Follow carefully. This is not a light matter. Do not throw this one away. U.S. marshals must be appointed by the Attorney General, not the President.

Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. SCHUMER], ranking member of the Subcommittee on Crime of the Committee on the Judiciary.

Mr. SCHUMER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in support of the bill. I also want Members to know why this simple bill is on the floor today and what it says about the failure of the leadership on the other side. I am referring, of course, not to the ranking member of the Subcommittee on Crime, or the Judiciary, or the Committee on the Judiciary, but by others who have constantly messed into the anticrime agenda.

Mr. Chairman, let there be no misunderstanding; in my view, this is a good bill and it should be enacted into law. It went through subcommittee and full committee without opposition. It has the support of all the major law enforcement organizations. It has the support of the Justice Department. In fact, Mr. Chairman, this bill is a perfect example of a bill that should have been brought to the floor on the Sus-

pension Calendar and disposed of in 5 minutes.

So why is this bill on the floor today under an open rule? Why is the Republican leadership pretending that there is really something of substance for us to debate here? The answer, Mr. Chairman, is simple: The bill is on the floor today simply because the other side has nothing else to bring before the House, and it wants to boost its batting average for open rules.

The bill is here today because the other side's anticrime agenda is basically shipwrecked. America is crying out for help in its fight against the proliferation of drugs and gangs and guns in the hands of children. Yet, this bill is the best thing that Speaker GINGRICH can come up with for the House to do today.

Just look at a few of the real problems, either ignored or actually made worse during this Congress: Every day, hundreds of children are being dragged into the spider's web of drug abuse. What has the Republican leadership done about that problem? It has gutted and defunded the juvenile prevention programs we passed in the last Congress and erected nothing, nothing in their place.

Every day scores of Americans are killed or injured by gun violence. What has the leadership done about that problem? It has tried to repeal the assault weapons ban we passed in the last Congress, a ban that more than two-thirds of the American people support.

Every day hundreds of thousands of law enforcement officers put their lives on the line in the fight against drugs and guns and gangs and terrorists. Just last week, the ATF uncovered a militia plot in the Speaker's own district, yet these law enforcement officers have been vilified by radical forces of the extreme right.

And what has the Republican leadership done about that problem? Instead of focusing its attention on the radical forces of hatred and extremism, it has encouraged those forces by engaging in a concerted program to bash law enforcement: to wit, 10 long days of hearings to pick through the ashes of Waco, and come up with not a single substantial new finding. By contrast, we only held 1 short day of hearings on the right-wing militias.

The Republican leadership bowed to its right wing and included in the terrorism bill an NRA-inspired commission, the whole purpose of which was to criticize law enforcement. The Republican leadership has blocked every attempt to amend the armor-piercing bullet laws so we can protect every cop in America from cop-killer bullets. We have to ask the same question thousands of cops throughout America are asking: Whose side are those guys on?

Mr. Chairman, I support this bill and I urge my colleagues to vote for it, but it is a sad day in America, Mr. Chairman, because while the American people call out for real help in fighting crime, both punishment and preven-

tion, the Republican leadership plays legislative games with blue smoke and mirrors.

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

Mr. Chairman, I must say that I am disappointed in my colleagues on the other side. While they are supporting this legislation, they are mocking it and then using it for political speeches about what is and is not a Republican-Democrat position on the crime issue.

I, first of all, think this bill merits being out here solely today as it is, because it is a very significant change in law. It is not just that we are moving the appointment powers from the President to the Attorney General. It is a little more complicated than that. The appointment powers of the President require confirmation by the Senate, and as a matter of course when the Senators have that, just as with Federal judges, the appointments truly are the choices of the Senators, as much or more than they are of the President. They are never, or rarely at least, career professionals.

What we are doing today by giving the Attorney General the same power over the U.S. marshals appointments as she has today over the FBI and DEA field office heads and other law enforcement agency heads is making the U.S. Marshals Service truly professional and taking a lot, if not all, of the politics out of it, the only exception being the director of the U.S. Marshals Service, which, like the director of the FBI, will remain a presidential appointment.

Mr. Chairman, this bill is not a minor bill. It is a very significant change in law. It should have been done a long time ago. If we want to play partisan politics, which was not my intent, I do not know why the Democratic majority for 40 years before this party took over this past January a year ago did not do this. It should have been done a long time ago.

Mr. Chairman, I would also respond to my colleagues about the work of this side of the aisle in the crime area. It seems to me that it would be obvious to any member of the Subcommittee on Crime, certainly the Committee on the Judiciary and this full body, that we have had 6 or 7 major crime bills that have become enacted into law and signed by the President in the past few weeks.

Granted, they were part of the terrorism bill and part of the appropriation bill, but six or seven of the Contract With America crime bills are now law. Some of them many of us have been fighting to get accomplished for years, the most significant of which, and which I will grant some of my colleagues over there do not agree with, but the most significant one is the reform of the so-called habeas corpus laws, which have allowed death row inmates to delay the carrying out of their sentences for years by procedural devices. They are not going to be able



to do that anymore; a very significant provision that President Clinton, thank goodness, signed into law, that Democrat Congresses have refused to pass over the years and send to a Republican President to sign.

In addition to that, Mr. Chairman, we have prison litigation reforms that have eliminated the caps that have been strangling State prison wardens from being able to keep prisoners who should be in prison there. We have had Federal judges saying things are overcrowded that would not be overcrowded in Federal prison. Now we have removed those caps and we have set up procedures that means that we are not going to be able to strangle the wardens and we are going to keep a lot of these prisoners behind bars.

In addition to that, we have a provision that has gone into law that will change the litigation requirements for prisoner litigation. We are not going to see a lot of litigation over peanut butter sandwiches like we have seen before, and other frivolous matters.

We have also enacted into law the Republican provisions on truth-in-sentencing to make it really meaningful, as opposed to what the last Congress did, in encouraging the States to actually incarcerate violent repeat felons for at least 85 percent of their sentences. We are going to give them additional moneys to build the prison business with which to do that.

Last but not least, my friend complained about the drug program. Somehow we cut out some prevention programs. All we did, and I think this is very significant, Mr. Chairman, is that we enacted what we fought for for several years and could not get, and that is a block grant program with all that prevention money, for about \$500 million for this year alone, that will now be a question of the local communities deciding how best to spend that, whether it is fighting drugs or fighting crime in any other way. If there is a high crime area, the cities and the county governments are going to get this money to spend as they see fit, because what is good for Spokane, WA, in my judgment, is not necessarily good for Charleston, SC; and Lord knows, Congress and Washington certainly do not know best when it comes to crime prevention programs and fighting crime.

Mr. Chairman, not only that, but next week on the floor we are going to have a bill out here on crimes against children and the elderly, mandatory notification of communities regarding sex offenders, an antistalking bill, a bill regarding retaliation against witnesses, and the list goes on.

This subcommittee has already, the Subcommittee on Crime and this Congress, produced more legislation and brought it to the floor, and will have, by the end of this month coming up, certainly than any other subcommittee of this Congress. I am proud of what we are doing. There is even more to come.

Mr. Chairman, I am sorry we got off into a partisan discussion but, quite

frankly, my judgment is the President is a little bit late on a lot of this stuff, like with his drug program down here. I think what he announced earlier this week sounds terrific. It sounds just like Ronald Reagan and George Bush with a new drug policy. It sounds great, but where was President Clinton for the last 3½ years? Where was he when he was cutting back on the drug czar's office in order to satisfy his commitment to reduce White House personnel, when he cut them by 60 percent or 80 percent earlier in his administration? For 3½ years we languished without a good drug policy. We saw the rate of usage of marijuana and cocaine among high school students double.

I am glad he is coming around to some of this now and maybe signing things into law. Again, I did not think this bill should be the forum for this kind of political discussion, but my colleague saw fit to raise it as a political issue about the general subject of crime, and I certainly am not going to sit back and not comment on it.

The bill itself, though, Mr. Chairman needs to be passed. It is an important bill. It does take the U.S. Marshals Service out of politics.

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

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

Mr. Chairman, we are here today because this is an important bill. This bill is important because it takes politics out of U.S. marshals appointments. It takes politics out of the appointments by giving the appointments from the President to the Attorney General, so there are no more politics in the U.S. Marshals Service.

That is why a number of Members of both sides of the aisle in the other body are not very enthusiastic about this measure. It may not be going anywhere, as logical, inevitable, as perfect, as improving as this will be to the Department of Justice. Mr. Chairman, I do not know, if I had my druthers, I like Presidents to make appointments.

Mr. Chairman, by the way, why do we not have the Attorney General appoint the U.S. district attorneys, while we are at it, or whomever the Attorney General might be? I do not hear anybody talking about that. Would that not take the politics out of DOJ? Yes, no, maybe? Well, probably not, and probably not in this bill, either. Mr. Chairman, I do not see anything to crow about in this bill.

The one thing I do agree with my friend, the gentleman from Florida [Mr. MCCOLLUM], about is that his subcommittee has taken out the ability of prisoners to write and complain about peanut butter sandwiches. The way he did that is have the judges dismiss those as frivolous suits, which they have been doing long before he became the chairman of the Subcommittee on Crime.

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

Mr. MCCOLLUM. Mr. Chairman, I yield 3 minutes to the gentleman from Colorado [Mr. MCINNIS].

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

Mr. MCINNIS. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I was over in my office watching this debate. Let me, first of all, address the issue of the rules. I saw the gentleman from New York, who still sits on the floor, and I am amazed.

The gentleman from New York complains when the Committee on Rules issues a closed rule. I understand his complaints. The gentleman from New York complains when the Committee on Rules issues a rule based on a modified closed rule. I understand, somewhat, the legitimacy of that type of complaint.

But now the only thing remaining, an open rule, and I am sitting in my office and the gentleman from New York is objecting to a rule that is an open rule. Mr. Chairman, I want to talk about that for a minute, from the gentleman from New York. What is going to make him happy? Complain, complain, complain. We issue an open rule.

Mr. Chairman, for those who do not clearly understand what an open rule means, it means we have completely opened debate. How can Members complain against that? The Committee on Rules, I think, acting in absolute good faith, has put this bill on the floor with an open rule so we can have the type of debate we are having today.

Mr. Chairman, let me move from the rule to the other issue at hand. Now let us talk about the bill.

□ 1400

Mr. Chairman, I used to be a cop. I know something about a good cop and a bad cop, and I can tell you the U.S. Marshals Service needs to be professionalized.

I am not embarrassed to stand up here in front of you and tell you that the Marshals Service worked a disgrace upon this country at Ruby Ridge. They were censured by the U.S. Senate. I have got the documentation right here. I am going to put it into the RECORD. They gave a black eye to all of us ex-cops and to all current cops.

That is not professionally run over there. Not only did they goof up and cost some people some lives at Ruby Ridge, then the director of the U.S. Marshals Service went out and gave the highest award possible under the U.S. Marshals Service to the agents involved at Ruby Ridge.

Should we crow about that? Absolutely not. Should we be embarrassed by it? Absolutely yes. Should we do something to reform the U.S. Marshals Service? The answer is clearly yes.

I am proud to say that BILL MCCOLLUM from the State of Florida has taken it upon himself to clean this agency up. This is a good bill. Why are we even debating? Why are you fighting this bill? This is a good bill. It does

clean up the U.S. Marshals Service, and it cleans it up under an open rule.

I would urge all Members to support this bill, I would urge all Members to take a very critical eye and to look very carefully at what the U.S. Marshals Service has done and how we can professionalize it, because if we professionalize that agency, it is a plus for all of us.

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

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 13, 1996.

EDUARDO GONZALEZ,  
Director, U.S. Marshals, Arlington, VA.

DIRECTOR: The granting of the U.S. Marshal's "Service Award for Valor" to the Marshals involved in the Ruby Ridge incident is wrong and you know its wrong.

It is clear from the trial, Senate hearings, and testimony from those involved that standards of "good judgment", "unusual courage" and "competence in hostile circumstances" were not met, even at a minimal level. It is also interesting that the Marshals "Information Sheet Randall Weaver Incident" conveniently excludes key facts surrounding the incident such as the censure of your agents' conduct.

Granting this prestigious award to the Marshals and calling them heroes, greatly discounts the history of the award and for that reason alone, I regret your decision and poor judgment.

Sincerely,

SCOTT MCINNIS,  
Member of Congress.

THEY CALL THIS VALOR  
(By James Bovard)

On March 1, the U.S. Marshals Service gave its highest award for valor to five U.S. marshals involved in the 1992 Ruby Ridge, Idaho, shoot-out, including the marshal who fatally shot a 14-year-old boy in the back and another marshal who provoked a firefight by killing the boy's dog. The award announcement sent shock waves across Capitol Hill.

The marshals received the award, according to U.S. Marshals Service Director Eduardo Gonzalez, for "their exceptional courage, their sound judgment in the face of attack, and their high degree of professional competence during the incident." Mr. Gonzalez labeled the men "heroes." This makes a mockery of the many brave marshals who serve their fellow citizens.

Randy Weaver, a white separatist who had attended a few Aryan Nation meetings, was charged in 1991 with selling illegal sawed-off shotguns to a federal informant. (A jury later concluded that Mr. Weaver had been entrapped.) The U.S. Marshals Service was assigned the job of bringing Mr. Weaver in. The marshals spent the next year and a half spying on Mr. Weaver, sneaking around his land dozens of times and erecting spy cameras to record all of his family's movements.

The marshals greatly exaggerated the threat from Mr. Weaver due in part to false information they had received from ATF agent Herb Byerly, who according to one U.S. marshal, told them that "Weaver is a suspect in several eastern Washington and western Montana bank robberies. An alleged accomplice in the robberies was arrested somewhere in Iowa and implicated a person believed to be Weaver during a confession. The accomplice has since escaped from custody with the assumption that he could be on the Weaver property." Agent Byerly told a Senate subcommittee that the incorrect information was due to a "typographical error."

On Aug. 21, 1992, six U.S. marshals scurried onto the Weaver property, outfitted in full ninja-type camouflage and ski masks and carrying submachine guns and other high-powered weapons. The marshals had no visible badges or insignia identifying them as federal agents. After agents threw rocks near the Weaver cabin, Mr. Weaver's 14-year-old son, Sammy, and Kevin Harris, a 25-year-old friend living in the cabin, ran to see what the Weavers' dogs were barking at.

The marshals took off running through the woods, followed by one dog. The marshals later told the FBI that they had been ambushed. But according to a Justice Department confidential report, the marshals chose to stop running and take a stand behind stumps and trees. The marshals had the advantage of surprise, camouflage and vastly more firepower than the boy and Kevin Harris possessed.

The firefight began when Marshal Arthur Roderick shot and killed the family dog, as a Senate subcommittee investigation concluded last December. Marshals Roderick and Cooper claimed that the first shot of the encounter had been fired by Kevin Harris and had killed Marshal Bill Degan. But Capt. Dave Neal of the Idaho State Police team that rescued the marshals 12 hours later stated that Marshal Roderick indicated that he had fired the first shot to kill the dog.

After his dog had been killed, Sammy fired his gun in the direction the shots had come from. Sammy was running back to the cabin when according to the government's ballistics expert at Mr. Weaver's 1993 trial, a shot from Marshal Larry Cooper hit him in the back and killed him. Kevin Harris stated that he responded to Sammy's shooting by firing one shot into the woods to try to protect Sammy and defend himself. Mr. Harris's shot apparently killed Marshal Degan, an Idaho jury found that Mr. Harris acted in self-defense. Though Marshals Cooper and Roderick testified that Marshal Degan was killed by the first shot, evidence later proved that he had fired seven shots.

Marshals Roderick and Cooper stayed huddled alongside Marshals Degan's body for the next 12 hours, afraid that they might be shot if they tried to carry him off the mountain—even though the Weavers had long since retrieved their son's corpse and gone back to the ramshackle cabin. Other marshals panicked and wrongfully indicated that the Weavers had U.S. marshals "pinned down" for hours under heavy gunfire. A subsequent FBI on-site investigation found evidence that the marshals fired far more shots at Sammy Weaver and Mr. Harris than Sammy and Mr. Harris fired at them.

FBI Hostage Rescue Team snipers were called in. The subcommittee report noted, "FBI agents who were briefed in Washington and in Idaho during the early stages of the crisis at Rudy Ridge received a great deal of inaccurate or exaggerated information concerning . . . the firefight." The marshals' gross mischaracterization helped pave the way to the FBI killing of Vicki Weaver, Sammy's mother.

Marshals Roderick and Cooper testified last Sept. 15 before Senate Judiciary subcommittee hearings chaired by Sen. Arlen Specter (R., Pa.) on the Ruby Ridge case. They stunned the committee by announcing that Randy Weaver had shot his own son. Though Sammy was shot as he was running in the direction of his father, and though Mr. Weaver was far away from the scene of his son's death, and was in front of him and at a higher elevation, and though his son was shot in the back by a bullet with an upward trajectory, Marshal Cooper insisted the father still somehow shot the son.

That could have happened only if Randy Weaver had been using "Roger Rabbit" car-

toon bullets—bullets that could twist around, take U-turns, and defy all laws of physics. The jury foreman at the federal trial in 1993 characterized the new Cooper-Roderick theory with an expletive and told the Washington Post last September that "the government's story has changed every time you turn around."

The Senate subcommittee report concluded, "The Subcommittee . . . has seen no evidence which would support the Marshals' claim . . ." "Sen. Specter said last week that he was "surprised to see a commendation for U.S. marshals whose conduct was under censure from the Judiciary subcommittee."

The marshals' dubious conduct is further indicated by the Marshals Service's refusal to undertake routine internal investigations after the fatal shootings. The Senate subcommittee noted, "We were disappointed to learn that, based on his desire to avoid creating discoverable documents that might be used by the defense in the Weaver/Harris trial . . . former Director Henry Hudson decided to conduct no formal internal review of USMS activities connected with the Weaver case and the Rudy Ridge incident."

Can anyone imagine Wyatt Earp, when he served as a U.S. marshal in the 1880s, receiving a valor award for shooting a 14-year old boy in the back? Does the Marshals Service believe that Americans are obliged to give the benefit of the doubt to people in ninja outfits who jump out of the woods and begin firing submachine guns at them? Federal law enforcement agencies have yet to learn that they cannot brazenly shoot innocent Americans and then pretend that the agents involved should be treated like national heroes.

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

Mr. Chairman, I do not intend to take much time. The bill's debate is essentially completed. But I do want to point out again to my colleagues that there are a lot of things that have been going on that have been legislation dealing with crime, that have come out here this year, and none of those have been frivolous but one of them has concerned, as the gentleman from Michigan well knows, frivolous lawsuits by prisoners.

While he may ridicule the idea that we are prohibiting suits about peanut butter sandwiches or that judges can throw out frivolous lawsuits today, the fact is the underlying principle of that bill has to do with exhausting administrative remedies, and is going to make it very much more difficult for prisoners to bring up frivolous lawsuits in the first place and make it a lot easier for judges to throw them out, not just for peanut butter sandwiches but for lots of other things.

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

Mr. McCOLLUM. I yield to the gentleman from New York.

Mr. SCHUMER. Mr. Chairman, I appreciate the gentleman for his courtesy. I just want to reiterate that for him and the chairman I have utmost respect. I think they have been trying to move a crime agenda along. I am only asking the gentleman to yield because we have yielded back our time.

The arguments of the gentleman from Colorado were the most sophistic

I have ever seen about the open rule. We have a minor, narrowly drawn bill where no one wants to amend it, and the gentleman from Colorado has a big brass band with flags saying, "See, we're doing an open rule."

If the gentleman had listened to my point, it was not objecting to an open rule on this legislation but it was objecting to the fact that on far more weighty pieces of legislation, there is no open rule at all. When this majority was in the minority before the gentleman from Colorado got here, they complained royally at the fact that there were closed rules or modified closed rules, and yet when they got into power, this minority, now majority, has far more restricted the rules process than the majority ever did.

So the point is not that this is an open rule. I agree with the bill. I think it deserves about 5 minutes of debate. What I disagree with is the inability to debate crime issues, weighty issues, many of which I agree with the gentleman from Florida on, many of which I disagree. But we have had no opportunity to debate it because every major bill where we have debated crime has been under a closed rule where lots of amendments were not allowed or would not be allowed on this bill.

I thank the gentleman for yielding.

Mr. MCCOLLUM. Reclaiming my time from the gentleman, I would point out to him that next week, I believe, there will be a couple more crime bills out here under open rules. I would like to see more of them all year long. Certainly we believe in that.

Mr. Chairman, I yield to the gentleman from Colorado [Mr. MCINNIS], a member of the Committee on Rules, for a response to that.

Mr. MCINNIS. Mr. Chairman, I, of course, find the comments amusing. All the gentleman from New York has done from what I have seen, and I saw him just a minute ago from my office, is complain, complain and complain. There is nothing we are going to do as long as we are Republicans, especially in an election year, that is going to make him happy. I can understand that, but I did not really come over to debate him. I came over to explain to my colleagues, this is an open rule.

Sure, there are some Members of this House who will complain about everything we do, but the fact is there is no justification for complaint either on the open rule and there is certainly no justification, in my opinion, to oppose this bill. This is a good bill. It cleans up the U.S. Marshals Service, it puts in some very basic reforms, and once again I commend the gentleman from Florida who I think, by the way, has really taken the lead of the pack on putting some important crime legislation into this country and into law in this country.

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

Mr. MCCOLLUM. I yield very briefly to the gentleman from New York.

Mr. SCHUMER. Mr. Chairman, I will give an example, one, to the gentleman

from Colorado, a member of the Rules Committee. The vast majority of people in this body, the vast majority of law enforcement people would like a bill to ban cop killer bullets. We were prohibited by the Rules Committee on three different occasions in legislation from allowing that to be admitted. I could name many, many, many amendments that the gentleman would disagree with me or agree with me, that we are not allowed to debate. Let us be honest about it.

Mr. MCCOLLUM. Reclaiming my time, Mr. Chairman, I will respond, and I am not going to yield more on this subject.

I want to say to my good friend from New York, he and I will debate some of the gun issues for a long time to come in the future. Cop killer bullets, as I know them defined today, are already banned by law.

Obviously, there is a great dispute over somebody wanting to set some standard that nobody knows yet is going to be a bad bullet that is going to actually pierce any of the kind of things that the cops wear to protect themselves. If he can show me that, I have always been willing to ban such a bullet.

The problem is, this is an example of how we can get off track and get our political rhetoric going today, when we really ought to be together on fighting crime and this bill ought to be celebrated today.

This, as the gentleman from Colorado [Mr. MCINNIS] said, is an extraordinarily important bill. Maybe it does not deserve, in and of itself, a lot of debate time, but it deserves the attention that this debate should draw on it because it is a constructive important step to finally end the politics in the appointment of U.S. marshals and make them conform, the service conform to the same kind of professionalism that the FBI, the DEA, and other Federal law enforcement bodies have.

There is no reason not to do this. The U.S. attorneys office, which was brought up by my colleague from Michigan, is an entirely different animal. Maybe we ought to take some of the politics out of them, but that is not a Federal law enforcement agency. The U.S. Marshals Service is, and it is the only one today that does not have the kind of removal from politics that this bill would give it. I therefore am very proud of the bill and urge the adoption of this bill.

The CHAIRMAN. All time for general debate has expired.

The committee amendment in the nature of a substitute printed in the bill shall be considered by sections as an original bill for the purpose of amendment, and pursuant to the rule each section is considered as having been read.

During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition to a Member offering

an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered as having been read.

The clerk will designate section 1.

The text of section 1 is as follows:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "United States Marshals Service Improvement Act of 1996".

The CHAIRMAN. Are there amendments to section 1? If not, the Clerk will designate section 2.

The text of section 2 is as follows:

#### SEC. 2. APPOINTMENTS OF MARSHALS.

(a) IN GENERAL.—Chapter 37 of title 28, United States Code, is amended—

(1) in section 561(c)—

(A) by striking "The President shall appoint, by and with the advice and consent of the Senate," and inserting "The Attorney General shall appoint"; and

(B) by inserting "United States marshals shall be appointed subject to the provisions of title 5 governing appointments in the competitive civil service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and pay rates." after the first sentence;

(2) by striking subsection (d) of section 561;

(3) by redesignating subsections (e), (f), (g), (h), and (i) section 561 as subsections (d), (e), (f), (g), and (h), respectively; and

(4) by striking section 562.

(b) CLERICAL AMENDMENT.—the table of sections at the beginning of chapter 37 of title 28, United States Code, is amended by striking the item relating to section 562.

The CHAIRMAN. Are there amendments to section 2? If not, the Clerk will designate section 3.

The text of section 3 is as follows:

#### SEC. 3. TRANSITIONAL PROVISIONS; PRESIDENTIAL APPOINTMENT OF CERTAIN UNITED STATES MARSHALS.

(a) INCUMBENT MARSHALS.—Notwithstanding the amendments made by this Act, each marshal appointed under chapter 37 of title 28, United States Code, before the date of the enactment of this Act shall, unless that marshal resigns or is removed by the President, continue to perform the duties of that office until the expiration of that marshal's term and the appointment of a successor.

(b) VACANCIES AFTER ENACTMENT.—Notwithstanding the amendments made by this Act, with respect to the first vacancy which occurs in the office of United States marshal in any district, during the period beginning on the date of the enactment of this Act and ending on December 31, 1999, the President shall appoint, by and with the advice and consent of the Senate, a marshal to fill that vacancy for a term of 4 years. Any marshal appointed by the President under this subsection shall, unless that marshal resigns or is removed from office by the President, continue to perform the duties of that office after the end of the four-year term to which such marshal was appointed until a successor is appointed.

The CHAIRMAN. Are there amendments to section 3? If not, the question is on the committee amendment in the nature of a substitute.

The Committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DICKER) having assumed the chair, Mr.

WICKER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2641), to amend title 28, United States Code, to provide for appointment of U.S. marshals by the Director of the U.S. Marshals Service, pursuant to House Resolution 418, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

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, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 351, nays 72, not voting 10, as follows:

[Roll No. 141]

YEAS—351

Abercrombie	Burr	Doggett
Ackerman	Burton	Dooley
Allard	Buyer	Doolittle
Andrews	Callahan	Dornan
Archer	Calvert	Doyle
Armey	Camp	Dreier
Bachus	Campbell	Dunn
Baesler	Canady	Durbin
Baker (CA)	Cardin	Edwards
Baker (LA)	Castle	Ehlers
Baldacci	Chabot	Ehrlich
Ballenger	Chambliss	Emerson
Barcia	Chapman	English
Barr	Chenoweth	Ensign
Barrett (NE)	Christensen	Evans
Bartlett	Chryslers	Everett
Barton	Clement	Ewing
Bass	Clinger	Farr
Bateman	Coble	Fawell
Becerra	Coburn	Fazio
Beilenson	Collins (GA)	Fields (TX)
Bentsen	Combest	Flanagan
Bereuter	Condit	Foley
Bevill	Cooley	Fowler
Bilbray	Cox	Fox
Bilirakis	Cramer	Frank (MA)
Bliley	Crane	Franks (CT)
Blute	Crapo	Franks (NJ)
Boehlert	Cremins	Frelinghuysen
Boehner	Cubin	Frisa
Bonilla	Cunningham	Frost
Bono	Danner	Funderburk
Borski	Davis	Furse
Boucher	de la Garza	Gallegly
Brewster	Deal	Ganske
Browder	DeLauro	Gekas
Brown (CA)	DeLay	Geren
Brown (OH)	Deutsch	Gilchrest
Brownback	Diaz-Balart	Gillmor
Bryant (TN)	Dickey	Gilman
Bunn	Dicks	Gonzalez
Bunning	Dixon	Goodlatte

Goodling	Martinez	Saxton
Gordon	Martini	Scarborough
Graham	Mascara	Schaefer
Greene (UT)	Matsui	Schiff
Greenwood	McCarthy	Schroeder
Gunderson	McCollum	Schumer
Gutierrez	McCrery	Scott
Gutknecht	McDade	Seastrand
Hall (OH)	McHale	Sensenbrenner
Hall (TX)	McHugh	Serrano
Hamilton	McInnis	Shadegg
Hancock	McIntosh	Shaw
Hansen	McKeon	Shays
Harman	Meehan	Shuster
Hastert	Menendez	Sisisky
Hastings (WA)	Metcalf	Skaggs
Hayes	Meyers	Skeen
Hayworth	Mica	Skelton
Hefley	Millender-	Slaughter
Heineman	McDonald	Smith (MI)
Herger	Miller (CA)	Smith (NJ)
Hilleary	Miller (FL)	Smith (TX)
Hobson	Minge	Smith (WA)
Hoekstra	Mink	Solomon
Hoke	Moakley	Souder
Horn	Montgomery	Spence
Hostettler	Moorhead	Spratt
Houghton	Moran	Stearns
Hoyer	Morella	Stenholm
Hunter	Myrick	Stockman
Hutchinson	Nadler	Studds
Hyde	Nethercutt	Stump
Inglis	Neumann	Stupak
Istook	Ney	Talent
Johnson (CT)	Norwood	Tanner
Johnson (SD)	Nussle	Tate
Johnson, Sam	Oberstar	Tauzin
Johnston	Ortiz	Taylor (MS)
Jones	Orton	Taylor (NC)
Kasich	Oxley	Tejeda
Kelly	Packard	Thomas
Kennedy (RI)	Pallone	Thornberry
Kennelly	Parker	Thornton
Kim	Pastor	Thurman
King	Paxon	Tiahrt
Kingston	Payne (VA)	Torkildsen
Klug	Pelosi	Torres
Knollenberg	Peterson (MN)	Torricelli
Kolbe	Petri	Trafigant
LaFalce	Pickett	Upton
LaHood	Pombo	Velazquez
Lantos	Pomeroy	Vento
Largent	Porter	Volkmer
Latham	Portman	Vucanovich
LaTourette	Pryce	Walsh
Laughlin	Quillen	Wamp
Lazio	Quinn	Ward
Leach	Radanovich	Watt (NC)
Levin	Ramstad	Watts (OK)
Reed	Reed	Waxman
Lewis (CA)	Regula	Weldon (FL)
Lewis (KY)	Richardson	Weldon (PA)
Lightfoot	Riggs	Weller
Lincoln	Rivers	Whitfield
Linder	Roberts	Wicker
Lipinski	Rogers	Wilson
Livingston	Rohrabacher	Wise
LoBiondo	Ros-Lehtinen	Wolf
Lofgren	Rose	Woolsey
Longley	Roth	Yates
Lowe	Roukema	Young (AK)
Lucas	Roybal-Allard	Young (FL)
Luther	Royce	Zeliff
Maloney	Sabo	Zimmer
Manton	Salmon	
Manzullo	Sanford	
Markay		

NAYS—72

Barrett (WI)	Filner	Kennedy (MA)
Bishop	Flake	Kildee
Bonior	Foglietta	Klink
Brown (FL)	Forbes	Lewis (GA)
Clayton	Ford	McDermott
Clyburn	Gejdenson	McKinney
Coleman	Gephardt	McNulty
Collins (IL)	Gibbons	Meek
Collins (MI)	Green (TX)	Mollohan
Conyers	Hastings (FL)	Murtha
Costello	Hefner	Neal
Coyne	Hilliard	Obey
Cummings	Hinche	Olver
DeFazio	Holden	Owens
Dellums	Jackson (IL)	Payne (NJ)
Dingell	Jackson-Lee	Peterson (FL)
Duncan	(TX)	Poshard
Engel	Jacobs	Rahall
Eshoo	Jefferson	Rangel
Fattah	Johnson, E. B.	Roemer
Fields (LA)	Kanjorski	Rush

Sanders	Thompson	Williams
Sawyer	Towns	Wynn
Stark	Visclosky	
Stokes	Waters	

NOT VOTING—10

Berman	Kaptur	Walker
Bryant (TX)	Klecza	White
Clay	Molinari	
Goss	Myers	

□ 1429

Mr. HOYER and Mr. TORRES changed their vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: “A bill to amend title 28, United States Code, to provide for appointment of United States marshals by the Attorney General.”

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. MCCOLLUM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 2641, the bill just passed.

The SPEAKER pro tempore (Mr. DICKEY). Is there objection to the request of the gentleman from Florida?

There was no objection.

#### PROVIDING FOR CONSIDERATION OF H.R. 2149, OCEAN SHIPPING REFORM ACT OF 1995

Mr. QUILLEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 419 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 419

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2149) to reduce regulation, promote efficiencies, and encourage competition in the international ocean transportation system of the United States, to eliminate the Federal Maritime Commission, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. Before consideration of any other amendment it shall be in order to consider the amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution, if offered by Representative Shuster of Pennsylvania or his designee. That amendment shall be considered as read, may amend portions of the bill not yet read for amendment, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. Points of order against that amendment for