

are fulfilling it and I am sure that we will continue to fulfill it.

The House will continue in recess for 15 minutes.

Accordingly (at 9 o'clock and 55 minutes a.m.), the House continued in recess for 15 minutes.

□ 1010

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KOLBE) at 10 o'clock and 10 minutes a.m.

#### NOTICE OF AVAILABILITY OF CLASSIFIED MATERIALS ACCOMPANYING H.R. 3259, FISCAL YEAR 1997 INTELLIGENCE AUTHORIZATION BILL

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

Mr. COMBEST. Mr. Speaker, I wish to announce to all Members of the House that the classified schedule of authorizations and the classified annex to the committee report accompanying the Intelligence authorization bill for fiscal year 1997, H.R. 3259, are available for review by Members at the offices of the Permanent Select Committee on Intelligence in Room H-405 of the Capitol. Staff will be available through Friday and again beginning Monday for any Members who wish to review this material. I am informed by the leadership that H.R. 3259 may be considered on the floor early next week.

It is important that Members keep in mind that clause 13 of rule XVIII of the House, adopted at the beginning of the 104th Congress, requires that before Members of the House may have access to classified information, they must sign the oath set out in that clause. The classified schedule of authorizations and the classified annex to the committee report contain the Intelligence Committee's recommendations on the intelligence budget for fiscal year 1997 and related classified information which may not be disclosed publicly. After consultation with the General Counsel to the Clerk of the House, I would advise Members wishing to have access to the classified schedule of authorizations and the classified annex that they must bring with them to the committee office a copy of the rule XLIII oath signed by them or be prepared to sign a copy of that oath when they come to see these classified materials.

I would also recommend that Members wishing to read the classified schedule of authorizations and the classified annex to the committee report first call the committee office to indicate when you plan to review the classified annex to the report. This will help assure that a member of the committee staff is available to help Members, if they wish, with their review of these classified materials. I urge Mem-

bers to take some time to review these classified documents to help them better understand the actions the Intelligence Committee has recommended before the intelligence authorization is considered on the House floor next week.

□ 1015

#### PROVIDING FOR CONSIDERATION OF H.R. 1745, UTAH PUBLIC LANDS MANAGEMENT ACT OF 1995

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 303 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 303

*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. 1745) to designate certain public lands in the State of Utah as wilderness, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 2(1)(6) of rule XI or section 302(f) or 311(a) of the Congressional Budget Act of 1974 are waived. 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 Resources. 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 Resources now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI or section 302(f) or 311(a) of the Congressional Budget Act of 1974 are waived. Before consideration of any other amendment, it shall be in order to consider the amendment printed in the report of the Committee on Rules accompanying this resolution. That amendment may be offered only by the chairman of the Committee on Resources or his designee, shall be considered as read, shall be debatable for ten minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. If that amendment is adopted, the bill, as amended, shall be considered as the original bill for the purpose of further amendment. During further consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. 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 amendment in the

nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. KOLBE). The gentleman from Georgia [Mr. LINDER] is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purposes of relevant debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], pending which I yield myself such time as I may consume.

During consideration of the resolution, all time yielded is for relevant debate purposes only.

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

Mr. LINDER. Mr. Speaker, House Resolution 303 is a completely open rule providing for the consideration of H.R. 1745, the Utah Public Lands Management Act of 1995.

The rule provides for 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Resources Committee. The committee amendment in the nature of a substitute is made in order as base text for purposes of amendment under the 5-minute rule.

The rule makes in order a manager's amendment by Chairman YOUNG printed in the report on this rule, debatable for 10 minutes. If adopted, the manager's amendment becomes part of the base text for amendment purposes.

As I mentioned earlier, this is a completely open rule permitting any Member to offer any germane amendment. Members who have preprinted their amendments in the RECORD may be given priority in recognition. Finally, the rule provides for one motion to recommit, with or without instruction.

Mr. Speaker, we have called up this rule today, even though it was not scheduled for consideration this week, because the minority gave notice yesterday that it would otherwise call up this rule pursuant to clause 4(c) of rule 11 which permits any Rules Committee member to call up a rule after it has been pending on the calendar for more than 7 days.

I don't think anyone seriously believes the minority is simply interested in considering the Utah wilderness bill. This is just one more attempt to circumvent, indeed violate two House rules for ulterior motives—and that is to defeat the previous question to offer a completely unrelated and nongermane amendment to this rule that would be ruled out of order on a point of order.

Despite repeated warnings, the minority has persisted in violating House Rule 14 which requires Members to confine themselves to the question under consideration. And they have attempted to defeat the previous question on other rules to offer an amendment that would be in violation of clause 7 of rule 16, the germaneness

rule—an amendment that would require the Rules Committee to report a rule on a bill completely unrelated to the subject matter of the rule.

Rules Committee Chairman SOLOMON, in a letter to Ranking Minority Member MOAKLEY, back on May 7, urged Mr. MOAKLEY to join with him in helping to enforce House rules during consideration of special rules rather than violate House rules—specifically, clause 1 of rule 14 requiring that debate be relevant to the pending question, and clause 7 of rule 16 requiring that amendments be germane to the rules to which they are offered.

Those pleas for cooperation and adherence to the rules have obviously gone unheeded and ignored.

Mr. Speaker, while we are willing to continue the custom of granting half of our hour on debate on such rules to the minority, we would again caution and advise the minority to observe House rules on relevancy in debate and the germaneness rule on amendments to rules.

I urge the adoption of the previous question and the rule.

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

COMMITTEE ON RULES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 7, 1996.

Hon. JOHN JOSEPH MOAKLEY,  
Ranking Minority Member, Committee on Rules,  
The Capitol, Washington, DC.

DEAR JOE: The Congressional Budget Office has been kind enough to provide me with copies of its responses to your inquiries on the last two efforts to defeat the previous question on rules to offer amendments directing the Rules Committee to report back minimum wage legislation.

As CBO points out in both instances (on H. Res. 412 waiving the two-thirds vote requirement on same-day consideration of rules, and H. Res. 418, the U.S. Marshals Service Improvement Act), the proposed amendments to the rules would not constitute an unfunded mandate (being procedural in nature only), but the subsequent legislation they would direct be reported, "would impose both an intergovernmental and private sector mandate as defined in Public Law 104-4." (Letters from CBO Director O'Neill to Rep. Moakley, April 25 and May 1, 1996).

I appreciate your diligence in monitoring these potential rule violations so carefully. By the same token, however, I would respectfully ask you in the future to check with the Parliamentarian in advance on both the germaneness of such amendments to the pending rules and the relevancy of extended debate on this unrelated matter. Our own discussions with the Parliamentarian confirm that: (a) a discussion of the minimum wage was not relevant to either of the above cited rules and thus in violation of clause 1 of rule XIV (decorum in debate); and (2) the proposed amendments to the rules were not germane to the rules and thus in violation of clause 7 of rule XVI (germaneness).

Given your earlier, extensive correspondence with me on the subjects of the minimum wage, unfunded mandates, and the need for a strict adherence to House Rules, I would ask that you in turn see to it that during House debate on special rules you and the speakers you yield to observe both of these important House rules by avoiding the use of irrelevant debate on nongermane amendments that would be rule out of order even if you defeated the previous question.

As I suggested earlier, a simple check with the Parliamentarian, just as you check with CBO, would go a long way towards ensuring compliance with these two important House Rules on relevancy in debate and germaneness of amendments. I am sure you will agree with me that we do not set a good example for the House so long as we countenance such abuses of the fundamental rules of debate and amendment by mischaracterizing the previous question process and vote as something it is not.

I look forward to working closely with you in the future to ensure full compliance with House rules during House consideration of our order of business resolutions.

Sincerely,

GERALD B. SOLOMON,  
Chairman.

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

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

Mr. Speaker, I thank my colleague from Georgia for yielding me the customary 30 minutes. I appreciate the gentleman's wanting us to abide by the rules of the House. I agree. We take, for example, how they try to ram a constitutional amendment through this House here without even having a hearing in the Committee on the Judiciary. So we will operate under the same set of rules.

Mr. Speaker, once again the House Democrats are going to try it again. Today we are going to try for the fifth time this year, the fifth time this year, to give 12 million hardworking Americans a long overdue pay raise. We are hoping that our Republican colleagues will stop voting no and start voting yes. We are hoping they will join us and join 85 percent of the American people who believe that the minimum wage increase is a very, very good idea.

Some of my colleagues may wonder how it is that we are considering today's rule. Well, this rule concerning some public lands in Utah was reported out of the Committee on Rules last December. The House rules allow any member of the Committee on Rules as a matter of privilege to call up a rule which has been waiting on the House Calendar for over a week. So I used my privilege, in order to try again to convince my Republican colleagues to allow us to raise the minimum wage for 12 million Americans.

Mr. Speaker, we are not talking about a lot of money. We are talking about a very small raise for our people. Our people, who work very hard, our people, who still only make \$8,400 a year. We are talking about giving a long overdue raise to 12 million Americans, who work very long hours and still live below the poverty level.

Mr. Speaker, my Democratic colleagues and I believe very strongly that American workers deserve a raise, and you probably noticed we are going to still fight until we finally get one. It has been 5 years since the last increase in the minimum wage. Its value has now dropped to a 40-year low. Working people deserve this long overdue raise, and I think we really owe it to them. So, Mr. Speaker, at the end of this de-

bate I will oppose the previous question in order to offer an amendment which provides for an immediate vote on the minimum wage increase.

Mr. Speaker, if any of my colleagues do not think we should give a raise to the minimum wage earner, if any of my colleagues think those on minimum wage should not have it increased, they should vote yes on the previous question. But everybody else, those who think that an increase in the minimum wage is long overdue, as I do, should vote with me and oppose the previous question.

Mr. Speaker, let us make sure that hardworking Americans with full-time jobs can finally support their families on their income.

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

#### PARLIAMENTARY INQUIRY

Mr. LINDER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LINDER. Mr. Speaker, under the 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 bill it makes in order to engage in a discussion on the merits of the minimum wage?

The SPEAKER pro tempore. The Chair acknowledges the gentleman's parliamentary inquiry, and would advise Members that under clause 1 of rule XIV, they should confine themselves to the question under debate in the House. As explained on page 529 of the House Rules and Manual, debate on a special order providing for the 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. LINDER. Mr. Speaker, further parliamentary inquiry. Could the Chair enlighten us as to the subject matter of the subject under debate?

The SPEAKER pro tempore. The subject for debate in this rule is the resolution providing for consideration of the Utah Wilderness bill, and the debate should be confined to that topic.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield 2 minutes to the gentleman from Utah [Mr. HANSEN].

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

Mr. HANSEN. Mr. Speaker, I appreciate the gentleman yielding me time.

Mr. Speaker, I rise in favor of this rule, but I want to explain to the people of Utah and the rest of America that this procedural move is not about H.R. 1745, my Utah Wilderness bill, but is about procedural maneuvering to address unrelated issues.

Mr. Speaker, I was before the Committee on Rules last December, wherein I requested an open rule to fully debate the issues of H.R. 1745, the Utah Wilderness Act. I support this rule and

urge its adoption. When Utah Wilderness does come before this body, I will be proposing several changes to H.R. 1745 that moderate this legislation significantly. I and the Utah delegation have worked hard to add significant acreage, propose release language that is very moderate, and other changes that would make this bill acceptable to everyone. An open rule on this issue will allow for an open and complete discussion of the issue.

Mr. Speaker, I understand the political maneuvering of my colleagues on the other side to use the Utah Wilderness bill as a tool to get at issues like the minimum wage, but Utah Wilderness is critical to my constituents and the people of Utah. This is an important debate, and I am hopeful that Utah Wilderness does not become a pawn, as it looks like someone is trying to do, in the larger battle that it is unrelated to.

Mr. Speaker, I urge my colleagues to support this rule, and I look forward to future debate on the Utah Wilderness bill.

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to gentleman from Michigan [Mr. BONIOR], the minority whip.

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

Mr. Speaker, several months ago the Republican leadership had scheduled for a debate on this House floor a bill concerning public lands for the State of Utah, I think it was back in December or thereabouts. What happened, for those of you who are interested, is that the moderates on this side of the aisle who are concerned about the environment, who have joined with us over 25 years to preserve the environment, clean water, clean air, good public lands, looked at this bill and had some serious objections. They were concerned about the extreme agenda in which our colleagues on this side of the aisle were taking the issue of the environment, cutting enforcement funds for EPA, cutting sewer grant money, not dealing with the question of Superfund. They are very much concerned about all of that.

So what happened was they decided, the leadership on the Republican side, not to bring it up. They just kind of let this rule, which was reported out of the Committee on Rules, hang on the desk up here.

What they failed to do was to table the rule. That is what you generally do when you do not let something hang around. So they failed to table that rule, and, under the rules of the House, after a 7-day period, the minority can call up this rule for purposes of amending the rule. And that is what we are about this morning. We are calling up this rule, and we have called up this rule. The majority, taking advantage of their prerogative to move it, has done so, and now we are engaged in a debate on whether this is a proper rule to address questions of concern to the Nation.

We believe it is our prerogative at this time to get a clean vote on some-

thing that has been denied this body four separate times, and that is a vote on the minimum wage. As the gentleman from Massachusetts has eloquently stated today, these are the folks in this country today who are working for \$4.25 an hour. They are the people who take care of our mothers and our fathers in nursing homes. They clean our airports. They clean our offices. They are breaking their backs every single day for their kids. And all they want in this Congress is for us to stand up and say yes or no, should we raise the minimum wage for the first time in 5 years, which has now reached a 40-year low, or shall we sort of just ignore these folks?

What we are saying on our side of the aisle is that we agree with the 100 economists in this country, the three Nobel laureates, that this is an important issue for the country.

Mr. Speaker, what happens to people who work for the minimum wage? What happens is that you cannot support a family on \$8,500 a year. Two-thirds of these people are adults, and about 60 percent of them are women with children. So they end up working one job, plus overtime, with two jobs or three jobs. And, as a result of that, these individuals are not there in the evening. The mothers are not there to teach their kids right from wrong, they are not there for bedtime stories. Fathers are not there, because they are working two jobs. They are not there for Little League or soccer. They are not there for PTA or dinner conversations, and the whole fabric of civil society starts to unravel.

□ 1030

And the Members come to the floor and they argue with us about juvenile delinquency, about crime, and all these other social pathologies and maladies affecting the American public.

A good decent livable wage is important as a foundation for providing families the wherewithal to take care of the educational needs, the discipline needs and the attention needs that their kids deserve.

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

Mr. BONIOR. I yield to the gentleman from Utah.

Mr. HANSEN. Mr. Speaker, I would ask the gentleman if he has read H.R. 1745, the Utah Wilderness bill, which he just typified as an extreme antienvironmental bill?

Mr. BONIOR. Mr. Speaker, if I did that, I did not mean to do so, because I did not want to characterize the bill from my perspective. I just wanted to characterize it in terms of what some of the Members on the Republican side of the aisle were concerned about when the bill was pulled.

Mr. HANSEN. Mr. Speaker, if the gentleman will continue to yield, I do not think that is a correct interpretation. It is not an extreme bill and I really think the gentleman should stick to what he is talking about, be-

cause that is not an extreme bill. It is a moderate reasonable bill, and I somewhat, having worked on it for 20 years, kind of resent that being said. I apologize to the gentleman.

Mr. BONIOR. Mr. Speaker, I recognize my colleague's concern and I recognize the hard work he has put on this bill. It is not my characterization, it is the characterization of some in his own party who have labeled it as such.

Mr. HANSEN. I would like to know who they are. They have not talked to me about it.

Mr. BONIOR. They obviously talked to the gentleman's leaders because it was pulled from consideration on this floor.

Mr. MOAKLEY. Mr. Speaker, I yield myself 15 seconds.

Is it my understanding the gentleman from Utah does not want to discuss the Utah Wilderness bill here, after asking us to stick to the subject?

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

Mr. MOAKLEY. I yield to the gentleman from Michigan.

Mr. BONIOR. I would be happy if my friend would join us on the minimum wage issue. If he would like to talk about that, I would be delighted to continue to talk on the minimum wage.

Mr. LINDER. Mr. Speaker, for purposes of debate only, I yield such time as he may consume to the gentleman from Glens Falls, NY [Mr. SOLOMON], the chairman of the committee.

Mr. SOLOMON. I thank the gentleman for yielding me the time, and, Mr. Speaker, sometimes it gets pretty disheartening around here because everything seems to turn into a partisan fight.

I am just hearing my good friend from Massachusetts, Mr. MOAKLEY, and my good friend from Michigan, Mr. BONIOR, friends from the other side of the aisle, say that this bill is being held up for some reason because there is a lot of disagreement.

I have asked the chairmen of all of the standing committees to give us legislation, send it to the Committee on Rules, so that we can issue rules and have it out there so that when we do have lapses and windows here on the floor, that we can bring up issues like this. This is one of them. I wish we had 8 or 9 or 10 of these standing and waiting so that we could.

There are times when we finish the debate, like this afternoon, we are going to finish a very important bill, the defense authorization bill, which normally takes days and days and days, and we are probably going to finish it at 1 or 2 o'clock this afternoon and we would like to have standby legislation like this. The only thing is, now, if we are going to have the minority, the minute that these rules have been waiting for 7 days, jump up and call up a rule so that they can make some partisan stand, how can we do that? It interrupts the flow of this House.

Let me just tell my colleagues something. During the month of June, I

think there are only 15 legislative days. We are in an election year. We are supposed to be off so that we can go home and do some campaigning for about 4 weeks starting with the first week of August and into Labor Day. We will hardly have time to deal with all of this legislation that has got to come before us, never mind the banking and campaign finance reform and all of these issues coming out to the authorizing committees. We have the budget to deal with, then we have to follow that with all of the appropriation bills and the reconciliation legislation, all of which is going to be so time consuming, and yet here we are fooling around here wasting time.

The gentleman knows that on Tuesday, and I will tell him right now, the Committee on Rules will be having a meeting and we are going to put out legislation that is going to give an up-or-down vote on the minimum wage.

I, for one, happen to think that there is a need for an increase in the minimum wage, but let me tell my friends what happened the last three weekends I went home. I was in the Adirondack Mountains in the northern end of my district, I was in the Catskill Mountains in the southern end, and all in between is the Hudson Valley, made up of apple farmers and dairy farmers. All of them asked me, "JERRY, how can you increase the minimum wage when we have such heavy regulatory burdens on us now?"

If we are going to increase the minimum wage, why can we not give small businessmen in this country a little relief to remove some of the cost off their backs so that they can afford to give the minimum wage? In the resort industries in the Adirondacks they told me that if they hire four college students, and in my district most of the college students have to work their butts off in order to get money to go to college because in my district they are not rich people. We do not have the money and kids have to pay part of their own tuition, so they have to work in the summertime. Well, if every single restaurant and motel in the Catskills and the Adirondacks are going to have to lay off one out of four people in order to have the money, what are we going to do? How will these kids make a living?

So that is what the argument has been all about. On Tuesday we will put out a rule which is going to bring this issue to the floor and have a legitimate debate. In the meantime, we are tied up here with this challenging of the previous question, which cannot go anywhere. And I wish the gentleman would withdraw it and let us get back to regular business and let us deal with the issues that are so terribly important to the American people, and I thank the gentleman for the time.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume just to answer my friend and dear colleague from New York.

We, on the minority side up in the Committee on Rules, have sat back be-

cause the gentleman wanted to rush the matters before the Committee on Rules up there and said, look, when we get to the floor we can do all the debating the minority wants to do. Well, Mr. Speaker, the gentleman cannot have it both ways. He cannot stifle us in the committee and then stifle us on the floor.

So I think this is our only opportunity to vent our feelings on how we feel about some of these matters and by using the proper rules.

Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I rise this morning to urge my colleagues to defeat the previous question so that we can go back to the Committee on Rules and have a vote on raising the minimum wage.

Republican House leader DICK ARMEY is quoted in today's New York Times saying people are, and I quote, "in a panic about raising the minimum wage." The Republican leader has said in the past that he will fight an increase in the minimum wage with every fiber of his being. No wonder people are in a panic about the minimum wage.

Yet the Republican leadership is not in a panic about dealing with tax breaks for investors with enough money to own racehorses. Yesterday the Committee on Ways and Means took up the issue of a special tax break for wealthy racehorse owners, but Speaker GINGRICH says any vote on raising the minimum wage is still weeks away, at best.

This is why the hard-working families of this country do not believe that Congress is on their side, because even though the minimum wage is at a 40-year low, even though many minimum wage earners are the sole breadwinners for their families, Republicans are still stalling on bringing up a minimum wage issue for a vote.

My Republican colleagues are fond of talking about family values, personal responsibility. Well, the families working for the minimum wage are working hard and taking the responsibility to stay off welfare. Somehow this Congress can find the time to help wealthy investors who can play at the track but not the time to help the hard-working men and women struggling to pay their bills and to keep their head above water.

Some of my Republican colleagues have had the courage to break ranks, cosponsor a bill to raise the minimum wage. They cannot be missing in action today on this vote. The gentleman from New York [Mr. SOLOMON], the gentleman from Pennsylvania [Mr. ENGLISH], the gentleman from New York [Mr. LAZIO], and the gentleman from California [Mr. HORN]. We need these gentlemen. The working men and women of this country need them today.

The Republican leadership of this Congress has its priorities all wrong.

Stop the stonewalling, give us a vote on raising the minimum wage.

Mr. LINDER. Mr. Speaker, I yield myself such time as I may consume. Let me just say, leave it to the Democrats to suggest that elected officials can give people raises. If they want to give these people a raise, hire them and put them on their payroll, and then they can pay them anything they would like.

Of course 80 percent of America agrees other people should have raises, in the abstract. Ask the 250,000 people that the President's leading economic adviser says will lose their jobs over this how much they like it. Raising the minimum wage is income redistribution among poor people. For every four people who get a dollar raise, one person loses his job.

I wanted to tell my colleagues some of the bad effects of the minimum wage. Studies by Professor Masanori Hashimoto of Ohio State and Llad Phillips of the University of California at Santa Barbara both show increases in the minimum wage increase teenage crime. A study of professor William Beranek of the University of Georgia found the minimum wage increases employment of illegal aliens.

Research also shows the minimum wage increases welfare dependency. For example, a study by Peter Brandon of the University of Wisconsin found the average time on welfare among States that raised the minimum wage was 44 percent higher than States that did not.

Economist Carlos Bonilla of the Employment Policies Institute found a dramatic example in California after the minimum wage rose from \$3.35 to \$4.25. After accounting for the phaseout of AFDC, Medicaid and food stamps, and for Federal, State and local taxes, a single parent earning a minimum wage after it was increased was \$1,800 worse off per year than before.

Finally, the latest research has shown increases in the minimum wage encourage high school students to drop out, enticed by the lure of higher pay, reducing their lifetime earnings and displacing lower skilled workers at the same time.

The 22-percent increase in the minimum wage in 1976 added just \$200 million to the aggregate income of those in the lowest 10 percent of income distribution. Only 22,000 men, according to the Bureau of Labor Statistics, and 191,000 women nationwide maintained families on a minimum wage job in 1993. That will decline by 250,000 people in total after we raise it.

Thirty-seven percent of minimum wage workers in 1995 were teenagers. Fifty-nine percent were 24 years old or younger. Seventeen percent of minimum wage workers are spouses and are likely to be secondary earners. Sixty-six percent of minimum wage workers work only part-time, including students, the elderly with pension or Social Security income, and people simply looking for a little extra cash.

Employers also respond to this, because they are touched, really, by laying off people and cutting back on hours. This is one reason why it is difficult to find a bank teller or someone to wait on you at the local department store. Between 1963 and 1995, average weekly hours worked in retail trade, the industry most affected by the minimum wage, fell from 37.3 hours per week to 28.9, while hours worked in higher-paid industries basically unaffected by the minimum wage, such as mining and construction, increased.

Mr. Speaker, this is politics and it is mean politics, using as pawns the very people they are purporting to help to make a political point to the rest of the world on a bill the subject of which is not even germane to. Mr. Speaker, let us move forward with germane discussion of this rule and the bill this rule applies to, and have a vote on the previous question as quickly as possible.

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

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. BONIOR], the minority leader, who could not let some statements go by without replying.

Mr. BONIOR. I thank the gentleman for yielding me the time.

Mr. Speaker, I have just listened to some of the most outrageous arguments I have ever heard with respect to the minimum wage. The gentleman from Georgia, who just talked, blamed illegal aliens coming into this country on the minimum wage; an increase in crime because of the increase in the minimum wage. He talked about students dropping out of school because of the increase in the minimum wage, and he talked about job layoffs all over the country because of the minimum wage.

Now, I have never heard of a recipe of disaster for trying to help working people who are trying to help their kids struggle through life. This last point, with respect to layoffs, I might add that he cited a number of studies. There were five recent studies done from California to New Jersey.

The New Jersey study studied the people who worked in the restaurant industry and found, in fact, Mr. Speaker, that there was not a decrease in the number of jobs, there was an increase as a result of the increase of the minimum wage in the State of New Jersey. About 10 States have increased their minimum wage since we last did it in 1991, and as a result of that there has not been any dramatic unemployment in this country.

□ 1045

In fact, unemployment numbers are down in this country. People are working. For the gentleman from Georgia to get up here and to suggest to this body and to this country that raising the minimum wage will increase crime, will increase illegal aliens, will increase the drop out of students in this country is just an absolute outrage and is wrong.

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

Mr. Speaker, it might be pointed out that I did not make any of these claims. All these claims were made by college professors doing studies, including Ohio State, University of California, University of Georgia, University of Wisconsin. All of these are legitimate studies that are in the literature.

For someone to stand there and say that there is no evidence that increasing the minimum wage increases unemployment is someone who has not looked at the record.

In the 2-year period between 1973 and 1975, we increased the minimum wage 31 percent. Unemployment at the end was 73 percent worse off than before, from 4.9 percent to 8.5 percent. The period 1974 to 1976, when the minimum wage was increased 15 percent, unemployment went from 5.6 to 7.7 percent, 37 percent worse off. In the period between 1978 and 1980, we increased the minimum wage 17 percent, unemployment went from 6.1 to 7.1, 26 worse off.

Between 1979 and 1981, we increased the minimum wage 16 percent, unemployment went from 5.8 percent to 7.6 percent, 31 percent worse off. 1989 to 1991, we increased the minimum wage by 27 percent, unemployment rate went from 5.3 to 6.7 percent, 26 percent worse off. And in four of those five occasions, four of those five occasions GDP growth was declining after the raise.

To say that increasing the minimum wage has no impact on the economy is to say, then why be so cheesy, give them \$20. Then every family will have about \$40,000 a year. That it is not going to hurt anybody. Do not be so cheesy with \$4.25. If it is not going to impact the economy, give them all a big raise.

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

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Speaker, I do not know who was making those allegations on the floor. It certainly was not a college professor. The gentleman from Georgia was making those assertions.

Let me just counteract his claims with respect to employment; 1967, when the wage was increased from \$1.25 to \$1.40, unemployment decreased from 3.8 to 3.6 percent; 1974 to 1976, an increase in the minimum wage from \$1.06 to \$2.30, despite a recession, retail employment increased about 5.2 percent generating 655,000 jobs in this country. And in 1990 to 1991, from \$3.35 to \$4.25, despite a severe recession, which I might add was the responsibility of the Republican President in the White House, despite that period of time when the wage was increased and the severe recession, the numbers of total jobs quickly leveled off in this country.

There is no empirical data that during times of increases in the minimum wage that unemployment decreases. In fact, it is just the reverse.

Mr. LINDER. Mr. Speaker, I would say that the gentleman from Michigan's words have the quality of Alice in Wonderland, seeming to say when I use a word it means exactly what I want it to do.

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

Mr. MOAKLEY. Mr. Speaker, may I inquire as to the time remaining for both sides?

The SPEAKER pro tempore (Mr. KOLBE). The gentleman from Georgia [Mr. LINDER] has 15 minutes remaining, and the gentleman from Massachusetts [Mr. MOAKLEY] has 16 minutes remaining.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to defeat the previous question so that we can go back to the Committee on Rules and bring up a rule dealing with increasing the minimum wage. I might say to my colleagues on the other side of the aisle, offer to say that the American people might not be interested in this debate as it relates to germaneness. They might not be interested in whether or not we need to have additional time to go back to our districts and campaign. I think they are interested in making a decent living.

Fifty-nine percent, if we are throwing out numbers, of those who are earning a minimum wage are women, working women with children. We also find that over 80 percent of the American people of all economic levels suggest that we should raise the American minimum wage. And in fact in 1969, the minimum wage at that time was comparable to \$6.25. We now have a minimum wage in 1996 of \$4.25.

I would simply suggest to my Republican colleagues that they, too, have Members who simply want to vote on the floor of the House and be given the opportunity to increase the minimum wage. Vigorous debate, yes, but an opportunity to do so, because there are people suffering who need an increase in the minimum wage. Let us defeat the previous question, go back to the Committee on Rules and fairly bring up a resolution rule that would allow us to do so.

I would hope that we would not engage in the bantering of statistics. We can all do that. I hope that we will look realistically at what the American people need. Working people need to be affirmed and that will not decrease the numbers of those working. It will increase the number of those working and give them a decent wage.

Mr. LINDER. Mr. Speaker, I yield myself a few seconds to instruct the gentlewoman from Texas. I hope not to sound remedial, but if we defeat the previous question, it comes immediately to the floor of the House. Whereupon, the proposed amendment would be stricken on a point of order because it is not germane.

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

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

Mr. DOGGETT. Mr. Speaker, I rise to salute the candor, ultimately, of my colleague in Georgia, because after some parliamentary mumbo jumbo about what page of the rules book could be used to thwart the desire of the American people for a raise, he has finally come forward in his last few minutes and he has indicated that what all this parliamentary maneuvering is about is his objection to raising the minimum wage. He has told the American people, in response to my colleague from Michigan, Mr. BONIOR, that it is not himself but it is the professors that made him do it.

The American people knew that Professor GINGRICH and Professor ARMEY were ready to fight with every fiber in their body to block the legitimate desire of the American people for a raise. All this parliamentary mumbo jumbo stuff can be explained in this chart.

We have considered this issue of the minimum wage a number of times in this body. There is a strange thing that has occurred. Those Republicans who stood outside in front of the cameras and said they were for the minimum wage got their arms twisted, once they got in here at the voting box. They refused to vote to give the people of America a raise even though they said they were for it. As they begin to hear from the people, the number of those people change.

The votes against the minimum wage have been going steadily down in this body. The votes for the minimum wage have been going steadily up.

All that it will take this morning in a few minutes when we take up this previous question is five Members, five Republicans who will walk up and vote in favor of giving the people of America a raise.

If they will do that, we will achieve an increase in the minimum wage and we will do it promptly. There is no reason to wait until tomorrow. There is no reason to wait until next Tuesday to consider this issue. We will get caught up in some other issue designed to ultimately kill it. Let us do it now.

I know they think it is important to raise the wilderness in Utah, but I think the raise that the American people are interested in is in their basic living standards. Let us give it to them today.

Mr. LINDER. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DREIER], my colleague on the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule and moving the previous question. It is interesting to listen to this debate. Obviously we have gotten demagoguery, people who were trying to claim that we Republicans are opposed to working Ameri-

cans because we are not out there violating the House rules to bring up, under Utah bill, the minimum wage. I mean it is preposterous.

Our colleagues on the other side of the aisle know that if we were to defeat the previous question, we could not bring this up. We could not bring it up. We are working long and hard on a compromise that will deal with increasing the take-home pay of working Americans, to deal with reducing the tax and regulatory burden which has jeopardized job creation and economic growth. The Committee on Ways and Means is working on that.

This is nothing but a ruse to have our friends on the other side of the aisle come forward and argue that somehow we are going to be able to increase the minimum wage by defeating the previous question. It ain't going to happen. It is a violation of House rules, and it is crazy to have them doing it.

So we should support the previous question, support this rule and move ahead with the way in which we can encourage opportunity for the people in this country to gain jobs and to gain the kind of standard of living which we hope very much will happen.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas, Mr. GENE GREEN.

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I ask my colleagues to oppose the previous question. Unlike my colleagues from California, we will have an increase in the minimum wage. And the closer we get, just like the chart we saw earlier, like my colleague from Texas, we need to keep working at it.

My good friend, the gentleman from Massachusetts [Mr. MOAKLEY], from the Committee on Rules stated earlier if the previous question is defeated an amendment to the rule will be offered. Then the Committee on Rules will immediately report a resolution back to the floor with the minimum wage increase.

They take care of the germane questions within the committee. They just need to do it, to provide for the consideration of a bill to increase the minimum wage from \$4.25 an hour to \$5.15 an hour beginning July 4.

This is a fourth time in the last month we as Democrats and a few Republicans have stood here on the floor and tried to give hard-working Americans a raise. Four times we have tried to do this. I have been asked, why are we doing this four times in the last month? I say we are fighting for an increase in the minimum wage.

I remember a quote from Martin Luther, 475 years ago, when he stood on the steps in Germany and said, Here I stand, I can do no other. God help me, Amen.

That is why we are here. We are here 4 times and we will be here another 4 times and another 40 times until we see a clean vote on the minimum wage.

Eighty-three percent of Americans favor an increase in the minimum wage. Yet this morning we have heard, and every time we hear that the majority party still argues that an increase is higher unemployment, increasing the number of welfare recipients. They claim that most minimum wage earners are teenagers. The facts point to the other direction. It is just not true.

You need to come to reality and, thank goodness, we are seeing an increase in Members from the Republican majority voting for a minimum wage increase. I hope we see that five more today because we will have an increase in the minimum wage if we only have five more Republicans join us Democrats today.

The facts agree with the need for an increase. I ask my colleagues to vote for it.

Mr. LINDER. Mr. Speaker, I yield myself 30 seconds to point out that the way you increase the standard of living for low-income people is give them more take-home pay. The way you give them more take-home pay is to reduce the governmental burden and tax burden that they bear. Telling other people what they should pay their employees is simply not the way to run the Government.

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

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky [Mr. WARD].

Mr. WARD. Mr. Speaker, I want to point something out to my colleagues here and anyone who may be paying attention to this debate; that is, what we are having to do in order to discuss the issue of the minimum wage on the floor the this House.

What we are having to do is to hold the discussion on a completely different item, H.R. 303, which has nothing to do, Mr. Speaker, with the minimum wage. But it has everything to do with the willingness of the majority to allow us to discuss and vote on the minimum wage.

What we are calling for today is a no vote on the previous question. Anybody who hears that wonders, what kind of mumbo jumbo is that? Well, it is what we have to do in order to get the Members of this body on the RECORD for or against an increase in the minimum wage.

Let us talk about who would get a raise if we increased the minimum wage in America. Remember, it is at a 40-year low next year, if we do not increase it, 40-year low in purchasing power. But who are these people?

Well, to hear many talk about it, we would have to think that they were teenagers, that they were people who did not need an increase. But we know better than that. Sixty percent of the people who would receive an increase in the minimum wage are women; 14 percent of Kentucky workers, that is over 200,000 people in my State, would increase their income because of an increase in the minimum wage. Something that I have just learned from

some statistics that are in the New York Times and in the USA Today, 20,000 seniors, 20,000 people over the age of 65 in Kentucky would receive an increase in their wages.

□ 1100

That is almost as many as there are people under 25 who would receive an increase.

Does that tell us something? Yes, it does. It tells us that we need to support an increase in the minimum wage.

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

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Georgia [Mr. LEWIS], the deputy Democratic whip.

Mr. LEWIS of Georgia. Mr. Speaker, this morning the Democrats in the House will once again attempt to bring a minimum wage bill to the floor for a vote. I urge my colleagues, Democrats and Republicans, to support bringing this bill to the floor.

Raising the minimum wage is the right thing to do. It is more than just an economic issue, it is a moral issue. Hard-working people deserve the right to earn a livable wage. No one, but no one, can support a family on \$4.25 an hour, \$170 per week or less than \$9,000 a year.

I know some of my Republican colleagues say they support raising the minimum wage. Well, now is the time to walk the walk, not just talk the talk.

Vote "no" on the previous question. Support an increase in the minimum wage.

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

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FATTAH].

Mr. FATTAH. Mr. Speaker, this debate about the minimum wage is about honoring work. But this issue about procedural gimmickry is about honoring one's word. The new majority has insisted that they would not bottle up bills that had popular support by using procedural gimmicks. But here we have a situation where the majority does not represent the majority. That is, everyone knows and everyone has asserted that if there were a vote on the minimum wage, it would pass. So, since the majority of the Members of the Congress would vote to raise the minimum wage, the Republican majority, not showing much maturity in this matter, has decided to use procedural gimmicks to stand in the way of allowing the Members of Congress, Democrats and Republicans, to have a clean, honest vote on raising the minimum wage.

Now, the people of our country deserve better from the majority. That is, if my colleagues are against the minimum wage, then they should vote against it, speak to the Members of the Congress on their point of view. But they should not hide behind procedural gimmicks to avoid us having a vote. It

does not speak well of the majority, and this notion that somehow we can wait until another day suggests a certain passivity about the plight of working people in this country that does not speak well of the intent of the majority Members on this side of the aisle.

I would encourage all of us to vote "no" on the previous question so that we can vote "yes" on raising the minimum wage, and I would encourage my colleagues on the Republican side of the aisle to win or lose, but to stand up and have the courage of their convictions on the issue of the minimum wage rather than hide behind some procedural gimmick that disrespects and dishonors the suggestion that this is indeed the people's House.

Mr. LINDER. Mr. Speaker, I yield myself such time as I may consume to question why the minority, which was in the majority in both the House and the Senate and had the White House 2 years ago, had no concern whatever for the minimum wage.

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

Mr. LINDER. I yield to the gentleman from Montana.

Mr. WILLIAMS. Because, Mr. Speaker, we had an agreement with the Republican side that while health care reform was on the table and we may be burdening business with that cost, we would not raise the minimum wage.

Mr. LINDER. Mr. Speaker, at least our colleague has admitted now that they are burdening business with the cost.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Speaker, the year before, I might point out, it was Democrats, without one vote from this side of the aisle, Mr. Speaker, that successfully gave a tax cut to people under \$26,000 a year, working people, and that was in lieu of the minimum wage. No support from that side.

But this is interesting that it is on the Utah Wilderness bill, this is the only way we can get it up. It is fitting, in a way. Moses wandered in the wilderness for 40 years. The minimum wage is at an all-time 40-year buying low, and indeed five good Republicans—that is all it takes now—five members of the Republican party adding their votes to ours, will pass a minimum wage increase. That is all that is needed, Mr. Speaker, for coming out of the wilderness is five more Republicans.

We have been gaining and gaining and gaining. Our colleagues cannot hide anymore behind "We will get a vote next week or the week after that or whenever."

This thing has been wandering in the wilderness for too long. It is time to bring it out. Democrats have reduced the tax burden on working people progressively through the earned income tax credit. Ironically, the other side now wants to repeal part of that. But it is time to give working people a livable wage.

Mr. LINDER. Mr. Speaker, I continue to reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. SCHUMER].

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

Mr. Speaker, let me say that it is about time we pass the minimum wage. There have been all sorts of spurious arguments against it. Those arguments are launched by narrow ideological fuel or those who have some business interests.

Here we are on the floor unable to bring the bill directly before us and trying to go through every parliamentary maneuver to achieve democracy, and we should not have to do this. The minimum wage is one of the most talked about issues in America. Most people, if the polls are right, are for it. A vote ought to come to the floor now, and let the arguments fall where they may. We ought to do it, we ought to do it cleanly, we ought to keep the American people working. We do not want to encourage people not to work because wages are so low, and this is a simple and easy way to do it.

Again, the only people opposed to this either have an economic self-interest or are extreme ideologues.

Mr. LINDER. Mr. Speaker, I yield myself such time as I may consume to point out one more time, at the risk of sounding remedial, this will not bring a vote on this floor on the minimum wage. This will bring this rule immediately to the floor with the amendment that the minimum wage will be on it, and it will be struck on a point of order.

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

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, I thank the gentleman from Massachusetts [Mr. MOAKLEY] for yielding this time to me.

Mr. Speaker, I rise in support of an increase in the minimum wage, and in doing so I want to call attention of our colleagues to this cartoon, which is neither funny nor fair. As I call my colleagues' attention to it, Mr. Speaker, I want them to think about it.

"How long does it take to earn \$8,440," it says.

On one side it says, "If you are full-time minimum-wage worker, it takes 1 year. If you are an average CEO of a large U.S. corporation, it takes one-half a day."

Think about it. God bless everyone who can make that kind of money at the high end. But why, in a great country as decent as ours, should we not reward work and for us to have a disparity this great? It is a matter of conscience and decency and a sign of a great country that we reward work.

This is an increase for necessities. Please honor American workers.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas [Mr. TIAHRT].



Mr. TIAHRT. Mr. Speaker, this is not about CEO's, but it is about senior citizens. One of the things that happens when we raise the minimum wage, it is a historical fact, inflation follows, and when inflation follows, that hurts the people, people who are seniors, the worst because they have fixed incomes, they are unable to make their payments.

The second thing it does is it does cost jobs. Now, we have heard this example about New Jersey, the restaurant jobs. But that is an isolated instance.

As my colleagues know, my grandfather died when he was 94 years old, and he smoked. Does that mean that smoking is not hazardous to your health? Of course it is. That was an isolated instance.

It does cost jobs, and it does hit the minority communities the worst. So we are costing jobs, we are hurting the elderly, and yet we are pushing for a minimum-wage increase.

But the real thing, the hidden benefit to the President and to the liberals here in Congress, is that it is a tax increase. We will realize inflation. We will realize more higher taxes, more revenue. That is what happened in the early 1980's. My colleagues remember when we had the windfall tax? It was because of inflation. We had 14 percent inflation.

Mr. Speaker, we can drive inflation, we can hurt the elderly, we can hurt minorities, and we can increase taxes at their expense. But I think it is bad policy. We can, however, put more money in the pockets of the poor through earned-income tax credits, through \$500-per-child tax relief, through the McIntosh-Klug-Tiahrt tax plan, which actually has more takehome pay for people who are heads of households than if we did increase the minimum wage. That is the type of policy this country needs.

Seventy-five percent of the people on minimum wage are students. They come from average household incomes of \$50,000. Do they need it? No, this is bad policy. I am against the rule, and I urge my colleagues to vote against it.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me the time.

My colleagues, minimum wage first came into law in 1938, and congressional Republicans were against it back then, those almost 60 years ago. Since that time, under the insistence of the American people, the Congress of the United States has raised the minimum wage 18 times, only 18 times in those 60 years, and every single time the Republicans in the Congress, not necessarily Republicans in America, please understand, but the Republican majority in the Congress, has been against the minimum wage. Why, Republican Presidents have even vetoed the minimum wage, the last being

former President Bush, who vetoed a minimum wage that passed after 3 years of struggle that passed the Congress during his Presidency.

What is it about these Republicans, so frozen in the ice of their own indifference to the working poor, that they cannot support a proven benefit fiscally to those people?

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut [Mr. SHAYS].

Mr. SHAYS. Mr. Speaker, it is not lost on me and my colleagues on this side of the aisle that when our colleagues on the other side of the aisle had an opportunity to increase the minimum wage when they controlled both the House and the Senate they choose not to bring it up. It is simply not lost on us that much of this debate is about politics.

The fact is this side of the aisle will have a vote on the minimum wage. But when we have a vote on the minimum wage, it will not just include the minimum wage. It will also include a tax credit for employers who hire the most disadvantaged workers, those who have been on welfare, those who have never had a job before. We will have a tax credit tied to increasing the minimum wage to help the most disadvantaged.

We will also have provisions to help small businesses most impacted by a minimum wage income. We are going to have a job creation program along with increasing the minimum wage.

I would encourage my colleagues, particularly on this side of the aisle, to vote for the previous question, and not be lured into this procedural vote that will ultimately be declared out of order.

Passage of the minimum wage should be done in a way that creates not only an increase in the wage base for those who are most disadvantaged, but also has a job creation element to help all Americans.

Mr. LINDER. Mr. Speaker, I would like to inquire if the gentleman from Massachusetts has more speakers.

Mr. MOAKLEY. The only speaker I have is myself.

Mr. LINDER. Then I will close after the gentleman from Massachusetts [Mr. MOAKLEY].

□ 1115

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

The SPEAKER pro tempore (Mr. KOLBE). The gentleman from Massachusetts [Mr. MOAKLEY] is recognized for 1½ minutes.

Mr. MOAKLEY. Mr. Speaker, I urge a "no" vote on the previous question. If the previous question is defeated, I shall offer an amendment to the rule which would make in order a new section in the rule. This amendment will provide for the immediate consideration of a bill to increase the minimum wage. That bill will be introduced by my very good friend, the gentleman from Michigan [Mr. BONIOR].

This provides for a separate and immediate up or down vote on the mini-

mum wage. Let me make it clear to my colleagues, both Democrats and Republicans, that defeating the previous question will in fact allow the House to vote on the minimum wage increase. That is what the American people want us to do. We should not delay any longer. Vote "no" on the previous question.

Mr. Speaker, I include the text of the amendment and accompanying documents for the RECORD.

The text of the amendment and information on the previous question is as follows:

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

"Sec. \_\_\_\_\_. That immediately upon the adoption of this resolution the House shall proceed without intervention of any point of order to consider in the House a bill introduced by Representative BONIOR of Michigan on May 15, 1996 to increase the minimum wage. The bill shall be debatable for one hour equally divided and controlled by the Chairman and ranking minority member of the Committee on Economic and Educational Opportunities. The previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit with or without instructions."

#### THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives*, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual:

Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for



the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues:

Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

The vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

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

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

The SPEAKER pro tempore. The gentleman from Georgia [Mr. LINDER] is recognized for 8½ minutes.

Mr. LINDER. Mr. Speaker, let me conclude my remarks by reminding my colleagues that defeating the previous question is an exercise in futility because the minority wants to offer an amendment that will be ruled out of order as nongermane to this rule. So the vote is without substance.

The previous question vote itself is simply a procedural motion to close debate on this rule and proceed to a vote on its adoption. The vote has no substantive or policy implications whatsoever.

Mr. Speaker, I include for the RECORD an explanation of the previous question.

The material referred to is as follows:

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 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.

Mr. LINDER. 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. The question is on ordering the previous question.

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

Mr. LINDER. 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 on agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 221, nays 197, not voting 15, as follows:

[Roll No. 169]

YEAS—221

Allard	Emerson	Laughlin
Archer	Ensign	Lazio
Armey	Everett	Lewis (CA)
Bachus	Ewing	Lewis (KY)
Baker (CA)	Fawell	Lightfoot
Baker (LA)	Fields (TX)	Linder
Ballenger	Flanagan	Livingston
Barr	Foley	LoBiondo
Barrett (NE)	Fox	Longley
Bartlett	Franks (CT)	Lucas
Barton	Frelinghuysen	Manzullo
Bass	Funderburk	Martinez
Bateman	Galleghy	McCollum
Bereuter	Ganske	McCrery
Bilbray	Gekas	McDade
Bilirakis	Gilchrist	McInnis
Billey	Gillmor	McIntosh
Blute	Goodlatte	McKeon
Boehner	Goodling	Metcalfe
Bonilla	Goss	Meyers
Brownback	Graham	Mica
Bryant (TN)	Greene (UT)	Miller (FL)
Bunn	Greenwood	Moorhead
Bunning	Gunderson	Morella
Burr	Gutknecht	Myers
Burton	Hall (TX)	Myrick
Buyer	Hancock	Nethercutt
Callahan	Hansen	Neumann
Calvert	Hastert	Ney
Camp	Hastings (WA)	Norwood
Campbell	Hayes	Nussle
Canady	Hayworth	Orton
Castle	Hefley	Oxley
Chabot	Heineman	Packard
Chambliss	Herger	Parker
Chenoweth	Hilleary	Petri
Christensen	Hobson	Pombo
Chrysler	Hoekstra	Porter
Clinger	Hoke	Portman
Coble	Horn	Pryce
Coburn	Hostettler	Quillen
Collins (GA)	Houghton	Radanovich
Combest	Hunter	Ramstad
Cooley	Hutchinson	Regula
Cox	Hyde	Riggs
Crane	Inglis	Roberts
Crapo	Istook	Rogers
Creameans	Johnson (CT)	Rohrabacher
Cubin	Johnson, Sam	Ros-Lehtinen
Cunningham	Jones	Roukema
Davis	Kasich	Royce
Deal	Kelly	Salmon
DeLay	Kim	Sanford
Diaz-Balart	King	Saxton
Dickey	Kingston	Scarborough
Doollittle	Klug	Schaefer
Dornan	Knollenberg	Schiff
Dreier	Kolbe	Seastrand
Dunn	LaHood	Sensenbrenner
Ehlers	Latham	Shadegg
Ehrlich	LaTourette	Shaw

Shays	Talent
Shuster	Tate
Skeen	Tauzin
Smith (MI)	Taylor (NC)
Smith (NJ)	Thomas
Smith (TX)	Thornberry
Smith (WA)	Tiahrt
Solomon	Upton
Souder	Vucanovich
Spence	Walker
Stearns	Walsh
Stockman	Wamp
Stump	Watts (OK)

Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—197

Abercrombie	Furse	Neal
Ackerman	Gejdenson	Oberstar
Andrews	Gephardt	Obey
Baessler	Geren	Olver
Baldacci	Gibbons	Ortiz
Barcia	Gilman	Owens
Barrett (WI)	Gonzalez	Pallone
Becerra	Gordon	Pastor
Beilenson	Green (TX)	Payne (NJ)
Bentsen	Gutierrez	Payne (VA)
Berman	Hall (OH)	Pelosi
Bevill	Hamilton	Peterson (MN)
Bishop	Harman	Pickett
Boehlert	Hastings (FL)	Pomeroy
Bonior	Hefner	Poshard
Borski	Hilliard	Quinn
Boucher	Hinchey	Rahall
Browder	Hoyer	Rangel
Brown (CA)	Jackson (IL)	Reed
Brown (FL)	Jackson-Lee	Richardson
Brown (OH)	(TX)	Rivers
Bryant (TX)	Jacobs	Roemer
Cardin	Jefferson	Rose
Chapman	Johnson (SD)	Roybal-Allard
Clay	Johnson, E. B.	Rush
Clayton	Johnston	Sabo
Clyburn	Kanjorski	Sanders
Coleman	Kaptur	Sawyer
Collins (IL)	Kennedy (MA)	Schroeder
Collins (MI)	Kennedy (RI)	Schumer
Condit	Kennelly	Scott
Conyers	Kildee	Serrano
Costello	Klecza	Sisisky
Coyne	Klink	Skaggs
Cramer	LaFalce	Skelton
Cummings	Lantos	Slaughter
Danner	Leach	Stark
de la Garza	Levin	Stenholm
DeFazio	Lewis (GA)	Stokes
DeLauro	Lipinski	Studds
Dellums	Lofgren	Stupak
Deutsch	Lowey	Tanner
Dicks	Luther	Taylor (MS)
Dingell	Maloney	Tejeda
Dixon	Manton	Thompson
Doggett	Markey	Thornton
Dooley	Martini	Thurman
Doyle	Mascara	Torkildsen
Duncan	Matsui	Torres
Durbin	McCarthy	Torricelli
Edwards	McDermott	Towns
Engel	McHale	Trafficant
English	McKinney	Velazquez
Eshoo	McNulty	Vento
Evans	Meek	Visclosky
Farr	Menendez	Volkmer
Fattah	Millender	Ward
Fazio	McDonald	Waters
Fields (LA)	Miller (CA)	Watt (NC)
Filner	Minge	Waxman
Foglietta	Mink	Williams
Forbes	Moakley	Wise
Ford	Mollohan	Woolsey
Frank (MA)	Montgomery	Wynn
Franks (NJ)	Moran	Yates
Frisa	Murtha	
Frost	Nadler	

NOT VOTING—15

Bono	Holden	Molinari
Brewster	Largent	Paxon
Clement	Lincoln	Peterson (FL)
Flake	McHugh	Roth
Fowler	Meehan	Spratt

□ 1137

The Clerk announced the following pair:

On this vote:

Mr. Paxon for, with Mr. Holden against.

Mr. WILLIAMS and Mr. OWENS changed their vote from "yea" to "nay."

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING THE 5-MINUTE RULE

Mr. LINDER. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole under the 5-minute rule: Committee on Agriculture, Committee on Commerce, Committee on Government Reform and Oversight, Committee on International Relations, Committee on the Judiciary, Committee on Resources, Committee on Science, Committee on Small Business, and the Permanent Select Committee on Intelligence.

It is my understanding that the minority has been consulted and that there is no objection to these requests.

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

There was no objection.

#### PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. LINDER. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the CONGRESSIONAL RECORD and that all Members and former Members who spoke during the recess have the privilege of revising and extending their remarks.

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

There was no objection.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1997

The SPEAKER pro tempore. Pursuant to House Resolution 430 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3230.

□ 1140

#### 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 further consideration of the bill (H.R. 3230) to authorize appropriations for fiscal year 1997 for military activities of the Department of Defense, to prescribe military personnel strengths for

fiscal year 1997, and for other purposes, with Mr. BARRETT of Nebraska in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, May 14, 1996, the en bloc amendments offered by the gentleman from South Carolina [Mr. SPENCE] had been disposed of.

By virtue of notice given pursuant to section 4(c) of the resolution, it is now in order to debate the subject matter of cooperative threat reduction with the states of the former Soviet Union.

The gentleman from South Carolina [Mr. SPENCE] and the gentleman from California [Mr. DELLUMS] each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina [Mr. SPENCE].

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

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

□ 1145

Mr. SPENCE. Mr. Chairman, allow me to review briefly the actions taken by the National Security Committee on the Cooperative Threat Reduction [CTR] Program in H.R. 3230.

First, the committee cut the \$327 million budget request by \$25 million. Specifically, as based on the availability of prior-year funds, the committee cut \$20 million from the fissile material storage facility in Russia. The committee also cut approximately \$4 million from chemical weapons destruction-related activities in Russia. Specifically, the committee denied the DOD request to initiate a new, as yet unjustified demolition project and reduced the amount for the Chemical Weapons Destruction Support Office, an information clearinghouse located in Moscow. The committee also cut \$1 million from CTR program overhead.

The bill also includes a provision that is intended to ensure that CTR funds are spent only on core dismantlement activities, such as destroying bombers, missiles, and silos. My colleagues may recall that noncore activities such as environmental restoration, job retraining, and defense conversion have been at the heart of the controversy surrounding this program in past years. This provision would prohibit use of fiscal year 1997 or prior-year, unobligated CTR funds for conducting peacekeeping activities with Russia, providing housing, performing environmental restoration, providing job retraining assistance, or for providing assistance to promote defense conversion.

I understand the distinguished gentleman from New York [Mr. GILMAN] plans to offer an amendment that would extend the prohibition on funding for defense conversion activities beyond the Department of Defense to include foreign assistance and related funding sources. I certainly support the gentleman's amendment.

Finally, the committee bill expresses deep concerns regarding the President's certification on a range of Russian behavior in the arms control and military modernization arenas. Evidence continues to mount that Russia is not adhering to its arms control obligations, including in the area of chemical and biological weapons. Likewise, it is hard to reconcile the President's certification with the fact that Russia is spending billions of dollars on a deep underground facility recently reported in the open press and on modernizing its strategic offensive forces.

The distinguished gentleman from New York [Mr. SOLOMON] also plans to offer an amendment which would prohibit the further obligation of funds for the CTR program in Russia and Belarus until the President certifies to Congress that Russia has met 10 conditions relating to arms control compliance, foreign and military policy, and arms exports. I share the gentleman's concern that the President's certifications send the wrong signal to Moscow and may actually encourage non-compliant behavior.

I look forward to today's debate and discussion, and reserve the balance of my time.

Mr. DELLUMS. Mr. Chairman, I yield 3 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER], a member of the committee.

Mrs. SCHROEDER. Mr. Chairman, I thank the distinguished ranking member for yielding me time. As many know, I have served for 24 years on this committee, and, because I am retiring from the Congress, I have tried not to take a lot of the committee's time in debating these different issues, thinking others should move forward.

But I must say that I think we are engaging in one of the most serious issues that we are going to deal with in this Congress, and that is whether we continue to use our brain, engage our brain, and continue to move forward with the Nunn-Lugar proposals that denuclearize and demilitarize Russia and Belarus, or whether we go with our glands, do our chest beating, scream, holler and yell, and adopt the amendments that I think are going to derail what we have been doing and the progress we are making.

So I stand here in a very solemn mode, saying I certainly hope that the Solomon amendment is defeated, and defeated resoundingly, because the reason that we are trying very hard to take down the nuclear weapons in the Soviet Union and to demilitarize the Soviet Union is for our own good, it is for NATO's good, it is for all of our allies in Asia's good.

Nuclear proliferation does not help anybody. The way I read the Solomon amendment and others is that what they are trying to pretend is like this is foreign aid; this is a big bennie for Russia.

It is not a bennie at all. This is a carrot that we are doing as part of our leadership internationally to try and make this planet a little safer.