

States. It would allow States to levy copayments and other charges on certain Medicaid recipients."

In other words, Mr. Speaker, seniors could be forced to pay for services that they receive now. And it means extra bills for many who are on fixed incomes.

Republicans have consistently targeted seniors for budget cutbacks while setting aside hefty tax breaks for the wealthy. With a track record like that, it is no wonder that the Republicans have had to stage photo ops. Better to hide behind a Kodak moment than to face how your policies have affected this Nation's seniors.

□ 1100

#### TRAVELGATE DOCUMENTS

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

Mr. CLINGER. Mr. Speaker, I want to announce to the Members of the House that the White House has, within the last half hour, turned over a box of documents to my committee, the Committee on Government Reform and Oversight, regarding our investigation into the Travelgate firing matter, together with a comprehensive privileged log detailing those documents which are being withheld from examination by my committee under a claim of executive privilege.

We are clearly making some progress, I think, in this matter. As a result of that, I have requested and asked the leadership of the majority to hold back, to pull back the contempt citation which was scheduled to be considered either today or tomorrow.

Mr. Speaker, I would consider this the beginning of a victory for the House because we are reasserting the rights of the House to have access to documents. We had been told by the administration that they would never give us a privileged log; today they did. I think that is enough reason to hold back on any further proceedings on the contempt citation.

We need to examine the documents which the White House has turned over to us. We need to consider the claims of executive privilege that have been exerted with regard to, I would point out, a very large number of documents. About 11 pages are being withheld, 11 pages listing the documents being withheld. We have to consider the validity, the viability of the claims of executive privilege. So we want to spend some time carefully reviewing the offered documents and understand clearly why they are withholding others and whether that has any validity. Only then I think, Mr. Speaker, can a new judgment be made as to whether we need to press ahead or complete our investigations with the missing documents that the White House is claiming must be withheld without looking at those for whatever reasons they are withholding it.

So, Mr. Speaker, with that, as I indicated, I have requested our leadership to pull the contempt citation from consideration from the floor today.

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

Mr. SMITH of Michigan. 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 Economic and Educational Opportunities; Committee on Government Reform and Oversight; Committee on International Relations; Committee on the Judiciary; Committee on Resources; Committee on Small Business; Committee on Transportation and Infrastructure; Committee on Veterans' Affairs; and Permanent Select Committee on Intelligence.

Mr. Speaker, it is my understanding that the minority has been consulted and that there is no objection to these requests.

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

There was no objection.

#### PROVIDING FOR CONSIDERATION OF H.R. 3517, MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1997

Mr. QUILLEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 442 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 442

*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. 3517) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1997, 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 7 of rule XXI 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 Appropriations. After general debate the bill shall be considered for amendment under the five minute rule. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived. 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 Con-

gressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment. The Chairman of the Committee of the Whole may reduce to not less than five minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall be not less than fifteen minutes. After the reading of the final lines of the bill, a motion that the Committee of the Whole rise and report the bill to the House with such amendments as may have been adopted shall, if offered by the majority leader or a designee, have precedence over a motion to amend. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. QUILLEN] is recognized for 1 hour.

Mr. QUILLEN. Mr. Speaker, for the purpose 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 may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

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

Mr. QUILLEN. Mr. Speaker, House Resolution 442 is an open rule providing for the consideration of H.R. 3517, the military construction appropriations bill for fiscal year 1997. The rule provides 1 hour of general debate, and waives the 3-day requirement for availability of printed hearings and the committee report. In this case, the committee report has been available for the required amount of time but the complete set of hearings has not.

The rule also waives the prohibition against unauthorized appropriations and legislation in general appropriations bills. This is primarily necessary because the Defense authorization bill has not yet been signed into law. Additionally, the rule waives the prohibition on transfers of unobligated funds, which was included at the request of the Appropriations Committee.

The rule allows for priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD prior to their consideration, and it provides the usual motion to recommit, with or without instructions.

Mr. Speaker, there are two provisions in this rule which deviate from the typical rule on a general appropriations bill. First, the rule provides the Chairman of the Committee of the Whole the authority to postpone and cluster votes on amendments.

While this has been done before in rules, it has usually been done by unanimous consent on appropriations bills. This provision was included at the request of Chairman LIVINGSTON.

The second new feature of this rule is really a clarification of an existing House rule regarding the privileged motion to rise and report the bill to the House at the end of the regular amendment process.

Clause 2(d) of House Rule 21 provides that after a general appropriations bill has been read for amendment and all regular amendments have been considered, a privileged motion may be offered by the majority leader or a designee that the Committee rise and report the bill back to the House with such amendments as have been adopted.

According to that rule, this motion shall have precedence over motions to further amend the bill. If the motion is rejected, then it is in order to consider limitation amendments, but the motion can be renewed after the disposition of any limitation amendment.

The intent of the rule when it was first adopted in 1983 was to allow for the disposal of all regular amendments at the end of the reading of the bill for amendment before entertaining any limitation amendments. Once the limitation amendment process was under-

way, the motion to rise and report would be privileged at any time.

However, the Parliamentarian's office informs us that from a practical viewpoint, even if no regular amendments are pending or offered at the time the reading of the bill for such amendments is completed, and even if a limitation amendment has been offered and disposed of, a regular amendment could still be offered at that point, and it would have precedence over the majority leader's motion to rise and report.

This sets up the possibility of jumping back and forth between limitation amendments and regular amendments—thereby preempting the privileged motion to rise and report.

The language included in this rule before us today makes clear that line of distinction by making the motion to rise and report in order only after the final lines of the bill are read by the Clerk.

Prior to that, the Chair would inquire of the Committee of the Whole whether there are any further amendments not precluded by clauses 2(a) or 2(c). If none are offered at that point, the Chair would direct the Clerk to read the final lines of the bill. At any point thereafter, the majority leader or his designee may offer the privileged motion to rise and report.

In summary, the purpose of this language is to draw a clear line between

the regular amendment process and the limitation amendment process at the end of the reading of the bill for amendment.

Mr. Speaker, H.R. 3517 is the first of the 13 appropriations bills to be considered for fiscal year 1997. The Quality of Life Task Force, chaired by former Secretary of the Army, Jack Marsh, has produced a report concluding that 62 percent of troop housing spaces and 64 percent of family housing units are currently unsuitable. I am especially pleased to see that this bill provides sufficient funds to construct and improve housing units for our troops and their families.

We have an obligation to provide adequate housing and other facilities for those who have volunteered to risk their lives to defend our country. Given the limited funds available, the appropriators have done an outstanding job in addressing this critical issue.

I would particularly like to commend the chair of the Military Construction Subcommittee, Mrs. VUCANOVICH, and ranking minority member, Mr. HEFNER, for their bipartisan spirit and hard work on this bill.

This is an excellent piece of legislation, and I urge my colleagues to support this rule and the bill.

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

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

[As of May 29, 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	70	59
Modified Closed <sup>3</sup>	49	47	31	26
Closed <sup>4</sup>	9	9	17	15
Total	104	100	118	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 May 29, 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. Res. 51 (1/31/95)	O	H.J. Res. 1	Balanced Budget Amdt	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 668	Criminal Alien Deportation	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 728	Law Enforcement Block Grants	PO: 229-100; A: 227-127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 7	National Security Revitalization	PO: 230-191; A: 229-188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 831	Health Insurance Deductibility	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 830	Paperwork Reduction Act	A: 282-144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 889	Defense Supplemental	A: 252-175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 450	Regulatory Transition Act	A: 253-165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 1022	Risk Assessment	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 926	Regulatory Reform and Relief Act	A: 271-151 (3/2/95).
H. Res. 103 (3/3/95)	MO	H.R. 925	Private Property Protection Act	A: voice vote (3/6/95).
H. Res. 104 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	A: 257-155 (3/7/95).
H. Res. 105 (3/6/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/8/95).
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	PO: 234-191 A: 247-181 (3/9/95).
H. Res. 109 (3/8/95)	MC			A: 242-190 (3/15/95).
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps	A: voice vote (3/28/95).
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/21/95).
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: 217-211 (3/22/95).
H. Res. 119 (3/21/95)	MC			A: 423-1 (4/4/95).
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: voice vote (4/6/95).
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: 228-204 (4/5/95).
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 253-172 (4/6/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	

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

(As of May 29, 1996)

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
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)	O	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 (7/11/95)	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.R. 2546	D.C. Approps.	A: 216-210 (11/8/95).
H. Res. 258 (11/8/95)	MC	H.J. Res. 115	Cont. Res. FY 1996	A: 220-200 (11/10/95).
H. Res. 259 (11/9/95)	O	H.R. 2586	Debt Limit	A: voice vote (11/14/95).
H. Res. 261 (11/9/95)	C	H.R. 2539	ICC Termination Act	A: 223-182 (11/10/95).
H. Res. 262 (11/9/95)	C	H.J. Res. 115	Cont. Resolution	A: 220-185 (11/10/95).
H. Res. 269 (11/15/95)	O	H.R. 2586	Increase Debt Limit	A: voice vote (11/16/95).
H. Res. 270 (11/15/95)	O	H.R. 2564	Lobbying Reform	A: 229-176 (11/15/95).
H. Res. 273 (11/16/95)	MC	H.J. Res. 122	Further Cont. Resolution	A: 239-181 (11/17/95).
H. Res. 284 (11/29/95)	O	H.R. 2606	Prohibition on Funds for Bosnia	A: voice vote (11/30/95).
H. Res. 287 (11/30/95)	O	H.R. 1788	Amtrak Reform	A: voice vote (12/6/95).
H. Res. 293 (12/7/95)	O	H.R. 1350	Maritime Security Act	PQ: 223-183 A: 228-184 (12/14/95).
H. Res. 303 (12/13/95)	C	H.R. 2621	Protect Federal Trust Funds	
H. Res. 309 (12/18/95)	O	H.R. 1745	Utah Public Lands	PQ: 230-188 A: 229-189 (12/19/95).
H. Res. 313 (12/19/95)	C	H.Con. Res. 122	Budget Res. W/President	A: voice vote (12/20/95).
H. Res. 323 (12/21/95)	MC	H.R. 558	Texas Low-Level Radioactive	Tabled (2/28/96).
H. Res. 366 (2/27/96)	MC	H.R. 2677	Natl. Parks & Wildlife Refuge	PQ: 228-182 A: 244-168 (2/28/96).
H. Res. 368 (2/28/96)	O	H.R. 2854	Farm Bill	
H. Res. 371 (3/6/96)	C	H.R. 994	Small Business Growth	A: voice vote (3/7/96).
H. Res. 372 (3/6/96)	MC	H.R. 3021	Debt Limit Increase	PQ: voice vote A: 235-175 (3/7/96).
H. Res. 380 (3/12/96)	MC	H.R. 3019	Cont. Approps. FY 1996	A: 251-157 (3/13/96).
H. Res. 384 (3/14/96)	MC	H.R. 2703	Effective Death Penalty	PQ: 233-152 A: voice vote (3/21/96).
H. Res. 386 (3/20/96)	C	H.J. Res. 165	Immigration	PQ: 234-187 A: 237-183 (3/21/96).
H. Res. 388 (3/20/96)	C	H.R. 125	Gun Crime Enforcement	A: 244-166 (3/22/96).
H. Res. 391 (3/27/96)	C	H.R. 3136	Contract w/America Advancement	PQ: 232-180 A: 232-177, (3/28/96).
H. Res. 392 (3/27/96)	MC	H.R. 3103	Health Coverage Affordability	PQ: 229-186 A: Voice Vote (3/29/96).
H. Res. 395 (3/29/96)	MC	H.J. Res. 159	Tax Limitation Const. Amdmt.	PQ: 232-168 A: 234-162 (4/15/96).
H. Res. 396 (3/29/96)	O	H.R. 842	Truth in Budgeting Act	A: voice vote (4/17/96).
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 (5/1/96).
H. Res. 418 (4/30/96)	O	H.R. 2641	U.S. Marshals Service	PQ: 219-203 A: voice vote (5/1/96).
H. Res. 419 (4/30/96)	O	H.R. 2149	Ocean Shipping Reform	A: 422-0 (5/1/96).
H. Res. 421 (5/2/96)	O	H.R. 2974	Crimes Against Children & Elderly	A: voice vote (5/7/96).
H. Res. 422 (5/2/96)	O	H.R. 3120	Witness & Jury Tampering	A: voice vote (5/7/96).
H. Res. 426 (5/7/96)	O	H.R. 2406	U.S. Housing Act of 1996	PQ: 218-208 A: voice vote (5/8/96).
H. Res. 427 (5/7/96)	O	H.R. 3322	Omnibus Civilian Science Auth.	A: voice vote (5/9/96).
H. Res. 428 (5/7/96)	MC	H.R. 3286	Adoption Promotion & Stability	A: voice vote (5/9/96).
H. Res. 430 (5/9/96)	S H.R. 3230	DoD Auth. FY 1997	A: 235-149 (5/10/96).	
H. Res. 435 (5/15/96)	MC	H. Con. Res. 178	Con. Res. on the Budget, 1997	PQ: 227-196 A: voice vote (5/16/96).
H. Res. 436 (5/16/96)	C	H.R. 3415	Repeal \$43 cent fuel tax	PQ: 221-181 A: voice vote (5/21/96).
H. Res. 437 (5/16/96)	MO	H.R. 3259	Intell. Auth. FY 1997	A: voice vote (5/21/96).
H. Res. 438 (5/16/96)	MC	H.R. 3144	Defend America Act	
H. Res. 440 (5/21/96)	MC	H.R. 3448	Small Bus. Job Protection	A: 219-211 (5/22/96).
H. Res. 442 (5/29/96)	O	H.R. 3517	Mil. Const. Approps. FY 1997	

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. QUILLEN. 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 would like to commend my colleague

from Tennessee, Mr. QUILLEN, as well as my colleagues on the other side of the aisle for bringing this resolution to the floor.

House Resolution 442 is an open rule which will allow full and fair debate on H.R. 3517, the military construction appropriations bill for fiscal 1997.

As my colleague from Tennessee described, this rule provides 1 hour of

general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

Under this rule, germane 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. I am

pleased that the Rules Committee was able to report this rule without opposition in a voice vote, and I plan to support it.

This bill appropriates \$10 billion for military construction, family housing, and base closure construction projects. Though the bill is \$900 million greater than the administration request, it still represents a reduction of \$1.1 billion, or 10 percent, below last year's level of funding.

The bill funds necessary capital improvements to our Nation's military facilities. Continuing the trend of recent years, the Appropriations Committee paid special attention to facilities that improve the quality of life for our service men and women. This is a wise decision because people are our most important resource.

The bill contains four projects in the Dayton, OH, area, which I am proud to represent. One project will improve 52 units of housing at Page Manor, a neighborhood of homes for junior officers and enlisted personnel at Wright-Patterson Air Force Base.

Another project will upgrade an administrative building on Gentile Air Force Station, in Kettering, OH. This will be used by the Defense Finance and Accounting Service, which is consolidating some of its activities at Gentile.

Mr. Speaker, this bill is important to our national defense. I urge adoption of this open rule which will permit full debate on this bill and allow Members to make additional attempts to amend it.

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

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi [Mr. WICKER].

Mr. WICKER. Mr. Speaker, I thank the gentleman from Tennessee for yielding me the time.

Mr. Speaker, I just wanted to rise at this point and voice my support for the rule and, as a member of the Subcommittee on Military Construction, also for the bill as it has been reported by the committee on a bipartisan basis. This has certainly been an area in which Republicans and Democrats have worked together in a bipartisan fashion.

□ 1115

We are talking today about quality of life for our service members, an area which arguably some years ago was neglected while the military budget was increased. Those quality-of-life issues were perhaps not addressed as fully as they should have been. As a result, last year the Congress increased the military construction budget by some 28 percent over the 1995 appropriation. This year, from that higher appropriation level of 1996, we have cut it back some 10 percent, but still that is much more, almost a billion dollars more, than the administration has requested. We are dealing in this bill with such quality-of-life issues as family housing,

as barracks for our single enlisted troops, military medical facilities and child care. Seventy four percent of this bill comes in that area of quality of life. Because of that fact, I would hope that we would adopt the rule and also that we would leave the bill as it is, as it has been reported by the subcommittee.

Now I also want to take this opportunity, Mr. Speaker, to alert my colleagues that there may be an amendment offered by the gentlewoman from Oregon [Ms. FURSE] which I will oppose and which I hope the Members of this body will oppose because, in an attempt to get into the burden sharing issue which is not really a part of this bill, it would attempt to cut some \$17 million from two barracks in Manneheim, Germany.

These are barracks that are run down, they are overcrowded, they are very, very old; frankly, they smell bad, Mr. Speaker, and these barracks represent a quality-of-life issue for our troops in Germany. They do not need to wait until some time in 1997 for us to start talking about replacing those barracks. We need to do it now.

Mr. Speaker, I would simply suggest to my colleagues, vote for the rule, vote for the bill, and resist the Furse amendment if the gentlewoman offers it. Let us not take this \$17 million out of the quality-of-life funding for our troops in Europe.

Mr. QUILLEN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. MCDADE].

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

Mr. MCDADE. Mr. Speaker, I thank the distinguished chairman of the committee for yielding to me just a few brief moments. I have to be out of the Chamber at 11:30, and about that time we will be considering the military construction appropriations bill.

I want to pay tribute to the distinguished chairwoman of that subcommittee, the honorable gentlewoman from the State of Nevada, BARBARA VUCANOVICH. She has done an extraordinary job running this committee, and this is her last trip, so to speak, in this House.

I remember when I approached her about taking this assignment as a member of the Committee on Appropriations. She was very reluctant to undertake it, not because she did not like the subject matter, but because she had so much she wanted to do in the field of health, in education, in the environment, care of younger people, the problems of crime in the country, but she agreed to do the job, and I wanted her to do it because I knew that her personality was such that she would be the kind of person who would have an unyielding concern for the welfare of our young men and women who serve this great Nation of ours. That concern showed through in every bill she brought to the floor.

I congratulate her for yeoman service in the House, and I wish her well in retirement.

Mr. QUILLEN. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], the distinguished chairman of the Committee on Rules.

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

Mr. SOLOMON. Mr. Speaker, I am not going to take much time. I also want to praise the gentlewoman from Nevada, BARBARA VUCANOVICH, for the outstanding job that she has done during her entire career in this body and to commend the gentleman from North Carolina, Mr. HEFNER, her ranking member, for the job they have done on this particular bill.

Vote for the rule; vote for the bill when it comes up.

Mr. Speaker, I thank my good friend from Tennessee, the chairman emeritus of the committee, Mr. QUILLEN, for yielding to me. I simply want to take a brief moment to follow up on his excellent explanation of this open rule. As he pointed out, there are two new features in this rule that were not in the appropriations rules we granted last year.

First, the rule gives the chairman of the Committee of the Whole the authority to postpone and cluster votes on amendments. While we have done this before in special rules, it has usually been done by unanimous consent on appropriations bills. At Chairman LIVINGSTON's request, we are including this provision in the rule. However, as I mentioned in the Rules Committee last night, we will watch its use closely to ensure that it is used judiciously and sparingly.

We would not expect votes to be postponed on amendments beyond the reading of a title for amendment—only within a title. In this rule, that is not a problem since there is only one title. And we would expect the bill manager to consult with the minority manager on any postponement and clustering of votes to the maximum extent possible.

The second feature of this rule is really a clarification of an existing House rule regarding the privileged motion to rise and report at the end of the regular amendment process.

Clause 2(d) of House Rule 21 provides that after a general appropriations bill has been read for amendment and all regular amendments have been considered, a privileged motion may be offered by the majority leader, or a designee, that the Committee rise and report the bill back to the House with such amendments as have been adopted.

According to the House rule, this motion shall have precedence over motions to further amend the bill. If the motion is rejected, then it is in order to consider limitation amendments, but the motion can be renewed after the disposition of any limitation amendment. The problem is that in practice, the rule is unworkable if someone wants to offer a regular cutting amendment after we thought we had completed that process.

According to the Parliamentarian's Office, such a regular amendment could still be offered at that point, and would have precedence over the majority leader's motion to rise and report. This sets up the possibility of jumping back and forth between limitation

amendments and regular amendments, thereby preempting the privileged motion to rise and report.

That was never the intent of the rule when it was first adopted at the beginning of the 98th Congress in 1983. The idea was to dispose of all regular amendments at the end of the reading of the bill for amendment before entertaining any limitation amendments. Once the limitation amendment process was underway, the motion to rise and report would be privileged at any time.

The language in the rule we have before us draws a clear line of demarcation by making the motion to rise and report in order after the last few lines of the bill are read by the Clerk.

Prior to the reading of the last few lines, the Chair would inquire of the Committee of the Whole whether there were any further amendments not precluded by clauses 2(a) or 2(c). If none are offered at that point, the Chair would direct the Clerk to read the last few lines of the bill.

At any point thereafter, the majority leader or a designee may offer the privileged motion to rise and report. That motion would take precedence over any pending limitation amendment or any regular amendment as well.

In summary, the purpose of this language is to draw a bright line between the regular amendment process and the limitation amendment process at the end of the reading of the bill for amendment. The only change made in clause 2(d) at the beginning of this Congress was to ensure that the motion to rise and report would be controlled by the majority leadership and not just the Appropriations Committee chairman acting alone.

Mr. HALL of Ohio. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. QUILLEN. Mr. Speaker, I urge adoption of the rule and the bill. I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mrs. VUCANOVICH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and that I may include extraneous and tabular material on the consideration of H.R. 3517.

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

There was no objection.

#### MILITARY CONSTRUCTION APPROPRIATIONS ACT, 1997

The SPEAKER pro tempore. Pursuant to House Resolution 442 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. 3517.

□ 1121

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. 3517) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes, with Mr. LATOURETTE 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 gentlewoman from Nevada [Mrs. VUCANOVICH] and the gentleman from North Carolina [Mr. HEFNER] each will control 30 minutes.

The Chair recognizes the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Chairman, I yield myself such time as I may consume. It is my pleasure to present to the House the recommendations for the military construction appropriations bill for fiscal year 1997. The funding contained in H.R. 3517 totals \$10 billion, is within the subcommittee's 602(b) allocation, and represents a \$1.2 billion, or 10 percent, decrease from last year.

Mr. Chairman, from the outset, we have worked closely with the National Security Subcommittee on Military Installations and Facilities and are supporting only those items contained in the House-passed authorization bill.

Public attention has recently focused on the problems our subcommittee has been citing for several years: the quality of military housing for unaccompanied personnel and those with families, the necessity for support facilities, and the importance of providing an adequate working environment to improve productivity and readiness. The committee has heard testimony from many different individuals and organizations regarding these problems, and we continue to feel strongly that the funds in this bill significantly contribute to the readiness and retention of our military personnel.

The recommendations before the House today deal with the critical problem of underfunding in these areas. The budget request of \$9.1 billion represents a decrease of over \$2 billion, or 18 percent, from current spending. While there are many aspects of the request that are commendable, there are areas of concern, particularly in the unaccompanied personnel and family housing arenas. For example, the report on the Quality of Life Task Force, chaired by former Secretary of the Army Jack Marsh, cites that 62 percent of the barrack spaces and 64 percent of family housing units are unsuitable. Yet, while the Department has com-

mitted itself to a serious barracks revitalization program, the request for barracks construction is \$65 million, or 10 percent below last year. And, family housing construction and operation and maintenance accounts are reduced by \$405 million.

Mr. Chairman, these reductions are not acceptable to this committee and, therefore, we are recommending an additional \$900 million above the budget request. Of these additional funds, roughly \$680 million, or 75 percent, has been devoted to barracks, family housing and child development centers.

Of the total \$10 billion recommendations, \$4.3 billion, or 43 percent, is for construction and operations and maintenance of family housing. It is imperative that a sustained overall commitment to funding levels be maintained that will reduce deficits and increase the quality of living conditions. The recommendations in this bill signify congressional commitment to meet that goal.

Thirty-one percent, or \$3.2 billion, is devoted to military construction for facilities that support our service members and their families and improve productivity and readiness. Included under these accounts is \$776 million to address the substandard housing troops must live in; \$313 million for hospital and medical facilities; \$132 million for chemical weapons demilitarization; \$88 million for environmental compliance; and \$34 million for child development centers.

In addition, a significant portion of this appropriation, \$2.5 billion, is to continue the ongoing downsizing of DOD's infrastructure through the base realignment and closure program. The implementation of base closures requires large upfront costs to ensure eventual savings, and this funding will keep closures ongoing and on schedule.

Mr. Chairman, I would like to thank the members of the subcommittee for their help in bringing this bill to the floor. We have worked in a bipartisan manner to produce a bill which addresses the needs of today's military. I want to express my deep appreciation to Mr. HEFNER for his commitment to this subcommittee. He has worked hard for many years to provide the badly needed improvements for the men and women who serve in our Armed Forces. His dedication to this process is invaluable.

In conclusion, Mr. Chairman, this \$10 billion is only 4 percent of the total defense budget and a \$1.2 billion decrease from last year's appropriation. But, this \$10 billion directly supports the men and women in our Armed Forces; it increases productivity, readiness and recruitment, all very vital to a strong national defense. I ask my colleagues to join us in passing this bill.

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