

WAIVING REQUIREMENT OF  
CLAUSE 4(b) OF RULE XI WITH  
RESPECT TO CONSIDERATION OF  
CERTAIN RESOLUTIONS RE-  
PORTED FROM COMMITTEE ON  
RULES

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I would call up House Resolution 314 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 314

*Resolved*, That the requirement of clause 4(b) of rule XI for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported from that committee before November 15, 1997, providing for consideration or disposition of any of the following:

(1) A bill or joint resolution making general appropriations for the fiscal year ending September 30, 1998, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

(2) A bill or joint resolution that includes provisions making continuing appropriations for fiscal year 1998, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

(3) The bill (H.R. 2621) to extend trade authorities procedures with respect to reciprocal trade agreements, and for other purposes.

(4) The bill (S. 1454) to provide a 6-month extension of highway, highway safety, and transit programs pending enactment of a law reauthorizing the Intermodal Surface Transportation Efficiency Act of 1991.

SEC. 2. It shall be in order at any time before November 15, 1997, for the Speaker to entertain motions to suspend the rules, provided that the object of any such motion is announced from the floor at least one hour before the motion is offered. In scheduling the consideration of legislation under this authority, the Speaker or his designee shall consult with the minority leader or his designee.

□ 1215

The SPEAKER pro tempore (Mr. PETRI). The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for the purpose of debate only, I yield half our time to the gentlewoman from New York [Ms. SLAUGHTER], pending which I yield myself such time as I may consume. During consideration of the resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, House Resolution 314 waives the provisions of clause 4(b) of rule XI, requiring a two-thirds vote to consider a rule on the same day it is reported from the Committee on Rules, against resolutions reported from the Committee on Rules before November 15, 1997, providing for consideration of a bill or joint resolution making general appropriations for the fiscal year ending September 30, 1998, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

In addition, the rule applies the waiver to a special rule reported before No-

vember 15, 1997, providing for consideration of a bill or a joint resolution making continuing appropriations for the fiscal year ending September 30, 1998, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

Second, the rule also applies this waiver to a special rule providing for consideration of the bill, H.R. 2621, to extend trade authority procedures with respect to reciprocal trade agreements.

Third, the rule also applies the waiver of clause 4(b) of rule XI to S. 1454, legislation ensuring a 6-month extension of ISTEA.

Finally, the rule further provides that the Speaker may entertain motions to suspend the rules at any time before November 15, 1997, provided that the object of the motion is announced from the floor at least 1 hour before the motion is offered.

Of course, this resolution provides that the Speaker shall consult with the minority leader in scheduling legislation under this authority to suspend the rules.

Mr. Speaker, this is a straightforward resolution, extending through Friday the provisions of House Resolution 305 that passed last week. The first part of this rule, and we were speaking with complexities before, but this will lay it out in layman's language, the first part of this rule will permit same-day consideration of rules for general appropriation bills, for appropriation conference reports, and we have four pending, as you know, and continuing appropriations resolutions through this Friday.

The second part of this resolution provides that the Speaker may entertain motions of the House to suspend the rules through Friday. What that means is we can take up suspension bills between now and Friday. It simply provides for additional suspension-of-the-rules days.

These provisions of House Resolution 314 are customary toward the end of a session in order to permit the House to expedite its business and adjourn. That is what we are all looking forward to. In fact, the resolution does not depart from the standing rules of the House for consideration of legislation at the end of a session.

Nonetheless, the fact is we are uncertain as to the specific adjournment date, and we in the Committee on Rules felt this rule would simplify the orderly consideration of the necessary funding bills for the coming fiscal year.

Mr. Speaker, we all agree that the rules for expedited procedures on appropriation measures and on suspension measures should see limited use at the end of any session. This resolution will ensure that the appropriations conference reports can be passed in a timely manner, and we are not held over for another week or two in this session. Its passage will help ensure that.

Mr. Speaker, this resolution was favorably reported by the Committee on

Rules on November 8. This resolution was modified by a unanimous consent agreement with the minority last Sunday night, at which time we were here until about 2 o'clock in the morning. The unanimous consent agreement changed the dates covered in House Resolution 314 to Friday of this week, and added ISTEA to the measure covered under the waiver of clause 4(b) of rule XI.

Mr. Speaker, the first year of this Congress has resulted in the first balanced budget in 30 years. I have been here for 20 years, and I have never seen one. It provides for less government bureaucracy and more tax cuts for the American people, putting money back into their pockets, so they can either spend it or invest it, but they can do it at their will instead of the will of this Congress. I would urge my colleagues to support this.

Now, Mr. Speaker, let me just run down some of those accomplishments that I just talked about. First, we had the first major tax cut in 16 years. We are now cutting, rather than raising, taxes. This tax cut provided for \$250 billion in net tax relief over the next 10 years, \$91 billion in 5 years. Over 72 percent of that tax relief went to middle-class-income families, those with incomes between \$20,000 and \$70,000.

We also provided for \$41 million for children, families who were given a \$500 tax credit to help working families offset the cost of raising and caring for children. Families with education expenses were helped by the provisions of HOPE scholarships and penalty-free withdrawals from IRA's for college and other educational expenses.

Family farms and small businesses were provided death tax relief. In other words, the inheritance tax exemption now for farmers now is something where farmers will not have to sell their property, the heirs will not have to sell it, in order to pay off the inheritance taxes.

First-time homebuyers were aided by the creation of American Dream IRA's, from which they can now make tax-free withdrawals for buying a home and fulfilling the American dream.

Mr. Speaker, you have to remember that today, anyone who has a mortgage on their home, if they are paying, let us say, \$9,000 in interest, one-third of that interest is caused by the irresponsibility of this Federal Congress and this Government over the years in running deficits, so that if we are able to balance the budget, that means that the interest that young people have to pay, or anybody has to pay, on their mortgage will be reduced by one-third once we can get this under control. If we were able to save them \$3,000 of after-tax income, that is money they could well spend on educating their children.

This Congress has provided broad-based permanent capital gains tax relief to spur investment, to create jobs, and increase economic growth. The top rate was reduced from 28 percent down

to 20 percent, and the bottom rate from 15 percent down to 10 percent.

Mr. Speaker, that means that somebody who might have worked for Sears Roebuck, maybe a couple who worked for Sears Roebuck for all of their lives, they are not noted for paying high salaries, but they have great stock option plans, and many of their employees, many of whom I know, have saved that stock all these years. Now when they get ready to retire and perhaps move to Florida, or whatever they want to do, they can sell that stock, and the Government will not take all the money. The maximum amount of money they would take would be 20 percent in high income, or maybe just 10 percent, on all of the capital gains that they have seen on that stock over the last 30 or 40 years. That is a real accomplishment by this Congress.

This Congress has produced the first balanced budget in 30 years. We are now cutting rather than increasing spending. Instead of having a projected deficit of \$300 billion in the year 2000, we are actually now going to have a surplus. Can you believe that? What a turnaround that will be and what that will mean to the average American in this country, as I have just outlined.

The budget was last balanced in 1969, the year man first walked on the Moon. The work of this Congress will result in a balanced budget in the year 2002 and budget surpluses thereafter.

We have saved Medicare from bankruptcy for 10 years down the road, providing more choice and affordability, affordable quality health care which our seniors deserve.

Federal spending has been reduced to 18.9 percent of the gross domestic product by the year 2002, the first time since 1974 that spending has fallen below 20 percent of the GDP. We will have achieved \$182 billion in entitlement savings over the next 5 years and \$700 billion over the next 10 years.

The growth of total Federal spending has been slowed to 3 percent per year. Mr. Speaker, that is really getting a handle on things. Even the growth of annually-appropriated spending has been slowed to less than one-half of 1 percent a year over the next 5 years as compared to 6 percent a year over the past 10 years.

Let me repeat that. The annual growth of appropriated spending has been slowed to less than one-half of 1 percent a year over the next 5 years, compared to 6 percent a year over the past 10 years. That is fiscal responsibility.

The 105th Congress accomplishments have not all been financial. The House has passed legislation moving children from foster care to permanent loving homes. We have passed comprehensive housing reform to help low-income families, the first major reform effort in decades in this Congress. Just in the last week we have passed the first IRS reform and restructuring package in four decades. This effort has followed on the heels of major education reform

measures, such as charter school expansion and educational vouchers to give more hope to children eager to learn and to give choices to parents who want the best education for their children.

Congress has overwhelmingly passed a ban on partial-birth abortions, a gruesome procedure that should be outlawed in any civilized society.

In the aftermath of our Veterans Day celebrations, we should also note that earlier this year the House overwhelmingly passed an amendment to the Constitution, my constitutional amendment which I offered, banning the desecration of the American flag. It passed this House with over 300 votes, far more than the 290 needed to achieve two-thirds. It now rests over in the Senate where we are still, if you can believe, two votes short of passing this very, very important constitutional amendment.

Mr. Speaker, all of these accomplishments represent a real move to shift power and money and influence from Washington to people and families in States and communities. The record proves that Congress and the administration can achieve common goals without compromising our respective fundamental principles, and showing the American people that we can work together to solve their problems.

Adoption of this rule will speed our ability to take this record to the people who sent us here, our constituents.

Mr. Speaker, in a few minutes when this debate comes to a close, I would just hope it could pass on a voice vote. I would say this to the Republican and Democrat leadership, that if this matter does not pass providing for the two-thirds availability of bills to come to this floor, we are in about an hour going to have to recess until 5 o'clock waiting for Members to come back. No votes were allowed until after 5 o'clock, and that means we would not be able to take up suspensions. I would hope that the Republican and Democratic leadership could get together and allow this House to continue working from now until 5 o'clock. There are precious few hours left before we adjourn, hopefully sometime around 6 o'clock Thursday evening.

First major tax cut in 16 years. We are now cutting rather than raising taxes.

This tax cut provided \$250 billion in net tax relief over the next 10 years—\$91 billion in 5 years.

Over 72 percent of the tax relief went to middle-income families—income of \$20,000 to \$70,000.

Forty one million children were given a \$500 tax credit to help working families offset the costs of raising and caring for children.

Families with education expenses were helped by the provision of HOPE scholarships and penalty-free withdrawals from IRA's for college and other educational expenses.

Family farms and small businesses were provided death tax relief.

First time homebuyers were aided by the creation of American Dream IRA's from which they can now make tax free withdrawal for

buying a home and fulfilling the American dream.

This Congress has provided broad-based permanent capital gains tax relief to spur investment, create jobs, and increase economic growth. The top rate was reduced from 28 percent to 20 percent and the bottom rate from 15 percent to 10 percent.

This Congress has produced the first balanced budget in 30 years. We are now cutting rather than increasing spending.

The budget was last balanced in 1969, the year man first walked on the Moon.

The work of this Congress will result in a balanced budget in 2002 and budget surpluses thereafter if not even sooner.

We have saved Medicare from bankruptcy for 10 years, providing more choice and the affordable quality health care that our seniors deserve.

Federal spending has been reduced to 18.9 percent of the Gross Domestic Product by 2002—the first time since 1974 that spending has fallen below 20 percent of the GDP.

We will have achieved \$182 billion in entitlement savings over the next 5 years and \$700 billion over the next 10 years.

The growth of total Federal spending has been slowed to 3 percent a year.

Even the growth of annually appropriated spending has been slowed to less than one-half of 1 percent a year over the next 5 years as compared to 6 percent a year over the past 10 years.

The 105th Congress' accomplishments have not all been financial.

The House has passed legislation moving children from foster care to permanent loving homes.

We have passed comprehensive housing reforms to help low-income families—the first major reform effort in decades.

Just in the last week we have passed the first IRS reform and restructuring package in four decades.

This effort has followed on the heels of major education reform measures such as charter school expansion and educational vouchers to give hope to children eager to learn and give choice to parents who want the best for their kids.

Congress has passed comprehensive welfare reform—moving people from welfare to work and from dependency to self-sufficiency.

Congress has overwhelmingly passed a ban on partial birth abortions, a gruesome procedure that should be outlawed in any civil society.

In the aftermath of our Veterans Day celebrations, we should also note that earlier this year the House also overwhelmingly passed my amendment to the Constitution banning the desecration of the American flag.

This astounding account is in addition to all that this Congress did under the Contract With America in the 104th Congress.

Mr. Speaker, all of those accomplishments represent a real move to shift power, money, and influence from Washington to people and families in States and communities.

The record proves that Congress and the administration can achieve common goals without compromising our respective fundamental principles and showing the American people that we can work together to solve problems.

Adoption of this rule will speed our ability to take this record to the people who sent us here—our constituents.

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

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

Mr. Speaker, I thank the gentleman from New York [Mr. SOLOMON] for yielding me the customary 30 minutes.

Mr. Speaker, as Thomas Jefferson notes in the very first section of Jefferson's Manual, the minority in any legislative body looks to the rules of that body as its best and often only defense against the potential tyranny of the majority.

Therefore, we look with skepticism on any special rule that would seek to bypass the rules protection of the rights of all Members. Under rule XI, clause 4(b), a two-thirds vote is required to consider a rule on the same day that the Committee on Rules reports it. This provision is designed to afford all Members a day to examine the language of the rule on the underlying legislation before voting on them.

Martial law procedures allow a rule to be considered on the same day as it is reported with a majority rather than a two-thirds vote.

□ 1230

While protections of Members' rights are important and should not be lightly weighed, it is unfortunately common at the end of a session to suspend temporarily in limited cases some of these protections.

This rule, as amended by unanimous consent Monday morning, would waive the 1-day layover requirement for a rule providing for consideration of specified bills if reported before November 15. This would expand the martial law provisions currently in effect by extending them through Friday and adding the temporary ISTEPA bill to the appropriations bills and continuing resolutions that are currently eligible for this expedited procedure. The rule would also allow the consideration of bills under the suspension of the rules through November 15 with at least 1 hour notice to Members and upon consultation with the minority leader.

Today we are 43 days into the 1998 fiscal year, and we have 3 more appropriations bills yet to pass. We need to expeditiously complete the work we should have finished before October 1. Martial law provisions for overdue appropriations bills have become a regrettable, but a traditional feature of the last day of the session.

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

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. PETRI). The question is on the resolution, as amended.

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

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, further proceedings on this resolution are postponed until later today.

#### PROVIDING FOR CONSIDERATION OF S. 738, AMTRAK REFORM AND ACCOUNTABILITY ACT OF 1997

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 319 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 319

*Resolved*, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (S. 738) to reform the statutes relating to Amtrak, to authorize appropriations for Amtrak, and for other purposes. The bill shall be considered as read for amendment. The amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. All points of order against the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, which shall be equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure; and (2) one motion to commit with or without instructions.

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for the purposes of debate only, again I yield one-half hour to the gentlewoman from New York [Ms. SLAUGHTER], pending which I yield myself such time as I may consume. Again, during consideration of the resolution, all time yielded is for debate purposes only.

Mr. Speaker, House Resolution 319 provides for the consideration of S. 738, Amtrak reform and authorization, which shall be considered as read. The resolution provides that the amendment now printed in the Committee on Rules report shall be considered as adopted, and that all points of order against the bill as amended are waived.

House Resolution 319 also provides for 1 hour of debate, equally divided and controlled between the chairman and ranking minority member of the Committee on Transportation and Infrastructure, and finally, the resolution provides 1 motion to commit with or without instructions.

Mr. Speaker, this rule allows the House to consider the Senate bill reforming Amtrak and authorizing appropriations for Amtrak, with the inclusion of an additional amendment in the nature of a substitute that had been suggested by the chairman of the Committee on Transportation and Infrastructure, the gentleman from Pennsylvania [Mr. SHUSTER].

The addition to the Senate bill reflects essentially the same reforms

that were endorsed by the House last year by a rather overwhelming vote of 406 to just 4 negative votes. This amendment that we have self-enacted in the rule has bipartisan support and is crucial to achieving real reform of Amtrak.

Under this bill, the House would accept the labor and liability provisions worked out in the Senate bill. Also, the provisions in the amendment crafted by the gentleman from Pennsylvania [Mr. SHUSTER], which have no Senate counterpart, include, and this is very important, include: the restructuring of Amtrak's board of directors toward a more business-oriented, private sector board; reforming Amtrak's capital structure; and increasing the flexibility of Amtrak's route structure.

We all know that these real reforms must be made to keep Amtrak viable; indeed, to keep it out of bankruptcy. Mr. Speaker, it is vitally important that Amtrak be maintained. Amtrak is important to our entire Nation, but especially important to the Northeast which the gentlewoman from Rochester, NY [Ms. SLAUGHTER] represents and the Hudson Valley area that I represent. Thousands of my constituents rely on Amtrak service to get to work every day and to visit friends and family on weekends and holidays.

Mr. Speaker, we need to move this bill through Congress as quickly as we possibly can. Amtrak's ability to provide nationwide service at the present level is seriously threatened. It cannot continue unless we pass this legislation.

For years, there has been underinvestment in Amtrak's equipment and in their facilities, which has led to declining service quality and reduced reliability. But passage of Amtrak reform legislation will give Amtrak the much-needed boost of capital funds that will allow it to upgrade its equipment and gain independence from the Federal Government, and those are 2 very, very key issues: gain independence from the Federal Government and to upgrade its equipment, which is in dire need right now for the safety of its passengers.

Mr. Speaker, I urge my colleagues to support the rule so that we may proceed with general debate and consideration of the merits of this very important legislation.

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

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

Mr. Speaker, I thank my colleague, the gentleman from New York [Mr. SOLOMON], for yielding me the customary half-hour.

Mr. Speaker, I rise in opposition to this rule. Just days ago, the Senate passed their version of the Amtrak bill without a single dissenting vote. The Senate bill includes consensus language on both the labor and liability issues, the issues that caused the most controversy in the House version of