

votes in favor of their bill in a few minutes, have as big a stake as anybody else in seeing this system cleaned up.

It is time for this Congress to act. We waited in the last Gingrich Congress 1½ years out of that 2 years before we ever even got a chance to vote on the issue of campaign finance reform. That is why we are going to keep raising this issue day after day, because we cannot wait another 1½ years for action, and at that time it was some convoluted position that even the Republicans could not support. It is time for action and action by voting down this rule.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume to say that it is very interesting to listen to this debate as it proceeds on campaign finance reform. We are actually offering a rule here that would allow us to consider suspensions today and tomorrow to deal with veterans, American Samoa, assisted suicide, and yet the campaign debate here, the debate has proceeded on the issue of campaign finance reform.

Since that has happened, I want to take a moment before I yield to my friend from Texas, the majority whip, to talk about legislation I mentioned during the 1-minute period that I hope we will be able to have considered here. If we could get the President on board on it, it would be very helpful, and, frankly, it is much more important to the people whom I am honored to represent here and others from around the country than campaign finance reform.

It happens to be the single most important family tax cut that we could offer, and that is a reduction of the top rate on capital gains from 28 percent to 14 percent. As of right now, we have 118 cosponsors. Democrats and Republicans have joined, cosponsoring this.

I call it the most important family tax cut because it clearly will increase the take-home wages of working Americans, on average, by \$1,500. Unlike many of the family tax cuts, which are temporary, some of those that the President has proposed, this capital gains tax rate reduction would be permanent, creating that boost for working Americans. I hope very much that we are going to be able to proceed with that measure, which also is critically important to our quest of a balanced budget.

We want to bring about a reduction in the national debt and get us on that glidepath toward a balanced budget. We know that unleashing the 7 to 8 trillion dollars that is locked in today, people who do not want to sell their family farm, their small business, their home or other appreciated asset because of the fact that that capital gains tax rate is so high, that capital would be unleashed, if we could reduce that rate from 28 to 14 percent, and would go a long way toward increasing the flow of revenues to the Treasury, as it has done every single time throughout this century.

Every shred of empirical evidence we have is that it will increase the flow of

revenues to the Treasury, going all the way back to President Warren G. Harding, who, in 1921, under his Treasury Secretary, Andrew Mellon, cut the top rate on capital. The flow of revenues to the Treasury increased.

In 1961, when President Kennedy did it, the same thing happened; and then when Ronald Reagan did it with the Economic Recovery Tax Act of 1981, we saw that increase.

Unfortunately, when we increase the tax on capital, we decrease the flow of revenues to the Treasury. In 1978, when the capital gains tax rate was reduced, we saw, from 1979 to 1987, a 500-percent increase in the flow of revenues to the Treasury from \$9 billion to \$50 billion, and it began to drop after the 1986 Tax Reform Act went in place.

So it seems to me we have a very important issue that I hope we can address here.

Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. DELAY], my dear friend.

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding me this time. And he is so right about the real important things that we intend to do in this 105th Congress, rather than play these games that are being played around here.

It is amazing to me, the lack of shame that is expressed on this floor, that the minority party, that used to be the grand majority party for so many years, particularly since the last major campaign finance reform was passed back in the late 1970's, I think 1976 or so, had the majority of this House and the majority of the Senate and yet did not bring any bills down. In fact, if they just passed this bill, they could probably bring their campaign finance reform to the floor under suspension.

Oh, I forgot; they do not have a campaign finance reform bill. They are crying for campaign finance reform to come to the floor, but they do not even have a bill.

What is happening here is something that is really serious, because we want to hold hearings to look into what is serious. We have the potential of having had in the last campaign our national security compromised by foreign money being pushed into this country and trying to manipulate our campaigns, and they are trying to change the subject so that the American people will not focus on what is really happening and what really happened in the campaign last year by this President and by the Democratic National Committee. That is what is going on here.

I just came back from 2 weeks in my district and holding town meetings and meeting with my people. I did not travel anywhere. I worked my district during the district work period, and I had one person ask one question on campaign finance reform.

Now, the American people out there know exactly what is going on here on the floor of the House, and, frankly, they are ashamed as to what is going

on on the floor of this House, trying to cover up what could be potentially a national security problem brought on by breaking the campaign finance laws that were reformed by this majority, by the majority Democrat party back in the 1970's, and trying to cover it up by talking about campaign finance reform here, and they do not even have their own bill.

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

Mr. DELAY. I am delighted to yield to the distinguished gentleman from California.

Mr. DREIER. I thank my friend.

The gentleman makes a very important point, that being, we are simply calling for compliance with the present law that exists. And those on the other side of the aisle are saying, well, let us change the law, let us reform campaign finances, and that will address this hue and cry that we are hearing out there from the American people; all they want us to do is, the American people want us to comply with the laws that exist today.

Mr. DELAY. Mr. Speaker, reclaiming my time, I would also say that they want us to do it before we look at whether laws have actually been broken. And we all know the reason for that; it is strictly politics, to cover up the fact that the national security of this country may have been compromised.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. (Mr. GUTKNECHT). The Chair would remind all Members the matter before the House is House Resolution Number 107.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume to just comment on the majority whip's remarks about campaign finance reform and lack of action on the Democrat majority's part when we were in charge, and remind him that we passed it twice out of the House.

The first time, it was passed again through the Senate, vetoed by a Republican President; the second time, it was filibustered to death in the Senate. And, by the way, I think I did mention, I do have a campaign finance reform bill.

Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. MILLER].

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, not only will the Republicans not bring campaign finance reform to the floor, but their rhetoric today tells us how far away they are from what is happening in America.

They want to suggest that the existing system is just fine, that it is a transgression simply of the White House that we should only be concerned about. And we should be very concerned about those.

They would argue that it is OK, as they did under the existing system, to have Haley Barbour say that he can set up meetings for anybody who gives \$100,000 to any Republican chairman of the House, and he has never been turned down.

They would say it is fine to have a person who is accused of shaking down a lobbyist and threatening them that if they do not contribute to him, they will never have access to his office again. Under a current FBI investigation, it is just fine to have him investigate the President.

□ 1215

They would suggest that it is fine that a committee Chair, Republican committee Chair, get \$200,000 from the very people he meets with about matters before his committee and the money comes right after the meetings. That is all apparently allowed under the existing system, and they do not think it should be investigated; that there is nothing wrong with the system; that at the Republican gala, top donors, if you give \$250,000 you can get to a lunch with the Republican majority leader, the Speaker, the whip, and others and committee Chairs. If you give \$10,000, you can have a meeting.

You know what you get, ladies and gentlemen, you get seats in the gallery. You the public get seats in the gallery. You know what big donors get? They get access to leadership power and decisions. That is under the existing system, and that is why we are saying it has to be reformed. Two years ago we watched as top lobbyists sat in the majority whip's office and drafted legislation to the Clean Water Act.

Mr. DELAY. Mr. Speaker, I demand that the gentleman's words be taken down.

The SPEAKER pro tempore. (Mr. GUTKNECHT). The gentleman will suspend.

The gentleman from California will be seated.

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

The Clerk read as follows:

If you give \$10,000, you can have a meeting. You know what you get, ladies and gentlemen? You get seats in the gallery. You the public get seats in the gallery. You know what big donors get? They get access to leadership power and decisions. That is under the existing system, and that is why we are saying it has to be reformed. Two years ago we watched as top lobbyists sat in the majority whip's office and drafted legislation to the Clean Water Act.

The SPEAKER pro tempore. Does the gentleman from Texas seek recognition?

Mr. DELAY. No, Mr. Speaker. I ask that the Chair rule.

The SPEAKER pro tempore. The Chair is prepared to rule.

In the opinion of the Chair, there was no direct reference to a Member specifically performing a quid pro quo. Therefore, the Chair will rule that the words are not unparliamentary.

The Chair would, however, admonish all Members that it is a violation of the House rules to address the people in the galleries. It is also a violation both of the rule and the spirit of the rules to challenge or question other Members' personal motives.

#### PARLIAMENTARY INQUIRY

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. DELAY. Mr. Speaker, if I understand your ruling correctly, the gentleman from California has made statements about another Member of this House that are incorrect. Is it the ruling of the Chair that a Member can make incorrect statements about another Member on the floor and not have his words taken down?

The SPEAKER pro tempore. The Chair is not in a position to rule on the truthfulness or veracity of a statement made by a Member on the floor of the House. That is a subject for debate.

Mr. DELAY. I thank the Chair.

The SPEAKER pro tempore. The gentleman from California may proceed in order.

Mr. MILLER of California. Mr. Speaker, the point is this. The point is that the American public is treated on a daily basis to account after account after account where money buys you privilege in the House of Representatives among the leadership and it buys you access. That has got to stop because it simply is not fair to the American people. Money is distorting how decisions are being made in this House, the people's House. Money is distorting outcomes in the people's House. Money is distorting the schedule in the people's House. That has got to stop.

And that is what is happening under the existing system. That is happening under the existing system, and that is why we objected yesterday so we could get time today to speak out against the status quo. The status quo is corroding this institution, it is corroding the decisionmaking process, it is corroding the outcome. The people of this country deserve better. That is why we need campaign finance reform. We need it for this institution. We need it for the integrity of the Democratic institution, the House of Representatives, the U.S. Senate. We need it to bring back the faith of the people we represent.

This is not about our campaigns. This is not about whether we get elected or not elected. This is about whether or not it is on the level in this place, whether or not every person has the right to the same access; not access based upon merit, not on the size of your wallet, not on the size of your contribution. That is what this argument is over.

But they will not let us have this debate on the floor of the House of Representatives. We have to go through parliamentary maneuver after parliamentary maneuver to have this said. Why? Because it is very embarrassing.

It is very embarrassing on the bipartisan basis. But we have got to clear the air. We owe it to the American public. We have got to clear the air at that end of Pennsylvania Avenue and we have got to clear the air at this end of Pennsylvania Avenue. We owe the public no less.

Mr. DREIER. Mr. Speaker, I yield 1 minute to the gentleman from Sugarland, TX [Mr. DELAY].

Mr. DELAY. I appreciate the gentleman yielding me this time.

Mr. Speaker, the gentleman from California has repeatedly brought up this incident, including in the media, and has been quoted in the media about an incident where there were lobbyists in the majority whip's office writing legislation.

I will be glad to yield to the gentleman to give me the names in the RECORD of those lobbyists that were in my office writing legislation, and the incident and the time and the date. The least he could do when he makes a statement that is totally incorrect, that he could provide that information to the House, or at least if that is the case and it violates the rules of the House or violates a law, would bring charges against this Member.

Mr. Speaker, I am glad to yield to the gentleman from California.

□ 1230

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. DELAY. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Speaker, as the gentleman knows, unfortunately I can either make the contribution or I am a lobbyist. I was not privy to the meeting, but the meeting was widely reported, and I am not seeing the denial of the meeting taking place.

Mr. DELAY. Mr. Speaker, reclaiming my time, obviously the gentleman cannot substantiate his charges, obviously he cannot name names.

Mr. MILLER of California. Does the gentleman deny that these meetings took place?

Mr. DELAY. This gentleman, Mr. Speaker, denies categorically that it ever happened, that there are lobbyists in the majority whip's office writing legislation, unlike in the gentleman's office where environmental groups write legislation.

Mr. MILLER of California. Mr. Speaker, the gentleman wanted to take down words for inaccurate statements. I guess we can understand why the ruling does not exist right now.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Maine [Mr. ALLEN].

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

Mr. ALLEN. Mr. Speaker, bring this down to a different level.

I rise to urge Members of this body to vote in opposition to the motion for the previous question and I do so because I want to raise the issue of campaign finance reform. I think it is time

for us to deal with it, and I want to mention a couple of points.

First, according to a recent poll, 85 percent of Americans think that there is a crisis or a problem with the way candidates raise and spend campaign funds, and according to another recent poll, 85 percent of the people think that special interest groups have more influence than voters.

Now, when I was back in my district over the last 2 weeks, people did raise the issue of campaign finance reform, and do my colleagues know what a couple of them said? They said, "Why are you spending millions of dollars on investigations and doing nothing to help us? Why are you spending millions of dollars on investigations and doing nothing to help us?"

I believe that from my experience if we cannot find people who care about campaign finance reform we are not looking very hard. It may not deal with their jobs, it may not deal with their education, it may not be Social Security or Medicare. They are things that matter to their personal lives, but they care about our democracy and they care about this system of campaign funding. It is important because the relationship between those who elect us and those who sit in elective offices is critically important. It is a matter of trust. If our citizens continue to believe, as they do now, that money has more influence than votes, then we are diminished, they are diminished, and this democracy is diminished.

There is too much money in politics, and we need to do something about it.

I am a cochair of a freshman task force, a bipartisan group, six Republicans and six Democrats, and we want to work on this issue through this Congress, and what I ask all the Members here is to make sure that the year 2000 is not a repeat of the year 1996 and we deal with campaign finance reform now.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I just wanted to follow up on my colleagues from Maine and from California, particularly the gentleman from California, who said that we have an obligation to bring up the issue of campaign finance reform, and the main reason for that, I believe, is what I experienced in the last 2 weeks in my district during our district work period.

Again, as the gentleman from Maine said, so many of my constituents would come up to me and say, "What is going on in Washington? The Congress isn't doing anything. The only thing that they're doing is doing investigations of campaigns and frankly we're not interested. We don't want the money, the millions of dollars that is going to be spent on this. Sure, you can do a little investigation if you want, you can look into it, but the main thing is you have

to do something about the issue of too much money in campaigns. You've got to address it."

And believe me, the American people feel very strongly that this is not happening right now, and the fault lies squarely with the Republican leadership of this House of Representatives. The Speaker, the Speaker has repeatedly said on many occasions there is not enough money in campaigns. Just the opposite is certainly true, and we have been here, many of us on the Democratic side of the aisle, many times over the last 3 or 4 months, including myself, saying we want this issue brought up, we are not in the majority, we cannot control the agenda.

That is why we have to go to the floor in these procedural ways and ask to defeat the previous question because the Republican leadership refuses to bring it up, and do not tell me that when the Democrats were in the majority that we did not bring it up. In fact we did. It passed. I remember. I voted for it on the House floor here. But it went over to the other body, and the Senators, the Republican Senators on the other side filibustered and killed it.

So there is no question the Democrats are in favor of campaign finance reform, Democrats are in favor of debate, Democrats want a bill to pass. We have said that we would like to have it happen by Memorial Day; I think the President mentioned July 4. Certainly the sooner the better, but so far no hearings on the other side, the Republicans. The Republicans have not had a hearing, they do not bring it up, they have no bill, they have no plan, they do not want to talk about it, which is why they get mad when we do. But I am telling my colleagues right now that the public will not stand for it. They want action.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to my friend, the gentleman from Georgia [Mr. LINDER].

Mr. LINDER. Mr. Speaker, I think it is fascinating to watch the hue and cry for campaign finance reform from the Democrats when they controlled the House, the Senate, and the White House 4 years ago and chose not to bring it up.

The fact of the matter is we have two kinds of campaign financing systems in America; one is congressional. We could only take \$1,000 from an individual or \$5,000 from a PAC, we must report everything we receive and everything we spend, and that system did not break down, and no one is accusing it of having broken down.

There is another system for Presidential campaigns. If they accept \$75 million of taxpayer money, they may not spend a penny more. That is precisely what Bob Dole did; that is not what President Clinton did. He accepted the \$75 million, and he spent \$40 million more than that. He admitted to doing that, but he said it was necessary to break the law because "we would have lost."

Now, I do not want to see America pay for the congressional races, with

ceilings on them like they did for the White House, and have that system so easily abused as it was by President Clinton. Let us move on with this bill which allows bringing up the bill for veterans' benefits, let us pass this rule and get on with the business of the House.

Ms. SLAUGHTER. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. MILLER].

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to place into the RECORD an article from the Washington Post, March 12, 1995: "Forging an Alliance of Deregulation, Representative DELAY Makes Companies Full Partners in the Movement."

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

Mr. DELAY. I object, Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

Ms. SLAUGHTER. Mr. Speaker, I yield 20 seconds to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I appreciate the objection. The point is on March 12, 1995, the Washington Post sets forth the series of meetings taking place wherein lobbyists and campaign contributors are provided a full partnership, are provided a full partnership, and I will yield in 1 second, in the drafting of legislation that was dealing at that time with deregulation.

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

The SPEAKER pro tempore. The time of the gentleman from California (Mr. MILLER) has expired.

Mr. DELAY. As usual, the gentleman's time is always expiring while he is trying to accuse another Member of the House.

Mr. DREIER. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. I just got to say, Mr. Speaker, in that article there is no—there are no names, there are no time periods that this meeting happened, there is absolutely no—regular order, Mr. Speaker. I know the gentleman does not like the rules—

The SPEAKER pro tempore. The gentleman from Wisconsin is out of order.

Mr. DELAY. I know the gentleman does not like to follow the rules, Mr. Speaker, but I am asking for regular order.

The SPEAKER pro tempore. The gentleman from Texas (Mr. DELAY) controls the time.

Mr. DELAY. Mr. Speaker, I appreciate the courtesy from the gentleman.

Mr. OBEY. Mr. Speaker, I prefer truth over courtesy any time.

Mr. DELAY. Regular order, Mr. Speaker, or have the gentlemen removed from the floor.

The SPEAKER pro tempore. We will have regular order.

The gentleman from Texas is recognized.

Mr. DELAY. How much time do I have remaining, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has 45 seconds remaining.

Mr. DELAY. Mr. Speaker, it seems that it is OK to take something out of the newspaper that is not true and bring it down to the floor of the House and attack other Members of this House with something that is not true, written by a reporter in the Washington Post, and using it as if it were true, and I think it is really, Mr. Speaker—it shows the lack of shame in this House about what is going on in this House when we are trying to pass a rule to bring bills up, consensual bills up, under suspension when the minority does not even have a campaign finance reform bill that they could bring to the floor even if we gave them the time to bring it to the floor.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I was in my office when I saw the incident that just occurred on the House floor involving the meeting that was discussed by the gentleman from California which he indicated had taken place in the majority whip's office. The majority whip has said that the newspaper article to which the gentleman from California referred contained no names of lobbyists. I have in my hand, as the Senator from my own State used to say, a copy of the article in question, and if my colleagues examine the text, there are the names of seven lobbyists listed.

Mr. DELAY. Mr. Speaker, would the gentleman yield and read those names?

Mr. OBEY. I would be happy to allow the gentleman to read the names. I am not going to mention the name of any person on the floor who is not here to defend himself.

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

Mr. OBEY. Mr. Speaker, I will not yield further, not at this time. The gentleman can come here and read the names.

I would ask unanimous consent again to be allowed to place this in the RECORD so that the names can be in the RECORD.

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

Mr. DELAY. I object.

Mr. OBEY. I thought the gentleman would.

The SPEAKER pro tempore. Objection is heard.

Mr. OBEY. I thought the gentleman would.

I find it interesting that the truth is being suppressed on the floor of the House in the name of the rules of the House.

Mr. DREIER. Mr. Speaker, once again I yield 1 minute to my friend, the gentleman from Sugarland, TX [Mr. DELAY], the majority whip.

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding this time to me, and since the gentleman from Wisconsin would not yield to me, especially when I asked him to read the names, he does not want to read the names because he will not enter into a dialog with me about the fact that one newspaper article misrepresented what happens in my office and that the fact that there has never been lobbyists sitting in my office or any office of the leadership sitting down writing bills.

We all know that the legislative counsel does that, and we all know that we talk to people about the bills, and he will not read the names. Read the names so that I may respond to the incident. But they do not want to read the names because once again they are trying to smear another Member of this House.

Mr. Speaker, I think we just consider the source of the issue, and if the gentleman does not yield to me, I am not going to yield to him.

Mr. OBEY. I yielded to the gentleman.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind all Members the matter before the House is House Resolution No. 107.

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

Mr. SCHUMER. Mr. Speaker, I thank the gentlewoman for yielding this time to me, and as my colleagues know, the reason we have had such a tizzy in the last half hour is very simple. Everybody in this Chamber knows the system is rotten to the core. They may quibble about a detail, this or that.

Mr. Speaker, regular order.

□ 1345

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GUTKNECHT). The Chair would require all Members to be respectful of each other anywhere on the floor. Hershey was only 3 weeks ago.

The gentleman from New York [Mr. SCHUMER] is recognized. The gentleman has 32 seconds remaining.

Mr. SCHUMER. Mr. Speaker, I would simply say that I have seen these articles, they have names in them. One of the articles refers to a lobbyist being the chief draftsman of the bill.

Now, the gentleman from Texas [Mr. DELAY] says it is not true. The Washington Post reporter obviously thought it was true.

There is one point to all of this. The reason that the gentleman from Texas is so inflamed about this is because we all know the system is rotten to the core, and we deserve a lot of blame on this side that when we had the majority, we did not reform it.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to my friend, the gentleman from Glenwood Springs, CO [Mr. MCINNIS], a very able member of the Committee on Rules, as we continue this debate on this very important rule

that will allow us to debate suspensions today and tomorrow.

Mr. MCINNIS. Mr. Speaker, I thank the gentleman from California for yielding me this time.

Let me say I am not sure what offends me most, the lack of civility that we have just seen in the last few minutes or a colleague of mine standing up in front of the American people and saying that this system is rotten to the core. Come on, wake up. This system is not rotten to the core.

Sure, we have a few bad apples. I would ask the gentleman to show me 535 people anywhere in this country where we do not have some of those individuals that misbehave. But frankly, as a whole, most of the people within this Congress are hardworking individuals on both sides of the aisle. We have good people on both sides of the aisle. Both sides of the aisle have individuals who work very hard.

Take a look at the current system that we have on campaigns. Do not listen to the rhetoric that we have heard. The problems that we have seen in the last year, it is not the system. The system is not the problem. It is people who are violating the system. It is people who are violating the law.

Name one administration that my colleague can think of in the history of this country that discloses, gives top secret information to the national political committee. Just take a look at incident after incident after incident.

The system does not allow that. It is against the law. We ought to investigate that and we ought to have repercussions for disobeying the law. But it is wrong because somebody goes out and violates a law, it is wrong because somebody goes out and violates the intent of the law, it is wrong because there are a few bad apples in the system that the gentleman from New York [Mr. SCHUMER] comes out and says that this system is rotten to the core.

Let me tell my colleagues, we live in the greatest country in the world. We have a system that is the best system in the world. It allows this kind of debate on this House floor. We can stand up here and talk about any issue that we want without facing repercussions from the military, for example, as we see in other countries.

It is wrong for any one of us in these chambers to stand up and speak in such derogatory terms as to paint a blanket paintbrush over every individual in here that some system is rotten to the core. I apologize for the statement on behalf of the individual that made it.

Ms. SLAUGHTER. Mr. Speaker, I yield 30 seconds to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Speaker, I do not apologize to anyone for saying that the system of campaign finance in this country is rotten to the core.

There are good people here, and even they are turned in a bad direction by the way we finance campaigns, and the sooner the gentleman from Colorado and every Member of this body, Democrat and Republican, face that, the sooner we will be able to clean it up and restore people's faith.

Mr. Speaker, I love this country as much as the gentleman from Colorado [Mr. MCINNIS] does. I ask my colleagues to go ask the American people. The system of the way we finance campaigns is rotten to the core.

Mr. DREIER. Mr. Speaker, I yield 15 seconds to my friend from Colorado [Mr. MCINNIS].

Mr. MCINNIS. Mr. Speaker, a very simple question to the gentleman: How much money do you have in your bank account?

Ms. SLAUGHTER. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, the gentleman from Texas [Mr. DELAY] has asked why I do not want to read the names of the lobbyists in the article. It is very simple. They are not Members of the House and they cannot defend themselves. He can, and he ought to. I would suggest that if he wants to discuss these names, I am happy to discuss them with him publicly or privately any time.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, this has been perhaps the most revealing debate of this entire session of Congress.

I might say, to use an old phrase, when push comes to shove, we get down to the heart of a critical issue to the American people and we see why it is that our Republican colleagues are so fearful of giving us even 10 minutes to debate this issue on the floor of the U.S. Congress; why they are so hypersensitive when the issue is not influence peddling down the street, but influence peddling right here in this building; Peddling out checks from tobacco companies; having meetings, not just one isolated meeting that has been discussed here. At the committee that I served on last year, they turned over the taxpayer financed computers to the lobbyists to write the legislation, and then they had them sit there and whisper in the ear of the committee counsel how to answer the questions about the legislation that the lobbyists had written.

It is that connection between special interest campaign finance and between the writing of legislation to benefit those same special interests that ought to be devoted a week, not an hour, a week, on the floor to debate how to fix it, and they are afraid to do it.

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

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

Mr. Speaker, I urge a "no" vote on the previous question. If the previous

question is defeated, I shall offer an amendment which will require that comprehensive campaign finance reform legislation be considered by this House by the end of the month.

Mr. Speaker, I ask unanimous consent to include the text of the proposed amendment at this point in the RECORD along with a brief explanation of what the vote on the previous question really means and to include extraneous material.

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

There was no objection.

The material referred to is as follows:

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

Section 2. No later than May 31, 1997, the House shall consider comprehensive campaign finance reform legislation under an open amendment process.

Mr. Speaker, this vote on whether or not to order the previous question is not merely a procedural vote. It is a vote against the Republican majority's failure to develop and carry out an agenda that is meaningful to the American people. It is one of the few tools we have as the minority to offer an alternative plan for what the House should spend its time debating. We believe that should be comprehensive campaign finance reform. If the previous question is defeated, we will have the opportunity to amend the rule to require consideration of a campaign finance bill by the end of next month. The previous question is the way we can, by vote of the House, tell this Republican leadership to do what the American people really sent us here to do.

I urge my colleagues to vote against the previous question. Vote for comprehensive campaign reform.

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 is 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 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 the one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

[From the Washington Post, Mar. 12, 1995]

FORGING AN ALLIANCE FOR DEREGULATION  
(By Michael Weisskopf and David Maraniss)  
REP. DELAY MAKES COMPANIES FULL PARTNERS  
IN THE MOVEMENT

The day before the Republicans formally took control of Congress, Rep. Tom DeLay strolled to a meeting in the rear conference room of his spacious new leadership suite on the first floor of the Capitol. The dapper Texas Congressman, soon to be sworn in as House majority whip, saw before him a group of lobbyists representing some of the biggest companies in America, assembled on mismatched chairs amid packing boxes, a huge, unplugged copying machine and constantly ringing telephones.

He could not wait to start on what he considered the central mission of his political career: the demise of the modern era of government regulation.

Since his arrival in Washington a decade earlier, DeLay, a former exterminator who had made a living killing fire ants and termites on Houston's wealthy west side, had been seeking to eradicate federal safety and environmental rules that he felt placed excessive burdens on American businesses.

During his rise to power in Congress, he had befriended many industry lobbyists who shared his fervor. Some of them were gathered in his office that January morning at the dawn of the Republican revolution, energized by a sense that their time was finally at hand.

The session inaugurated an unambiguous collaboration of political and commercial interests, certainly not uncommon in Washington but remarkable this time for the ease and eagerness with which these allies combined. Republicans have championed their

legislative agenda as an answer to popular dissatisfaction with Congress and the federal government. But the agenda also represents a triumph for business interests, who after years of playing a primarily defensive role in Democratic-controlled Congresses now find themselves a full partner of the Republican leadership in shaping congressional priorities.

The campaign launched in DeLay's office that day was quick and successful. It resulted last month in a lopsided vote by the House for what once seemed improbable: a 13-month halt to the sorts of government directives that Democrats had viewed as vital to ensuring a safe and clean society, but that many businesses often considered oppressive and counterproductive. A similar bill is under consideration in the Senate, where its chances of approval are not as certain.

Although several provisions of the "Contract With America" adopted by Republican House candidates last fall take specific aim at rolling back federal regulations, the moratorium was not part of that. In fact, as outlined that day in DeLay's office by Gordon Gooch, an oversized, folksy lobbyist for energy and petrochemical interests who served as the congressman's initial legislative ghost writer, the first draft of the bill called for a limited, 100-day moratorium on rulemaking while the House pushed through the more comprehensive antiregulatory plank in the Contract.

But his fellow lobbyists in the inner circle argued that was too timid, according to participants in the meeting. Over the next few days, several drafts were exchanged by the corporate agents. Each new version sharpened and expanded the moratorium bill, often with the interests of clients in mind—one provision favoring California motor fleets, another protecting industrial consumers of natural gas, and a third keeping alive Union Carbide Corp.'s hopes for altering a Labor Department requirement.

As the measure progressed, the roles of legislator and lobbyist blurred. DeLay and his assistants guided industry supporters in an ad hoc group whose name, Project Relief, sounded more like a Third World humanitarian aid effort than a corporate alliance with a half-million-dollar communications budget. On key amendments, the coalition provided the draftsman. And once the bill and the debate moved to the House floor, lobbyists hovered nearby, tapping out talking points on a laptop computer for delivery to Republican floor leaders.

Many of Project Relief's 350 industry members had spent the past few decades angling for a place of power in Democratic governing circles and had made lavish contributions to Democratic campaigns, often as much out of pragmatism as ideology. But now they were in the position of being courted and consulted by newly empowered Republicans dedicated to cutting government regulation and eager to share the job.

No congressman has been more openly solicitous in that respect than DeLay, the 47-year-old congressional veteran regarded by many lawmakers and lobbyists as the sharpest political dealer among the ruling House triad that includes fellow Texan Richard K. Armey, the majority leader, and Speaker Newt Gingrich of Georgia.

DeLay described his partnership with Project Relief as a model for effective Republican lawmaking, a fair fight against Democratic alliances with labor unions and environmentalists. "Our supporters are no different than theirs," DeLay said of the Democrats. "But somehow they have this Christ-like attitude what they are doing [is] protecting the world when they're tearing it apart." Turning to business lobbyists to draft legislation makes sense, according to DeLay, because "they have the expertise."

But the alliance with business and industry demonstrated in the push for a moratorium is not without peril for Republicans, many GOP strategists acknowledge. The more the new Republican leaders follow business prescriptions for limited government in the months ahead, the greater the risk that they will appear to be serving the corporate elite and lose the populist appeal that they carried with them into power in last November's elections.

William Kristol, a key Republican analyst whose frequent strategy memos help shape the conservative agenda, said the way congressional leaders deal with that apparent conflict could determine their prospects for consolidating congressional power. "If they legislate for special interests," he said, "it's going to be hard to show the Republican Party has fundamentally changed the way business is done in Washington."

#### THE EXTERMINATOR

After graduating from the University of Houston with a biology degree in 1970, Tom DeLay, the son of an oil drilling contractor, found himself managing a pesticide formula company. Four years later he was the owner of Albo Pest Control, a little outfit whose name he hated but kept anyway because a marketing study noted it reminded consumers of a well-known brand of dog food.

By his account, DeLay transformed Albo into "the Cadillac" of Houston exterminators, serving only the finest homes. But his frustrations with government rules increased in tandem with his financial success. He disparaged federal worker safety rules, including one that required his termite men to wear hard hats when they tunneled under houses. And the Environmental Protection Agency's pesticide regulations, he said, "drove me crazy." The agency had banned Mirex, a chemical effective in killing fire ants but at first considered a dangerous carcinogen by federal bureaucrats. By the time they changed their assessment a few years later, it was too late; Mirex makers had gone out of business.

The cost and complexity of regulations, DeLay said, got in the way of profits and drove him into politics. "I found out government was a cost of doing business," he said, "and I better get involved in it."

He arrived in the Texas legislature in 1978 with a nickname that defined his mission: "Mr. DeReg." Seven years later he moved his crusade to Washington as the congressman from Houston's conservative southwest suburbs. He sought to publicize his cause by handing out Red Tape Awards for what he considered the most frivolous regulations.

But it was a lonely, quixotic enterprise, hardly noticed in the Democrat-dominated House, where systematic regulation of industry was seen as necessary to keep the business community from putting profit over the public interest and to guarantee a safe, clean and fair society. The greater public good, Democratic leaders and their allies in labor and environmental groups argued, had been well served by government regulation. Countless highway deaths had been prevented by mandatory safety procedures in cars. Bald eagles were flying because of the ban on DDT. Rivers were saved by federal mandates on sewerage.

DeLay nonetheless was gaining notice in the world of commerce. Businessmen would complain about the cost of regulation, which the government says amounts to \$430 billion a year passed along to consumers. They would cite what they thought were silly rules, such as the naming of dishwashing liquid on a list of hazardous materials in the workplace. They pushed for regulatory relief, and they saw DeLay as their point man.

The two-way benefits of that relationship were most evident last year when DeLay ran

for Republican whip. He knew the best way to build up chips was to raise campaign funds for other candidates. The large number of open congressional seats and collection of strong Republican challengers offered him an unusual opportunity. He turned to his network of business friends and lobbyists. "I sometimes overly prevailed on these allies, DeLay said.

In the 1994 elections, he was the second-leading fund-raiser for House Republican candidates, behind only Gingrich. In adding up contributions he had solicited for others, DeLay said, he lost count at about \$2 million. His persuasive powers were evident in the case of the National-American Wholesale Grocers Association PAC, which already had contributed \$120,000 to candidates by the time DeLay addressed the group last September. After listening to his speech on what could be accomplished by a pro-business Congress, they contributed another \$80,000 to Republicans and consulted DeLay, among others, on its distribution.

The chief lobbyist for the grocers, Bruce Gates, would be recruited later by DeLay to chair his antiregulatory Project Relief. Several other business lobbyists played crucial roles in DeLay's 1994 fund-raising and also followed Gates's path into the antiregulatory effort. Among the most active were David Rehr of the National Beer Wholesalers Association, Dan Mattoon of BellSouth Corporation, Robert Rusbuldt of Independent Insurance Agents of America and Elaine Graham of the National Restaurant Association.

At the center of the campaign network was Mildred Webber, a political consultant who had been hired by DeLay to run his race for whip. She stayed in regular contact with both the lobbyists and more than 80 GOP congressional challengers, drafting talking points for the neophyte candidates and calling the lobbyist bank when they needed money. Contributions came in from various business PACs, which Webber bundled together with a good-luck note from DeLay.

"We'd rustle up checks for the guy and make sure Tom got the credit," said Rehr, the beer lobbyist. "So when new members voted for majority whip, they'd say, 'I wouldn't be here if it wasn't for Tom DeLay.'"

For his part, DeLay hosted fundraisers in the districts and brought challengers to Washington for introduction to the PAC community. One event was thrown for David M. McIntosh, an Indiana candidate who ran the regulation-cutting Council on Competitiveness in the Bush administration under fellow Hoosier Dan Quayle. McIntosh won and was named chairman of the House regulatory affairs subcommittee. He hired Webber as staff director.

It was with the lopsided support of such Republican freshmen as McIntosh that DeLay swamped two rivals and became the majority whip of the 104th Congress. Before the vote, he had received final commitments from 52 of the 73 newcomers.

#### THE FREEZE

The idea for Project Relief first surfaced before the November elections that brought Republicans to power in the House for the first time in 40 years. Several weeks after the election, it had grown into one of the most diverse business groups ever formed for specific legislative action. Leaders of the project, at their first post-election meeting, discussed the need for an immediate move to place a moratorium on federal rules. More than 4,000 regulations were due to come out in the coming months, before the Republican House could deal with comprehensive antiregulatory legislation.

DeLay agreed with the business lobbyists that a regulatory "timeout" was needed. He

wrote a letter to the Clinton administration Dec. 12 asking for a 100-day freeze on federal rule-making. The request was rejected two days later by a mid-level official who described the moratorium concept as a "blunderbuss." DeLay then turned to Gooch to write legislation that would do what the administration would not.

At the Jan. 3 meeting in DeLay's office, Paul C. Smith, lobbyist for some of the nation's largest motor fleets, criticized Gooch's draft because it excluded court-imposed regulations. He volunteered to do the next draft and came back with a version that addressed the concerns of his clients. Under court order, the EPA was about to impose an air pollution plan in California that might require some of Smith's clients—United Parcel Service and auto leasing companies—to run vehicles on ultraclean fuels, requiring the replacement of their fleets.

Smith removed the threat with a stroke of his pen, extending the moratorium to cover court deadlines. He also helped Webber add wording in a later amendment that extended the moratorium from eight to 13 months.

Peter Molinaro, a mustachioed lobbyist for Union Carbide, had a different concern: He wanted to make sure the moratorium would not affect new federal rules if their intention was to soften or streamline other federal rules. The Labor Department, for example, was reviewing a proposal to narrow a rule that employers keep records of off-duty injuries to workers. Union Carbide, Molinaro noted in an interview, had been fined \$50,000 for violating that rule and was eager for it to be changed.

For his part, Gooch wanted to make sure that the routine, day-to-day workings of regulatory agencies would not be interrupted by a moratorium. His petrochemical clients rely on the Federal Energy Regulatory Commission to make sure natural gas and oil, used in their production processes, flow consistently and at reasonable rates.

Gooch said he had "no specific mission" other than helping DeLay. "I'm not claiming to be a Boy Scout," he added. "No question I thought what I was doing was in the best interests of my clients."

#### THE WAR ROOM

On the first day of February, 50 Project Relief lobbyists met in a House committee room to map out their vote-getting strategy for the moratorium bill. Their keynote speaker was DeLay, who laid out his basic objective: making it a veto-proof bill by lining up a sufficient number of Democratic cosponsors. They went to work on it then and there.

Kim McKernan of the National Federation of Independent Business read down a list of 72 House Democrats who had just voted for the GOP balanced budget amendment, rating the likelihood of their joining the antiregulatory effort. The Democrats were placed in Tier One for gettable and Tier Two for questionable.

Every Democrat, according to participants, was assigned to a Project Relief lobbyist, often one who had an angle to play.

The nonprescription drug industry chose legislators with Johnson & Johnson plants in their districts, such as Ralph M. Hall of Texas and Frank Pallone Jr. of New Jersey. David Thompson, a construction industry official whose firms is based in Greenville, S.C., targeted South Carolina congressman John M. Spratt Jr.

Federal Express, with its Memphis hub, took Tennessee's John S. Tanner. Southwestern Bell Corp., a past campaign contributor to Blanche Lambert Lincoln of Arkansas, agreed to contact her. Retail farm suppliers picked rural lawmakers, including Charles W. Stenholm of Texas.

As the moratorium bill reached the House floor, the business coalition proved equally potent. Twenty major corporate groups advised lawmakers on the eve of debate Feb. 23 that this was a key vote, one that would be considered in future campaign contributions.

McIntosh, who served as DeLay's deputy for deregulation, assembled a war room in a small office just off the House floor to respond to challenges from Democratic opponents. His rapid response team included Smith, the motor fleet lobbyist, to answer environmental questions; James H. Burnley IV, an airline lobbyist who had served as transportation secretary in the Reagan administration, to advise on transportation rules; and UPS lobbyist Dorothy Strunk, a former director of the Occupational Health and Safety Administration, to tackle workplace issues. Project Relief chairman Gates and lobbyists for small business and trucking companies also participated.

When Republican leaders were caught off guard by a Democratic amendment or alerted to a last-minute problem by one of their allies, Smith would bang out responses on his laptop computer and hand the disk to a McIntosh aide who had them printed and delivered to the House floor.

The final vote for the moratorium was 276 to 146, with 51 Democrats joining DeLay's side. Still 14 votes short of the two-thirds needed to override a veto, the support exceeded the original hopes of Project Relief leaders.

One week later, DeLay appeared before a gathering of a few hundred lobbyists, lawmakers and reporters in the Caucus Room of the Cannon House Office Building to celebrate the House's success in voting to freeze government regulations and, in a pair of companion bills, curtail them. He stood next to a five-foot replica of the Statue of Liberty, wrapped from neck to toe in bright red tape, pulled out a pair of scissors, and jubilantly snipped away.

Standing next to him, brandishing scissors of his own, as the chairman of Project Relief.

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

In conclusion, let me remind 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, and in fact we do not have a campaign finance reform bill that has even been introduced that would be offered if this were to be ruled germane.

The previous question vote itself is nothing more than a procedural motion to close debate on this rule and proceed to the very important vote that we will have allowing us to consider the veterans bill, the American Samoan bill, these suspensions. The vote has no substantive or policy implications whatsoever, that being the previous question vote.

Mr. Speaker, at this point I ask unanimous consent to insert in the RECORD an explanation of the previous question issue from our House Committee on Rules.

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

There was no objection.

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

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

Mr. Speaker, in conclusion I would say that this has been the most interesting debate that we possibly could have had over a measure that will simply allow us to consider two additional days of suspension.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Ms. SLAUGHTER. 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 clause 5 of rule XV, the Chair announces that he may reduce to not less than 5 minutes the time within which a vote by electronic device, if ordered, may be taken on agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 213, nays 196, not voting 23, as follows:

[Roll No. 74]

YEAS—213

Aderholt	Canady	English
Archer	Cannon	Ensign
Armey	Castle	Everett
Bachus	Chabot	Ewing
Baker	Chenoweth	Foley
Barrett (NE)	Christensen	Forbes
Bartlett	Coble	Fowler
Bass	Coburn	Fox
Bateman	Collins	Franks (NJ)
Bereuter	Combest	Frelinghuysen
Billray	Cook	Gallagher
Billakis	Cooksey	Ganske
Bliley	Cox	Gekas
Blunt	Crane	Gibbons
Boehlert	Crapo	Gilchrest
Boehner	Cubin	Gillmor
Bonilla	Cunningham	Gillman
Bono	Davis (VA)	Goodlatte
Brady	Deal	Goodling
Bryant	DeLay	Goss
Bunning	Diaz-Balart	Graham
Burr	Dickey	Greenwood
Burton	Dreier	Gutknecht
Buyer	Duncan	Hansen
Callahan	Dunn	Hastert
Calvert	Ehlers	Hastings (WA)
Camp	Ehrlich	Hayworth
Campbell	Emerson	Hefley



Heger  
 Hill  
 Hilleary  
 Hobson  
 Hoekstra  
 Horn  
 Hostettler  
 Houghton  
 Hulshof  
 Hunter  
 Hutchinson  
 Hyde  
 Inglis  
 Jenkins  
 Johnson (CT)  
 Johnson, Sam  
 Jones  
 Kasich  
 Kelly  
 Kim  
 King (NY)  
 Kingston  
 Klug  
 Knollenberg  
 Kolbe  
 LaHood  
 Largent  
 Latham  
 LaTourette  
 Lazio  
 Leach  
 Lewis (CA)  
 Lewis (KY)  
 Linder  
 Livingston  
 LoBiondo  
 Lucas  
 Manzullo  
 McCollum  
 McCrery  
 McDade  
 McHugh  
 McInnis

McIntosh  
 McKeon  
 Metcalf  
 Mica  
 Miller (FL)  
 Molinari  
 Moran (KS)  
 Morella  
 Myrick  
 Nethercutt  
 Neumann  
 Ney  
 Northup  
 Norwood  
 Nussle  
 Oxley  
 Packard  
 Pappas  
 Parker  
 Paul  
 Paxon  
 Pease  
 Peterson (PA)  
 Petri  
 Pickering  
 Pitts  
 Pomo  
 Portman  
 Pryce (OH)  
 Quinn  
 Radanovich  
 Ramstad  
 Regula  
 Riggs  
 Riley  
 Rogan  
 Rogers  
 Rohrabacher  
 Ros-Lehtinen  
 Roukema  
 Royce  
 Salmon  
 Sanford

Saxton  
 Scarborough  
 Schaefer, Dan  
 Schaffer, Bob  
 Sensenbrenner  
 Sessions  
 Shadegg  
 Shaw  
 Shays  
 Shimkus  
 Shuster  
 Sken  
 Smith (MI)  
 Smith (NJ)  
 Smith (OR)  
 Smith (TX)  
 Smith, Linda  
 Snowbarger  
 Solomon  
 Souder  
 Spence  
 Stearns  
 Stump  
 Sununu  
 Talent  
 Tauzin  
 Taylor (NC)  
 Thomas  
 Thornberry  
 Thune  
 Tiahrt  
 Upton  
 Walsh  
 Wamp  
 Watkins  
 Weldon (FL)  
 Weldon (PA)  
 Weller  
 White  
 Whitfield  
 Wicker  
 Wolf  
 Young (FL)

Serrano  
 Sherman  
 Sisisky  
 Skaggs  
 Skelton  
 Slaughter  
 Smith, Adam  
 Snyder  
 Spratt  
 Stabenow  
 Stenholm  
 Stokes

Strickland  
 Stupak  
 Tanner  
 Tauscher  
 Taylor (MS)  
 Thompson  
 Thurman  
 Tierney  
 Torres  
 Towns  
 Traficant  
 Turner

Velazquez  
 Vento  
 Visclosky  
 Waters  
 Watt (NC)  
 Waxman  
 Wexler  
 Weygand  
 Wise  
 Woolsey  
 Wynn  
 Yates

Andrews  
 Ballenger  
 Barr  
 Barton  
 Becerra  
 Bishop  
 Boyd  
 Carson

Chambliss  
 Doolittle  
 Fawell  
 Filner  
 Granger  
 Hefner  
 Istook  
 McCarthy (NY)

Peterson (MN)  
 Porter  
 Ryun  
 Schiff  
 Stark  
 Watts (OK)  
 Young (AK)

## NOT VOTING—23

□ 1315

Ms. RIVERS changed her 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. GUTKNECHT). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall vote, if postponed, will be taken on Thursday, April 10, 1997.

## VETERANS EMPLOYMENT OPPORTUNITIES ACT OF 1997

Mr. MICA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 240) to amend title 5, United States Code, to provide that consideration may not be denied to preference eligibles applying for certain positions in the competitive service, and for other purposes, as amended.

The Clerk read as follows:

H. 240

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

## SECTION 1. SHORT TITLE.

*This Act may be cited as the "Veterans Employment Opportunities Act of 1997".*

## SEC. 2. EQUAL ACCESS FOR VETERANS.

(a) *COMPETITIVE SERVICE.*—Section 3304 of title 5, United States Code, is amended by adding at the end the following:

*"(f)(1) No preference eligible, and no individual (other than a preference eligible) who has been separated from the armed forces under honorable conditions after 3 or more years of active service, shall be denied the opportunity to compete for an announced vacant position within an agency, in the competitive service or the excepted service, by reason of—*

*"(A) not having acquired competitive status; or*

*"(B) not being an employee of such agency.*

*"(2) Nothing in this subsection shall prevent an agency from filling a vacant position (whether by appointment or otherwise) solely from individuals on a priority placement list consisting of individuals who have been separated from the agency due to a reduction in force and surplus employees (as defined under regulations prescribed by the Office)."*

(b) *CIVIL SERVICE EMPLOYMENT INFORMATION.*—

(1) *VACANT POSITIONS.*—Section 3327(b) of title 5, United States Code, is amended by striking "and" at the end of paragraph (1), by redesignating paragraph (2) as paragraph (3), and by inserting after paragraph (1) the following:

*"(2) each vacant position in the agency for which competition is restricted to individuals having competitive status or employees of such agency, excluding any position under paragraph (1), and"*

(2) *ADDITIONAL INFORMATION.*—Section 3327 of title 5, United States Code, is amended by adding at the end the following:

*"(c) Any notification provided under this section shall, for all positions under subsection (b)(1) as to which section 3304(f) applies and for all positions under subsection (b)(2), include a notation as to the applicability of section 3304(f) with respect thereto.*

*"(d) In consultation with the Secretary of Labor, the Office shall submit to Congress and the President, no less frequently than every 2 years, a report detailing, with respect to the period covered by such report—*

*"(1) the number of positions listed under this section during such period;*

*"(2) the number of preference eligibles and other individuals described in section 3304(f)(1) referred to such positions during such period; and*

*"(3) the number of preference eligibles and other individuals described in section 3304(f)(1) appointed to such positions during such period."*

(c) *GOVERNMENTWIDE LISTS.*—

(1) *VACANT POSITIONS.*—Section 3330(b) of title 5, United States Code, is amended to read as follows:

*"(b) The Office of Personnel Management shall cause to be established and kept current—*

*"(1) a comprehensive list of all announcements of vacant positions (in the competitive service and the excepted service, respectively) within each agency that are to be filled by appointment for more than 1 year and for which applications are being or will soon be accepted from outside the agency's work force; and*

*"(2) a comprehensive list of all announcements of vacant positions within each agency for which applications are being or will soon be accepted and for which competition is restricted to individuals having competitive status or employees of such agency, excluding any position required to be listed under paragraph (1)."*

(2) *ADDITIONAL INFORMATION.*—Section 3330(c) of title 5, United States Code, is amended by striking "and" at the end of paragraph (2), by redesignating paragraph (3) as paragraph (4), and by inserting after paragraph (2) the following:

*"(3) for all positions under subsection (b)(1) as to which section 3304(f) applies and for all positions under subsection (b)(2), a notation as to the applicability of section 3304(f) with respect thereto; and"*

(3) *CONFORMING AMENDMENT.*—Section 3330(d) of title 5, United States Code, is amended by striking "The list" and inserting "Each list under subsection (b)".

(d) *PROVISIONS RELATING TO THE UNITED STATES POSTAL SERVICE.*—

(1) *IN GENERAL.*—Subsection (a) of section 1005 of title 39, United States Code, is amended by adding at the end the following:

*"(5)(A) The provisions of section 3304(f) of title 5 shall apply with respect to the Postal Service in the same manner and under the same*

## NAYS—196

Abercrombie  
 Ackerman  
 Allen  
 Baesler  
 Baldacci  
 Barcia  
 Barrett (WI)  
 Bentsen  
 Berman  
 Berry  
 Blagojevich  
 Blumenauer  
 Bonior  
 Borski  
 Boswell  
 Boucher  
 Brown (CA)  
 Brown (FL)  
 Brown (OH)  
 Capps  
 Cardin  
 Clay  
 Clayton  
 Clement  
 Clyburn  
 Condit  
 Conyers  
 Costello  
 Coyne  
 Cramer  
 Cummings  
 Danner  
 Davis (FL)  
 Davis (IL)  
 DeFazio  
 DeGette  
 Delahunt  
 DeLauro  
 Dellums  
 Deutsch  
 Dicks  
 Dingell  
 Dixon  
 Doggett  
 Dooley  
 Doyle  
 Edwards  
 Engel  
 Eshoo  
 Etheridge  
 Evans  
 Farr  
 Fattah  
 Fazio

Flake  
 Foglietta  
 Ford  
 Frank (MA)  
 Frost  
 Furse  
 Gejdenson  
 Gephardt  
 Gonzalez  
 Goode  
 Gordon  
 Green  
 Gutierrez  
 Hall (OH)  
 Hall (TX)  
 Hamilton  
 Harman  
 Hastings (FL)  
 Hilliard  
 Hinchey  
 Hinojosa  
 Holden  
 Hooley  
 Hoyer  
 Jackson (IL)  
 Jackson-Lee  
 (TX)  
 Jefferson  
 John  
 Johnson (WI)  
 Johnson, E. B.  
 Kanjorski  
 Kaptur  
 Kennedy (MA)  
 Kennedy (RI)  
 Kennelly  
 Kildee  
 Kilpatrick  
 Kind (WI)  
 Kleczka  
 Klink  
 Kucinich  
 LaFalce  
 Lampson  
 Lantos  
 Levin  
 Lewis (GA)  
 Lipinski  
 Lofgren  
 Lowey  
 Luther  
 Maloney (CT)  
 Maloney (NY)  
 Manton

Markey  
 Martinez  
 Mascara  
 Matsui  
 McCarthy (MO)  
 McDermott  
 McGovern  
 McHale  
 McIntyre  
 McKinney  
 McNulty  
 Meehan  
 Meek  
 Menendez  
 Millender  
 McDonald  
 Miller (CA)  
 Minge  
 Mink  
 Moakley  
 Mollohan  
 Moran (VA)  
 Murtha  
 Nadler  
 Neal  
 Oberstar  
 Obey  
 Oliver  
 Ortiz  
 Owens  
 Pallone  
 Pascarella  
 Pastor  
 Payne  
 Pelosi  
 Pickett  
 Pomeroy  
 Poshard  
 Price (NC)  
 Rahall  
 Rangel  
 Reyes  
 Rivers  
 Roemer  
 Rothman  
 Roybal-Allard  
 Rush  
 Sabo  
 Sanchez  
 Sanders  
 Sandlin  
 Sawyer  
 Schumer  
 Scott