

and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

Mr. SOLOMON. Madam Speaker, in trying to live up to the majority leader's request that we be out of here by noon time, we are going to try to expedite.

PARLIAMENTARY INQUIRY

Mr. CONDIT. Madam Speaker, is it appropriate for me to propound a parliamentary inquiry at this time?

The SPEAKER pro tempore. Does the gentleman from New York yield for a parliamentary inquiry?

Mr. SOLOMON. Not at this time, Madam Speaker. I want to get through this so we can live up to our obligation.

Mr. CONDIT. Madam Speaker, I offer a motion.

The SPEAKER pro tempore. The gentleman from California cannot take the gentleman from his feet by a motion while he is engaged in debate.

The gentleman from New York [Mr. SOLOMON] is recognized.

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

Madam Speaker, this bill before us is a simple resolution.

□ 1145

Mr. SOLOMON. Madam Speaker, the proposed rule that I am offering is a modified, closed rule providing for 1 hour of general debate divided equally between the chairman and ranking minority member on the Committee on Resources which will probably be taken up on the floor Monday or Tuesday, and not today.

Additionally, this resolution makes in order the Committee on Resources' amendment in the nature of a substitute as an original bill for purposes of amendment which shall be considered as read. Furthermore, this resolution provides for the consideration of the amendment printed in the Committee on Rules' report which shall be considered only in the order printed in the report, may be offered only by a Mem-

ber designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and opponent of the amendment. The amendments shall not be subject to amendment, nor are they subject to a demand for a division of the question in the House or in the Committee of the Whole.

At the appropriate time, I intend to offer an amendment to the rule that would allow for the consideration of an amendment to be offered by the gentleman from Utah [Mr. HANSEN], the bill manager. This amendment is a germane amendment that reflects the concerns of both the gentleman from Utah [Mr. HANSEN] and the gentleman from New York [Mr. BOEHLERT].

If my colleagues will recall, the gentleman from New York [Mr. BOEHLERT] had given us an amendment in the Committee on Rules that was not germane. He has done his due diligence and made the amendment in order, so we are living up to our commitment to make all of the filed amendments that were germane in order, and that is what my amendment will be about.

Mr. Speaker, the rule allows for the Chairman of the Committee of the Whole to postpone during consideration of the bill and to reduce votes to 5 minutes on a postponed question if the vote follows a 15-minute vote.

Finally, H.R. 256 provides for one motion to recommit, with or without instructions.

Now, Mr. Speaker, on September 18, 1996, the President of the United States, claiming authority under the 1906 Antiquities Act, proclaimed the Grand Staircase Escalante National Monument in Utah. According to a U.S. News and World Report article, "the White House went to great lengths to keep secret its plan to create by executive fiat a massive 1.7 million acre national monument in southern Utah."

Madam Speaker, dusting off the 91-year-old Antiquities Act to circumvent public hearings and a likely congressional battle, the stealth-like initiative was designed to boost the President's popularity with environmentalists during his campaign last year. In fact, Madam Speaker, the administration did not even inform, did not even consult with any of Utah's elected representatives of any political party. However, members of the administration did take the time to notify Governor Miller of Nevada, Governor Romer of Colorado, and Senators REID and BRYAN of Nevada.

Why would the administration go to great lengths to hide its plans from the public and the Utah delegation? Perhaps the answer lies in a memorandum sent by Katie McGinty, the chair of the President's Council on Environmental Quality. She wrote, "Any public release of information would probably foreclose the President's option to proceed." That is in writing, and we have a copy of it.

Additionally, Interior Department Solicitor John Leshy wrote to an outside consultant, "I can't emphasize confidentiality too much. If word leaks out, it probably won't happen." Talk about stealth and hiding things from the American people, Madam Speaker.

When President Roosevelt signed the Antiquities Act, which was designed to respond to a national movement back in 1906 to stop the vandalism and looting that was occurring on landmarks of prehistoric, historic, and scientific interest and value, the act made a great deal of sense back in those days. During the early 1900's there were few mechanisms for setting aside or protecting large portions of land. However, during the next several decades, concern for conservation became more widespread, and Congress responded by passing very powerful laws which serve the cause of conservation more fully.

Let me just give an example. Since 1906, the Congress has created the National Park System, the National Wildlife Refuge System, the National Wilderness Preservation Act, and the Wild and Scenic Rivers System. The principal effect of laws such as these has been to make it much easier to preserve large portions of land. Therefore, what made sense in 1906 is not necessarily applicable today.

Madam Speaker, most people believe the issues should be debated in the public forum, and this bill amends the Antiquities Act of 1906 to prevent the President from unilaterally creating large national monuments. By requiring an act of Congress and the comments of the Governor from any particular State in which the proposed monument is located, we can be certain that a fair and open process is certain to continue.

This legislation is a commonsense proposal. I would urge my colleagues to support the rule and the underlying legislation.

Madam Speaker, I reserve the balance of my time.

MOTION TO ADJOURN

Mr. CONDIT. Madam Speaker, I have a preferential motion at the desk.

The SPEAKER pro tempore (Mrs. EMERSON). The Clerk will report the motion.

The Clerk read as follows:

Mr. CONDIT moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from California [Mr. CONDIT].

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

RECORDED VOTE

Mr. CONDIT. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 112, noes 295, not voting 26, as follows:

[Roll No. 481]

AYES—112

Abercrombie	Ford	Nadler
Ackerman	Frank (MA)	Neal
Allen	Frost	Oberstar
Andrews	Furse	Obey
Baesler	Gejdenson	Olver
Baldacci	Gephardt	Owens
Barrett (WI)	Gutierrez	Pallone
Becerra	Harman	Pastor
Bentsen	Hastings (FL)	Payne
Blumenauer	Hefner	Pelosi
Bonior	Hinchey	Peterson (MN)
Borski	Jackson-Lee	Pomeroy
Boyd	(TX)	Rangel
Brown (CA)	Jefferson	Roybal-Allard
Brown (OH)	Johnson, E. B.	Sanchez
Capps	Kanjorski	Sanders
Carson	Kaptur	Schumer
Clayton	Kennedy (MA)	Serrano
Condit	Kennedy (RI)	Sherman
Cox	Kilpatrick	Skaggs
Cummings	Lampson	Slaughter
Davis (FL)	Levin	Stark
DeFazio	Lewis (GA)	Stenholm
DeGette	Lofgren	Strickland
Delahunt	Lowey	Stupak
DeLauro	Maloney (NY)	Tauscher
Deutsch	Manton	Thurman
Dingell	Markey	Tierney
Doggett	Matsui	Torres
Doyle	McCarthy (NY)	Towns
Edwards	McDermott	Turner
Engel	McGovern	Velazquez
Ensign	McNulty	Vento
Eshoo	Meehan	Waters
Evans	Miller (CA)	Wexler
Farr	Mink	Weygand
Fattah	Moakley	Woolsey
Filner	Murtha	

NOES—295

Aderholt	Cubin	Hilleary
Archer	Cunningham	Hilliard
Armey	Danner	Hinojosa
Bachus	Davis (IL)	Hobson
Ballenger	Davis (VA)	Hoekstra
Barcia	Deal	Holden
Barr	DeLay	Hooley
Barrett (NE)	Dellums	Horn
Bartlett	Diaz-Balart	Horstettler
Barton	Dickey	Houghton
Bass	Dicks	Hoyer
Bateman	Dixon	Hulshof
Bereuter	Dooley	Hunter
Berry	Doolittle	Hutchinson
Billray	Dreier	Hyde
Billirakis	Duncan	Inglis
Bishop	Dunn	Istook
Blagojevich	Ehlers	Jackson (IL)
Blunt	Ehrlich	Jenkins
Boehlert	Emerson	John
Boehner	English	Johnson (CT)
Bonilla	Etheridge	Johnson (WI)
Bono	Everett	Jones
Boswell	Ewing	Kasich
Boucher	Fawell	Kelly
Brady	Flake	Kildee
Brown (FL)	Foley	Kim
Bryant	Forbes	Kind (WI)
Bunning	Fowler	King (NY)
Burr	Fox	Kingston
Burton	Franks (NJ)	Klecza
Callahan	Frelinghuysen	Klink
Calvert	Gallely	Klug
Camp	Ganske	Knollenberg
Campbell	Gilchrest	Kolbe
Cannon	Gillmor	Kucinich
Cardin	Gilman	LaHood
Castle	Goode	Lantos
Chabot	Goodlatte	Largent
Chambliss	Goodling	Latham
Chenoweth	Gordon	LaTourette
Christensen	Goss	Lazio
Clay	Graham	Leach
Clement	Green	Lewis (CA)
Clyburn	Greenwood	Lewis (KY)
Coble	Gutknecht	Lipinski
Coburn	Hall (OH)	Livingston
Collins	Hall (TX)	LoBiondo
Combest	Hamilton	Lucas
Cook	Hansen	Luther
Cooksey	Hastert	Maloney (CT)
Costello	Hastings (WA)	Manzullo
Coyne	Hayworth	Mascara
Cramer	Hefley	McCarthy (MO)
Crane	Herger	McCollum
Crapo	Hill	McCrery

McDade	Price (NC)	Smith, Adam
McHale	Pryce (OH)	Smith, Linda
McHugh	Quinn	Snowbarger
McIntosh	Radanovich	Snyder
McIntyre	Rahall	Solomon
McKeon	Ramstad	Souder
McKinney	Redmond	Spence
Meek	Regula	Spratt
Menendez	Reyes	Stabenow
Metcalf	Riggs	Stearns
Mica	Riley	Stump
Millender-	Rivers	Sununu
McDonald	Rodriguez	Talent
Miller (FL)	Roemer	Tanner
Minge	Rogan	Tauzin
Mollohan	Rogers	Taylor (MS)
Moran (KS)	Rothman	Taylor (NC)
Morella	Roukema	Thomas
Myrick	Royce	Thompson
Nethercutt	Rush	Thornberry
Neumann	Ryun	Thune
Ney	Sabo	Tiahrt
Northup	Salmon	Trafficant
Norwood	Sandlin	Upton
Nussle	Sanford	Visclosky
Ortiz	Sawyer	Walsh
Oxley	Saxton	Wamp
Packard	Scarborough	Watkins
Pappas	Schaefer, Dan	Watt (NC)
Parker	Schaffer, Bob	Watts (OK)
Pascrell	Scott	Weldon (FL)
Paul	Sensenbrenner	Weldon (PA)
Paxon	Sessions	Weller
Pease	Shadegg	White
Peterson (PA)	Shaw	Whitfield
Petri	Shays	Wicker
Pickering	Shimkus	Wise
Pickett	Shuster	Wolf
Pitts	Sisisky	Wynn
Pombo	Skeen	Yates
Porter	Smith (MI)	Young (AK)
Portman	Smith (NJ)	Young (FL)
Poshard	Smith (TX)	

NOT VOTING—26

Baker	Gibbons	Moran (VA)
Berman	Gonzalez	Rohrabacher
Bilely	Granger	Ros-Lehtinen
Buyer	Johnson, Sam	Schiff
Canady	Kennelly	Skelton
Conyers	LaFalce	Smith (OR)
Fazio	Linder	Stokes
Foglietta	Martinez	Waxman
Gekas	McInnis	

□ 1208

Ms. SANCHEZ, Ms. JACKSON-LEE of Texas and Ms. ROYBAL-ALLARD changed their vote from "no" to "aye".

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GIBBONS. Madam Speaker, on rollcall No's. 480 and 481. I was unavoidably detained due to a medical emergency. Had I been present, I would have voted "yes" on rollcall vote 480 and "no" on rollcall vote 481.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2267.—Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2267) "An Act making appropriations for the Departments of

Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GREGG, Mr. STEVENS, Mr. DOMENICI, Mr. MCCONNELL, Mrs. HUTCHISON, Mr. CAMPBELL, Mr. COCHRAN, Mr. HOLLINGS, Mr. BYRD, Mr. INOUE, Mr. BUMPERS, Mr. LAUTENBERG, and Ms. MIKULSKI, to be the conferees on the part of the Senate.

PROVIDING FOR CONSIDERATION OF H.R. 1127, NATIONAL MONUMENT FAIRNESS ACT

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

Madam Speaker, this is a modified closed rule. It will allow for consideration of H.R. 1127, which is a bill that amends the 1906 Antiquities Act to limit the ability of the President to establish national monuments. As the gentleman from New York [Mr. SOLOMON] described, this rule provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Resources.

Under this rule, five amendments printed in the committee report are allowed, each debatable for 10 minutes. No other amendments may be offered.

First of all, I do want to thank the members of the Committee on Rules and the gentleman from New York for making in order most of the amendments that were submitted, including four Democratic amendments.

Unfortunately, Members were notified on Thursday, September 25, that they had until Monday noon to submit amendments. That is only 2 working days. This modified closed rule only permits amendments that were submitted in advance, and these will be debated under severe time restraints. Thus, the House is denied the opportunity for full and fair debate normally permitted under an open rule.

On rare occasions, these restrictions are acceptable for matters of the highest priority or when urgent House action is required. However, this bill fits neither requirement. The bill was reported more than 2 months ago, and the House could have taken it up at any time.

Madam Speaker, this bill is not only low priority, it is entirely unnecessary in my opinion. This measure eliminates the President's ability to create new national monuments under 50,000 acres without specific congressional approval. However, Congress already has the power to add to, change, or reverse the designation of national monuments.

The bill would tie the President's hands in dealing with threats to our Nation's natural, historic, and scientific resources. If we pass the bill, the President will certainly veto it.

Madam Speaker, I reserve the balance of my time.