

# AUTHORIZING USE OF CAPITOL GROUNDS FOR WASHINGTON FOR JESUS 1996 PRAYER RALLY

Mr. GILCHREST. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 166) authorizing the use of the Capitol Grounds for Washington for Jesus 1996 prayer rally.

The Clerk read as follows:

H. CON. RES. 166

Whereas One Nation Under God, Inc. has sponsored two previous prayer rallies entitled Washington for Jesus in the city of Washington and plans a third such event over a two-day period on April 29 and 30, 1996;

Whereas public assembly for giving thanks and praying for the United States is a tradition in this Nation dating from before the Nation's founding and commemorated each year by a national Thanksgiving holiday; and

Whereas the Washington for Jesus prayer rally provides for the peaceable assembly and public expression of peoples of all faiths to pray and give thanks for the United States: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),*

## SECTION. 1. USE OF CAPITOL GROUNDS FOR WASHINGTON FOR JESUS 1996 PRAYER RALLY.

(a) IN GENERAL.—One Nation Under God, Inc. (in this resolution referred to as the "sponsor") shall be permitted to sponsor a public event (in this resolution referred to as the "event") over a two-day period on April 29 and 30, 1996 (plus one day before and one day after the event to fully accommodate for setup, takedown, and cleanup).

(b) TERMS AND CONDITIONS.—The event shall be free of any admission charge to the public and arranged so as not to interfere with the needs of Congress, subject to conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board. The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

(c) STRUCTURES AND EQUIPMENT.—For the purposes of this resolution, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and related structures and equipment as may be required to conduct the event, subject to approval of the Architect of the Capitol.

(d) ADDITIONAL ARRANGEMENTS.—The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements as may be necessary to carry out the event consistent with good order, public health, safety, and protection of the Capitol and the Capitol Grounds.

## SEC. 2. SPONSORSHIP OR ENDORSEMENT.

Nothing contained in this resolution shall be construed as an endorsement of the sponsor or the event (or any related activities or expressions, religious or otherwise). The sponsor shall not represent either directly or indirectly that this resolution or any activity carried out under this resolution in any way constitutes approval or endorsement by the United States Government, or any of its agencies, of any activity or expression, religious or otherwise, of the sponsor or the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland [Mr. GILCHREST] and the gentleman from Minnesota [Mr. OBERSTAR] will each be recognized for 20 minutes.

The Chair recognizes the gentleman from Maryland [Mr. GILCHREST].

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

Mr. Speaker, I rise in support of House Concurrent Resolution 166; a resolution to authorize the use of the Capitol Grounds for the 1996 prayer rally.

The first rally took place in 1980 and drew approximately 750,000 people. The second one in 1988 was somewhat smaller at approximately 500,000 people.

Both of these rallies took place on the Mall and were conducted under permits issued by the National Park Service.

The Capitol Police Board has notified the organization that because of the extent of the event, Congressional authorization this time is necessary.

On April 18, 1996, Congressman STOCKMAN introduced House Concurrent Resolution 166 which would authorize the use of Capitol Grounds for the 1996 prayer rally. Pursuant to the resolution the sponsor, would be authorized to sponsor an event on the Capitol Grounds on April 29, and April 30. This would include 1 day before and 1 day after the event for set up, take down, and clean up.

The event would be conducted without any admission charge to the public and would be arranged so as not to interfere with congressional activities. It would be subject to the conditions prescribed by the Architect of the Capitol and the Capitol Police Board.

The resolution would require the sponsor to assume full responsibility for the expenses and liabilities associated with the event. The resolution would also authorize the sponsor to erect stage, and sound amplification devices, and related structures and equipment required to conduct the rally, subject to the approval of the Architect of the Capitol.

The Architect of the Capitol and the Capitol Police Board would be authorized to make any additional arrangements necessary to carry out the event in order to protect order, public health, safety, and property.

Finally, the resolution states that the resolution does not either directly or indirectly, endorse the sponsor or any related activities or expressions, religious or otherwise. Further, the sponsor may not represent that the resolution or any activity carried out under it constitutes endorsement by the U.S. Government or any of its agencies.

Mr. Speaker, I urge adoption of this resolution.

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

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

Mr. Speaker, I support the concept underlying this resolution, the principle that any group, including religious organizations, should have the same rights to use the Capitol grounds to express their views as other organizations.

I do not have a problem with the basic purpose of the resolution under consideration. But I do have very serious concerns about process, about lack of process, and that is the reason that

I objected, or said I would object, to the proposal to bring up this resolution under unanimous consent procedures.

We are facing today what we faced when the proposal was made for unanimous consent procedure as another example of the leadership in this body steamrolling hastily drafted legislation through the House without an opportunity for the legislation to be reviewed either by the committee of jurisdiction or by the House itself. This has been the rule, not the exception. I went back and checked. Of the 16 bills considered under rules this year, 11, or 72 percent, have been brought to the floor without any committee reporting them; 72 percent of bills brought under a rule were brought to the floor without a committee having considered them, and that includes the crime bill, two continuing resolutions, and the constitutional amendment on taxation.

Mr. Speaker, the same pattern of bypassing the normal legislative process is evident in unanimous consent requests. According to the House Information Resources, which I asked to review this matter, of the 25 measures brought to the House under unanimous consent during this Congress, 21, 84 percent, were not reported by the committee of jurisdiction. In fact, 16 of the 21 had no committee action at all.

Now, this is not, and I am not talking about a matter of committee jurisdiction, I am not talking about a matter of turf. I am talking about a matter that goes to the very essence of a deliberative body. There ought to be free, fair, and open discussion of the matters that come before the House. The committee is the filtering process, the filtering organization where issues of state are aired and discussed and given opportunity for people to ask questions, to find out who is behind the legislation, what its purpose is, who are its sponsors.

We had no advance notice in this committee, the Committee on Transportation and Infrastructure, which has jurisdiction over this matter, about this issue. None of the sponsors of the organization came before our committee, nor to me individually, nor do I know whether they came, nor does it matter whether they came, to see the leadership on the committee. The point is we have had before our committee matters in which other organizations have wanted to use the Capitol grounds for their purposes, had the Soap Box Derby, we had the Olympic Torch organization.

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Mr. Speaker, we have had the stock car people that wanted to have a display on the Capitol grounds. Those were all aired, they were discussed, they were reviewed. We had questions, we raised those questions. Members' concerns were satisfied. That is the way the committee process should

work, an opportunity for all of us; not just us but through us, the public, who will be affected by the legislation, to understand what this legislation is, who is behind it and what is behind it.

When we do not have that process, all of us suffer as a result. I have been very much a stickler for process, as members of the Committee on Transportation and Infrastructure know, for 20 years. This is not something new. However, this example of bypassing the committee process is unwarranted, unreasonable, and it is unnecessary. Frankly, I think it is an abuse visited upon the chairman of the subcommittee, a very fair, decent, scholarly, and thoughtful person. He did not have an opportunity to discuss this matter in committee, to exercise his jurisdiction.

Now we find out, Mr. Speaker, just in the last couple of days, that it was known way back in February that this prayer rally would need a resolution of Congress to waive limitations imposed by Capitol Police regulations on use of the Capitol grounds. Why was the resolution not introduced at that time? I am not asking the gentleman, I am just raising the question. Why was the resolution not introduced then? If it had been, the leadership knew this was a problem. We could have followed the proper process of review, consideration, discussion, air the matter.

Mr. Speaker, who is behind this? Who are the groups? Who are the religious organizations? Who are they that want to use these grounds, and for what purpose? We should have been informed right from the beginning, when there would have been time to ask questions and inform our Members, inform the public. Instead, nothing was done until a week before the event, and then late last week, a proposal to bring this resolution up by unanimous consent, and we had no knowledge of who is behind it and what it is all about.

Mr. Speaker, I respect every person's right to pray in the way that they wish to pray, and I respect wanting to use a public event for that purpose. It is not my way, it is some other people's way, but that is fine, and I respect it.

However, Mr. Speaker, I want to ask the chairman of the subcommittee: Will the rally be allowed to construct different structures than are permitted by the regulations?

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

Mr. OBERSTAR. I yield to the gentleman from Maryland.

Mr. GILCHREST. Mr. Speaker, I respect the concerns of the gentleman from Minnesota [Mr. OBERSTAR] about the process, and I will try to address some of those concerns. To specifically answer his question, the rally will not be able to construct any structure that is not permitted under the regulations.

Mr. OBERSTAR. Mr. Speaker, I would ask the gentleman: Will the rally or its members or its participants be permitted to sell goods on the Capitol grounds?

Mr. GILCHREST. Mr. Speaker, I would say to the gentleman, no goods

will be able to be sold whatsoever on the Capitol grounds.

Mr. OBERSTAR. Will fundraising for the organizations involved be permitted?

Mr. GILCHREST. There will be no fundraising activities involved under this permit.

Mr. OBERSTAR. I thank the gentleman, Mr. Speaker.

Will the rally be permitted to claim that in any way Congress endorses the sponsoring organization or endorses the rally or its purposes?

Mr. GILCHREST. No. Mr. Speaker, as I said in my opening remarks, the rally will not be able to claim endorsement by the Congress for any of their activities.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for his responses. Those are reassuring and very helpful.

Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio [Mr. TRAFICANT], the ranking member of the Subcommittee on Public Buildings and Economic Development of the Committee on Transportation and Infrastructure.

Mr. TRAFICANT. Mr. Speaker, I have many of the same concerns that I guess have been voiced by the gentleman from Minnesota [Mr. OBERSTAR]. I have complete confidence in the gentleman from Maryland [Mr. GILCHREST]. I am sure many of these issues he has made decisions that are appropriate.

Mr. Speaker, the only thing I would like to say is that, even though it is not a major event, there is a process that is involved. Once we start to deviate from that process, there could be things that could develop that may at some point come back to maybe embarrass the Congress. So I am not going to stand in apposition, and I have complete confidence that the gentleman from Maryland has probably reviewed this well, and I can at this particular point accept this.

In the future, however, Mr. Speaker, I think the words of caution from the gentleman from Minnesota should be well taken, not just on this committee but on every committee. Once we start, no matter how we look at any particular issue, some certainly much more serious in nature and presenting more of a problem to the Congress than others, nevertheless, there sometimes could be things developed that set a precedent, and then people begin to talk about being treated differently.

I am from the old school, and I think all people should be treated alike. That is one of the reasons why Vince Lombardi was loved so much. He treated everybody alike. Willie Davis said, "He treated us all alike; like dogs, but all alike." I think the Congress must do that and ensure that we do that. We have a process. I think we should adhere to that process.

Mr. Speaker, I have no opposition, I would say to the chairman of the subcommittee. I would like to echo, though, and associate myself with the

remarks of the gentleman from Minnesota. I think it was wise counsel. I hope in the future we could adhere to that counsel. I think it makes a lot of sense.

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

Mr. Speaker, I would like to address the issue that the gentleman from Ohio [Mr. TRAFICANT] and the gentleman from Minnesota [Mr. OBERSTAR] raised. I would like to extend my concurrence with the gentleman's sense of concern about the process not being followed.

I would also like to extend an invitation to work with both of the gentlemen, starting right now, that the process for these kinds of resolutions not be superseded, so that we get the information in a timely fashion and the committee process can fully review some of these reservations and some of these activities.

Mr. Speaker, this particular activity was brought to our attention very recently. This particular activity, this prayer rally, is going to happen, I believe, next Monday. So as a result of that, we have been asked to expedite this process. When we were asked to do that, we looked into a number of other activities that were very similar to this activity over the years.

There have been numerous prayer rallies on the Capitol Grounds very similar to this particular activity that is occurring next Monday. The only difference is that this activity will go beyond 24 hours. As a result of that extension of time, it is necessary for the permit to go through the Congress, as opposed to the permit just going through the Capitol Police.

In the future, however, Mr. Speaker, whenever an extension of time like this is necessary, I would like to work with the gentlemen, the gentleman from Ohio [Mr. TRAFICANT] and the gentleman from Minnesota [Mr. OBERSTAR], to make sure the process is not superseded, that we go through the committee process, and all of the concerns the Members have raised here today would be fully aired in this process.

Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. STOCKMAN].

Mr. STOCKMAN. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I just want to point out to the gentleman that from what I understand, the Capitol Police knew about the rally for 2 years, and the organizers were not notified until February. They got ahold of us soon thereafter. We were working on the legislation, so we expedited it as quickly as we were notified by the Capitol Police. But from our understanding, the Capitol Police knew about it for 2 years and they did not tell them they had this requirement until February.

I agree with what some of what the Members said, in that we would try to obey the process. We will ask also, too, for the record, that the Capitol Police

set out policies in advance that are known to the organizers.

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

Mr. Speaker, I hope the rally is conducted in a way that will make all of us proud.

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

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

Mr. Speaker, I appreciate the remarks of the gentleman from Texas [Mr. STOCKMAN]. I would simply observe that if it was known in February, in our committee we work on a very bipartisan, cooperative basis. Had our side known about this, and had the gentleman from Maryland [Mr. GILCHREST] been fully informed about it at the time, we could have long ago resolved this matter in an appropriate, proper fashion.

I say this out of deep respect for the gentleman from Maryland, who is scholarly and thoughtful, professorial, deliberative in all his works, and for our full committee chair, the gentleman from Pennsylvania [Mr. SHUSTER] who has endeavored mightily to be open and fair and inclusive in the spirit of our committee over all of its years. It is painful to see something like this happen, in derogation of the committee process.

Again, to repeat, committees are supposed to be the filtering mechanism in this body, to provide information through us to the public, so people know and openly have an understanding of what we are about to do and what legislation we are about to enact, what access we are about to provide for this very precious Capitol Grounds.

I am glad that we have had this discussion. It would have been better to have had it in committee. We could have brought the bill to the floor, I think, knowing what we know now, under that unanimous consent procedure that was proposed, but I appreciate the gentleman from Maryland's willingness to make the effort in the future. I think the leadership of the House needs to operate in the same way.

In closing, I wish the sponsors of the rally a prayerful success.

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

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

The SPEAKER pro tempore (Mr. UPTON). The question is on the motion offered by the gentleman from Maryland [Mr. GILCHREST] that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 166.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. GILCHREST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 166, the concurrent resolution just agreed to.

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

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the Chair will now put the question on each motion to suspend the rules on which further proceeding were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order: H.R. 1965, de novo; H.R. 2160, de novo; and H.R. 1772, de novo.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

#### COASTAL ZONE PROTECTION ACT OF 1996

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1965, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey [Mr. SAXTON] that the House suspend the rules and pass the bill, H.R. 1965, as amended.

The question was taken.

Mr. LONGLEY. 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 I, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the additional motions to suspend the rules on which the Chair had postponed further proceedings.

The vote was taken by electronic device, and there were—yeas 407, nays 0, not voting 25, as follows:

[Roll No. 127]

YEAS—407

Abercrombie  
Ackerman  
Andrews  
Archer  
Armey  
Bachus  
Baesler  
Baker (CA)  
Baker (LA)  
Baldacci  
Ballenger  
Barcia  
Barrett (NE)

Barrett (WI)  
Bartlett  
Bartlett  
Barton  
Bass  
Bateman  
Becerra  
Beilenson  
Bentsen  
Bereuter  
Berman  
Bevill  
Billbray  
Bilirakis

Bishop  
Bliley  
Blute  
Boehlert  
Boehner  
Bonilla  
Bonior  
Bono  
Borski  
Boucher  
Brewster  
Browder  
Brown (CA)

Brown (FL)  
Brown (OH)  
Brownback  
Bryant (TN)  
Bunn  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Cardin  
Castle  
Chabot  
Chambliss  
Chapman  
Chenoweth  
Christensen  
Chrysler  
Clay  
Clayton  
Clement  
Clinger  
Clyburn  
Coble  
Coburn  
Coleman  
Collins (GA)  
Collins (MI)  
Combest  
Condit  
Conyers  
Cooley  
Costello  
Cox  
Cramer  
Crane  
Crapo  
Cremeans  
Cubin  
Cunningham  
Danner  
Davis  
Deal  
DeFazio  
DeLauro  
DeLay  
Dellums  
Deutsch  
Diaz-Balart  
Dickey  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doolittle  
Dornan  
Dreier  
Duncan  
Dunn  
Durbin  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Engel  
Ensign  
Eshoo  
Evans  
Everett  
Ewing  
Farr  
Fawell  
Fazio  
Fields (LA)  
Fields (TX)  
Filner  
Flanagan  
Foley  
Forbes  
Fowler  
Fox  
Frank (MA)  
Franks (CT)  
Franks (NJ)  
Frelinghuysen  
Frisa  
Frost  
Funderburk  
Furse  
Gallegly  
Ganske  
Gejdenson  
Gekas  
Gephardt

Geren  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Gonzalez  
Goodlatte  
Gordon  
Goss  
Graham  
Green (TX)  
Greene (UT)  
Gunderson  
Gutierrez  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hamilton  
Hancock  
Hansen  
Harman  
Hastert  
Hastings (FL)  
Hayes  
Hayworth  
Hefley  
Hefner  
Heineman  
Herger  
Hilleary  
Hilliard  
Hinchey  
Hobson  
Hoekstra  
Hoke  
Holden  
Horn  
Hostettler  
Houghton  
Hoyer  
Hunter  
Hyde  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jacobs  
Johnson (CT)  
Johnson (SD)  
Johnson, E. B.  
Johnson, Sam  
Johnston  
Jones  
Kanjorski  
Kaptur  
Kasich  
Kelly  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kim  
King  
Kingston  
Klecza  
Klink  
Klug  
Knollenberg  
Kolbe  
LaFalce  
LaHood  
Lantos  
Largent  
Latham  
LaTourette  
Laughlin  
Lazio  
Leach  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Lightfoot  
Lincoln  
Linder  
Lipinski  
Livingston  
LoBiondo  
Lofgren  
Longley  
Lowey  
Lucas  
Luther  
Maloney  
Manton  
Manzullo  
Markey  
Martinez  
Martini

Mascara  
Matsui  
McCarthy  
McCollum  
McCrery  
McDermott  
McHale  
McHugh  
McInnis  
McIntosh  
McKeon  
McKinney  
McNulty  
Meehan  
Meek  
Metcalf  
Meyers  
Mica  
Millender-McDonald  
Miller (CA)  
Miller (FL)  
Minge  
Mink  
Moakley  
Molinari  
Mollohan  
Montgomery  
Moorhead  
Moran  
Morella  
Murtha  
Myers  
Myrick  
Nadler  
Neal  
Nethercutt  
Neumann  
Ney  
Norwood  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Orton  
Owens  
Oxley  
Packard  
Pallone  
Parker  
Pastor  
Paxon  
Payne (NJ)  
Payne (VA)  
Pelosi  
Peterson (FL)  
Peterson (MN)  
Petri  
Pickett  
Pombo  
Pomeroy  
Porter  
Portman  
Poshard  
Pryce  
Quillen  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Reed  
Regula  
Richardson  
Riggs  
Rivers  
Roberts  
Roemer  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rose  
Roth  
Roukema  
Roybal-Allard  
Royce  
Sabo  
Salmon  
Sanders  
Sanford  
Sawyer  
Saxton  
Scarborough  
Schaefer  
Schiff  
Schroeder  
Schumer  
Scott