authorizing funding for fighting as well as improving the methods to fight the introduction and spread of invasive species in U.S. Waters.

Finally, I want to extend my thank you to the gentleman from Ohio [Mr. LATOURETTE], the gentleman from Minnesota [Mr. OBERSTAR], the gentleman from Tennessee [Mr. CLEMENT], the gentleman from New York [Mr. BOEHLERT], the gentleman from North Carolina [Mr. COBLE], and the gentleman from Pennsylvania [Mr. BORSKI], for moving forward this important legislation. I urge the passage of H.R. 3217.

Mr. DINGELL. Mr. Speaker, I rise today as a cosponsor and strong supporter of H.R. 3217, the National Invasive Species Act.

As a cochair of the House Great Lakes Task Force and a citizen of the Great Lakes State, I know all too well how much damage can be caused by nonindigenous, or non-native, nuisance species. Even as our Great Lakes have made a tremendous comeback from industrial and other pollution as a result of the Clean Water Act, we continue to see a significant threat from biological invasions. Over the past few decades these invasions have included the sea lamprey, the zebra mussel, and the Eurasian ruffe.

My colleagues may remember the lively floor debate that took place during consideration of the Commerce-Justice-State appropriations bill over funding for sea lamprey control. The sea lamprey is an eel-like creature that attaches itself to lake fish. With federal assistance, we have been somewhat successful at controlling sea lamprey infestation, meaning the preservation of a multi-billion dollar fishery. Despite the best efforts of the Great Lakes Fishery Commission (GLFC), however, the lamprey still exist in the lakes and remain a threat to be controlled.

Most commonly known today is the zebra mussel, which became widely known in 1989 when millions of the mussels became encrusted in the water intake in Monroe, MI, threatening Monroe's water supplies for several days. Since that time, the mussel has clogged other water supply intakes on American and Canadian shores, creating drinking water shortages and public safety hazards. Power plants, industrial cooling operations, and other large water users now spend an average of almost $400,000 per year to keep their investments clear of the zebra mussel.

Since 1989, the zebra mussel has spread throughout much of the nation, threatening waterways from coast to coast. According to Dr. Alfred M. Beeton, Acting Chief Scientist at that National Oceanic and Atmospheric Administration (NOAA), the rapid growth of the zebra mussel has caused not only added business costs for big industry, but for small intakes as well. The filtering activities of the zebra mussel, while increasing water clarity, have taken away desirable algae by 86 percent while helping bring the amount of native clams in Lake Erie and Lake St. Clair to near-extinction.

As a result of the Great Lakes problem, Congress passed the Non-Indigenous Aquatic Nuisance Prevention and Control Act of 1990 (P.L. 101–646). While this act has been successful, more efforts are needed to help States and communities nationwide control the biological integrity of their waters. The National Invasive Species Act will achieve that by establishing a national ballast plan for ships entering our seaports, lakes, and rivers. It also authorizes greatly needed funding to further research ways to prevent and control the growth of nonindigenous species.

This research will be carried out in part by the Great Lakes Environmental Research Laboratory (GLERL) in Ann Arbor, MI, in cooperation with several universities under the National Sea Grant College Program and other agencies.

Mr. Speaker, the National Invasive Species Act provides necessary help to States, cities, and industry while helping protect our native plant, animal and aquatic species. I urge my colleagues to support its passage.

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

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

The SPEAKER pro tempore (Mr. GUNDERSON). The question is on the motion offered by the gentleman from New York [Mr. BOEHLERT] that the House suspend the rules and pass the bill, H.R. 3217, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. BOEHLERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and that I may include extraneous material on the bill just passed.

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

There was no objection.

## REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2202, ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT OF 1996

Mr. QUILLEN from the Committee on Rules, submitted a privileged report (Report No. 104–829) on the resolution (H. Res. 528) waiving points of order against the conference report to accompany the bill (H.R. 2202) to amend the Immigration and Nationality Act to improve deterrence of illegal immigration to the United States by increasing border patrol and investigative personnel, by increasing penalties for alien smuggling and for document fraud, by reforming exclusion and deportation law and procedures, by improving the verification system for eligibility for employment, and through other measures, to reform the legal immigration system and facilitate legal entries into the United States, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 3259, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1997

Mr. QUILLEN, from the Committee on Rules, submitted a privileged report (Rept. No. 104–830) on the resolution (H. Res. 529) waiving points of order against the conference report to accompany the bill (H.R. 3259) to authorize appropriations for fiscal year 1997 for intelligence and intelligence-related activities of the U.S. Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## WAIVING REQUIREMENT OF CLAUSE 4(b) OF RULE XI WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. QUILLEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 525 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 525

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

(1) A bill or joint resolution making general appropriations for the fiscal year ending September 30, 1997, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

(2) A bill or joint resolution that includes provisions making continuing appropriations for fiscal year 1997, any amendment thereto, any conference report thereon, or any amendment reported in disagreement from a conference thereon.

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

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

Mr. SOLOMON. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], pending which I yield myself such time as I may consume. During consideration of the resolution, all time yielded is for the purpose of debate only.

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

Mr. SOLOMON. Mr. Speaker, House Resolution 525 is the customary rule

we consider towards the end of a session to permit the House to expedite its business and adjourn. The rule does two things.

First, it permits same day consideration of special rules for the consideration of general and continuing appropriations measures, amendments thereto or conference reports thereon.

Second, it makes in order to consider motions to suspend the rules on any day during the remainder of the session, provided 1 hour's advance notice is given from the floor and the Speaker or his designee consults with the minority leader or his designee.

Mr. Speaker, as I mentioned in the Committee on Rules last Thursday when we considered this rule, I am not a big advocate of such expedited procedure rules such as this. I was not when I was the minority leader and I still am not now that I am in the majority.

Members still have a right to know what it is that they are being asked to vote on, notwithstanding the desire to complete our business and return home to our families and to our constituents in the remaining 6 weeks before the upcoming election.

Last Thursday in the Committee on Rules I expressed my agreement with the gentleman from Massachusetts [Mr. MOAKLEY] that these special rules for expedited procedures on appropriations and suspension measures should be used sparingly and they should be used judiciously, and they are going to be if I have anything to say about it, and I will.

I indicated my support for giving Members the maximum possible notice of the scheduling of any matters under these special procedures and the opportunity to review the text of legislation they will be voting on.

Last Thursday, in announcing the program for this week on the floor, the majority leader echoed those same sentiments, and he expressed the hope that it would not even be necessary to use the extra suspension days afforded by this resolution that we are considering right now.

If it does become necessary to utilize these special suspension days, this resolution does provide some safeguards, including at least 1 hour's advance notice of any suspension to be scheduled and also the required consultation between the Speaker and the minority leader or their designees on the scheduling of such suspension bills.

Mr. Speaker, I think it is also worth pointing out that there are three House rules, and if Members are listening in their offices, they ought to pay attention to this, there are three House rules that already exist that are of a similar nature as their resolution but are impractical, in effect, because of how they are worded. Let me explain that.

The first is found in House and rule XI, clause 4(b), which requires a two-thirds vote on the same day consideration of rules from the Committee on Rules. The rule goes on, however, to say that, and I quote, ''this provision shall not apply during the last 3 days of the session.'' During the last 3 days of the session. When is that?

The problem with that is that we do not really know what are the last 3 days of the session until both Houses have passed a sine die adjournment resolution that contains a date certain for adjournment. We all hope that the next 3 days will be the last of this session, but we do not know that for certain.

As Yogi Berra put it one time, ''It ain't over till it's over,'' and I wish I knew when it was going to be over. I hope it is going to be over this Friday.

Now, the second rule is House rule XXVII, which deals with consideration of measures under the suspension of the rules procedure. Clause 1 of that rule says that it is in order for the Speaker to entertain motions to suspend the rules, and I quote, ''on Mondays and Tuesdays, and during the last 6 days of the session.''

But, again, we do not know yet which are the last 6 days of the session without an adjournment resolution in place. Is it going to be tomorrow, Thursday, Friday, Saturday, Sunday, Monday? We just do not know that, and yet we have to expedite these matters, and that is why we have this kind of rule on the floor right now.

Finally, rule XXVIII, which deals with conference reports, requires in clause 2(a) that it is not in order to consider conference reports until the 3d day of their availability. That is what the rule says. But it goes on to say, and I quote again, ''the preceding provisions do not apply during the last 6 days of the session.''

□ 1745

Think about that.

In conclusion, Mr. Speaker, I think it can be seen from the standing House rules that I have just quoted that this resolution is not really a marked departure from those rules. It only makes such rules a practical working reality, whereas now they are not due to the lack of an adopted adjournment resolution. If you want to go ahead and adopt a resolution, that is fine with me; but absent that, we still have to do the people's work. We have to get these appropriations conference reports passed into law.

Mr. Speaker, let me conclude by reiterating my earlier expressed hope that these special procedures are used sparingly, that they are used judicially so that Members will have an opportunity to consider any measure brought under these procedures in an informed and deliberative manner.

This rule was adopted by the Committee on Rules by voice vote, though it was not a unanimous vote. I appreciate the cooperation of our ranking minority member [Mr. MOAKLEY] in allowing us to schedule this as an emergency matter on such short notice as last Thursday. He was trying to cooperate so that we can get out of here. I hope this will enable us to complete the work of this historic Congress this week and return to our constituents with a record of accomplishment of which I personally am very proud, particularly with the line item veto that we finally, once and for all, had signed into law and is now the law of the land.

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

Mr. MOAKLEY. Mr. Speaker, I thank my colleague from New York [Mr. SOLOMON] for yielding me the customary half hour, and I yield myself such time as I may consume.

Mr. Speaker, this bill is a very very bad idea.

It gives the Republican leadership carte blanche to bring up just about anything they want just about whenever they want.

It is a very powerful tool and I urge my colleagues to oppose it.

Now I am not saying, Mr. Speaker, that martial law is always a bad idea, in fact when a session is coming to a close and a lot of bills need to be finished it can be useful on a short-term case-by-case basis, let me repeat that Mr. Speaker, martial law can be useful on a short term case-by-case basis, in which bills are specified by name.

But martial law is very dangerous when applied as a blanket over the end of the session.

In fact, last time the Republicans imposed martial law it lasted for 4 months from November 15 to March 15 during that time the U.S. Government was closed twice for a total of 27 days.

Mr. Speaker, martial law was a bad idea then and it's a bad idea now.

It takes away the normal protection afforded the minority and it keeps Members from adequately looking bills over before they vote on them. We have no way to make sure that bills are what they appear to be and that can be serious.

Under this rule, the Republican leadership can bring up a bill under suspension of the rules for the remainder of this session. All they need to do is give 1 hour's notice.

Mr. Speaker, this can be a very dangerous way of passing legislation, anything could be stuck in these suspension bills and, in all likelihood, Members won't be the wiser until it's too late.

This rule which suspends many of the protections of the House can lead to serious abuses of the democratic process and it can further undermine the credibility of the Republican leadership.

I urge my colleagues to defeat this rule.

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

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

Mr. Speaker, everybody knows I dearly love my counterpart over on the Committee on Rules, JOE MOAKLEY. He is a delightful fellow, but I just have to take exception with some of the things he said.

I am looking at an article in what is called the Hill newspaper, I guess it is

Roll Call. It is entitled, ''In Adjournment Push, Martial Law Declared.'' It is written by a Jennifer Bradley. She quotes Mr. MOAKLEY at length in this article. She does not bother to quote me. Otherwise, I would have been glad to set the record straight.

Let me set that record straight, Mr. Speaker, because there really has been some disinformation circulated to the popular press by some under-informed staff on the other side of the aisle, which my good friend, Mr. MOAKLEY, seems to be espousing some of it right now.

I think it is important to set the record straight, since the press did not bother to check with the majority of our committee on the facts, either with me or with my chief of staff. It was claimed by an unnamed Democrat staff source quoted in yesterday's Roll Call that there are ''significant differences between this martial law rule and one the Democrats pushed through in previous Congresses.''

So let us get the record straight. The staffer is quoted as saying that the main differences between the time it occurred before and now is that before it was only for one bill. This martial law rule will go on until the end of the session. That is what this staffer said.

The Democrat staffer concluded, and I quote again from this article: ''It's sort of a blanket authority for the scariest leadership on earth.''

Boy, those are strong statements. I would just like to invite that staffer to visit places like Iraq or Iran or Libya or Cuba, to name just a few of the other countries, before condemning America in such harsh terms.

The fact is, first of all, Mr. Speaker, that this two-thirds waiver for same day consideration of a rule is not a blanket one. It only applies to rules for continuing or general appropriation bills and conference reports, and we will probably have only two or three such appropriation rules in the remainder of the session. That is all that is left out there.

Second, the fact is that in the past Congresses, the Democrats granted such rules for multiple classes or numbers of bills, six in the 101st Congress and three in the 102d Congress. Who was chairman of the Committee on Rules at that time? My good friend, JOE MOAKLEY. It came out under his leadership.

Third, the Democrats also had rules for extra suspension days in past Congresses that were not confined to single bills, one in the 101st Congress and three in the 102d Congress.

And fourth, Mr. Speaker, the number of expedited procedures or suspension rules granted in this Congress, 11 with today's rule, is identical to the number of two-thirds waiver or suspension rules granted by the Democrats in the last 2 years' Congress. Again, who was the chairman of the Committee on Rules? The gentleman who is standing up here complaining now, the chairman of the Committee on Rules, Mr. JOSEPH MOAKLEY.

In the 101st and 102d Congresses, there were nine such special rules in each Congress that either waived the two-thirdss rule or created extra suspension days, which is really what we are going here on a very, very limited basis.

At the conclusion of my remarks, I will include a list of such special rules in each of the last three Congresses, plus the list for this Congress, Mr. Speaker. I would hope my colleagues on the other side of the aisle would take greater care in doing their own research before they embrace uninformed and sloppy staff reports, because that is really what brought about this Roll Call article.

The fact is, Mr. Speaker, we are today utilizing the same traditional authorities granted by this House in previous Congresses to complete our work on time. There is nothing new, let alone scary about it, unless you are a paranoid, delusional, amnesiac of some kind, and I do not think anybody really is here.

Let us put an end to these exaggerated pre-Halloween scare tactics, face up to the facts and reality of both the past and the present and let us get on with completing the people's business. The people want us out of here, Mr. Speaker. They want us back home to campaign in the last 5 or 6 weeks of this election.

Again, I include for the RECORD the proof of what I have just cited on the 101st Congress, the 102d Congress, 103d Congress, and the 104th Congress:

EXPEDITED PROCEDURE AND EXTRA SUSPENSION DAY RULES REPORTED BY THE RULES COMMITTEE: 101ST–104TH CONGRESSES (1989–96)

101st Congress, 1989–90: (9 rules).

H. Res. 417—Extra suspension day (flag desecration constitutional amendment).

H. Res. 482—Two-thirds waiver (budget resolution, CR).

H. Res. 489—Two-thirds waiver (budget resolution, CR, debt limit).

H. Res. 497—Two-thirds waiver (budget resolution, CR, debt limit).

H. Res. 512—Two-thirds waiver (approps, reconciliation, debt limit).

H. Res. 517—Two-thirds waiver (approps, reconciliation, debt limit).

H. Res. 527—Two-thirds waiver (approps bills, reconciliation, debt limit).

H. Res. 533—Two-thirds waiver (Clean Air Act).

H. Res. 534—Extra suspension days (general).

102nd Congress, 1991–92: (9 rules).

H. Res. 294—Two-thirds waiver (7 specified bills) & extra suspension days (general).

H. Res. 304—Two-thirds waiver (MFN for China conf. rept.).

H. Res. 500—Two-thirds waiver (any rail strike bills).

H. Res. 507—Two-thirds waiver (unemployment comp conf. rept.).

H. Res. 591—Two-thirds waiver (approps bills), conf. rept. waivers, and extra suspension days.

H. Res. 597—Two-thirds waiver (auto theft bill).

H. Res. 425—Extra suspension day (Senate amendment to Older Americans Act).

H. Res. 577—Extra suspension days (MFN for Romania).

H. Res. 591—Two-thirds waiver (approps), conf. rept. waivers, extra suspension days (general).

103rd Congress, 1993–94: (11 rules).

H. Res. 61—Two-thirds waiver (family & medical leave act).

H. Res. 111—Two-thirds waiver (unemployment comp).

H. Res. 142—Two-thirds waiver (budget resolution).

H. Res. 150—Two-thirds waiver (emergency approps).

H. Res. 153—Two-thirds waiver (emergency approps).

H. Res. 322—Two-thirds waiver (Brady bill).

H. Res. 356—Two-thirds waiver (emergency approps).

H. Res. 395—Two-thirds waiver (crime bill).

H. Res. 441—Two-thirds waiver (Foreign ops approps).

H. Res. 522—Two-thirds waiver (Crime bill).

H. Res. 397—Extra suspension days (lobby reform).

104th Congress, 1995–96: (11 rules).

H. Res. 260—Two-thirds waiver (CR, debt limit).

H. Res. 265—Two-thirds waiver (CR).

H. Res. 275—Extra suspension days (general).

H. Res. 276—Two-thirds waiver (reconciliation, approps).

H. Res. 297—Two-thirds waiver (approps, debt limit, reconciliation, Bosnia bill).

H. Res. 342—Two-thirds waiver (approps, debt limit).

H. Res. 386—Two-thirds waiver (approps, debt limit).

H. Res. 412—Two-thirds waiver (approps).

H. Res. 492—Two-thirds waiver (reconciliation).

H. Res. 500—Two-thirds waiver (health care portability bill).

H. Res. 525—Two-thirds waiver (approps) and extra suspension days (general).

Sources: Rules Committee Activity Reports 101st–103rd Congresses; Rules Committee Calendar & House Calendar, 104th Congress.

EXPEDITED PROCEDURE—⅔ WAIVER RULES, 104TH CONGRESS

(Compiled by Rules Committee Majority Staff)

In the 104th Congress, the Rules Committee has reported eleven resolutions allowing for same-day consideration of certain rules. The authority granted by these resolutions has been utilized on twelve occasions.

In the first session, the Rules Committee reported four resolutions allowing for same-day consideration of certain resolutions from the Committee. The authority granted by these resolutions was utilized on five occasions.

In the second session to date, the Rules Committee has reported seven resolutions allowing for same-day consideration of certain resolutions from the Committee. The authority granted was utilized on seven occasions. Two of the resolutions allowed same-day consideration for rules dealing with specific bills. In both of these cases, the authority granted was utilized.

*First Session*

H. Res. 260, waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules.

Provisions: Allowed for same day consideration of rules providing for the consideration of the following: (1) any measure making further continuing appropriations; (2) any measure including provisions increasing or waiving the public debt limit for resolutions reported before November 13, 1995.

Disposed of: Reported on November 9, 1995 (House Report 104–330). Tabled by unanimous consent on December 6, 1995.

Authority Utilized: No.

H. Res. 265, waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules.

Provisions: Allowed for same-day consideration of rules providing for the consideration of any measure making further continuing appropriations for resolutions reported before November 23, 1995.

Disposed of: Adopted by the House on November 15, 1995 by voice vote.

Authority Utilized: (1) H. Res. 270, providing for consideration of H.J. Res. 122, making further continuing appropriations for FY 1996. Reported from the Rules Committee on November 15, 1995. Adopted by the House on November 15, 1995 by a vote of 249–176.

H. Res. 276, waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules.

Provisions: Allowed for same-day consideration of rules providing for the consideration of (1) H.R. 2491, budget reconciliation or (2) any measure making general appropriations for FY 1996 for resolutions reported before November 23, 1995.

Disposed of: Adopted by the House by voice vote on November 18, 1995.

Authority Utilized: (1) H. Res. 279, providing for consideration of the Senate amendment to H.R. 2491, budget reconciliation. Reported from the Rules Committee on November 18, 1995. Adopted by the House on November 18, 1995 by voice vote.

H. Res. 297, waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules.

Provisions: Allowed for same-day consideration of rules providing for consideration of (1) general appropriations measures for FY 1996; (2) a bill or joint resolution making further continuing appropriations for FY 1996; (3) a bill or joint resolution increasing or waiving the public debt limit; (4) a bill providing for a balanced budget by 2002; (5) a bill or resolution relating to Bosnia for resolutions reported during the remainder of the first session of the 104th Congress.

Disposed of: Adopted by the House on December 13, 1995 by a vote of 230–186.

Authority Utilized: (1) H. Res. 301, waiving points of order against the conference report to accompany H.R. 1977, Department of Interior and related agencies appropriations for FY 1996. Reported from the Rules Committee on December 13, 1995. Adopted by the House on December 13, 1995 by a vote of 231–188.

(2) H. Res. 304, providing for debate and consideration of three measures relating to Bosnia. Reported from the Rules Committee on December 13, 1995. Adopted by the House no December 13, 1995 by a vote of 357–70.

(3) H. Res. 317, providing for consideration of H.J. Res. 134, making further continuing appropriations for FY 1996. Reported from the Rules Committee on December 20, 1995. Adopted by the House on December 20, 1995 by a vote of 238–172.

*Second Session*

H. Res. 330, authorizing the Speaker to declare recesses subject to the call of the Chair, and waiving a requirement of clause 4(b) of rule XI with respect to certain resolutions reported from the Rules Committee.

Provisions: The rule allowed the Speaker to declare recesses subject to the call of the Chair and allowed for same-day consideration of rules providing for consideration of (1) a bill making general appropriations for FY1996; (2) a bill or joint resolution making further continuing appropriations for FY1996; (3) a bill or joint resolution that includes provisions increasing or waiving the public debt limit; (4) a bill to provide for a balanced budget by 2002 for resolutions reported by the Rules Committee before January 24, 1996.

Disposed of: Adopted by the House on January 5, 1996 by a vote of 224–190.

Authority Utilized: (1) H. Res. 336, providing for disposition of the Senate amendment to H.J. Res. 134, making further continuing appropriations for FY1996. Reported from the Rules Committee on January 5, 1996. Passed the House on January 5, 1996 by voice vote.

(2) H. Res. 338, providing for the disposition of the Senate amendment to H.R. 1358, to require the Secretary of Commerce to convey to the Commonwealth of Massachusetts the National Marine Fisheries Service laboratory located on Emerson Avenue in Gloucester, Massachusetts. Reported from Rules on January 5, 1996. Adopted by the House on January 5, 1996.

H. Res. 342, waiving a requirement of clause 4(b) of rule XI with respect to certain resolutions reported by the Rules Committee.

Provisions: Allowed for same-day consideration of rules providing for consideration of (1) a bill making general appropriations for FY1996; (2) a bill or joint resolution making further continuing appropriations for FY1996; (3) a bill or joint resolution including provisions increasing or waiving the public debt limit for resolutions reported before March 16, 1996.

Disposed of: Adopted by the House on January 25, 1996 by a vote of 229–191.

Authority Utilized: (1) H. Res. 351, waiving points of order against the conference report to accompany H.R. 2546, District of Columbia Appropriations for FY1996. Reported from the Rules Committee on January 31, 1996. Adopted by the House on January 31, 1996 by voice vote.

H. Res. 355, providing for consideration of H.R. 2924, to guarantee the timely payment of social security benefits in March 1996. Reported from the Rules Committee on February 1, 1996. Adopted by the House on February 1, 1996 by a voice vote.

H. Res. 386, providing for consideration of H.J. Res. 165, making further continuing appropriations for FY1996, and waiving a requirement of clause 4(b) of rule XI with respect to certain resolutions reported from the Rules Committee.

Provisions: Provides for consideration of the joint resolution under a closed rule, with one hour of general debate and one motion to recommit which may include instructions if offered by the Minority Leader or his designee. The rule allows for same-day consideration of rules providing for the consideration of (1) a bill making general appropriations for FY1996; (2) a bill or joint resolution making further continuing appropriations for FY1996; (3) a bill or joint resolution that includes provisions increasing or waiving the public debt limit for resolutions reported before April 1, 1996.

Disposed of: Adopted by the House on March 21, 1996 by a vote of 237–183.

Authority Utilized: Not used.

H. Res. 412, waiving a requirement of clause 4(b) of Rule XI with respect to the same day consideration of certain resolutions reported by the Rules Committee.

Provisions: Allows for same-day consideration of rules providing for consideration of (1) a bill making general appropriations for FY1996; (2) a bill or joint resolution including provisions making further continuing appropriations for FY1996 for resolutions reported before April 27, 1996.

Disposed of: Adopted by the House on April 25, 1996 by a vote of 286–135.

Authority Utilized: (1) H. Res. 415, waiving points of order against the conference report to accompany H.R. 3019, making appropriations for fiscal year 1996 to make a further downpayment toward a balanced budget. Reported from the Rules Committee on April 25, 1996. Adopted by the House on April 25, 1996 by voice vote.

H. Res. 492 (Welfare Only), waiving a requirement of clause 4(b) of Rule XI with respect to the same day consideration of a resolution reported by the Rules Committee.

Provisions: Allows for same-day consideration of a rule providing for consideration or disposition of a conference report to accompany H.R. 3734, the Personal Responsibility Act of 1996 for rules reported before August 1, 1996.

Disposed of: Adopted by the House on July 31, 1996 by voice vote.

Authority Utilized: (1) H. Res. 495, waiving points of order against the conference report to accompany H.R. 3734, the Personal Responsibility Act of 1996. Reported from the Rules Committee on July 31, 1996. Passed the House on July 31, 1996 by a vote of 281–137.

H. Res. 500 (Health Care Only), waiving a requirement of clause 4(b) of Rule XI with respect to the same-day consideration of a resolution reported by the Rules Committee.

Provisions: Allows for same day consideration of a rule providing for the consideration or disposition of a conference report to accompany H.R. 3103, the Health Insurance Portability and Accountability Act, for rules reported before August 2, 1996.

Disposed of: Adopted by the House on August 1, 1996 by voice vote.

Authority Utilized: (1) H. Res. 502, waiving points of order against the conference report to accompany H.R. 3103, the Health Insurance Portability and Accountability Act. Reported from the Rules Committee on August 1, 1996. Passed the House on August 1, 1996 by voice vote.

H. Res. 525, waiving a requirement of clause 4(b) of Rule XI with respect to same day consideration of certain resolutions reported by the Rules Committee, and for other purposes.

Provisions: Allows same day consideration of rules reported by the Rules Committee providing for consideration of any measures, amendments thereto, conference reports thereon, or amendments reported in disagreement thereon that (1) make general appropriations for FY 1977 or (2) make continuing appropriations for FY1997. H. Res. 525 also makes it in order to consider motions to suspend the rules on any day during the remainder of the second session of the 104th Congress.

Disposed of: Reported by the Rules Committee on September 19, 1996.

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

Mr. MOAKLEY. Mr. Speaker, I just want to clear one thing up. The term ''scariest'' was not my statement. I did not say it was the scariest.

Mr. Speaker, I submit for the RECORD, Martial Law in the 104th Congress, some of the things it will cover:

MARTIAL LAW—104TH CONGRESS

| Martial Law | Duration | Purpose | Rule | Bill |
|---|---|---|---|---|
| H. Res. 265 (11/15) | 11/15–11/23 | CR's | H. Res. 270 (11/15) | H.J. Res. 122 (CR). |
| H. Res. 276 (11/18) | 11/18/–11/23 | Recon./Gen apprs | H. Res. 279 (11/18) | H.R. 2491 (Recon). |
| H. Res. 297 12/13 | 12/13–1/3 | Gen Apprs/Crs | H. Res. 301 (12/13) | H. R. 1977 |
| | | Debt Limit/Bal | H. Res. 304 (12/13) | Int Appr JC Rpt |
| | | Budget/Bosnia | H. Res. 317 (12/20) | H.R.2770 (Bos) |
| | | | | H.Res 302 (Bos) |
| | | | | H.Res. 306 (Bos) |
| | | | | H.J. Res 134 (CR) |
| H. Res. 330 (1/15) | 1/5–1/24 | Gen Apprs/Crs | H. Res. 334 (1/5) | H.R. 1643 (CR) |
| | | Debt Limit/Bal. | H. Res. 336 (1/5) | H.J. Res. 134 (CR) |
| | | Budget/Recess Auth. | H. Res 338 (1/5) | H.R. 1358 (CR) |
| H. Res. 342 (1/25) | 1/25–3/15 | Gen. Apprs/Crs | H. Res. 351 (1/31) | H.R. 2546 (DC Approps Crpt). |
| | | Debt Limit | | |
| H. Res. 412 | 4/25–4/27 | Gen Apprs/Crs | H. Res. 415 | H.R. 3019 (CR). |
| H. Res. 492 | 7/31/96 | Reconciliation Conf. Rept | H. Res. 495 | H.R. 3734 Recon. Con Rpt. |
| H. Res. 500 | 8/1/96 | HealthCare Conf. Rpt | H. Res. 502 | H.R. 3103 (Health Conf Rpt. |
| H. Res. 525 | 9/24–/96 | Gen Apprs/Crs | | |

In the 104th Congress, the House conducted business continuously under martial law for four months (November 15 through March 15).

7 of the 9 measures considered under martial law were continuing resolutions or appropriations conference reports needed to stave off government shutdowns caused by the majority's failure to complete appropriations before the end of the fiscal year.

Most martial law resolutions in the 104th Congress have applied to classes of bills (e.g., general appropriations, continuing resolutions, debt limit, etc.) rather than to a specific bill.

By contrast, in the 103rd Congress, the House conducted business under martial law 5 days. Of the 5 resolutions adopted by the House, each was effective for a period of one day and applied to one specific bill or conference report.

Mr. MOAKLEY. Mr. Speaker, I yield 7 minutes to the gentleman from Michigan [Mr. BONIOR], minority whip.

Mr. BONIOR. Mr. Speaker, I thank my ranking member and my friend, the gentleman from Massachusetts, JOE MOAKLEY, for yielding me the time. Soon to be chairman.

Mr. Speaker, I come to the floor this evening to talk about this martial law rule, and what this rule does is gives the Speaker extraordinary power to bring up virtually any legislation, at any time, without any advance notice.

Now, have we not used this same procedure in previous Congresses? Yes, we have. But we have done it on a case-by-case basis and we have done it sparingly and judicially, to borrow the words of my friend from New York.

Under the Republican control of Congress, martial law has become a routine procedure, a routine procedure to block amendments and shut down debate. During last year's Government shutdown, the House operated under this martial law procedure for 4 continuous months, a third of the year.

This resolution allows the Speaker to consider any legislation under suspension of the rules, procedures at any time it allows the appropriation bills to be brought to the floor without the 1-day layover required under the House rules so that Members can become familiar with what is being brought down from the Committee on Rules. I lay this out because I wanted to talk about a pattern that has been set here.

Even before this historic Congress began, after the 1994 elections, one of the first things that the new majority did was try to move the Ethics Committee from the House Administration Committee, which is now known as the Committee on House Oversight; from the Ethics Committee to the House Administration Committee, which is a partisan committee. So what they were trying to do is shut down the voices on a very important part of our business here, the ethics of the Members.

The second thing they did, before we even hit the gavel to begin this new Congress and this historic Congress, what they did was to shut down the various groups in this institution that were trying to raise their voice on behalf of women. The Environmental Caucus, cannot have that; Women's Caucus, cannot have that; the Hispanic Caucus, cannot have that. Shut it down. The African American Caucus, Black Caucus, shut that down. The Democratic Study Group, which was the research arm for this institution, bipartisan in nature, mostly Democratically used but used by some Republicans, shut that down. So there has been a constant narrowing and winnowing of the ability of Members to speak clearly and to have their voices heard in this institution.

Then they went ahead and shut down the Government in order to cut Medicare; did it twice. Of course, now we are in the last week, maybe 10 days, whatever, of this session, and pending and hanging over the head of this institution is this cloud about the ethics report done by the outside counsel, Mr. Cole. So now today they come to the floor and they want to give the Speaker extraordinary powers to move legislation and to close this place up without having this released.

This is the Speaker's hometown paper, the Atlanta Constitution. In their editorial, Release the Gingrich Report, $500,000 of taxpayer money was spent to put that report together.

□ 1800

Mr. Speaker, I think it is a shame that this Congress is about to adjourn without the American people knowing what is in that report.

Listen to what the gentleman from Georgia, NEWT GINGRICH, said back in 1989 when a similar situation existed for the existing Speaker and a report was being done. He said this:

I think it's vital that we establish as a Congress our commitment to publish that report and to release those documents so that the country can judge whether or not the man second in line to be President, the Speaker of the House, should be in that position.

He went on to say, ''I cannot imagine going to the country telling them, 'We've got a $1.6 million report, and, by the way, there's nothing in it, but you can't see it.'" And that is exactly what he is telling us now: There is a $500,000 report, half-a-million-dollar report, that the outside counsel has put together, but you cannot see it.

What are they trying to hide? What are they trying to hide? If my colleagues read the Atlanta Constitution, the Hartford Current, the New York Times, and the papers all across this country who have looked into this, they will say what they are trying to hide: Serious violations of law, tax law, corruption, tax fraud.

That report would have been released the minute it hit the hands of the Republicans if it would have been positive and exonerated the Speaker. It is being kept under lock and key because there is something they do not want the American people of see.

Mr. Speaker, we have a right to see it.

This type of martial law resolution that we have before us today will impede our ability to get a fair and an equitable treatment of something that is vitally important not only to the country, but to this institution. We must lift the cloud on this institution.

So I urge my colleagues to vote no on this resolution, to vote yes on Mr. LEWIS's resolution, which will come up later, which will release the report of the outside counsel.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I was hesitant to rise to make a point of order against the gentleman from Michigan [Mr. BONIOR], referring to matters pending before the Committee on Standards of Official Conduct which is against the rules of the House. I did not do that out of respect for him because he did not carry on. But we ought to all pay attention to the rules of the House.

Mr. Speaker, I would also say to the previous speaker, the minority whip, whom I have great respect for, he is certainly a respected member of this body, but I really worry about his memory. He is, in fact, a member—or was, I should say—a member of the

Committee on Rules of the previous Congress, and he voted for all of these suspensions of the rules on these suspension days, and, as my colleagues know, they were very, very serious matters.

One was a two-thirds waiver for the Family and Medical Leave Act; another, a two-thirds waiver for the unemployment compensation bill; a two-thirds waiver for the budget resolution; a two-thirds waiver for emergency appropriations for the Brady bill, for the crime bill, for the foreign operations appropriations, lobby reform.

As my colleagues know, I do not think we really ought to get up here and criticize each other for trying to expedite the measures of the House.

Second, I would just point out something that was said by Norman J. Ornstein, a political scientist, discussing the 104th Congress in rollcall back just a couple of days ago. He said, ''The most significant Congress in a generation. This is a plenty respectable output. Indeed, it ranks with the top Congresses of the past 30 years.''

Mr. Speaker, that is exactly what we are doing tonight. We are trying to expedite these procedures. We do not want to leave business undone, but we do want to get out of here and go back home where our constituents want us. They do not want us inside this beltway.

So let us get on with the rule, enact it, and do the people's work.

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

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

Mr. Speaker, I listened with close attention to my dear friend from New York, and he is right. He went through one by one the Family Leave Act, the suspensions. But each one of those martial law things was for specific bills. That is the difference. We do not mind martial law, but this is a blanket cover. We do not know what is going to be pulled out from underneath this blanket, and that is the only difference I am trying to make.

Mr. Speaker, I yield 3 minutes to the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Speaker, as my colleagues know, we have urged the Speaker, the gentleman from New York, Mr. SOLOMON, and the gentlewoman from Connecticut, the chairwoman of the Committee on Standards of Official Conduct, NANCY ''STONEWALL'' JOHNSON, to release the report from the special counsel. We have heard from the Republicans and the Speaker himself that he has been exonerated for all these other complaints and allegations against him. He never mentions, he never mentions that he has been found guilty by the Committee on Standards of Official Conduct on other occasions and investigations.

POINT OF ORDER

Mr. SOLOMON. Mr. Speaker, I have a point of order, and I hate to do that to my friend.

Mr. VOLKMER. The gentleman from New York is not in order, he is going to find out.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. SOLOMON. Mr. Speaker, the gentleman is referring to matters before the Committee on Standards of Official Conduct, and that is against the House rules. We need to stay to the germaneness of this expedited procedure.

Mr. VOLKMER. Mr. Speaker, I would like to be heard on the point of order, if I may.

The SPEAKER pro tempore. The Chair will hear the gentleman from Missouri [Mr. VOLKMER] on the point of order.

Mr. VOLKMER. My earlier comments were perhaps not in order, but where the gentleman has interjected himself, I am speaking of matters that already have been resolved by the Committee on Standards of Official Conduct and are no longer pending before the Committee on Standards of Official Conduct.

Mr. SOLOMON. Mr. Speaker, the exhibit speaks to pending matters before the Committee on Standards of Official Conduct.

The SPEAKER pro tempore. The Chair is prepared to rule, and the question is whether the matters are properly pending before the House. The issue is not just whether they are now or only at a prior time were ever before the committee, since the matters are not now properly before the House as a question of privilege, and debate on those matters, therefore, is not in order at this point.

Mr. VOLKMER. Is the gentleman saying——

Mr. SOLOMON. Could we have the exhibit removed?

PARLIAMENTARY INQUIRY

Mr. VOLKMER. Mr. Speaker, I would like to make a parliamentary inquiry of the Chair.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. VOLKMER. Matters that have been resolved by the Committee on Standards of Official Conduct and are no longer pending before the Committee on Standards of Official Conduct, the Chair is saying, cannot be discussed on the floor of the House?

The SPEAKER pro tempore. That is correct, so long as that Member remains a sitting Member.

Mr. VOLKMER. Well, Mr. Speaker, now we cannot even talk about all the guilty things that the Committee on Standards of Official Conduct found the Speaker guilty of.

The SPEAKER pro tempore. The Chair would ask that the gentleman proceed in order and remind the gentleman that Members should refrain from discussing official conduct cases.

Mr. VOLKMER. Well, Mr. Speaker, now it appears that the Speaker can get up and say that, ''I have been exonerated by the Committee on Standards of Official Conduct from all these charges,'' and I cannot stand down here and correct the record. Boy, oh boy.

We all know that the Committee on Standards of Official Conduct found the Speaker guilty of allowing his senior GOPAC official to act as chief of staff in the Speaker's office. We also know that the Committee on Standards of Official Conduct found the Speaker guilty of using the House floor to sell videotapes of his own lectures through a 1–800 scheme. That is all public record.

We also know that the Committee on Standards of Official Conduct found the Speaker guilty of using the House floor to advertise political activities of GOPAC—on this floor, using it as a political forum. They found him guilty. He also was found guilty of telecommunication entrepreneur Don Jones to use the Speaker's office to conduct personal business. Just think of that: using the Speaker's office to conduct person business. Found guilty, misuse of congressional resources to advertise, promote a Caribbean cruise sponsored by a private company. Found guilty. Found guilty. Failure to disclose financial transactions as required by law.

Yes, my colleagues. The Speaker—not guilty of all charges.

POINT OF ORDER

Mr. SOLOMON. Mr. Speaker, point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. SOLOMON. Mr. Speaker, clause 14 says that we have to be germane to the issue. I would make a point of order that the gentleman's delivery is not germane to this issue.

The SPEAKER pro tempore. The gentleman's point of order is well taken, and the Chair would ask the gentleman from Missouri [Mr. VOLKMER] to be in order.

Mr. WATT of North Carolina. Mr. Speaker, I would like to be heard on the point of order, please.

The SPEAKER pro tempore. Is the gentleman raising a new point of order?

Mr. WATT of North Carolina. I am seeking to be recognized on the gentleman's point of order and whether it is appropriate.

The SPEAKER pro tempore. The Chair has already ruled on the point of order. The point of order was well taken, and the Chair has admonished the gentleman from Missouri.

PARLIAMENTARY INQUIRY

Mr. WATT of North Carolina. Mr. Speaker, I have a parliamentary inquiry, if the gentleman from Missouri would yield?

Mr. VOLKMER. I yield to the gentleman from North Carolina.

The SPEAKER pro tempore. The gentleman from Missouri has yielded for a parliamentary inquiry to the gentleman from North Carolina. The gentleman will state his parliamentary inquiry.

Mr. WATT of North Carolina. Is the Chair saying that we have no right to

be heard on whether a point of order is appropriate before the Chair rules on the point of order? As I understand it, Mr. Speaker, that is certainly not the rules of this House. Every party has an opportunity to be heard on whether a point of order is properly taken before the Chair rules on it.

The SPEAKER pro tempore. The discussion on the point of order is within the discretion of the Chair. When the hair is satisfied that the discussion on the point has been adequate, he can rule. In this case, the gentleman from New York [Mr. SOLOMON] stated his point, the gentleman from Missouri had his statement. The Chair has ruled.

Mr. WATT of North Carolina. Mr. Speaker, I was on my feet and seeking the attention of the Chair. I have the right to speak on the point of order just like anybody else has the right to speak on the point of order.

The SPEAKER pro tempore. The point of order has been ruled upon, and the gentleman from Missouri [Mr. VOLKMER] has yielded to the gentleman from North Carolina for a parliamentary inquiry. If the gentleman wishes to state a parliamentary inquiry, he may do so. Otherwise, the House will proceed in order.

Mr. WATT of North Carolina. Mr. Speaker, I made the parliamentary inquiry. I am asking the Chair to rule on whether I have the right to speak on the point of order.

Mr. VOLKMER. In deference to the gentleman from North Carolina, I would like to reclaim my time.

Mr. WATT of North Carolina. Go right ahead.

Mr. VOLKMER. Mr. Speaker, I will agree with the Chair that perhaps the words that I previously spoke about the gentleman from Georgia [Mr. GINGRICH] and the coverup that has taken place are not appropriate on the rule. But we do not have any other place to talk about it. They will not let us get any other place to talk about it.

So I would like to urge all Members to vote against this rule. I am sorry, gentleman from New York, who has been a good friend all throughout the years. We have together on various issues; we agree on many things.

But for this reason and this reason only, I am going to ask that everybody vote against this rule. Now that is appropriate.

Now the gentleman from New York, I will yield to him. Now are those words appropriate at this time?

Mr. SOLOMON. Mr. Speaker, is the gentleman from Missouri [Mr. VOLKMER] yielding to me?

Mr. VOLKMER. Mr. Speaker, I just want an answer, yes or no.

Mr. SOLOMON. How is the gentleman's cat?

Mr. VOLKMER. Bear is fine.

Mr. SOLOMON. My daughter loved the gentleman's speech about his cat the other day.

Mr. VOLKMER. Bear is fine.

Let us vote down the rule, and let us get the report out of the Committee on Standards of Official Conduct.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman from Massachusetts [Mr. MOAKLEY] for yielding this time to me, and I was very troubled by the Chair's ruling, and I am going to tell my colleagues why.

My understanding is, what we are debating is the martial law rule which gives the Speaker the right to bring any resolution to the floor whenever he wants to, waiving all the rule and normal procedures.

Now if that is true, I absolutely do not understand the Chair's ruling that something here is not germane. I would think under the martial law rule, everything would be germane because it goes to any resolution the Speaker could bring to the floor, and I think what this resolution is really about is so they can get out of Dodge, as we would say out west.

It is: ''Let's get out of Dodge. It's getting hot in Dodge. Things are warming up in Dodge.''

Whatever it is that we are not allowed to say, the R word, the report, but we are not allowed to say it. Oops, sorry, the it word. Whatever it is, the hundred pages downstairs is starting to smell. So we have got to get out of Dodge.

Now the problem is, the very first vote when this body reconvenes is going to be for the next Speaker.

□ 1815

Think how it is going to smell then. I think everybody ought to vote ''no'' on this rule. What in the world is the hustle to run away from this place at 100 miles an hour?

We look at the other side, and they came in here in all their glory celebrating. They are going to leave here looking like Dunkirk if they pass this thing. So this is martial law to avoid this type of response that we are seeing in the Speaker's very own hometown paper. It is saying, release that thing downstairs. I guess we cannot say that word. Release that.

I think most people feel it should be released. We are seeing more and more reports every day for releasing, and they are saying we have to have martial law, we have to get out of here fast, we have to get home, and we have to make so much smoke as we run for the door that they will not figure out what happened.

Mr. Speaker, 2 years and we have not dealt with this. This is very serious. I really thought that the gentleman from Missouri was making a great point. I am totally puzzled by the Chair saying that that is not germane, because if martial law is not germane to our running out the door, to our adjourning this body until next January, I do not know what is. When it is adjourning, the question is, what is it running from? What is the hurry? Why do we have to have martial law? Why do we have to have it on September 24?

I think we are all beginning to find out, and I think that is why the pressure is mounting to get this out, get us gagged, do not allow us to talk about anything on the floor. This morning we were told we could go outside and talk about it. Is that not wonderful? But I never heard of such a thing. I must say, I am very saddened. I have been here 24 years. I have never seen a performance like this. But it is really clear, it is really clear, people want to load the wagons and roll them out. I really hope everybody votes ''no''.

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

Mrs. SCHROEDER. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Speaker, is this not another example of the entreme radical agenda of the majority? Is this not another example of the radical extremism of the majority?

Mrs. SCHROEDER. It certainly looks to me like we are checking all the regular procedures. We want to run away as fast as possible. The question is, what are we running from?

I am very saddened, because I think this is what we are running from. We are running from what the Atlanta Constitution is talking about, we are running from what many major newspapers are talking about. People who vote for this martial law are voting to just set off the guns so we can run.

I would hope that folks would feel that this should be a deliberative body where we can discuss things, and especially deal with the cloud that is over this House, and is going to remain over this House until we act on that R word and get it up here, so we know what it is. Going home and saying we did not have time to read it is not going to satisfy us.

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

Mr. Speaker, I just do not think it is right to stand up here and criticize the President of the United States that way. Let me just read one more time from Norman Ornstein, one of the most respected political scientists in America. He said, ''The most significant Congress in a generation; this is a plently respectable output indeed. It ranks with the top Congresses of the past 30 years.'' Guess what, the President of the United States signed 65 percent of the contract for America into law.

Do not be so critical of your President.

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

Mr. MOAKLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky [Mr. WARD].

Mr. WARD. Mr. Speaker, I must say, I am moved. The gentleman from New York quotes a pundit, saying this is the most significant Congress. It reminds me of going to visit friends who have had new babies and saying, that is some baby.

This is a significant Congress. It is significant in that we are being asked

today to waive rules, to impose martial law. Does not the word ''martial'' get your attention when you hear about this? It gets my attention, because what it tells me is that we do not want to slow down this process to allow people to listen. What do we not want to let people listen to? We do not want to let people listen to our rebuttal of what the Speaker has been saying on television lately.

What I have been hearing him say, and it annoyed me to death, just last week I heard him say, I have been exonerated by the Ethics Committee. We do not know. We do know he was found quilty, guilty, guilty, guilty.

POINT OF ORDER

Mr. LINDER. Point of order, Mr. Speaker.

The SPEAKER pro tempore (Mr. GILLMOR). The gentleman from Georgia [Mr. LINDER] will state his point of order.

Mr. LINDER. The gentleman is referring one more time to matters before the committee on ethics. I believe that is against the rules of the House.

Mr. WATT of North Carolina. Mr. Speaker, I wish to be heard on the point of order.

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina [Mr. WATT].

Mr. WATT of North Carolina. The Chair will hear me this time? I thank the Chair.

I just want to submit to the Speaker that this debate is about yielding unprecedented authority to the Speaker of the House. The Speaker's integrity, the person to whom we are proposing to yield that authority, his integrity is at the heart of the matter. If we cannot get to his integrity, then how can we determine whether we ought to be yielding these unprecedented, overwhelming authorities to him?

If we do not like what he was been doing, if he has been out disrespecting the House of the United States, then why should we give him some unprecedented authority called martial law? That is at the very heart. His responsibility, his ethics, are at the very heart of the matter.

I would submit, Mr. Speaker, that this is germane to the issues and the matter before this House.

The SPEAKER pro tempore. Does the gentleman from Kentucky [Mr. WARD] wish to be heard on the point of order?

Mr. WARD. Yes, Mr. Speaker. I would ask that the gentleman clarify his point of order so I can know what it is that I have said to which he objects.

The SPEAKER pro tempore. The Chair will hear each gentleman on his own time.

Mr. LINDER. Mr. Speaker, over the course of the last 10 days or so, when the minority party has tried to bring to the floor of this House a discussion of matters before the Committee on Ethics, the Chair has consistently ruled that not only referring to the matters before the Committee on Ethics, but referring to press reports about those matters is against the rules of the House.

The gentleman is standing there with a large print of an editorial out of a newspaper that does precisely that: To make the case, in print, for the people watching this, about matters before the Committee on Ethics. It strikes me that, if the Chair is going to rule that we cannot talk about it, the same argument would obtain that just displaying it is abusing the rules of the House.

Mr. WARD. Mr. Speaker, I thought the gentleman was responding to my saying that the Speaker had been found guilty of a number of ethics violations, according to a letter from the Ethics Committee dated December 6, 1995.

I was not referring to the document here displayed. I was referring to his allowing the senior GOPAC official to act as the chief of staff in the Speaker's office, for which he was found guilty. I was referring to abusing the House floor to sell videotapes. That is what I was referring to.

PARLIAMENTARY INQUIRY

Mr. LINDER. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. LINDER. Is the gentleman seeking to address the point of order, or is he making another speech? My point was this, that merely having that on display is an abuse of the rules of the House.

The SPEAKER pro tempore. The Chair is prepared to rule, having heard the arguments on both sides.

The Chair would say that the point of order is well taken; that the gentleman may debate the advisability of granting generic authorities proposed in the pending resolution but may not dwell on the merits of measures that might arise under those authorities.

The recent series of rulings by the Chair rest more squarely on the stricture against personalities in debate than on the requirements of relevance. With respect to the cases disposed of, todays's standard is not a new standard under the precedents. The point is not necessarily whether the matter is still pending elsewhere. The point is that the matter is not pending on the floor here and now as a question of privilege and the point of order is well taken.

The gentleman from Kentucky [Mr. WARD] may proceed in order.

Mr. CUNNINGHAM. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman from Kentucky [Mr. WARD], yield for that purpose?

Mr. WARD. No. I would like to proceed, if I may.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. WARD] may proceed in order.

Mr. WARD. Again, Mr. Speaker, what I was talking about was my frustration as a Member of this House in having to vote on a matter which gives the Speaker martial law, at a time when I am deeply frustrated by watching the television and seeing the Speaker say that he has been found innocent 66 times, when, according to the letter of the Ethics Committee——

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

Mr. WARD. I yield to the gentleman from Georgia.

Mr. LINDER. Mr. Speaker, would the gentleman point out to me where in the entire resolution the words ''martial law'' appear? Could the gentleman point out to me where in the resolution the words ''martial law'' appear?

Mr. WARD. Mr. Speaker, I am using the code.

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

Mr. WARD. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Speaker, it is the effect of the resolution, is to give the Speaker the power of martial law.

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

Mr. WARD. I yield to the gentleman from Michigan.

Mr. BONIOR. Mr. Speaker, I would like to talk about the point that the gentleman has just made, the fact that the Speaker and others have advocated the position that they have been exonerated, when in fact, as the gentleman has correctly pointed out, on a number of occasions the Ethics Committee has found the Speaker guilty and has issued public letters from the Ethics Committee so indicating.

The gentleman has those instances before him, and I think the House would like and the American people would like to hear just exactly what that record is. I would hope the gentleman would continue with his remarks, so he could elaborate on just what is the record of the Ethics Committee with regard to the Speaker, as they have released these findings in public letter to the country.

Mr. WARD. I appreciate the gentleman's comments. I do share that concern. It is very frustrating to talk with people and explain to them what has happened when they just quote back to me, well, I saw Speaker GINGRICH on ''Meet the Press,'' and he said he was exonerated 66 times, and the Democrats are just being mean to him.

By golly, according to the letter of the House Ethics Committee on December 6, 1995, I would advise the gentleman from Michigan that I share that frustration. We have not been able to make this straight on the floor. We have not been able to get, and I cannot talk about what we are not able to get, from what I understand.

That makes no sense to me as a freshman, why I cannot talk about a very important matter of public policy, especially when we remember what Speaker GINGRICH said in this exact same situation not that many years ago. I think we ought to be able to make these things open to the public.

So what I am going to do is make open to the public the facts that are on

the record, that are in a letter from the Ethics Committee, that a senior GOPAC official was allowed to act as chief of staff in the Speaker's office, and that was improper commingling of political and official resources.

Mr. BONIOR. And it violated our rules, as I recall.

POINT OF ORDER

Mr. CUNNINGHAM. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from California [Mr. CUNNINGHAM] will state his point of order.

Mr. CUNNINGHAM. Mr. Speaker, we are prevented from speaking about other Members on the other side, about previous ethics violations. It is not against the rules of the House to do so?

The SPEAKER pro tempore. The Chair would remind all Members that it is not in order to discuss past or present official conduct cases of sitting Members unless the matter is pending before the House as a question of privilege.

Mr. BONIOR. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. WARD. I yield to the gentleman from Michigan.

PARLIAMENTARY INQUIRY

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. BONIOR. Mr. Speaker, the point that the gentleman from North Carolina [Mr. WATT] made I think is right on target. We are talking about extraordinary powers here, giving the Speaker extraordinary powers under this resolution.

□ 1830

The integrity of the person receiving those extraordinary powers is indeed germane to this issue.

Mr. WALKER. Mr. Speaker, the gentleman is not stating a parliamentary inquiry.

Mr. BONIOR. I ask the Speaker, is it not in order for us to raise the record on this gentleman's integrity with respect to what the Ethics Committee has found in public letter, in the past, not pending, not in the future, what it has made a determination on? Is it not in order for us to discuss those violations?

The SPEAKER pro tempore (Mr. GILLMOR). The Chair understands the inquiry, and the Chair would say that the gentleman may debate the advisability of granting the generic authorities proposed in the pending resolution, but may not address personalities, to wit, the allegations of misconduct of a sitting Member which have been before the Standards Committee.

Mr. BONIOR. These are findings, Mr. Speaker. These are not allegations that the gentleman from Kentucky is discussing. He is discussing findings made by the committee. It goes to the character of the individual to whom we are about to vote granting extraordinary powers.

The SPEAKER pro tempore. The Chair would respond to the gentleman from Michigan's parliamentary inquiry.

Even if a matter has been disposed of by the House, so long as that Member remains a Member of Congress, it constitutes personality in debate to further discuss that, and the Chair has responded to the gentleman's parliamentary inquiry.

The gentleman from Kentucky may proceed in order.

PARLIAMENTARY INQUIRY

Mr. HEFNER. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman from Kentucky yield?

Mr. WARD. Yes, I yield to the gentleman from North Carolina.

Mr. HEFNER. Could I make a point? I do not want to get involved in specifics, but we are considering a piece of legislation that we are going to grant to an individual, the Speaker of the House, to arbitrarily call bills to this House at his discretion.

Mr. SOLOMON. Mr. Speaker, the gentleman is not propounding a parliamentary inquiry.

Mr. HEFNER. I am making an inquiry.

Mr. SOLOMON. Have him ask a question.

Mr. WARD. I would be glad to yield him time for purposes of debate.

The SPEAKER pro tempore. The gentleman from Kentucky has yielded. The Chair will listen to the gentleman. The gentleman may proceed.

Mr. HEFNER. Mr. Speaker, it seems to me we are giving extraordinary power to one individual to make decisions, to call bills to this floor, that this House will be called upon to vote on, that one individual to make decisions that affects over 250 million Americans in this country, and we do not even have the right to talk about the ethics of the person that will be administering this martial law, whatever you want to call it, bill. To me this is absolutely totally——

The SPEAKER pro tempore. The gentleman has not stated a parliamentary inquiry.

Mr. HEFNER. No, but I have made a statement.

The SPEAKER pro tempore. The time of the gentleman from Kentucky has expired.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentlewoman from North Carolina [Mrs. CLAYTON].

Mrs. CLAYTON. Mr. Speaker, we have many important issues to complete before we end the 104th Congress, and I would say we certainly ought to have whatever reports ought to be generically made before this House, whether on the Speaker or anyone else.

As we proceed through the business, we are attempting to hurry through that and give unprecedented power to the Speaker, one whose character is at question. Mr. Speaker, I would urge that we vote against that, because it is unprecedented that we should do that. We have done that on individual bills, but never have we given a blanket martial law exception. What we will have happening——

Mr. WALKER. Mr. Speaker, will the gentlewoman yield?

Mrs. CLAYTON. I think I only have a few minutes.

Mr. WALKER. I just wanted to point out to the gentlewoman that we have done this at the end of many Congresses.

Mr. VOLKMER. Regular order, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman from North Carolina has the time.

Mr. VOLKMER. Would the Chair please admonish the gentleman from Pennsylvania not to interrupt the gentlewoman.

The SPEAKER pro tempore. And as well the gentleman from Missouri. The gentlewoman from North Carolina has the time.

Mrs. CLAYTON. Mr. Speaker, we should not rush to judgment or rush to leave here without having a deliberative process, and certainly we should not rush to give unspeakable authority to one whose character is at stake here. Shutting down the Congress was the result of martial law before. Do we want to do something even tantamount to that? I would say we need to vote against the martial law we are giving to the Speaker.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I rise in strong opposition to this martial law resolution to grant Speaker NEWT GINGRICH extraordinary power in the people's House. This legislation will give Speaker GINGRICH the power to bring up virtually any legislation at any time, with no advance notice.

Martial law is usually granted to military repressive regimes. It allows an individual, usually a dictator, to do whatever he or she wants to do without following the rule of law, without going through the regular processes of government. Do we in fact want to give that kind of power to Speaker NEWT GINGRICH given his past record in this 104th Congress? The resolution undermines debate in this House, but undermining debate is what this Congress has been all about, under the leadership of Speaker NEWT GINGRICH.

This week marks the anniversary of the hearings that Democrats were forced to hold outside of this institution, on the lawn of the Capitol, because the Republican leadership refused to allow debate on massive Medicare cuts that they proposed. The Speaker shut down the Government because he was piqued that he did not leave by the front door of the President's airplane but left by the back door.

Keep in mind, martial law, a dictator who can do whatever he or she wants to do without going through the regular process. The fact of the matter here is

there is a pattern of silencing Members. We are watching it on this floor tonight.

What they are trying to tell us is that we cannot speak about past rulings that have had to do with the Speaker in this House, what his record is about. He has been found guilty, that is a fact, in a number of the instances from this committee. They refuse to allow us to speak about any of this. They refuse to allow us to report on the allegations against the Speaker regarding the Speaker's tax fraud. Release this report.

Mr. HALL of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. WATT].

Mr. WATT of North Carolina. My colleagues, I want to get back to what this debate is about. It is about whether we give unprecedented authority to the Speaker to bring up any legislation at any time with no advance notice, what we call in the vernacular, martial law.

I tell you, I cannot think of anybody in this House I would less like to give unprecedented authority to. If I am thinking about who I am going to give some unprecedented authority to, you think I want to give unprecedented authority to somebody who would lead people to take school lunches out of kids' mouths, to take Medicare away from elderly citizens, whose reputation and ethics are at stake and will not allow anybody to talk about it, who does not want to fund education programs for our children? This is the person we are talking about giving unprecedented authority to? I would not think of giving this man unprecedented authority and voting for this rule.

I can think of probably 434 other people in this House I would give it to before I would give it to this Speaker.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to the floor of the House because I am overwhelmed at how we have run this 104th Congress.

I think as a freshman I can count beyond 10, but certainly when you have a number as large as 10, to know that under Speaker GINGRICH we have had 10 opportunities to have martial law. That means simply we have had 10 opportunities to obliterate the rules of the House, to continue to have bills brought to the floor, without any hearings, without any review, without any sense of perspective, and now, included in that rule that we are now trying to vote, which I ask for people to vote against, we now have the refusal of the leadership of the House to bring the report that deals with the ethics violation of this Speaker. How can we say to the American people that in the course of this omnibus, large martial law that we will not be cutting Medicare more, we will not be cutting school lunches more, we will not be cutting direct student loans? How can we say to them that we will be doing the business of the American people?

Mr. Speaker, I would simply ask, 10 times is 10 times too many. We do not need martial law here in the United States of America. What we do need is a report from the ethics counsel that cost $500,000. That is what we need, Mr. Speaker.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from Missouri [Mr. VOLKMER].

Mr. VOLKMER. Mr. Speaker, with all the allegations that I have made as to the Speaker and the ethics, with all the other ones that the Members on this side have made, many of which are true, it has amazed me that not one Member of the majority party, not one Member, has taken to the floor to answer those allegations. Not one Member has taken to the floor in support of why the Ethics Committee is not releasing this report. Not one Member has justified the secret keeping of this report. Not once has one Republican Member taken to the floor to support the Speaker.

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

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

Mr. Speaker, I pose the question, should Ken Starr release prematurely his report? I do not think the answer is yes. Think about that.

But as I have stood here and listened to speaker after speaker on the other side of the aisle talk about the unprecedented circumstances here, there is no unprecedented circumstance.

I have before you, and I will be glad to show each and every one of you, as I have already done for the record, that Speaker Foley in the 101st Congress, the 102d Congress, the 103d Congress, in other words, over the last 6 years, has been given blanket authority for exactly what we are doing here today. There is no unprecedented circumstance here at all.

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

Mr. SOLOMON. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Does that mean some of the very people that got down to the well and spoke on this matter voted for rules in the past that gave the Speaker this kind of authority?

Mr. SOLOMON. The gentleman was not on the floor earlier, but I cited my good friend and gentleman from Michigan [Mr. BONIOR] who is the minority whip, but who was at the time a member of the Rules Committee with me sponsoring the rule and carrying the rule on the floor which gives the exact blanket authority we are giving here today, along with Chairman MOAKLEY who was the chairman at the time. Even my good friend TONY HALL who is one of the most respected Members of this body voted time and again, 11 different times in the previous Congress, to do exactly what we are doing here today.

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

Mr. SOLOMON. I will yield, but I have to conclude because we have to get on with a very important bill. But I yield to the gentleman from San Diego, CA.

Mr. CUNNINGHAM. As I understand it, the other side was talking about follow the rule of law. After the Jim Wright case, and correct me, the gentleman was on the Ethics Committee, there were problems and they did not want the same problems to resurface.

While the Democrats were in power, they rewrote the rules on ethics. What I was trying to get to during the parliamentary inquiry before, is it not correct that the rule we are following today was written when the Democrats were in the majority?

□ 1845

Mr. SOLOMON. Mr. Speaker, reclaiming my time, the gentleman is absolutely correct.

Mr. Speaker, let me conclude by citing clause 1 of our rules. It says on Mondays and Tuesdays during the last 6 days of the session, you shall have this blanket authority. That is what the rule actually says. Unfortunately, we cannot get a sine die resolution. We hope to get it this Thursday, Friday, Saturday, Sunday, or Monday at some point.

So, under normal circumstances, the normal rules of the House, we are given this authority to bring up suspension bills after due consultation with the minority, giving them 1 hour's notice. We intend to do that. We will do it. So we are not violating any rules of the House.

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. GILLMOR). The question is on the resolution.

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

Mr. HALL of Ohio. 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.

The vote was taken by electronic device, and there were—yeas 225, nays 191, not voting 17, as follows:

[Roll No. 425]

YEAS—225

| | | |
|---|---|---|
| Allard | Barton | Bonilla |
| Archer | Bass | Bono |
| Armey | Bateman | Brewster |
| Bachus | Bereuter | Brownback |
| Baker (CA) | Bilbray | Bryant (TN) |
| Baker (LA) | Bilirakis | Bunning |
| Ballenger | Bliley | Burr |
| Barr | Blute | Burton |
| Barrett (NE) | Boehlert | Buyer |
| Bartlett | Boehner | Callahan |

Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Christensen
Chrysler
Clinger
Coble
Collins (GA)
Combest
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greene (UT)
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Meyers
Mica
Miller (FL)
Molinari
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—191

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Blumenauer
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chenoweth
Clay
Clayton
Clement
Clyburn
Coburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Cooley
Costello
Coyne
Cramer
Cummings
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Geren
Gonzalez
Gordon
Green (TX)
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Mollohan
Montgomery
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Reed
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wynn
Yates

NOT VOTING—17

Bunn
Chapman
Durbin
Engel
Funderburk
Gephardt
Gibbons
Hayes
Heineman
Lincoln
Oxley
Peterson (FL)
Rangel
Roberts
Studds
Torres
Wilson

□ 1906

Mrs. CHENOWETH and Mr. METCALF changed their vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## CONFERENCE REPORT ON H.R. 3259, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1997

Mr. COMBEST submitted the following conference report and statement on the bill (H.R. 3259) to authorize appropriations for fiscal year 1997 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes:

CONFERENCE REPORT (H. REPT. 104–832)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3259), to authorize appropriations for fiscal year 1997 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

*(a) SHORT TITLE.—This Act may be cited as the ''Intelligence Authorization Act for Fiscal Year 1997''.*

*(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:*


*Sec. 1. Short title; table of contents.*

*TITLE I—INTELLIGENCE ACTIVITIES*

*Sec. 101. Authorization of appropriations.*
*Sec. 102. Classified schedule of authorizations.*
*Sec. 103. Personnel ceiling adjustments.*
*Sec. 104. Community Management Account.*

*TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM*

*Sec. 201. Authorization of appropriations.*

*TITLE III—GENERAL PROVISIONS*

*Sec. 301. Increase in employee compensation and benefits authorized by law.*
*Sec. 302. Restriction on conduct of intelligence activities.*
*Sec. 303. Limitation on availability of funds for automatic declassification of records over 25 years old.*
*Sec. 304. Application of sanctions laws to intelligence activities.*
*Sec. 305. Expedited naturalization.*
*Sec. 306. Sense of Congress on enforcement of requirement to protect the identities of undercover intelligence officers, agents, informants, and sources.*
*Sec. 307. Sense of Congress on intelligence community contracting.*
*Sec. 308. Restrictions on intelligence sharing with the United Nations.*
*Sec. 309. Prohibition on using journalists as agents or assets.*
*Sec. 310. Report on policy of intelligence community regarding the protection of the national information infrastructure against attack.*

*TITLE IV—CENTRAL INTELLIGENCE AGENCY*

*Sec. 401. Elimination of double surcharge on Central Intelligence Agency relating to employees who retire or resign in fiscal years 1998 or 1999 and who receive voluntary separation incentive payments.*
*Sec. 402. Post-employment restrictions.*

*TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES*

*Sec. 501. Executive branch oversight of budgets of elements of the intelligence community.*

*TITLE VI—FEDERAL BUREAU OF INVESTIGATION*

*Sec. 601. Access to telephone records.*

*TITLE VII—COMBATTING PROLIFERATION*

*Sec. 701. Short title.*

*Subtitle A—Assessment of Organization and Structure of Government for Combatting Proliferation*

*Sec. 711. Establishment of commission.*
*Sec. 712. Duties of commission.*
*Sec. 713. Powers of commission.*
*Sec. 714. Commission personnel matters.*
*Sec. 715. Termination of commission.*
*Sec. 716. Definition.*
*Sec. 717. Payment of commission expenses.*

*Subtitle B—Other Matters*

*Sec. 721. Reports on acquisition of technology relating to weapons of mass destruction and advanced conventional munitions.*

*TITLE VIII—RENEWAL AND REFORM OF INTELLIGENCE ACTIVITIES*

*Sec. 801. Short title.*
*Sec. 802. Committee on Foreign Intelligence.*
*Sec. 803. Annual reports on intelligence.*
*Sec. 804. Transnational threats.*