income tax credit, and would receive the $500-per-child credit under the Democratic tax cut plan, Republicans say she is looking for welfare. Republicans say she should not receive the $500-per-child tax credit. Democrats see Sue as a hard-working American, and we will stand with her and her two children and give her the $500-per-child tax credit.

A STIFLING TAX BURDEN

(Mr. RYUN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYUN. Madam Speaker, the great historian, Will Durant, wrote, and I quote,

> A great civilization is not conquered from without until it has destroyed itself within. The essential causes of Rome's decline lay in her people, her morals, her class struggle, her failing trade. . . her stifling taxes.

Madam Speaker, as in ancient Rome, our tax burden is stifling, and instead of working to reduce taxes, just as Members have heard, the Democrats are trying to promote class warfare. We should not be arguing over who is rich in this country; we should provide a $500-per-child tax credit for all Americans who honestly pay an income tax.

There are more than 130,000 children in my second district of Kansas whose families need this tax cut. These Kansans deserve relief from a crushing tax burden and an oppressive government that undermines the family unit.

Madam Speaker, when we balance the budget for the first time in 30 years and cut taxes for the first time in 16 years, we will come a step closer to the America envisioned by our Founding Fathers, where we have freedom, faith, and families that prosper.

A REPUBLICAN CONGRESS THAT HAS COMPASSION FOR BILLIONAIRES

(Mr. GEJDENSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEJDENSON. Madam Speaker, I must be missing something. One of the great things about this country was that we have been a compassionate country. My Republican friends seem to have incredible compassion for billionaires.

Let me explain the difference to Members about the concerns. When we cut taxes for the top 1 and 2 percent, yes, they can get their new Mercedes a couple of months earlier. They have to make choices. When we cut their taxes, they are able to make choices about yachts and trips and Mercedes.

When we talk about the people who work for a living and are at the bottom of the economic ladder, those people who we deprive of the $500-per-child tax credit because they pay other taxes, not just income taxes, these are people who are making decisions about putting clothes on their children's backs, feeding them nutritious meals, keeping the family together under a roof, and staying warm in the winter.

So it seems to me the compassion ought to start with those with the greatest need, not with the greatest greed.

PROVIDING FOR THE CONSIDERATION OF H.R. 2209, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 1998

Ms. PRYCE of Ohio. Madam Speaker, by direction of the Committee on Rules I call up House Resolution 197 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 197

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2209) making appropriations for the Legislative Branch for the fiscal year ending September 30, 1998, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 302 or 308 of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule and shall be considered as read. Points of order against provisions in the bill for failure to comply with clause 2 or 6 of rule XXI are waived. No amendment shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment except as specified in the report, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against amendments printed in the report are waived. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business: *Provided*, That the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore [Mrs. MORELLA]. The gentlewoman from Ohio [Ms. PRYCE] is recognized for 1 hour.

Ms. PRYCE of Ohio. Madam Speaker, for purposes of debate only, I yield the customary 30 minutes to my good friend, the gentleman from Texas [Mr. FROST], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

GENERAL LEAVE

Ms. PRYCE of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this resolution, and that I may be permitted to insert extraneous material into the RECORD following my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Ms. PRYCE of Ohio. Madam Speaker, House Resolution 197 makes in order the bill H.R. 2209, the fiscal year 1998 legislative branch appropriations bill, under a modified closed rule.

At the outset I would like to commend the chairman, the gentleman from New York, Mr. WALSH, and the ranking member, the gentleman from New York, Mr. JOSÉ SERRANO, and the rest of my colleagues on the Subcommittee on Legislative of the Committee on Appropriations for their hard work in bringing what has historically been a difficult bill to the floor.

During this year's bill, we will not be free of controversy, I am afraid. I am sure we will hear from our friends in the minority about their concerns. Unfortunately, the bill has been hampered by issues that are outside the control of the Committee on Rules. But given that there may be some folks who would go so far as to recommend zero funding for the legislative branch and send us all home to get jobs in the real world, I believe this is a very responsible rule for a responsible bill.

As the Reading Clerk has described for us, the rule waives a limited number of points of order against the consideration of the bill to permit timely consideration and to address some technical requirements with regard to the Congressional Budget Act, and transfers of funds within the bill.

The rule makes in order four amendments printed in the Committee on Rules' report to accompany this resolution, to be offered only in the order printed in the report, by the Member specified, and debatable for the time specified in the report. The amendments are to be considered as read and are not subject to amendment or to a demand for a division of the question in either the House or in the Committee of the Whole. In addition, all points of order against the amendments are waived.

Furthermore, the rule provides that the Chairman of the Committee of the Whole may postpone recorded votes on any amendment and that the Chairman may reduce voting time on a postponed question to 5 minutes, provided that the vote immediately follows another recorded vote, and that the voting time

on the first in a series of votes is not less than 15 minutes.

Finally, the rule provides for one motion to recommit, with or without instructions, as is the right of the minority.

Madam Speaker, while the annual funding bill for the operations of the House, the Senate, and various congressional agencies is often a lightning rod for partisan conflict, we should not forget that the legislative branch appropriations bill has also been a prime vehicle for reforming this institution from within to make it more open, more effective, and more accountable to the people we serve. By adopting this fair rule, we continue those important reforms while further streamlining and updating the operations of this unique and historic institution.

As most of my colleagues know, this Congress has consistently emphasized the need to have a balanced Federal budget, and I am pleased to note that under this year's legislation funding for congressional operations will be $10 million less than last year's enacted level.

Now, that may not be a great amount of money, but it is important for our constituents back home to know that we are taking the task of cutting government very seriously here. We are looking at our own backyard. We are doing our part to contribute to the larger deficit reduction effort, and we have saved nearly $400 million since fiscal year 1996, the first year of the Republican majority.

This year, for example, H.R. 2209 cuts a total of 316 positions throughout the legislative branch, and since 1994 nearly 4,000 positions have been cut. The bill saves $1.6 million in House Information Resources by cutting funding for 20 unused positions, reducing costs for equipment replacement and generating greater savings from increased competition for telecommunications services.

It also funds the Joint Committee on Taxation at a level lower than was originally requested. I am also pleased to note that this year's bill includes funding for a modest cost-of-living increase for congressional staff. I commend the subcommittee for including this COLA, because in so many ways we are indebted to the hard work, dedication, and commitment of our staffs, who are dedicated public servants.

Finally, let me say a word or two about the amending process of this bill. The rule makes in order four amendments, two by Republican sponsors and two by Democrat sponsors. In addition to considering those amendments, any Member who is still opposed to the bill can offer a final amendment through the customary motion to recommit with instructions.

Madam Speaker, this resolution is the traditional structured rule that we have used in the past to debate funding for the legislative branch. We should keep in mind that the bill which this rule makes in order is about more than just appropriations. It is also about protecting the integrity of this institution, ensuring that we have the proper resources to legislate responsibly and efficiently, and to preserve the Capitol and its grounds for Americans and visitors to see and to enjoy.

Summer is the time when the Capitol Building plays host to thousands of vacation visitors who have come to see firsthand this hallowed shrine of history, democracy, and freedom. Throughout the year, these Halls of democracy echo with the sounds of adults, children, and youth alike who want nothing more than a front row seat to watch the democratic process in action. It is for their sake and for future generations of Americans who will want to experience their democratic heritage that we are considering this very important funding legislation today.

While a completely open rule may seem appealing, the operations of the Congress and the organizations that support our work are extremely vital, Madam Speaker. We should consider floor amendments in a very, very careful, measured way, something which is less likely to happen under an open rule. In other words, I believe it is beneficial to ourselves and to the people who sent us here to consider this bill in a disciplined manner.

Madam Speaker, this is a responsible rule for a very responsible and reasonable legislative branch spending bill that maintains our commitment to fiscal responsibility and to doing more with less.

Madam Speaker, I urge a ''yes'' vote, and I reserve the balance of my time.

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

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks.)

Mr. HALL of Ohio. Madam Speaker, this resolution is a modified closed rule. It allows for the consideration of H.R. 2209, the legislative branch appropriations bill for fiscal 1998. This bill funds the activities of Congress and other agencies in the legislative branch.

I will oppose the rule, Madam Speaker, and ask to defeat the previous question because it fails to make in order an amendment offered by the gentleman from Connecticut [Mr. GEJDENSON] to prohibit the use of $7.9 million previously set aside in a contingency fund for use by House committees.

□ 0930

I am reluctant to oppose this rule because the bill which funds the Congress is critical for operating our national Government. Furthermore, I am reluctant on the grounds that just a single amendment has been denied. However, that single amendment is so important to the integrity of this institution that my side has no choice but to force a debate on the issue.

Madam Speaker, I believe that a woeful and gross violation of the House rules may have occurred in connection with the approval of $1.4 million out of the committee reserve fund for an investigation into labor laws and union activity. Even if such a violation did not occur, there has been an unmistakable breach in the commitments made on this House floor and a demonstration of contempt for the American taxpayers who will foot the bill for this unnecessary investigation.

On January 7, 1997, the House adopted an amendment to rule XI authorizing the creation of a reserve fund expressly for the use of unanticipated expenses of committees. There is no ambiguity in this language. The rules explicitly state that the expenses must be unanticipated.

On February 13, 1997, the Committee on Education and the Workforce adopted an oversight plan which included a project called the American Worker and the Department of Labor.

Four months later, the chairman of the Committee on Education and the Workforce submitted a similar proposal to the Committee on House Oversight and requested $1.4 million from the contingency funds. This time the proposal was called a continuation of the Education at a Crossroads project.

Let me quote from the original proposal, the American Worker and the Department of Labor, written February 13, and this is available on the Internet for all Americans to read: ''The committee intends to initiate a systematic and comprehensive review of the Department of Labor, its programs and activities.''

Let me read from the alleged unanticipated, emergency proposal, Education at a Crossroads project, 4 months later: ''This will include a review of the Department of Labor and its programs, activities, and spending habits.''

Now, quoting from the first proposal: ''Among other things, the Committee hopes to review the DOL's activities in response to the Government Performance and Review Act.''

Quoting from the so-called unanticipated, emergency proposal 4 months later: ''The project, in particular, will examine agency submissions under the newly implemented Government Performance and Review Act.''

If this is not a violation of the House rule, it certainly violates the spirit of the rule and the repeated assurances House Members were given when the contingency fund was established.

A statement by the chairman of the Committee on Rules from the CONGRESSIONAL RECORD when the rule was adopted on January 7 stated that the reserve fund is expected to be for use only in extraordinary emergency or high priority circumstances.

That statement was read back to the House by the vice chairman of the Committee on Rules on March 20 when the House took up a measure to put $7.9 million into that fund: ''extraordinary, emergency, or high priority circumstances.''

Again, on March 21, he reassured the House that the reserve fund would be fully accounted for and open to public scrutiny to cover unexpected funding emergencies.

The decision to spend $1.4 million of taxpayer money from the contingency fund was made by the House Committee on House Oversight. It was made at a stealth meeting on the evening of July 8 for which notice was given only the day before. The committee denied a request to postpone the meeting so that the ranking minority member who at the time was on official business with the President could attend. Of course details of the emergency funding request, such as they were, were provided barely 24 hours before the start of the meeting. The promised opportunity for public scrutiny never happened.

Now it is time to shed some sunshine on this decision.

Just what is the American taxpayer getting for this $1.4 million? Details are sketchy but one member on the Republican leadership team told the newspaper Roll Call the study will look at the ways labor leaders are not representing workers and this will include using dues for political purposes.

I challenge any Member to come to this House floor and tell his colleagues that this funding request complies with the House rules because the project was unanticipated.

I challenge any Member to say with a straight face that the need to investigate the Labor Department is extraordinary or emergency. I challenge any Member to tell the American people that this $1.4 million boondoggle that they are paying for is a high priority circumstance.

If the previous question is defeated, I will offer an amendment to the rule-making and order the Gejdenson amendment to put an end to the contingency fund and the wasteful spending it represents. A vote to defeat the previous question is a vote against spending millions of dollars on yet more endless investigations that no one really cares about. Cutting unnecessary spending is what our constituents elect us to do, so this is what we should do now. I would say oppose the rule, defeat the previous question.

Madam Speaker, I reserve the balance of my time.

Ms. PRYCE of Ohio. Madam Speaker, I yield such time as he may consume the distinguished gentleman from New York [Mr. WALSH], the subcommittee chairman.

Mr. WALSH. Madam Speaker, I would like to thank the gentlewoman from Ohio for yielding me time.

I would like to thank very much the Committee on Rules for the good solid rule that they provided us for consideration of this bill. Let me begin by stating that the Subcommittee on Legislative worked in a very bipartisan manner to produce this bill. My colleague, the gentleman from New York [Mr. SERRANO], was extremely thoughtful and helpful throughout the process, as was his staff.

The rule that was provided by the Committee on Rules is a modified closed rule. This is the traditional approach to the legislative branch, the reason being this is the budget that we use to govern and to fulfill our responsibilities as legislators. This is always an opportunity for mischief. I am sure that we will hear from a number of Members from the other side who are disappointed that certain amendments were not granted, but those amendments, Madam Speaker, had absolutely nothing to do with this bill. This bill funds the legislative branch. It also funds the other aspects of the legislative branch other than the House, which would include the Library of Congress, the Architect, Government Printing Office, General Accounting Office, Capitol Police, Botanic Garden, et cetera. It is important that we stick to those issues as laid out by the subcommittee.

We had a good solid bipartisan approach all the way along on this bill. And unfortunately, as we came through subcommittee to full committee, outside issues, as they have on other appropriations bills, have entered in and sort of poisoned the well somewhat.

I do think we have a good bill here. I think it is something that we can support on both sides of the aisle. But we will hear some weeping and gnashing of teeth about the amendments that were not allowed, and I would submit to my colleagues that they do not belong on this bill. I think the Committee on Rules exercised good judgment in providing us with a rule that allows for two amendments from Democrats, two amendments from Republicans.

I think every Member of the House should take a moment and look around at our complex, at this campus where we work and remind themselves of how fortunate we are to be working here. The bill that we will be debating later provides the needed funds to maintain this vast campus and the wonderful people who work here on a daily basis. It is not just our personal or committee staffs who make up the House. There are Capitol Hill Police, maintenance personnel, cafeteria workers, clerks, and a variety of services, elevator operators, countless people, the sea of faces that we see every day who make this place work. We have a responsibility to them also, not just to each other as legislators but to the people who work here and make this place work. We are very, very fortunate to have the degree of professionalism that we have.

We are also responsible for other offices I mentioned, General Accounting Office, Congressional Budget Office, Library of Congress, the greatest repository of information on Earth, Madam Speaker. We have a huge responsibility to make sure that not only we take care of the physical structure but also the wonderful, intelligent, thoughtful people who work in these institutions.

This bill continues a trend that was begun under the leadership of my predecessor, the gentleman from California [Mr. PACKARD] to downsize, to right size the legislative branch. The Federal Government has grown like Topsy over the past 20 or 25 years. The legislative branch since the gentleman from California [Mr. PACKARD] became chairman 2 years ago has exercised tremendous restraint.

We are leading the Federal Government in the effort to downsize Government. In fact, we have reduced staff on the legislative branch by almost 14 percent. No other branch of the Federal Government has done nearly as well, as the gentlewoman from Ohio [Ms. PRYCE] mentioned.

If this budget is adopted over these 3 years, we will have reduced Federal spending just in the legislative branch by almost $400 million. If every branch, if every bureau of the Federal Government did what the legislative branch has done, we would have a Federal Government surplus in the year 1998. We would not have to wait for a 5-year budget deal. We would not have a balanced budget. We would have a budget surplus of $183 billion, if we did what the legislative branch has done.

Madam Speaker, I am very proud of this bill. I am very proud of the way that we arrived at this bill. Unfortunately, there will be some carping today about the rule and about the bill, but overall I think in their heart of hearts everybody can agree that we did our best. This is the best bill we could bring forward. There is something here that we can all support.

Mr. HALL of Ohio. Madam Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Madam Speaker, I cannot believe we are here again with this kind of a rule. We have just gone through a very frustrating and acrimonious period because the Committee on Rules chose to turn previously bipartisan bills reported out of the Committee on Appropriations into partisan war zones by the nature of amendments which they did and did not allow on appropriation bills.

It took us a long time to work out the arrangement last night on the foreign operations bill which ended that controversy, I had hoped.

Now apparently we are right back at it. It is important for the majority to understand that we have our responsibilities to manage these bills just as they have their responsibilities. And it is disruptive of the legislative process when on a routine basis the request of our party's bill managers on these bills is ignored and frustrated. We asked—and we gave them their choice—we asked that they make any one of three amendments in order which would allow us to eliminate or reduce the expenditure of public money under the Speaker's slush fund. And we were denied the opportunity to reach that problem with any of the amendments that we had before us.

I think that is a very basic mistake. The fundamental job of this House—we can argue about taxes, we can argue about all other authorizations—the fundamental job of this House, after all, is to get the basic work of the Government done through the appropriations process. Rules like this get in the way of that obligation. They extend the acrimony rather than shorten it. They extend the debate rather than shorten it. They make it more difficult for the House to complete its work in a timely fashion.

Most of all, with this rule the House has a clever way to sneak around the staff cuts which were provided in committees 2 years ago under the Republican contract and now under this, committees are able to get large amounts of additional funding for large amounts of additional staff without ever having taken a vote on that on the House floor. That is just plain wrong. They ought not to do this. They ought to listen to what witnesses before their committee said last night. I would hope that this episode will not be repeated on future appropriation bills or, again, the House will not be providing the leadership to this country that it ought to provide.

□ 0945

Ms. PRYCE of Ohio. Madam Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules.

Mr. SOLOMON. Madam Speaker, the last speaker is the ranking member of the Committee on Appropriations. It is a very important position in this body, and I personally have a great deal of respect for him.

But the gentleman used to be the chairman of the Committee on Appropriations, and when I hear statements like those just mentioned in the well a few minutes ago, it really disturbs me because we always have to be consistent.

I made a pledge when I became chairman of the Committee on Rules 3 years ago that we would be fair and open as much as possible, and at all times at least as fair and more fair than the Democrats treated us when we were in the minority.

And the gentleman comes to the well and he says that the majority, when he was chairman, never shut out the ranking members when they wanted to offer an amendment because, as the ranking member of the committee, they ought to have that opportunity. And I believe the gentleman is right. But the truth is, we have an example right now, we have the gentleman from New York [Mr. WALSH], who now is chairman of the Appropriations Subcommittee on Legislative, but he used to be the chairman of the Subcommittee on the District of Columbia, of which Madam Speaker has a lot of interest in.

And just in the last Congress, in other words the Congress that the Democrats controlled, on the bill that the gentleman from New York [Mr. WALSH] brought to the floor as the ranking member at that time, he requested at that time three amendments to be made in order. And the gentleman from Wisconsin [Mr. OBEY], who was chairman of the committee, recommended to the Committee on Rules they make none of those amendments in order. Yet he was the ranking member at the time and they shut him out.

I just saw the gentleman from Kentucky [Mr. ROGERS] walk through, who is chairman of the Subcommittee on Commerce, Justice, State, and Judiciary, and he had requested in that 103d Congress that he have amendments made in order, too, as the ranking member, and they just arbitrarily shut him out.

So let us be consistent around here. We are at all times trying to be fair. This rule that is on the floor now, because it does deal with our funding for the legislature, should be fair. And of the 8 or 9 or 10 amendments that were offered, we tried to consider all of the Democrat amendments that we could, and we ended up making in order 2 Democrat amendments and 2 Republican amendments. Yet we are in the majority. Now, how much more fair can we be than that?

And when we talk about closing down the rules, we have come under great criticism for putting out so many open rules. And we have heard Members on that side of the aisle and Members on our side of the aisle complain about all these open rules. They cannot get their planes, they cannot go home on Friday afternoon to be with their constituents and their families.

In the 103d Congress, the last time that the Democrats controlled this House, they had open rules about 40 percent of the time. Yet when we took over in the 104th Congress, we opened those rules up to 60 percent of the time. So when we talk about this, let us try to get some comity in the House.

We solved a big problem last night, tried to bring a compromise so that we could move the legislation which is so vital to the American people, and so let us not come down here and be critical of something that does not exist. We are here to try to move this legislation. We are under great deadlines because we do not want to get into a situation where we close down the Government because this Congress could not get together.

So let us move these appropriation bills. They have to be dealt with by September 30. We are going to be off for 3½ weeks in August for constituent work periods back home. There are very few legislative days left until September 30. It is imperative we move the legislation. So let us work together and let us move the legislation and have a free and fair and open debate on it.

Mr. HALL of Ohio. Madam Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Madam Speaker, I want to correct the comments of the previous speaker.

If he will go back and review the history of the D.C. bill, what happened on that bill, and on several other occasions, is that the gentleman in question asked that the Committee on Rules make in order amendments which would otherwise not have been allowed under the rules. It would have been nongermane under House rules, and we asked under those circumstances to deny them.

I never said that there were not occasions when the wishes of the ranking minority member were not granted. Go back and read what I said. I never described that in any way. What I urged my colleagues to do was not on a routine basis turn down the request of ranking members.

I do not expect the committee to grant all of them, but I do expect them to grant a reasonable number. And the fact is that this year the Committee on Rules has routinely turned down the requests of the ranking minority members, and the record demonstrates that.

Ms. PRYCE of Ohio. Madam Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], chairman of the Committee on Rules.

Mr. SOLOMON. Madam Speaker, the gentleman has just made my point. He has mentioned that the gentleman from New York [Mr. WALSH], the chairman, at the time the ranking member, wanted to offer amendments that would not otherwise have been in order unless he received a waiver.

And that is really what this whole argument started from at the beginning from our very good friend, the gentleman from Illinois [Mr. YATES], who I greatly admire and respect, he has been around here for so many years, on the NEA issue. Whether we are for or against it, the gentleman from Illinois wanted to offer an amendment that would otherwise not be allowed without waivers because the program had not been authorized, the same thing as was the situation with the gentleman from New York [Mr. WALSH].

So let us, again, put this aside, let us get down and really debate the issues. That is what is important. That is what all the American people watching us today want us to do.

Mr. HALL of Ohio. Madam Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Madam Speaker, the Gingrich Republicans have done it again. They have launched another sneak attack in their campaign to undermine the rights of working families, and this time they are using taxpayer dollars to do it.

I am talking about the Speaker's allocation of $1.4 million to investigate, intimidate, and to harass people and organizations that are standing up for fair wages, worker safety, decent pensions, and the freedom of speech. This partisan slush fund, which was rushed

through the committee without any notice, without any substantive debate, is part of a broad Republican effort to silence the voices of anybody who disagrees with them on working issues. It is an effort to stifle the opposition, to muffle the ideas they do not like, to stuff a rag down liberty's throat.

And why would Republicans try to silence the voice of America's working families? Because they do not like what they are saying. They do not like what they are saying and they do not like the fact that these families, through their membership in unions, are able to speak with force and passion and clarity about their vision for a better America.

Madam Speaker, our parents and our grandparents fought, went to jail, were beaten, sometimes even died for basic rights that millions of working Americans now enjoy and, unfortunately, take for granted: The 40-hour workweek, the 8-hour day, maternity leave, paid sick leave, the weekend, secured pensions, safety laws in this country. They did not just happen. They happened because someone stood up and struggled and fought for them.

Now, the Speaker and his Republican colleagues are trying to take those basic rights away from us and they are trying to give big corporations unprecedented powers over our lives. All we have to do is look at the tax bill. The corporate minimum tax. They want to basically forgive corporations from paying Federal taxes. They have a $22 billion giveaway in their proposal to the large corporations, to go back to the 1980's when companies like AT&T and Boeing paid no Federal income tax and the rest of us picked it up. Their tax bill? Five percent of Americans, the richest 5 percent, get 60 percent of the benefits.

And, of course, they have made an all-out assault on the minimum wage in their bill through independent contracting, which would allow people to be paid below the minimum wage, would allow health benefits and pension benefits to be taken away.

So what they are doing with this slush fund, to silence workers and their unions as a voice to stand up for worker rights, is a pattern of attack on working families' basic rights. It fits this pattern they have been about. It is intending to intimidate and undermine labor's voice in the political process.

Vote ''no'' on the previous question, vote ''no'' on the rule, and let us make in order the Gejdenson amendment so we can get some justice in this institution. This is the wrong way to treat working people.

Mr. HALL of Ohio. Madam Speaker, I yield 2½ minutes to the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Madam Speaker, I have never voted against a rule on legislative branch before in all the years I have been a Member, and I have only voted against the conference report on one legislative branch bill because of the removal of the Office of Technology Assessment in that conference after this floor sustained it.

But I rise today in opposition to this rule and of this bill, and I do so ruefully because I have great respect for the gentlemen from New York, [Mr. WALSH] and [Mr. SERRANO]. I think they are going to make the institution proud. I think they will do an excellent job of taking one of the more important roles that we have, and that is to protect this institution and, by doing so, the rights of all Americans.

But what we are talking about today is a gag rule that does not permit this House to discuss the problems that are eating us alive, and I mean problems that are attendant to investigations, as the gentleman from Michigan [Mr. BONIOR] said, of labor, that are not voted by Members here on the floor but done in a back-room deal using a cookie jar fund that was put aside for the fun and pleasure of the Republican leadership.

More important, we are engaged in an investigation, supposedly of campaign finance violations, by another committee which is being run in the most partisan manner anyone has ever recognized in Washington. The similar investigation on the other side puts us to shame because of the bipartisan manner in which it is being conducted.

But we are also in the midst of another investigation that I think we all have to focus on, and that is a concerted effort to prolong the agony of one of our Members. The gentlewoman from California, Ms. LORETTA SANCHEZ, won, and has been certified as the winner by the California Secretary of State, a close race in what had been totally Republican Orange County. Today, we continue to prolong her agony by preventing her from being made a permanent Member of this institution.

I think we have to be very sensitive to what has been going on in this investigation. If her name were Smith and not Sanchez, we would not be investigating the Browns and the Joneses and the Littles, we would be investigating people who may have, perhaps, made some inappropriate decision about voting. But we would not be doing it by investigating the Rodriguezes and the Ortizes, because they happen to be Hispanic.

In my view, this investigation is out of bounds and over the line and ought to be ended. And we have no chance here today to express our frustration during the course of this debate. We should have and, therefore, we should defeat this rule.

Mr. HALL of Ohio. Madam Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Madam Speaker, I thank the gentleman for yielding me this time.

I am pleased to follow my colleague from California. I do not know that there are any two more stronger supporters of the institution than the gentleman from California [Mr. FAZIO] and I. There are strong supporters on that side of the aisle as well, in particular the chairman of this committee. I believe and agree with the gentleman from California that he is going to be a strong supporter, and that he and the gentleman from New York [Mr. SERRANO] are going to make a team that will stand up for honest debate and honest policies with respect to the administration of the House of Representatives, the people's House.

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But I wanted to follow the gentleman from California [Mr. FAZIO] and I wanted to follow him with respect to this investigation that is going on with respect to one of our Members, an investigation that has now been going on for 8 months that is unprecedented.

First of all, it is the first time in history, the first time in history, under the Federal Contested Election Act, where a Member has ever been allowed to have subpoena power to subpoena organizations like Catholic Charities and ask for all their financial records. It is the first time in history that we have not disposed of a Federal Contested Election Act case either because it was withdrawn or because in a preliminary fashion we decided there was not sufficient evidence to move forward.

The gentlewoman from California [Ms. SANCHEZ]. It is the first time in history in any district in America that INS has been asked to compare the names of the voters with their lists. My colleagues, think of the message that we are sending. Think of the message that we are sending to those Americans; Americans, I stress, of Hispanic background.

I am a Danish-American. Never in history has anybody asked that we check on Danish-Americans through the INS. That is why I am against this rule, because they did not allow debate on this critical issue and recompense of $150,000 to the INS, as they should do.

Ms. PRYCE of Ohio. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. WALSH], chairman of the subcommittee.

Mr. WALSH. Mr. Speaker, I thank the gentlewoman for yielding. This debate really is disintegrating, and it is really unfortunate. To wave the bloody shirt of ethnicity on a debate on the rule really demeans all of us. It really does.

I am chairman of the subcommittee. The gentleman from New York [Mr. SERRANO], the ranking member, is Hispanic. I do not think there is a Member in this body who I respect more than that gentleman. The points that were made I do not think reflect well on this body. They certainly do not reflect well on this rule.

To get back to the specifics of the request, $150,000 out of the legislative branch to give the Immigration Naturalization Service. They did not ask for

this money. It takes money out of the operations of the legislative branch, which, as we all know, we have reduced 3 years in a row.

This amendment does not have anything to do with the legislative branch. It is an opportunity for the minority to vent. They are frustrated. We were frustrated when we were in the minority, too. It goes with the turf. But we have tried to be fair. This rule allows for amendments for Democrats and Republicans, but they have got to be germane to the bill. They should be fair. I think we have been fair. Fairness, obviously, is in the eyes of the beholder. But we really have done our best to give everybody their opportunity on this bill. And this idea of ethnicity really has absolutely nothing to do with this bill.

I am Irish-American. The gentleman from Maryland [Mr. HOYER] is Danish-American. There is room in this bill, in this Nation, for all of us.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY of Connecticut. Mr. Speaker, I rise to express my deep concern about the subject being discussed and how some of the moneys in this bill could be appropriated.

Since the polls closed in November, one of our colleagues, the gentlewoman from California [Ms. SANCHEZ], has been subjected to unprecedented harassment. Her defeated opponent has been given subpoena power. He has used this power to harass not only the gentlewoman from California [Ms. SANCHEZ] and her family, but Catholic nuns, college students, and many others.

We are now 9 months into this ludicrous tantrum by this poor, disappointed man who lost. We have expended hundreds of thousands of dollars in this assault, and it is time for it to stop. I say to my colleagues in the majority, accept the word of the voters, cease this constant undermining of this Member, the gentlewoman from California [Ms. SANCHEZ]. Let her do what she came to Washington to do, to vote all her considerable intelligence, energy, judgment to the constituents who have sent her here.

I urge my colleagues, in the name of the gentlewoman from California [Ms. SANCHEZ], to oppose this rule.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Delaware [Mr. CASTLE].

Mr. CASTLE. Mr. Speaker, I thank the gentlewoman for yielding. I will be relatively brief. Actually, I am one who presented three amendments, which were turned down. But I rise in support of the rule.

My concern is, as it has been for some time, and this raises bipartisan hackles, I might add, is the use of the franking privilege. I believe that sometimes it is used in a political context, which concerns me a great deal. And I presented three amendments to address this.

But I must say that this Congress and this Committee on Rules, and particularly the gentleman from California [Mr. THOMAS], have really started to address these issues. And for this I have tremendous praise for them.

For example, we have gone from a high in 1988 of $113.4 million for frank mail to free mail, which is sometimes used for political reasons, to a low of $30 million in fiscal year 1995. I am convinced, after discussing this with the gentleman from California [Mr. THOMAS], chairman of the House Committee on Government Reform and Oversight, that we are going to try to address even additional areas with respect to this to make sure that our mail is used for the purposes of responding to our constituents and not for mass mail used in a political sense.

For that reason, I am here to report that even though my particular amendments, which I do not think we need to discuss now, are not being considered on the floor, the direction is good, the effort is good, the focus is there, Congress is going in the right direction. I just hope we can continue to do this.

Mr. Speaker, I am here today because I'd like you to make in order three amendments to the legislative branch appropriations bill. These amendments build upon the progress Congress has made in recent years to reduce the cost to taxpayers of the congressional franking privilege.

During the last decade, Congress spent from a high of $113.4 million in fiscal year 1988 to a low of $30 million in fiscal year 1995 on franked mail. This is an impressive reduction. Nevertheless, I believe improvements can still be made, notwithstanding the legitimate need Members have to respond to the inquiries and concerns of their constituents.

My first amendment will ban mass mailings during election years up to the general election. Use of the frank increases cyclically during every election year. During the 103d Congress, the House spent $24 million in 1993, and $42 million in 1994. During the 104th Congress, the House spent $24.5 million in 1995 and $27 million in 1996.

Currently, Members cannot send franked mass mail 90 days before a primary or general election. Since primaries occur on different dates in different States, Members are held to different mass mail standards depending on the dates of their primaries. My amendment will simplify the issue by banning all mass mailings prior to election day in election years. It will prevent House Members facing tough reelection campaigns from tapping into their official office accounts to flood constituents with self-promoting newsletters and mailings.

My second amendment addresses a relatively new issue, raised by changes in House rules which permit Members to use their Members Representational Allowance [MRA] to pay for radio advertisements. The cost of these advertisements are not counted against a Members's Official Mail Allowance, even though these radio advertisements are generally substituted for town meeting notices sent by mail. This oversight frees up additional funds for a Member to spend on unsolicited mass mailings. I believe that these advertisements should be counted against a Member's Official Mail Allowance to avoid this substitution affect and my second amendment does this.

My third amendment reduces the MRA by $5,674,000, the amount that the Appropriations Committee recommends as an increase in the Official Mail Allowance. This 27 percent increase over fiscal year 1997 funding is completely unjustifiable. Given the excellent work the Appropriations Committee has done in recent years to reduce taxpayer funding of franked mail, I believe this is the wrong approach to take.

I know that it is impossible to serve constituents well while spending relatively little on franked mail, because I represent the third largest congressional district in the country, and yet I am consistently among the lowest franked mail spenders. We are diligent, however, at responding to letters and phone calls from constituents, and we have a very organized, computerized system of tracking the mail we receive and send out. The way I accomplish this is by refusing to send my constituents unsolicited newsletters, questionnaires, or postcards using the franked mail privilege.

Last year, the Rules Committee made in order two franking disclosure amendments I offered, which were adopted on the floor and have been made permanent. Those were good reforms, and I appreciate your making the amendments in order. I believe that these amendments also make important reforms, and hope you will give them every consideration.

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

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

Mr. THOMAS. Mr. Speaker, I want to thank the gentleman from Delaware [Mr. CASTLE] for his continued vigilance. Amendments made in the last Congress have moved us much along the path of making sure that the former tactic of having a sawed-tooth pattern of mail, oddly enough, the greatest expense during election years, has been smoothed out significantly. No longer is the old partisan pattern being followed. It is largely due to the continued vigilance of the gentleman from Delaware [Mr. CASTLE].

Mr. HALL of Ohio. Mr. Speaker, how much time does my side remaining?

The SPEAKER pro tempore (Mr. PEASE). The gentleman from Ohio [Mr. HALL] has 11 minutes. The gentlewoman from Ohio [Ms. PRYCE] has 10 minutes.

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

Mr. CLAY. Mr. Speaker, I thank the gentleman from Ohio for yielding me the time.

Mr. Speaker, 3 weeks ago, Republicans met behind closed doors and hatched a devious partisan political campaign with $1.4 million in public funds to harass and intimidate workers, union leaders, and the Department of Labor. Now under this rule, which prohibits amendments, Republicans want to deny Members of this House a vote to eliminate their $7.9 million slush fund from which this $1.4 million

boondoggle was withdrawn. The Republican slush fund was supposed to be used, and I quote, for unanticipated expenses of committees.

Well, if there is one thing in this Congress that was not unanticipated, it is the continued Republican assault on the rights of working men and women. Time and time again, the leadership of this House attacks the rights of workers and then abuses House procedures to choke off dissent against their extremist agenda. By denying the vote on the Gejdenson amendment, the Republican majority is striking another blow against democracy.

Mr. Speaker, we should reject this rule.

Ms. PRYCE of Ohio. Mr. Speaker, I reserve the balance of my time. I think we only have two speakers remaining.

Mr. HALL of Ohio. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from Michigan [Ms. KILPATRICK].

Ms. KILPATRICK. Mr. Speaker, I thank the gentleman from Ohio [Mr. HALL] for allowing me the opportunity to speak.

As a member of the House Committee on Government Reform and Oversight and a new Member of this Congress, as many Members and people of America may remember, on January 7 this Congress adopted budgets for the various committees of the Congress; and in that adoption, after some dismay, there was set aside a $7.9 million reserve fund, more commonly known as slush fund, that was supposed to be used for three purposes: high priority, emergencies, and extraordinary circumstances.

On July 8, with less than 24-hour notice, as the rules require, the House Committee on Government Reform and Oversight was called together and a $1.4 million deduction from that slush fund was had for an investigation of the Labor and Education Department. As a member of the House Committee on Government Reform and Oversight, I felt then, as I do now, that the rules had not been followed, that we did not have proper notice, that we were again going to spend another $1 million of the American people's money on another investigation.

Since 1996, over $10 million have been spent on investigations. Over the last 18 months, over $30 million has been spent on investigations.

I rise to oppose the rule. I rise to defeat the previous question, because I believe the American people want us to have the input and the exchange. That is why they sent us here. I believe the American people want us to debate the issues. And, therefore, because the Gejdenson amendments were not adopted yesterday, it would allow that opportunity. That is why we put it on the table, why this $1.4 was deducted, why the slush fund initially was incorporated, and why today we have before us another investigation.

The Labor Department is a fine department, and its employees do good work. It is unfortunate that we are here today to oppose the rule. It is unfortunate that we as elected representatives of the people cannot debate the question. Why? America, speak out. Do not let this Congress get away with again going after investigation and investigation. Let us get back to the people's work.

Mr. Speaker, oppose the rule, oppose the previous question.

Ms. PRYCE of Ohio. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Speaker, I thank the gentleman from Ohio [Mr. HALL] for yielding.

I rise today in opposition to this rule because I believe when this House debates the legislative appropriations bill, each Member has a right to question the expenditures of this House. I believe that the prolonged investigation of the election of our colleague, the gentlewoman from California [Ms. SANCHEZ] is an issue that confronts the integrity of this House.

For the first time in the history of this Nation, voters, legitimate voters, have been put on a list and run through the INS register simply because they have ethnic last names, Hispanic, Asian. I think that is an affront. And that practice has been more or less authorized by this House if we do not inquire into it. It is a very, very specious way to conduct an investigation. And I believe the House has a right to go into it, inquire on the practice of this committee, and root out those that are beginning this kind of racist inquiry.

Ms. PRYCE of Ohio. Mr. Speaker, I reserve the balance of my time.

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, let me offer my respect for the respective chairman and ranking member of this committee. Many of us hate to have to come before this body and oppose the rule and oppose the bill. Primarily we think that it is a question of dignity and respect. Already we understand that many of our Members on the side of the minority have not been allowed to address the attack on one of our Members, a Member who has been duly elected by her constituents, the gentlewoman from California [Ms. SANCHEZ].

In an instance where it was one of the largest victories that the Federal Election Contest Act has ever had to review, where a task force looking into it has said Dornan, who lost, really has no credible evidence that there has been any violations.

Independent scholars have already challenged Mr. Dornan on the constitutionality of his subpoenas. And, yes, a Los Angeles newspaper, the Los Angeles Times, said, ''Yet a close review of Dornan's contentions shows them to be overstated and riddled with uncertainties.''

What do we do in this House? Continue to comfort and pamper Mr. Dornan, while a working Member, a Hispanic woman, is attacked by the Republicans. I wish we would vote against this rule and vote against this bill.

□ 1015

Ms. PRYCE of Ohio. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DREIER].

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

Mr. DREIER. Mr. Speaker, I would like to get back onto the issue here if I could. I rise in very strong support of this rule. The gentleman from Maryland [Mr. HOYER] was talking a few minutes ago about the number of people here who have a great deal of pride and reverence for this institution. I clearly consider myself to be among them. I am very proud of the work that the gentleman from California [Mr. THOMAS] has done to try and deal with reform of an institution which spent most of its time on legislative branch work simply trying to ensure the reelection of its Members. I am very proud of the work of the gentleman from New York [Mr. WALSH] and of so many others who have focused on ensuring that this institution expands the deliberative nature and that we are in fact accountable to the people who sent us here. I am very saddened to see this debate deteriorate to, as the gentleman from New York [Mr. WALSH] has said, a case of waving the bloody shirt of racism. I happen to like the gentlewoman from California [Ms. SANCHEZ]. She agrees with me on a number of issues like cutting the capital gains tax rate. I think she is a very decent, hardworking person. And I am very concerned about the prospect of seeing us in any way discriminate against Hispanic-Americans. I come from Los Angeles, CA. I am very sensitive to this issue. But the fact of the matter is there are many Hispanic Americans in my State who have said to me, we have to ensure that that very precious franchise, the right to vote, is not in any way jeopardized.

And so, Mr. Speaker, I think that the work that is being done to ensure that every single vote counts is correct work, and I believe that this rule is a very fair and balanced rule. As the gentleman from New York [Mr. WALSH] has said, it ensures that the consideration of both Democrats and Republicans is brought into the mix here. Let us support the previous question, let us support the rule, and let us support what I am convinced will be a very, very good legislative branch appropriations product that will emerge from this House.

Mr. HALL of Ohio. Mr. Speaker, I yield 1 minute to the gentlewoman from New York [Ms. VELÁZQUEZ].

Ms. VELAZQUEZ. Mr. Speaker, I rise in strong opposition to the rule. The Republican leadership is trying to fund its own partisan attack on their enemies while they are trying to deny Democrats the right to bring amendments to the floor. The Republicans are using the Committee on House Oversight to fund an unprecedented attack on the election of the gentlewoman from California [Ms. SANCHEZ]. They have spent over $300,000 of taxpayer money to attack a Hispanic woman and to intimidate Hispanic voters.

This is a clear attack on the voting rights of minorities and an utter abuse of power. The Republicans have even subpoenaed the INS to try to dig up dirt on immigrants.

Mr. Speaker, the Republican leadership must not be allowed to trample the rights of Latinos. They must not be allowed to use their power to prevent Democrats from bringing important amendments to a vote. Vote ''no'' on the rule.

Mr. HALL of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Speaker, what has developed here over a number of years is class warfare. It is exhibited in almost every action taken by the Republican majority on the Sanchez matter. It did not start with SANCHEZ. In 1980, we watched men wearing black armbands descend upon polling places that have large minority populations trying to dissuade them from voting.

Any of us who are immigrants, who come here without all the guarantees of freedom and protection of law, know how easy it is to intimidate the poor and the new Americans from participating, how they can easily remember the fears of the countries they fled. The Republican majority opposes motor-voter and particularly opposes poor people having systems where the poor can get registered.

One of the members of the Committee on Appropriations in a discussion last week said that the real motive behind the Sanchez contest was not simply SANCHEZ, the reason for pursuing it was to get motor-voter. We have a right and an obligation to review elections. But the extent, the lack of due process that has occurred in this review is outrageous.

On the money side, $30 to $50 million of investigations have been initiated by those who claim to be careful with dollars. The outrageous slush fund and its use, to add over $1 million, $1.4 million to the Committee on Education and the Workforce is as if we have an in-house counsel, we had a lawyer that worked for our company and then when the lawyer actually did something, he said, ''Wait, I've got to be paid again, I'm a lawyer.''

The Committee on Education and the Workforce, all of what they have asked for is in their original jurisdiction. But it is one more attempt to get labor, to politicize the legislative process. We have a responsibility here to do our work, to try to stay in budget, but to make sure that what we do here really serves the best interests of the American people.

We have had sufficient funds appropriated to that committee so that we do not need to dip into this slush fund. This slush fund ought to be abandoned. It is a political tool directed by the Speaker to get people that are in his way.

When we take a look at what this committee has been doing, it has left the minority without rights. But we are not going to argue process. It has held meeting after meeting without notice. Let me tell my colleagues when I was a committee chair, my ranking Republican TOBY ROTH, we gave him everything as soon as we had it. We notified meetings weeks in advance.

When we take a look at what has happened here, we walk in, we do not see the language until we sit down to vote. But all that is secondary. The issues that are here and outrageous are the continued harassment of the gentlewoman from California [Ms. SANCHEZ] and the continued use of funds for political purposes out of this slush fund.

The Speaker basically gets to decide who he is going to go after by tapping into $7.9 million. The House does not get to look at those funds. You snuck that through early, got a nice party line vote to make sure you could have a slush fund to continue your political and partisan wars.

We are here today to say that is enough. Let us join together and reject this rule and go forward with a process that gives every Member of this House the right to cleanse the funding of that slush fund.

Mr. HALL of Ohio. Mr. Speaker, I yield 30 seconds to the gentleman from Georgia [Mr. LEWIS].

Mr. LEWIS of Georgia. Mr. Speaker, millions of dollars for a partisan investigation into campaign finance abuses, millions of dollars for an investigation intended to intimidate organized labor, hundreds of thousands of dollars to harass and intimidate a Hispanic woman Member of Congress.

It is not right, it is not fair, it is a shame and a disgrace. Defeat the previous question and defeat this rule.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Speaker, I think the Republicans are trying to do their very best job here. We heard a lot of screaming and yelling. I do not know if my colleagues remember exactly what happened, but when the Democrats were in charge, they were not exactly perfect. We had a lot of complaints, too. I think some of the complaints that we had were very legitimate. When I first came here, Jim Wright was the Speaker and Jim Wright had to leave and there were some problems there. We had a House bank scandal. We had a House post office scandal. We had all kinds of things going on. Republicans were screaming and yelling about it.

Today I have to tell my colleagues, after all these years, and with all due respect to my colleagues, I think we are working better together right now than we were back in those days. I will have to admit I was frustrated in those days. I was very frustrated and I was probably screaming. In fact most of my colleagues can remember me screaming and yelling in those days. But I think that we are actually working better now than we did when I first became a Member of the House. There is always room for improvement and I hope we will.

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

Mr. Speaker, I urge my colleagues to join me in defeating the previous question to make in order the amendment by the gentleman from Connecticut [Mr. GEJDENSON] which was defeated in the Committee on Rules yesterday. The amendment would cap funds for committee expenses at the level identified for them in the committee funding resolution for the 105th Congress.

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote.

A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan.

It is a vote about what the House should be debating.

The vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Mr. Speaker, I include the following material for the RECORD:

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's ''Precedents of the House of Representatives,'' (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership ''Manual on the Legislative Process in the United States House of Representatives,'' (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual:

Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

Deschler's ''Procedure in the U.S. House of Representatives,'' the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues:

Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

The vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Ms. PRYCE of Ohio. Mr. Speaker, I yield the balance of my time to the gentleman from Bakersfield, CA [Mr. THOMAS], the chairman of the Committee of House Oversight.

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

Mr. THOMAS. Mr. Speaker, I thank the gentlewoman from Ohio very much for yielding me this time. I want to start by complimenting the gentleman from New York [Mr. WALSH]. As the new chairman of the Appropriations Subcommittee on the Legislative Branch, he is, in this proposal, building on the excellent record laid down by the gentleman from California [Mr. PACKARD], which showed between the Democratically controlled 103d Congress and the Republican-controlled 104th a dramatic reduction in expenses. After the dramatic work of Mr. PACKARD, the gentleman from New York, Mr. WALSH, follows him by additional reductions.

Anyone who needs to know what the Democrats did when they ran this place simply has to go out and look at the Botanical Gardens. It was falling apart for years. They would not fix things. What we have done is come in and in a businesslike way know that deferred maintenance is going to eventually cost us. It cost us. There is no roof on the Botanical Gardens. They were here for 40 years and the building collapsed. Come back in 3 years and under Republican control, you will see a rebuilt Botanical Gardens. We go to the foundation and build it back up. I want to compliment the gentleman from New York for doing that.

In terms of amendments, first of all, let me say that I am very, very saddened by the comments of the gentleman from California [Mr. FAZIO]. He has an amendment that has been made in order by the Committee on Rules. The gentleman's amendment seeks to cut staff. I will have to tell Members that in the years the gentleman from California was chairman of the Subcommittee on the Legislative Branch, he never ever offered an amendment to cut staff. In fact, he is known as a champion of making sure that there are enough helping hands around here to do the job. His amendment clearly is out of character. The reason, of course, is because his status changed from majority to minority. But I cannot understand, unless it is the demands of leadership and the pressure put on him by the outrageous elements within his party for him to come to this well and use the ethnic card, to try to argue that the gentlewoman from California [Ms. SANCHEZ] and her election is being investigated because her name is Sanchez.

I would ask my colleagues to reflect on the fact that the gentlewoman from California [Ms. SANCHEZ] is a Member of the House of Representatives. She had a certificate of election. When the Democrats ran the place, if your name was McIntyre and you had a certificate of election, you were not allowed to be seated.

□ 1030

What the Democrats did was go in, set up a phony way of counting votes and then did not even follow the way they said they were going to count the votes to make sure that they stole that election.

What are we doing right now in the contested election? My colleagues heard all the racist comments from the Democratic side of the aisle. I will tell my colleagues what is going on. In Orange County today the District Attorney of Orange County is carrying out a criminal investigation preparatory to a trial against an organization called Hermandad Nacional because these people abused and misused Americans who wanted to become citizens. Legal aliens were used in illegal activities. That is the basis for our requiring by subpoena the Immigration and Naturalization Service to take those core names that Hermandad used for illegal purposes and put on the voter rolls without complying with the law.

The labor card was played once again. I just find it ironic that if one's party affiliation is Democrat, somehow you are with working people. Contrarily, if one's label is ''R'' you are somehow against working people.

My father, his lifetime job was a plumber. He belonged to Local 582, Plumbers and Pipefitters, and he went out and worked as a plumber his entire life. I was the first member of my family to complete college.

My colleagues should look at some of their backgrounds. What they do is exploit the labor union movement. These people never belonged to labor unions. All they do is play that cheap labor card over and over again.

Let me tell my colleagues about this investigation, this oversight vote that we are looking at. It was voted in committee. We have a 2-year budgetary process. When needs come up, we will vote the money, this time, $1.4 million. They get $433,000 out of that money. They have not mentioned that. We play a fair share game, $2 on our side, $1 on their side.

Mr. Speaker, they get $1 for every $2 that we have. When they ran the place, we got 10 cents on the dollar. But what they need to do is to hide behind racial epitaphs and abuse-of-class arguments to try to carry the day.

I know those people are upset they are not the majority anymore, but come on, grow up. More important, do not let the American people think that the way we are supposed to win is to not deal with facts, not face reality, but hide behind scapegoats and epitaphs which may allow them to get elected when they can sway people in their district but should not be allowed to be the basis for discussion on the floor of the House of Representatives.

So I would tell my colleagues as we examine this rule and the vote for the legislative branch appropriation that the work that the new majority is doing to continue to build to make sure that roofs are on buildings, that people who obtain the franchise illegally are not able to use it. Black, white, red, yellow, Hispanic, Welsh; illegal voters should not be on the rolls. If illegal voters participate in an election, the American people have a right to know that their legal vote counts and illegal votes have to be removed from the rolls.

Support the rule, support the legislation.

Mr. HALL of Ohio. Mr. Speaker, I submit for the RECORD the following proposed amendment:

At the end of the resolution, add the following new section.

Section 2. Notwithstanding any other provision of the resolution, it shall be in order without intervention of any point of order to consider the following amendment by Mr. Gejdenson.

Page 8, insert after line 5 the following new section:

SEC. 106. None of the funds made available in this Act may be used for the expenses of any committee of the House of Representatives during any session of the One Hundred Fifth Congress in excess of the amounts specifically identified for and allocated to such committee under primary and supplemental expense resolutions, or to pay the salary of any officer or employee of the House of Representatives who certifies, approves, or processes any disbursement of funds from any reserve fund for unanticipated expenses of committees established pursuant to clause

5(a) of rule XI of the Rules of the House of Representatives.

Ms. HARMAN. Mr. Speaker, I rise in opposition to a rule and an appropriations bill which permits continued funding for a wasteful, spiteful, and pointless challenge to the duly-certified election of our colleague, LORETTA SANCHEZ.

I faced a similar challenge in the last Congress. After 9 months and taxpayer expenditures of approximately $100,000, that challenge was finally withdrawn.

The Sanchez challenge should be ended now before more taxpayer money and more Members' time is wasted. Moreover, Mr. Speaker, those of us from California—a State where a majority of our population will soon be Hispanic—should condemn the effort to intimidate legal Hispanic voters which is, in my view, a central goal of the ongoing Sanchez challenge.

The right way to challenge LORETTA SANCHEZ is the 1998 election. The wrong way is to use funding in this bill.

The SPEAKER pro tempore. All time for debate has expired.

Ms. PRYCE of Ohio. Mr. Speaker, I move the previous question on the resolution.

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

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

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 SPEAKER pro tempore. Pursuant to clause 5 (b)(1) of rule XV the Chair may reduce to a minimum of 5 minutes the time for any electronic vote on the question of passage of the resolution.

The vote was taken by electronic device, and there were—yeas 222, nays 201, not voting 11, as follows:

[Roll No. 324]

YEAS—222

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)

NAYS—201

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Johnson, E.B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—11

Blumenauer
Crane
Gonzalez
Martinez
Miller (CA)
Molinari
Nussle
Schiff
Smith (NJ)
Stark
Young (AK)

□ 1053

Mr. HASTINGS of Florida and Mr. CLEMENT changed their vote from ''aye'' to ''no.''

Mrs. CUBIN changed her vote from ''no'' to ''aye.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. HALL of Ohio. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to the Chair's previous announcement, this will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 203, not voting 13, as follows:

[Roll No. 325]

AYES—218

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blunt
Boehlert
Boehner
Bonilla
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Ensign
Everett
Ewing
Fawell
Foley
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette

Lazio
Leach
Lewis (CA)
Lewis (KY)
Livingston
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (FL)

NOES—203

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Bonior
Borski
Boswell
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Forbes
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (WI)
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
King (NY)
Kleczka
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Meehan
Meek
Menendez
Millender-McDonald
Minge
Mink
Moakley
Mollohan
Moran (VA)
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Quinn
Rahall
Rangel
Reyes
Rivers
Rodriguez
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Spratt
Stabenow
Stenholm
Stokes
Strickland
Stupak
Tanner
Tauscher
Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Waters
Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—13

Blumenauer
Crane
Gonzalez
Johnson, E.B.
Linder
Martinez
Miller (CA)
Molinari
Schiff
Smith (NJ)
Stark
Taylor (NC)
Young (AK)

□ 1106

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.

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on rollcall No. 325, I was detained by constituents in my office. Had I been present, I would have voted "no."

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore (Mr. PEASE). Pursuant to House Resolution 194 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2203

□ 1107

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2203] making appropriations for energy and water development for the fiscal year ending September 30, 1998, and for other purposes, with Mr. OXLEY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Thursday, July 24, 1997, the bill was open for amendment at any point.

Mr. FAZIO of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to divide the 5 minutes between myself and the gentleman from Oregon [Mr. DEFAZIO] in order to briefly discuss the amendment that is about to be voted on.

Mr. Chairman, I yield to the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman for yielding to me.

Members will want to listen. This debate occurred late last night. It is confusing and they need to know what is happening. The gentleman from California [Mr. FAZIO] offered an amendment to the DeFazio-Petri amendment, which on its face would seem to restrict the expenditure of funds on the Animas-La Plata project, which a majority in this House voted last year to not fund.

The Animas-La Plata project, and many of my colleagues have heard of it, is a proposed $400 million plus water project with a .36 to 1 cost-benefit ratio. It is purported to provide a settlement to tribes. It does not. It is purported to do many other things it does not. But it does spend a lot of money.

What we did, Petri-DeFazio, last night was offered an amendment to say, no more funds should be expended on this project which has even been abandoned by its proponents. Its proponents have offered an alternative. The alternative has not had any hearings. It is not authorized. It has not been reviewed by the Bureau of Reclamation. That is progress. They have admitted this $440 million boondoggle should not go forward.

What the Fazio amendment actually does is require that that project go forward. If read carefully, it starts out with a limitation, but what it does is limit funds to be expended for current authorized purposes, which is the $440 million Animas-La Plata project, which even the proponents now admit should not go forward. There is almost $9 million unspent at the Bureau of Reclamation, more than enough to go forward with the planning process, more than enough to develop an alternative.

Surely it cannot cost more than $8 or $9 million to have a planning process and develop an alternative to this project that will meet the obligations to the tribes and be more responsible.

Mr. PETRI. Mr. Chairman, will the gentleman yield?

Mr. FAZIO of California. I yield to the gentleman from Wisconsin.

Mr. PETRI. Mr. Chairman, just to summarize, the issue that we will be voting on is whether we should continue to spend money on this project pending an agreement on a new scaled back project, or whether we should suspend acquisition and just have money for planning until the new project is agreed on.

If Members do not want to spend money until we have a new project, vote against Fazio and then vote for the underlying amendment, Petri-DeFazio. If they want to keep spending money, even though we do not have agreement and negotiations are going on, then vote for the substitute.

I urge Members to vote against the substitute and for the underlying amendment.

Mr. DEFAZIO. Mr. Chairman, if the gentleman will continue to yield, the gentleman is correct. Anybody who last year voted in the majority to not appropriate further funds for Animas-La Plata will want to vote against Fazio, I know this is a little confusing, and then vote for DeFazio-Petri, Petri-DeFazio.

This obfuscation, the wording of the Fazio amendment is obfuscation. It starts out with a limitation but it limits nothing. Having the gentleman from California [Mr. FAZIO] be the principal sponsor is even more confusing, and Members should in principle vote ''no'' on the Fazio amendment.