Mr. BLUTE. Mr. Speaker, last week Congress overwhelmingly passed the balanced budget amendment which began a 7-year journey toward a constitutional requirement of matching receipts with outlays. However, there will be potholes along the way in the form of congressional pork-barrel spending. That is why we need to give the President of the United States the line-item veto authority.

For too long the President has been faced with the Hobson's choice of signing an appropriation act along with all the pork, or shutting down vital Government services. H.R. 2, introduced by Chairman WILLIAM CLINGER and cosponsored by 160 of our colleagues, would make Congress more accountable for its spending by giving the President the ability to delete or reduce specific spending items.

When the President sends a package of rescissions to Congress, the light of public scrutiny will be on the Congress to either accept them or fight them. If Congress chooses to disapprove of the rescissions, it will be in the position of defending indefensible spending, and the voters will be listening. It is about accountability. I urge my colleagues to support H.R. 2, the Line-Item Veto Act.

BALANCED BUDGET AMENDMENT WON'T BALANCE THE BUDGET

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

Mr. KLINK. Mr. Speaker, last Thursday night this House passed a balanced budget amendment, and ever since then we have seen Members getting up here beating their chest and chanting about how wonderful that is. We had one Member on the other side, a colleague of mine, get up last Friday during these same 1-minute speeches and say we fixed the flaw in the Constitution. We took a giant step forward.

Yet the same day, his party in the Defense Appropriations Subcommittee marked up a defense supplemental that had $1.8 billion in new debt that is not offset. So we talk about balancing the budget, we even pass an amendment. It is a magic pill. It is supposed to work. But the next day we add almost $2 billion new debt, because we cannot really vote for it when it comes to the details.

We have talked for 2 years in here. We have heard the Republican side say cut spending first, cut spending first. Now they have got the chance to do it, and there are all kinds of excuses. They cannot vote to cut specific spending. They are like Wimpy in the Popeye cartoons. They will gladly pay us Tuesday for a hamburger today.

I say we have had enough borrow and spend, borrow and spend, borrow and spend, and the vote last Thursday night did not balance the budget.

ON THE MEXICAN LOAN GUARANTEES

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

Mr. FLAKE. Mr. Speaker, last week I came here to the House floor to give a 1-minute on the concerns of my constituents regarding the proposed Mexican loan guarantees.

Mr. Speaker, only minutes later, a fax from a concerned citizen who saw me on the floor was waiting on my desk. This person does not live in my district. He is from all of the way across the Nation in Henderson, NV. But his words rang familiar to those of people in my district.

Mr. Speaker, the message was, ''America is not made up of, nor successful as a nation because of elitists or CEOs. America is successful because of those willing to put their heart and soul as well as their backs into the very creation of America.''

Mr. Speaker, he continued to admonish that, ''Passing bills, arguing opinion, stating your support and even wishing does not get the wall painted, one must pick up a brush and take the risk of getting paint on their hands to get the job done.''

Mr. Speaker, this message is not unlike what your constituents are telling you. Let us rise above the morass of petty partisanship that cripples this body and threatens to cripple this Nation, and move forward with positive legislation that impacts the lives of our people.

PERMITTING COMMITTEE CHAIRMEN TO SCHEDULE HEARINGS

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 43 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 43

Resolved, That, in rule XI of the Rules of the House of Representatives, clause 2(g)(3) is amended to read as follows:

''(3) The chairman of each committee of the House (except the Committee on Rules) shall make public announcement of the date, place, and subject matter of any committee hearing at least one week before the commencement of the hearing. If the chairman of the committee determines that there is good cause to begin the hearing sooner, the chairman shall make the announcement at the earliest possible date. Any announcement made under this subparagraph shall be promptly published in the Daily Digest and promptly entered into the committee scheduling service of the House Information Systems.''.

□ 1140

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

Mr. SOLOMON. Mr. Speaker, I yield the customary 30 minutes to the ranking minority member, the gentleman from Massachusetts [Mr. MOAKLEY], for the purposes of debate only. All time yielded will be for the purpose of debate only.

(Mr. SOLOMON asked and was given permission to revise and extend his remarks, and include extraneous material.)

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

Mr. Speaker, House Resolution 43 amends clause 2(g)(3) of House rule 11 to restore by rule what has been the standard operating procedure around here ever since I can remember, and that is to permit committee chairmen to schedule hearings.

Mr. Speaker, earlier this month a question arose as to the literal meaning of the rule which states that a committee, I repeat, a committee shall call hearings at least a week in advance unless the committee for good cause determines that such should be called sooner.

The Parliamentarian's office confirmed that the term ''committee'' means just that. The committee acting collectively.

As a result of the point of order raised against a particular hearing that was overruled by a committee chairman in the committee, the Committee on Rules had to recommend to the House a waiver of the rule in order to bring a measure to the floor of the House last week.

Had we not done so, a legitimate point of order could have been raised in the House against the consideration of that measure.

Mr. Speaker, because of this interpretation every committee of this House was naturally thrown into a state of uncertainty as to the fate of its hearing and its bills. Consequently, the Committee on Rules was asked to look into the matter and resolve it as soon as possible.

Last Monday I introduced House Resolution 43 to substitute the word ''chairman'' for the word ''committee'' in that rule, as the party responsible for calling hearings.

The Committee on Rules met and reported the resolution on Thursday by voice vote with no amendments offered.

At that time, I was led to believe that was not a controversial issue and that everyone agreed there was a need to legally restore what has been the standard operating procedure in this House for many, many years.

However, since not all the bases have been touched by the minority in order to be safe we reported an open rule, should any subsequent concerns or amendments surface.

Mr. Speaker, in my experience such a special rule has never been reported before on a simple rule change such as this which is already privileged for House floor consideration without requiring a special rule. It was not until after we reported that we received letters from some very respected ranking minority Members expressing concern

about the ability of chairmen under the new rule to call hearings for good cause with less than a week's notice.

At the urging of the minority, our report does contain language that warns against so-called spur-of-the-moment hearings and advises committees to adopt rules requiring consultation and prior notice requirements for any hearings scheduled less than a week in advance.

We had also agreed with our committee minority to conduct a colloquy on the floor to emphasize our intent that this should not be used for surprise hearings, which is the concern of some.

However, this was not sufficient assurance for some of the ranking minority members on other committees, and I understand that, having recently been in the minority myself. Believe me, I understand that.

Consequently, last Friday we sat down and discussed this further with those raising those concerns, and I promised to take those concerns and recommendations up with our leadership on our side of the aisle. And we were able to reach an agreement with all concerned before the House adjourned last Friday.

As a result, I will offer an amendment developed in cooperation with those ranking minority Members who expressed their concerns to me and the gentleman from Massachusetts [Mr. MOAKLEY] last Friday.

The amendment requires that if a hearing is set with less than a week's notice, it must be for good cause and be agreed to either by the chairman and the ranking minority member or be approved by a majority vote of the committee, a quorum being present for the transaction of that business. I think this will allay concerns that were raised that we were somehow laying the groundwork for instantaneous surprise hearings without adequate notice or without consultation.

That was never the intention of this rules change. We simply want to restore, by proper legislative language, what has been the standard practice for decades in this House.

Mr. Speaker, before I yield to our distinguished ranking minority member, the gentleman from Massachusetts [Mr. MOAKLEY], let me simply conclude by observing that it is my intention, as the chairman of the Committee on Rules, to ensure that our House rules are adhered to here on the floor of this House and in committee. That includes protecting the rights and protecting the prerogatives guaranteed to the minority under the rules of this House.

Yes, this House operates by majority rule. But for that rule to be effective and accepted, it must be within the framework of protecting and respecting the rights of the minority. When I was named as chairman of the Committee on Rules by our Speaker, I promised to be firm and fair, and I intend to live up to that. I expressed my intentions to conduct our committee's work in as free and open a manner as possible and to report rules that would allow the House to operate in that same manner.

Mr. Speaker, this House runs best when we are operating in a bipartisan spirit of comity—recognizing our political differences—but hopefully being able to disagree without being disagreeable.

Mr. Speaker, both the majority and the minority are finding their way under this suddenly reversed role. It is not easy. We will both make some mistakes along the way and we will both antagonize the other, often without perhaps knowingly doing so.

I would simply urge that we make an extra effort to try to minimize our procedural differences so that we can properly direct our energies to engaging each other in a deliberative fashion on our policy differences. After all, that is really what we are here to do.

I think we can do so while recognizing that this House does have an obligation to do its work in a timely way without getting bogged down in partisan or procedural bickering.

Mr. Speaker, I hope by offering this compromise amendment to this resolution today that I would be setting some small example for both sides of the aisle to follow in a new spirit of comity. Let us get on with our work and let us get it done.

RULE REGARDING SCHEDULING OF COMMITTEE HEARINGS

Current Rule:

Rule XI, clause 2(g)(3):

[(3) Each committee of the House (except the Committee on Rules) shall make public announcement of the date, place and subject matter of any committee hearing at least one week before the commencement of the hearing. If the committee determines that there is good cause to begin the hearing sooner, it shall make the announcement at the earliest possible date. Any announcement made under this subparagraph shall be promptly published in the Daily Digest and promptly entered into the committee scheduling service of the House Information Systems.]

* * * * *

Proposed Change in Rule by H. Res. 43 & Proposed Compromise (compromise in italic):

(3) The chairman of each committee of the House (except the Committee on Rules) shall make public announcement of the date, place, and subject matter of any committee hearing at least one week before the commencement of the hearing. [If the chairman of the committee determines that there is good cause to begin the hearing sooner, the chairman shall make the announcement at the earliest possible date.] *If the chairman of the committee, with the concurrence of the ranking minority member, determines there is good cause to begin the hearing sooner, or if the committee so determines by majority vote, a quorum being present for the transaction of business, the chairman shall make the announcement at the earliest possible date.* Any announcement made under this subparagraph shall be promptly published in the Daily Digest and promptly entered into the committee scheduling service of the House Information Systems.

Explanation:

The existing rule requires that committees call hearings at least a week in advance unless the committees determine there is good cause to schedule them sooner.

H. Res. 43 as reported permits chairmen to call hearings at least a week in advance unless the chairmen determine there is good cause to hold them sooner.

The proposed compromise permits chairmen to call hearings a week in advance, and the chairman, with the concurrence of the ranking minority member, or by vote of the committee, to call them sooner for good cause.

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 10, 1995.

Hon. XAVIER BECERRA,
Hon. BARNEY FRANK,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVES BECERRA AND FRANK: In your letter of January 6, 1994 you mention that the Committee on the Judiciary, at its organizational meeting held on January 5, adopted the following committee rule IIIa:

"The Committee or any subcommittee shall make public announcement of the date, place and subject matter of any hearing to be conducted by it on any measure or matter at least one week before the commencement of that hearing, unless the committee or subcommittee before which such hearing is scheduled determines that there is good cause to begin such hearing at an earlier date, in which event it shall make public announcement at the earliest possible date."

As required by clause 2(a)(2) of Rule XI of the rules of the House, this committee rule is consistent with clause 2(g)(3) of Rule XI of the rules of the House. I would interpret this rule to require a committee or subcommittee determination, as the case may be, as to when hearings should commence, when that question is raised by a committee member in a timely manner. In my experience, committees and subcommittees have often deferred to their chairmen for the purpose of establishing hearing dates. Where the question is raised in a proper manner, however, I would conclude that the committee or subcommittee as a collegial body must ratify the call and scheduling of hearings. This is to be distinguished from the authority conferred in clause 2(c)(1) of Rule XI for chairmen of committees (and subcommittees) to call and convene additional meetings of their committees for the conduct of committee business.

Please let me know if I can be of further assistance.

Sincerely,

CHARLES W. JOHNSON.

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 thank the gentleman from New York for yielding me half of his time. I also wish to thank the gentleman for sitting down with me and Mr. DINGELL, Mr. MINETA, and Mr. MILLER. He listened to our concerns and together we came up with an amendment that everyone can support

Mr. SOLOMON has said all along that he simply wanted to amend the standing rule of the House to reflect current practice. The amendment now does that.

In effect, the chair of a committee can announce hearings so long as he or she gives 7 days notice.

To announce a hearing less than 7 days in advance, the committee chair must either get the agreement of the ranking minority member or get approval by a vote of the committee.

The amendment offered by Mr. SOLOMON gives other committee members some say on waiving 7-days notice. It does not grant the chair unilateral authority to announce hearings any sooner.

Let me clarify one point. Even though the ranking minority members argued for this change, it is not a minority rights issue.

House rules set a minimum notice requirement for hearings but not for any other business conducted by committees, not for markups, adoption of the rules, or the transaction of any other business.

The purpose of the notice requirement, Mr. Speaker, is to protect the public. The purpose, Mr. Speaker, is openness to let many voices be heard.

It is not to inform the minority but to inform the public so that they can be heard.

Mr. Speaker, in the minority views submitted with the report we outlined our concerns.

We expressed our hope that a bipartisan agreement could be worked out. I am thankful that agreement was reached.

Again, Mr. Speaker, I thank the gentleman from New York for his willingness to work this out and I urge my colleagues to support the amendment to the resolution

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

□ 1150

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

Mr. Speaker, let me conclude by thanking everyone who has cooperated in working out this compromise, and especially our ranking minority member, the gentleman from Massachusetts [Mr. MOAKLEY], for bringing us together. It is not easy being the person caught in the middle when you are being pressed from both sides to do what they say is right, but our distinguished ranking minority member has risen to the occasion as an honest broker and has served his committee and his party well.

AMENDMENT OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SOLOMON: Page 2, line 2, strike ''If'' and all that follows through the period on page 2, line 5 and insert the following: ''If the chairman of the committee, with the concurrence of the ranking minority member, determines there is good cause to begin the hearing sooner, or if the committee so determines by majority vote, a quorum being present for the transaction of business, the chairman shall make the announcement at the earliest possible date.''.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The Chair recognizes the gentleman from New York [Mr. SOLOMON] in support of his amendment.

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

Mr. Speaker, the amendment speaks for itself. It is an agreed-upon amendment. I do not know of any opposition to it. At the appropriate time, if there are no other speakers on the other side of the aisle, I would expect to move the previous question.

Mr. Speaker, I would ask the gentleman from Massachusetts if he has any requests for time.

Mr. MOAKLEY. Mr. Speaker, I have requests from the Members who were part of the compact we struck last Friday.

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

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the ranking minority member, the gentleman from California [Mr. MINETA].

Mr. MINETA. Mr. Speaker, I thank the ranking member on the Committee on Rules for yielding this time to me.

Mr. Speaker, it is important that we take a moment to understand what this issue is about and why it matters.

Under existing House rules there is a requirement that 7-days notice be given before a public hearing in a committee. Other kinds of meetings of Members of Congress are held around here, but there is no specific advance notice requirement on those meetings. Only public hearings have an advance notice requirement.

Why is that?

Because the public needs the notice if they are going to have any real chance to testifying. It takes time to find out what a hearing is really about and to decide to testify; it takes time to prepare testimony; and it takes time to make arrangements to travel to Washington, DC, to testify and to make that trip. Members of Congress can go to meetings on short notice—we are here anyway. But if we are to give the American public any real chance to participate in the crafting of legislation, then we have to give them sufficient notice so that they can testify at committee hearings.

That is why the 7-day-notice requirement is in the House rules—to protect the public's ability to know what hearings are going to happen and to have a realistic chance of participating in those hearings.

Under existing rules and practice, that 7-days notice can only be waived by a majority vote of the committee, or by agreement of both sides of the committee. So there is an ability to waive the notice, but only on relatively noncontroversial matters.

What the resolution now before us was all about was making it very easy to waive the 7-day notice requirement. Under the resolution as reported—without any hearings—last week by the Rules Committee, any full Committee chairman could decide unilaterally to waive the 7-day-notice requirement. No chairman—not me and not anybody else—should have that kind of power to effectively exclude public input on the legislation we write here. The potential for abuse would have been too great—a chairman could arrange to have only witnesses favorable to his or her position, then announce the hearing at the last minute so others would be precluded from testifying.

Fortunately the chairman of the Rules Committee has agreed to an amendment to his resolution. That amendment would basically restate existing rules and practice, by providing for a 7-day notice to the public, and that notice could be waived either by a majority vote of the committee or by the agreement of both sides of the committee, as represented by the chairman and the ranking minority member.

This amendment takes us back to existing rules and practice and therefore preserves the 7-day-notice requirement and the ability of the public to have its views reflected in committee hearings. I commend the gentlemen from New York for agreeing to this amendment. Without it we would have made it much harder for the views of the public to be heard in this House and to be incorporated into the bills we write. That would have been a real loss to democracy and to the quality of the legislation we produce, because I think it is clear that greater public input about the real-world impacts of what we do here only makes our product better.

I wish to thank the ranking Democrat on the Rules Committee, Mr. MOAKLEY, and our ranking Democrat on the Energy Committee, Mr. DINGELL, as well as the ranking Democrat on the Natural Resources Committee, Mr. MILLER, for their assistance on this issue.

I therefore support the amendment.

Mr. MOAKLEY. Mr. Speaker, I ask the gentleman from New York [Mr. SOLOMON] may I use some of his time if I need it?

Mr. SOLOMON. I would just say to the gentleman, Mr. Speaker, I thought we had an agreement. We have a heavy schedule today. I did not believe we were going to use all the time on either side of the aisle.

Mr. MOAKLEY. Mr. Speaker, that is why we rushed through with those three open rules today, so we could have the extra time on the floor.

Mr. SOLOMON. Let us consider it as we go along, Mr. Speaker.

Mr. MOAKLEY. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan [Mr. DINGELL], one of the arbiters of this deal that we have reached.

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

Mr. DINGELL. Mr. Speaker, I want to commend the distinguished gentleman from Massachusetts [Mr. MOAKLEY], for his assistance and hard work on this particular matter, and also my good friend, the gentleman from New York [Mr. SOLOMON], chairman of the Committee on Rules. He and I have had a great friendship over the years. Although we have had some splendid differences which we have argued out

with great vigor, the affection and respect which I hold for him knows no bounds. He is a valuable Member of this body, and I thank him and salute him for having worked this matter out.

Mr. Speaker, this started out as potentially a very bad situation. The rules of the House have always functioned to provide notice, not only to the Members, the minority, but very frankly, to the people, because the business that is done here very intimately affects every American. The purpose of the notice requirement was to permit people to come forward, to be heard on matters of concern on the conduct of their Nation's business.

As it originally started out, the rules change would have virtually eliminated the requirement for adequate notice to the American people, to the Members of this body, and to the minority. Happily, through the wisdom of the gentleman from New York [Mr. SOLOMON] and the gentleman from Massachusetts [Mr. MOAKLEY], and because of the hard work that has occurred on the part of a number of Members and staff people, we have been able to resolve that difference so now notice is given, 7 days, but also that opportunity for waiving that under good, sensible practice has been accomplished.

I want to say, Mr. Speaker, that again, we owe a debt to the gentleman from New York for his cooperative and decent approach to the concerns we felt. It also is so that we can look now to a situation where his concerns with regard to the ability of the business of the majority being properly conducted can properly be met under this.

I think one lesson we can all learn from this is that by working together we can resolve the problems that exist between us on this side of the aisle and on that side of the aisle, and that we can come together to address the concerns we all feel. When we do that, we can say that we have solved not only the problems of one side but also the other; also, Mr. Speaker, to observe that the result is a good one, because here the requirements of notice remain.

They can be waived upon consultation with the minority. They also can be waived on a vote of the committee with a working quorum present, so this is a good resolution. It is one which I hope will be an example of how the body can and should work together in a fashion to resolve our concerns in a bipartisan spirit of comity and cooperation.

Having said that, Mr. Speaker, I again want to express my appreciation to the gentleman from New York and the gentleman from Massachusetts, my good friend, the gentleman from California [Mr. MINETA], who was a tower of strength on this, the gentleman from California [Mr. MILLER], and the other Members on both sides of the aisle who have worked together to resolve what could have been a nasty problem in a way which does serve the public interest, serves the interests of this institution, and sees to it, yet, that people who have a concern about legislation will have an opportunity to participate in the process by coming from places as far away as California and Alaska in time to participate and to have their views heard as the Congress works its will on important legislative questions.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. BRYANT].

(Mr. BRYANT of Texas asked and was given permission to revise and extend his remarks.)

Mr. BRYANT of Texas. Mr. Speaker, this is a rules change pending before the House today that was worked out and brought to the floor over a period of several days. Into this rules change was invested a good deal of effort by the Republicans and by the Democrats, but this is not a rules change that the public is concerned about.

When the House of Representatives adopted its rules for the 104th Congress, a rules change, which the public is concerned about and that had the overwhelming support of Democrats, was conspicuously absent. That is a rule to prohibit the taking of gifts by Members of Congress from paid lobbyists.

POINT OF ORDER

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

The SPEAKER pro tempore. For what purpose does the gentleman from Georgia [Mr. LINDER] rise?

Mr. LINDER. Mr. Speaker, I would inquire if the gentleman from Texas [Mr. BRYANT] is speaking to the motion before the House.

The SPEAKER pro tempore. The Chair will state that debate must be confined to the pending resolution.

The gentleman from Texas [Mr. BRYANT] may proceed in order.

Mr. BRYANT of Texas. Mr. Speaker, the pending resolution ought to include language to say that Members of Congress cannot take free meals and free vacations and free golf trips from lobbyists that are paid to influence the proceedings before this House. That addition to this provision could have been brought forward. It ought to be brought forward.

Mr. SOLOMON. Mr. Speaker, regular order. The gentleman is not talking in regard to a germane amendment to the issue before us right now.

The SPEAKER pro tempore. The Chair would advise the gentleman that the debate must be confined to the subject at hand.

□ 1200

PARLIAMENTARY INQUIRY

Mr. BRYANT of Texas. I have a parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The gentleman will state it.

Mr. BRYANT of Texas. Mr. Speaker, if I advocate that this amendment ought to be defeated unless it includes the language that I have suggested with regard to prohibiting Members of Congress from taking freebies from lobbyists, would I then not be talking upon the amendment at hand?

The SPEAKER pro tempore. It is not relevant to discuss unrelated issues as a contingency on this resolution.

Mr. BRYANT of Texas. Mr. Speaker, I would congratulate the 4 days of diligence of the Republican Committee on Rules working with the Democrats over here in crafting an amendment to the rules and bringing it posthaste to the floor that the public is not very concerned about and at the same time stifling and prohibiting anyone from talking about whether or not Members of Congress should be taking freebies from the lobby.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. BECERRA].

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

Mr. BECERRA. Mr. Speaker, I want to thank the gentleman from Massachusetts [Mr. MOAKLEY], the ranking member, for giving me some time to speak on this.

I would like to applaud the gentleman from New York [Mr. SOLOMAN], the chairman of the Committee on Rules, for making this compromise available to the entire House. The original language would have allowed only a chairman to make a decision to decrease the notice requirement and allow committees to meet to have hearings without sufficient notice not only to Members of the Congress but also to the public.

I applaud the chairman in making sure that this compromise was reached. This will avoid the circumstances that occurred in my committee, the Committee on the Judiciary, wherein the chairman on his own initiative decided to reduce the amount of time necessary to give notice to not only Members of Congress, as I said, but also to the entire public about a very important matter, the balanced budget bill that we took up this past week.

It was unfortunate that at that point, the committee actually violated its own rules and actually held hearings without providing sufficient notice to people that this would occur. Obviously, it makes it difficult for witnesses to be present and for people to prepare, so it is great to see that we are finally going to try to bring ourselves within the rules of this House.

I think it is unfortunate while we are amending these rules, however, that right now while this window is open, that we do not take advantage of doing what I think the gentleman from Texas is trying to express, trying to make sure that we also clear up the rules to make sure that no one in their House can take freebies from lobbyists or take gifts. This is the time to do so. I would think right now a strong amendment——

POINT OF ORDER

Mr. LINDER. Mr. Speaker, a point of order.

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

Mr. LINDER. Mr. Speaker, the Chair has ruled on several occasions that talking on other matters and rules not included in this rule are out of order and the gentleman is insisting on doing so. The gentleman is out of order.

The SPEAKER pro tempore. The debate must be relevant to the subject at hand, as the Chair has ruled earlier.

PARLIAMENTARY INQUIRY

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. BECERRA. If a Member takes the floor to speak on the rules of the House and we are in the process of amending the rules of the House, is it appropriate to discuss the issue of amending rules of the House?

The SPEAKER pro tempore. Only the rules changes being proposed. That is the only item relevant to the debate at this moment.

Mr. BECERRA. Let me then conclude my remarks by saying that I believe this particular rules change is compromise language where we will make sure that there is bipartisanship in the conduct of the committees and in structuring any notice that might be required for a committee, especially if we are going to curtail the amount of time that would be out there in terms of notice for the public, I think that is a wise move. I appreciate the new majority in this House has realized that it is essential. It goes a long way toward satisfying the rules that the majority first passed which required sufficient notice and deliberation by the entire body of the committee, not just the chairman. I think it goes a long way, but I do believe that we should have gone a little farther and dealt with the ban on lobbyists' gifts as well.

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

Ms. DELAURO. Mr. Speaker, I rise in support of the Solomon amendment. I think that the amendment is a victory for openness and for full participation by all Members in the legislative process. I think that it is one of the ways in which we try to gain the trust of the American people. I also believe that we cannot go just halfway on that reform. The American people are looking to us in fact to reform this House and to open it up to their views and to their opinions.

While this is a good rules change, I think that the public cares about some other rules changes, including the whole effort to enact a ban on all gifts to Members of the Congress and their staffs. I think we have to enact a ban into law to assure the American people that the days of perks and privileges are really over. We also need to ban Members from using frequent-flier miles for their personal use and that ought to be part of a rules change. Every single perk that we allow to continue serves only to undermine all the other reforms that we enact in this body.

Reform really is an all-or-nothing proposition. If we do not go all the way and ban gifts and other perks, our reform efforts will die the death of a thousand cuts.

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

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

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the resolution just adopted.

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

There was no objection.

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that House Resolution 47, the special rule for House Resolution 43, be laid on the table.

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

There was no objection.

UNFUNDED MANDATE REFORM ACT OF 1995

The SPEAKER pro tempore. Pursuant to House Resolution 38 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. 5.

□ 1208

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. 5) to curb the practice of imposing unfunded Federal mandates on States and local governments, to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and to provide information on the cost of Federal mandates on the private sector, and for other purposes, with Mr. EMERSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Monday, January 30, 1995, the amendments en bloc offered by the gentleman from Louisiana [Mr. FIELDS] had been disposed of and title I was open for amendment at any point.

Are there any amendments to title I?

Mr. CLINGER. Mr. Chairman, I move to strike the last word.

I do so, Mr. Chairman, to sort of review where we are and where we hope to go, where we hope to be by the end of this day and the next couple of days. The good news is that we have over the last 6 days disposed of about 24 amendments and mercifully we have now completed action on section 4 of the bill.

I would say that I express my appreciation to Members on both sides of the aisle for the spirit in which the debate was conducted yesterday. I think we moved expeditiously through the amendments in a very orderly way and I was very indebted to the gentlewoman from Illinois [Mrs. COLLINS] for her support as we went through the process yesterday.

□ 1230

The bad news, however, is that we have about 130 or so amendments to go. All of the what I consider to be weakening amendments that were offered in terms of exemptions to the bill were defeated, not because the programs sought to be exempted by those amendments were not worthy and meritorious and had great value, because I think many of them did and do, but frankly because H.R. 5 poses absolutely no threat to the present administration, the present way those programs are being implemented, and really only asks us to be accountable to any additional mandates that may be imposed as a result of those provisions in the future.

So, I think those amendments have been defeated now, we have now moved on. Today we are going to take up title I to the bill, which is an attempt to look at what may be duplicative and redundant in the existing mandates. It is my hope that we can complete expeditiously title I to the bill. I think there are not too many areas in dispute in that, and I have discussed this with the gentlewoman from Illinois [Mrs. COLLINS] and I think she agrees we can move rather expeditiously through title I. And it is my hope we can do that, and it is my intent, Mr. Chairman, to complete title I and II before we rise tonight.

Let me stress it is not my intent to limit consideration of any and all amendments. This is an open rule, and we are respecting that. I think that every Member should have an opportunity to offer their amendment and have it considered.

Nor do I, Mr. Chairman, want to limit debate on the amendments that will be offered, and I will only seek to do so, and I hope I would not have to seek to do so, if it becomes clear that we are frankly beating amendments to death. I do not think that is going to