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House of Representatives

The House met at 10 a.m.

PRAYER

The Reverend Dr. Ken Massey, pastor, Calvary Baptist Church, Waco, TX, offered the following prayer:

Almighty God, bless Your servants in Congress today. Grant them clear vision and immutable wisdom. Help them speak and act truthfully in a world of lies. Keep them true to Constitution and conscience.

I ask, O Lord, that You protect and sustain them as they seek to govern with integrity. As they turn to You, guard them from fear and grant them faith. Protect them from cynicism and give them courage. Save them from pride and lead them to authentic servanthood.

I especially ask You to bless those who work for peace today: Among warring nations, cultures in conflict, cities in crisis, families divided. Bless those who promote peace in this House and in Your house. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

LEGISLATIVE PROGRAM

(Mr. VOLKMER asked and was given permission to address the House for 1 minute.)

Mr. VOLKMER. Mr. Speaker, I would inquire of the Chair, will there be any limitations on 1-minutes today?

The SPEAKER. The Chair is informed that we have talked with Members on the gentleman's side of the aisle, and if there is no Journal vote, the Chair will entertain 20 1-minute speeches on each side.

Mr. VOLKMER. I thank the Chair.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Texas [Mr. EDWARDS] come forward and lead the House in the Pledge of Allegiance.

Mr. EDWARDS led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

THE REVEREND DR. KEN MASSEY

(Mr. EDWARDS asked and was given permission to address the House for 1 minute.)

Mr. EDWARDS. Mr. Speaker, it is my personal pleasure and privilege to introduce our guest chaplain of today, Dr. Kenneth Massey of my hometown of Waco, TX, a personal friend and my wife's pastor.

He is a native of Beaumont, TX, graduated from Baylor University in 1978. In 1984 and 1987 he received a masters and doctoral degrees from Southwestern Seminary in Forth Worth.

He pastored in Garland, TX and Marks, MS, and has been at Calvary Baptist in Waco since 1990.

He is married to Sara Miller Massey and has three wonderful children, Kristen, Aaron, and Adreana.

He enjoys hunting, golf, and reading and, in addition to a great pastorhood for Calvary Baptist, he has reached out to the community of Waco, TX, with his religious beliefs and convictions to all of the people of our great city.

REPUBLICAN CONTRACT WITH AMERICA

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

Mr. GUNDERSON. Mr. Speaker, our Contract With America states the following:

On the first day of Congress, a Republican House will:

Require Congress to live under the same laws as everyone else; cut committee staffs by one-third; and cut the congressional budget.

We have done that.

It goes on to state that in the first 100 days, we will vote on the following items: a balanced budget amendment—we have done this; unfunded mandates legislation—we have done this; line-item veto—we are doing that today; a new crime bill to stop violent criminals; welfare reform to encourage work, not dependence; family reinforcement to crack down on deadbeat dads and protect our children; tax cuts for families to lift Government's burden from middle income Americans; national security restoration to protect our freedoms; seniors citizens' equity act to allow our seniors to work without Government penalty; Government regulatory reform; commonsense legal reform to end frivolous lawsuits; and congressional term limits to make congress a citizen legislature.

Mr. Speaker, this is our Contract With America.

HOUSE RESOLUTION 66, A COMPROMISE ON TERM LIMITS

(Mr. DEAL of Georgia asked and was given permission to address the House for 1 minute.)

Mr. DEAL of Georgia. Mr. Speaker, soon this body will be considering the issue of term limits. It is an issue that

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divides many of us, not on the principle but on the details.

Roll Call has recently had a headline in which it talks about a civil war over term limits in which organizations that support certain numbers of years have actually had campaigns against those who support longer term limits. I have introduced House Resolution 66, which is a proposition that hopefully accommodates all of those who are interested in this issue. It would set a 12-year outer limit by this constitutional amendment, but would also recognize that States would not be preempted from setting lower limits by State statute if they chose to do so.

I would urge those who support the concept of term limits to examine House Resolution 66. It accommodates the principle of term limits, but recognizes the importance of States to set lower limits if they chose to do so.

ANNOUNCEMENT ON AMENDMENT PROCESS FOR THE CRIME BILLS

(Mr. SOLOMON asked and was given permission to address the House for 1 minute.)

Mr. SOLOMON. Mr. Speaker, I wish to announce to Members that the Rules Committee will meet next Monday, February 6, at 2 p.m. to consider rules for the first two of the six crime bills ordered reported by the Judiciary Committee.

The first two bills are: H.R. 665, Victim Restitution Act, and H.R. 666, Exclusionary Rule Reform Act.

The chairman of the House Judiciary Committee has requested that each of these bills be considered under an open rule. He has further requested that the rule include a provision giving priority in recognition to Members who have caused their amendments to be printed in the amendment section of the CONGRESSIONAL RECORD prior to their consideration.

There is a strong possibility that the Rules Committee will report the rules requested, and Members may want to avail themselves of the option of prefiling amendments in order to gain priority in recognition, though there is no requirement that they do so. Members will still be recognized whether their amendments are in the RECORD or not.

Later in the week it is anticipated that the Judiciary Committee will be coming to the Rules Committee with four additional crime bills. They are: H.R. 668, Criminal Alien Deportation Improvements Act; H.R. 667, Violent Criminal Incarceration Act; H.R. 729, Effective Death Penalty Act, and H.R. 728, Local Government Law Enforcement Block Grants Act.

Of these, the Criminal Alien Deportation Improvements Act may also be considered under an open rule with an option to gain priority in recognition by pre-printing amendments in the CONGRESSIONAL RECORD.

The remaining three bills may be considered for amendment under the 5-minute rule, with a possible overall time limitation on the amending process. There would also be the option to gain priority in recognition by pre-printing amendments in the CONGRESSIONAL RECORD.

If Members choose to avail themselves of the pre-printing option, amendments should be titled, ''Submitted for printing under clause 6 of Rule XXIII,'' signed by the Member, and submitted at the Speaker's table.

Members should use the Office of the Legislative Counsel to ensure that their amendments are properly drafted.

The amendments must still be consistent with House rules. It is not necessary to submit amendments to the Rules Committee or to testify.

Mr. Speaker, I just wanted to put Members on notice as to what sort of amending process they might expect on the six crime bills.

TENTATIVE SCHEDULING OF CRIME BILLS IN RULES COMMITTEE

Bill	Judiciary files	Deadline announcement	Filing deadline	Rules meets	Rule on floor
H.R. 665, Victim restitution	2–2	NA (open)	NA	2–6	2–7
H.R. 666, Exclusionary rule reform	2–2	NA (open)	NA	2–6	2–7
H.R. 668, Criminal alien deportation	2–6	NA (open)	NA	2–8	2–9
H.R. 667, Violent criminal incarceration (prisons)	2–6		Noon, 2–7	2–8	2–9
H.R. 729, Effective death penalty	2–7		Noon, 2–8	2–9	2–10
H.R. 728, Block grants	2–8		Noon, 2–9	2–10	2–13

For the purpose of drafting amendments, the text to be amended will be available at the Judiciary Committee Office, 2138 Rayburn House Office Building, for the following bills on the following dates:

H.R. 667, February 6.

H.R. 729, February 7.

H.R. 728, February 8.

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

Mr. SOLOMON. I yield briefly to my friend, the gentleman from Missouri.

Mr. VOLKMER. Mr. Speaker, under the three bills that we are talking about that would have a time limit, those are habeas corpus, and what are the three again?

Mr. SOLOMON. They are the Violent Criminal Incarceration Act, the Effective Death Penalty Act, and the Block Grants Act for Local Government Law Enforcement.

Mr. VOLKMER. Habeas corpus, the prison construction, and what was the third one?

Mr. SOLOMON. It is the block grants bill.

Mr. VOLKMER. The block grant. That is on the crime prevention program.

Mr. SOLOMON. Let me just explain. The first three bills will more than likely be considered under totally open rules, and that is the way it should be. The only exceptions to open rules would be in the next three. In other words, we may have to shut down debate to be out of here by April 8 so Members can have the 3 weeks back home for Easter and the district work period. That is terribly important.

□ 1010

And there is a possibility we might take the last three bills and limit debate to one full day. That could mean 12 hours from 10 a.m. to 10 p.m. on each of those last three. Hopefully we might not even have to do that. If we can just move along with these six crime bills, we will have gotten them out of the way so that we can stay on schedule for our Easter break.

Mr. VOLKMER. Will the gentleman be able to determine whether or not that even would be necessary somewhat by a number of amendments that may be prefiled?

Mr. SOLOMON. Could very well be. We are going to consult with the minority on all of these bills.

Mr. VOLKMER. All right. And the other thing, in other words, I would urge Members, like you have, for people to put them in the RECORD, and also to contact the Committee on Rules to give you a better idea of where you have to go.

Mr. SOLOMON. That is correct. And that can be very helpful to Members. I would point out that one Member on your side of the aisle prefiled an amendment for another bill. It turned out that it was a flawed amendment. The Parliamentarians caught it. The Member was able to correct it, and it benefited him. It would benefit all Members to prefile their amendments, although there is no requirement for that.

Mr. VOLKMER. Could I ask you one additional question?

Mr. SOLOMON. All right. We have to get on with it.

Mr. VOLKMER. I understand that. But I think this is very important.

You are saying that you are talking about an overall time limit on the total bill, not on any one amendment. Therefore, if there are, let us say, you do do that on one bill, let us take the habeas corpus bill, and let us say there are still 50 or 60 amendments that are offered, that means that at the end we would still have to vote on those amendments even though there may not be any debate time left?

Mr. SOLOMON. Not necessarily. If there were an overall time limitation on the amendment process, in other

words, the consideration of amendments might cease at a particular time. Let's say there is 1 hour on the rule, 1 hour on the general debate, and 6 hours on the amendment process.

With another 4 hours of walking time—voting time—we could consume altogether up to 12 hours on the clock. At the end of the 6-hour debate period for amendments, not counting the time consumed in voting, no further amendments could be considered at that point. It would benefit Members if they have significant amendments to decide which of those are truly significant and lay them out so that Members can be to heard on those amendments. That would be fair to your side.

Mr. VOLKMER. I thank the gentleman.

INTRODUCTION OF LEGISLATION ON MAKING GOVERNMENT MORE EFFICIENT

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

Mr. FOLEY. Mr. Speaker, since I spoke here a week and a half ago about the outrageous amounts of money this body spends to provide Members of Congress with their own gold embossed set of code books, I received a great deal of support from colleagues on both sides of the aisle.

Today I will introduce a resolution that will make a few simple changes in the way Members obtain the United States Code book. First of all, this resolution will not prevent Members from obtaining the laws of this land for their use as legislators.

Instead, the measure will actually expand options for obtaining the code. For instance, if they choose, Members can purchase the entire code for $37 on CD–ROM, or they can obtain the Government printed version of the code for a fraction of the cost. If they really want these gold books, buy them out of your own office account, not the Clerk's contingency fund.

Mr. Speaker, today is the 81st anniversary of the 16th amendment which gave the power of government to tax. Boy, have we taxed, and, boy, have we spent.

To people inside the beltway, saving half a billion dollars may be small and minuscule. To me it is a lot of money. To the taxpayers it is a lot of money.

I urge you to support my resolution on making Government more efficient.

SUPPORT AN INCREASE IN THE MINIMUM WAGE

(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, today the President of the United States set forward a very bold plan that is overdue, and that is to raise the minimum wage for workers in this Nation who have steadily seen the erosion of their ability to support themselves and their families.

The actual minimum wage, when adjusted for inflation, has fallen 50 cents just since 1991, and it is 27 percent less than it was back in 1979.

I ask Members on both sides, Mr. Speaker, to support the President in this increase in the minimum wage, because it is needed. It is needed for people in my district.

I can remember back when we were trying to push the earned income tax credit as a part of President's budget. We got no votes from the other side, yet 26,000 families in my area that has been devastated by unemployment were affected by that. It helped those families to help themselves in this day and age when everybody is talking about welfare reform.

We cannot say that we can make millions of dollars on book deals when we are in Congress but we cannot have 45 cents for the American worker. We cannot say Members of Congress can go play golf with lobbyists and can have free dinners but we cannot have 45 cents for the American workers.

I laud the President, Mr. Speaker, and ask the support of both sides of the aisle.

A GREAT BIRTHDAY PRESENT FOR RONALD REAGAN

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

Mr. HAYWORTH. Mr. Speaker, we are going to give Ronald Reagan a great present for his birthday on Monday, and in the process, we will also be giving a great gift to the American people, because we are finally going to pass a line-item veto, an idea that Ronald Reagan championed more than anyone else.

As usual, he was way ahead of his time. Say goodbye to studies on cow flatulence, say goodbye to Belgian endive research, and say goodbye to research on the sex lives of certain insects. Say hello to responsible government and accountability.

If only the former majority had given Mr. Reagan the line-item veto in the first place, we might not be in this deficit mess. He could have used it to cut out some of the $219 billion in additional spending that the guardians of the old order added to his budget requests.

But it is better late than never.

Happy birthday, President Reagan, and this is your victory, and it is a victory for us all.

WHERE ARE THE JOBS PROGRAMS?

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

Mr. TRAFICANT. Mr. Speaker, the economists say that the economy is great. My question, Mr. Speaker: Are these economists smoking dope or what? Orange County is bankrupt. The District of Columbia is bankrupt. The trade deficit hit a record of $153 billion, and Americans keep getting pink slips.

Listen to this from the State of Washington to Kansas to Philadelphia, Boeing just laid off 7,000 workers.

Congress, it is jobs, living-wage jobs, and there is not a job program on the Republican side and there is not a job program on the Democrat side.

If there is any consolation, Mr. Speaker, Burger King is hiring, and I never heard of anybody that committed suicide by jumping out of a basement window.

WE ARE KEEPING OUR WORD WITH THE AMERICAN PEOPLE

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

Mr. WHITFIELD. Mr. Speaker, since January 4 this House has taken important steps to restore the credibility of this institution to the American people, and it is the American people who pay and provide the tax dollars for this Government to operate.

Here is what we have done in less than 1 month: We have enacted eight major reforms in the way Congress does business. We have passed a balanced budget amendment. We have passed legislation to end unfunded mandates to State and local governments. And today we move toward passage of a long-awaited line-item veto to eliminate waste and abuse in the Federal Government, and we are working hard, making important changes to continue this effort.

But more important, we are keeping our word with the American people, and that is what they expect.

THE MINIMUM WAGE: PUT WORKING PEOPLE FIRST

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

Mr. FAZIO of California. Mr. Speaker, we need to put working people first. The minimum wage increase proposed today will allow hard-working Americans the opportunity to take control of their future and secure for themselves and their families a place in America's middle class.

Too many Americans are struggling to make ends meet. They work longer hours for lower pay.

The average minimum-wage worker brings home about half of his or her family's income. Sixty-five percent of them are adults.

Providing people who are playing by the rules with more take-home pay will benefit not just a select few, it will

help all of us. And we have a moral responsibility to insure that people who work are not living in poverty.

As we emphasize the importance of moving people off welfare and onto work and the Congress begins that debate, we should not lose at all the simple fact that a decent hourly wage cuts through a sea of Federal benefits programs and elaborate job-training programs to provide a firm hand of support.

The President has taken the lead in making work pay for all Americans. This Congress must respond to that challenge.

□ 1020

PASS THE LINE-ITEM VETO

(Mr. CHRISTENSEN asked and was given permission to address the House for 1 minute.)

Mr. CHRISTENSEN. Mr. Speaker, Monday will be the birthday of a great man—President Ronald Reagan. Monday will also be the day that we vote on the line-item veto. Over the last 40 years this body has stood idly by as we have passed a $4.5 trillion national debt onto our children and grandchildren. Mr. Speaker, we must end this lavish spending now, and the line-item veto will help us do so.

The line-item veto will empower the President to rid legislation of wasteful spending, forcing each expenditure to survive public scrutiny and survive on its own. President Ronald Reagan had it right when he said that the line-item veto would allow the President ''the right to reach into massive appropriation bills, pare away the waste, and enforce budget discipline.''

The greatest gift we could give to one of the greatest Presidents of modern history is the line-item veto. Let us win one for the gipper. Let us win one for the American people. Let us pass the line-item veto.

THE GOLDEN GRAB AWARD

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

Mr. DINGELL. Mr. Speaker, for more than a decade I had the honor of chairing the Oversight and Investigations Subcommittee. That subcommittee regularly exposed waste, fraud, and abuse committed at the taxpayer's expense. We found defense contractors charging $600 for toilet seats, and billing the Government for the expense of boarding dogs. Environmental contractors who were supposed to clean toxic waste sites were instead wasting taxpayer money on lavish parties, reindeer suits, and clown costumes. Universities used Federal research dollars to pay for yachts and 19th century Italian fruitwood commodes. The Nation's Governors were baldly raiding Medicaid funds to build prisons, pave roads, or cut their own deficits.

The experience of the Oversight and Investigations Subcommittee teaches us that behind almost every wasteful Government project, questionable Government contract, or skewed Government regulation stands a long line of interests, palms extended. The entertainment industry honors excellence with its Golden Globe Awards. To honor excellence in bilking the taxpayer, I am today announcing the Golden Grab Award.

We will be giving such awards periodically, a statue of a human hand, palm out, extended.

I expect that the 104th Congress will give us a wealth of candidates for the Golden Grab. Already, Rupert Murdoch has shown that he can collect world leaders with book contracts the way children collect baseball trading cards.

Nominations are now open for the inaugural award. Winners will have their names engraved on a statue in the form of an outstretched hand, palm up.

BALANCED BUDGET AMENDMENT

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

Mr. BASS. Mr. Speaker, as a member of the Budget Committee and as a former member of the New Hampshire State senate, I know what it is like to balance budgets in good and also in hard times. That is why we passed a balanced budget amendment and sent it on to the Senate. That is why we passed an unfunded Federal mandate bill despite the dilatory tactics of a small minority of Members of this House. And that is why we will pass a line-item veto for the President.

Mr. Speaker, Orange County may be bankrupt, but so is the Federal Government, and it is time that we move to complete the third leg of the stool of accountability of Congress and to move to give the President the line-item veto so that each and every line of our budget is subject to justification in this House. So let us get on with it and pass the line-item veto on Monday.

WORKING FOR WORKERS' DIGNITY: THE MINIMUM WAGE

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

Mr. VENTO. Mr. Speaker, the Congress has the responsibility to help working families earn a living in the world of work. Today the minimum wage has slipped to the lowest value in decades. Men and women who are struggling to support themselves and their kids and American families are falling further behind. Unemployment is low, but many that are accepting jobs are receiving substandard wages and taking these jobs but not making ends meet. America needs a fair minimum wage. Decency demands that Congress act to give a fair shake to American workers.

The single parents, the persons trying to be able to make a living on his or her job, not with a government support program. The best welfare program is a job.

Action to raise the minimum wage, itself, helps workers, not a trickle-down political promise program to cut taxes for the rich, but social justice for workers on the job in America today.

Fairness and decency demand congressional action to make a work pay. Let Congress Act to increase the minimum wage and be fair to the working people we represent.

LINE-ITEM VETO IS LONG OVERDUE

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

Mr. WELLER. Mr. Speaker, Christmas might come just once a year to most people in the country, but up here in Washington, land of plenty, the legislative Christmas tree shines all year long. Why? Because Congress for years has been practicing pork barrel politics.

In the past, Members have been able to hang their own little ornaments on appropriation bills, best known as Christmas trees which resulted in huge payoffs to someone back in their district. Unfortunately these ornaments cost the taxpayers hundreds of millions of dollars while only benefiting a select few.

But with the passage of a line-item veto, we are finally going to give the President of the United States the same power to remove these costly ornaments. Line-item veto will allow the President to enjoy the same authority as 43 Governors including my own Governor in Illinois, already practice. With line-item veto, we will end the long reign of pork barrel politics. This bill is long overdue.

DEMOCRATS WILL FIGHT FOR A FAIR MINIMUM WAGE

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

Mr. GEPHARDT. Mr. Speaker, over these past 2 years, President Clinton and the Democratic Party have been fighting for a single fundamental goal: To raise the standard of living of America's working families. Everything else is secondary to that goal. And if you are one of the millions of Americans who try to support a family on the minimum wage, your real wages have plummeted by almost a third since 1979.

How can you raise a family on $8,500 a year? That is why it is time to raise the minimum wage by 90 cents to lift up those who have been falling behind, to make work pay more than welfare, because too often that is just not the case today. We know that a minimum

wage increase will not cost us jobs. Research shows that it creates jobs. And to the Speaker, who says this will widen the gap between American wages and those in Mexico and the Third World, I say: Do we want to raise the world's wages up or just drag ourselves down?

Republican Leader ARMEY not only opposes the increase, he wants to demolish the minimum wage altogether.

To the Republicans lower wages and fewer benefits are just money in the bank for American business. Never mind that people are suffering while profits soar.

This should not be a partisan issue. This is about our standard of living. The American people want this increase by an overwhelming margin, and Democrats are going to fight to give it to them because it is right for our economy and it is right for the hard-working families who are the heart of our party and the heart of our country.

SMALLER GOVERNMENT AND LOWER TAXES

(Mr. HOKE asked and was given permission to address the House for 1 minute.)

Mr. HOKE. Mr. Speaker, some Greek archaeologists recently announced that they may have discovered the tomb of Alexander the Great deep in the desert of Western Egypt. When they found the body, it had a laminated copy of the Contract With America in one hand and an ancient hole puncher in the other.

I suppose the lesson is that the ideas of smaller government and lower taxes are timeless.

However, they were not always such popular ideas in this institution or in this city. It took a revolution for them to take hold here. But take hold they have.

And in just 28 days we have completely reformed the way Congress does business, passed a balanced budget amendment, passed an unfunded mandates bill, and we are about to pass a line item veto. We have done it in record time and passed every single one with significant bipartisan support. And this is just the beginning, Mr. Speaker.

Have you heard of the new cable station called the History Channel? Well, C–SPAN is the real history channel. It is history in the making. So do not touch that dial.

THE MINIMUM WAGE

(Mrs. CLAYTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CLAYTON. Mr. Speaker, the President today proposed a modest increase in the minimum wage. We should support him. The President's proposal, combined with the earned income tax credit we passed last Congress, will go a long way in pushing millions of Americans out of poverty. Sixty percent or 6 out of every 10 of those who are minimum wage workers are women. Many of them have children. And, most minimum wage workers are poor.

Increases in the minimum wage have not kept pace with increases in the cost of living. That is why a worker can work full time, 40 hours a week, and still be below the poverty level. If the Federal Reserve Board can increase interest rates seven times in less than 6 months, with no inflation in sight, surely we can increase the minimum wage for the first time since April 1991, a period during which the cost of housing, food, and clothing has greatly risen for the minimum wage worker. The best welfare reform is a job, at a livable wage. I support this constrained request to lift millions of workers out of poverty.

□ 1030

PARLIAMENTARY INQUIRY

Ms. KAPTUR. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. TORKILDSEN). The gentlewoman will state her parliamentary inquiry.

Ms. KAPTUR. Mr. Speaker, my inquiry has to do with the courtesy extended to Members who are attempting to deliver their 1-minute messages this morning. I notice that Members on the other side are moving around the podium and placing their papers there, distracting from the individual who is speaking. Now this side has not chosen to use those tactics.

My inquiry is as to appropriate behavior when another Member of the House is addressing the public.

The SPEAKER pro tempore. The gentlewoman's observation is well taken. Members should not be standing in front of the rostrum while other Members are speaking, and the Chair would ask all Members to observe basic courtesy when Members are speaking in the House.

Ms. KAPTUR. And Members awaiting their turn to speak should be seated until they are recognized by the Speaker?

The SPEAKER pro tempore. Members should not traffic the well when any other Member is speaking.

WHY WE NEED REGULATORY REFORM AND A MORATORIUM ON NEW REGULATIONS

(Mr. NORWOOD asked and was given permission to address the House for 1 minute.)

Mr. NORWOOD. Mr. Speaker, I rise to call your attention to another crazy regulatory scheme they are cooking up over at OSHA.

Buried in a proposed rule on indoor air quality is a requirement that employers provide 24 hours notice to employees every time a pesticide or hazardous chemical is used in the workplace. These so-called hazardous chemicals could include polishes, cleaners, air fresheners, pest control products, and so on. If OSHA has its way, every day my colleagues walk into this building, someone is going to hand you dozens of notices about chemicals that are going to be used tomorrow—if anybody can figure out what they are.

This is nuts. I do not need to know that Windex is going to be used in the men's room tomorrow. This is another example of an out-of-control agency that disregards common sense; this is another example of why we need regulatory reform and a moratorium on new regulations until we can sort this all out.

CONGRESSMEN EARNING 90 CENTS EVERY 45 SECONDS SHOULD SUPPORT INCREASING THE MINIMUM HOURLY WAGE BY 90 CENTS

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

Mr. GUTIERREZ. Mr. Speaker, based on a 40-hour week, Members of this body make $64.40 an hour. When we leave the floor today, at 3 p.m., we will have earned $325.

For the millions of Americans who earn minimum wage, $325 means 2 weeks of work, 2 weeks sweeping the floors in our nursing homes; 2 weeks crouched behind a sewing machine putting together our clothes, 2 weeks changing the bedpans in our hospitals, 2 weeks, for what my colleagues and I will earn in the next 5 hours.

Today, the President has proposed increasing the minimum wage by 90 cents. Congressmen earn 90 cents every 45 seconds.

Yet, how easy it will be for so many of my $65 an hour colleagues to dismiss this increase. ''Not needed,'' they will say. ''Bad economic policy.'' Let me tell my colleagues what I believe is bad economic policy:

A minimum wage that leaves millions of Americans with children who are hungry, with college that cannot be paid for, with homes that cannot be bought and with dreams that will never be fulfilled.

That is bad economic policy. Do the right thing. Support a livable minimum wage.

GOOD NEWS FOR THE HOUSE

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

Mr. BAKER of California. Mr. Speaker, a Washington Post–ABC news poll released last Monday contains good news for this House and better news for the country. In only 3 months public confidence in Congress has doubled from 26 to 46 percent, the largest increase of its kind in the 20-year history of this poll. The majority of Americans

now say Congress can deal with the big issues our country faces. The majority of Americans also say Republicans are breaking down legislative gridlock and getting things done.

We are making history, and we all know why. In last November's election Republicans, and a lot of Democrats, too, heard what the American people wanted, and they offered a written Contract for America. Open Congress to public scrutiny, balance the Federal budget, the line-item veto for the President, a stronger national defense and removing unfunded mandates from the backs of local and State governments are just the beginning of the contract. It is real change, and it is starting to overcome America's cynicism about their government.

If anyone still needs proof that the Republican Party's Contract With America has given the American people hope, they need only look to the polls.

INCREASING THE MINIMUM WAGE SHOULD NOT BE A PARTISAN ISSUE

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

Mr. RICHARDSON. Mr. Speaker, Democrats finally have a defining issue, increasing the minimum wage, but it should not be a partisan issue. If Republicans want a cut in the capital gains tax for those most fortunate Americans, surely they can support a modest increase in the minimum wage for the average worker. We need to move Americans from the underclass to the middle class, and this is mainly a women's issue. Women are 60 percent of those receiving minimum wage, and many of these women are heads of households. They deserve better.

Mr. Speaker, the last election was about putting money in people's pockets, and what we are talking about is $4.75 an hour the first year and $5.25 the next year.

Let us stop the bellyaching about losing jobs, and let us do the right thing.

MOVING THE COUNTRY FORWARD WITH EACH CONTRACT PROMISE WE KEEP

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

Mr. JONES. Mr. Speaker, what do 43 Governors have that President Clinton does not have? The answer: line-item veto.

By the end of the day Monday, President Reagan's birthday, this House will have approved a new power to help control Government spending that Democrats would not even give their own President.

With the line-item veto, Mr. Speaker, we cannot only cut wasteful spending, but we can return some accountability to Congress, and, just as important, with each contract promise we keep, we not only move the country forward, but also help repair the bonds of trust between the people and their Representatives that has been so badly damaged over the last few decades. Politicians keeping promises will be greatly appreciated by the taxpayers of America.

IN SUPPORT OF A MINIMUM WAGE INCREASE

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

Mr. MASCARA. Mr. Speaker, I stand here today to voice my strong support for the 90-cent increase in the minimum wage proposed by President Clinton.

As my colleagues know, I represent southwestern Pennsylvania, an area of the country that lost 200,000 jobs in the 1980's when the winds of change blew through the steel mills and the coal mines.

Many of my constituents are now left to subsist on $4.25 per hour, or $8,840 per year, hardly a living wage and no where near enough to raise a family.

The facts are that adjusted for inflation, the value of the minimum wage has fallen by nearly 50 cents since 1991 and is now 27 percent lower in buying power than it was in 1979.

Mr. Speaker, in 1989 President Bush proposed, and many of my Republican colleagues supported, a similar minimum wage increase.

Now that we are about to undertake welfare reform, a minimum wage increase could be the first step in cutting welfare rolls and giving people a chance at a decent wage.

If we are going to be fair to our workers and help the economy to continue to grow, we should pass this modest minimum wage increase now.

American workers are crying out for us to help them.

□ 1040

PASSAGE OF LINE-ITEM VETO EXPECTED TO FALL ON EX-PRESIDENT REAGAN'S 84TH BIRTHDAY NEXT MONDAY

(Mr. FORBES asked and was given permission to address the House for 1 minute.)

Mr. FORBES. Mr. Speaker, in his 1984 State of the Union Address President Ronald Reagan said, ''As Governor, I found this line-item veto was a powerful tool against wasteful and extravagant spending. It works in 43 States. Let's put it to work in Washington for all the people.''

Now, more than a decade later, President Reagan may get his wish. As Republicans continue to honor our Contract With America, we are finally close to the enactment of a line-item veto.

President Reagan communicated to us in ways that moved an entire nation. He painted pictures that emphasized our greatness, our heroes, and our hopes. His policies and his ideas were substantive, but he always had a knack for conveying a symbolism that helped Americans understand where he was taking us.

No one in this Chamber would ever try to compete with the style of President Reagan, but the symbolism of the vote on the line-item veto should not be lost. The House is scheduled to pass the line-item veto on Monday, February 6, Ronald Reagan's 84th birthday. We will deliver the Democrat President a budget-cutting device of surgical precision, a tool the Democrat Congress denied Ronald Reagan for 8 years.

MINIMUM WAGE RATE HIKE SEEN AS CRUCIAL TO WELFARE REFORM

(Ms. DELAURO asked and was given permission to address the House for 1 minute.)

Ms. DELAURO. Mr. Speaker, I was proud to join President Clinton and my Democratic colleagues this morning in announcing our plan to raise the minimum wage from $4.25 an hour to $5.15 an hour. I am proud because I believe that raising the minimum wage is the right thing to do.

Consider this: A family of three with a full-time minimum wage worker lives below the poverty level in America. By raising the minimum wage by 90 cents over the next 2 years, we can lift that family above the poverty line. People who are working full-time at honest jobs should be able to support their families.

More importantly, raising the minimum wage is crucial to welfare reform. We cannot ask people to move from welfare to work unless we make work pay again.

Mr. Speaker, it is time we value work again in this country. More importantly, it is time we value our workers. People who work hard and play by the rules deserve to make a living wage. Let us raise the minimum wage.

THE LINE-ITEM VETO—A NEW TOOL TO FIGHT THE DEFICIT

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Mr. Speaker, every year someone invents a new term for the line-item veto. We have had enhanced rescission authority, we have had impoundment control, we have had expedited rescission, and other names too numerous to list. But while the names have changed, there is one factor that has remained the same. That is that the big spenders in Congress have always been opposed. That is because the big spenders know that the line-item veto by any name means less

spending and more cuts. It gives the President the ability to turn over the legislative rock and expose all the pork provisions and midnight deals to the light of day. Once exposed, they simply will not survive.

By enacting the line-item veto, we can trim billions of dollars off the deficit and restore accountability to the legislative process. Combined with the balanced budget amendment, it will force Congress to make those tough decisions we have avoided for years. It is one more tool in the fight against the deficit.

WORK SHOULD PAY

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute.)

Mrs. SCHROEDER. Mr. Speaker, the message for today is that work should pay.

I proudly stood with the President of the United States when he said we must raise the minimum wage.

Right now, if you work on the minimum wage and you are lucky enough to have a job all year long and work 8 hours a day, you can bring home $8,500. That is tough. Imagine how those people feel. And 60 percent of them are women trying to support their families. Imagine how they feel when they hear Congressmen making $133,000 saying they cannot afford to live in Washington and they must live in their offices. Not only that, they get a tax advantage for living in Washington. Really this ought to be a bill that we pass by unanimous consent.

That is the least we can do for the working men and women of America. If we can raise this up, at least the average family will make $10,500 for full-time work, and that is very important.

Make work pay. That is the message of the day.

CONGRESS KEEPING ITS WORD TO THE AMERICAN PEOPLE

(Mr. FOX of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. FOX of Pennsylvania. Mr. Speaker, America has a new Congress, new leadership, a new majority, a new direction, a new work ethic, and a new relationship with the American people. This Congress listened to the people and entered into a contract to make their voice heard.

What is also new is that this Congress is keeping its word. In bipartisan fashion, last week we passed a balanced budget amendment. This week another promise was fulfilled with the passage of the bill to stop unfunded mandates.

We signaled the end of the ''Washington knows best'' attitude of the Congresses that have preceded us. We ended the unprincipled, deceitful practice of Congress dumping expensive new laws and regulations on States and local communities and telling them, ''Oh, by the way, you not only have to do as we say, your taxpayers have to pay the cost of implementing them.''

Mr. Speaker, in the process of reaffirming our faith in that system of government with the passage of these laws, I believe we also took another major step toward restoring America's faith in Congress.

SHOULD MINIMUM WAGE BE TIED TO MEXICAN WAGES?

(Mr. BONIOR asked and was given permission to address the House for 1 minute.)

Mr. BONIOR. Mr. Speaker, at today's press conference, Speaker GINGRICH argued that the wages of American workers should not be raised because of the problems with the Mexican economy. Does the Speaker and the Republican Party really believe we should tie American wages, that the standard of living of American working families should be driven down to the standard of a living wage in Mexico?

It is time for us to stand up for working people in this country. People should be rewarded for their hard work. People who try to move from welfare to work should see that work pays. Yet a person on a minimum wage today who works hard, who works 40 hours a week, who takes responsibility for his or her action, who tries to raise a family finds that that family earns less than $9,000 a year.

Mr. Speaker, that is below the poverty line. Ask yourself, how could you raise a family on less than $9,000 a year?

Mr. Speaker, I urge my colleagues on both sides of the aisle to support the increase in the minimum wage.

TERM LIMITS

(Mrs. MYRICK asked and was given permission to address the House for 1 minute.)

Mrs. MYRICK. Mr. Speaker, I would like to remind my colleagues that hearings begin today in subcommittee on the most fundamental congressional reform issue we will face this session—term limits.

As these hearings begin, I ask my colleagues to join team 290—a bipartisan group of Members of Congress committed to passing a term limits amendment in the 104th Congress.

We are gathering commitments to support final passage of a term limits amendment this session. Please join us by signing the team 290 board in the Speaker's lobby today. If you can't join today, the board will be up from 9 to 5:30 daily.

Please join team 290 and show your commitment to true congressional reform through term limits.

MINIMUM WAGE INCREASE

(Ms. ROYBAL-ALLARD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROYBAL-ALLARD. Mr. Speaker, I strongly support the President's decision to raise the minimum wage.

This bold action is an important step in helping to make the American dream a reality for millions of hard-working Americans.

Far too many Americans are working fulltime, only to face the cruel reality that they do not earn enough to support their families.

Today, the minimum wage is worth 27 percent less than it was in 1979.

To allow the devaluation of reward for honest work to continue without positive adjustment is a travesty which demeans the worker and the value of work he or she performs.

This devaluation has added countless individuals to the welfare rolls—individuals who would prefer to work, if only they could support their families by doing so.

I endorse the President's decision to recognize the American worker in this manner.

The increase is justified. Workers have earned it time and again through the honest sweat of their brow.

We must no longer allow their honest efforts to go unnoticed or unrewarded.

□ 1050

TERM LIMITS FOR MEMBERS OF CONGRESS

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

Mr. KINGSTON. Mr. Speaker, I rise today in support of House Joint Resolution 66, which is offered by a fellow Georgian, a colleague of mine, a Democrat, NATHAN DEAL. It has bipartisan support, and I think it solves the problem that we are having on term limits, which is a philosophical debate amongst members of the same philosophical family. That is to say, should we pass a 12-year term limit or 6 or 8 years.

What the resolution offered by Representative DEAL does is say we will pass a bill, a constitutional amendment, requiring a 12-year term limit as the outer parameter, but if States want to continue with their own term limits under that amount, they are welcome to.

For example, the State of Florida right now has a term limit of 8 years. I believe California has one of 6 years. They can continue having that, and yet there will still be an overall limit of 12. This will help 19 States that already have term limit laws below 12 years.

Mr. Speaker, I think this is in line with the Contract With America, it has bipartisan support, and I urge its passage.

ON RAISING THE MINIMUM WAGE

(Mr. OLVER asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. OLVER. Mr. Speaker, it is time to raise the minimum wage. Today the minimum wage is $4.25 an hour. It has not been changed in 4 years.

That means a person working full-time, 40 hours a week, 52 weeks a year, will earn less than $9,000, and has not seen a raise in 4 years of work.

Families cannot live on that. No one can raise a child on that.

There is a lot of talk about work, not welfare. But if a full-time, minimum-wage worker cannot even earn enough to reach the poverty line, work will not be a real alternative to welfare.

Millions of Americans are working hard, trying desperately to make ends meet, but still falling farther behind. That is not fair.

We must reward work, help families help themselves. The minimum wage must be raised to a livable wage.

LINE-ITEM VETO

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

Mr. PORTMAN. Mr. Speaker, with the passage of the unfunded mandate reform bill and the balanced budget amendment, we are actually starting to change the way Washington works. We are laying the groundwork for a new era of accountability. The next important step is the line-item veto.

For too long Congress has sent the White House jampacked, all-encompassing spending bills. This has meant the President has had to choose between signing unnecessary spending into law or shutting down the Government.

Every year questionable projects and tax benefits are included and buried in spending and tax bills. Let me give you a few examples. We have all heard them: $500,000 to build the Lawrence Welk museum in North Dakota. Hundreds of millions to stockpile helium for the military, when we already have enough helium in storage to meet the entire world's needs for helium for the next 10 years; $11.5 million for power plant modernization at the soon-to-be-closed Philadelphia Naval Shipyard; and $25 million for an Arctic region supercomputer at the University of Alaska to study how to trap energy from the aurora borealis.

The line-item veto is needed because it would allow the President flexibility to weed out and strike other wasteful spending items in an otherwise good bill.

THE MINIMUM WAGE AND FAMILY VALUES

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

Mr. DURBIN. Mr. speaker, now this is the Republican Party you remember. The Republican Party and Speaker GINGRICH oppose raising the minimum wage so hard-working Americans can earn a decent living. The same Republican Party which reveres family values, refuses a minimum-wage increase to the working mother trying to help her kids.

The same Republican Party which promises a tax cut for those earning $200,000 a year, denies 45 cents an hour to workers trying to feed their families. And the same Republicans who promise welfare reform and would rather build orphanages than create a minimum wage so people can lift themselves off of the dole.

The Grand Old Party. A lot of new faces and high-flying rhetoric, and even a new contract, but the same Republican insensitivity to the needs of average people.

A HOT 2 YEARS

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

Mr. DORNAN. Mr. Speaker, these are going to be 2 very difficult years, and I am going to try and save my thunder for outside the Halls of this Chamber and for New Hampshire and Iowa and other places. But I think every American should read the front page story of the Washington Post today on Mr. Clinton. It goes into A–4, and opens up, rips off, every tragic scab and scar from the 1992 campaign. Bob Woodward's book ''Agenda'' on page 287 has Mr. Clinton yelling, it says, ''——— you'' at a U.S. Senator, BOB KERREY, a Medal of Honor winner.

I am telling all my colleagues on both sides of the aisle, I saw George Stephanopoulos coming out of DICK GEPHARDT'S office the night before last. We know DICK has been in the press the last 2 days. Mr. Clinton is not going to be the nominee of your party. I believe it is going to be a Medal of Honor winner named BOB KERREY. That is going to create a lot of problems for our side.

Let us have a civil debate here. But when the gentleman from Illinois [Mr. DURBIN] gets up and hits my party, I have every right to say read ''The Agenda,'' read ''First in His Class,'' read the front page of the Post today. It is going to be a hot 2 years.

RAISE MINIMUM WAGE

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

Mr. WARD. Mr. Speaker, I rise today in strong support of President Clinton's proposal to raise the minimum wage by just 45 cents an hour over each of the next 2 years. Those of you watching today need to notice that while we Democrats are talking about helping working families, speaker after speaker on the other side stands silent on the increase in the minimum wage. They speak of anything but. That is because with inflation, the minimum wage has decreased almost 50 cents since 1991, and is currently only three-quarters of what it was in 1979.

How can we encourage people to get off of welfare when we do not provide them a decent wage? How can we say that we reward work over welfare when we do not provide the means by which an individual can achieve this goal?

Mr. Speaker, I applaud President Clinton's efforts, and I encourage my colleagues on both sides of the aisle to support this proposed increase.

DON'T LINK OUR SOVEREIGNTY TO MEXICO

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

Mr. STEARNS. Mr. Speaker, is it in our best interest to link the economic security of this country to markets controlled by a nation with a record of bankruptcies and devaluations?

In fact is it proper to do free trade with a country that has a history of these devaluations, repudiations of debts and a country that lacks real democratic reforms? Mr. Speaker, I am concerned about President Clinton's decision to bail out Mexico.

Let us face the facts—Mexico's political system has not been reformed as rapidly as its economy, and therein lies the problem.

Government corruption continues, particularly in the form of bribes and kickbacks for government projects and there is a large black market. There is no middle class and most of the wealth is controlled by a few families.

Mexico's average inflation rate from 1980 to 1991 was 66.5 percent. There is a high level of regulation and there needs more privatization of government businesses.

If we are to rely on back door bailouts for countries that have this economic history, then I question the New World Economic Order.

Mr. Speaker, the President should not link our economic sovereignty to a nation that does not have sound economic and political policies.

TIME TO RAISE MINIMUM WAGE

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

Mr. STUPAK. Mr. Speaker, now I have heard it all. Now I have heard everything. At his press conference today Speaker GINGRICH was asked about the minimum wage. He was asked if he plans to support a minimum-wage increase. You know what he said? He said we cannot raise the minimum wage. We can't raise it above $4.25. And do you know why? He said because of the problems with the Mexican economy. He

said we can't raise wages here while the wages are going down in Mexico.

Does the Speaker really believe that we should base our pay raises in America on what is happening in Mexico? That Mexico should be our benchmark for wages? That 58 cents an hour should be our standard? That is two quarters, one nickel, and three pennies, held together by a bunch of tape. Why does he want to continue to keep the American worker down?

Mr. Speaker, it is time we stand up for working people in this country. It is time we reward people for their hard work. It is time we raise the minimum wage.

TAX CUTS NEEDED, NOT MINIMUM-WAGE INCREASE

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

Mr. LONGLEY. Mr. Speaker, I want to talk about the minimum wage. In the last year I have been talking about the fact that in my State of Maine if I go out to a store to buy a pack of cigarettes, I will pay three taxes. If I go out and buy a can of beer, I will pay four taxes. But if I do the right thing and go out and create a job for a working person at the minimum wage in this country, I am going to pay or manage nine different taxes.

I am tired of the nonsense we are hearing about the minimum wage and how we can increase it and how we are going to do wonderful things for people. I want to focus on the fact that those nine taxes at the minimum wage exceed $1 an hour.

□ 1100

I think that is outrageous. When I talk to young people in my district, it is bad enough that many of them feel that with the payroll tax burden that is on their jobs, they are more likely to see a UFO than to get a Social Security check when they retire. It is bad enough that they are worried about whether they are going to even receive any benefits whatsoever, now they are going to be losing their jobs.

The issue is not what is going on in the private sector. The issue is a government that is taking $1 an hour out of the minimum wage. I think that is the real issue, and that is where the focus needs to be in the rest of this session.

RAISING THE MINIMUM WAGE

(Ms. PELOSI asked and was given permission to address the House for 1 minute.)

Ms. PELOSI. Mr. Speaker, nothing speaks more clearly to the need for an increase in the minimum wage than the plight of poor children in America. Earlier this week, the National Center for Children in Poverty released a study that should trouble all of us. The study shows that one in every four children under the age of 6 in our country was living in poverty in 1992. That number is twice what it was in 1972 and includes an increase of 1 million children in the 5 years between 1987 and 1992.

Three of every five of these children have working parents, but they make the minimum wage. And it is not a living wage. Working parents are trying to provide a decent life for their children.

We have heard our colleagues talk about the fact that if someone works full-time minimum wage, they make $8,400 a year, nearly 50 percent below the poverty line.

We have a moral responsibility to give those working parents and their children a fighting chance by giving them a living wage. The American people agree. In December, the Wall Street Journal-NCB poll showed 75 to 20 the American people favored an increase in the minimum wage. In January the L.A. Times reported 72 percent.

In 1989, when we took up this vote, 382 Members of this House, including 135 Republicans, voted for the increase in the minimum wage.

Let us do it again.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TORKILDSEN). As previously announced, the House has completed 20 1-minutes per side. Additional 1-minutes will occur after the close of business today.

REPORT ON HAITI—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The Speaker pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

1. In December 1990, the Haitian people elected Jean-Bertrand Aristide as their President by an overwhelming margin in a free and fair election. The United States praised Haiti's success in peacefully implementing its democratic constitutional system and provided significant political and economic support to the new government. The Haitian military abruptly interrupted the consolidation of Haiti's new democracy when, in September 1991, it illegally and violently ousted President Aristide from office and drove him into exile.

2. The United States, on its own and with the Organization of American States (OAS), immediately imposed sanctions against the illegal regime. Upon the recommendation of the legitimate government of President Aristide and of the OAS, the United Nations Security Council imposed incrementally a universal embargo on Haiti, beginning June 16, 1993, with trade restrictions on certain strategic commodities. The United States actively supported the efforts of the OAS and the United Nations to restore democracy to Haiti and to bring about President Aristide's return by facilitating negotiations between the Haitian parties. The United States and the international community also offered material assistance within the context of an eventual negotiated settlement of the Haitian crisis to support the return to democracy, build constitutional structures, and foster economic well-being.

The continued defiance of the will of the international community by the illegal regime led to an intensification of bilateral and multilateral economic sanctions against Haiti in May 1994. The U.N. Security Council on May 6 adopted Resolution 917, imposing comprehensive trade sanctions and other measures on Haiti. This was followed by a succession of unilateral U.S. sanctions designed to isolate the illegal regime. To augment embargo enforcement, the United States and other countries entered into a cooperative endeavor with the Dominican Republic to monitor that country's enforcement of sanctions along its land border and in its coastal waters.

Defying coordinated international efforts, the illegal military regime in Haiti remained intransigent for some time. Internal repression continued to worsen, exemplified by the expulsion in July 1994 of the U.N./O.A.S.-sponsored International Civilian Mission (ICM) human rights observers. Responding to the threat to peace and security in the region, the U.N. Security Council passed Resolution 940 on July 31, 1994, authorizing the formation of a multinational force to use all necessary means to facilitate the departure from Haiti of the military leadership and the return of legitimate authorities including President Aristide.

In the succeeding weeks, the international community under U.S. leadership assembled a multinational coalition force to carry out this mandate. At my request, former President Carter, Chairman of the Senate Armed Services Committee Sam Nunn, and former Chairman of the Joint Chiefs of Staff Colin Powell went to Haiti on September 16 to meet with the *de facto* Haitian leadership. The threat of imminent military intervention combined with determined diplomacy achieved agreement in Port-au-Prince on September 18 for the *de facto* leaders to relinquish power by October 15. United States forces in the vanguard of the multinational coalition force drawn from 26 countries began a peaceful deployment in Haiti on September 19 and the military leaders have since relinquished power.

In a spirit of reconciliation and reconstruction, on September 25 President Aristide called for the immediate easing of sanctions so that the work of

rebuilding could begin. In response to this request, on September 26 in an address before the United Nations General Assembly, I announced my intention to suspend all unilateral sanctions against Haiti except those that affected the military leaders and their immediate supporters and families. On September 29, the U.N. Security Council adopted Resolution 944 terminating U.N.-imposed sanctions as of the day after President Aristide returned to Haiti.

On October 15, President Aristide returned to Haiti to assume his official responsibilities. Effective October 16, 1994, by Executive Order No. 12932 (59 Fed. Reg. 52403, October 14, 1994), I terminated the national emergency declared on October 4, 1991, in Executive Order No. 12775, along with all sanctions with respect to Haiti imposed in that Executive order, subsequent Executive orders, and the Department of the Treasury regulations to deal with that emergency. This termination does not affect compliance and enforcement actions involving prior transactions or violations of the sanctions.

3. This report is submitted to the Congress pursuant to 50 U.S.C. 1641(c) and 1703(c). It is not a report on all U.S. activities with respect to Haiti, but discusses only those Administration actions and expenses since my last report (October 13, 1994) that are directly related to the national emergency with respect to Haiti declared in Executive Order No. 12775, as implemented pursuant to that order and Executive Orders Nos. 12779, 12853, 12872, 12914, 12917, 12920, and 12922.

4. The Department of the Treasury's Office of Foreign Assets Control (FAC) amended the Haitian Transactions Regulations, 31 C.F.R. Part 580 (the ''HTR'') on December 27, 1994 (59 Fed. Reg. 66476, December 27, 1994), to add section 580.524, indicating the termination of sanctions pursuant to Executive Order No. 12932, effective October 16, 1994. The effect of this amendment is to authorize all transactions previously prohibited by subpart B of the HTR or by the previously stated Executive orders. Reports due under general or specific license must still be filed with FAC covering activities up until the effective date of this termination. Enforcement actions with respect to past violations of the sanctions are not affected by the termination of sanctions. A copy of the FAC amendment is attached.

5. The total expenses incurred by the Federal Government during the period of the national emergency with respect to Haiti from October 4, 1991, through October 15, 1994, that are directly attributable to the authorities conferred by the declaration of a national emergency with respect to Haiti are estimated to be approximately $6.2 million, most of which represent wage and salary costs for Federal personnel. This estimate has been revised downward substantially from the sum of estimates previously reported in order to eliminate certain previously reported costs incurred with respect to Haiti, but not directly attributable to the exercise of powers and authorities conferred by the declaration of the terminated national emergency with respect to Haiti.

Thus, with the termination of sanctions, this is the last periodic report that will be submitted pursuant to 50 U.S.C. 1703(c) and also constitutes the last semiannual report and final report on Administration expenditures required pursuant to 50 U.S.C. 1641(c).

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 3, 1995.*

LINE-ITEM VETO ACT

The SPEAKER pro tempore. Pursuant to House Resolution 55 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. 2.

□ 1103

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. 2) to give the President item veto authority over appropriation acts and targeted tax benefits in revenue acts, with Mr. BOEHNER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Thursday, February 2, 1995, the amendment offered by the gentleman from Pennsylvania [Mr. KANJORSKI] had been disposed of and the bill was open for amendment at any point.

Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. SPRATT

Mr. SPRATT. Mr. Chairman, I offer an amendment, amendment No. 20.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SPRATT: In section 2(a), insert ''or tax incentive'' after ''tax benefit'' the first place it appears.

At the end of Section 4, insert the following new paragraph:

(5) The term ''tax incentive'' means any deduction, credit, preference, or exemption from gross income, or any deferral of tax liability, causing tax revenues to be forgone as inducement for taxpayers to pursue or forbear from certain actions or activities.

Mr. SPRATT. Mr. Chairman, I rise to support the amendment known as the Moran-Spratt amendment.

Mr. Chairman, the advocates of H.R. 2 claim that they have found a way to give the President by statute powers that he does not enjoy under the Constitution, the power, specifically, of an item veto. They claim that this power will allow the President to cut out wasteful, unwarranted, spending in appropriations bills that we adopt every year.

Our amendment simply takes the President's newfound veto power to the realm of quasi-spending sometimes known as tax expenditures or tax incentives.

The committee bill already takes a tentative step in this direction. It delegates to the President the power to rescind targeted tax benefits, special interest tax provisions that benefit 100 or fewer taxpayers. But here it stops. It stops, in my opinion, far short of the right goal.

As to spending, this bill boldly covers virtually every item in 13 different appropriations bills, all with discretionary spending, $540 to $550 billion a year, but with tax expenditures it turns timid. It stops at a limited-interest tax provisions which are really just the tip of the iceberg.

Why is this bill so tough on spending and so easy on special interest tax incentives?

Let me read my colleagues what Newsweek said to explain last week, reading from Newsweek.

The fine print of the item veto bill reveals that though the Republicans are tough on spending, they are lax on special-interest tax giveaways. The vast majority of tax breaks, worth hundreds of billions of dollars, would remain immune from the President's veto. Any lobbyist looking for goodies from the Federal Government in the future could work through the tax code instead of working through spending bills.

For some years we all know that has been a favorite recourse. That has been a practice common here for 20 to 25 years. If we want to give people an incentive to install solar heat in their homes, we are not so obvious as to hand them out a subsidy. We allow them a tax credit for part of the cost.

If we want to promote oil and gas exploration, we do not fork over subsidies to the drillers. That would never be approved in the House, appropriating money for the major oil companies. We give them oil depletion allowances, or we let them expense costs that other businesses would be required to capitalize. Nobody notices because it is buried in the Tax Code, and who is to know when we are allowing one cost to be expensed rather than capitalized that we actually are giving a subsidy to this particular taxpayer.

Our amendment would give the President the power to police these tax expenditures, to comb through the Tax Code the way he will be able to comb through spending appropriation bills and cull out questionable policies and provisions.

Under our amendment, the President would have the right to rescind so-called tax incentives or tax expenditures.

What are tax incentives or tax expenditures? Let me read the definition we use in our amendment for tax incentives. The term ''tax incentive'' means any deduction, credit, preference, or exemption from gross income or any deferral of tax liability causing tax revenues to be forgone as inducement for taxpayers to pursue or forbear from pursuit of certain activities or actions.

So long as we are going to be tough on spending, as this bill certainly will be, let us also be tough on tax giveaways. They amount to the same thing. They have the same bottom line impact on the deficit.

And for that reason, Mr. Chairman, I urge adoption of the Moran-Spratt amendment.

Mr. MORAN. Mr. Chairman, the Spratt-Moran amendment which we are now considering greatly improves upon the Line-Item Veto Act.

In the Contract on America and every piece of literature touting the Line-Item Veto Act, the Republicans are quick to claim that this would give the President the authority to cut out pork spending and targeted tax benefits. But if you look at the actual legislation, you will see that it does not give the President the authority to truly cut targeted tax benefits.

The original Line-Item Veto Act only allowed the President to veto tax benefits if they benefited five or fewer taxpayers. This is a joke. There is no law, no pork project, and no tax cut, no program enacted by this Congress that only benefits five or fewer Americans. This bill was amended in committee to increase the number up to 100, but it still is worthless. No omnibus tax bill contains a tax cut for John Doe of Alexandria, VA, or the Smith family in Fairfax. There are very, very few tax benefits targeted to any class with less than 100 persons.

Tax bills, however, do contain special interest giveaways. They are loaded with individual provisions designed to either induce taxpayers to do a certain activity or discourage taxpayers from doing another. Just last month, the Senate Budget Committee released a compendium of tax expenditures that identified $453 billion in individual tax provisions for fiscal year 1995 alone. We are making a big deal because this bill may open $10 billion in unauthorized spending each year to a potential line-item veto. But in the same breath we are passing on an opportunity to open $453 billion, nine times that amount, to the same authority.

Many of these individual tax provisions are positive and should be continued. But in the same vein, many of the items contained in appropriations bills are justifiable and serve the public interest. But some of these are questionable. On page 41 of this compendium, CRS notes the ''Interest Allocation Rules Exception for Certain Nonfinancial Institutions''. This tax benefit classifies a finance subsidiary of the Ford Motor Co. as a financial institution and costs the Federal taxpayers $200 million. What is the rationale for this tax break? Nobody knows, it was not mentioned in the committee reports on the Tax Reform Act of 1986. There is no pork project in any appropriations act that comes close to $200 million annually. On page 29 of this compendium is the ''Exclusion of Income of Foreign Sales Corporations,'' a tax benefit which allows firms to exclude 15 percent of income of exports sold through special foreign subsidiaries set up as paper corporations. This tax benefit costs the Federal taxpayers $1.1 billion annually.

Some of these individual tax provisions, such as mortgage interest deductions, are positive and benefit almost every American family. But some are giveaways that increase our deficit for the benefit of a few wealthy corporations.

If we are serious about reducing the deficit and are serious about giving the Executive the ability to cut wasteful spending, we must also allow him to cut any and all unnecessary and unjustifiable tax subsidies.

I hope my colleagues will support this amendment.

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

Mr. Chairman, I rise in opposition to the amendment. Having to oppose the amendment, I regret, because the gentleman from South Carolina [Mr. SPRATT] is certainly one of the most thoughtful, constructive, and contributing members of the committee. He has given enormous thought to this issue and to all of the issues involved in this legislation. But I think that he goes beyond, way beyond what we were attempting to get at in this bill, which would allow the President to veto very special, very limited, tax perks for special fat cat friends, ''fat cats'' being a broad term.

This, I think, is too broad, because it would allow the President to veto things like the homeowners mortgage deduction, the earned income tax credit, credits to assist family members in taking care of elderly and indigent relations.

Clearly, Mr. Chairman, this is way outside the scope of what we were attempting to have as a very targeted, very precise rifle shot attack on those egregious examples of overreaching which we have unfortunately seen too many examples of in our Tax Code in recent years.

This is a much broader policy initiative, and I think it is a worthy one. But I think for the purposes of this legislation, it broadens the scope of the legislation too much. I must oppose the amendment.

Mrs. COLLINS of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this amendment. This amendment would make any tax incentive subject to the Presidential line-item veto. Tax incentives would include any deduction, credit, preference, or exemption from gross income of any deferral of tax liability. For example, the mortgage deduction and the exemption for dependents could be subject to the Presidential line-item veto.

□ 1110

A very disturbing trend seems to be developing in this debate. The new Republican majority seem to have two contracts with America, one in which they protect the tax loopholes of the wealthy and the other under which they sacrifice the programs for working people on the altar of deficit reduction.

I think that is wrong. And I think the American people can see through it. The majority would like us to believe that it is the middle-income tax cut that they want to protect, but in reality they are protecting many special interests that feed daily at the Federal trough of privilege and preferred treatment.

I have here, for example, a list that I would like for my colleague to know about. One such provision which gets special tax preference that the President would not be able to veto under this legislation is a provision favoring the oil and gas industry by repealing the minimum tax for depletion and intangible drilling costs for independents and oil drillers. Since we have more than 100 oil drillers in the country, the President could not veto this bill.

Another provision we have here gave a tax preference for purchasers of fuels containing alcohol. Since thousands of people can buy gasohol, the President would not line-item veto that provision, even though one company, Archer Daniel Midlands, controls about 90 percent of the gasohol market.

A third benefits purchasers of electric cars and cars powered by natural gas. Even though this provision really benefits a handful of carmakers, the President could not veto it since many people could buy the cars.

Let me cite another example where our Tax Code gives a special tax benefit or credit to drug companies doing business in Puerto Rico; 24 big companies with receipts exceeding $250 million got a total of $2.6 billion in tax credits from this provision in 1992, but because a total of 338 companies got benefits from this provision, the President could not veto it.

You know the Moran-Spratt amendment points out that Republicans like giving tax breaks to the wealthy, and there is no reason why those tax expenditures should not be subject to the line-item veto in the same way spending programs are.

Mr. Chairman, if deficit reduction is the goal, the benefits wealthy Americans and corporations receive must be on the table, not just spending programs for the working people in this country.

I urge my colleague to support the Moran-Spratt amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina [Mr. SPRATT].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SPRATT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 175, noes 243, not voting 16, as follows:

[Roll No 89]

AYES—175

Abercrombie	Bishop	Clay
Ackerman	Bonior	Clayton
Andrews	Borski	Clement
Baesler	Brewster	Clyburn
Baldacci	Browder	Coleman
Barrett (WI)	Brown (CA)	Collins (IL)
Beilenson	Brown (FL)	Condit
Bentsen	Brown (OH)	Coyne
Berman	Bryant (TX)	Cramer
Bevill	Chapman	Danner

de la Garza
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Farr
Fattah
Fazio
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
LaFalce
Lantos
Laughlin
Lewis (GA)
Lincoln
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mollohan
Montgomery
Moran
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Rahall
Rangel
Reed
Reynolds
Richardson
Rivers
Roemer
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tauzin
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torricelli
Traficant
Tucker
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Williams
Wilson
Wise
Wyden
Yates

NOES—243

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Boucher
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Combest
Conyers
Cooley
Costello
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
DeLay
Diaz-Balart
Dickey
Dixon
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Evans
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martinez
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Meyers
Mica
Miller (FL)
Mink
Molinari
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Pastor
Paxon
Petri
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stump
Talent
Tate
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Torres
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—16

Bartlett
Becerra
Collins (GA)
Collins (MI)
Gunderson
Hoyer
Istook
Kelly
Largent
Metcalf
Moakley
Sisisky
Stockman
Towns
Waxman
Woolsey

□ 1131

The Clerk announced the following pairs:

On this vote:

Mr. Hoyer for, with Mr. Bartlett of Maryland against.

Mr. Towns for, with Mr. Largent against.

So the amendment was rejected.

The result of the vote was announced as above recorded.

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

Mr. Chairman, I have a few words about the schedule as the day proceeds.

I would like to mention to all the Members of the body that we are concerned about the snowstorm that is moving in, especially in the Midwest. We have a lot of Members who are anxious to travel. We have, I think it is four amendments we believe that we can move fast. We are trying to move the amendments as fast as we can. We are hopeful that with the cooperation of all the Members we might be able to complete our work today even before the scheduled 3 o'clock departure time. I think that could be beneficial to a lot of our traveling Members. I just wanted to bring to every Member's attention that insofar as we can move the debate and the amendments fast we might be able to alleviate their travel pressure.

I want to thank all the Members for their attention.

The CHAIRMAN. Are there any other amendments to be offered to the bill?

Mr. WISE. Mr. Chairman, I move to strike the requisite number of words.

I would like to ask if the distinguished Chair of the full committee would engage in a discussion as to the scheduling.

The majority leader asked that we run amendments at this point. I am not aware of any amendments on the floor at this time. Is it the desire of the majority leader and the committee to go out if that is not the case, to go to the substitutes? What is the will here?

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

Mr. WISE. I yield to the Chair of the full committee.

Mr. CLINGER. I thank the gentleman for yielding.

Mr. Chairman, we have been noticed with a number of amendments that have been published in the RECORD, and we assumed that they would be offered in a timely fashion; that is, Ms. NORTON has an amendment, Mr. OBEY has an amendment, Ms. WATERS has an amendment, Mr. TAUZIN. We had anticipated that those amendments would be coming in due course. Our objective here would be to complete those amendments today, dispose of those amendments today, and deal with the substitutes. I know the gentleman from West Virginia [Mr. WISE] has a substitute which he would offer on Monday.

Mr. WISE. At this point it is my understanding, and I will defer to our ranking member, but it is my understanding that none of the Members are able to offer their amendments at this point or had not expected to.

So the question then becomes if there is concern about the weather, is it better to let Members go at this point; if there is concern about the weather and getting flights to the West and Midwest particularly before they get socked in, is it better, if the amendments are not offered, to——

Mr. CLINGER. If there are no amendments to be offered, I would suggest the gentleman who has a substitute would offer his substitute at this time and we would deal with that, or else we would move to final passage. In that event, we will postpone final passage until Monday.

Mrs. COLLINS of Illinois. Mr. Chairman, will the gentleman yield?

Mr. WISE. I yield to the ranking member.

Mrs. COLLINS of Illinois. I thank the gentleman for yielding.

Mr. Chairman, if we do not have any amendments here now and if we are getting ready to go on the substitute, why would we hold final passage until Monday when we might not be able to get here on Monday?

I have been working here in Washington as long as the gentleman from Pennsylvania [Mr. CLINGER] has, I believe, and we understand that if there is a 12-inch snowstorm there is no way we are likely to be able to get here from wherever we are on Monday.

□ 1140

So it would seem to me, Mr. Chairman, the thing to do would be to go on with this legislation today, get it over with, if we possibly can. There are two options. One is to rise and come back

whenever we can if we are stuck someplace because of the snow, and the other thing is to complete the bill today.

PARLIAMENTARY INQUIRY

Mr. CLINGER. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. CLINGER. Mr. Chairman, in the event the substitute amendment would be offered, a substitute for the bill would be offered at this point, would it preclude the offering of other amendments upon the disposition of the substitute amendment?

The CHAIRMAN. In responding to the gentleman's parliamentary inquiry: not necessarily.

If the substitute were adopted, that would stop the amendment process with respect to the original-text substitute.

Mr. CLINGER. I understand.

Mr. WISE. Excuse me, Mr. Chairman, I could not hear the Chair. What was the ruling?

Mr. CLINGER. Mr. Chairman, I would tell the gentleman that I would encourage, in view of the fact that there are then no Members presently on the floor prepared to offer perfecting amendments, but only the gentleman standing who is prepared to offer a substitute amendment—my understanding is that if the gentleman's substitute would prevail, it would preclude consideration of further amendments. On the other hand, if the gentleman's substitute does not prevail, other amendments would be in order, and I would encourage the gentleman to present his substitute amendment.

Mr. WISE. In that case, Mr. Chairman, we will be happy to proceed.

The CHAIRMAN. Are there any other amendments to the bill?

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. WISE

Mr. WISE. Mr. Chairman, I offer an amendment in the nature of a substitute. It has been printed in the RECORD and is amendment No. 31.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. WISE: Strike all after the enacting clause and insert the following:

SECTION 1. EXPEDITED CONSIDERATION OF CERTAIN PROPOSED RESCISSIONS AND TARGETED TAX BENEFITS.

(a) IN GENERAL.—Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683) is amended to read as follows:

''EXPEDITED CONSIDERATION OF CERTAIN PROPOSED RESCISSIONS

''SEC. 1012. (a) PROPOSED RESCISSION OF BUDGET AUTHORITY OR REPEAL OF TARGETED TAX BENEFITS.—The President may propose, at the time and in the manner provided in subsection (b), the rescission of any budget authority provided in an appropriation Act or repeal of any targeted tax benefit provided in any revenue Act. If the President proposes a rescission of budget authority, he may also propose to reduce the appropriate discretionary spending limit set forth in section 601(a)(2) of the Congressional Budget Act of 1974 by an amount that does not exceed the amount of the proposed rescission. Funds made available for obligation under this procedure may not be proposed for rescission again under this section.

''(b) TRANSMITTAL OF SPECIAL MESSAGE.—

''(1) The President may transmit to Congress a special message proposing to rescind amounts of budget authority or to repeal any targeted tax benefit and include with that special message a draft bill that, if enacted, would only rescind that budget authority or repeal that targeted tax benefit unless the President also proposes a reduction in the appropriate discretionary spending limit set forth in section 601(a)(2) of the Congressional Budget Act of 1974. That bill shall clearly identify the amount of budget authority that is proposed to be rescinded for each program, project, or activity to which that budget authority relates or the targeted tax benefit proposed to be repealed, as the case may be. A targeted tax benefit may only be proposed to be repealed under this section during the 10-legislative-day period commencing on the day after the date of enactment of the provision proposed to be repealed.

''(2) In the case of an appropriation Act that includes accounts within the jurisdiction of more than one subcommittee of the Committee on Appropriations, the President in proposing to rescind budget authority under this section shall send a separate special message and accompanying draft bill for accounts within the jurisdiction of each such subcommittee.

''(3) Each special message shall specify, with respect to the budget authority proposed to be rescinded, the following—

''(A) the amount of budget authority which he proposes to be rescinded;

''(B) any account, department, or establishment of the Government to which such budget authority is available for obligation, and the specific project or governmental functions involved;

''(C) the reasons why the budget authority should be rescinded;

''(D) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect (including the effect on outlays and receipts in each fiscal year) of the proposed rescission;

''(E) all facts, circumstances, and considerations relating to or bearing upon the proposed rescission and the decision to effect the proposed rescission, and to the maximum extent practicable, the estimated effect of the proposed rescission upon the objects, purposes, and programs for which the budget authority is provided; and

''(F) a reduction in the appropriate discretionary spending limit set forth in section 601(a)(2) of the Congressional Budget Act of 1974, if proposed by the President.

Each special message shall specify, with respect to the proposed repeal of targeted tax benefits, the information required by subparagraphs (C), (D), and (E), as it relates to the proposed repeal.

''(c) PROCEDURES FOR EXPEDITED CONSIDERATION.—

''(1)(A) Before the close of the second legislative day of the House of Representatives after the date of receipt of a special message transmitted to Congress under subsection (b), the majority leader or minority leader of the House of Representatives shall introduce (by request) the draft bill accompanying that special message. If the bill is not introduced as provided in the preceding sentence, then, on the third legislative day of the House of Representatives after the date of receipt of that special message, any Member of that House may introduce the bill.

''(B) The bill shall be referred to the Committee on Appropriations or the Committee on Ways and Means of the House of Representatives, as applicable. The committee shall report the bill without substantive revision and with or without recommendation. The bill shall be reported not later than the seventh legislative day of that House after the date of receipt of that special message. If that committee fails to report the bill within that period, that committee shall be automatically discharged from consideration of the bill, and the bill shall be placed on the appropriate calendar.

''(C) During consideration under this paragraph, any Member of the House of Representatives may move to strike any proposed rescission or rescissions of budget authority or any proposed repeal of a targeted tax benefit, as applicable, if supported by 49 other Members.

''(D) A vote on final passage of the bill shall be taken in the House of Representatives on or before the close of the 10th legislative day of that House after the date of the introduction of the bill in that House. If the bill is passed, the Clerk of the House of Representatives shall cause the bill to be engrossed, certified, and transmitted to the Senate within one calendar day of the day on which the bill is passed.

''(2)(A) A motion in the House of Representatives to proceed to the consideration of a bill under this section shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

''(B) Debate in the House of Representatives on a bill under this section shall not exceed 4 hours, which shall be divided equally between those favoring and those opposing the bill. A motion further to limit debate shall not be debatable. It shall not be in order to move to recommit a bill under this section or to move to reconsider the vote by which the bill is agreed to or disagreed to.

''(C) Appeals from decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to a bill under this section shall be decided without debate.

''(D) Except to the extent specifically provided in the preceding provisions of this subsection, consideration of a bill under this section shall be governed by the Rules of the House of Representatives. It shall not be in order in the House of Representatives to consider any rescission bill introduced pursuant to the provisions of this section under a suspension of the rules or under a special rule.

''(3)(A) A bill transmitted to the Senate pursuant to paragraph (1)(D) shall be referred to its Committee on Appropriations or Committee on Finance, as applicable. That committee shall report the bill without substantive revision and with or without recommendation. The bill shall be reported not later than the seventh legislative day of the Senate after it receives the bill. A committee failing to report the bill within such period shall be automatically discharged from consideration of the bill, and the bill shall be placed upon the appropriate calendar.

''(B) During consideration under this paragraph, any Member of the Senate may move to strike any proposed rescission or rescissions of budget authority or any proposed repeal of a targeted tax benefit, as applicable, if supported by 14 other Members.

''(4)(A) A motion in the Senate to proceed to the consideration of a bill under this section shall be privileged and not debatable. An amendment to the motion shall not be in

order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

''(B) Debate in the Senate on a bill under this section, and all debatable motions and appeals in connection therewith (including debate pursuant to subparagraph (C)), shall not exceed 10 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

''(C) Debate in the Senate on any debatable motion or appeal in connection with a bill under this section shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the bill, except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control on the passage of a bill, allot additional time to any Senator during the consideration of any debatable motion or appeal.

''(D) A motion in the Senate to further limit debate on a bill under this section is not debatable. A motion to recommit a bill under this section is not in order.

''(d) AMENDMENTS AND DIVISIONS PROHIBITED.—Except as otherwise provided by this section, no amendment to a bill considered under this section shall be in order in either the House of Representatives or the Senate. It shall not be in order to demand a division of the question in the House of Representatives (or in a Committee of the Whole) or in the Senate. No motion to suspend the application of this subsection shall be in order in either House, nor shall it be in order in either House to suspend the application of this subsection by unanimous consent.

''(e) REQUIREMENT TO MAKE AVAILABLE FOR OBLIGATION.—(1) Any amount of budget authority proposed to be rescinded in a special message transmitted to Congress under subsection (b) shall be made available for obligation on the day after the date on which either House rejects the bill transmitted with that special message.

''(2) Any targeted tax benefit proposed to be repealed under this section as set forth in a special message transmitted by the President shall not be deemed repealed unless the bill transmitted with that special message is enacted into law.

''(f) DEFINITIONS.—For purposes of this section—

''(1) the term 'appropriation Act' means any general or special appropriation Act, and any Act or joint resolution making supplemental, deficiency, or continuing appropriations;

''(2) the term 'legislative day' means, with respect to either House of Congress, any day of session; and

''(3) The term 'targeted tax benefit' means any provision of a revenue or reconciliation Act determined by the President to provide a Federal tax deduction, credit, exclusion, preference, or other concession to 100 or fewer beneficiaries. Any partnership, limited partnership, trust, or S corporation, and any subsidiary or affiliate of the same parent corporation, shall be deemed and counted as a single beneficiary regardless of the number of partners, limited partners, beneficiaries, shareholders, or affiliated corporate entities''.

(b) EXERCISE OF RULEMAKING POWERS.—Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (a), by striking ''and 1017'' and inserting ''1012, and 1017''; and

(2) in subsection (d), by striking ''section 1017'' and inserting ''sections 1012 and 1017''; and

(c) CONFORMING AMENDMENTS.—

(1) Section 1011 of the Congressional Budget Act of 1974 (2 U.S.C. 682(5)) is amended by repealing paragraphs (3) and (5) and by redesignating paragraph (4) as paragraph (3).

(2) Section 1014 of such Act (2 U.S.C. 685) is amended—

(A) in subsection (b)(1), by striking ''or the reservation''; and

(B) in subsection (e)(1), by striking ''or a reservation'' and by striking ''or each such reservation''.

(3) Section 1015(a) of such Act (2 U.S.C. 686) is amended by striking ''is to establish a reserve or'', by striking ''the establishment of such a reserve or'', and by striking ''reserve or'' each other place it appears.

(4) Section 1017 of such Act (2 U.S.C. 687) is amended—

(A) in subsection (a), by striking ''rescission bill introduced with respect to a special message or'';

(B) in subsection (b)(1), by striking ''rescission bill or'', by striking ''bill or'' the second place it appears, by striking ''rescission bill with respect to the same special message or'', and by striking '', and the case may be,'';

(C) in subsection (b)(2), by striking ''bill or'' each place it appears;

(D) in subsection (c), by striking ''rescission'' each place it appears and by striking ''bill or'' each place it appears;

(E) in subsection (d)(1), by striking ''rescission bill or'' and by striking '', and all amendments thereto (in the case of a rescission bill)'';

(F) in subsection (d)(2)—

(i) by striking the first sentence;

(ii) by amending the second sentence to read as follows: ''Debate on any debatable motion or appeal in connection with an impoundment resolution shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the resolution, except that in the event that the manager of the resolution is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee.'';

(iii) by striking the third sentence; and

(iv) in the fourth sentence, by striking ''rescission bill or'' and by striking ''amendment, debatable motion,'' and by inserting ''debatable motion'';

(G) in paragraph (d)(3), by striking the second and third sentences; and

(H) by striking paragraphs (4), (5), (6), and (7) of paragraph (d).

(d) CLERICAL AMENDMENTS.—The item relating to section 1012 in the table of sections for subpart B of title X of the Congressional Budget and Impoundment Control Act of 1974 is amended to read as follows:

''Sec. 1012. Expedited consideration of certain proposed rescissions and targeted tax benefits.''

Mr. WISE. Mr. Chairman, this amendment, or the substitute that is being offered, is the Wise-Spratt-Stenholm substitute. Some call it expedited rescission; some would call the Republican version offered by the full committee enhanced rescission. Both are forms of line-item veto, and that is the first thing we have to get clear.

There are two goals, it seems to me, with any kind of modified line-item veto such as we are discussing today. The goals are that the President be able to line item items in appropriation bills that he or she thinks should be cut and that the President is entitled to a vote on those items; second, that all Members be held accountable for whether or not they voted to sustain the President, whether they voted to cut.

So, Mr. Chairman, the goals are: the President can veto and the Congress must vote. Underline the word ''must.'' Second is that all Members be held accountable so that the public knows how BOB WISE voted in his district for these cuts and how others voted. In both cases what the gentleman from Pennsylvania [Mr. CLINGER], the distinguished chairman, is offering on behalf of the full committee is a form of line-item veto, and our expedited rescission bill is a form of line-item veto, and both have that process.

Now the Republican version and the Democratic version, the substitute version, in both cases the Congress must vote. That is not the present situation under current law. Under current law the President may issue a rescission, but if the Congress does not take it up and vote affirmatively in both Houses, the rescission fails.

Here it is a different process. In both versions, the Republican version and our substitute, the Congress must take the measure up, and the Congress must vote. So the President gets his vote.

There is one major difference between the two versions. The difference is what does it take to sustain the President's veto? In the case of the Republican version, the full committee version, at the end of the day, after working our way through the whole process and the President sends it back, at the end of the day it takes two-thirds of this body to override a Presidential cut, a Presidential line-item veto. Under our substitute, which is essentially the same substitute that passed with 342 votes last year from the House, Republican and Democrat alike, under our substitute it is a simple majority, a simple majority. What our substitute does is to say that one-third plus one does not determine the fate of every line-item veto.

Now there are some other provisions that I think are important. Our substitute has the option for the President to allocate the moneys saved by the cutting to deficit reduction, in effect a form of lock box. That is in our amendment. Our substitute has in it language that has already been placed in the other version giving 50 Members on the floor the ability to break out a specific rescission for individual attention.

Our substitute also has in it the language that I believe is in the present version, the committee version, that permits the line item-ing of certain tax benefits to go to a class of 100 taxpayers or less.

So essentially what we are talking about here is whether or not my colleagues believe a majority ought to be all that is required to override the President or whether two-thirds. I say to my colleagues, ''I urge you to look at this carefully and think. We don't know who the President will be in 2 years, or 6 years, or 10 years. Do you want to have to always be going up

against a President knowing that one-third plus one in this body can overcome you at every opportunity? You can't even argue to a majority.''

Now the argument is made that, if a majority passed an overall appropriation bill, then why is it likely to think that a majority would be willing to sustain a Presidential veto? In other words, a majority passed the bill; then the majority is not going to turn around and take items out of it, and I ask all of my colleagues to consider how bills, appropriation bills, are passed here. We vote on a total package. We may not like certain provisions in it, but we vote for it on the basis that the overall bill is preferable to a few of the items we disagree with.

However, when confronted with those individual items coming back by themselves, and particularly——

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

(By unanimous consent, Mr. WISE was allowed to proceed for 2 additional minutes.)

Mr. WISE. But when confronted with individual items coming back in a Presidential line-item veto or rescission, if my colleagues will, and knowing that the full public scrutiny is, ''How did you vote on this controversial area or this controversial project,'' it is very likely that a majority would sustain that Presidential line-item veto or rescission. So it really gets down to two-thirds, or really gets down to whether one wants one-third plus one to run the appropriations process or one wants a majority vote. I remind my Republican colleagues and Democratic colleagues that 342 Members voted for this language in the past Congress.

So, with the Wise-Spratt-Stenholm substitute, Mr. Chairman, the President can rescind, the President is guaranteed a vote in Congress within 10 days of it coming to the Congress, and there is total accountability because the public sees how we vote on each item. I would ask that my colleagues uphold our substitute and guaranteed majority rule as opposed to one-third plus one.

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

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

□ 1150

Mr. VOLKMER. Mr. Chairman, as I have reviewed this over the years, as the House has deliberated on the line-item veto—and last year we came to the conclusion that basically the substitute the gentleman is now offering was the one that should become law—the one reason was to maintain the balance of power.

The gentleman has stated this is his opening remarks, and I would like to carry that a little further, because I think we really need to show this to the Members of the House. If the Republican version would ever become law and be held to be constitutional, the House could very well have no input at all. No Member of the House would have any input because with any President, knowing how this total system works, all he needs is 34 Senators. All he needs is 34 Senators, because both Houses have to override the veto. Is that correct?

Mr. WISE. The gentleman is correct.

The CHAIRMAN. The time of the gentleman from West Virginia [Mr. WISE] has expired.

(On request of Mr. VOLKMER, and by unanimous consent, Mr. WISE was allowed to proceed for 2 additional minutes.)

Mr. VOLKMER. Mr. Chairman, if the gentleman will yield further, since both Houses have to override, as we have seen in other instances, other vetoes, those of us who have been here, with such things as the shoe and textile bill we passed and Reagan vetoed and Bush vetoed, all he had to do was get 34 Senators. So what we end up with is that the whole spending policy of this Nation is governed not by you folks, not by me, not by anybody in this House. As long as we have one President and he has 34 Senators he can count on, that is it; is that correct?

Mr. WISE. That is exactly correct.

Mr. VOLKMER. So 35 people out of this whole country would make the decision on spending priorities under the Republican version?

Mr. WISE. That is correct.

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

Mr. WISE. I yield to the gentleman from Virginia.

Mr. DAVIS. Mr. Chairman, I thank the gentleman for yielding. I have a question.

I, too, am uncomfortable about the two-thirds in both Houses having to override. That is a tremendous transfer of power from the legislative to the executive branch. But as I read the gentleman's amendment, in this particular case it appears that either House could kill the veto; is that correct?

Mr. WISE. Absolutely not. Both Houses have to vote. You have a vote in both Houses. For instance, if it came to the House and the House failed to pass the rescission, then obviously it does not go to the Senate because it has died here.

Mr. DAVIS. So in effect if one House approves the rescission but the other House does not, in effect one House can kill the rescission?

Mr. WISE. As is the case with any bill.

If I may continue to explain it to the gentleman, the difference between ours and the Republican version is this: When the President sends his rescission, it is introduced as a bill in the House. It goes to committee, it must be acted upon within 7 days, and it must be on the House floor within 10 days and voted on in the manner of any bill.

The difference here in the Republican version is that the Republican version requires the Congress to act affirmatively to pass a resolution of disapproval. Assuming it passes both Houses, it then goes to the President, who then presumably vetoes it, and it must then be overridden by two-thirds.

Mr. DAVIS. Let me state my concern to the gentleman and see if he can help and tell us what happens when you pork up some of these bills.

I will take the grant to Lamar University last year in the crime bill, which I think Americans looked at and asked, ''Why is that there?'' with the other kinds of programs that were in the bill. It did not seem to fit.

The CHAIRMAN. The time of the gentleman from West Virginia [Mr. WISE] has again expired.

(On request of Mr. DAVIS, and by unanimous consent, Mr. WISE was allowed to proceed for 1 additional minute.)

Mr. DAVIS. Mr. Chairman, if I may continue and if the gentleman will yield, in that case, that was an appropriation that standing by itself probably could not have survived.

Mr. WISE. I would be happy to talk some more about it, but as I recall, in that case it was not even an appropriation.

Mr. DAVIS. I understand that, but to get the principle once again, that was money that in point of fact both Houses would not have passed initially. It would not have passed muster. Under this, if it passed muster in only one House, it would survive a veto; is that correct?

Mr. WISE. Correct. And having been here when that was on the floor, by the time it got the scrutiny it did—and that is the purpose of the rescission process, the line item veto—by the time it got the scrutiny it did, both Houses overwhelmingly defeated it.

Mr. DAVIS. I am still uncomfortable with either House being able to overturn the President, but I understand the thrust of this.

Mr. WISE. But the gentleman might be equally as uncomfortable with the fact that one-third plus one in either body can control this whole process.

Mr. DAVIS. I am not comfortable with it.

Mr. Chairman, I thank the gentleman.

Mr. BLUTE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have a great deal of respect for my colleague, the gentleman from West Virginia, with whom I serve on two committees in this House, but I have to disagree and strongly oppose the Wise substitute.

I believe that we need a procedure strong enough to meet the crisis that we face in our budget situation. If we look at the amount of debt and the deficits we are running, it would indicate that we need a very strong tool to try to discipline that process and to try to end this deficit. Clearly this is not the only thing that will help us reduce our debt, reduce our deficit, but it is an important tool, and I believe we should side with a stronger measure.

It is clear that the Clinger bill we are now debating is prosavings. It leads toward savings, and the Wise substitute is prospending. It leans more toward spending than savings, and if we eventually want to get our deficit under control, if we want to finally deal with the problems we face, I think we need to give the President a strong tool, not a weak tool, and I would, therefore, urge opposition to the Wise substitute.

Mr. TAYLOR of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. BLUTE. I yield to the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Mr. Chairman, will the gentleman please inform this body, within the past 12 years how many budgets have been submitted by the President of the United States that were even within $100 billion of being balanced?

Mr. BLUTE. Reclaiming my time——

Mr. TAYLOR of Mississippi. No, I asked the gentleman a question.

Mr. BLUTE. And I am attempting to answer.

Mr. TAYLOR of Mississippi. How many times has the President of the United States submitted to the Congress a budget that was even $100 billion within being balanced?

Mr. BLUTE. I would say to the gentleman, reclaiming my time, the same number of budgets that the Democratic Congress passed that were balanced.

This is not a partisan issue. It is a bipartisan problem that we all as a country must face.

Mr. TAYLOR of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. BLUTE. I yield to the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Mr. Chairman, if a President, when given total authority—and this is one man who can write a budget all by himself—cannot submit a balanced budget or even a budget that is within $100 billion of being balanced, how on Earth do you think he is going to save us from ourselves? I did not come here to give my job away. I came here because I was elected to represent the people of south Mississippi and fulfill the constitutional duties that were given to me. If I had seen a record from the Presidency, from the Presidents of the United States, that had showed they are more frugal than us, I might think otherwise, but the fact is that over the past 40 years the combined Presidential budget requests have actually exceeded what this Congress has spent. I do not think those people are capable of saving us from ourselves.

Mr. BLUTE. Mr. Chairman, reclaiming my time. I would simply respond by saying, as somebody from the minority side said yesterday, that we are facing a new day. There is plenty of blame to go around in the past about who or what or why we have huge deficits and budgets that are out of control.

I certainly was not a Member of Congress during that period. I have been elected, and I think many other Members have been elected to try to reverse that dangerous trend and try to do something new, something that will eventually hopefully lead to a more balanced budget. The way to do that is to support the prosavings Clinger bill and oppose the Wise substitute.

Mrs. COLLINS of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the gentleman's substitute.

I have very serious reservations about line-item veto authority in any form. However, I firmly believe the proposed substitute is by far preferable to the authority in H.R. 2.

H.R. 2 is by Chairman CLINGER'S own description, the strongest possible rescission authority there is. Members have equated it during this debate to the authority of many Governors. However, they are wrong, and by making that comparison they show how very little they know about H.R. 2.

The authority in H.R. 2 is so strong that even many proponents of the line-item veto do not support it. In the Senate, Senator DOMENICI supports taking the approach that our colleague, Mr. WISE, takes in the substitute amendment we are now considering.

In addition, many Members clearly do not understand what H.R. 2 actually does. Throughout this debate, we have heard time and again that 43 Governors have line-item veto authority, so why should not the President also have the authority. However, the fact is that only 10 of those 43 Governors have authority that even comes close at all to the authority given the President that H.R. 2 provides.

H.R. 2 does not simply let the President veto a particular line of spending authority in an appropriations bill, as many Governors can do. As the Congressional Research Service said, H.R. 2 would let a President reach ''as deep as he likes within an appropriations account to propose specific rescissions.''

As a result, Dr. Robert Reischauer, Director of the Congressional Budget Office, testified before our committee that H.R. 2 gives the President ''greater potential power than a constitutionally approved item veto.''

The potential for a President to abuse this extraordinary power is enormous. He could threaten to curtail funds for a particular Federal court, if he decides they are ruling against him too often. Given the fact that the executive branch is a party to about 50 percent of all cases before Federal courts, there are many reasons the President may want to exert influence over judges.

However, the greatest abuse of power under H.R. 2 is that the President is assured of being able to make his rescission effective, as long as he has the support of one-third plus one of the Members in either the House or the Senate. This makes it highly unlikely that the Congress would be able to disapprove a Presidential rescission, except on rare occasions.

The substitute being offered strikes a more responsible balance of power between the President and the Congress. The substitute does two very important things. Like under current law, the substitute says a Presidential rescission cannot go into effect unless the Congress approves it.

Unlike current law, however, the substitute requires the Congress to vote on each and every rescission proposed by the President. The proposal offered by the gentleman would require the appropriations committees to report a bill implementing a President's proposed rescission within 7 days, or be discharged from further consideration. The rescission approval bill would then be considered on the floor within 10 days.

This is a very reasonable alternative to H.R. 2. It also has a far better chance of being upheld by the courts. Under the substitute, Congress must fulfill its constitutional responsibility for appropriating revenues; the President's rescissions can only become effective by act of Congress.

However, under H.R. 2 the President can sign appropriations bills and tax bills into law in a form that Congress never passed. Each Member of this body should think very hard before voting to give up his constitutional responsibilities for the Federal purse.

On that point I would note that Assistant Attorney General Walter Dellenger challenged the constitutionality of H.R. 2 in testimony he gave last week before the Senate Judiciary Committee. Referring to authority in H.R. 2 that permits the President to veto targeted tax benefit, Mr. Dellenger said, and I quote:

> It does so by purporting to authorize the President to ''veto'' targeted tax benefits after they become law, thus resulting in their ''repeal''. * * * The use of the terms ''veto'' and ''repeal'' is constitutionally problematic. Article I, clause 7 of the Constitution provides that the President only can exercise his ''veto'' power before a provision becomes law. As for the word ''repeal,'' it suggests that the President is being given authorization to change existing law on his own. This arguably would violate the plain textual provision of Article I, clause 7 of the Constitution, governing the manner in which federal laws are to be made and altered.

Clearly, H.R. 2 has major constitutional problems. If you are for the line-item veto, you should, therefore, vote for the Wise substitute. It gives the President the authority and flexibility he needs, and it allows Congress to fulfill its constitutional responsibilities to tax and appropriate Federal revenues.

I urge my colleagues to support the gentleman's amendment.

□ 1200

Mr. CLINGER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I must rise in opposition to the amendment by my good friend, the gentleman from West Virginia [Mr. WISE], who is a very

thoughtful and very helpful member of our committee.

President Clinton has asked us to send him the strongest possible line-item veto. This proposed substitute is not the strongest possible line-item veto. This amendment would replace what we have from H.R. 2 with little more than a very weak, in my view, nonfunctioning procedure. There is certainly no guarantee that the procedure would function, that which exists in current law and which has contributed to pass very wasteful spending.

An expedited rescissions procedure, which is the procedure encompassed within the Wise amendment, simply attempts to speed up the current approval process, but it does not do that very efficiently. In fact, I think it does it rather poorly.

The amendment would still permit a single House of Congress to kill the President's rescissions and force the release of moneys, which was the subject of the dialog with the gentleman from Virginia.

Although an expedited rescission process would at least on its surface require Congress to vote on the President's rescissions proposal and therefore improve current law, those assurances are illusory. The proposed expedited procedures are offered solely under the rulemaking authority of Congress and can be readily waived.

As we who have served in this body for sometime know, the rules have been routinely waived on matters of this sort. So there is nothing in this amendment that would ensure us, provide the absolute assurance that we would have a vote on these rescissions.

In fact, that happened in 1992 when the requisite number of House Members sought to discharge appropriations of 96 rescissions. The rules were waived at that time to prevent the discharge, and Members were denied a vote on the President's rescissions proposal. In compliance with law the withheld funds were released, and wasteful spending occurred.

I think the same sort of event could happen here by virtue of just allowing the rules to be waived. We would not get the assurance of a vote.

While an expedited rescissions process attempts to ensure Members' chance to vote, nothing would prevent the Committee on Rules from once again waiving House rules and preventing a vote.

I want to commend the gentleman on his attempt at deficit reduction through the inclusion of a lockbox in this amendment. However, that benefit will really mean little on the process unlikely to produce substantial rescissions in the first place.

In other words, the lockbox is a good idea. In other words, we can get some sort of assurance that if rescissions take place, they will not then be subject to the authorizing committee using it for some other purpose, but would in fact go toward deficit reduction. I think that is a useful contribution.

But if there is no insurance we are actually going to get the rescissions, and I do not think there is one with this process, the lockbox really is sort of meaningless.

So because this amendment does little to improve our failed current system of impoundments and maintains the existing bias against spending cuts, I urge defeat of the amendment.

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

Mr. CLINGER. I yield to the gentleman from West Virginia.

Mr. WISE. Mr. Chairman, the gentleman made a couple of points, one of the same points the gentleman from Virginia [Mr. DAVIS] made. As I understand it, it is criticizing our approach on the grounds that a single House, if the President's rescission were defeated in the House, that it would not even go to the Senate.

But is it not also true that in the gentleman's proposal, one-third plus one in either House can deny a majority who would want to override the President's rescission?

Mr. CLINGER. That is right.

Mr. WISE. So the gentleman has a one-House veto, in effect, as well.

Mr. CLINGER. But both Houses would have initially voted by a majority.

Mr. WISE. That certainly is the case.

Mr. CLINGER. We have a guarantee you get a vote. There is no such guarantee in the gentleman's amendment, because it could be waived.

Mr. WISE. The President's rescission is handled as a bill with a guaranteed time within which there must be a vote in the first House it is introduced. If it is introduced in the House of Representatives, it has to be on the floor within 10 days, it must be voted on, up or down, as is the case with any bill. If it fails to get a majority vote, then, of course, the gentleman is correct, it does not go to the Senate.

As I understand the gentleman, at the end of the day, not the majority vote that sends it back to the President, but at the end of the day, assuming the President vetoes the resolution of disapproval, it is true, is it not, that one-third plus one in either House could defeat the will of the majority in both Houses?

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. CLINGER] has expired.

(At the request of Mr. WISE and by unanimous consent, Mr. WISE was allowed to proceed for 3 additional minutes.)

Mr. CLINGER. Mr. Chairman, the gentleman is correct. But I think fundamentally we have a philosophic difference over how tight this provision should be. What we are saying is we want to make it as difficult as possible, as difficult as possible, for this House, which has proven in the past to not be able to restrain itself, to in fact deny the President the ability to cut spending.

Mr. WISE. If the gentleman will continue to yield for another question, I just wanted to make sure it was understood that in our substitute, you cannot be tied up in committee. That if the committee fails to act within 7 legislative days of having received the package, then it is automatically discharged and put on the calendar for the next appropriate time. So there has to be full consideration by the first House at least.

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

Mr. CLINGER. I yield to the gentleman from Minnesota.

Mr. SABO. Mr. Chairman, I am just curious. I just thought I heard the gentleman say that the reason for this bill in this form was the inability of the Congress to control appropriated dollars. Is that accurate?

□ 1210

Mr. CLINGER. Mr. Chairman, reclaiming my time, I am suggesting that the Congress, and I think we can apportion the blame on both sides, there has been an inability under existing procedures, certainly under the existing empowerment procedure for us to really effect cuts in spending, reductions in the deficit.

Mr. SABO. Mr. Chairman, if the gentleman will continue to yield, I am curious. I heard my friend, the gentleman from Mississippi [Mr. TAYLOR], speak of this earlier. I am curious what the record is over the last 40 years in terms of requests for appropriated dollars versus what the Congress has appropriated.

If I am not wrong, Presidents have traditionally, both historically and in recent years, whether it be Reagan, Bush or Clinton, they have all asked for more appropriated dollars than Congress has appropriated.

Am I not right?

Mr. CLINGER. Mr. Chairman, that may well be true, but I am suggesting to the gentleman that we are not blameless in this exercise of deficit reduction. As I indicated to the gentleman, we had an event in 1992, where an effort was made to try and deal with 1996 rescissions. We were not able to do that.

The procedures we have now do not let us deal in an expeditious way with the requests to reduce.

Mr. SABO. Mr. Chairman, if the gentleman will continue to yield, so I can understand this bill and the rationale for it here, to give unprecedented power to the President, is that the history is that Congress has appropriated less money than Presidents have asked for.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. CLINGER] has expired.

(On request of Mr. SABO, and by unanimous consent, Mr. CLINGER was allowed to proceed for 2 additional minutes.)

Mr. SABO. Mr. Chairman, Congress has passed as much or more rescissions in total than Presidents have asked for, that in the budget process we have strict spending limits on appropriated dollars.

I am curious if the gentleman could tell me, clearly, where the large growth in Federal spending has occurred is entitlement programs. How does this bill deal with either existing, expanded, or new entitlement authority?

Mr. CLINGER. Reclaiming my time, Mr. Chairman, this bill does not attempt to solve the problem that the gentleman is referring to. I think we all recognize that entitlements indeed are a major cause of the deficit problem we have. But we are, in this bill, approaching discretionary spending. It is a modest start.

Clearly, the entitlement problem has to be addressed. It cannot be addressed in this bill, but I would join the gentleman in efforts to deal with what is clearly the burgeoning problem that we face in this country and the burgeoning problem that is creating the deficits we have which are the entitlement problem.

Mr. STENHOLM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Wise amendment, and I know that my friends on both sides of the aisle who feel very strongly that for some reason we need a pure line-item veto, pure being defined as one-third plus one minority control, and there are those on both sides that feel that, I want to point out again that that is not what we are voting on in H.R. 2. This is not a pure line-item veto, because it is not being constitutionally imposed.

I respect those who believe that we need to have stronger language than what is perceived to be in the modified version that the gentleman from West Virginia [Mr. WISE] is offering at this moment. I sincerely respect those who believe that the only way we can make this language stronger is somehow to give a President one-third plus one minority. I could not more sincerely or strongly disagree with that.

What some have called a modified line-item veto or what we prefer to call expedited rescission procedure is the approach that many of us have always found preferable, both sides of the aisle. Under this scenario, a President still would be given the opportunity to propose cuts to individual spending or tax items. That is not in dispute with me. That is not in dispute with the substitute before us today. We all agree that any President may go into any bill, including all of the bills. I believe it ought to be entitlements. I believe it ought to be tax bills. I believe it ought to be everything. If we are going to do what we all want to do, and that is make it more difficult for us to spend money, that is, increase the deficit, we ought to, in fact, allow the President to have a more major role in doing so.

The only question is, how much power do you wish to cede to a President. That is it.

Under our scenario, within 10 legislative days after the President sent such a rescission package to the Congress, a vote on that package would be taken. We keep talking about the world as it has been. The world has changed. We are no longer operating under what we used to do.

I do not anticipate we are going to see supplemental bills this thick hurting people's hands when they are dropped on the table. That is not going to happen under the leadership on this side, I do not believe.

If a majority of Members voted to retain fundings—if, in fact, an individual Member chooses to differ with what a President suggests ought to be vetoed, I believe very strongly that an individual Member who differs with the President ought to have the opportunity to get an up and down vote on that individual item. The base bill was amended yesterday with the Thurman amendment to provide that that can happen. If it is a program of the gentleman from Texas [Mr. STENHOLM] in question, if I can get 49 of my colleagues to agree on a separate vote, it will be taken separately. That is now in both bills.

But if the remainder of the rescissions were approved by a simple majority of the House, the bill would then be sent to the Senate for consideration under the same expedited procedure.

I want to put a little historical perspective to this amendment, because I certainly do not want to stand here and take partisan credit on behalf of the Democratic side for this amendment. Because expedited rescission legislation embodies an idea which many Members, both Democrats and Republicans, have fought hard for over the years. Dan Quayle first introduced expedited rescission legislation in 1985. Tom Carper and the gentleman from Texas [Mr. ARMEY] did yeoman's work in promoting this legislation. On the Democratic side the gentleman from South Dakota [Mr. JOHNSON], Dan Glickman, Tim Penny, the gentleman from Virginia [Mr. PAYNE] have spent years, as have Lynn Martin, Bill Frenzel, the gentleman from New York [Mr. SOLOMON], the gentleman from Illinois [Mr. FAWELL], and others, made meaningful contributions to the language that we are now debating.

Of course, the language which we voted on last year was the Stenholm-Penny-Kasich amendment. The deficit reduction prowess of my two cohorts in that effort is almost legendary and deservedly so. Thanks to effort of these and other Members, the House overwhelmingly passed expedited rescission legislation in each of the past 3 years.

I do not in any way intend to imply that all Members have supported expedited rescission to the exclusion of, or even in preference to, a pure line-item veto, although this proposal was described a few years ago by the gentleman from New York [Mr. SOLOMON] as a tremendous compromise that this House can support overwhelmingly on both sides of the aisle. My friend from New York has always made it clear that he prefers the one-third plus one approach. And again, I say to those who prefer giving the President that much power on any individual item in the budget, I respect that. But I differ strongly with that view.

The CHAIRMAN. The time of the gentleman from Texas [Mr. STENHOLM] has expired.

(By unanimous consent, Mr. STENHOLM was allowed to proceed for 5 additional minutes.)

Mr. STENHOLM. What I am saying is that in an overwhelmingly bipartisan way, Members have stated, through their words and their votes, that the expedited rescission procedure is a very good one, and I believe much preferable to the base bill. We must bring greater accountability to the appropriations process and the tax benefits process so that individual items may be considered on their individual merits.

The current rescission process does not make the President or the Congress accountable. We all agree on that. Congress can ignore the President's rescissions. The President can blame the Congress, Congress can blame the President and nothing happens. But my friend from Massachusetts a moment ago, I believe, misunderstands H.R. 2. Because under H.R. 2, I will submit to my colleagues, there is not greater deficit reduction that will occur because under the base bill, if the President chooses to line-item veto *x* amount of spending and the Congress does nothing, that is, lets it take effect, the deficit is not removed because the caps on spending are not changed under the base bill.

□ 1220

Therefore, even though Members say it is much preferable, I believe a close examination of the language will show that the Wise amendment is much preferable if Members are interested in getting the deficit down by removing and lowering the caps.

Another area in which the Wise amendment is much superior to H.R. 2, if Members are concerned about getting the deficit down, is the fact that we only, on tax items, say that there is a 10-day period in which it must be acted upon. Any other spending, the President can do it at any time during the year, not within a short period of time immediately following the appropriations process.

If Members are really serious about getting the deficit down, which this Member is, it seems to me we would want to allow the President to go into these bills at any time and rescind at any point in time those spending measures. That seems to be preferable to only having to do it within a narrow window.

I do not understand how H.R. 2 can be submitted as being stronger than the

Wise amendment when in both of these cases I think a fair examination would show that the Wise amendment is in fact much stronger, if Members are concerned about letting the President go in and veto the unnecessary spending items that we all agree need to be done. The general public is fed up with finger pointing.

I guess I would just like to say in conclusion, Mr. Chairman, the only area of major disagreement that I have, and I think the debate last night on the Skelton amendment suddenly focused a lot of people's attention on what we are talking about, do Members really want to give any President the right to go into any bill, line item, and then only have to get one-third plus one of the Members of this body to agree? Is that really what we want to do? Do we really want to change the separation of powers to that extent?

What we are saying in this substitute, let us let any President go into any bill, veto as much as he wishes to do, send it to us, and we must vote, we cannot duck, we must vote on those particular items. If it turns out to be one of our favorite programs, then we must get 49 of our colleagues to stand up and separate, so we vote on that individually. If it is CHARLIE STENHOLM's favorite project, and I cannot get 50 percent of my colleagues to agree that money ought to be spent, it is gone, period, teetotaled.

Therefore, I think it is very important that in this debate we understand and we read this legislation, because there is a gross misunderstanding of how strong H.R. 2 is for accomplishing the goals that we are all saying.

I believe, upon an honest examination, the work of people going back to Dan Quayle in 1985, and going through a bipartisan effort since 1985, will show that the language in the Wise amendment is much preferable if Members really and truly want to get on with line item vetoing individual appropriation bills, out of appropriation bills, and also going further in the area of tax and even into the area, perhaps some day, of entitlements, et cetera. That is not in the amendment before us.

Mr. Chairman, I ask Members again, do they really want to change the power of the Constitution regarding the separation of powers? That is the only honest-to-goodness argument my colleagues on this side have, and some of my friends on this side.

The only honest difference between the two is whether we want one-third or 50 percent. The rest of it gets pretty hazy. In fact, I will submit again and again, and be glad to discuss privately, why H.R. 2 is weaker than Wise if Members in fact want to accomplish the goal of lowering the caps and lowering expenditures by congressional action.

Mr. JOHNSON of South Dakota. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I thank the gentleman from Texas [Mr. STENHOLM] who has very ably explained the complication, the difficulty we have with the two-thirds vote.

If in fact this Congress appropriated specific funds for a weapons systems or for a defense appropriations purpose and the President line-item vetoed that expenditure, the President plus one-third and one vote would in fact overrun the will and the priorities of this Congress. The same could be said for any area of the Federal budget.

However, let me say that while all of us are here on the floor today ostensibly to talk about ways to reduce the size of the Federal budget deficit, it distresses me that as this discussion has gone on, it has become very apparent that there are those on the other side, on the Republican side, who have consistently said ''Let's subject children's and veterans' and senior citizens' programs to reductions in spending,'' but have been unwilling to subject special tax favors that benefit largely the very wealthy contributors to Congress to the same kind of discipline. I think that is unfortunate.

Here we are again, talking about ways to save money, to reduce the size of the deficit, when in fact the tax favors contribute as much to the deficit as any of the spending programs. Therefore, I do see this as a one-sided debate. Even so, however, I think it is important that we go forward as best we can.

Mr. Chairman, one of the issues that it seems to me needs greater stress is this reference to the two-thirds vote as somehow being the stronger version. The two-thirds vote approach is not the stronger version, unless we are simply talking about enhancing the power of the President.

If we are talking about cutting spending, the Wise amendment is the stronger version. The two-thirds vote results in a massive shift of authority to the executive branch, of whichever party that President might be.

It will be used, as has often been the case at the State level, not to cut spending but in fact to enforce the budget agenda of the executive. I can imagine President Bush telling Members, individual Members of Congress, that ''Either you support my increase in foreign aid, or you will lose every increase in foreign aid, or you will lose every project in your State.'' I can imagine President Clinton saying ''Support my health care plan, or you will lose every project in your State.''

It is vote extortion that the two-thirds rule permits and in fact encourages. Better that we have the majority vote so the President can lay individual spending items on the table, say ''Congress, if you think this is a good thing to spend money on, you vote up-or-down. Go home and tell your constituents that you took a recorded rollcall vote that you thought that was a good thing to spend money on.''

If the projects in my State are not meritorious enough to gain a majority vote, they should not be passed, but I do not think that a two-thirds vote is the proper shift of power. I think that it is something that this institution will rue for years to come.

The question is, what is pork? I think that is fundamental to this entire debate. Pork is not something, a budget expenditure, the Congress favors over the President. A pork item is a project that is nonmeritorious, that would not stand on its own two legs. It would not stand a majority vote.

What we are saying is let us cut them out. Let us have an opportunity for a recorded rollcall vote. Let us put the spotlight on them, so we reduce that kind of spending, and yet at the same time not give the authority to the executive branch, whether it be Republican or Democrat, to extort, to coerce votes out of the legislative branch. That is what is fundamental in this debate.

Mr. Chairman, what we have here is a debate partly on reducing the deficit, although I think all of us who have looked at the budget carefully understand that pork barrel spending, however it is defined, is a relatively modest part of the problem; although I think we also would agree that if we can save a dollar, we ought to save a dollar, and we need to set about doing that.

But the larger issue is congressional accountability: Will Congress be accountable to the people for its individual spending items? The Wise amendment does that.

The other approach, the two-thirds vote approach, does not result in accountability. It simply results in greater authority for the executive branch to coerce votes for its legislative agenda, rather than for saving money, and rather than for enforcing congressional accountability.

Mr. Chairman, I rise in strong support of the Wise amendment, and encourage bipartisan support for this effort, which I think will be a very positive step in the direction of greater congressional accountability, reducing the Federal budget deficit. This is the approach which passed last year, which stands a chance of passing in the other Chamber. I think it is a badly needed reform.

Mr. CLEMENT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this has been a great debate. These are things that we have needed to talk about for a long time. Going into my eighth year, I have had the opportunity to vote on a line-item veto two times now.

We have passed it in the House of Representatives, but it was blocked in the U.S. Senate. I do not think we will ever have a better opportunity than now. We have our window of opportunity to pass a line-item veto, but which one are we going to pass? Are we going to pass the Wise-Stenholm-

Spratt, which I support, or H.R. 2? In my opinion, the Wise amendment is the best one for us to consider and pass at this particular time.

Mr. Chairman, it took us all the way from George Washington to Ronald Reagan to accumulate a national debt of $1 trillion, and in two administrations, in the Reagan and Bush administrations, we tripled that debt from $1 trillion to $3 trillion.

□ 1230

We saw more spending, or more proposed spending than even what the Congress authorized in those two administrations. We have seen a lot of irresponsibility not only in the presidential administrations, whether they be Democrat or Republican, but we have seen it in the U.S. Congress. All of us are in agreement that we have got to have more discipline than we have had before. But how do we accomplish that?

In my opinion, the modified line-item veto is the answer to many of our problems. Every one of us as a Member of Congress has a laundry list of where we want to cut. Unfortunately, every one of us has a different list. Therefore, we do not cut anything.

Now we have an opportunity, where if we pass some legislation, it goes to the President, and then he has to contemplate, ''Well, do I sign this particular bill or not?'' At least if he finds an area where we have waste and mismanagement, he can send that particular part of that legislation back to the U.S. Congress where he does not have to veto the entire package, and where he can line item and veto a particular part of the legislation, send it back to us where we can then make a determination, are we going to pass it and override it with a simple majority override, or are we going to take a different direction?

But at least we can focus attention in that particular area, and the American people are going to come into the picture. Because even with a simple majority override, the American people are going to speak. They know. They keep up with us. They watch. They know what we are voting on, and they will be able to also influence whether we should vote for an override or not, whether this is waste or mismanagement, and move us toward a balanced budget.

We have already passed a balanced budget amendment in the House of Representatives. Now we have an opportunity to pass the line-item veto. We are doing some great things in the U.S. Congress that I have been trying to do ever since I have been here, long before I knew what it meant when we called it a Contract for America. I did not know what a Contract for America was. Many of those things I will support which I think are in the best interests of America.

Let us support the Wise-Stenholm-Spratt amendment. That is the best approach when it comes to having a modified line item veto, and what the American people need and want to bring about some fiscal discipline once and for all.

Mr. DELLUMS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, first I rise in support of the amendment offered by the gentleman from West Virginia [Mr. WISE], my distinguished colleague. But I recognize, as everyone in this Chamber recognizes, this amendment will fail, because that is not the nature of how this House is presently organized.

So my remarks will go to the result of what will happen here.

We are now in the final hours of our discussion and debate on the issue of the line-item veto. I would like to place this action in some kind of stark reality.

Mr. Chairman, what we are about to do today and on Monday is going to, for the balance of our lifetimes, every single person in this Chamber for the balance of our lifetimes, we are changing the nature of American Government. And more people are probably watching a murder trial at this very moment than are paying attention to what we are about to do to the very fragile notion of the balance of power that has made this Government a shining light of democracy throughout the world.

Mr. Chairman, first to the issue of vetoes generally.

When the Founding persons, the Framers of the Constitution, the people who discussed and debated night and day for weeks and months to come up with our form of government arrived at a discussion of the power of the President to use a veto, they never, Mr. Chairman, anticipated that the President would use the veto as an ongoing regular instrument of governance, but that the President would use the veto rarely, only on rare occasions when the President really believed that the fate of the Nation and that the health of the people was in some way endangered; and that when the President on those few occasions used the veto, it would require two-thirds of the body of the direct representatives of the people, the Congress, to overturn that.

When you read the Federalist Papers, you understand that the Framers did not want the President to use the veto on a regular basis because it would change the nature of our government.

You ask the American people: What is the basic principle of American democracy? It is majority rule, 50 percent plus 1. The sad reality is that many American people are not even aware of the fact that it takes two-thirds to override a veto. If you do not believe me, call some town meetings, and you will be shocked at the level of sophistication about this issue, when people said, ''Wait a minute. You mean it takes two-thirds to override a veto?''

Absolutely. And if you have a combination, Mr. Chairman, of a President willing to aggressively use the veto as an instrument of governance, you can govern this country by what I refer to as the tyranny of the minority, because with a President willing to aggressively use the veto, one-third plus 1 can dominate the American political processes. Dominate it.

Now we are talking about a line item veto which guarantees that veto will be used as an ongoing instrument of governance. Ongoing. Vetoes would now be in our lives with even greater flair, greater drama, and greater impact, giving one-third plus 1, not a simple majority, the ability to shape policy, Mr. Chairman.

The CHAIRMAN. The time of the gentleman from California [Mr. DELLUMS] has expired.

(By unanimous consent, Mr. DELLUMS was allowed to proceed for 3 additional minutes.)

Mr. DELLUMS. Mr. Chairman, we are now giving the President of the United States, irrespective of party, power far beyond that contemplated by the persons who framed the nature of this Government. Far beyond it.

But we are going to do this. As I understand the symbolism, we are going to do it by 2 p.m. on Monday, so that you give this legislation as a gift to a former President.

Here is the greater danger. Once you do it, Mr. Chairman, it is not going to ever be undone. The American people need to wake up to the reality that this Government is being changed at such an extraordinary, fundamental level that any reasonable thinking human being should be disturbed by what we are about to do.

Let me tell you why we will not change it. Two years from now, another group of people will come in here. Suppose someone says, ''My God, we gave the President this enormous power. Let's write a bill to rescind it.'' Do you think any President will give back power once you have given it to that President? They will veto it. And guess what? One-third plus 1 can kill it again.

So understand, Members of the Committee you are changing American Government for all time. For all time.

Yesterday someone offered an amendment to put a sunset provision in the bill. Let us stop this madness in 5 years if it does not work.

□ 1240

Vote that down so you do not even have an instrument to recapture the beauty and the magnificence that made this Constitution and this Government as framed by the founding persons, immortalized in the Federalist Papers by what we are doing here. We are rushing to judgment because a campaign promise was made.

I believe in making campaign promises. I do not vilify them, but I have said before, and will repeat again today and tomorrow and after that, that when we move from campaign promise to legislative initiative that has this

kind of extraordinary and dramatic potential impact on the form of this Government, and on the American people's lives, the fundamental contract to the people is that we enter into a thoughtful enough processes to look efficaciously at what it is we are doing.

What is so sacrosanct about 100 days when we are about to change the Government for 100 years? Whatever your politics, left, right, or center, that is not my argument here. I appreciate this system brings us here with different values and principles.

The CHAIRMAN. The time of the gentleman from California [Mr. DELLUMS] has expired.

(By unanimous consent, Mr. DELLUMS was allowed to proceed for 1 additional minute.)

Mr. DELLUMS. So, Mr. Chairman, we can come and debate and engage each other substantively on the issues. We do not all have to think alike. That is frightening and dangerous anyway. What keeps the body politic honest and flowing healthy is when there are competing ideas. I can appreciate that.

But the one place where we ought to come together and stand shoulder to shoulder and hip to hip is any time we contemplate changing the Government that has brought us over 200 years to this moment.

Mr. Chairman, I know that my colleagues are going to do this thing, and my only hope, my only hope is that enough American people will awake even to the reality that their lives have been fundamentally altered, because their representatives, their responsibilities have been fundamentally changed, the Constitution has been fundamentally altered, the balance of power has been fundamentally altered, and if we ever want to establish an imperial Presidency and impotent Congress, wait until 2:30 on Monday, and that is exactly what we will have and it is frightening and disturbing.

I am happy to engage any Member on this floor in a debate on the critical nature of what we are doing.

Mr. MORAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we have had a constructive debate, and many of the points that our colleague from California emphasized have been brought up in the course of amendments.

This side is disappointed that many of those, all of those amendments really were defeated. Many of them were not even fully considered by most of this body.

We just killed an amendment, the gentleman from South Carolina [Mr. SPRATT] and I had to apply the line item veto to tax bills as well as appropriation bills because those Members who have been around for any period of time, particularly in the last two terms, are aware that anything that is in an appropriations bill that could be considered pork gets subjected not only to the scrutiny of the Committee on Appropriations, but invariably we have to debate it and vote on it on this floor.

Not so with tax bills. Tax bills are replete with special provisions. Newsweek this week pointed out the fact that this is the biggest loophole, and yet a provision to subject tax bills to the same kind of scrutiny was killed in committee, and just this morning killed on the floor.

I offered an amendment to try to protect the separation of powers, reminding our colleagues that the people that served in this body in 1939, and it was an overwhelmingly Democratic Congress and obviously a Democratic President, passed a law designed to protect the judiciary. This line item veto essentially repeals that law.

When President Roosevelt could not pack the Court and the Court would not go along with his New Deal, he started cutting out bailiffs' money, he started cutting the money for Court clerks, he took away their travel funds. He punished them. He used the power of the Presidency, which, in fact, was too much at that time in the view of the legislative branch, and so it passed a law saying that the executive branch has to pass through whatever request is made for the judiciary. The legislative branch, which does not litigate before the Supreme Court and thus does not have that conflict of interest, knowing that the Justice Department brings more than half of the cases before the Supreme Court and has a clear conflict of interest, it has to pass it on to the legislative branch, and the legislative Appropriations Committee does whatever is necessary.

We are talking about a very small amount of money. We are not talking about busting the budget, we are not even talking about any courthouse construction, just small items that allow the Supreme Court to function. But now all of these items are subject to line-item veto.

That was a mistake. When President Eisenhower called Chief Justice Warren and suggested to him it was not time to desegregate the schools and Chief Justice Warren said well, I am going to do what I think is right, he had that independence because he knew there was no way that the President, the executive branch could punish him if he did differently than what the executive branch offered.

But now we are going to repeal that, we are going to give extraordinary power to the executive branch.

I worked for President Johnson, and for President Nixon, and I was on the staff of the Senate Committee on Appropriations during the terms of President Ford and President Carter.

I know that President Ford and President Carter would have observed the basic principle of separation of powers. They probably would not have abused the line-item veto. But let me tell my colleagues that President Nixon would have, in my opinion, and President Johnson, because he knew where everything was buried or he knew every project that had gotten through the Senate, every special tax provision, he would have abused it outrageously.

I think we ought to recognize the threat to the fundamental principles that our forefathers put into the Constitution, the fundamental principle of separation of powers.

That is why this kind of amendment is so important, this substitute amendment, because it preserves some balance. The bill that is invariably going to get enacted because this side is marching in lockstep now, does fundamental damage to the basic structure of this Government.

I would just conclude by saying one last thing.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. MORAN] has expired.

(By unanimous consent, Mr. MORAN was allowed to proceed for 1½ additional minutes.)

Mr. MORAN. Mr. Chairman, no one in the 21st century even, which is about to occur within another 5 years, no one is really going to remember our faces or our names or even the words that we utter here on the floor of the House. But they will remember what we did, because it will affect their lives.

We represent the most prosperous nation on Earth, the freest nation on Earth, the Nation that has the most respect for human rights, for civil rights, a legislative body that people all over the world are coming to study. All these emerging democracies come over here to see how we operate. We are a model for the world, we are a model for the 20th century. We should be going into the 21st century building upon our strength and not eroding it, as this bill does.

□ 1250

Mr. HOSTETTLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we are in a crisis in this country, and that crisis is one of fiscal irresponsibility.

We talked about campaign promises, the gentleman from California did, and he is exactly right, because there are three constituents back in my district, my three children, that I have a great responsibility to now.

And we are hearing all sorts of rhetoric from the other side, but there are really two discussions going on on the other side, and I would just like to possibly get some clarification on those, the first of which is that this proposed line-item veto will give two-thirds majority veto power to the President, and that will be too much power. But in the campaign, as I ran against a Democrat incumbent, I was told through the media, through my opponent and from the Democrat Party in general that the reason why my children have such a burden on them is because of 12 years of Republican rule, because for 12 years Republican Presidents spent too much money.

So let us just back up one moment to the Constitution. The Constitution gives the appropriating powers to the U.S. Congress, and if the Congress chooses not to appropriate funds, those moneys are not spent.

So my question is this: As we hear that this will give the President too much power, is this more power than supposedly Ronald Reagan had, more power than supposedly George Bush had to control spending and, therefore, put my children's future in graver risk? Or was it incorrect on the campaign trail, which at times we all tend to get a little verbose on the campaign trail, but was it not true that it was the fault of the appropriating body, according to the Constitution? Was it the problem of the appropriating body that my children have this debt?

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

Mr. HOSTETTLER. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, it seems to me that anybody who was here at that time ought to admit that it was a failure of both institutions, the Congress and the President. But I would make quite clear, if the gentleman would bear with me, the fact is that since the Impoundment Act passed, or since the Budget Act passed, in 1974, the Congress has spent $20 billion less, less, than Presidents asked us to spend.

Mr. HOSTETTLER. Reclaiming my time once again, $20 billion less. But how much more in debt? How many times was the debt limit raised?

The CHAIRMAN. The time of the gentleman from Indiana [Mr. HOSTETTLER] has expired.

(By unanimous consent, Mr. HOSTETTLER was allowed to proceed for 2 additional minutes.)

Mr. HOSTETTLER. Mr. Chairman, how many times was the debt limit raised as a result of a majority vote of this House?

Mr. OBEY. If the gentleman will yield further, I was here in 1981. I offered the major alternatives to both the Reagan budget and the Democratic budget, because I thought that both of them broke the bank. Our substitute, which a majority of Democrats voted for, borrowed less and spent less than any other alternative before the body.

I do not think it is useful to get into who shot John in the past. But if the gentleman wants to do that, the record is clear.

Mr. HOSTETTLER. No. But we have today shot John once again in the past. I am not running in lockstep, as you all know, with this side, but what we must do is we must give the President the power, since this body has proven time and time again that it cannot do that. We must give the President the power that was supposedly given to him, according to the campaign rhetoric that was there, and if that is the case, then we will bring fiscal responsibility to this Federal Government, and we will not continue down the same path. That is why we need to give this two-thirds power, not because we are giving overwhelming power to the President, but because we are in a crisis, a fiscal crisis.

Mr. OBEY. Mr. Chairman, I ask that the gentleman from Indiana [Mr. HOSTETTLER] be allowed 2 more minutes.

The CHAIRMAN. The gentleman from Indiana has time remaining.

Mr. HOYER. Mr. Chairman, I ask unanimous consent that the gentleman from Indiana [Mr. HOSTETTLER] be granted an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. OBEY. Mr. Chairman, if the gentleman will yield further, let me simply say I respect the gentleman. I respect the vote he cast last week.

But I want to tell you the same story I told in the Committee on Rules.

The reason that I believe it is so critically important to have majority rather than two-thirds decide this issue is because I think the most fundamental threat to the long-term liberty of this country lies in the unchecked use of Executive power, and I want to give you an example.

I told the Committee on Rules that when I was in the State legislature back in 1968 and I was passionately supporting Lyndon Johnson's reelection, I wrote a letter to the President and simply told him that, in my judgment, if he did not do something to end the Vietnam war, that he was going to lose the Wisconsin primary.

Hubert Humphrey came to town. I showed him the letter, and I told him I was about to send it to LBJ. Hubert said, ''Let me give it to him myself.'' He said, ''I think you are right on the letter. I would like to show it to him.'' I said, ''Look, I will mail it anyway, because I do not want you to get in a crack.'' He took a copy of it and presented it to the President.

A couple weeks later I get a call from a friend, ''OBEY, what is this job you are being considered for in Washington?'' I said, ''What do you mean?'' He said, ''Well,'' he said, ''we had a Federal guy by here asking questions about you.''

To make a long story short, if you had Federal people asking questions about me, checking me out because I had the temerity to tell a sitting President he was going to lose his seat because of a very important public issue, now, if you have that kind of tendency on the part of any President to use whatever Executive power is around, what happens the next time we have a Mexican loan bailout before us and you have a two-thirds requirement to overturn a President's decision? And that President goes to you, or me, and says, ''If you do not vote for that proposition, that $40 billion proposition, I am going to yank every single thing out of your State, and I have got one-third loyalists in this House, and, baby, you will not get a dime''; it will destroy the uniqueness of this Congress.

Mr. HOSTETTLER. Reclaiming my time, the point is that we are in a crisis; this body. You, sir, there is no doubt that you have the responsibility to the Constitution and to your constituents, but this body as a whole has shown time and time again it does not have that responsibility.

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

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

Mr. CUNNINGHAM. Mr. Chairman, I thank the gentleman for yielding.

What we are trying to do is the Presidents, the early Presidents, had the right of a two-thirds majority to control that, that a bill came to them as a single bill. Now we have got hundreds of bills wrapped up into one. Jefferson and Lincoln and the Presidents had to have a two-thirds vote to override their veto, and that is all we are asking under this.

And, second, we have precedents by our Governors having the same kind of a thing, and it has been very successful.

Mr. KANJORSKI. Mr. Chairman, I move to strike the requisite number of words.

I would appreciate it if the gentleman from Indiana will stay, because I think he has brought up a tremendous question, a very, very important question, and I think it requires some analysis of history.

When you talk about the crisis that we are in, I am not sure that everyone can appreciate, or whether you appreciate, where we are relative to where we have been in the past. I know the gentleman from Indiana probably was not born at the end of the Second World War. I assume that.

Well, at the end of the Second World War, do you know what the debt of the United States was? Well, I mean, if we can just have a give and take.

Mr. HOSTETTLER. Proportionately it was much greater. You are right.

Mr. KANJORSKI. The debt at the end of the Second World War was $350 billion. Do you know what the present value of a 1994 dollar is relative to a 1945 dollar?

Mr. HOSTETTLER. Substantially higher.

Mr. KANJORSKI. It is about 8 cents. So that means the dollar has deflated by 12 times. So if you will multiply $350 billion by 12, you will find today that the debt of the United States is about equal in amount, in dollar amount, real value amount, as it was when we came out of the Second World War.

Now, I have been here for 10 years, and I have heard my friends on the other side talk about debt and dollars and failed to relate real dollars and real debt.

And I want to point out that the magnificence of what happened from 1945 to 1980 was that this country reduced the real debt of the United States by more than 60 percent, even

though in 1980 the dollar debt of the United States was $800 billion. Its real value, relative to 1945 terms, was about $100 billion.

□ 1300

We brought that down 60 percent under a Democrat-controlled Congress from 1945 until 1980. Ronald Reagan entered the Presidency and sold the American people on a campaign that he could double defense expenditures, he could reduce taxation on the wealthy of this country, coming down from 70 percent to 28 percent ultimately during his administration, and he could balance the budget.

He did keep two of those promises. He doubled the defense expenditures of this country. Even though Russia in every study in the 1980's was shown as ready to collapse, we still doubled our military expenses. He also cut the income tax on the wealthiest corporations and the wealthiest individuals from 70 percent to 28 percent. He did make one little error, one little error: He took the debt of the United States from $800 billion to $4.2 trillion in his term of administration of office.

I hear people relating all these dollar terms, you talk about crisis. I want to make sure that you understand that the debt of the United States coming out of the Second World War was about $350 billion, about equal to our debt today. The only difference is that the population of the United States in 1945 was 120 million people and today the population of the United States is about 260 million people. The number of corporations and businesses existing in the United States in 1945 were less than one-fifth of what they are today. So when anyone in America today, and my conservative friends on that side are talking about dollars and dollars, 1995 dollars and 1945 dollars, they are talking about grapefruits and grapes in size. You cannot have an intelligent, intellectual discussion in finance or economics when you do not come down to real values. So if you say we are in crisis today when we have more than twice the population, we have five times as many eceonomic enterprises in the United States, then I cannot imagine what terms you would use in a description of 1945.

The fact of the matter is America is the wealthiest nation on Earth and up until the last 10 to 15 years its population has been benefiting from the increase in productivity in America, but it has stagnated. It has stagnated because of many situations, most of which is the advent of the global market.

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

Mr. KANJORSKI. I am happy to yield to the gentleman from Illinois.

Mr. LAHOOD. I thank the gentleman for yielding.

Mr. Chairman, the gentleman from Pennsylvania, I am afraid, like a number of other of his colleagues on that side, has been around here too long. What he has just said—listen, I am not trying to——

The CHAIRMAN. The gentleman will suspend.

The time of the gentleman from Pennsylvania [Mr. KANJORSKI] has expired.

Mr. KANJORSKI. I appreciate that the gentleman does not appreciate my tenure in office. But I oppose him making an ad hominem attack on the House floor.

(By unanimous consent, Mr. KANJORSKI was allowed to proceed for 5 additional minutes.)

Mr. KANJORSKI. Mr. Chairman, instead of an ad hominem attack on the floor, let us assume we are both freshmen here.

Mr. LAHOOD. Let me finish here, let me finish.

Mrs. COLLINS of Illinois. Mr. Chairman, regular order, regular order.

Mr. KANJORSKI. Let us talk about the facts and the figures that have been discussed.

Mr. LAHOOD. Is the gentleman going to yield?

Mr. KANJORSKI. I am happy to, but I would appreciate that we not get a personal attack because, quite frankly, I enjoy the individual as he represents his State and his constituents, and I think the comity of the House is that we rise here not for personal purposes or political purposes, but to do the people's business. As long as we talk in terms of doing the people's business, I am very happy to yield to my friend.

Mr. LAHOOD. I thank the gentleman for yielding.

First of all, to the gentleman from Pennsylvania [Mr. KANJORSKI], I in no way meant to offend him. If I did, I apologize for doing that.

Mr. KANJORSKI. No offense.

Mr. LAHOOD. Here is my point, sir, here is my point. Those of us just elected in the last election came here with the idea that this institution has not had the discipline to balance its budget for too long and for many, many years.

Mr. KANJORSKI. OK, let us stop there, reclaiming my time. Let us go through the discussion. I will recall my time and respond to that. I know that the gentleman came here with that intention or that thought process. What I am indicating to him, unfortunately the facts of the economic history of the United States do not bear out this case.

Now, if we are really going to talk about what we are doing and what the fault of the Government is, what the fault of the position of the United States is, there is nothing wrong with discussing the true facts and real facts in trying to resolve good policy for the United States to be fiscally responsible. We want to do that on our side of the aisle, you want to do it your side of the aisle. But to constantly discuss grapefruits and grapes because we are talking about 1995 dollars and 1945 dollars or 1960 dollars and trying to lay down some indictment, as I have heard, 40 years of indictment; well, the 40 years that you are indicting, my friend, this side of the aisle presided over a 60-percent real reduction in the debt of the United States and it was only until the election of a President from your party back in 1980 that that was reversed, and it was reversed on a public relations gimmick. He promised the American people three facts and did not keep them.

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

Mr. KANJORSKI. I yield to the gentleman.

Mr. LAHOOD. I thank the gentleman for yielding.

Mr. Chairman, the results of the last election speak volumes. May I finish, sir? Thank you. The results of the last election speak volumes in terms of this particular issue. Many of us were elected on the idea that this institution has not had the discipline to balance its budgets for whatever reasons. Please let me finish, sir, make my point, and then you may continue, sir.

We believe the way to bring discipline to the institution is to pass a balanced budget amendment, to give the President the line-item veto so that when we have these monumental bills that some have called Christmas trees, where we all load up with our special projects—and it has gone on for years on both sides of the aisle, not just your side but on our side, too—that there is a mechanism in place to deal with it. That is my point.

Mr. KANJORKSI. I reclaim my time, and I will yield to the gentleman from Wisconsin.

Mr. OBEY. I thank the gentleman for yielding.

Mr. Chairman, let me make something very clear: I am going to offer an amendment here very quickly, I hope, that will enable us to get at every single project that was adopted last year. But I want to point out something to the gentleman: There is not a single earmark that was added under our congressional processes that has added one dime to the deficit because, as the gentleman very well knows, every subcommittee that comes out on this floor, every appropriations subcommittee comes out under a fiscal cap imposed by this institution under the 602(b) allocation.

The CHAIRMAN. The time is controlled by the gentleman from Pennsylvania [Mr. KANJORSKI], who needs to remain on his feet.

The gentleman may proceed.

Mr. OBEY. As I was trying to say, every single earmark, because of the fact that every single subcommittee comes to this floor under a fiscal cap, those earmarks are provided at the expense of other spending, but do not add one dime to the deficit. If you want to take a look at the root cause of the deficit—you can argue about the propriety of those earmarks, and I will share the gentleman's concern about many of them—but you cannot, with a straight face, suggest that they have added to the deficit because under the

budget rules, which we all helped write, they do not do that. They do not do that. They simply come at the expense of other spending. That may not be good practice, but it does not make the gentleman's point.

Mr. WILLIAMS. Mr. Chairman, I move to strike the requisite number of words.

My colleagues, let me begin with the obligatory statement that I, too, support the line-item veto. I happen to support it in the manner in which it is before us now rather than in the basic bill. That is what I voted for a year or so ago and most of my colleagues in the House, both Republicans and Democrats, voted that way likewise.

My colleagues, if Rip Van Winkle fell asleep a couple of hundred years ago and then reawakened in this gallery anytime during the last 30 days, he would probably believe that he has awakened as a witness to America's second Constitutional Convention. He probably would not recognize this as a Congress legislating individual laws, but rather as a convention either mightily tinkering with or dramatically changing the basic law of the land. But it is not Rip Van Winkle's ghost I want to talk about for a couple of minutes; it is James Madison.

On that May 3d day 208 years ago, James Madison entered the city of Philadelphia, a city of 40,000 people back than, along with several, in fact, several dozen of his colleagues. Elbridge Gerry, whose descendant was standing in the corner just a few minutes ago, George Mason, Colonel Mason, and others. They were attacked by radicals of the day, led primarily by Patrick Henry.

□ 1310

Mr. Chairman, their work, when they finished it, the Constitution of the United States, is perhaps understandably still attacked today. It is attacked continually by the extreme left, by those who say that it excludes ordinary individuals from participation in their government.

Likewise, Mr. Chairman, it has been attacked, as it has been continually during the past 30 days, by the extreme right in this House because they believe that it has created a strong central government that stifles liberty.

Those are the same attacks that were leveled against Madison and his colleagues 200 years ago.

Most Americans understand what the Constitution of the United States is. It is a basic rule of law. It is not a treaty from which one party or the other can withdraw at their convenience. It is not a set of agreements which swing is the political wind and can be altered according to the latest polling results. It is our principles. It is the principles that have been duly established and carefully preserved; yes, on the floor of this House at the cost of the seats of some of the Members in the past who have fought to preserve it. It is to be changed in whole or in part with the greatest care and caution.

While I would not be arrogant enough to presume what James Madison would say were he allowed to stand in the gallery and give us his thoughts over this last month, I think he would say, ''Be careful. Be careful because you are tinkering with the political law of gravity, and when you alter it, you risk throwing out of orbit those items of stability that have kept America connected, and at peace, and sound and whole.''

Mr. Chairman, it is not our economic might; it is the simple set of principles on that piece of paper that continues the stability of this Nation. It is the center of our political gravity, and James Madison would probably look on a supermajority required to legislate; yes, even to overturn the power of a President; as changing that gravitational pull, one branch of government to the other.

As I said, I would not be arrogant enough to say what James Madison might say, so let me say to my colleagues what the gentleman from Montana [Mr. WILLIAMS] might say:

Be careful, be careful, be careful.

Mr. TAUZIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, members of the Committee, I traveled to Paris, France, once in my life—on my own ticket, by the way—and, as a Cajun in Paris, Mr. Chairman, I discovered something that I have had to remind myself about frequently in the course of my life. We Cajuns call a truck a trook. The Parisians call it a camionner. When a Cajun wants to agree with someone or indicate that someone has said something he agrees with, he says, ''tu kar ray.'' It is just sort of a Cajun French-ized expression of ''You're right.'' In French they say, ''Vous avez raison.''

I came to understand, as I struggled to communicate with my fellow Frenchmen in ancestry that, while we spoke the same language, we had a little trouble understanding each other in that same language, and so it is with the English language. Many of us rise today to support the concept of a line-item veto. We believe, as our Constitution provides, that a supermajority of the Members of this body ought to be had to override a President when he vetoes an act of Congress. That is in our Constitution right now, and we believe that that extraordinary authority ought to be extended when this Congress is irresponsible enough to overspend its budget.

So, Mr. Chairman, this amendment comes before us today, this bill comes before us today, in its present form that says the President can use the line-item veto now in extension of the veto authority given to him by the Constitution. ''The line-item veto to reduce the deficit''; that is the language in the bill. In short it says, ''If the Congress is irresponsible and does not balance the budget, the congressional grant of authority to the President is to use the line-item veto to enforce responsibility to bring that deficit down.'' The bill does not say, as do a few States of our Nation, that that authority belongs to the Governor or this President even when the Congress is responsible.

That is a serious change of law, a serious change of the balance of power between the Executive and the legislative branch.

I say to my colleagues, ''We have checks and balances in our Constitution. If you extend the power of the President to line-item veto anything, even when the Congress has been responsible and balanced the budget, you no longer have checks and balances. You got checkmate and imbalance.''

So, Mr. Chairman, I suggest to my colleagues that the question of whether they want the President to override the—I mean the Congress to override the line-item veto by a two-thirds majority or by a simple majority, as in the amendment before us, depends mightily upon whether or not the bill, in its final form, will remain a bill that gives the power to the President to line-item-veto items that constitute deficit spending, or whether my colleagues want to go further and give the President that power even when the Congress is responsible enough to balance the budget.

Later on in this debate I am going to suggest to the Congress an amendment to this bill that would further enforce that notion.

I must apologize. I confused a couple of analogies in this graph. Bear with me. It is called the glidepath amendment to this bill. It is called the glidepath amendment because like an airplane coming in for a landing it follows a glidepath, and that is what we are obliged to do to get to a balanced budget by the year 2002. If we stay on the glidepath, on the CBO-projected numbers each year of how much deficit we are allowed to incur, as we reach the balanced budget amendment date of the year 2002, Mr. Chairman, we will land safely. As to this football field, we score the touchdown. Hence my two analogies.

What I am going to suggest to my colleagues, and I hope that all of us really think about this, is that, if this bill is truly a bill to enforce responsibility on the Congress, if it is truly a bill as are the bills that were passed in 33 of the 43 States that give line-item authority to their Governors, then this amendment is vitally necessary. Why? Because in the 43 States which give line-item veto authority to their Governor, three out of four of those States say that authority is limited to the line-item vetoing of items that constitute deficit spending. In our case, unlike those 43 States, we cannot, and my colleagues know it, I know it, produce a balanced budget this year. We cannot do it without enormously destroying entitlement programs,

many of which, like Social Security, none of us want to hurt.

□ 1320

So it will take us time. We all know it. That is why we passed the balanced budget amendment that gives us this glidepath to the touchdown at the year 2002.

If we know that and are honest and realistic about it, what is the responsibility of the Congress during the years in which we work toward that touchdown of a balanced budget? The responsibility is to stay under those CBO numbers. If we do not, we will not reach this goal. If we do, we have been responsible according to the balanced budget amendment we passed.

The CHAIRMAN. The time of the gentleman from Louisiana [Mr. TAUZIN] has expired.

Mr. TAUZIN. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

Mr. SOLOMON. Mr. Chairman, reserving the right to object, and I probably will not object. Let me just take this opportunity to say to my good friend that I know we have been on this amendment for a number of hours now. We wanted to try to rise by 3 o'clock. There is a snowstorm coming. It is hitting out in the Midwest right now in the Chicago area and heaven knows where else.

We have a number of amendments we have to get through, no matter what time it takes. I will say to my good friend, the gentleman is debating his amendment which is going to come up a little later. We just have to move it. Participation on this side is necessary, but let us be as brief as we can and get to final passage of this amendment.

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

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

Mr. TAUZIN. Mr. Chairman, I am not yet debating this amendment. I am saying if we do not adopt this amendment later, we ought to vote for the majority override that is before us.

Mr. SOLOMON. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. TAUZIN. Mr. Chairman, the bottom line is if you are going to pass a bill that gives the President line-item veto, even when this Congress has been responsible, you are creating all of the problems that many have risen to the mike and spoken about today and yesterday. You are creating the problems of a President who has the authority to cajole, coerce, in some cases even politically blackmail Members of this body, even when the Congress has been responsible.

Now, if you want to give this Congress the same power legislators have to protect against that, and at the same time you want to use a line-item veto as a tool to enforce congressional responsibility, to enforce the balanced budget amendment we recently adopted, this kind of an amendment will do it.

On the other hand, if this bill is changed, as it may be changed, to go beyond deficit line-item reduction by line-item veto, to go beyond that point, then maybe you better consider the majority override. That is my point today.

I will support a two-thirds majority override as long as the line-item veto is like the three-quarters of our States provide, designed to protect against irresponsibility on the part of the legislature, designed to guarantee line-item veto authority to the Governor or the President for any deficit spending beyond the area of responsibility, as in this case beyond the CBO numbers and eventually beyond the balanced budget requirements of the Constitution.

This will come up later. But I caution you, if this bill is changed from a deficit reduction line-item veto into something else, and I am told that amendment may be offered later, then I suggest that the majority override is the right way to go. Perhaps we should get some signal on that before we vote on the amendment pending before us.

Mr. SKAGGS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the question is, majority rule, or minority rule?

This is my voting card. Each of us is privileged to possess one of these. We worked hard for it. It represents a sacred trust, not just between us and our constituents, but between us and all who have come before us in this body and all who will follow.

I was not elected, figuratively or literally speaking, to clip about one-sixth off of this voting card, walk down Pennsylvania Avenue, and throw it over the White House fence. That would be an incredible breach of the sacred trust that every Member of this body should try to honor.

Our responsibility is to the Congresses of the future and to the future generations who will be looking to the Congresses of the future to provide the principal protection against overreaching by Presidents of the United States.

The gentleman from Montana and the gentleman from Wisconsin have given us real reasons to worry about that. This is not some illusory or academic point. The threats to liberty in this country have not arisen here, and they will not. But we should be mindful of the risk that we run by a wholesale transfer of power to the executive branch.

The issue here ought to be one of accountability. The amendment offered by the gentleman from West Virginia [Mr. WISE] meets that purpose. It will put us all on record when we need to be put on record with regard to particular items of spending.

But what we do not need to do in the cause of that accountability is commit an outrage against the Constitution in a wholesale transfer of power, entrusted to us by the Constitution, to the President of the United States.

Let me give one further example of what is really involved here. The budgets sent to this Congress by President Reagan, among other things, proposed, for example, a zeroing out of direct student loans, a zeroing out of aid to public libraries, a zeroing out of Federal-State vocational rehabilitation programs, a zeroing out of college work study, a zeroing out of funding for education for individuals with disabilities.

Had that President had this power, those programs would be gone, because that President would have had the support of a loyal and true one-third plus one, if not in this body, then across the building in the Senate.

This is not some imaginary worry. That is what is at issue here. And if we are to honor the Constitution and to honor our responsibilities and to adhere to our oath of office, the amendment offered by the gentleman from West Virginia [Mr. WISE] meets that responsibility and does not violate the Constitution.

The committee's bill represents a profound breach of our oath and our duty to ourselves and to the Constitution.

Mr. HOYER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise as one who supported the constitutional amendment to balance the budget. It was the constitutional amendment that did not require, however, an extraordinary majority to pay for what we buy, unlike spending.

The gentleman from Illinois rose and said that he was elected and he thought the American public had responded to a fundamental issue that this body had been fiscally irresponsible. I believe that many voters have been misled to come to that conclusion, and I think it is a fundamental misunderstanding of the facts of the last 14 years in which, as the gentleman from Pennsylvania pointed out, we quadrupled the national debt.

We did so because the President of the United States wanted to buy his priorities, and the Congress of the United States wanted to buy its priorities. And neither the President nor the Congress made choices to bring within revenues its spending objectives.

The gentleman from Illinois again posited that we were here because of congressional irresponsibility and that this rescission bill obviously was a response to that.

It is important for us to remember that for the past 20 years Presidents have asked for $72 billion in rescissions. This Congress over the last 20 years has rescinded $92 billion, more than the Presidents have asked.

So I suggest to the gentleman from Illinois, to the Congress, and to the American public, in fact this Congress

has been willing to do more than Presidents have asked in terms of rescissions.

Now, rescissions are just another way of line-item vetoes, but it does not carry the muscle, which is what the gentleman wants to add.

□ 1330

But his facts do not support it, or at least the facts do not support it.

I want to say also to my friend from New York, who is a very good friend of mine, we agree on much, disagree on some. He wants to move this bill along quickly. I respectfully suggest to him, this bill is not a birthday present. My friend from California referenced that. This is a very fundamental proposition that this Congress is considering.

The minority for the last 40 years in this House is now the majority, but I suggest to them they have not come to grips with majority rule because they, for two previous occasions in their rule on tax increases and on their constitutional amendment, suggest that it ought to be the minority, not the majority, that controls.

And this is the third time that they have proposed that the majority should not rule. That is unfortunate, in a country, as the gentleman from California so eloquently stated, that is the beacon for majorities throughout this world.

Katherin Drinker Bowen wrote of the miracle in Philadelphia in 1787, when the Founding Fathers came together and, like us, had differences. And I am sure that they had great suspicions of what the people might do. In fact, the U.S. Senate was juxtapositioned to the House of Representatives to try to leaven what the people's House might do in fits of passion.

But the fact of the matter is, the Stenholm-Spratt-Wise amendment responds to the concerns of the American public.

What were they? To some degree the gentleman is right. They believed that somehow we were out of control in terms of pork barrel projects. In fact, pork barrel projects are a relatively small portion of the budget, as any fair analysis of the budget will show. But they were concerned about that.

I remember the Lawrence Welk house, the birthplace of Lawrence Welk. Somebody had put in $500,000 to rehabilitate that house and set it aside as a national landmark. Most of us did not know it was in the bill. The American public found out about it and were outraged. We took it out.

I suggest to my colleagues, that is the reason that the line-item veto got a life.

The CHAIRMAN. The time of the gentleman from Maryland [Mr. HOYER] has expired.

(By unanimous consent, Mr. HOYER was allowed to proceed for 2 additional minutes.)

Mr. HOYER. The American public wanted to say, Mr. President, if you see some projects in there that are not wise policy or not needed or inappropriate to be in appropriations bills, then take them out, Mr. President.

Now, the President of the United States said, ''I don't have that authority. I would have to veto the entire bill.''

And I think that was a good rationale. That is why I am supporting Wise-Stenholm-Spratt, because it says a President can, in fact, take that project out, take that expenditure out and highlight it to the American public and send it back to the House of Representatives in the full light of day, in the open so that the American public can look at each one of us on this floor, 435 of us, and say, I do not believe that was justified or, yes, it was justified and ask us, again, in an accelerated way to vote on that item.

I think that accomplishes what the American public wants without, as the gentleman from California and so many others on this floor have articulated so well, undermining the very critical balance of power between the executive and the legislative branches of government.

Since 1789, no other government in the world, no other form of government in the world has stood as long and as well since that magic day in 1789, when this form of government was adopted and began.

Let us not in an attempt to respond to that relatively pointed concern skew the balance between the President and the Congress to undermine the people's House, the U.S. Senate and, more importantly, the power of the American people.

Mr. TAYLOR of Mississippi. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in the rush to pass bad legislation, in an attempt to, so-called, save the budget, again, I want to remind my colleagues that this House for the past 40 years has spent less money than the Presidents have asked us to spend. It has been brought to our attention that things get buried in bills that were never intended to be there. Well, who wrote the bills? And who is in power now? And who can change the system?

For the freshmen, it has not happened yet, but later on this year they will be given the chance to vote on the VA and the HUD appropriation together. I have a lot of veterans in my district; I support them. I do not particularly care for the HUD programs, but they are lumped together. So rather than approaching it and saying, maybe we should separate the bills and have more than just 13 appropriations bills, that let us solve the problem, we are saying, no, we are not smart enough, we are going to give it to the President of the United States.

Well, let me give my colleagues a for instance, since I am talking to my Republican colleagues, how would they like the idea of Bill Clinton on his own deciding whether or not we are going to build any more B–2's at $1 billion apiece? How would they like President Bill Clinton to say, I am going to veto the 20 B–2's in this year's defense budget and that frees up almost $20 billion and if you American people will stick with me, we will spend it on health care? Do they really think they are going to find two-thirds of the Members of this body to stand up to the senior citizens lobby and all the other lobbyists that will be asking for more health care? Because B–2's are built in one congressional district. There are folks that need health care in 435.

Aircraft carriers are built in one congressional district. They cost $4 billion apiece. Do we want to give Bill Clinton the authority to say, if we just kill the next aircraft carrier, I can expand health care by $4 billion. Once again, are we going to pit the gentleman from Virginia [Mr. SISISKY] against 434 other Congressmen, whose people are going to say, give us more health care?

What Members are asking this body to do is to give the President of the United States the authority to dismantle the Defense Department line by line.

The Stenholm approach makes sense, because it makes sense that if a majority in this body thinks it makes sense to build an aircraft carrier, then a majority can put that carrier back in the budget. If a majority thinks it makes sense to put an amphibious assault ship in the budget, then we can put it back in.

But I can tell my colleagues right now, if they search their heart of hearts, they know that there are not two-thirds of the Members of this body who will stand up to the senior citizens lobby or any other lobby when it comes down between a defense program and themselves.

And what we have ensured by the passage of this, if we do not include the Stenholm amendment, is the dismantling of the American military industrial base and, in turn, the dismantling of the world's greatest fighting force.

Mr. SPRATT. Mr. Chairman, I move to strike the requisite number of words.

I yield to the gentleman from West Virginia [Mr. WISE].

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

I would just like to say this that this has been a very full debate. I just want to signal to Members, it is my belief, while we are under the 5-minute rule and talking with our side, it is my belief that the gentleman from South Carolina [Mr. SPRATT], who is one of the cosponsors of the Wise-Spratt-Stenholm amendment, will be the concluding speaker, and Members probably should expect to vote within the next 5 to 10 minutes.

In conclusion, I would also like to say that please remember, I want to make sure that we focus on the fact that the Wise-Spratt-Stenholm substitute is a majority rule substitute, not a one-third plus one.

I think that is very significant and needs to be the point that is remembered.

□ 1350

Mr. SPRATT. Mr. Chairman, this is a creditable substitute. Three hundred and forty-two Members of this House said so resoundingly by voting for it. One hundred and sixty-nine of those who cast their votes ''aye'' were Republicans.

How did this provision, this substitute, attract 342 votes, three-fourths of the House? First of all, it works, and second, it is constitutional.

Let me take the second point first. Mr. Chairman, this bill, everyone will admit, is clearly constitutional. That ought to be an important consideration for any bill brought to this floor. We certainly cannot say as much for H.R. 2 as it is presently written.

Last night, Mr. Chairman, the last action we took was to vote on an amendment offered by the gentleman from Georgia, NATHAN DEAL, which will provide expedited review by courts of the constitutionality of this particular legislation. We would not put, and we rarely put such provisions in legislation, except when we have grave and urgent doubts about its constitutionality. Therefore, it is tantamount to admitting that we have abiding doubts about the validity of H.R. 2, its constitutionality. We know we are pushing the envelope. We are taking the delegation of powers doctrine to its outer limits in passing this bill.

Mr. Chairman, we know it, because we do not even know the answers to these basic questions. We will not until the Supreme Court has spoken. Therefore, what we have done, all the huffing and puffing, all the touting we have put into this particular piece of legislation may come to naught, Mr. Chairman, in the immediate future, because there could be a constitutional court challenge to it.

It could be enjoined. It will not even by used by this President. Then it could ultimately be rendered unconstitutional by the court. We do not know if the President can repeal or undo or disenact a spending law or a targeted tax benefit.

It was strongly suggested by the Supreme Court that it took an act of Congress signed by the President to repeal or undo or disenact a law that we have passed, but we are here saying he can do it without our intercession.

We know that Congress can delegate broad powers to the Congress, to the President, to carry out laws that we pass, to enact and execute policies and purposes that we have laid down legislatively. We know we can give him broad discretion to carry out the law, but can we give him, as we purport to do here, the power to cancel out our own purposes as stated in law?

We know we can tell him that he can execute our purposes and policies, but can he eradicate them, erase the, simply thwart them? We do not know the answers to these questions, but we do know this. The substitute before us is constitutional.

Furthermore, and this is vitally important, it works. It gives the President all of the powers to comb through spending legislation and taxing legislation and to cull and clean out things that he disagrees with, that he thinks are unnecessary, unwise, unwarranted. H.R. 2 does this, but so does this bill, just as much.

Second, Mr. Chairman, this gives some additional scope to the President that H.R. 2 does not give him. This substitute goes even further. For example, it allows the President to take rescissions that he sends up and assign them to a deficit reduction account, a lockbox.

In the last election, in the last few months of the last session of Congress, one of the hot and topical issues here was a bill called A to Z. It had a feature in it called a lockbox. You could make spending cuts and have those spending cuts assigned to a permanent reduction in the discretionary spending limit.

For those who supported A to Z, for those who support the concept of a deficit reduction account, a lockbox account, here is you change to vote for it. It is in this bill. As Chairman CLINGER admitted, it is a plus for this bill that is not included in H.R. 2.

There is another huge advantage to this amendment, this substitute. It actually has a scope that is far broader than H.R. 2. That is because, Mr. Chairman, in H.R. 2 there is a very narrow time window for the President to act, 10 days.

This bill literally goes backward and forward. It allows the President to wield the additional item veto authority we are giving him, or rescission authority we are conferring upon him, at any time during the fiscal year, backward or forward at any time, and it will be guaranteed a vote within 10 days in this House and 10 days in the Senate when he sends it up here. Therefore, this particular substitute should not be diminished. It is a powerful tool for subjecting or resubjecting all discretionary spending, all targeted tax benefits, to public scrutiny.

The CHAIRMAN. The time of the gentleman from South Carolina [Mr. SPRATT] has expired.

(By unanimous consent, Mr. SPRATT was allowed to proceed for 1 additional minute.)

Mr. SPRATT. Mr. Chairman, this substitute moves cautiously, more cautiously, constitutionally, than does H.R. 2, I will admit that, because it leans toward the fundamental concept of our Government, majority rule over minority rule, but it takes us a long stride forward without stepping off a cliff and not knowing where we are going to land.

If we pass this substitute, we can give the President of the United States significant new powers to cull spending, to cut our targeted tax benefits, without tilting the balance of powers between the Congress and the President. Mr. Chairman, I urge my colleagues to support it for those reasons.

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Chairman, I rise in support of the Wise-Stenholm substitute, and I associate myself with the remarks of the gentleman from Texas [Mr. STENHOLM].

Mr. Chairman, at the outset I want to associate myself with the remarks of the gentleman from Texas [Mr. STENHOLM], an author of this amendment. He has very lucidly analyzed the essential elements of this proposal.

I take to the floor this afternoon as a former teacher of history and civics. A constitutionalist, if you will.

We all recognize the genius of the Framers. The Constitution they crafted has stood the test of time. And the foundation of that genius has been the separation of powers and the checks and balances of our three branches of government.

They did not want a king or a dictator or an oligarchy—rule of a few or the minority—controlling purse strings of this Nation unilaterally. So they developed a delicate system of checks and balances. A clear separation of powers. A balance of powers.

I am concerned that H.R. 2 would do serious damage to that balance of power and the principle of majority rule by granting important new powers to the President. And with those new powers come tremendous opportunity for mischief.

The underlying bill here would allow any President, operating in league with 34 Senators, to strip any provision from a bill.

To my Republican colleagues and at the risk of offending my Democratic friends. Can you imagine this power in the hands of a crafty and strong-willed President like Lyndon Johnson?

Mr. Chairman, we are not discussing a genuine line-item veto here today. If we were, we would be debating an amendment to the U.S. Constitution—requiring a two-thirds vote of the House and the Senate and three-quarters of the States. This is a dramatic change, a potential rewrite of the balance of powers and should be subjected to that higher standard of deliberation.

I will support the substitute offered by the gentleman from West Virginia [Mr. WISE]. While not perfect, it will prevent a minority of either Chamber from imposing its will and is perfectly consistent with our serious purposes while focusing responsibility, on the record, and accountability of the public on our spending policies.

The Wise substitute establishes an improved expedited recessions process that will allow each and every Member of Congress to stand up and publicly act on spending and taxing decisions. If that Member can convince 50-percent, plus one, of his or her colleagues of the merit of that item, the Member wins. If not, the President wins and the item is stricken.

From a practical point of view, let me say this to my Republican colleagues. Do we want to give a Democratic President the power to strike items from spending and tax bills when he can simply round up 34 Democratic votes

in the Senate to prevail? Not that the President would do this, but what if he decided to strike only Republican priorities from a defense bill, or a tax bill, or an education bill, or a health care bill. He could succeed with the assistance of 34 Democratic Senators.

Also to my Republican colleagues, this line-item veto is virtually the only proposal in our Contract With America that President Clinton agrees with. Isn't that a sobering thought? Doesn't that tell you something sobering about the balance of powers and why Presidents want that power?

I would add that I am not the only Republican with similar concerns about this potential shift of power. The Senator from New Mexico, the chairman of the Senate Budget Committee, PETE DOMENICI, has expressed the same misgivings and has offered an amendment similar to the one we debate at this time. And he's not alone. It was Senator Dan Quayle who proposed this expedited recession measure a decade ago.

Mr. Chairman, do we actually want to grant the President the power to thwart the will of this institution, no, of this separate-but-equal branch of United States Government? I don't think so.

Vote for the Wise substitute.

Mr. VISCLOSKY. Mr. Chairman, I rise today in support of the Wise-Stenholm-Spratt substitute amendment to H.R. 2. I am voting for this plan because I believe it represents an improvement to the current rescissions process, while preserving the balance of powers that our Founding Fathers so carefully laid out in the Constitution.

The Wise-Stenholm-Spratt amendment requires that questionable spending items stand alone for an up-or-down vote. Projects would have to stand on their own merit and port would have no place to hide. If our goal is truly to eliminate unnecessary spending, I view this as a fundamental improvement to the way we do business.

Under current law, the President has the authority to request the rescission of specific line items. It is Congress' part of the process that is under scrutiny. Once a Presidential rescission is received by the Congress, we have the option of voting. If nothing is done within 45 days, the rescission dies. The Wise-Stenholm-Spratt substitute would fix this problem by requiring Congress to vote on Presidential rescissions within 10 days after their receipt. As a result, the President's hand would be strengthened to control spending, and Congress would be held accountable for our spending decisions.

I do want to caution, however, that the line-item veto issue is somewhat of a red herring. Proponents of a straight line-item veto say that we need it to eliminate wasteful spending. It sounds great, except for the fact that it is not true. The fact is that the Congress rescinds more spending on average than President's request. Indeed, between the years 1974 and 1995, $73 billion in Presidential rescissions have been requested, yet $93 billion worth of rescissions have been passed by the Congress.

Also, there is a fundamental danger in going too far to fix a system that can be improved, but is not broken. The line-item veto legislation encompassed in H.R. 2 goes too far. This bill would require a two-thirds supermajority of Congress to override Presidential line-item vetoes, thereby abrogating majority rule and investing all power in one individual, the President. As a legislator, I am not willing to provide a Democratic or Republican President with power that our Founding Fathers felt were unnecessary.

The Constitution assigned the power of the purse to the people's elected representatives in the Congress. Requiring a supermajority to override Presidential budgetary decisions would be a direct affront to this fundamental principle. It is not wise public policy to amass such discretionary power in one official.

Let's keep the power with the people and pass the Wise-Stenholm-Spratt substitute amendment to H.R. 2.

Mr. MONTGOMERY. Mr. Chairman, I rise in support of the Wise-Stenholm-Spratt substitute. I voted for this measure last year and it passed the House by a wide margin. This procedure will achieve the same thing the line-item veto bill does, but it does so without providing a great shift in power to the executive branch.

I agree the President should have the authority to strike out wasteful and unnecessary spending items in one bill or another, but Congress is still charged with the responsibility of setting spending priorities and I think we should have the chance to vote on these proposed veto items. This amendment requires Congress to vote, on the record, on these proposed cuts. I think that provides a powerful incentive to prevent Members from putting special projects and other pork barrel spending items in these bills in the first place, because they know that the House and Senate could be asked to vote up or down on those items.

There is some question about whether the base provisions of this line-item veto bill are constitutional because they shift too much power to the executive branch. This substitute provides a much more workable alternative that will be a strong tool in controlling Federal spending in the future.

I urge support for the Stenholm-Wise-Spratt substitute.

Mr. RICHARDSON. Mr. Chairman, I rise in support of the substitute. Since the 104th Congress began its work on January 4, we have spent much of our time considering the impact of Government spending on the American people. We will likely spend much of the next 2 years doing the same thing. In repeated polls and town hall meetings, the public has been very clear that they want to eliminate wasteful spending that only helps a small segment of the population. The public does not want to see narrow special interests control Government spending.

Mr. Chairman, I strongly believe that the President should have the power to rescind wasteful spending. But it's also important that once the President flags wasteful line-items and targeted tax benefits, that Congress shares the role of acting on wasteful spending and acting quickly. Several appropriation bills can reach the President's desk at the same time. The President should be able to offer a package of rescissions at anytime and Congress should then act to quickly approve or disapprove of that package.

The approach offered by this substitute preserves the balance of power between the executive branch and the legislative branch, and that is what the public wants. The public wants an efficient government that moves quickly to eliminate wasteful spending. The public does not want a single person or one-third of Congress to be able to protect targeted spending.

I believe it is ironic that at a time when most of the public does not want Washington controlled by a select few with narrow interests, and our colleagues from the other side of the aisle keep talking about spreading power beyond the beltway, that they keep reverting to procedures within Congress that give enormous power to a minority of our Members. Let us do something that makes sense. I urge my colleagues to support the substitute.

Mrs. LINCOLN. Mr. Chairman, I rise today in support of the Wise-Stenholm-Spratt expedited rescission substitute. There's a valuable goal in the line-item veto—to eliminate the practice of burying wasteful spending projects in legislative packages where your only choice is to vote for the entire bill or nothing at all.

But the line-item veto would also give the President excessive power to influence every aspect of the legislative agenda and therefore shift the constitutional balance of power.

Expedited rescission, on the other hand, accomplishes the goal of the line-item veto without fundamentally changing the separation of powers designed by our Founding Fathers. If we pass expedited rescission, everyone in this room is going to have to go on record for or against pet projects. Pork is pork, and I for one have faith that Congress will recognize this when voting on specific spending proposals as expedited rescission would require.

Why should we question the Constitution's wisdom when we can eliminate pork barrel spending with expedited rescission? I strongly encourage my colleagues to support the Wise-Stenholm-Spratt substitute.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from West Virginia [Mr. WISE].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. WISE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 167, noes 246, not voting 21, as follows:

[Roll No 90]

AYES—167

Ackerman	Dellums	Hamilton
Baldacci	Dicks	Harman
Barcia	Dingell	Hastings (FL)
Beilenson	Dixon	Hayes
Bentsen	Doggett	Hefner
Berman	Dooley	Hilliard
Bevill	Doyle	Hinchey
Bishop	Durbin	Holden
Bonior	Edwards	Hoyer
Borski	Engel	Jackson-Lee
Boucher	Eshoo	Jacobs
Browder	Farr	Jefferson
Brown (CA)	Fattah	Johnson (SD)
Brown (FL)	Fazio	Johnson, E. B.
Brown (OH)	Fields (LA)	Kanjorski
Bryant (TX)	Filner	Kaptur
Burton	Flake	Kennedy (MA)
Cardin	Foglietta	Kennedy (RI)
Clay	Ford	Kennelly
Clayton	Frank (MA)	Kildee
Clement	Frost	LaFalce
Clyburn	Furse	Lantos
Coleman	Gejdenson	Levin
Collins (IL)	Gephardt	Lewis (GA)
Conyers	Gilman	Lincoln
Costello	Gonzalez	Lipinski
Cramer	Gordon	Lofgren
DeFazio	Green	Lowey
DeLauro	Hall (OH)	Maloney

Manton
Markey
Mascara
Matsui
McDermott
McKinney
McNulty
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mollohan
Montgomery
Moran
Myers
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Porter
Poshard
Rangel
Reed
Reynolds
Richardson
Rivers
Roemer
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Skelton
Slaughter
Spratt
Stark
Stearns
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torricelli
Towns
Tucker
Velazquez
Vento
Visclosky
Volkmer
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Yates

NOES—246

Abercrombie
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Barr
Barrett (NE)
Barrett (WI)
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Combest
Condit
Cooley
Cox
Coyne
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Evans
Everett
Ewing
Fawell
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Luther
Manzullo
Martinez
Martini
McCarthy
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
Meehan
Metcalf
Meyers
Mica
Miller (FL)
Minge
Mink
Molinari
Moorhead
Morella
Murtha
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Pallone
Parker
Paxon
Peterson (MN)
Petri
Pombo
Portman
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Torres
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—21

Ballenger
Bartlett
Becerra
Brewster
Collins (GA)
Collins (MI)
Danner
de la Garza
DeLay
Deutsch
Fields (TX)
Gibbons
Istook
Johnston
Kelly
Largent
Moakley
Sisisky
Stockman
Waters
Waxman

□ 1404

The Clerk announced the following pairs:

On this vote:

Mr. Moakley for, with Mr. Deutsch against.

Mr. Becerra for, with Mr. Largent against.

Mr. Gibbons for, with Ms. Waters against.

Mr. Johnston for, with Miss Collins of Michigan against.

Mr. WARD changed his vote from ''aye'' to ''no.''

Ms. KAPTUR and Mr. STEARNS changed their vote from ''no'' to ''aye.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. KELLY. Mr. Chairman, it was necessary for me to undergo important dental surgery today and, in doing so, I missed two recorded votes on amendments to H.R. 2, the Line Item Veto Act.

Had I been present, I would have voted ''no'' on the Wise amendment.

In addition, had I been present, I would have voted ''no'' on the Spratt amendment.

(Mr. GEPHARDT asked and was given permission to speak out of order.)

LEGISLATIVE PROGRAM

Mr. GEPHARDT. Mr. Chairman, I ask to proceed out of order for the purpose of inquiring about the schedule for next week and the rest of the day.

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

Mr. GEPHARDT. Perhaps, Mr. Majority Leader, I could first ask about the schedule for the rest of today so Members will know when we are probably going to be leaving.

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

Mr. GEPHARDT. I yield to the gentleman from Texas.

Mr. ARMEY. We have one or possibly two more amendments we expect to be able to complete today. We are going to try to do that.

In any event, the Members should be advised that we will rise at 3 o'clock today, and hopefully with those amendments completed.

Mr. GEPHARDT. As I understand it, there is an Obey amendment and an Orton amendment that are likely to come next. Would these two gentleman be assured that if we do not finish their amendment by 3 o'clock that we could finish it when we come back on Monday?

Mr. ARMEY. They would, absolutely.

Mr. GEPHARDT. I thank the gentleman. Perhaps I could inquire about next week's schedule.

Mr. ARMEY. Again, if the gentleman will yield, let me first announce the meeting times for the House next week.

On Monday the House will meet at 12:30 for morning hour. Legislative business will begin at 2 o'clock and votes will occur immediately.

Let me also further advise all of the Members that they should expect that every Monday for the remainder of February we would keep to this schedule of 12:30 for morning hour and legislative business convening at 2 o'clock and votes likely to occur immediately, except for Presidents Day.

On Tuesday the House will meet at 10:30 for morning hour. Legislative business will begin at 12 o'clock.

On Wednesday the House will meet at 11 o'clock. On Thursday and Friday the House will meet at 10 o'clock.

On Monday we will return to complete consideration of H.R. 2, the line-item veto.

On Tuesday, subject to a rule, we will take up consideration of H.R. 665, the Victim Restitution Act. Depending upon how that legislation proceeds, we will also consider H.R. 666, the Exclusionary Rule Reform Act, subject again to a rule.

On Wednesday and the balance of the week we will, again, subject to rules being granted, consider H.R. 668, the Criminal Alien Deportation Act, and H.R. 667, the Violent Criminal Incarceration Act.

Again, we would expect to be able to keep our 3 o'clock departure time for the following Friday.

Mr. GEPHARDT. There are two questions or concerns that are being expressed by a lot of Members on this side. The first is by Members on the west coast who have been afforded the opportunity in the past to get here by 5 o'clock on Monday, and if the gentleman is saying we are going to be starting at 2 o'clock on every Monday in February, this really is a difficulty for many of them on being able to get here. I was wondering if perhaps we could plan to work later on Monday to accommodate their schedules?

Mr. ARMEY. I appreciate that observation and there is no doubt the concerns for the west coast Members have been taken into consideration. Nevertheless, we do have a big change and a heavy schedule. Hard work is required and, in our judgment, it is necessary to begin at 2 o'clock on Mondays whenever possible through February to complete that work.

The only solace I can offer is that the contract period is for a finite period of time, 100 days. When the 100 days is passed, certainly we would be able to give much more consideration to the west coast commuters.

□ 1410

Mr. FAZIO of California. Mr. Chairman, I appreciate the gentleman yielding.

I simply wanted to say it is not really a question of hard work. I think the Members want to be able to spend some of their time working hard in their districts. There are many of us who are going to have to leave and really give up our Sunday efforts in the district, and I know that will not necessarily be the impact on many of our colleagues.

So I wanted to see whether or not we could continue the practice that got us to this point which we felt was fair and equitable to the people west of the Rockies.

Mr. ARMEY. Well, I appreciate the gentleman's point. The fact of the matter is we have many Members who wish to talk on each and every amendment. We want to afford every opportunity for that. That takes a lot of time. Still, nevertheless, we have a clear timetable. Committees have worked very hard. You ask the members of the committees to get their work out of committee in time, so it can make the queue line for the floor schedule, and when we have bills on the floor, we really must move those bills off so we can make room for the next bill.

Perhaps if we could find ways for some of us who have so many very important things to say on each and every one of these amendments to say it less often or more quickly we can compress the time requirements and get on.

Mr. FAZIO of California. I think the issue here is that when people feel the need to talk, and I am sure that there will be occasions when all of us in both parties will feel that need, one group of people is paying the price. One group, those of both parties who have the furthest to come, are going to be the ones to pay the price.

I am saying the gentleman is perhaps, from his partisan standpoint, correct. But why do we burden one group of Members because of the propensity of others of both parties from all across the country to speak at some length?

Mr. ARMEY. If the gentleman would yield.

Mr. GEPHARDT. I yield.

Mr. ARMEY. Let me first admire the deftness of the gentleman from California in translating a discussion about geography to one of partisan politics. You are to be admired for your deftness.

Let me acknowledge we all are aware, of course, there are no big talkers from the west coast. So if perhaps we can get some of our east coast talkers to be as respectful of time concerns of the Members as the west coast talkers are, but the fact is we do have a big legislative agenda. We do have a queuing order for each of the committees.

Each of the committees must be considered, and that means we must move the work off the floor.

Mr. FAZIO of California. What the gentleman is saying, I gather, is that we have a 100-day schedule. We have to meet it. And those people who are sacrificed simply have to live with it. Is that correct?

Mr. GEPHARDT. I would like to ask the majority leader another question. There is also a concern on this side, and I assume by many on your side, about the issue of predictability of schedule at night. I know that Members on both sides are sincere about making this a family-friendly Congress, and we have a bipartisan group that is meeting to try to see if we can reach solutions in that area.

A couple of times in the last 2 weeks we have thought that we were going to leave by a certain time in the evening, and then it ran well past that. I realize you are trying to get a schedule completed.

But do you believe that it might be useful to perhaps reconvene the family-friendly task force with you and myself to see if we can find some solutions to this? Members tell their families they are going to be home by a certain time, are able to meet them at a certain time, and they are not able to do that, and it is causing a good deal of difficulty.

Mr. ARMEY. If the gentleman will yield, I think the gentleman from Missouri makes an extremely important point, and I can tell you I would be more than happy for the two of us to get together with some of the people from that task force to see if we can encourage circumstances that will allow us to all get home to our families earlier in the evening.

Mr. GEPHARDT. I yield to the gentlewoman from California [Ms. ROYBAL-ALLARD].

Ms. ROYBAL-ALLARD. I thank the gentleman for yielding. The question I have is, understanding the necessity and the urgency to get the work done, would it be possible to have the work continue from 2 o'clock on, but to wait until at least 5 o'clock and bunch the votes so that those of us who are on the west coast can at least be here for the votes?

Mr. ARMEY. The gentlewoman makes a very reasonable request. Unfortunately, within the context of the rules, you cannot, as it were, roll the votes when you are in the Committee of the Whole, so if we are going to meet and work in the Committee of the Whole, we must be prepared to vote immediately.

Mr. GEPHARDT. It is my understanding that we might entertain an idea of that kind in future rules, and if we are trying to avoid 2 o'clock startups for the rest of February, we would certainly be willing to do that. We could also do it by unanimous consent on Monday, and I do not know whether we could achieve that, but it would be worth a try, and we would offer to try to do that.

Mr. ARMEY. The gentleman is very generous and very respectful of all the rights of all the Members, and I would be happy to sit down and see what we can work out.

Mr. GEPHARDT. I would say to the gentleman we could offer such unanimous-consent requests later today before we finish at 3 o'clock, and I will try to work with the gentleman from New York [Mr. SOLOMON] and the majority leader in that regard.

Mr. ARMEY. If the gentleman will yield, I appreciate again the generosity of the gentleman from Missouri. The distinguished chairman of the Committee on Rules just tells me that at this point in this context that is not a workable alternative, and we will have to stay with the schedule.

Mr. GEPHARDT. I will be happy to talk further with the gentleman.

I yield to the gentleman from Indiana.

Mr. BURTON of Indiana. I certainly support the majority leader's view that we have got a tough work schedule. But many of us have families back in our districts. I just checked with the Parliamentarian, and I have been informed that, by unanimous consent, even when the Committee of the Whole is sitting in this House, you can roll the votes until a later time, and so while we may not be able to do that on Monday, I wish that the majority leader would take that into consideration for those of us that have families back in the districts that we have not seen for a long time, if we could get back a few hours later, it would help us.

So I would just say that if there were unanimous consent, for instance, on a Monday, maybe not this next Monday, but on a Monday, we could roll the votes until 5 o'clock, and then we could still conduct the business in the Committee of the Whole.

Mr. GEPHARDT. The last question has to do with the corrections. I have read a report that there would be a corrections day, and I would just like to ask under what process would this legislation be considered, and would there be hearings and markups prior to floor consideration of these ideas?

Mr. ARMEY. If the gentleman would yield, corrections day is an innovation that is being discussed by the Speaker. We are not at this point ready to announce such an innovation in the calendar, and we would certainly, as we develop the notion into a new innovation in the calendar, we would welcome every opportunity to work with the minority in terms of defining the best parliamentary procedures for a new innovation like corrections day. So I think this is really something that we can be excited about, but we are not at the point yet where any announcement is ready to be made.

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

Mr. GEPHARDT. I yield to the gentleman from New York.

Mr. SCHUMER. I thank the gentleman for yielding.

If I might direct a question at the majority leader, two questions, relative to the crime bill next week or the

crime bills. The gentleman mentioned the first four bills, but he did not mention 729, the Effective Death Penalty Act, or I believe it is H.R. 728, the Block Grants Act. Is it the intention of the majority to bring those up the following week? They would not be on the floor this next week? Is that correct?

Mr. ARMEY. If the gentleman will yield further, let me say to my friend, the gentleman from New York [Mr. SCHUMER], yes, you are exactly right. That is our intention.

Mr. SCHUMER. The second question, if I might, if the gentleman from Missouri would continue to yield to me, will the crime bill be considered under an open and unrestricted rule? I understand the chairman of the Committee on Rules, my good friend from New York, Mr. SOLOMON, made an announcement regarding the rules this morning, but I believe it would be useful to clarify the majority's intention for the Members.

As you know, the crime bills have been divided. One crime bill was divided into six, which limits the amount of amendments, and we were told by the chairman of our committee, the gentleman from Illinois [Mr. HYDE], and the chairman of the subcommittee, the gentleman from Florida [Mr. MCCOLLUM], that it was the intention of the majority, and this is while we marked up the bills in committee, to bring those six bills under an open rule, that anything that was germane to the relatively narrow scope of each of those six bills would be available.

□ 1420

I would appreciate an answer, either from the chairman of the Committee on Rules or the majority leader.

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

Mr. GEPHARDT. I yield to the gentleman from New York.

Mr. SOLOMON. I thank the gentleman for yielding.

Mr. Chairman, let me just say that it is the intention of the Rules Committee to be as open and as fair and as accountable as we possibly can. We have every intention of proceeding with open rules. There could come a time when on the fifth and sixth bills in the crime package, at which time we might have to, because of time constraints we might have to limit the time of debate. That would not mean we would veer away from the 5-minute rule. It means that any amendment would be in order. If I could just briefly, for instance, if we were going to take up H.R. 729, the effective death penalty bill, it would be 1 hour on the rule, 1 hour general debate and perhaps 6 hours of amendments, 4 hours of walking time. That is about 12 hours on that bill.

Mr. SCHUMER. If it is on all six bills, the majority's intention, the Rules Committee intends to allow all amendments to be offered that are germane to each of those bills, is that correct?

Mr. SOLOMON. Within that timeframe, the gentleman is correct.

Mr. SCHUMER. The question I have is what does ''within that timeframe'' mean? Does it mean that after a certain point of time we cannot offer any amendments at all? Does it mean we would be able to offer those amendments and not debate them? Or does it mean that we could offer those amendments and have a limited amount of time to debate them? And then do the House's business and see where the votes are that way?

Mr. SOLOMON. If the gentleman would yield further, that decision has not been made. But if we were going to limit the time for consideration of amendments, we also have a priority, prefiling offer to you, and I would suggest to the gentleman if you have significant amendments that you ought to prefile those amendments. Within the 6 hours or whatever time we arrive at, you certainly would have ample opportunity to debate those amendments, absolutely.

Mr. SCHUMER. If the gentleman will continue to yield, what are those prefling requirements? That is the question I would have.

Mr. SOLOMON. There are no prefiling requirements at all. It is not a requirement.

It might include a provision giving priority and recognition to Members who prefile their amendments. You do not have to come and testify, you do not have to prefile.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. GEPHARDT. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I thank the gentleman for yielding.

Mr. Chairman, I would just like to say that the chairman of the Rules Committee, he said the first four bills would not be restricted and the last two might. I believe that the sixth bill, the one that would redo the program and do the block grants is in fact one of the most important and in fact took the longest time in the Judiciary Committee. So I would hope that they would not be subjected to that kind of restriction simply, because it would not make sense just because that is the number in which they were ordered to take a more important bill and restrict it more just because it comes later rather than earlier on.

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

Mr. GEPHARDT. I yield to the gentleman from New York.

Mr. SCHUMER. I thank the gentleman.

Mr. Chairman, the first three bills, two of the three are completely noncontroversial, the third has very little controversy to it. The whole meat of the thrust of the crime bill we are debating is the fourth, fifth, and sixth bills. So I would ask the Rules Committee and the majority to do whatever they can to make those as open as possible. To only allow 6 hours of debate on the final bill, H.R. 728, which took up more time in committee to debate than the first four put together, would not be fair at all.

I would ask, given the commitments in the contract and everywhere else, that the rules be as open as possible. The Senate, as I understand it, and the gentleman can check me if I am wrong, the Senate is not going to get these bills for a month or two. We were told we would have this week and next week to finish the six bills, and I do not see why such a limitation as the gentleman is proposing would be necessary.

Mr. SOLOMON. I would just say to the gentleman that we would be more open and more fair than we have ever been when a crime package has been brought to this floor, and you can count on that.

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

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

Mr. VOLKMER. I thank the leader for yielding.

Mr. Chairman, I inquire of the gentleman from New York, with whom we visited on this issue before, it was my understanding from the gentleman of New York—and you correct me if I am wrong—that on three bills, the bill on the block grant, on what we have passed, called the prevention programs, on the prison construction bill, and then on the habeas corpus bill, those three bills that the gentleman from New York—I cannot remember the exact words, and you correct me if I am wrong—this morning said that on those we do in one day. In other words, you would have a rule, discussion, debate, and then amendments. And when the time came to end on that day on that bill, that any amendments pending thereafter would no longer be in order. Is that correct?

Mr. SOLOMON. Over about a 12-hour period.

Mr. VOLKMER. Over whatever period. So that is basically a closed rule. It is; gentleman, it is a closed rule, gentleman. And you are telling people that even if you have an amendment in the RECORD by that time, if we would take 3 hours on a substitute and 4 hours on several amendments and there are other Members who have amendments that they feel are just as important as the other ones, you are saying that when the time runs out you do not get to offer your amendment, ''I don't care who you are, I don't care how strongly you feel on your idea, you are not going to get to express your viewpoint.'' That is what I want you to think about.

Mr. SOLOMON. We will be glad to take the views of the gentleman into consideration. I have been pleading on this floor all day to expedite this bill. We want to make sure that we are going to be able to finish these six crime bills because of the time constraints.

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

Mr. GEPHARDT. I yield to the gentleman from Virginia.

Mr. WOLF. I thank the gentleman for yielding.

Mr. Chairman, I was in my office and heard the debate, and I ran over. As somebody who was asked by Mr. GINGRICH to be head of the Family Friendly Caucus, let me just make a coupe of comments and observations.

One, I would hope that the votes would be rolled. To ask somebody from California to come in by 2, I live here and I do not have to fly. I am a half-hour from home. Frankly, I am tired. I just think that somehow we all know the ways of working these rules. There ought not be votes until 5 o'clock. No one should have to leave their family.

Second, if I may say two more things, second, we need—and I would ask Mr. ARMEY when we are finished and Mr. GEPHARDT—I heard your exchange about meeting on. Monday, I ask to determine a set hour, so that at a certain hour, whether it be midnight you told you wife or your kids or whether it be 7 o'clock, there are certain and set hours.

Third, speaking from this side, perhaps we cannot have open rules. Perhaps what we need are fair rules, whereby we give the leadership whatever amendments they see fit but it cannot continue to go on. Because one Member the other night said to me, and I am not going to say who, ''I thought you said we were going to have a family friendly Congress.'' Then when I got back to my office, that Member was getting up and objecting and tying the place up.

I cannot make this a family friendly Congress, but we can, all work together, make it a family friendly Congress.

So we do not want to manipulate the rules. I think if we can develop a better spirit we can do it. First, no votes before 5, second, let us get a set time; or third, frankly, we are probably going to have to do away with the open rules and have rules, what I would call fair rules, so that we can then have set times. I hope we can do it.

Mr. GEPHARDT. Mr. Chairman, if I may reclaim my time, and this would be the last statement: I want to commend the gentleman from Virginia [Mr. WOLF]. When I was majority leader, he talked to me a lot about his concerns, which are sincere, about family life, personal life in this institution. I want to work, and I believe our Members want to work, with your Members, Mr. Majority Leader, to see if we can do that. Obviously, we have had some bad experiences early here with a lot of amendments, and we are going to go through a shakedown period here. But I think the minority is sincere in wanting to find an accommodation with regard to the kind of amendments, the time limits on amendments, so that we can make a more predictable schedule.

Before we leave today, I would like to sit down with the majority leader and chairman of the Committee on Rules and see if we can find a way as a start to begin our meeting on Monday at 5 o'clock and roll vote. I will talk to them in a moment.

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

Mr. GEPHARDT. I will.

Mr. ARMEY. I thank the gentleman.

Mr. Chairman, I point out to the chair it has taken us over 15 minutes to announce the schedule. That I suppose as much as anything else validates the need for the kind of schedule that I announced.

I want to thank the gentleman from Missouri [Mr. GEPHARDT] for his kind offer, and certainly we will try to find a way to work around that.

As the gentleman from Virginia [Mr. WOLF] said, with a bit of cooperation from all of us we can all have a more family friendly life.

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

Mr. GEPHARDT. I yield to the gentleman from Hawaii.

Mr. ABERCROMBIE. I thank the gentleman for yielding.

Mr. Chairman, I am all for—if you want to complain about how far you have to go—I am leaving tonight. I will have to stay overnight in Los Angeles, get home tomorrow; leave Sunday night. I do not mind.

□ 1430

We are doing the business of Congress here.

Now the Constitution of the United States is being messed with here. I say to my colleagues, ''Now you want to be family friendly? I'm all for family friendly, but don't anybody come and tell this Member that in the name of family friendly that we are not going to do our business in a proper fashion. Every Member here is entitled and obligated to take his or her concerns to this floor under the rules, and I don't want to see 1 second of one Member's obligation and duty compromised in any way, shape, or form.''

Is this the 100-day rule, which is not in this Constitution, but in the contract that they signed and I did not sign? I say to my colleagues, ''If it takes a thousand days, 10,000 days, that's what it takes to protect the Constitution of the United States, and that's what we take.''

Mrs. COLLINS of Illinois. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to engage in a colloquy with the gentleman from Wisconsin [Mr. OBEY].

Mr. Chairman, I noted that the majority leader said that we were going to take up some amendments and that, regardless of where we were, we are going to be out of here, we are going to rise, at 3 o'clock. My concern is that the gentleman from Wisconsin [Mr. OBEY] may not have sufficient time to offer his amendment with the proper responses, so I want to ask Mr. OBEY if he feels he can offer his amendment along with the time that it will take to get a vote on that and be finished at 3 o'clock or if he feels his time would be compromised and the quality of his debate would be compromised by doing so.

Mr. OBEY. Mr. Chairman, will the gentlewoman yield?

Mrs. COLLINS of Illinois. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I cannot tell how much time it is going to take. I do feel a requirement to explain why I am doing this because so many Members have been asking me that. But it really is not up to me to determine how much time it is going to take. I just do not know.

Mr. CLINGER. Mr. Chairman, will the gentlewoman yield?

Mrs. COLLINS of Illinois. I yield to the gentleman from Pennsylvania.

Mr. CLINGER. Mr. Chairman, if it would be helpful, I would like the gentleman to know that we have examined the gentleman's amendment, and if it would assist the gentleman from Wisconsin in determining how much time might be involved in consideration of his amendment, I would inform the gentleman that we think it is an excellent addition to what we are trying to do here, which is to get at those elements of pork, wherever they may exist and wherever they exist every year.

Mr. Chairman, we will support the amendment that will be offered by the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I only intend to take about 4 minutes to explain my amendment, and I do not know of anybody else who wants to speak.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment. It is No. 15.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OBEY: At the end of section 2, add the following new subsection:

(d) SPECIAL RULE FOR FY 1995 APPROPRIATION MEASURES.—Notwithstanding subsection (a)(2), in the case of any unobligated discretionary budget authority provided by any appropriation Act for fiscal year 1995, the President may rescind all or part of that discretionary budget authority under the terms of this Act if the President notifies the Congress of such rescission by a special message not later than ten calendar days (not including Sundays) after the date of enactment of this Act.

Mr. OBEY. Mr. Chairman, as Members know, what I am doing is trying to ensure that, if we are going to pass this misguided proposal, that at least we will be able to give the President the ability to reach any and all projects in the 13 appropriation bills which passed last year.

I have in my hand a packet tagged by subcommittee which is entitled ''Questionable Fiscal '95 Projects by Subcommittee,'' and I know that a number

of Members do not like the fact that this is being offered. But I am offering it because I basically believe this bill is flawed.

First of all, I think it is based on the assumption that the Congress spends more than the President, and in fact history will show that in this last decade we have spent considerably less than the President has asked for. When you take a look at specific Presidential requests for rescissions, since 1974, Mr. Chairman, Presidents have asked this Congress to rescind $73 billion in appropriations. This Congress has actually rescinded $93 billion in appropriations, 27 percent more than the President asked us to cut. Those are not my numbers. Those are the General Accounting Office's numbers.

We rescinded double the amount of spending that President Bush wanted us to rescind, and to date we have rescinded 33 percent more in spending than President Clinton has asked us to.

So, I think that record should be cleared up, and, as the ranking Democrat on the Committee on Appropriations, I feel an obligation to do so.

I say to my colleagues, I think, if you really want to get at spending, for instance, you will consider the Orton amendment, which comes next, which if it is not adopted will leave a huge loophole in the item veto process because it will apply only to appropriations and not contract authority, something which I think would be a national joke.

But I am also offering this for a second reason, because I simply believe it is fundamentally wrong for us to be making decisions based upon what one-third plus one in this place thinks ought to be public policy. I believe that this vehicle, as it stands now, is a disgraceful and gutless granting of gigantic Executive power by this institution, and I am ashamed, I am ashamed to see that kind of willing power transfer. Because I think this institution's primary responsibility under the Constitution is to protect the American people from the excessive abuse of Executive power. And in my view, as it stands now, this proposal invites the President to use his powers that are being granted under this proposal to greatly expand his ability to leverage additional spending into each and every bill that goes through this place.

Mr. Chairman, I will explain more when we debate the amendment to be offered by Mr. STENHOLM on Monday what I mean by that.

But if, nonetheless, this institution is hell bent on that kind of a reckless transfer of power, then I think we ought to make it apply to every single project which right now Members of this body and Members of the other body think are safely beyond the reach of Presidential veto, and that is why I am offering this, so that the President will have a 10-day window after the passage of this misguided proposal during which he can examine each and every tidbit in every appropriation bill last year.

□ 1440

Now, I think we did a good job on the Committee on Appropriations last year. We eliminated some 40 programs. We cut 408 programs below the previous year's spending level. And the earmarks that were provided were substantially reduced below the level of the previous year.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 1 additional minute.)

Mr. OBEY. Mr. Chairman, it seems to me nonetheless that the record obviously is not perfect. We had to accept many ''suggestions'' from the other body, for instance. So I think if this is going to go into effect, Members ought not to be allowed to assume that their own specific projects are beyond presidential reach. We ought to know in concrete terms just what is at risk.

So I offer this amendment in that spirit and would hope that it would be accepted and adopted by this House.

Mr. CLINGER. Mr. Chairman, I rise in support to the amendment.

Mr. Chairman, as I indicated before the gentleman offered his amendment, we have examined the amendment and want to commend the gentleman, frankly, on his willingness to open up his own appropriations bills for this line-item veto, appropriations bills which were dealt with last year.

I think when the former chairman of the committee recognizes the need of a line-item veto and admits the benefits it provides in eliminating unnecessary spending, we should take note and thank him for his very good work in this regard.

I think I would ask the gentleman, if he has indicated he knows where the bodies are buried and where the skeletons are, that we would have that list as promptly as possible and perhaps we could rescind or eliminate that spending and save the President the need to exercise the line-item veto.

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

Mr. CLINGER. I yield to the gentleman from Wisconsin.

Mr. OBEY. I think all you have to do is take a look at every appropriations report, because they are fairly well spelled out. I am not suggesting that most of them are bad items. I think the vast majority of them are infinitely defensible and, in fact, in the national interest. But I just want Members to have very specific and concrete understandings beforehand of the kind of power the President is going to have.

Mr. CLINGER. Mr. Chairman, reclaiming my time.

As I say, Mr. Chairman, we are pleased to accept the amendment, and I yield back the balance of my time.

PARLIAMENTARY INQUIRY

Mr. ABERCROMBIE. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ABERCROMBIE. Mr. Chairman, is it the Chair's understanding that a ruling was arrived at or an understanding was arrived at with respect to the votes on Monday and the 2 o'clock versus 5 o'clock time? Because that is not clear to me.

The CHAIRMAN. The Chairman of the Committee of the Whole is not in a position to rule on that question.

Mr. ABERCROMBIE. Mr. Chairman, a further parliamentary inquiry. How might I go about making that inquiry? My understanding is that issue was not settled.

The CHAIRMAN. The gentleman should inquire of the leadership who makes those decisions.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

The amendment was agreed to.

Mr. CLINGER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having assumed the chair, Mr. BOEHNER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2) to give the President item veto authority over appropriation acts and targeted tax benefits in revenue acts, had come to no resolution thereon.

NOTICE OF INTENT TO FILE PRIVILEGED RESOLUTION ON MONDAY NEXT

Mr. TAYLOR of Mississippi. Mr. Speaker, pursuant to rule IX, I hereby give notice of my intention to offer a resolution that raises a question of privilege of the House. The form of the resolution is as follows:

H. RES.—

Whereas rule IX of the Rules of the House of Representatives provides that questions of privilege shall arise whenever the rights of the House collectively are affected;

Whereas, under the precedents, customs, and traditions of the House pursuant to rule IX, a question of privilege has arisen in cases involving the constitutional prerogatives of the House;

Whereas section 8 of Article I of the Constitution vests in Congress the power to ''coin money, regulate the value thereof, and of foreign coins'';

Whereas section 9 of Article I of the Constitution provides that ''no money shall be drawn from the Treasury, but in consequence of appropriations made by law'';

Whereas the President has recently sought the enactment of legislation to authorize the President to undertake efforts to support economic stability in Mexico and strengthen the Mexican peso;

Whereas the President announced on January 31, 1995, that actions are being taken to achieve the same result without the enactment of legislation by the Congress;

Whereas the obligation or expenditure of funds by the President without consideration

by the House of Representatives of legislation to make appropriated funds available for obligation or expenditure in the manner proposed by the President raises grave questions concerning the prerogatives of the House and the integrity of the proceedings of the House;

Whereas the exchange stabilization fund was created by statute to stabilize the exchange value of the dollar and is also required by statute to be used in accordance with the obligations of the United States under the Articles of Agreement of the International Monetary Fund; and

Whereas the commitment of $20,000,000,000 of the resources of the exchange stabilization fund to Mexico by the President without congressional approval may jeopardize the ability of the fund to fulfill its statutory purposes: Now, therefore, be it

Resolved, That the Comptroller General of the United States shall prepare and transmit, within 7 days after the adoption of this resolution, a report to the House of Representatives containing the following:

(1) The opinion of the Comptroller General on whether any of the proposed actions of the President, as announced on January 31, 1995, to strengthen the Mexican peso and support economic stability in Mexico requires congressional authorization or appropriation.

(2) A detailed evaluation of the terms and conditions of the commitments and agreements entered into by the President, or any officer or employee of the United States acting on behalf of the President, in connection with providing such support, including the terms which provide for collateral or other methods of assuring repayment of any outlays by the United States.

(3) An analysis of the resources which the International Monetary Fund has agreed to make available to strengthen the Mexican peso and support economic stability in Mexico, including—

(A) an identification of the percentage of such resources which are attributable to capital contributions by the United States to such Fund; and

(B) an analysis of the extent to which the Fund's participation in such efforts will likely require additional contributions by member states, including the United States, to the Fund in the future.

(4) An evaluation of the role played by the Bank for International Settlements in international efforts to strengthen the Mexican peso and support economic stability in Mexico and the extent of the financial exposure of the United States, including the Board of Governors of the Federal Reserve System, with respect to the Bank's activities.

(5) A detailed analysis of the relationships between the Bank for International Settlements and the Board of Governors of the Federal Reserve System and between the Bank and the Secretary of the Treasury, and the extent to which such relationships involve a financial commitment to the Bank or other members of the Bank, on the part of the United States, of public money or any other financial resources under the control of the Board of Governors of the Federal Reserve System.

(6) An accounting of fund flows, during the 24 months preceding the date of the adoption of this resolution, through the exchange stabilization fund established under section 5302 of title 31, United States Code, the manner in which amounts in the fund have been used domestically and internationally, and the extent to which the use of such amounts to strengthen the Mexican peso and support economic stability in Mexico represents a departure from the manner in which amounts in the fund have previously been used, including conventional uses such as short-term currency swaps to defend the dollar as compared to intermediate- and long-term loans and loan guarantees to foreign countries.

□ 1450

The SPEAKER pro tempore (Mr. LAHOOD). Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time or place designated by the Speaker in the legislative schedule within two legislative days of its being properly noticed. The Chair will announce the Speaker's designation at a later time. In the meantime, the form of the resolution proffered by the gentleman from Mississippi will appear in the RECORD at this point.

The Chair is not at this point making a determination as to whether the resolution constitutes a question of privilege. That determination will made at the time designated by the Speaker for consideration of the resolution.

PARLIAMENTARY INQUIRES

Ms. KAPTUR. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state it.

Ms. KAPTUR. Mr. Speaker, as an original cosponsor of this privileged resolution, I would like to inquire of the Chair at what point we might have that Speaker's ruling? At what point might this matter be scheduled for debate for the RECORD, please?

The SPEAKER pro tempore. That will be determined by the Speaker.

Ms. KAPTUR. What would be the maximum amount of time that the Speaker might allow before making that ruling?

The SPEAKER pro tempore. Under rule IX, that is 2 legislative days.

Ms. KAPTUR. Two legislative days. So that would mean that we would have some opinion from the Speaker by late on Tuesday at the very latest?

The SPEAKER pro tempore. That would appear to be correct.

Ms. KAPTUR. Mr. Speaker, a further parliamentary inquiry: In what form will the Speaker so inform the Members?

The SPEAKER pro tempore. The Speaker will consult with the Members as to when he makes his ruling.

Ms. KAPTUR. Consult with the cosponsors, the original cosponsors of the resolution?

The SPEAKER pro tempore. The Speaker will make sure that he gets the word to the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. TAYLOR of Mississippi. Mr. Speaker, I have researched this and feel very strongly that it indeed involves the privileges of the House, since this is a matter constitutional in nature that is mandatory for this body to fulfill.

It is my intention, should there be a ruling of the Chair that this is not a privileged resolution, to question the ruling of the Chair. Therefore, the timing of that ruling is of importance so that I can have the maximum number of Members who feel strongly about this issue on the floor.

Would it be possible for me to be notified in writing 24 hours in advance, giving me the time that I should expect such ruling?

The SPEAKER pro tempore. The Speaker will comply with rule IX.

Mr. TAYLOR of Mississippi. At what point during the legislative business on that second day will this be brought to a vote?

The SPEAKER pro tempore. The matter will be determined by the Speaker.

Mr. TAYLOR of Mississippi. Is the Speaker's intention to in any way inform the Members so as to give them advanced warning of this ruling?

The SPEAKER pro tempore. The current occupant of the chair cannot prejudge what the Speaker will do.

Ms. KAPTUR. Mr. Speaker, I have a further parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state it.

Ms. KAPTUR. Mr. Speaker, in past such rulings, how has the Speaker notified the Members?

The SPEAKER pro tempore. The Speaker would notify the Members through the Parliamentarian or through the staff of the Speaker's office.

Ms. KAPTUR. Mr. Speaker, I thank the Chair.

THE MINIMUM WAGE

(Mr. WISE asked and was given permission to address the House for 1 minute.)

Mr. WISE. Mr. Speaker, I want to rise today to state my support of the President's proposal to raise the minimum wage from $4.25 to $5.15 in 45 cent increments.

Today in West Virginia a family of three making the minimum wage is below the poverty line, making $8,800 a year.

In the 1960's and 1970's, a family of three making the minimum wage was above the poverty line, but today they would be $3,500 below the official poverty line.

The minimum wage today is, in real dollars, $2.25 below the real value of the minimum wage in 1968. The income gap is only widening for West Virginia families. In fact, 17 percent of our families in West Virginia earn less than $5 per hour.

Mr. Speaker, we are asking, and rightly so, people to leave welfare. We are trying to create jobs. We are telling people the most important thing is to work.

There must be a reward to work. One of the rewards is making sure that the

minimum wage is not a truly poverty wage, as it is today.

I support the raising of the minimum wage.

ADJOURNMENT TO MONDAY, FEBRUARY 6, 1995

Mr. GOSS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. GOSS. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

FURTHER SCHEDULING

(Mr. GOSS asked and was given permission to address the House for 1 minute.)

Mr. GOSS. Mr. Speaker, I would like to underscore any confusion there has been about the time that we will be in session on Tuesday next. We will start morning business, Tuesday next, at 9:30. And we will start the House at 11.

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

Mr. GOSS. I yield to the gentleman from West Virginia.

Mr. WISE. Mr. Speaker, as I recall, it originally had been morning hours starting on Tuesday at 10:30, with the House beginning at noon. Now the gentleman is saying that the morning hour will begin at 9:30 with the House beginning at 11.

Mr. GOSS. Mr. Speaker, the gentleman is correct. There is no change. There was a misspeaking earlier. I am underscoring the correct time.

Mr. WISE. Mr. Speaker, if the gentleman will continue to yield, the more repetition, I think, on this, the better as far as Members and their schedules.

Mr. GOSS. Mr. Speaker, it is 9:30 for morning business and 11 for the House.

GOP'S CONTRACT ON AMERICA'S MINORITY ENTREPRENEURS

(Mrs. COLLINS of Illinois asked and was given permission to address the House for 1 minute.)

Mrs. COLLINS of Illinois. Mr. Speaker, believe it or not my colleagues on the other side of the aisle see no need for continuing the vital efforts we in this body have made over the last two decades to diversify the ownership ranks in America's broadcast and cable industries.

Last week the House Ways and Means Oversight Subcommittee indicated its plans to do away with the Federal Communications Commission's [FCC] minority tax certificate program that has been instrumental in expanding the number of minority-owned and operated television, radio, and cable stations across our country and bringing more citizens into the great public policy debates of our time.

Despite the fact that diversity in the broadcast and cable industries has been constitutionally upheld as a vital goal of U.S. telecommunications policy, despite the fact that today only 2.9 percent of such firms are minority controlled, despite the fact that undercapitalization continues to be a major impediment to minority representation in these fields, the GOP sees the FCC's minority tax certificate program as a needless initiative.

Mr. Speaker, the information age is upon us but unfortunately those individuals and communities that are presently underserved and could potentially benefit most from advances in technology and access to the airwaves are still standing on the shoulder of the superhighway in the dust being kicked up by the megacorporations tooling down the road past them. Apparently, this suits the new majority party just fine. It sure is a new era in Washington.

□ 1500

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

URGING SUPPORT FOR RESOLUTION PRESERVING EARNINGS OPPORTUNITIES FOR THE BLIND

The SPEAKER pro tempore (Mr. FOLEY). Under a previous order of the House, the gentlewoman from Connecticut [Mr. KENNELLY] is recognized for 5 minutes.

Mrs. Kennelly. Mr. Speaker, I rise today to introduce a resolution expressing the sense of Congress that the blind should continue to be able to earn as much as senior citizens under the Social Security earnings test. I will offer an amendment in the Ways and Means Committee when it marks up the Republican contract to continue the same earnings test for the blind as seniors will have under the Senior Citizen's Equity Act. This action will ensure that blind individuals can continue to be self sufficient, productive members of society.

In 1977, Congress established the same earnings exemption standard for the blind and retirees under the age of 70. In fact, this action was championed by the present chairman of the Ways and Means Committee, and provided blind individuals with incentives to contribute as members of the work force.

Blindness is often associated with adverse social and economic consequences. It is often difficult for blind individuals to find sustained employment or for that matter employment at all. Action by Congress in 1977 provided a great deal of hope and incentive for the blind population in this country.

The Republican Contract With America raises the earnings test for senior citizens from $11,160 a year to $30,000 in the year 2000. However, the bill specifically de-links blind workers from this increase in the earnings test.

It is my hope that the link between senior citizens and blind individuals can continue. Let's not remove the incentive to work that we were wise enough to offer the blind in 1977. Many in this country want to work and take pride in working and contributing to society.

I have always been a supporter of the blind. When I first came to Congress in 1982 I successfully offered an amendment as a member of the Public Works and Transportation Committee that gave the blind priority to provide vending machines at rests areas and safe areas on the National Interstate Highway System. Since that time nearly every State has passed similar State laws. This action has provided lucrative revenue opportunities for over 600 blind people throughout the country and has been considered by many as a major revenue source for the blind.

We in Congress have been successful in the past 20 years in providing opportunities for the blind to succeed. Let us not go back, let us move forward and extend the increase in the earnings exemption that we are providing to seniors to the blind.

I urge my colleagues to support this important resolution.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska [Mr. BEREUTER] is recognized for 5 minutes.

[Mr. BEREUTER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

PRESERVING THE REPUTATION OF THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. VOLKMER] is recognized for 5 minutes.

Mr. VOLKMER. Mr. Speaker, I view the House of Representatives as one of the most respected bodies and institutions in this world, maybe not quite to the extent that I do my church and my home, but it reaches right up there with them.

This is the greatest institution for democracy in the world. It should never be sullied, should never be soiled

by actions of any of its Members, yet today we have a stain on the U.S. House of Representatives. We have a cloud over its existence. That is the question of the Speaker's involvement with Rupert Murdoch over the book deal.

Mr. Speaker, only 2 weeks ago, finally we had a House Ethics Committee appointed. It has not met. Nothing has been done. Yet we all know from published reports of the meetings between the Speaker, Mr. Murdoch, his lobbyists, and others, we all know that the corporations that are controlled by Mr. Murdoch have matters pending before the Federal Communications Commission.

We all know that there is possible pending legislation that would benefit Mr. Murdoch and his holdings before this House of Representatives. We should have a thorough investigation. Yet, what it appears is going on now is, there is nothing going to be done, that that committee is not going to meet.

It is not just the committee in action that concerns me. It is the fact that everyone agrees; we just heard from Mr. Wertheimer of Common Cause, who says we need an adviser for ethics outside, independent counsel, to look into this. I agree. We cannot just rely on our old Ethics Committee to examine what occurred or what did not occur.

I'm not prejudging the Speaker, but I do think that it needs a complete airing so that that stain can be removed from this House, or the cloud can be lifted, so that we can proceed with our business.

The other matter I would like to talk about is one that relates directly to this House of Representatives that I love so well. That is the fairness of each individual member to be able to propose and examine their ideas as far as legislation is concerned.

We have coming up in the next 2 weeks legislation put out by the Committee on the Judiciary so-called separate crime bills. Just today we hear that the majority proposes that on certain of those crime bills, those that are the most controversial, those that will take the longest, those that will have amendments, those that will have substitutes, they propose to limit the time that the individual Members of this body, whether Democrat or Republican, can even address the House and offer their amendments.

Mr. Speaker, I would suggest to the majority that they closely examine and rethink that proposal. I believe that if the majority wishes to proceed with their legislation under the 100-day calendar, if they wish to do so, to work with the minority, I am sure that you would find that many of these so-called crime bills, some, at least three or four, there is not much controversy about at all.

Those would be disposed of very rapidly, so that the time remaining could be devoted to those areas where there is diversity of opinion and not try to lump them all as the same.

I believe strongly, and as long as I am here will work to make sure that every Member, whether Democrat or Republican, has the opportunity to offer amendments to bills, to have that discussion, to have that idea brought up, and I don't believe anybody should be gagged by the majority just to expedite a matter.

REQUEST FOR PERMISSION TO POSTPONE RECORDED VOTES ON AMENDMENTS IN THE COMMITTEE OF THE WHOLE, AND TO REDUCE TO 5 MINUTES INTERVENING TIME BETWEEN VOTES

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 2, pursuant to House Resolution 55, the Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment, and that the Chairman of the Committee of the Whole may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device with intervening business, providing that the time for voting by electronic device on the first in any series of questions shall be not less than 15 minutes.

Mr. VOLKMER. Reserving the right to object, and I do not plan to object, Mr. Speaker, I would just like to know if this has been covered or at least discussed with the minority to make sure there is no objection to it. I think that is everything we were talking about earlier, so on Monday the votes could possibly be postponed until 5 o'clock.

□ 1510

Mr. ARMEY. If the gentleman will yield, yes, this and the ensuing unanimous-consent request I am about to read have both been cleared on both sides of the aisle.

Mr. VOLKMER. Can we hold that up for just a few minutes? Is it possible? I do not want to object, but will the gentleman withdraw at this time for just a few minutes?

The SPEAKER pro tempore (Mr. FOLEY). The request is considered as withdrawn.

CONCERN OVER USDA PROPOSED REORGANIZATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska [Mr. BEREUTER] is recognized for 5 minutes.

Mr. BEREUTER. Mr. Speaker, this Member strongly supports efforts to create a leaner and more efficient Federal Government. Such efforts are long overdue. However, as the U.S. Department of Agriculture moves forward with its reorganization plans, it is critical to keep in mind that reorganization simply for the sake of reorganizing is inefficient, counterproductive, and often very costly.

The use of reorganization to achieve the appearance of change is certainly not new. This Member quotes from Petronius Arbiter in the year 210 B.C.:

> We trained hard * * * but it seemed that every time we were beginning to form up into teams, we would be reorganized. I was to learn later in life that we tend to meet any new situation by reorganizing; and a wonderful method it can be for creating the illusion of progress while producing confusion, inefficiency, and demoralization.

This Member believes this observation of some 2200 years ago is especially relevant as the U.S. Department of Agriculture considers a reorganization plan for the new Natural Resource Conservation Service [NRCS]. This Member is specifically concerned about the proposed closing of the Mid-West Technical Center located in Lincoln, NE. This technical center has proven to be productive and well-located and this Member is extremely doubtful that the proposed changes are either cost-effective or will bring great efficiency.

In addition to the specific concern, this Member is also concerned that the currently proposed reorganization plan will severely and adversely impact the Natural Resources Conservation Service. The current schedule to finalize plans by May 1, 1995, with implementation of the reorganization set for October 1, 1995, needs to be placed on hold until a reevaluation is completed.

Mr. Speaker, this Member, is concerned that the charge given to the U.S. Department of Agriculture to reduce administrative staff in the Washington, DC office is being implemented in NRCS by moving many of their administrators to the six proposed regional offices. In order to make room in the budget to fund the new regional administrative staffs, the technical experts now located at the technical centers would then be sacrificed. It is this Member's belief that such a move would be very short-sighted and ultimately would undermine the technical capability and reputation of the agency.

The NRCS, formerly known as the Soil Conservation Service, has earned a richly deserved reputation as a highly professional and technically competent agency. Now there appears to be a clear, and not so subtle, trend to diminish the carefully nurtured technical competence of the Service. For example, the proposed plan gives lip service to the need for technical competence while at the same time destroying the very repositories of technical skill and the knowledge, the National Technical Centers [NTC's]. The explanation for dismantling the collective technical expertise of the NRCS is not comforting. The plan calls for the duties of the NTC specialists to be taken over by the States. Yet, the States' budgets are being reduced and the State conservationists do not appear to be enthusiastic about assuming this responsibility.

Mr. Speaker, there are also suggestions to bolster technology by creating institutes of excellence at various locations throughout the country. This is a novel concept. However, in an age of integrated technology these miniature NTC's would lack synergy. This Member is afraid that in a few years someone will suggest reorganization that combines all the institutes into one or two units. They might even be called technical centers.

Mr. Speaker, this Member is also concerned about the proposed realignment of U.S. Forest Service regions to coincide with the NRCS regions because there is not that much commonality between their functions and responsibilities. This may seem like a reasonable idea for those at the undersecretary level, but it is not a good idea for the vitality and future of the NRCS. Colocation with the Forest Service would not be for the benefit of the citizen or for programs of mutual concern. The NRCS and the Forest Service clearly serve different constituencies. Because there is little overlap between the agencies' responsibilities and areas of focus, a regional division which makes sense for one of the agencies would not necessarily work for the other.

Furthermore, colocation of the NRCS with the Forest Service would, most likely, lead to the swamping of the NRCS and its programs by the larger agency. This Member believes there is a danger that the NRCS would eventually be absorbed into the larger Forest Service, rather than the two serving as coequal agencies. Also, since the Forest Service budget has been included in the Interior appropriations bill, this Member believes this is an added complication that may not have been thoroughly considered. The anticipated savings in administrative costs, as a result of colocation with the Forest Service, may also be a bit misleading since administration of the NTC's is usually a shared function between the NTC's and the State office of the NRCS.

If new administrative regions are a good idea, and they may be, then it would seem to make sense to utilize the facilities of the existing technical centers as a base of operation within the four proposed regions in which technical centers are now located. Historically, the SCS has shared locations with the ASCS, now part of the Consolidated Farm Service Agency [CFSA], because of mutual program components and for the convenience of the citizens that utilized the services. In fact, colocation of NRCS and CFSA is being required at the local level.

Finally, Mr. Speaker, this Member does not believe that the recently passed reorganization legislation was intended to change the mission of the old Soil Conservation Service. However, anonymous, but highly respected USDA employees have told me that NRCS officials have indicated that NRCS is no longer in the business of production agriculture! The SCS was born as a result of a calamity caused by nature and poor stewardship of the soil. The NRCS should be dedicated to assisting the private landowner in the production of food and fiber in a sustainable and conservation-friendly manner. Sweeping changes in the mission and basic structure of the NRCS should not be undertaken in haste and need the concurrence of Congress.

Mr. Speaker, this Member strongly urges the USDA to carefully reexamine the current proposal to reorganize the NRCS at the national, regional, and State levels. The proposed changes are, on balance, a very bad idea. I hope our distinguished former colleague, Dan Glickman, will send the USDA teams back to the drawing boards when he takes charge.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 5 minutes.

[Mr. OWENS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

[Ms. KAPTUR addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

COMMERCIAL SPACE ACTIVITIES ON CALIFORNIA'S CENTRAL COAST

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentlewoman from California [Mrs. SEASTRAND] is recognized for 10 minutes as the designee of the majority leader.

Mrs. SEASTRAND. Mr. Speaker, I rise to discuss one of he most important opportunities before the United States of America today. That opportunity lies in the commercialization of space and the development of commercial spaceports. In the coming weeks I will introduce Federal spaceport legislation, but I want to take a few minutes at this time to discuss some of the important strides the State of California, and the central coast in particular, have made in fostering the growth of commercial space.

In recent years I have been a leading proponent of commercial space activities on the central coast of California. But, well before me, there was a group of enlightened men and women who looked into the future and saw an industry that was waiting to be discovered.

Following the tragic Challenger explosion, it became increasingly clear that the long-planned shuttle launch from Vandenberg Air Force Base would not take place. In addition, between 1965 and 1986, the Air Force had spent in excess of $5 billion for a military manned-space facility at Vandenberg. The Air Force ultimately canceled the Vandenberg shuttle program and the result was a loss of 4,000 high paying jobs. It was in this environment that a group of Lompoc community activists got together with a mission to transfer Vandenberg's shuttle facilities from Air Force to NASA control. This too failed.

The next logical step was to look forward and what they saw was the small satellite commercial space market so they applied to NASA for a center for commercial development of space at Vandenberg Air Force Base. This pursuit of NASA support and funding seemed to be the most logical way to preserve both local capabilities and the region's growing aerospace industry. Moreover, NASA was already supporting 16 commercial launch centers across the country to the tune of $1 million a year for each one. However, after 5 years of vigorous pursuit, it became clear that NASA had little interest in funding technology development west of the Rockies.

In 1991, with the assistance of then-Congressman Bob Lagomarsino, Vice President Quayle visited Vandenberg and saw first hand its commercial space capabilities. In addition, he significantly raised its profile. The Vice President commented that America had entered a new phase in space launches that would bring an increase in the importance of commercial launch.

In the subsequent months, the Air Force made a recommendation to Motorola that Vandenberg be used as the launch site for their Iridium satellites—a potential $2.3 billion project as it was originally outlined. Unfortunately, for a variety of reasons, Motorola concluded that Vandenberg would not be a suitable site and the United States was faced with a half-billion loss in booster sales to France.

Through the efforts of local activists, specifically a determined community, State, Air Force, and congressional lobbying campaign, Motorola reversed its decision on Vandenberg. They signed $1.1 billion in satellite and booster contracts with American companies Lockheed and McDonnell Douglas.

The decision by Motorola was a critical step on the road to turning what could have been a several billion dollar white elephant at Vandenberg Air Force Base into a commercial space launch facility with tremendous economic potential.

Mr. Speaker, when I was elected to the California State Assembly in 1990, I took an active role in promoting commercial space activities along the central coast of California. This included bringing these issues to the attention of Sacramento lawmakers. In 1993, I introduced legislation which designated the Western Commercial Space Center as the California Spaceport Authority. In addition, we supported the establishment of a commercial space office within the California Department of Transportation to serve as an advocate and watchful eye for available Federal resources. We also worked to obtain a sales tax exemption for qualified property used in launches from Vandenberg Air Force Base. Gov. Pete Wilson, a commercial space supporter, earmarked $350,000 in 1993 matching funds.

In 1994, I introduced legislation to expand the charter of the California Spaceport Authority to encompass responsibility for development of regional technology alliances, legislation, and determinations concerning

the commercial space business. Also in 1994, the State of California's earmarked matching funds rose to $550,000.

What worked for us in California was removing the issue of spaceport development from the larger issue of commercial space. We made a successful argument that the narrow issue of spaceport development was largely a transportation infrastructure issue. After all, if there is no facility from which to launch, there would be no launches.

The first thing was define a spaceport? A spaceport, in its best description, is a transportation center. It should be viewed in the same way as an airport or a seaport. A spaceport puts semi-trucks—rockets—on end and drives—launches—them into space. In the current environment this is an expensive proposition because these vehicles can only be used one time. It is my belief that commercial business will drive down these high costs and encourage developments in reusable launch vehicles.

It is important to recognize that facility development is separate from the overall commercial space industry. In the United States, the available parts of the market are launch bases, boosters, and satellites. The missing piece of the puzzle is a facility for the launches. Currently, launch facilities are controlled by the Air Force, but California is building the first commercial facility. What makes the California Spaceport special is the fact that it will be the first one capable of launching in polar orbit. Market reports and international competitors prove that polar orbit launches are the future of commercial space.

As with most things in life, timing is a very key issue. It is imperative that spaceport development progress quickly in order to maintain the other elements of the market. In the international arena, competition is fierce. This competition is currently headed by the European Space Agency [ESA] and propelled by the French. Other strong competitors are the Russians, Japanese, Chinese, and Canadians, while still others, including the Australians, are looking to get in.

Currently, the French now launch roughly 60 percent of the world's commercial satellites. From its first launch in December 1979, the spaceport in French Guiana has progressed rapidly. They have moved from 6 launches a year to a potential for 36 launches per year by the end of the decade.

The United States has many potential launch bases and two existing ones—the California and Florida spaceports. The question we must ask is, with existing spaceport facilities—plus all of the potential launch bases—and a healthy market for boosters and satellites, why isn't the United States in a better position to compete with our international competitors for a bigger share of the commercial launch market?

Mr. Speaker, in California we are no longer in the position of encouraging commercial space activity, we are there. A limited partnership between ITT and California Commercial Spaceport, Inc. puts to work $10 million in Federal and State grants and a $30 million investment by ITT toward the development of commercial space launches at Vandenberg.

This limited partnership, called Spaceport Systems International [SSI], is working hard to open the spaceport launch facility by 1996. They recently announced they will launch four Taurus vehicles in 1999. They had previously projected 15 launches by the end of 1997. Those payloads will include low Earth orbit [LEO], Earth observation, research, education, and government.

These customers will use the California Spaceport to launch LEO satellites into polar orbit—a unique ability that will generate significant business and jobs—400 to 500 for the construction phase and 700 to 1,000 when operational. However, the big jib numbers, in the tens of thousands, will be in the satellite manufacturing that will be drawn to this low-cost access to space provided by the California Spaceport.

The spaceport philosophy is a commitment to user-friendly environments, integrated launch services, and low-cost access to space. The economic potential for California and, more importantly, the Nation, is unlimited. In California the growth of spaceport helps in the revitalization of high-technology industries which have been hurt by defense cuts. This means more high paying jobs and improving local economies with new hotels, homes, shopping centers, education centers, and research facilities.

It is my hope that California can be used as a model for future spaceport development. We have stepped out of the box with a fresh perspective on space. Space is no longer the jurisdiction of little men in funny suits, Star Trek movies, or the Shuttle. The international commercial space industry is our highway into the 21st century and holds the promise of enormous economic benefits to our entire Nation.

□ 1520

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 2, LINE-ITEM VETO ACT

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 2 pursuant to House Resolution 55 the Chairman of the Committee of the Whole may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment, and that the Chairman of the Committee of the Whole may reduce to not less than 5 minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business, provided that the time for voting by electronic device on the first in any series of questions shall be not less than 15 minutes.

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

Mr. GEPHARDT. Mr. Speaker, reserving the right to object, and I will not object, but I want to inquire of the majority leader, it is my understanding that what we are trying to arrange here is a system for voting, in consideration of the rest of the line-item veto bill on Monday, so we can start at 2 p.m., have amendments with a 30-minute time limit for the amendments that are left, have an hour time limit on the substitutes that are left, that we would not begin the consideration of the Stenholm substitute until 5 o'clock, and that the order of voting when the voting would begin would be on the amendments first and then ending finally with the Stenholm substitute, and then on to final passage of the bill. Is that generally a correct statement?

Mr. ARMEY. If the gentleman will yield, the gentleman is absolutely correct.

Mr. GEPHARDT. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. FOLEY). Is there objection to the request of the gentleman from Texas?

Mr. ROEMER. Mr. Speaker, reserving the right to object, I would just like to engage the distinguished majority leader in a short colloquy about the family-friendly nature of the schedule and also the productivity and effectiveness of the congressional schedule.

Many of us, as the gentleman from Texas knows, are frustrated with the current schedule, whether we have young children, whether we are on the east coast, the west coast, or in the Midwest. We see we are starting voting at 5 o'clock and 6 o'clock at night. We are all working 70 or 80 hours a week, but we are working many of these in the middle of the night where we never see our families. We are having votes overlap between committees on floor votes. Certainly the distinguished gentleman from Texas is as frustrated as anybody with this schedule, and while a bipartisan committee was appointed to work on this for the first 100 days, I did not sign that resolution on the bipartisan committee because I was afraid this would happen. It has happened. We have got angry and angrier families.

□ 1530

I am hopeful, if the majority leader would commit to working with us as he has in the past on improving this, if not immediately, then sometime in the next 90 days.

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

Mr. ROEMER. Further reserving the right to object, I yield to the gentleman from Texas.

Mr. ARMEY. The gentleman is absolutely correct about the frustrations. Certainly I felt it, too. I stand before you as a man who is a half-hour late already with a date that I have with the most beautiful woman I have known, and we feel these frustrations every day.

But I must say that, given what I have seen today as what I believe is a real breakthrough in relations with the work and the help of the minority leader and certainly the cooperation we have gotten from the distinguished ranking member of the committee on this effort, I believe we have got an opportunity to alleviate all of this tension and frustration in the future, and I am looking forward to moving on with the completion of this week, the beginning of next week under much more favorable conditions than we anticipated just a few short hours before, and I think more smoothly throughout the rest of this Congress.

Mr. ROEMER. Further reserving the right to object, so I can ascertain from the gentleman's remarks, that after the contract and the first 100 days is over, he is going to be working on spending more time with this beautiful lady after those 100 days and we can get that as a solid commitment?

Mr. ARMEY. Yes, if the gentleman will yield, not only that, you with your beautiful children and your wife as well.

Mr. ROEMER. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

Mr. GEPHARDT. Mr. Speaker, reserving the right to object, and I will not object, I wanted to say I misspoke in my explanation of the arrangement in saying all the amendments would have 30 minutes. It is my understanding that we are intending to have 1 hour for the Orton amendment alone.

Mr. ARMEY. Absolutely. That is correct. And I will have this in the request I am about to make.

Mr. GEPHARDT. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. FOLEY). Is there objection to the request of the gentleman from Texas?

There was no objection.

ORDER OF OFFERING AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2 ON MONDAY, FEBRUARY 6, 1995

Mr. ARMEY. Mr. Speaker, I ask unanimous consent that when the Committee of the Whole House meets under the 5-minute rule next Monday to consider amendments to H.R. 2 that four amendments, if offered, will be considered, time to be divided equally between proponents and opponents of the amendment, with debate not to exceed the time allotted, in this case the gentleman from Utah [Mr. ORTON] for 1 hour, the gentlewoman from California [Ms. WATERS] for 30 minutes, the gentleman from Louisiana [Mr. TAUZIN] for 30 minutes, and the gentleman from Ohio [Mr. TRAFICANT] for 30 minutes; furthermore, that no amendments to the amendments may be offered, that two substitutes, if offered, will also be considered, time to be equally divided between the proponents and opponents, and debate not to exceed 1 hour each.

Those substitutes would be by the gentlewoman from New York [Ms. SLAUGHTER] and by the gentleman from Texas [Mr. STENHOLM], with the proviso that the gentleman from Texas [Mr. STENHOLM] will not begin to offer his substitute until 5 o'clock p.m.; and, finally, that no amendments to the substitutes may be offered.

The SPEAKER pro tempore. For clarification, the Chair will ask one question.

Is it the majority leader's request that the six named amendments, and none other, be in order for the balance of the consideration?

Mr. ARMEY. The Chair is correct in that.

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

There was no objection.

ORDER OF BUSINESS ON MONDAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. ARMEY] is recognized for 2 minutes.

Mr. ARMEY. Mr. Speaker, I hope that we have most of our Members that have now discerned from these two requests, and we will engage both majority and minority whip information system to inform all of our Members, that with these requests and with the generous cooperation of the minority, we are now able to advise Members that unless you have business on the floor that you need not anticipate a vote will be taken before 5 o'clock next Monday. Certainly those people with business on the floor and those people interested in debating the business on the floor will need to be here at 2, but Members not required to be on the floor for purposes of the debate may now be assured that votes will not occur before 5 o'clock, and very likely 5:30 on Monday next.

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

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

Mr. VOLKMER. It will take very little time, just to commend the gentleman and the gentleman from Missouri for working this out, and it is something I know will be beneficial to many Members, and I also think it is incumbent on staff now to notify those Members, a lot of whom are probably on their way home, and maybe it will make them feel better.

Mr. ARMEY. And again, one final point, the staff should be sure to notify the gentleman from California [Mr. DELLUMS], who is on his way to California to celebrate the birth of a new grandbaby.

OUR LEADERS SHOULD PUBLISH THEIR IDEAS AND WISDOM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 1995, the gentleman from California [Mr. HUNTER] is recognized for 5 minutes as the designee of the majority leader.

Mr. HUNTER. Mr. Speaker, I would hope that the gentleman from Missouri [Mr. VOLKMER] would listen to my response to his special order a few minutes ago with respect to the Speaker of the House and the Speaker's intent to write a book.

I think the gentleman from Missouri, in continuing to raise accusations, clouds over the Speaker, because of the fact that he is preparing to write a book and publish that book, does a disservice to this House, and I think a disservice to the tradition that we want to have leaders in this Nation who not only have ideas and thoughts and wisdom and insight but also express those ideas and those thoughts and that wisdom and insight in books and make them available for the American people and for the people of the world.

I thought, as I walked down here, when I listened to the gentleman complain bitterly that the Speaker of the House might write a book, I thought about the great leaders in the West who have written books, and I thought about Winston Churchill, who wrote ''The History of the English-Speaking Peoples,'' written when he was in office and who wrote following World War II ''The History of World War II,'' a multivolume book, that has been the source of wisdom for many of those who came after him, and I thought of our great President, Teddy Roosevelt, who wrote many books, who wrote ''The Winning of the West'', ''Trails of a Ranch Man'', ''The Naval War of 1812'', ''Through the Brazilian Wilderness'', ''The Strenuous Life'', ''The Rough Riders'', who was a prolific writer and, you know, Teddy Roosevelt, of all of the, and I disagreed with the Speaker the other night when he said that Franklin Roosevelt may have been the biggest figure on the political stage in this century, the biggest political figure.

I think the other Roosevelt, Teddy Roosevelt, was the biggest political figure of this century, and Teddy Roosevelt left his energy and left his imprint on succeeding generations up to and including this generation of political leaders, because he wrote. He wrote, and he made his words available to the American people. He made his words available to Europeans and to Asians and to people around the world. I think in many ways Teddy Roosevelt's words and his books were such ambassadors of what this country is all about, as his speeches and his career.

Let me just say to my friend, the gentleman from Missouri, this Member, speaking for himself, says this: I want to have leaders who write books. I would like to see leaders on the Democratic side of the aisle write books. I think that whether you agree with it or do not agree with it, Vice President GORE'S book that he wrote and received remuneration for provoked thought, provoked response, across the political spectrum, and for that reason was a very useful instrument in ginning up this mill of debate of the national forum.

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

Mr. HUNTER. I am happy to yield to my friend, the gentleman from California.

Mr. DORNAN. We are going to be expecting about 12 inches of snow starting late tonight, and I am going to dig my pal and classmate, AL GORE's, book out and read about global warming under those 12 inches of snow, especially if my fireplace gives out. I mean, it looks like we are getting colder, not warmer.

But it is still interesting to read the book, to get the other side. I like books. I have 4,000 at home. You have seen every one of them.

Mr. HUNTER. I am going to return his book. I have one of his MacArthur books that I promised to return for several years, and I promise, once again, that I will return that book soon.

Mr. DORNAN. We should have a carrier, the U.S.S. *Douglas MacArthur.*

Mr. HUNTER. I yield to my friend, the gentleman from Missouri, in just a second.

Let me just say with respect to remuneration, in terms of what you can do to make money in this world, there is probably nothing more democratic, nothing more open, nothing more populist than to make your words available to millions of people, and if a person wants to buy your book, he pays through the book-purchasing process $5 or $6 to the author, and there is nothing that is less of a special interest than an average American purchasing a book to read because he wants to see someone's ideas.

□ 1540

And I think it does a disservice to the House, and I will tell the gentleman that he is going to have leaders on his side of the aisle who want to share their ideas with the world.

PROS AND CONS OF PUBLIC FIGURES WRITING BOOKS

The SPEAKER pro tempore (Mr. FOLEY). Under the Speaker's announced policy of January 4, 1995, the gentleman from California [Mr. DORNAN] is recognized for 30 minutes as the designee of the majority leader.

Mr. DORNAN. Mr. Speaker, why should I yield to the gentleman from California [Mr. HUNTER]? Because he yielded to me? Why should I yield to the new conscience of the House who is pro-gun, pro-life, pro-guts, pro-defense and has been giving us a hard time and yelled at me the other day? Of course I yield to the gentleman from California if he will promise to yield to the distinguished gentleman and my pal from the great State of Missouri [Mr. VOLKMER].

Mr. HUNTER. I will. Just finishing my thought, I thank my friend for yielding.

Mr. DORNAN. He is pro-books, too.

Mr. HUNTER. Let me just say I hope the gentleman from Missouri writes a book. And I think as one Member when he writes it I am going to purchase that book and read it, and I will ask the gentleman from California to yield to him.

Mr. DORNAN. I am now controlling the time and loving every second of it. I yield to the gentleman from Missouri.

Mr. VOLKMER. The gentleman from California [Mr. DORNAN] has been a good friend, and we worked together for a good many years on many pieces of legislation, many of which we agree on. I agree, I have no disagreement with Members writing books. I think the gentleman from California [Mr. HUNTER] missed the point. The point that bothers me and I think we need to clear up because I have seen it in the media, I saw it the other night on TV, we need to clear it up: What influence did Rupert Murdoch have in relation to the writing of the book and to the book contract and how much the Speaker is going to get? I do not believe that Teddy Roosevelt, AL GORE, or anybody else had any types of contract with any types of person. Now there may not be anything wrong with that. I am just asking that let us get it cleared up so that we know there is nothing wrong with it. Let the Speaker go ahead and write a book, I have no objection to his writing a book. My only question is what remuneration is in that contract, did the things that Rupert Murdoch and his companies have in relation to the Federal Government as to the impact on writing that book.

Mr. DORNAN. Fair question. I yield to the gentleman from San Diego for a fair answer.

Mr. HUNTER. Let me just say to my friends almost every book that is published by a major figure is published through a major publishing house.

Mr. VOLKMER. Correct.

Mr. HUNTER. Most books that are published by a major publishing house are published with a book advance. I understand there is not going to be any advance. Most of them are published with an advance. I would say the gentleman is stating we should presume that there may be a problem because there may have been influence wielded because a Member of the House leadership has followed the American tradition of writing a book and publishing it with a publishing house, a fairly large well-known publishing house in the United States, somehow has something wrong with it, so that we should go out with absolutely no evidence of any impropriety and investigate that because someone is going to write a book.

Now I would say that the one thing that we deal with, our tools that we use in this business are words, written words and spoken words. There is nothing more natural for a public figure whether he is Democrat or Republican than to write a book. And so the idea that the gentleman has now established a new presumption of guilt for people whose stock in trade is words, that when they put these words into books and sell them to the public the relationships that they have with publishers have to be examined I think does a disservice to this House and to all public figures who would write. I want to give that person on the street a chance to buy that book, and if he pays $4 out of the $20 cost of that book to the person would wrote it, if that is the Speaker of the House, then I think that is not influence.

REMEMBERING THOMAS: GUILT, RESPONSIBILITY, AND THE CHILD WHO NEVER WAS

Mr. DORNAN. Reclaiming my time, if the gentleman will stay—the snow is not due until after midnight—through my special order, I am going to read an article appearing in America's No. 1 liberal political newspaper, the Washington Post, on abortion, by an excellent Washington Post staff writer, Phil McCombs. Now, if I were to write a book today it would be on the premiere core central issue of all the social issues, the issue that I believe is tearing apart families in our lower income categories and families in our higher income categories, and that is the destruction of innocent life in the womb. And if the gentlemen, Mr. HUNTER and Mr. VOLKMER, my good pro-life friends stay and hear this article, this column today that I am going to read, I think you will both realize that there are lots of subjects that still need to be written about in depth with great compassion and feeling.

I think that I hear Mr. VOLKMER's point clearly that if a publishing house has business before this great House and Chamber, then we have to look at those relationships. I think our dynamic Speaker is willing to do that.

Let me reclaim my time. May I ask the gentlemen to trade places because I want that lectern and then stay around if you want to comment later.

First of all, let me ask the gentleman from California [Mr. HUNTER], ''What are you, about 6 foot 2?'' I am so tired of people coming up to me and saying, ''My Gosh, you are 5 inches taller than I thought you were.'' It goes on regularly. I do not know whether it is my voice sitting in for Rush Limbaugh or something about here. But a Member finally taught me something. He said, ''I notice, Bob, that you will bring up the lectern, put the mike down,'' and I guess in that way I look like I am 5 foot 3. SONNY BONO is about 5 foot 4 and look how he comes across. They said, ''If you drop it way down, pull the

mike up, then you look like John Wayne, 6 foot 4.'' So from now on, low lectern, reading glasses, recapture my mother-given height. My mom's birthday would have been yesterday, 95 years old. She was a great Douglas MacArthur fan. She had gone on a vacation to the 1928 Olympics where my dad was an assistant boxing coach. They had already been engaged 5 or 6 years. They got married the next year. I hope that we will see a carrier named after Douglas MacArthur. Yes, give me back my book on MacArthur, ''Remembrances.''

Now, let me get deadly serious. In today's Style section of the Washington Post is a column called ''Remembering Thomas.'' Above it, it says with an exclamation point and underlined, ''Oh, Man,'' with an exclamation mark. And that is underlined. Then it goes on ''Remembering Thomas, Responsibility, Guilt and a Child Who Never Was.'' By Phil McCombs, Washington Post staff writer.

This year's March for Life in which 45,000 abortion opponents picketed the Supreme Court, didn't have an emotional impact on me that these events often do. I was on my way out of town on business, and scarcely noticed.

Looking at the news report later, it seemed that everyone had been on his or her best behavior.

Now a footnote: One of the stations, I think it was ABC, reported 31 people were arrested during the march. They conceded to my daughter-in-law, Terri Ann Dornan, that they were mistaken. The arrests were at a different location and no part of the march. So the Washington Post columnist with a different objective here corrects that. Peaceful march. I was leading the march with the great Roger Cardinal Mahoney of Los Angeles.

The abortion opponents were making it plain that they oppose the use of violence to close clinics.

That was the principal thrust of my speech before those 45,000—I thought it was more, like 55,000–60,000 people. And it goes on:

And after counterdemonstrations by abortion rights advocates, as we're careful to call them, were rare.

It's all a little confusing to me. I do not know anyone who—in his or her heart—doesn't hate abortion. And it seems odd to see Christian conservatives so eager to force their will through the armed authority of the State when they already have at hand the far more powerful weapon of prayer.

Anyway, I like prayer. It is all I have left.

And pain.

When the abortion was performed, I was out of town on business too. I made sure of that. Whatever physical, emotional and spiritual agony the woman suffered, I was not by her side to support her.

I turned my face away. My behavior was in all respects craven, immoral.

For some instinctual reason, or just imaginatively, I've come to believe that it was a boy, a son whom I wanted killed because, at the time, his existence would have inconvenienced me. I'd had my fun. He didn't fit into my plans.

His name, which is carved on my heart, was Thomas.

My feelings of responsibility and guilt are undiminished by the fact that the woman had full legal authority to make the decision on her own, either way, without consulting me or even informing me. In fact, she consulted in an open fashion reflecting our shared responsibility, and I could have made a strong case for having the child. Instead, I urged her along the path of death.

And skipped town.

It's not a lot of help, either—emotionally or spiritually—that the high priests of the American judiciary have put their A–OK on this particular form of what I personally have come to regard as the slaughter of innocents. After all, it's the task of government to decide whom we may or must kill, and not necessarily to provide therapeutic services afterward. In the Army I remember being trained at public expense in the ''spirit of the bayonet,'' which is, simply put, ''to kill.'' The spirit of abortion is the same, in my view, though the enemy isn't shooting back.

I feel like a murderer—which isn't to say that I blame anyone else, or think anyone else is a murderer.

It's just the way I feel, and all the rationalizations in the world haven't changed this. I still grieve for little Thomas. It is an ocean of grief. From somewhere in the distant past I remember the phrase from Shakespeare, ''the multitudinous seas incarnadine.''

When I go up to the river on vacation this summer, he won't be going boating with me on the lovely old wooden runabout that I can't bring myself to discard, either.

He won't be lying on the grass by the tent at night, looking at the starry sky and saying, ''What's that one called, Dad?''

Because there was no room on the Earth for Thomas.

He's dead.

The latest numbers show abortions in America have been running at about 1.5 million annually. That's a lot of pain.

Secular men's groups have tended to be focused on the ''no say, no pay'' issue. ''These men feel raped,'' says Mel Feit of the National Center for Men. ''They lose everything they worked for all their lives. In many cases they had an agreement with the woman not to have a baby and when she changes her mind they call me up and say, 'How can she do this to me? How can she get away with it?'' Feit plans to bring suit in federal court.

In more interested in the traumatic pain that many men, as well as women, often feel after an abortion. A healing process of recognition grieving and ultimately forgiveness is needed.

''There's a lot of ambivalence for men when they get in touch with their pain,'' says Eileen C. Marx, formerly communications director for Cardinal James A. Hickey of Washington and now a columnist for Catholic publications. ''They didn't have the physical pregnancy, so often they feel they're not entitled to the feelings of sadness and anger and guilt and loss that women often feel.''

She tells of one man, a friend, whose wife had an abortion. ''He pleaded with her not to have it. He said his parents would raise the child, or they could put it up for adoption. The marriage broke up as a result of the abortion and other issues. He was really devastated by the experience.''

Marx has recently written about a post-abortion healing ministry called Project Rachel, in which more men are becoming involved—husbands, boyfriends and even grandfathers. There are 100 Project Rachel branches, including one in Washington.

I found it helpful just talking with Marx, a caring person, on the phone, though it was a little tough when she mentioned being pregnant and hearing the heartbeat and feeling ''this wonderful celebration of the life inside you.''

She said not to be too hard on myself, that healing is about forgiveness and God forgives me.

I said sure, that's right, but some things are still hard.

Like looking in the mirror.

□ 1550

What a courageous column, Phil.

Mr. Speaker, I have a good friend, gone to his eternal reward, a good man. We were in the Watts riots together. Sixty-five, I bumped into him, 3 years later in Vietnam was a correspondent for CBS Radio. Gosh, am I going to forget his name? I guess I am—Bill—Bill Stout, Bill Stout. He told me that every time he drove up Hollywood Boulevard he looked up at the old medical building at the northeast corner of Highland and Hollywood Boulevard, right by the famous footprints in front of the Grauman's Chinese Theater, and he said, ''On a certain floor my son died.'' When he wrote this column for the L.A. Times he said, ''Twenty-two years ago,'' so now it must be 35 years ago. ''I've never gotten over the pain. It wrecked my marriage, and I know my son died up there in the hands of some abortionist, on the floor, wherever.'' And Bill Stout was a proud mainstream liberal, as I am sure Phil McCombs is.

We are not going to get away from this abortion debate, Mr. Speaker. It will come back this summer. We are going to try to roll back all those obnoxious, in our face, Executive orders from Clinton on the very anniversary, the 20th anniversary, of the Roe versus Wade decision, a decision built on a lie, entrenched in a lie.

Norma McCorvey, the Jane Roe in that case, never had an abortion, never was raped, lied here way through it. Young Sarah Weddington, a brilliant red-haired lawyer that carried the case, told her, ''Don't tell the world you weren't raped.''

Norma McCorvey has had three daughters. They still are estranged from the mother because she tried to kill all three and did not make it, had them all. She travels broken, on drugs, off drugs. She is out there being used by the pro-abortion, multibillion-dollar industry.

But guess what happened yesterday, Mr. Speaker? Yesterday morning, Clinton asked everyone at the prayer breakfast to pray for him, but he had put in our face within that very 1-day period an abortionist to replace the Surgeon General, Joycelyn Elders. This is a male version of Joycelyn Elders and worse. She was a doctor, but she never said she performed abortions, and guess what? I hope the Senate is going to not only reject Dr. Foster, Clinton's nomination, but will do what

we already warned Clinton in writing we were going to do, roll the Surgeon General back into the Assistant Secretary for Health in Health and Human Services where it always was.

Our friend, Ronald Reagan, made a mistake, DUNCAN. He promised the Surgeon General job to two people. They said, ''Mr. President, we already have a Secretary of Health, and it's the same job.'' So our friend, out of his simple honest mistake, split the Surgeon General away from the Assistant Secretary of Health and gave it to Dr. Koop. He did not shave his beard. He brought back the white uniform. And we had an Amish pseudo-admiral which is what he looked like. Koop then threw up his hands on pro-life, this brilliant Philadelphia surgeon who made a well-deserved, sterling reputation for separating twins, Siamese twins, some of them joined at the brain, and then became sort of brilliant on antismoking, but sort of an apologist for the so-called pro-choice movement because he said all was lost.

With columns like Mr. McCombs', Mr. Speaker, all is not lost.

Now, is Clinton going to be the President 2 years from now? No. I said that in a 1-minute this morning. No way.

Here is the book, ''The Agenda.'' Read ''Inside the White House,'' DUNCAN, and then read the new book that is on the front page of the Washington Post called ''First in His Class.''

□ 1600

If you read just these three books, you will see that sometime this summer, late summer, when the Watergate stories are exploding across America on alternative media; that is, radio and television talk shows, on the front page of our biggest newspapers, all the other 1,750-some papers, he cannot survive this. He will resign. And when the Post, the same paper that Mr. McCombs is a staff writer for, makes a calculated decision to bring down the White House again, as they did, for good or wrong with Nixon—he did it to himself—they are going to wreck this Presidency and they are not doing it to help us, Mr. HUNTER, they are doing it to get a big headstart on the Presidential season that is already beginning.

So the Post will have in the White House someone that they accept philosophically, and that way they will not see him bringing down the White House and adding another 20 Republicans from that side of the aisle over to this side of the aisle; people who will become Republicans.

Mr. HUNTER. I thank the gentleman for yielding.

I just want to say that I stayed on the floor because I really appreciate the words of the gentleman and the wisdom of the gentleman, my great friend from California. This is a house of mechanics, word mechanics. That is what legislation is. There is probably no one more proficient in reminding us that we are not just mechanics, but we are holders and transferrers, if you will, of values, the values of our constituents. And in this area, this area of pro-life, there is a great, great need for people who have voices as articulate as the gentleman who is speaking right now, the best speaker in the House of Representatives. I want to thank the gentleman.

I have to go back to our beloved State of California, but I want to thank the gentleman for all the time he has taken over many, many years in talking about this issue. I am also reminded when he put 40 hours in an airplane going to Somalia and back to give a full report to every family member who had a beloved one who had been killed in Mogadishu, and performed such a wonderful service in doing that. I have to take off, but your words are very eloquent today. I hope that Americans listen.

Mr. DORNAN. While 1,300,000,000 listeners and watchers of C–SPAN are watching us, I might use this opportunity to tell them something. The newly named National Security Committee—you and I preferred the old title, maybe both, Armed Services and National Security—has come down to 5 subcommittees. Our great chairman, Navy Capt. FLOYD SPENCE, of South Carolina, is no longer able to take a subcommittee. He will be a shepherd, shepherding his five Napoleonic marshals, his subcommittee chairmen. You have the most important preferred subcommittee, you are the chairman of the Subcommittee on Procurement. HERB BATEMAN, of Virginia, has the great area where the U.S.S. *Ronald Reagan* and U.S.S. *Harry Truman* will be built. He has the Readiness Subcommittee. He would have been chairman of Merchant Marine and Fisheries Subcommittee if we had not done away with it, which I agreed with. Then CURT WELDON, of the great Commonwealth of Pennsylvania, has R&D, which I am on, and you have been the ranking member in the past. I am chairman of the Personnel Subcommittee. JOEL HEFLEY, of Cheyenne Mountain, NORAD, that great part of the Colorado Air Force Academy, is the fifth marshal for installations.

The five of us, together with our two Committees on Intelligence that have national security responsibility, and I got first pick there, Chairman DORNAN of Technical and Tactical Intelligence, JERRY LEWIS, our colleague, the chairman of the other, including human intelligence, and the CIA. Of our seven national security subcommittees, who dreamed on the night of November 8 I would be chairman of two out of seven, and you would have the most important one, to modernize our service with Comanche, V–22, *Arleigh Burke* destroyers, and these new carriers.

We have a battle on our hands in an approaching bankrupt nation to live up to the preamble of the Constitution to provide for the common defense.

All five of us chairmen voted yesterday to take defense above $200 million out of a simple line-item veto. I noticed FLOYD SPENCE was with us and many of the members of Armed Services, now National Security. We have a tough fight ahead of us.

If you are not in a rush, just listen to this from Bob Woodward's book, ''The Agenda.'' Because of the new rules protecting, not AL GORE, not the Supreme Court Justice, the Chief Justice or the Associates, but only the Presidency of the United States, I will be very careful how I read this on the House floor. I will use expletives deleted.

Here is page 287 in ''The Agenda,'' ''Inside the White House,'' by Bob Woodward, who really along with Carl Bernstein together as investigative reporters caused the resignation of the one and only President in American history, Richard Nixon. And I for one have never said Mr. Nixon had not created his own fate.

In the middle of page 287 it says, Clinton speaking to Mr. KERREY, KERREY says, ''The Constitution gives you the option, but I wouldn't take it.'' And you will have to read the book to see what they are talking about.

Clinton again pleaded with KERREY that he needed his vote for the largest tax increase in all of recorded history of man and womankind.

''My Presidency is going to go down,'' he said sharply, by now shouting. KERREY shouted back, getting fed up, ''I do not like the argument that I am bringing the Presidency down.''

This is a man who joined the Navy Seals. That is like being a paratrooper like you, DUNCAN, being a fighter pilot, being a special forces sniper, a commando, or a marine going behind the enemy lines for weeks at a time. A Navy seal is the best of the best. It is like carrier landing at night. This is slightly built, thin panther like BOB KERREY, who left a leg in Vietnam, and if he gets elected President can put himself in the gallery as a Medal of Honor winner and then can run down and talk about himself.

He says, yelling back, ''I don't like the argument I am bringing the Presidency down.'' Clinton shouted, ''Defeat would be precisely that,'' if that huge tax increase went down. KERREY could not flee from responsibility. KERREY bellowed, ''I really resent your argument that somehow I am responsible for your Presidency surviving.''

Clinton, with one of the most common, foul expletive deleted words in the English language, ''expletive deleted you,'' Clinton yelled.

Bottom of the page, 287. I turned to 288 when I was reading this a few months back, and I expected to see Navy seal KERREY returning the compliment about engaging in activity with yourself. But KERREY felt he always tried to be respectful of the Commander-in-Chief. But he also wanted to defend himself. So he continued shouting back.

Clinton pressed only two things. He had to have KERREY's vote. ''I need it,'' he said at one point plaintively. He

said if KERREY denied him the vote, KERREY would wreak national havoc.

''I have got the responsibility for me,'' the Senator replied. ''I have got my vote. My vote matters. I vote based on what I believe is right. Always have. I don't particularly in big issues like this like to shave my vote. So that is where it is.''

''Fine,'' Clinton said bruisingly. ''OK, if that is what you want, you go do it.''

They both crashed their phones down. Clinton was irate. He turned to his advisers after the conversation and said, ''It is going to be a no.'' Clinton was wrong. KERREY voted yes later. He made a speech on national television why he didn't want to bring the Presidency down, why he would vote yes. This is just the end of 1993.

And then Senator BOB KERREY extracted from the White House the promise to be made chairman of a commission on our impending fiscal disaster. He did a good job chairing that committee.

My colleague from southern California CHRIS COX, was on it. Ask Congressman COX about that commission. They just turned in their report. The media did not give that report proper attention. It got short shrift. The report said if this Chamber doesn't complete our Contract With America, stay focused on these fiscal issues while we still, after April or May, handle the serious cultural meltdown and the destruction of the American family, the garbage that Hollywood is pumping into our culture, I don't know what we can do about that except plead with their good common sense, but we can do all of this in this House. And if we don't, Senator KERREY said there will only be 3 line items on the budget in about 20 years. We will close down all the courts, let all the Federal judges go, including the Supreme Court. No more Federal marshals, no FBI, no Army, Navy, Marine Corps, Coast Guard, no antinarcotics program.

That will solve that debate. There will only be three things left in the budget, just three: Interest on the national debt, which will then be way over $10 trillion; Social Security, which will create a generational war, because only the people who have aged past my age a little bit will be reaping way beyond what they put in the system; and the third category is Medicare and Medicaid.

□ 1610

Health care, Social Security, interest on the debt. Is that where we are headed?

As I said this morning, Mr. Speaker, BOB KERREY carrying the banner of the great Democratic Party, the oldest in the Nation's history, Thomas Jefferson's party, the least government is the best government, that is why they still sit to the treasured right although we switched on committees, that party with BOB KERREY at its top is going to make an exciting campaign next year.

A THANK YOU TO THE STAFF

(Mr. FOLEY asked and was given permission to address the House for 1 minute.)

Mr. FOLEY. Mr. Speaker, I am proud today because 1 month ago I was sworn into the House of Representatives with 434 other American citizens.

I want to take a moment, though, to thank the men and women who make this process work: The Members' personal staffs, the staff of the committees, the members of the Clerk's office and the cloakroom, the pages and their families who have allowed them to participate in this great democracy.

These individuals arrive here at the Capitol very early in the morning and they leave very late to do the people's business. The Members get all the attention from the press and the media. The staff gets all the grief.

This 1 minute is dedicated sincerely and thankfully to those individuals who make this process work, those people who work for the U.S. Government. Yes, indeed, we are proud and fortunate to have each and every one of them working for this country.

RULES OF PROCEDURE FOR THE COMMITTEE ON BANKING AND FINANCIAL SERVICES FOR THE 104TH CONGRESS

(Mr. LEACH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. LEACH. Mr. Speaker, pursuant to clause 2(a), rule XI, I submit the Rules of the Committee on Banking and Financial Services for the 104th Congress as adopted on January 12, 1995.

RULES OF THE COMMITTEE ON BANKING AND FINANCIAL SERVICES, ONE HUNDRED FOURTH CONGRESS

RULE I. GENERAL PROVISIONS

1. (a) The Rules of the House are the rules of the Committee and subcommittees so far as applicable, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are nondebatable motions of high privilege in the Committee and subcommittees.

(b) Each subcommittee of the Committee is a part of the Committee, and is subject to the authority and direction of the Committee and to its rules so far as applicable.

2. The Committee shall submit to the House, not later than January 2 of each odd-numbered year, a report on the activities of the Committee under Rules X and XI of the Rules of the House during the Congress ending at noon on January 3 of such year.

3. The Committee's rules shall be published in the Congressional Record not later than 30 days after the Congress convenes in each odd-numbered year.

RULE II. POWERS AND DUTIES

1. The powers and duties of the Committee are all those such as are enumerated or contained in the Rules of the House and the rulings and precedents of the House or the Committee.

2. For the purpose of carrying out any of its functions and duties under Rules X and XI of the Rules of the House, the Committee, or any subcommittee thereof, is authorized—

(a) to sit and act at such times and places with the United States, whether the House is in session, has recessed, or had adjourned, and to hold hearings; except as provided in Rule XI, clause 2 of the Rules of the House;

(b) to conduct such investigations and studies as it may consider necessary or appropriate, and (subject to the adoption of expense resolutions as required by clause 5 of Rule XI of the Rules of the House) to incur expenses (including travel expenses) in connection therewith. The ranking minority Member of the full Committee or the relevant subcommittee shall be notified in advance at such times as any Committee funds are expended for investigations and studies involving international travel; and

(c) to require, by subpoena or otherwise (subject to clause 3(a)), the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, in whatever form, as it deems necessary. The Chairperson of the Committee, or any Member designated by the Chairperson, may administer oaths to any witness.

Subpoenas

3. (a) A subpoena may be authorized and issued by the Committee or a subcommittee under clause 2(c) in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the Members voting, a majority being present. The power to authorize and issue subpoenas under clause 2(c) may be delegated to the Chairperson of the Committee pursuant to such limitations as the Committee may prescribe. Authorized subpoenas shall be signed by the Chairperson of the Committee or by any Member designated by the Committee.

(b) Compliance with any subpoena issued by the Committee under clause 2(c) may be enforced only as authorized or directed by the House.

Review of continuing programs

4. The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, insure that appropriations for continuing programs and activities of the Federal Government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved. For the purposes of this paragraph, a government agency includes the organizational units of government listed in clause 7(c) of Rule XIII of the Rules of the House.

5. The Committee shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefore would be made annually.

Budget Act reports

6. The Committee shall, on or before February 25 of each year, submit to the Committee on the Budget—

(a) the Committee's views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year which are within its jurisdiction or functions; and

(b) an estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within the Committee's jurisdiction which it intends to be effective during that fiscal year.

7. As soon as practicable after a concurrent resolution on the budget for any fiscal year is agreed to, the Committee (after consulting

with the appropriate Committee or Committees of the Senate) shall subdivide any allocations made to it in the joint explanatory statement accompanying the conference report on such resolution, and promptly report such subdivisions to the House, in the manner provided by section 302 or section 602 (in the case of fiscal years 1991 through 1995) of the Congressional Budget Act of 1974.

8. Whenever the Committee is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process it shall promptly make such determination and recommendations, and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget in accordance with the Congressional Budget Act of 1974.

Oversight report

9. Not later than February 15 of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Oversight and the Committee on Government Reform and Oversight, in accordance with the provisions of clause 2(d) of Rule X of the Rules of the House. The Chairperson shall consult with the ranking minority Member on the formulation of the oversight plan, and the Committee may not meet to adopt the plan unless a copy of the plan has been provided to all Members not less than two days in advance of the Committee meeting.

RULE III. MEETINGS

Regular meetings

1. Regular meetings of the Committee shall be held on the first Tuesday of each month while the Congress is in session, and the Chairperson shall provide to each Member of the Committee, as far in advance of the day of the regular meeting as the circumstances make practicable, a written notice to that effect. Notwithstanding the preceding sentence, when the Chairperson believes that the Committee will not be considering any bill or resolution before the full Committee and that there is no other timely business to be transacted at a regular meeting, then no Committee meeting shall be held on that day. In such instances, the Chairperson shall not issue the notice of the regular meeting to the Members and the failure to receive such notice shall be treated by the Members as a cancellation of the regular meeting.

Additional and special meetings

2. (a) The Chairperson may call and convene, as the Chairperson considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purpose pursuant to that call of the chair.

(b) No bill or joint resolution shall be considered by the Committee unless (i) such measure has been made available to all Members at least two calendar days prior to the meeting accompanied by a section-by-section analysis of such measure; and (ii) the Chairperson has notified members of the time and place of the meeting at least two calendar days before the commencement of the meeting. The provisions of this paragraph may be suspended by the Committee by a two-thirds vote or by the Chairperson, with the concurrence of the ranking minority Member of the full Committee.

3. If at least three Members of the Committee desire that a special meeting of the Committee be called by the Chairperson, those Members may file in the office of the Committee their written request to the Chairperson for that special meeting. Such request shall specify the measure or matter to be considered. Immediately upon the filing of the request, the clerk of the Committee shall notify the Chairperson of the filing of the request. If, within three calendar days after the filing of the request, the Chairperson does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the Members of the Committee may file in the offices of the Committee their written notice that a special meeting of the Committee will be held specifying the date and hour thereof, and the measure or matter to be considered at that special meeting. The Committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the Committee shall notify all Members of the Committee that such special meeting will be held and inform them of its date and hour and the measure or matter to be considered; and only the measure or matter specified in that notice may be considered at that special meeting.

Open meetings

4. (a) Each meeting for the transaction of business, including the markup of legislation, of the Committee or each subcommittee thereof, shall be open to the public including to radio, television and still photography coverage, except when the Committee or subcommittee, in open session and with a majority present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed to the public because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person, or otherwise would violate any law or rule of the House; provided, however, that no person other than members of the Committee and such congressional staff and such departmental representatives as they may authorize shall be present at any business or markup session which has been closed to the public.

(b) Each hearing conducted by the Committee or each subcommittee thereof shall be open to the public including to radio, television and still photography coverage except when the Committee or subcommittee, in open session and with a majority present, determines by roll call vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security or would compromise sensitive law enforcement information or would violate any law or rule of the House. Notwithstanding the requirements of the preceding sentence, a majority of those present (there being in attendance the requisite number required under the Rules of the Committee to be present for the purpose of taking testimony—

(1) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security or would compromise sensitive law enforcement information or violate clause 6 of Rule IV; or

(2) may vote to close the hearing, as provided in clause 6 of Rule IV.

No Member may be excluded from nonparticipatory attendance at any hearing of the Committee or a subcommittee, unless the House of Representatives shall by a majority vote authorize the Committee or a particular subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this paragraph for closing hearings to the public; provided, however, that the Committee or subcommittee may by the same procedure vote to close one subsequent day of hearing.

Broadcasting of committee meetings

5. Any meeting or hearing of the Committee or a subcommittee that is open to the public shall be open to coverage by television, radio, and still photography, subject to the requirements and limitations of clause 3 of Rule XI of the Rules of the House. The coverage of any meeting or hearing of the Committee or any subcommittee thereof by television, radio, or still photography shall be under the direct supervision of the Chairperson of the Committee, the subcommittee Chairperson, or other Member of the Committee presiding at such meeting. The number of television or still cameras shall not be limited to fewer than two representatives from each medium except for legitimate space or safety considerations, in which case pool coverage shall be authorized.

Additional provisions

6. Meetings and hearings of the Committee or subcommittee shall be called to order and presided over by the Chairperson or, in the Chairperson's absence, by the member designated by the Chairperson as the Vice Chairperson of the Committee or subcommittee, or by the ranking majority Member of the Committee or subcommittee present.

7. No person other than a Member of Congress, Committee staff, or a person from a Member's staff when that Member has an amendment under consideration, may stand in or be seated at the rostrum area of the Committee unless the Chairperson determines otherwise.

RULE IV. HEARING PROCEDURES

1. The Chairperson, in the case of hearings to be conducted by the Committee, and the appropriate subcommittee Chairperson, in the case of hearings to be conducted by a subcommittee, shall make public announcement of the date, place, and subject matter at least one week before the commencement of that hearing. If the Chairperson, with the concurrence of the ranking minority Member, determines there is good cause to begin the hearing sooner, or if the committee or subcommittee so determined by majority vote, a quorum being present for the transaction of business, the Chairperson shall make the announcement at the earliest possible date. The clerk of the Committee shall promptly notify all Members of the Committee; the Daily Digest; Chief Clerk; Official Reporters; and the Committee scheduling services of House Information Systems as soon as possible after such public announcement is made.

2. (a) Each witness who is to appear before the Committee or a subcommittee shall file with the clerk of the Committee, at least 24 hours in advance of his or her appearance, 200 copies of the proposed testimony if the appearance is before the Committee, or 100 copies of the proposed testimony if the appearance is before a subcommittee; provided, however, that this requirement may be modified or waived by the Chairperson of the Committee or appropriate subcommittee, after consultation with the ranking minority Member, when the Chairperson determines it to be in the best interest of the Committee or subcommittee, and furthermore, that this requirement shall not be mandatory if a witness is given less than seven days notice of appearance prior to a hearing.

(b) The Chairperson may require a witness to limit the oral presentation to a summary of the statement.

3. Upon announcement of a hearing, the clerk and staff director shall cause to be prepared a concise summary of the subject matter (including legislative reports and other materials) under consideration which shall be made available immediately to all Members of the Committee.

Calling and interrogation of witnesses

4. Whenever any hearing is conducted by the Committee on any subcommittee upon any measure or matter, the minority party Members on the Committee shall be entitled, upon request to the Chairperson by a majority of those minority Members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure matter during at least one day of hearing thereon.

5. Committee Members may question witnesses only when they have been recognized by the Chairperson for that purpose, and only for a 5-minute period until all Members present have had an opportunity to question a witness. the 5-minute period for questioning a witness by any one Member can be extended only with the unanimous consent of all Members present. The questioning of witnesses in both the full and subcommittee hearings shall be initiated by the Chairperson, followed by the ranking minority party Member and all other Members alternating between the majority and minority. In recognizing Members to question witnesses in this fashion, the Chairperson shall take into consideration the ratio of the majority to minority Members present and shall establish the order of recognition for questioning in such a manner as not to disadvantage the Members of the majority.

Investigative hearing procedures

6. The following additional rules shall apply to investigative hearings:

(a) The Chairperson, at any investigative hearing, shall announce in an opening statement the subject of the investigation.

(b) A copy of the Committee rules and Rule XI, clause 2 of the Rules of the House shall be make available to each witness.

(c) Witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(d) The Chairperson may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; and the Committee may cite the offender to the House for contempt.

(e) Whenever it is asserted that the evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person,

(i) such testimony or evidence shall be presented in executive session, notwithstanding the provisions of clause 4(b) of Rule III, if by a majority of those present, there being in attendance the requisite number required under the Rules of the Committee to be present for the purpose of taking testimony, the Committee determines that such evidence of testimony may tend to defame, degrade, or incriminate any person; and

(ii) the Committee shall proceed to receive such testimony in open session only if a majority of the Members of the Committee, a majority being present, determine that such evidence or testimony will not tend to defame, degrade, or incriminate any person. In either case the Committee shall afford such person an opportunity voluntarily to appear as a witness; and receive and dispose of requests from such person to subpoena additional witnesses.

(f) Except as provided in paragraph (e), the Chairperson shall receive and the Committee shall dispose of requests to subpoena additional witnesses.

(g) No evidence or testimony taken in executive session may be released or used in public session without the consent of the Committee.

(h) In the discretion of the Committee, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Committee is the sole judge of the pertinency of testimony and evidence adduced at its hearing.

(i) A witness may obtain a transcript copy of his or her testimony given at a public session, or, if given at an executive session, when authorized by the Committee.

RULES V. REPORTING OF BILLS AND RESOLUTIONS

1. (a) It shall be the duty of the Chairperson of the Committee to report or cause to be reported promptly to the House any measure approved by the Committee and to take or cause to be taken necessary steps to bring the matter to a vote.

(b) In any event, the report of the Committee on a measure which has been approved by the Committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the Committee a written request, signed by a majority of the Members of the Committee, for the reporting of that measure. Upon the filing of any such request, the clerk of the Committee shall transmit immediately to the Chairperson of the Committee notice of the filing of that request.

2. No measure or recommendation shall be reported from the Committee unless the quorum requirement of clause 1(a) of Rule VI is satisfied.

Committee reports

3. The report of the Committee on a measure which has been approved by the Committee shall include—

(a) a cover page, which must show that supplemental, minority and additional views (if any), the estimate and comparison prepared by the Director of the Congressional Budget Office, and the recommendations of the Committee on Government Reform and Oversight (whenever submitted), are included in the report;

(b) the amendments adopted by the Committee;

(c) a section-by-section analysis of the bill as reported, whenever possible;

(d) an explanation of the legislation, if the Chairperson decides one is necessary;

(e) with respect to each role call vote on a motion to report any measure, and on any amendment offered to the measure, the total number of votes cast for and against, or present not voting and the names of those Members voting for and against, or present not voting;

(f) the oversight findings and recommendations required pursuant to clause 2(b)(1) of Rule X of the Rules of the House separately set out and clearly identified;

(g) the statement required by section 308(a)(1) of the Congressional Budget Act of 1974, separately set out and clearly identified, if the measure provides new budget authority, new spending authority described in section 401(c)(2) of such Act, new credit authority, or an increase or decrease in revenues or tax expenditures, except that the estimates with respect to new budget authority shall include, when practicable, a comparison of the total estimated funding level for the program (or programs) to the appropriate levels under current law;

(h) the estimate and comparison prepared by the Director of the Congressional Budget Office under section 403 of such Act, separately set out and clearly identified, whenever the Director (if timely submitted prior to the filing of the report) has submitted such estimate and comparison to the Committee;

(i) a summary of the oversight findings and recommendations made by the Committee on Government Reform and Oversight under clause 4(c)(2) of Rule X of the Rules of the House separately set out and clearly identified whenever such findings and recommendations have been submitted to the Committee in a timely fashion to allow an opportunity to consider such findings and recommendations during the Committee's deliberations on the measure;

(j) for a bill or joint resolution of a public character reported by the Committee, a detailed analytical statement as to whether the enactment of such bill or joint resolution into law may have an inflationary impact on prices and costs in the operation of the national economy;

(k) a statement in accordance with section 5(b) of the Federal Advisory Committee Act;

(l) any supplemental, minority, or additional views, if submitted in accordance with clause 5;

(m) the Ramseyer document required under clause 3 of Rule XIII of the Rules of the House; and

(n) the estimate and comparison of costs incurred in carrying out the bill or resolution, as may be required by clause 7 of Rule XIII of the Rules of the House.

4. The report of the Committee, when filed with the House, shall be accompanied by three copies of the bill or resolution as introduced and one copy of the bill or resolution as amended.

5. (a) If, at the time of approval of any measure or matter by the Committee, any Member of the Committee gives notice of intention to file supplemental, minority, or additional views, that Member shall be entitled to not less than three calendar days (excluding Saturdays, Sundays, and legal holidays) in which to file such views, in writing and signed by that Member, with the clerk of the Committee. All such views so filed by one or more Members of the Committee shall be included within, and shall be part of, the report filed by the Committee with respect to that measure or matter. No report shall be filed until the Chairperson has notified, with opportunity for discussion, the ranking minority Member of the Committee and the Chairperson of the subcommittee from which the legislation emanated or would have emanated. The report of the Committee upon that measure or matter shall be printed in a single volume which—

(i) shall include all supplemental, minority, or additional views which have been submitted by the time of the filing of the report, and

(ii) shall bear upon its cover a recital that any such supplemental, minority, or additional views and any material submitted under paragraphs (h) and (i) of clause 3 are included as part of the report.

(b) This clause does not preclude—

(i) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided paragraph (a); or (ii) the filing by the Committee of any supplemental report upon any measure or matter which may be required for the correction of any technical error or omission in a previous report made by the Committee upon that measure or matter.

Hearing prints

6. If hearings have been held on any such measure or matter so reported, the Committee shall make every reasonable effort to have such hearings printed and available for distribution to the Members of the House prior to the consideration of such measure or

matter in the House except as otherwise provided in clause 2(l)(6) of Rule XI of the Rules of the House.

RULE VI. QUORUMS

1. (a) A quorum, for the purpose of reporting any bill or resolution, shall consist of a majority of the Committee actually present.

(b) A quorum, for the purpose of taking any action other than the reporting of a bill or resolution, shall consist of one-third of the Members of the Committee.

(c) A quorum, for the purpose of taking testimony and receiving evidence, shall consist of any two Members of the Committee.

Proxies

2. No vote by any Member of the Committee or any of its subcommittees with respect to any measure may be cast by proxy.

RULE VII. SUBCOMMITTEES—JURISDICTION

1. There shall be in the Committee on Banking and Financial Services the following standing subcommittees:

Subcommittee on Housing and Community Opportunity;

Subcommittee on Financial Institutions and Consumer Credit;

Subcommittee on Domestic and International Monetary Policy;

Subcommittee on Capital Markets, Securities and Government Sponsored enterprises; and

Subcommittee on General Oversight and Investigations;

each of which shall have the jurisdiction and related functions assigned to it by this rule; and all bills, resolutions, and other matters relating to subjects within the jurisdiction of this Committee shall be referred to such subcommittees at the discretion of the Chairperson. Subcommittee jurisdictions are as follows:

Subcommittee on Housing and Community Opportunity

(a) The jurisdiction of the Subcommittee on Housing and Community Opportunity extends to and includes:

(i) all matters relating to housing (except programs administered by the Department of Veterans Affairs), including mortgage and loan insurance pursuant to the National Housing Act; rural housing; housing and homeless assistance programs; all activities of the Government National Mortgage Association; private mortgage insurance; housing construction and design and safety standards; housing-related energy conservation; housing research and demonstration programs; financial and technical assistance for nonprofit housing sponsors; housing counseling and technical assistance; regulation of the housing industry (including landlord/tenant relations); real estate lending including regulation of settlement procedures;

(ii) matters relating to community development and community and neighborhood planning, training and research; national urban growth policies; urban/rural research and technologies; and regulation of interstate land sales;

(iii) all matters relating to all government sponsored insurance programs, including those offering protection against crime, fire, flood (and related land use controls), earthquake and other natural hazards; and

(iv) the qualifications for and designation of Empowerment Zones and Enterprise Communities (other than matters relating to tax benefits).

Subcommittee on Financial Institutions and Consumer Credit

(b) The jurisdiction of the Subcommittee on Financial Institutions and Consumer Credit extends to and includes:

(i) all agencies which directly or indirectly exercise supervisory or regulatory authority in connection with, or provide deposit insurance for, financial institutions, and the establishment of interest rate ceilings on deposits;

(ii) all auxiliary matters affecting or arising in connection with the supervisory and regulatory activities of the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System and the Federal Reserve System, the Office of Thrift Supervision, and the National Credit Union Administration, together with those activities and operations of any other agency or department which relate to both domestic or foreign financial institutions;

(iii) With respect to financial institutions and the department and agencies which regulate or supervise them, all activities relating to and arising in connection with the matters of chartering, branching, mergers, acquisitions, consolidations, and conversions;

(iv) with respect to financial institutions and the agencies which regulate them, all activities relating to and arising in connection with the sale or underwriting of insurance and other noninsured instruments by financial institutions and their affiliates other than securities;

(v) all activities of the Resolution Trust Corporation;

(iv) all matters relating to consumer credit, including the provision of consumer credit by insurance companies, and further including those matters in the Consumer Credit Protection Act dealing with truth in lending, extortionate credit transactions, restrictions on garnishments, fair credit reporting and the use of credit information by credit bureaus and credit providers, equal credit opportunity, debt collection practices, and electronic funds transfers;

(vii) creditor remedies and debtor defenses, Federal aspects of the Uniform Consumer Credit Code, credit and debit cards and the preemption of State usury laws;

(viii) all matters relating to consumer access to financial services, including the Home Mortgage Disclosure Act and Community Reinvestment Act;

(ix) the terms and rules of disclosure of financial services, including the advertisment, promotion and pricing of financial services, and availability of government check cashing services;

(x) issues relating to consumer access to savings accounts and checking accounts in financial institutions, including lifeline banking and other consumer accounts; and

(xi) all matters relating to the business of insurance, other than government sponsored insurance programs.

Subcommittee on Domestic and International Monetary Policy

(c) The jurisdiction of the Subcommittee on Domestic and International Monetary Policy extends to and includes:

(i) all matters relating to all multilateral development lending institutions, including activities of the National Advisory Council on International Monetary and Financial Policies as related thereto, and monetary and financial development as they relate to the activities and objectives of such institutions;

(ii) all matters within the jurisdiction of the Committee relating to international trade, including but not limited to the activities of the Export-Import Bank;

(iii) the International Monetary Fund, its permanent and temporary agencies, and all matter related thereto;

(iv) international investment policies, both as they relate to United States investments for trade purposes by citizens of the United States and investments made by all foreign entities in the United States;

(v) all matters relating to financial aid to all sectors and elements within the economy, all matters relating to economic growth and stabilization, and all defense production matters as contained in the Defense Production Act of 1950, as amended, and all related matters thereto;

(vi) all matters relating to domestic monetary policy and agencies which directly or indirectly affect domestic monetary policy, including the effect of such policy and other financial actions on interest rates, the allocation of credit, and the structure and functioning of domestic and foreign financial institutions;

(vii) all matters relating to coins, coinage, currency and medals, including commemorative coins and medals, proof and mint sets and other special coins, the Coinage Act of 1965, gold and silver, including coinage thereof (but not the par value of gold), gold medals, counterfeiting, currency denominations and design, the distribution of coins, and the operations and activities of the Bureau of the Mint and the Bureau of Engraving and Printing; provided, however, that the Subcommittee shall not schedule a hearing on any commemorative medal or commemorative coin legislation unless the legislation is cosponsored by at least two-thirds of the Members of the House and has been recommended by the U.S. Mint's Citizens Commemorative Coin Advisory Committee in the case of a commemorative coin. In considering legislation authorizing Congressional gold medals, the subcommittee shall apply the following standards:

(A) the recipient shall be a natural person;

(B) the recipient shall have performed an achievement that has an impact on American history and culture that is likely to be recognized as a major achievement in the recipient's field long after the achievement;

(C) the receipient shall not have received a medal previously for the same or substantially the same achievement;

(D) the recipient shall be living or, if deceased, shall have been deceased for not less than five years and not more than 25 years; and

(E) the achievements were performed in the recipient's field of endeavor, and represent either a lifetime of continuous superior achievements or a single achievement so significant that the recipient is recognized and acclaimed by others in the same field, as evidenced by the recipient having received the highest honors in the field.

Subcommittee on Capital Markets, Securities and Government Sponsored Enterprises

(d) The jurisdiction of the Subcommittee on Capital Markets, Securities and Government Sponsored Enterprises extends to and includes:

(i) all matters relating to depository institution securities activities, including the activities of any affiliates, except for functional regulation under applicable securities laws not involving safety and soundness;

(ii) all matters related to bank capital markets activities;

(iii) all matters related to the activities of financial institutions in financial markets involving futures, forwards, options and other types of derivative instruments;

(iv) all matters relating to secondary market organizations for home mortgages including the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, and the Federal Agricultural Mortgage Corporation;

(v) all matters related to the Office of Federal Housing Enterprise Oversight; and

(vi) all matters related to the Federal Housing Finance Board and the supervision and operation of the Federal Home Loan Banks.

Subcommittee on General Oversight and Investigations

(e) The Subcommittee on General Oversight and Investigations shall have the responsibility of reviewing and studying, on a continuing basis:

(i) the application, administration, execution, and effectiveness of the laws within the jurisdiction of the Committee, and the organization and operation of the Federal agencies and entities which have responsibility for the administration and execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress and whether such programs should be continued, curtailed, or eliminated;

(ii) any conditions or circumstances which may indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of the Committee (whether or not any bill or resolution has been introduced with respect thereto), and present any such recommendations as deemed necessary to the appropriate subcommittee(s) of the Committee;

(iii) forecasting and future oriented research on matters within the jurisdiction of the Committee, and shall study all reports, documents and data pertinent to the jurisdiction of the Committee and make the necessary recommendations or reports thereon to the appropriate subcommittee(s) of the Committee; and

(iv) the impact or probable impact of tax policies affecting subjects within the jurisdiction of the Committee; provided, however, that the operations of the Subcommittee on General Oversight and Investigations shall in no way limit the responsibility of the other subcommittees of the Committee on Banking and Financial Services from carrying out their oversight duties.

Subcommittees—Referral of Legislation

2. The Chairperson shall notify each subcommittee Chairperson of all bills referred to any subcommittee on a bi-monthly basis. Upon notice, any subcommittee Chairperson may question a referral by giving written notice to the Chairperson of the full Committee and to the Chairperson of each subcommittee. A bill, resolution, or other matter referred to a subcommittee in accordance with this rule may be recalled therefrom at any time by the Chairperson, or by a majority vote of the majority Members of the Committee for the Committee's direct consideration or for reference to another subcommittee.

3. In carrying out this rule with respect to any matter, the Chairperson shall designate a subcommittee of primary jurisdiction; but also may refer the matter to one or more additional subcommittees, for consideration in sequence (subject to appropriate time limitations), either on its initial referral or after the matter has been reported by the subcommittee of primary jurisdiction; or may refer portions of the matter to one or more additional subcommittees (reflecting different subjects and jurisdictions) for the consideration only of designated portions; or may refer the matter to a special ad hoc subcommittee appointed by the Chairperson with the approval of the Committee (with members from the subcommittees having jurisdiction) for the specific purpose of considering that matter and reporting to the Committee thereon; or may make such other provisions as may be considered appropriate.

RULE VIII. SUBCOMMITTEES—POWERS AND DUTIES

1. Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it or under its jurisdiction. Subcommittee Chairpersons shall set dates for hearings and meetings of their respective subcommittees after consultation with the Chairperson and other subcommittee Chairpersons and with a view toward avoiding simultaneous scheduling of full Committee and subcommittee meetings or hearings whenever possible.

2. Whenever a subcommittee has ordered a bill, resolution, or other matter to be reported to the Committee, the Chairperson of the subcommittee reporting the bill, resolution, or matter to the full Committee, or any Member authorized by the subcommittee to do so, may report such bill, resolution, or matter to the Committee. It shall be the duty of the Chairperson of the subcommittee to report or cause to be reported promptly such bill, resolution, or matter, and to take steps or cause to be taken the necessary steps to bring such bill, resolution, or matter to a vote.

3. No bill or joint resolution approved by a subcommittee shall be considered by the Committee unless such measure, as approved, has been made available to all Members at least two calendar days prior to the meeting, accompanied by a section-by-section analysis of such measure. The provisions of this paragraph may be suspended by the Committee by a two-thirds vote or by the Chairperson, with the concurrence of the ranking minority Member of the full Committee.

4. All Committee or subcommittee reports printed pursuant to a legislative study or investigation and not approved by a majority vote of the Committee or subcommittee, as appropriate, shall contain the following disclaimer on the cover of such report.

''This report has not been officially adopted by the Committee on Banking and Financial Services (or pertinent subcommittee thereof) and may not therefore necessarily reflect the views of its Members.''

5. Bills, resolutions, or other matters favorably reported by a subcommittee shall automatically be placed on the agenda of the Committee as of the time they are reported and shall be considered by the full Committee in the order in which they were reported unless the Chairperson after consultation with the ranking minority Member and appropriate subcommittee Chairperson, otherwise directs; provided, however, that no bill reported by a subcommittee shall be considered by the full Committee unless each Member has been provided with reasonable time prior to the meeting to analyze such bill, together with a comparison with present law and a section-by-section analysis of the proposed change.

6. No bill or joint resolution may be considered by a subcommittee unless such measure has been made available to all Members at least two calendar days prior to the meeting, accompanied by a section-by-section analysis of such measure. The provisions of this paragraph may be waived following consultation with the appropriate ranking minority Member.

7. All Members of the Committee may have the privilege of sitting with any subcommittee of which they are not a Member, during the subcommittee's hearings or deliberations and may participate in such hearings or deliberations after Members of the subcommittee have been given an opportunity to participate, but no such Member who is not a Member of the subcommittee shall vote on any matter before such subcommittee. The Chairperson and ranking minority Member of the Committee shall be ex officio, nonvoting members of each subcommittee of the Committee.

RULE IX. SUBCOMMITTEES—SIZE AND RATIOS

1. To the extent that the number of subcommittees and their party ratios permit the size of all subcommittees shall be established so that the majority party Members of the Committee have an equal number of subcommittee assignments; provided, however, that a majority Member may waive his or her right to an equal number of subcommittee assignments on the Committee.

2. The following shall be the sizes and ratios for subcommittees: (a) Subcommittee on Housing and Community Opportunity: Total 22—Majority 12, Minority 10.

(b) Subcommittee on Financial Institutions and Consumer Credit: Total 22—Majority 12, Minority 10.

(c) Subcommittee on Domestic and International Monetary Policy: Total 20—Majority 11, Minority 9.

(d) Subcommittee on Capital Markets, Securities and Government Sponsored Enterprises: Total 20—Majority 11, Minority 9.

(e) Subcommittee on General Oversight and Investigations: Total 10—Majority 6, Minority 4.

RULE X. BUDGET AND STAFF

1. The Chairperson, in consultation with other Members of the Committee, shall prepare for each Congress a budget providing amounts for staff, necessary travel, investigations and other expenses of the Committee and its subcommittees and shall present same to the Committee.

2. (a) Except as provided in paragraph (b), the professional and investigative staff of the Committee shall be appointed, and may be removed, by the Chairperson and shall work under the general supervision and direction of the Chairperson.

(b) All professional and investigative staff provided to the minority party Members of the Committee shall be appointed, and may be removed, by the ranking minority Member of the Committee and shall work under the general supervision and direction of such Member.

3. (a) From funds made available for the appointment of staff, the Chairperson of the Committee shall, pursuant to clause 5(d) of Rule XI of the Rules of the House ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee, and, after consultation with the ranking minority Member of the Committee, that the minority party of the Committee is treated fairly in the appointment of such staff.

(b) Except as provided in paragraph (c), the Chairperson shall fix the compensation of all professional and investigative staff of the Committee.

(c) The ranking minority Member shall fix the compensation of all professional and investigative staff provided to the minority party Members of the Committee.

4. From the amount provided to the Committee in their primary expense resolution adopted by the House of Representatives, the Chairperson, after consultation with the ranking minority Member, shall designate an amount to be under the direction of the ranking minority Member for the compensation of the minority staff, travel expenses of minority Members and staff, and minority office expenses. All expenses of minority Members and staff shall be paid for out of the amount so set aside.

5. It is intended that the skills and experience of all members of the Committee staff be available to all Members of the Committee.

RULE XI. TRAVEL

1. All travel for any Member and any staff member of the Committee in connection with activities or subject matters under the

general jurisdiction of the Committee must be authorized by the Chairperson. Before such authorization is granted, there shall be submitted to the Chairperson in writing the following:

(a) the purpose of the travel;

(b) the dates during which the travel is to occur;

(c) the names of the States or countries to be visited and the length of time to be spent in each; and

(d) the names of Members and staff of the Committee for whom the authorization is sought.

2. In the case of travel outside the United States of Members and staff of the Committee, such Members or staff shall submit a written report to the Chairperson on any such travel including a description of their itinerary, expenses, activities, and pertinent information gained as a result of such travel.

3. Members and staff of the Committee performing authorized travel on official business shall be governed by applicable laws, resolutions, and regulations of the House and of the Committee on House Oversight.

RULE XII. RECORDS

1. There shall be kept in writing a record of the proceedings of the Committee and of each subcommittee, including a record of the votes on any question on which a roll call is demanded. The result of each such roll call vote shall be made available by the Committee for inspection by the public at reasonable times in the offices of the Committee. Information so available for public inspection shall include a description of the amendment, motion, order or other proposition and the name of each Member voting for and each Member voting against such amendment, motion, order, or proposition, and the names of those Members absent or present but not voting. A record vote may be demanded by any one Member of the Committee or subcommittee.

2. Access by any Member, officer or employee of the Committee to any information classified under established national security procedures shall be conducted in accordance with clause 13 of Rule XLIII of the Rules of the House.

3. The transcript of any meeting or hearing shall be a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved.

4. All Committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Member serving as Chairperson of the Committee; and such records shall be the property of the House and all Members of the House shall have access thereto.

5. The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule XXXVI of the Rules of the House. The Chairperson shall notify the ranking minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of that rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any Member of the Committee.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. KELLY (at the request of Mr. ARMEY) for today, on account of dental surgery.

Mr. STOCKMAN (at the request of Mr. ARMEY) after 11 a.m. today, on account of the death of his mother.

Mr. MCNULTY (at the request of Mr. GEPHARDT) for today after 2 p.m., on account of personal business.

Mr. SISISKY (at the request of Mr. GEPHARDT) for today, on account of official business.

Mr. BARTLETT of Maryland (at the request of Mr. ARMEY) for today, on account of attending a family funeral.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. WISE) to revise and extend their remarks and include extraneous material:)

Mrs. KENNELLY, for 5 minutes, today.

Mr. VOLKMER, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Member (at the request of Mr. GOSS) to revise and extend his remarks and include extraneous material:)

Mr. FOX of Pennsylvania, for 5 minutes, on Monday, February 6.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. ARMEY, for 2 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. WISE) and to include extraneous matter:)

Mr. ACKERMAN in two instances.

Mr. BONIOR.

Mr. NEAL of Massachusetts.

Mrs. MEEK of Florida.

Mr. HAMILTON.

Mrs. LINCOLN in two instances.

Ms. DANNER.

Mr. VISCLOSKY.

Mr. HILLIARD.

(The following Members (at the request of Mr. GOSS) and to include extraneous matter:)

Mr. BRYANT.

Mr. PACKARD.

Mr. CLINGER.

Mr. SHAYS.

Mr. SOLOMON.

(The following Members (at the request of Mr. DORNAN) and to include extraneous matter:)

Mr. LARGENT.

Mrs. LINCOLN.

Mr. STENHOLM.

Mr. BAKER of Louisiana.

Mrs. KELLY.

Mr. SKELTON.

Mr. LAFALCE.

ADJOURNMENT

Mr. FOLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 13 minutes p.m.) under its previous order the House adjourned until Monday, February 6, 1995, at 12:30 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

286. A letter from the Chairperson, National Council on Disability, transmitting the Council's report entitled, ''The Americans with Disabilities Act: Ensuring Equal Access to the American Dream,'' pursuant to 29 U.S.C. 781(a)(8); to the Committee on Economic and Educational Opportunities.

287. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification regarding the proposed transfer of major defense equipment valued at $14 million or more to the Government of Spain, pursuant to section 3(d) of the Arms Export Control Act; to the Committee on International Relations.

288. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10–370, ''Youth Facilities Drug Free Zone Amendment Act of 1994,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

289. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10–371, ''Small Claims Service of Process Act of 1994,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

290. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10–373, ''Chiropractic Licensing Amendment Act of 1994,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

291. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10–374, ''July Trial Act of 1994,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

292. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10–375, ''Public Safety and Law Enforcement Support Amendment Act of 1994,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

293. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10–376, ''Insurers Service of Process Act of 1994,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

294. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10–377, ''Budget Spending Reduction Amendment Act of 1994,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

295. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10–378, ''District of Columbia Compressive Plan Act of 1984 Land Use Amendment Act of 1994,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

296. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10–379, ''Contractors Guarantee Association Act of 1994,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

297. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10–380, ''Domestic Violence in Romantic Relationships Act of 1994,'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

298. A letter from the Executive Director, National Capital Planning Commission, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

299. A letter from the Secretary of the Treasury, transmitting the annual report under the Federal Managers' Financial Integrity Act for fiscal year 1994, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

300. A letter from the Chairman, U.S. Merit System Protection Board, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1994, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

301. A letter from the Chief Justice, Supreme Court of the United States, transmitting a copy of the report of the proceedings of the Judicial Conference of the United States held on September 20, 1994, pursuant to 28 U.S.C. 331; to the Committee on the Judiciary.

302. A letter from the Secretary, Department of Transportation, transmitting a report on the feasibility of using segregated ballast tanks for emergency transfer of cargo and storage of recovered oil, pursuant to 46 U.S.C. 3703 note; to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BAESLER:

H.R. 813. A bill to authorize the Secretary of Agriculture to establish a pilot program to evaluate the feasibility of county-based rural development boards, develop a strategy for adopton of national rural goals and objectives, establish a training program for local county board leaders, providing roles and responsibilities for State rural development councils, substate regional organizations, and 1862 and 1890 land grant institutions, and establish a grant program for financing various rural and small community development initiatives, and for other purposes; to the Committee on Agriculture.

By Mr. BAKER of Louisiana (for himself, Mr. MCCOLLUM, Mr. DREIER, Mr. CASTLE, Mr. KING, Mr. LAFALCE, Mr. FRANK of Massachusetts, and Mr. FLAKE):

H.R. 814. A bill to enhance competition in the financial services sector, and for other purposes; to the Committee on Banking and Financial Services, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WYDEN (for himself, Mr. GEPHARDT, Mr. BROWN of Ohio, Ms. DELAURO, Mrs. SCHROEDER, Mr. BRYANT of Texas, Mr. KLINK, Mr. HASTINGS of Florida, Mr. FROST, Mr. WARD, Ms. LOWEY, and Mr. DURBIN):

H.R. 815. A bill to provide that the Bureau of Labor Statistics may not change, during the 104th Congress, the method of calculating the consumer price index if it would result in higher taxes unless the change has been approved by law; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HAYES:

H.R. 816. A bill to amend title 28, United States Code, with respect to the treatment of certain transportation and subsistence expenses of retired judges; to the Committee on the Judiciary.

By Mr. HEFLEY:

H.R. 817. A bill to authorize the Secretary of Energy to lease lands within the naval oil shale reserves to private entities for the development and production of oil and natural gas; to the Committee on National Security, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HINCHEY (for himself, Mr. OBERSTAR, Mr. PALLONE, Ms. VELAZQUEZ, Mr. RANGEL, Mr. MCDERMOTT, Mr. GUTIERREZ, Mr. SERRANO, Mr. ACKERMAN, Mr. ENGEL, Mr. MANTON, Ms. SLAUGHTER, Mr. SCHUMER, and Mr. MCNULTY):

H.R. 818. A bill to amend title XIX of the Social Security Act to lower the maximum Federal medical assistance percentage that may be applied with respect to any State under the Medicaid Program and to increase such percentage with respect to all States under such program; to the Committee on Commerce.

By Mrs. JOHNSON of Connecticut:

H.R. 819. A bill to amend title IV of the Social Security Act to provide welfare families with the education, training job search, and work experience needed to prepare them to leave welfare within 2 years, to increase the rate of paternity establishment for children receiving welfare benefits, to provide States with greater flexibility in providing welfare, and to authorize States to conduct demonstration projects to test the effectiveness of policies designed to help people leave welfare and increase their financial security; to the Committee on Ways and Means, and in addition to the Committee on Economic and Educational Opportunities, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LINCOLN (for herself, Mr. UPTON, Mr. SCHAEFER, Mr. BOUCHER, Mr. MANTON, Mr. GILLMOR, and Mr. TAUZIN):

H.R. 820. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to clarify liability under that act for certain recycling transactions; to the Committee on Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCINTOSH:

H.R. 821. A bill to reform the regulatory process, and for other purposes; to the Committee on Government Reform and Oversight, and in addition to the Committees on the Judiciary, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of Florida (for himself, Mr. MINGE, Mr. ALLARD, Mr. BARCIA, Mr. BARRETT of Wisconsin, Mr. CALVERT, Mr. CONDIT, Mr. COOLEY, Mr. COX, Mr. DEAL of Georgia, Mr. DEUTSCH, Mr. ENGLISH of Pennsylvania, Mr. FORBES, Mr. FOX, Ms. FURSE, Mr. GOODLATTE, Mr. GOSS, Mr. HANCOCK, Ms. HARMAN, Mr. HERGER, Mr. KLUG, Mrs. LINCOLN, Mr. PETERSON of Minnesota, Mr. POSHARD, Mr. ROYCE, Mr. SANFORD, Mr. SAXTON, Mr. SCHAEFER, Mr. STEARNS, Mr. STENHOLM, and Mr. ZIMMER):

H.R. 822. A bill to provide a fair, nonpolitical process that will achieve $45 billion in budget outlay reductions each fiscal year until a balanced budget is reached; to the Committee on Government Reform and Oversight, and in addition to the Committees on Rules, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of Florida (for himself and Mr. MINGE):

H.R. 823. A bill to provide a fair, nonpolitical process that will achieve $45 billion in budget outlay reductions each fiscal year until a balanced budget is reached; to the Committee on Government Reform and Oversight, and in addition to the Committees on Rules, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. OBEY (for himself, Mr. DURBIN, and Mr. STENHOLM):

H.R. 824. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act and other laws to return primary responsibility for disaster relief to the States, to establish a private corporation to insure States against risks and costs of disasters otherwise borne by the States, and to provide for reimbursable Federal assistance to States for activities in response to disasters, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Banking and Financial Services, Small Business, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEARNS:

H.R. 825. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate $1 of their income tax liability and some or all of their income tax refunds, and to contribute additional amounts, for purposes of rehabilitation and treatment in combating the war on drugs; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WILSON:

H.R. 826. A bill to extend the deadline for the completion of certain land exchanges involving the Big Thicket National Preserve in Texas; to the Committee on Resources.

By Mr. STEARNS:

H.J. Res. 67. Joint resolution proposing an amendment to the Constitution of the United States relating to voluntary prayer in public schools; to the Committee on the Judiciary.

By Mr. KENNEDY of Rhode Island (for himself and Mr. SCHUMER):

H. Con. Res. 22. Concurrent resolution affirming the purpose and value of senior nutrition programs created under the Older Americans Act; to the Committee on Economic and Educational Opportunities.

By Mrs. KENNELLY (for herself, Mr. ROSE, Mr. BISHOP, Mr. KLECZKA, Mr. HAYWORTH, Mr. RAHALL, Mr. JACOBS, Mr. PETERSON of Minnesota, Mr. MCDERMOTT, and Mr. PASTOR):

H. Con. Res. 23. Concurrent resolution expressing the sense of the Congress that the current link between the levels of earnings allowed for blind individuals entitled to disability insurance benefits and the exempt amounts allowed for purposes of the Social Security earnings test for individuals who have attained retirement age should be maintained; to the Committee on Ways and Means.

By Mr. TAYLOR of Mississippi (for himself, Ms. KAPTUR, Ms. DANNER, Mr. DEFAZIO, Mr. HUNTER, Mr. KLINK, Mr. SANDERS, Mr. VISCLOSKY, Mr. TAYLOR of North Carolina, Mr. DUNCAN, and Mrs. THURMAN):

H. Res. 57. Resolution to preserve the constitutional role of the House of Representatives to provide for the expenditure of public money and ensure that the executive branch of the U.S. Government remains accountable to the House of Representatives for each expenditure of public money; to the Committee on Banking and Financial Services.

By Mr. FOLEY (for himself, Mr. GOSS, Mr. JACOBS, Ms. RIVERS, Mr. REGULA, Mr. FRANK of Massachusetts, Mr. CHRISTENSEN, Mr. COBURN, Mr. TIAHRT, Mr. SOUDER, Mr. ENSIGN, Mr. CHRYSLER, Mr. BROWNBACK, Mr. GUNDERSON, Mr. SANFORD, and Mr. BAKER of California):

H. Res. 58. Resolution requiring that copies of the United States Code for any Member of the House of Representatives be paid for from the appropriate official allowance of the Member; to the Committee on House Oversight.

By Mr. YATES:

H. Res. 59. Resolution to emphasize the importance of understanding the history of President Franklin Delano Roosevelt and to recognize the opening of the Roosevelt Memorial and for other purposes; to the Committee on Resources.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURTON of Indiana:

H.R. 827. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for the vessel *Alpha Tango*; to the Committee on Transportation and Infrastructure.

H.R. 828. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for the vessel *Old Hat*; to the Committee on Transportation and Infrastructure.

By Mr. TORKILDSEN:

H.R. 829. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the vessel *Chrissy*; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 28: Mr. STEARNS.

H.R. 65: Mr. GOSS, Mr. CUNNINGHAM, Mr. DAVIS, Mr. CALLAHAN, Mr. STEARNS, and Mr. NORWOOD.

H.R. 70: Mr. TORRES, Mr. BREWSTER, and Mr. FLANAGAN.

H.R. 94: Mr. FLANAGAN, Mr. CALVERT, and Mr. PAYNE of Virginia.

H.R. 103: Mr. SOLOMON.

H.R. 109: Mr. GOSS, Mr. DAVIS, Mr. TEJEDA, Mr. STEARNS, and Mr. NORWOOD.

H.R. 174: Mr. GUTIERREZ.

H.R. 218: Mr. PETERSON of Minnesota.

H.R. 246: Mr. BARTLETT of Maryland, Mr. PORTER, Mr. KNOLLENBERG, and Mr. HANCOCK.

H.R. 297: Mr. SHAYS.

H.R. 303: Mr. GOSS, Mr. STEARNS, and Mr. NORWOOD.

H.R. 325: Mr. UNDERWOOD, Mr. LEWIS of Kentucky, Mr. HAYWORTH, Mr. CHAMBLISS, Mr. KINGSTON, Mr. FUNDERBURK, and Mr. GILMAN.

H.R. 333: Mr. LIPINSKI, Mr. SPRATT, and Mr. SAXTON.

H.R. 335: Mr. FLANAGAN, Mr. PORTER, Mr. FARR, and Mr. KANJORSKI.

H.R. 370: Mr. GUTKNECHT, Mr. CAMP, Mr. HOEKSTRA, Mr. CRAMER, Mr. NUSSLE, Mr. FRANKS of Connecticut, Mr. LAHOOD, Mr. MICA, Mr. BEREUTER, Mr. REGULA, Mr. MILLER of Florida, and Mr. SMITH of Michigan.

H.R. 462: Mr. WOLF, Mr. DAVIS, Ms. NORTON, Mr. HINCHEY, Mr. HILLIARD, and Mr. SENSENBRENNER.

H.R. 469: Mr. CALLAHAN.

H.R. 548: Mr. FOX, Mr. FROST, and Mr. ACKERMAN.

H.R. 549: Mrs. MEEK of Florida, Mr. NEY, Mr. FROST, Mr. UNDERWOOD, Mr. KNOLLENBERG, Mr. FRAZER, Mr. RANGEL, Mr. JACOBS, and Mr. JOHNSTON of Florida.

H.R. 555: Mr. DEUTSCH.

H.R. 593: Mr. NORWOOD.

H.R. 645: Mr. HASTINGS of Florida, Mr. MORAN, Mr. DIXON, Mr. KENNEDY of Rhode Island, Mr. MARTINEZ, Ms. FURSE, Mr. TORRICELLI, Ms. COLLINS of Michigan, Mr. POSHARD, Mr. RICHARDSON, Mr. JOHNSON of South Dakota, Mr. BARRETT of Wisconsin, and Mr. LAFALCE.

H.R. 663: Mr. FRISA, Mr. NORWOOD, and Mr. FUNDERBURK.

H.R. 677: Mr. OLVER, Mr. FRANK of Massachusetts, Mr. PETERSON of Minnesota, Mr. FROST, and Mr. MOAKLEY.

H.R. 682: Mr. CAMP, Mr. KOLBE, Mr. BARRETT of Nebraska, Mr. LATOURETTE, Mr. GENE GREEN of Texas, and Mr. MOORHEAD.

H.R. 697: Mr. BARRETT of Wisconsin, Mr. WELDON of Pennsylvania, Mr. LATHAM, Mrs. SEASTRAND, Mr. STEARNS, Mr. ZELIFF, Mr. FARR, Mr. WOLF, Mr. ANDREWS, Mr. MOORHEAD, Mr. COOLEY, and Mr. STENHOLM.

H.R. 700: Mrs. WALDHOLTZ, Mr. BACHUS, Mr. BAKER of Louisiana, Mr. BLILEY, Mr. COBLE, Mr. COX, Mr. DICKEY, Mr. DUNCAN, Mr. GOSS, Mr. INGLIS of South Carolina, Mr. ROTH, Mr. STEARNS, Mr. SMITH of New Jersey, Mr. MCCOLLUM, Mr. LATOURETTE, Mr. RAMSTAD, Mr. LARGENT, Mr. GUTKNECHT, Mr. NEUMANN, Mrs. SMITH of Washington, Mr. MICA, Mr. MARTINI, Mr. BASS, Mr. FOX, Mr. MCHUGH, Mr. HASTERT, Mr. ISTOOK, Mr. BURTON of Indiana, Mr. MILLER of Florida, Mr. MINGE, Mr. SENSENBRENNER, Mr. BLUTE, Mr. KLUG, Mr. GRAHAM, Mr. FORBES, Mr. FIELDS of Texas, Mr. UPTON, Ms. HARMAN, Mr. DOOLITTLE, Mr. HAYES, Mr. MEEHAN, Mr. BRYANT of Tennessee, Mr. JACOBS, Mr. SHAYS, Mr. SHADEGG, Mr. HORN, Mr. WYDEN, Mr. MANZULLO, Mr. SAXTON, Mr. SOUDER, and Mr. THORNBERRY.

H.R. 708: Mr. UNDERWOOD, Mr. SAXTON, Mr. HANCOCK, Mr. CRAMER, Mr. GREENWOOD, Mr. BILBRAY, Mr. FOX, Mr. NEAL of Massachusetts, Mr. STEARNS, Mr. GENE GREEN of Texas, Mr. FROST, and Mr. EMERSON.

H.R. 733: Mr. CONYERS, Mr. HOEKSTRA, Mr. ENGEL, and Mr. KILDEE.

H.R. 734: Mr. CONYERS, Mr. HOEKSTRA, Mr. ENGEL, and Mr. KILDEE.

H.R. 764: Mr. GENE GREEN of Texas, Mr. SABO, and Mr. MARTINEZ.

H.R. 768: Mr. THOMPSON, Mr. HILLIARD, Mr. FRAZER, and Mr. KAPTUR.

H.R. 783: Ms. DUNN of Washington, Mr. MCDADE, Mr. EMERSON, and Mr. BONILLA.

H.R. 785: Mr. ENGEL, Mr. PASTOR, Mr. DURBIN, Mrs. MALONEY, Mr. MANTON, and Mrs. COLLINS of Illinois.

H.R. 789: Mr. PETRI, Mr. KLUG, and Mr. KLECZKA.

H.J. Res. 65: Mr. PETERSON of Florida.

H. Con. Res. 10: Mrs. MEYERS of Kansas, Mr. GENE GREEN of Texas, Mr. KING, Mr. WELLER, Mr. MCHALE, and Mr. WILSON.

H. Con. Res. 12: Mr. PORTER and Mr. GREENWOOD.

H. Con. Res. 13: Mr. MILLER of California, Mr. FROST, Ms. LOFGREN, Mr. OLVER, Mr. DEUTSCH, Ms. NORTON, Ms. JACKSON-LEE, Mr. NEAL of Massachusetts, Mr. CONYERS, Ms. ESHOO, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. FURSE, Mr. SCOTT, Mr. WATT of North Carolina, Mr. MORAN, Mr. TORKILDSEN, Mr. VENTO, Mr. FILNER, Mr. BERMAN, Mr. HINCHEY, and Mr. GUTIERREZ.

H. Res. 40: Ms. MCKINNEY, Mr. BEILENSON, Mr. TORRES, Mr. FROST, Mr. FRANK of Massachusetts, Mr. BROWDER, Mr. GENE GREEN of Texas, and Mr. STUPAK.

H. Res. 45: Mr. SCHUMER, Mr. GENE GREEN of Texas, and Mr. WYDEN.

H. Res. 54: Mr. MINETA.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 2

OFFERED BY: MR. STENHOLM

AMENDMENT NO. 35: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Line Item Veto Act''.

TITLE I—LINE ITEM VETO

SEC. 101. LINE ITEM VETO AUTHORITY.

(a) IN GENERAL.—Notwithstanding the provisions of part B of title X of The Congressional Budget and Impoundment Control Act of 1974, and subject to the provisions of this section, the President may rescind all or part of the dollar amount of any discretionary budget authority specified in an appropriation Act or an accompanying committee report or joint explanatory statement accompanying a conference report on that Act or veto any targeted tax benefit which is subject to the terms of this Act if the President—

(1) determines that—

(A) such rescission or veto would help reduce the Federal budget deficit;

(B) such rescission or veto will not impair any essential Government functions; and

(C) such rescission or veto will not harm the national interest; and

(2) notifies the Congress of such rescission or veto by a special message not later than ten calendar days (not including Sundays) after the date of enactment of an appropriation Act providing such budget authority or a revenue or reconciliation Act containing a targeted tax benefit.

(b) DEFICIT REDUCTION.—In each special message, the President may also propose to

reduce the appropriate discretionary spending limit set forth in section 601(a)(2) of the Congressional Budget Act of 1974 by an amount that does not exceed the total amount of discretionary budget authority rescinded by that message.

(c) SEPARATE MESSAGES.—The President shall submit a separate special message for each appropriation Act and for each revenue or reconciliation Act under this paragraph.

(d) SPECIAL RULE.—For any rescission of budget authority, the President may either submit a special message under this section or under section 1012 of the Impoundment Control Act of 1974. Funds proposed to be rescinded under this section may not be proposed to be rescinded under section 1012 of that Act.

SEC. 102. LINE ITEM VETO EFFECTIVE UNLESS DISAPPROVED.

(a)(1) Any amount of budget authority rescinded under section 101 as set forth in a special message by the President shall be deemed canceled unless, during the period described in subsection (b), a rescission/receipts disapproval bill making available all of the amount rescinded is enacted into law.

(2) Any provision of law vetoed under section 101 as set forth in a special message by the President shall be deemed repealed unless, during the period described in subsection (b), a rescission/receipts disapproval bill restoring that provision is enacted into law.

(b) The period referred to in subsection (a) is—

(1) a congressional review period of twenty calendar days of session, beginning on the first calendar day of session after the date of submission of the special message, during which Congress must complete action on the rescission/receipts disapproval bill and present such bill to the President for approval or disapproval;

(2) after the period provided in paragraph (1), an additional ten days (not including Sundays) during which the President may exercise his authority to sign or veto the rescission/receipts disapproval bill; and

(3) if the President vetoes the rescission/receipts disapproval bill during the period provided in paragraph (2), an additional five calendar days of session after the date of the veto.

(c) If a special message is transmitted by the President under section 101 and the last session of the Congress adjourns sine die before the expiration of the period described in subsection (b), the rescission or veto, as the case may be, shall not take effect. The message shall be deemed to have been retransmitted on the first Monday in February of the succeeding Congress and the review period referred to in subsection (b) (with respect to such message) shall run beginning after such first day.

SEC. 103. DEFINITIONS.

As used in this title:

(1) The term ''rescission/receipts disapproval bill'' means a bill or joint resolution which only disapproves, in whole, rescissions of discretionary budget authority or only disapproves vetoes of targeted tax benefits in a special message transmitted by the President under this Act and—

(A) which does not have a preamble;

(B)(i) in the case of a special message regarding rescissions, the matter after the enacting clause of which is as follows: ''That Congress disapproves each rescission of discretionary budget authority of the President as submitted by the President in a special message on ''', the blank space being filled in with the appropriate date and the public law to which the message relates; and

(ii) in the case of a special message regarding vetoes of targeted tax benefits, the matter after the enacting clause of which is as follows: ''That Congress disapproves each veto of targeted tax benefits of the President as submitted by the President in a special message on ''', the blank space being filled in with the appropriate date and the public law to which the message relates; and

(C) the title of which is as follows: ''A bill disapproving the recommendations submitted by the President on ''', the blank space being filled in with the date of submission of the relevant special message and the public law to which the message relates.

(2) The term ''calendar days of session'' shall mean only those days on which both Houses of Congress are in session.

(3) The term ''targeted tax benefit'' means any provision of a revenue or reconciliation Act determined by the President to provide a Federal tax deduction, credit, exclusion, preference, or other concession to 100 or fewer beneficiaries. Any partnership, limited partnership, trust, or S corporation, and any subsidiary or affiliate of the same parent corporation, shall be deemed and counted as a single beneficiary regardless of the number of partners, limited partners, beneficiaries, shareholders, or affiliated corporate entities.

(4) The term ''appropriation Act'' means any general or special appropriation Act, and any Act or joint resolution making supplemental, deficiency, or continuing appropriations.

SEC. 104. CONGRESSIONAL CONSIDERATION OF LINE ITEM VETOES.

(a) PRESIDENTIAL SPECIAL MESSAGE.—Whenever the President rescinds any budget authority as provided in section 101 or vetoes any provision of law as provided in 101, the President shall transmit to both Houses of Congress a special message specifying—

(1) the amount of budget authority rescinded or the provision vetoed;

(2) any account, department, or establishment of the Government to which such budget authority is available for obligation, and the specific project or governmental functions involved;

(3) the reasons and justifications for the determination to rescind budget authority or veto any provisions pursuant to section 101;

(4) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect of the rescission or veto; and

(5) all actions, circumstances, and considerations relating to or bearing upon the rescission or veto and the decision to effect the rescission or veto, and to the maximum extent practicable, the estimated effect of the rescission upon the objects, purposes, and programs for which the budget authority is provided.

(b) TRANSMISSION OF MESSAGES TO HOUSE AND SENATE.—

(1) Each special message transmitted under section 101 shall be transmitted to the House of Representatives and the Senate on the same day, and shall be delivered to the Clerk of the House of Representatives if the House is not in session, and to the Secretary of the Senate if the Senate is not in session. Each special message so transmitted shall be referred to the appropriate committees of the House of Representatives and the Senate. Each such message shall be printed as a document of each House.

(2) Any special message transmitted under section 101 shall be printed in the first issue of the Federal Register published after such transmittal.

(c) INTRODUCTION OF RESCISSION/RECEIPTS DISAPPROVAL BILLS.—The procedures set forth in subsection (d) shall apply to any rescission/receipts disapproval bill introduced in the House of Representatives not later than the third calendar day of session beginning on the day after the date of submission of a special message by the President under section 101.

(d) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—(1) The committee of the House of Representatives to which a rescission/receipts disapproval bill is referred shall report it without amendment, and with or without recommendation, not later than the eighth calendar day of session after the date of its introduction. If the committee fails to report the bill within that period, it is in order to move that the House discharge the committee from further consideration of the bill. A motion to discharge may be made only by an individual favoring the bill (but only after the legislative day on which a Member announces to the House the Member's intention to do so). The motion is highly privileged. Debate thereon shall be limited to not more than one hour, the time to be divided in the House equally between a proponent and an opponent. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(2) After a rescission/receipts disapproval bill is reported or the committee has been discharged from further consideration, it is in order to move that the House resolve into the Committee of the Whole House on the State of the Union for consideration of the bill. All points of order against the bill and against consideration of the bill are waived. The motion is highly privileged. The previous question shall be considered as ordered on that motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. During consideration of the bill in the Committee of the Whole, the first reading of the bill shall be dispensed with. General debate shall proceed without intervening motion, shall be confined to the bill, and shall not exceed two hours equally divided and controlled by a proponent and an opponent of the bill. No amendment to the bill is in order, except any Member may move to strike the disapproval of any rescission or rescissions of budget authority or any proposed repeal of a targeted tax benefit, as applicable, if supported by 49 other Members. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion.

(3) Appeals from the decisions of the Chair relating to the application of the rules of the House of Representatives to the procedure relating to a bill described in subsection (a) shall be decided without debate.

(4) It shall not be in order to consider more than one bill described in subsection (c) or more than one motion to discharge described in paragraph (1) with respect to a particular special message.

(5) Consideration of any rescission/receipts disapproval bill under this subsection is governed by the rules of the House of Representatives except to the extent specifically provided by the provisions of this title.

(e) CONSIDERATION IN THE SENATE.—

(1) Any rescission/receipts disapproval bill received in the Senate from the House shall be considered in the Senate pursuant to the provisions of this title.

(2) Debate in the Senate on any rescission/receipts disapproval bill and debatable motions and appeals in connection therewith, shall be limited to not more than ten hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(3) Debate in the Senate on any debatable motions or appeal in connection with such bill shall be limited to one hour, to be equally divided between, and controlled by the mover and the manager of the bill, except that in the event the manager of the bill is in favor of any such motion or appeal, the time is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from the time under their control on the passage of the bill, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(4) A motion to further limit debate is not debatable. A motion to recommit (except a motion to recommit with instructions to report back within a specified number of days not to exceed one, not counting any day on which the Senate is not in session) is not in order.

(f) POINTS OF ORDER.—

(1) It shall not be in order in the Senate to consider any rescission/receipts disapproval bill that relates to any matter other than the rescission of budget authority or veto of the provision of law transmitted by the President under section 101.

(2) It shall not be in order in the Senate to consider any amendment to a rescission/receipts disapproval bill.

(3) Paragraphs (1) and (2) may be waived or suspended in the Senate only by a vote of three-fifths of the members duly chosen and sworn.

SEC. 105. REPORTS OF THE GENERAL ACCOUNTING OFFICE.

Beginning on January 6, 1996, and at one-year intervals thereafter, the Comptroller General shall submit a report to each House of Congress which provides the following information:

(1) A list of each proposed Presidential rescission of discretionary budget authority and veto of a targeted tax benefit submitted through special messages for the fiscal year ending during the preceding calendar year, together with their dollar value, and an indication of whether each rescission of discretionary budget authority or veto of a targeted tax benefit was accepted or rejected by Congress.

(2) The total number of proposed Presidential rescissions of discretionary budget authority and vetoes of a targeted tax benefit submitted through special messages for the fiscal year ending during the preceding calendar year, together with their total dollar value.

(3) The total number of Presidential rescissions of discretionary budget authority or vetoes of a targeted tax benefit submitted through special messages for the fiscal year ending during the preceding calendar year and approved by Congress, together with their total dollar value.

(4) A list of rescissions of discretionary budget authority initiated by Congress for the fiscal year ending during the preceding calendar year, together with their dollar value, and an indication of whether each such rescission was accepted or rejected by Congress.

(5) The total number of rescissions of discretionary budget authority initiated and accepted by Congress for the fiscal year ending during the preceding calendar year, together with their total dollar value.

(6) A summary of the information provided by paragraphs (2), (3) and (5) for each of the ten fiscal years ending before the fiscal year during this calendar year.

SEC. 106. JUDICIAL REVIEW.

(a) EXPEDITED REVIEW.—

(1) Any Member of Congress may bring an action, in the United States District Court for the District of Columbia, for declaratory judgment and injunctive relief on the ground that any provision of this title violates the Constitution.

(2) A copy of any complaint in an action brought under paragraph (1) shall be promptly delivered to the Secretary of the Senate and the Clerk of the House of Representatives, and each House of Congress shall have the right to intervene in such action.

(3) Any action brought under paragraph (1) shall be heard and determined by a three-judge court in accordance with section 2284 of title 28, United States Code.

Nothing in this section or in any other law shall infringe upon the right of the House of Representatives to intervene in an action brought under paragraph (1) without the necessity of adopting a resolution to authorize such intervention.

(b) APPEAL TO SUPREME COURT.—Notwithstanding any other provision of law, any order of the United States District Court for the District of Columbia which is issued pursuant to an action brought under paragraph (1) of subsection (a) shall be reviewable by appeal directly to the Supreme Court of the United States. Any such appeal shall be taken by a notice of appeal filed within 10 days after such order is entered; and the jurisdictional statement shall be filed within 30 days after such order is entered. No stay of an order issued pursuant to an action brought under paragraph (1) of subsection (a) shall be issued by a single Justice of the Supreme Court.

(c) EXPEDITED CONSIDERATION.—It shall be the duty of the District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under subsection (a).

TITLE II—EXPEDITED CONSIDERATION OF PROPOSED RESCISSIONS AND TARGETED TAX BENEFITS

SEC. 201. EXPEDITED CONSIDERATION OF CERTAIN PROPOSED RESCISSIONS AND TARGETED TAX BENEFITS.

(a) IN GENERAL.—Section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683) is amended to read as follows:

''EXPEDITED CONSIDERATION OF CERTAIN PROPOSED RESCISSIONS

''SEC. 1012. (a) PROPOSED RESCISSION OF BUDGET AUTHORITY OR REPEAL OF TARGETED TAX BENEFITS.—The President may propose, at the time and in the manner provided in subsection (b), the rescission of any budget authority provided in an appropriation Act of repeal of any targeted tax benefit provided in any revenue Act. If the President proposes a rescission of budget authority, he may also propose to reduce the appropriate discretionary spending limit set forth in section 601(a)(2) of the Congressional Budget Act of 1974 by an amount that does not exceed the amount of the proposed rescission. Funds made available for obligation under this procedure may not be proposed for rescission again under this section.

''(b) TRANSMITTAL OF SPECIAL MESSAGE.—

''(1) The President may transmit to Congress a special message proposing to rescind amounts of budget authority or to repeal any targeted tax benefit and include with that special message a draft bill that, if enacted, would only rescind that budget authority or repeal that targeted tax benefit unless the President also proposes a reduction in the appropriate discretionary spending limit set forth in section 601(a)(2) of the Congressional Budget Act of 1974. That bill shall clearly identify the amount of budget authority that is proposed to be rescinded for each program, project, or activity to which that budget authority relates to the targeted tax benefit proposed to be repealed, as the case may be. A targeted tax benefit may only be proposed to be repealed under this section during the 10-legislative-day period commencing on the day after the date of enactment of the provision proposed to be repealed.

''(2) In the case of an appropriation Act that includes accounts within the jurisdiction of more than one subcommittee of the Committee on Appropriations, the President in proposing to rescind budget authority under this section shall send a separate special message and accompanying draft bill for accounts within the jurisdiction of each each subcommittee.

''(3) Each special message shall specify, with respect to the budget authority proposed to be rescinded, the following—

''(A) the amount of budget authority which he proposes to be rescinded;

''(B) any account, department, or establishment of the Government to which such budget authority is available for obligation, and the specific project or governmental functions involved;

''(C) the reasons why the budget authority should be rescinded;

''(D) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect (including the effect on outlays and receipts in each fiscal year) of the proposed rescission;

''(E) all facts, circumstances, and considerations relating to or bearing upon the proposed rescission and the decision to effect the proposed rescission, and to the maximum extent practicable, the estimated effect of the proposed rescission upon the objects, purposes, and programs for which the budget authority is provided.

Each special message shall specify, with respect to the proposed repeal of targeted tax benefits, the information required by subparagraphs (C), (D), and (E), as it relates to the proposed repeal; and

''(F) a reduction in the appropriate discretionary spending limit set forth in section 601(a)(2) of the Congressional Budget Act of 1974, if proposed by the President.

(4) For any rescission of budget authority, the President may either submit a special message under this section or under section 101 of the Line Item Veto Act. Funds proposed to be rescinded under this section may not be proposed to be rescinded under section 101 of that Act.

''(c) PROCEDURES FOR EXPEDITED CONSIDERATION.—

''(1)(A) Before the close of the second legislative day of the House of Representatives after the date of receipt of a special message transmitted to Congress under subsection (b), the majority leader or minority leader of the House of Representatives shall introduce (by request) the draft bill accompanying that special message. If the bill is not introduced as provided in the preceding sentence, then, on the third legislative day of the House of Representatives after the date of receipt of that special message, any Member of that House may introduce the bill.

''(B) The bill shall be referred to the Committee on Appropriations or the Committee on Ways and Means of the House of Representatives, as applicable. The committee shall report the bill without substantive revision and with or without recommendation. The bill shall be reported not later than the seventh legislative day of that House after the date of receipt of that special message. If that committee fails to report the bill within that period, that committee shall be automatically discharged from consideration of the bill, and the bill shall be placed on the appropriate calendar.

''(C) During consideration under this paragraph, any Member of the House of Representatives may move to strike any proposed rescission or rescissions of budget authority or any proposed repeal of a targeted tax benefit, as applicable, if supported by 49 other Members.

''(D) A vote on final passage of the bill shall be taken in the House of Representatives on or before the close of the 10th legislative day of that House after the date of the introduction of the bill in that House. If the bill is passed, the Clerk of the House of Representatives shall cause the bill to be engrossed, certified, and transmitted to the Senate within one calendar day of the day on which the bill is passed.

''(2)(A) A motion in the House of Representatives to proceed to the consideration of a bill under this section shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

''(B) Debate in the House of Representatives on a bill under this section shall not exceed 4 hours, which shall be divided equally between those favoring and those opposing the bill. A motion further to limit debate shall not be debatable. It shall not be in order to move to recommit a bill under this section or to move to reconsider the vote by which the bill is agreed to or disagreed to.

''(C) Appeals from decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to a bill under this section shall be decided without debate.

''(D) Except to the extent specifically provided in the preceding provisions of this subsection, consideration of a bill under this section shall be governed by the Rules of the House of Representatives. It shall not be in order in the House of Representatives to consider any rescission bill introduced pursuant to the provisions of this section under a suspension of the rules or under a special rule.

''(3)(A) A bill transmitted to the Senate pursuant to paragraph (1)(D) shall be referred to its Committee on Appropriations or Committee on Finance, as applicable. That committee shall report the bill without substantive revision and with or without recommendation. The bill shall be reported not later than the seventh legislative day of the Senate after it receives the bill. A committee failing to report the bill within such period shall be automatically discharged from consideration of the bill, and the bill shall be placed upon the appropriate calendar.

''(B) During consideration under this paragraph, any Member of the Senate may move to strike any proposed rescission or rescissions of budget authority or any proposed repeal of a targeted tax benefit, as applicable, if supported by 14 other Members.

''(4)(A) A motion in the Senate to proceed to the consideration of a bill under this section shall be privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

''(B) Debate in the Senate on a bill under this section, and all debatable motions and appeals in connection therewith (including debate pursuant to subparagraph (C)), shall not exceed 10 hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

''(C) Debate in the Senate or any debatable motion or appeal in connection with a bill under this section shall be limited to not more than 1 hour, to be equally divided between, and controlled by, the mover and the manager of the bill, except that in the event the manager of the bill is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control of the passage of a bill, allot additional time to any Senator during the consideration of any debatable motion or appeal.

''(D) A motion in the Senate to further limit debate on a bill under this section is not debatable. A motion to recommit a bill under this section is not in order.

''(d) AMENDMENT AND DIVISIONS PROHIBITED.—Except as otherwise provided by this section, no amendment to a bill considered under this section shall be in order in either the House of Representatives or the Senate. It shall not be in order to demand a division of the question in the House of Representatives (or in a Committee of the Whole) or in the Senate. No motion to suspend the application of this subsection shall be in order in either House, nor shall it be in order in either House to suspend the application of this subsection by unanimous consent.

''(e) REQUIREMENT TO MAKE AVAILABLE FOR OBLIGATION.—(1) Any amount of budget authority proposed to be rescinded in a special message transmitted to Congress under subsection (b) shall be made available for obligation on the day after the date on which either House rejects the bill transmitted with that special message.

''(2) Any targeted tax benefit proposed to be repealed under this section as set forth in a special message transmitted by the President shall not be deemed repealed unless the bill transmitted with that special message is enacted into law.

''(f) DEFINITIONS.—For purposes of this section—

''(1) the term 'appropriation Act' means any general or special appropriation Act, and any Act or joint resolution making supplemental, deficiency, or continuing appropriations;

''(2) the term 'legislative day' means, with respect to either House of Congress, any day of session;

''(3) the term ''targeted tax benefit'' means any provision of a revenue or reconciliation Act determined by the President to provide a Federal tax deduction, credit, exclusion, preference, or other concession to 100 or fewer beneficiaries. Any partnership, limited partnership, trust, or S corporation, and any subsidiary or affiliate of the same parent corporation, shall be deemed and counted as a single beneficiary regardless of the number of partners, limited partners, beneficiaries, shareholders, or affiliated corporate entities; and

''(4) the term 'beneficiary' means any taxpayer or any corporation, partnership, institution, organization, item of property, State, or civil subdivision within one or more States. Any partnership, limited partnership, trust, or S corporation, and any subsidiary or affiliate of the same parent corporation, shall be deemed and counted as a single beneficiary regardless of the number of partners, limited partners, beneficiaries, shareholders, or affiliated corporate entities.''.

(b) EXERCISE OF RULEMAKING POWERS.—Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (a), by striking ''and 1017'' and inserting ''1012, and 1017''; and

(2) in subsection (d), by striking ''section 1017'' and inserting ''sections 1012 and 1017''; and

(c) CONFORMING AMENDMENTS.—

(1) Section 1011 of the Congressional Budget Act of 1974 (2 U.S.C. 682(5)) is amended by repealing paragraphs (3) and (5) and by redesignating paragraph (4) as paragraph (3).

(2) Section 1014 of such Act (2 U.S.C. 685) is amended—

(A) in subsection (b)(1), by striking ''or the reservation''; and

(B) in subsection (e)(1), by striking ''or a reservation'' and by striking ''or each such reservation''.

(3) Section 1015(a) of such Act (2 U.S.C. 686) is amended by striking ''is to establish a reserve or'', by striking ''the establishment of such a reserve or'', and by striking ''reserve or'' each other place it appears.

(4) Section 1017 of such Act (2 U.S.C. 687) is amended—

(A) in subsection (a), by striking ''rescission bill introduced with respect to a special message or'';

(B) in subsection (b)(1), by striking ''rescission bill or'', by striking ''bill or'' the second place it appears, by striking ''rescission bill with respect to the same special message or'', and by striking '', and the case may be,'';

(C) in subsection (b)(2), by striking ''bill or'' each place it appears;

(D) in subsection (c), by striking ''rescission'' each place it appears and by striking ''bill or'' each place it appears;

(E) in subsection (d)(1), by striking ''rescission bill or'' and by striking '', and all amendments thereto (in the case of a rescission bill)'';

(F) in subsection (d)(2)—

(i) by striking the first sentence;

(ii) by amending the second sentence to read as follows: ''Debate on any debatable motion or appeal in connection with an impoundment resolution shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the resolution, except that in the event that the manager of the resolution is in favor of any such motion or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee.'';

(iii) by striking the third sentence; and

(iv) in the fourth sentence, by striking ''rescission bill or'' and by striking ''amendment, debatable motion,'' and by inserting ''debatable motion'';

(G) in paragraph (d)(3), by striking the second and third sentences; and

(H) by striking paragraphs (4), (5), (6), and (7) of paragraph (d).

(d) CLERICAL AMENDMENTS.—The item relating to section 1012 in the table of sections for subpart B of title X of the Congressional Budget and Impoundment Control Act of 1974 is amended to read as follows:

''Sec. 1012. Expedited consideration of certain proposed rescissions and targeted tax benefits.''.