

from the Economic and Educational Opportunities Committee is going to take food out of the mouths of children. It is time the media and school lunch bureaucrats who keep feeding the American public these horror stories realize that the only horror here is that the facts are not getting to the American people.

Let me share a few facts with you.

Fact: Funding for school lunch programs will increase by 4.5 percent each year over the next 5 years.

Fact: Eighty percent of the funds in this block grant will be used to feed low-income children.

Fact: By eliminating mounds of Federal red tape and regulations, a school will be in a better position to put its money where the children's mouths are.

The American public needs and deserves to hear the facts. This program ensures that low-income children in our country will not go hungry. Opponents should stop stuffing people's ears with falsehoods and start filling our children's mouths with food.

#### DEBATE ON PROPERTY RIGHTS

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

Mr. TAUZIN. Mr. Speaker, today we begin a historic debate, one that I and many Members of this House have long awaited, the debate on private property rights.

I want to remind the House that this debate started with Democrats. It was Democrats who put together the private property owners' bill of rights which has now been incorporated into the Republican contract. Democrats like the gentleman from Texas, GREG LAUGHLIN, the gentleman from Louisiana, Mr. HAYES, and the gentleman from California, Mr. CONDIT, and the gentleman from Texas, Mr. STENHOLM, and I together joined with our colleague, the gentleman from Texas, Mr. FIELDS. We have tried for years to bring this issue to the floor of the House.

Today that debate begins and we are delighted. Today we begin providing protections for every private property owner in America, guaranteed under the fifth amendment. We are not going to be debating big landowner rights. They can go to court today to enforce their rights. Today we enforce the rights of every small landowner in America to enjoy the same civil rights and liberties guaranteed under the fifth amendment. Today we give meaning and life to the fifth amendment protection that says, no private property shall be taken by this Government, by regulation or otherwise, without just compensation.

#### SCHOOL NUTRITION PROGRAMS

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

Mr. HOKE. Speaker, do you know how much money we are cutting from the school nutrition programs? Zero, zip, zilch, zippo, zippola, niente, nada, nothing, nil, none, squat, the big goose egg. Here are the facts.

Under the Republican proposal, spending on school nutrition programs increases the next 2 years by 4.5 percent. Unlike the current program, which has lax or few standards, the Republican plan requires that 80 percent of the funds go to low income kids, those that need it the most. Yet, all the Democrats can do up here is come and whine and posture, whine and posture. So much that these days will undoubtedly come to be known as the days of whine and poses.

But the American people are not buying this snake oil. They know that the welfare system has been a disaster, not just for the taxpayers but for those poor people it was designed to help. They know that no amount of money can right the current system. It is too corrupt. It is too destructive. They know it needs to be fundamentally changed. That is what they elected us to do. And do it we shall.

#### NICHOLAS LEESON

(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, Nick Leeson, a 28-year-old common man, now known as Tricky Nicky, single-handedly bankrupted the Barings Bank of England. This is no ordinary bank. This bank financed the Louisiana Purchase and is known as the bank of kings and queens. Now, evidently, Mr. Speaker, the security at Barings was out for a spot of tea. But this is an unusual case, Mr. Speaker.

In the past, only millionaires and bankers and kings and queens could sting a bank. Not anymore. Evidently the common man has moved up from robbing the drug stores and the gas station and is now an equal member in the white collar advanced crime network opportunity program, my colleagues.

I said it all along, Mr. Speaker. Thanks to Tricky Nicky, we have come to see one thing. There is hope for the common man. After all, I never heard of the common man committing suicide by jumping out of a basement window. Think about that awhile. Maybe there is some hope left.

#### VOTE ON HOUSE RESOLUTION 101, PROVIDING FOR CONSIDERATION OF H.R. 925, PRIVATE PROPERTY PROTECTION ACT OF 1995

The SPEAKER pro tempore (Mr. QUINN). The unfinished business is the question of the vote on House Resolution 101.

The Clerk read the title of the resolution.

(For text of House Resolution 101, see page H2459 of the RECORD of Wednesday, March 1, 1995.)

The SPEAKER pro tempore. The vote is on the resolution on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 271, nays 151, not voting 12, as follows:

[Roll No. 189]

YEAS—271

Allard	Franks (NJ)	Meehan
Archer	Frelinghuysen	Meyers
Armey	Frisa	Mica
Bachus	Frost	Miller (FL)
Baesler	Funderburk	Molinari
Baker (CA)	Gallegly	Mollohan
Baker (LA)	Ganske	Montgomery
Ballenger	Gekas	Moorhead
Barcia	Geren	Morella
Barr	Gilchrest	Murtha
Barrett (NE)	Gillmor	Myers
Bartlett	Gilman	Myrick
Barton	Goodlatte	Nethercutt
Bass	Goodling	Neumann
Bateman	Gordon	Ney
Bereuter	Goss	Norwood
Bevill	Graham	Nussle
Bilirakis	Green	Oxley
Bliley	Greenwood	Packard
Blute	Gunderson	Parker
Boehlert	Gutknecht	Paxon
Boehner	Hall (TX)	Payne (VA)
Bonilla	Hancock	Peterson (MN)
Bono	Hansen	Petri
Brewster	Hastert	Pickett
Browder	Hastings (WA)	Pombo
Brownback	Hayworth	Porter
Bryant (TN)	Hefley	Portman
Bunn	Hefner	Poshard
Bunning	Heineman	Pryce
Burr	Herger	Quillen
Burton	Hilleary	Quinn
Buyer	Hobson	Radanovich
Callahan	Hoekstra	Ramstad
Calvert	Hoke	Regula
Camp	Holden	Riggs
Canady	Horn	Roberts
Castle	Hostettler	Rogers
Chabot	Houghton	Rohrabacher
Chambliss	Hunter	Ros-Lehtinen
Chenoweth	Hutchinson	Rose
Christensen	Hyde	Roth
Chrysler	Inglis	Roukema
Clinger	Istook	Royce
Coble	Johnson (CT)	Salmon
Coburn	Johnson, Sam	Sanford
Collins (GA)	Jones	Saxton
Combest	Kasich	Scarborough
Condit	Kelly	Schaefer
Cooley	Kennelly	Schiff
Cox	Kim	Schumer
Cramer	King	Seastrand
Crane	Kingston	Sensenbrenner
Crapo	Klink	Shadegg
Creameans	Klug	Shaw
Cubin	Knollenberg	Shays
Cunningham	Kolbe	Shuster
Davis	LaHood	Sisisky
de la Garza	Largent	Skeen
Deal	Latham	Skelton
Diaz-Balart	LaTourette	Smith (MI)
Dickey	Laughlin	Smith (NJ)
Doolittle	Lazio	Smith (TX)
Dornan	Leach	Smith (WA)
Dreier	Lewis (CA)	Solomon
Duncan	Lewis (KY)	Souder
Dunn	Lightfoot	Spence
Edwards	Linder	Stearns
Ehlers	Livingston	Stenholm
Ehrlich	LoBiondo	Stockman
Emerson	Longley	Stump
English	Lucas	Stupak
Ensign	Manzullo	Talent
Everett	Martinez	Tanner
Ewing	Martini	Tate
Fawell	McCollum	Tauzin
Fazio	McCrery	Taylor (NC)
Fields (TX)	McDade	Tejeda
Flanagan	McHale	Thomas
Foley	McHugh	Thornberry
Forbes	McInnis	Tiahrt
Fowler	McIntosh	Torkildsen
Fox	McKeon	Torricelli
Franks (CT)	McNulty	Traficant

Upton	Weldon (PA)	Wyden
Vucanovich	Weller	Young (AK)
Waldholtz	White	Young (FL)
Walsh	Whitfield	Zeliff
Wamp	Wicker	Zimmer
Watts (OK)	Wilson	
Weldon (FL)	Wolf	

NAYS—151

Abercrombie	Gibbons	Olver
Ackerman	Gutierrez	Ortiz
Andrews	Hall (OH)	Orton
Baldacci	Hamilton	Owens
Barrett (WI)	Harman	Pallone
Becerra	Hastings (FL)	Pastor
Beilenson	Hayes	Payne (NJ)
Bentsen	Hilliard	Pelosi
Berman	Hinchee	Peterson (FL)
Bishop	Hoyer	Pomeroy
Bonior	Jackson-Lee	Rahall
Borski	Jacobs	Rangel
Boucher	Jefferson	Reed
Brown (CA)	Johnson (SD)	Reynolds
Brown (FL)	Johnson, E.B.	Richardson
Brown (OH)	Johnston	Rivers
Cardin	Kanjorski	Roemer
Chapman	Kaptur	Roybal-Allard
Clayton	Kennedy (MA)	Rush
Clement	Kennedy (RI)	Sabo
Clyburn	Kildee	Sanders
Coleman	Klecza	Sawyer
Collins (IL)	LaFalce	Schroeder
Collins (MI)	Lantos	Scott
Conyers	Levin	Serrano
Costello	Lewis (GA)	Skaggs
Coyne	Lincoln	Slaughter
Danner	Lipinski	Spratt
DeFazio	Lofgren	Stark
DeLauro	Lowey	Studds
Dellums	Luther	Taylor (MS)
Deutsch	Maloney	Thompson
Dixon	Manton	Thornton
Doggett	Markey	Thurman
Dooley	Mascara	Tucker
Doyle	Matsui	Velazquez
Durbin	McCarthy	Vento
Engel	McDermott	Visclosky
Eshoo	McKinney	Volkmer
Evans	Meek	Walker
Farr	Menendez	Ward
Fattah	Mfume	Waters
Fields (LA)	Miller (CA)	Watt (NC)
Filner	Mineta	Waxman
Flake	Minge	Williams
Foglietta	Mink	Wise
Ford	Moran	Woolsey
Frank (MA)	Nadler	Wynn
Furse	Neal	Yates
Gejdenson	Oberstar	
Gephardt	Obey	

NOT VOTING—12

Bilbray	Dicks	Moakley
Bryant (TX)	Dingell	Stokes
Clay	Gonzalez	Torres
DeLay	Metcalf	Towns

□ 1055

Mr. LEVIN, Mr. POMEROY, Mr. VOLKMER, and Mrs. MEEK of Florida changed their vote from "aye" to "no."

Mr. ROTH changed his vote from "no" to "aye."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. COLLINS of Illinois. Mr. Speaker, yesterday I was on the floor talking and omitted voting on rollcall 184.

If I had been paying attention, I would have voted "aye" on rollcall 184.

PRIVATE PROPERTY PROTECTION ACT OF 1995

The SPEAKER pro tempore (Mr. QUINN). Pursuant to House Resolution

101 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. 925.

□ 1058

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. 925) to compensate owners of private property for the effect of certain regulatory restrictions, with Mr. SHUSTER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, March 1, 1995, 29½ minutes remained in general debate. The gentleman from Florida [Mr. CANADY] has 14½ minutes remaining, and the gentleman from Michigan [Mr. CONYERS] has 15 minutes remaining.

The Chair recognizes the gentleman from Florida [Mr. CANADY].

Mr. CANADY of Florida. Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. PORTER].

□ 1100

Mr. PORTER. Mr. Chairman, any honest person must admit that there have been instances of regulatory overkill in our Government. But this legislation is legislative overkill in the extreme. It will turn on the litigation tap with an absurdly low threshold for compensation of 10 percent. It will mean, Mr. Chairman, that every single regulation will be the subject of a lawsuit and every application of every regulation will be the subject of a lawsuit. Why would the lawyers not want to take it to court, roll the dice and see if they can get a recovery?

I take a back seat to no one in this Chamber in terms of my fiscal conservatism, and I cannot support this bill because it will create a new entitlement that will cost Government so much money that no Republican ought to support it.

I will be offering, Mr. Chairman, an amendment with the gentleman from Michigan [Mr. EHLERS], the gentleman from California [Mr. FARR], and the gentleman from Texas [Mr. BRYANT] that is the essence of legislation introduced in the Senate by Majority Leader DOLE as Senate bill S. 22. It is his answer to the takings problem. It is legislation that is based upon an Executive order issued by Ronald Reagan. Our amendment, like Mr. DOLE's bill, Mr. Chairman, leaves takings under the Constitution, where they belong, unless the agency fails to do a private property taking impact assessment before issuing any regulation. If the agency fails to do an assessment, then the Canady-Tauzin compensation scheme applies.

We should follow the Constitution, Mr. Chairman. It has worked very well for the last 200 years.

Finally, let me say that the Canady-Tauzin approach is a minority mentality approach. We are in the majority in this Chamber today and if there is a problem with the Endangered Species Act, let's change the act. If there is a problem with the wetlands law, let's change the law. But let's not write an entire new entitlement program that will cost the Government hundreds of millions of dollars in expenses. Let's instead support the approach that we will offer in our amendment that says let's look at the impact of a regulation on private property, let's ensure that the Government knows very well what it does, and let's then follow the Constitution which has served us well. If the impact statement is not done, we can then go to the approach offered by the gentleman from Florida [Mr. CANADY] and the gentleman from Louisiana [Mr. TAUZIN].

I urge Members to support the Dole approach to the amendment I will offer later.

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. SMITH].

(Mr. SMITH of Michigan asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Chairman, the point is that we need to make some changes. There is a problem in this country where we have started passing on unfunded mandates to cities and counties to let them pay for our philosophy changes. This is also a problem where we are passing mandates on to individuals to let them pay for our philosophical changes, while we are taking away people's property, sometimes by poorly written laws, sometimes by poorly written regulations, sometimes by overzealous Government agents.

I am a farmer from Michigan. Let me share with you a couple of farm stories. A vegetable farmer was ordered to stop farming when two endangered species were discovered on his farm. The farmer was told he would be allowed to return to farming if he gave the Government 1 square mile of his property and a mitigation fee of \$300,000. When the farmer refused this offer, he was fined \$300,000. That was 10 years ago. The farmer is still fighting.

A family of cabbage growers cannot farm 450 acres of its farmland because the Army Corps of Engineers declared this acreage to be a wetland. Because of the prohibitive court fees, the family could not afford to challenge the decision.

Close to me, a couple of odd miles away from my farm in Michigan, a farmer had almost one-quarter acre within the boundaries of his otherwise tillable land but that small little strip with a couple of cattails, the farmer had to drive 2 miles around to get to the other side because that farmer was not allowed to plow through it or have