| | | |
|---|---|---|
| Filner | Luther | Schumer |
| Foglietta | McDermott | Serrano |
| Frank (MA) | McKinney | Stark |
| Franks (NJ) | Mineta | Stokes |
| Furse | Minge | Studds |
| Graham | Mink | Thompson |
| Green | Moakley | Torres |
| Gutierrez | Nadler | Towns |
| Gutknecht | Owens | Tucker |
| Hastings (FL) | Pallone | Upton |
| Hilliard | Pastor | Velazquez |
| Hoekstra | Payne (NJ) | Vento |
| Holden | Pelosi | Waters |
| Johnson (SD) | Peterson (MN) | Watt (NC) |
| Johnson, Sam | Rahall | Williams |
| Johnston | Ramstad | Wise |
| Klug | Rangel | Woolsey |
| Lewis (GA) | Roybal-Allard | Wyden |
| Lincoln | Rush | Wynn |
| Lipinski | Sanders | Yates |
| Lofgren | Schroeder | |

NOT VOTING—11

| | | |
|---|---|---|
| Burton | Hinchey | Reynolds |
| Chapman | Kasich | Scarborough |
| Dickey | McIntosh | Waxman |
| Frost | Moran | |

□ 1213

Mr. WYNN, Mr. CLYBURN, Mrs. CLAYTON, Mr. SCHUMER, Mrs. MINK of Hawaii, and Messrs. COYNE, WISE, MOAKLEY, THOMPSON, and FIELDS of Louisiana changed their vote from ''yea'' to ''nay.''

Mr. BRYANT of Texas, Mr. SHADEGG, and Mrs. THURMAN changed their vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, I wish to have the RECORD reflect, immediately after rollcall vote No. 296 on H.R. 889, that I would have voted ''aye'' had I been here. I was across the hall.

## PERSONAL EXPLANATION

Mr. SCARBOROUGH. Mr. Speaker, I also wish to have the RECORD reflect that I missed the vote, and had I been here, I would have supported the approval of the conference report on defense supplemental.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

□ 1215

## PROVIDING FOR CONSIDERATION OF H.R. 660, HOUSING FOR OLDER PERSONS ACT OF 1995

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 126 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 126

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 660) to amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). The gentleman from Florida [Mr. DIAZ-BALART] is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Ohio [Mr. HALL], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 126 is an open rule providing for the consideration of H.R. 660, the Housing for Older Persons Act of 1995 authored by our distinguished colleague from Florida, [Mr. SHAW].

The purpose of this legislation is to clarify the requirements for seniors-only housing by removing the ''significant facilities and services'' requirement for housing for older persons from the Fair Housing Act, 42 U.S.C. 3601–3631. The Fair Housing Act prohibits discrimination against families with children, and as the father of two young boys, I am a strong supporter of the rights of families with children of any age. However, current law also allows for seniors-only housing if it meets certain requirements, including the provision of ''significant facilities and services.'' It is my understanding that compliance with the regulations that the Department of Housing and Urban Development has devised to meet this requirement are often vague and sometimes very expensive to meet.

Mr. Speaker, I would defer to the sponsor of the bill, the gentleman from Florida [Mr. SHAW] and to others, other members of the Committee on the Judiciary and Members who have worked diligently on this legislation, which of course the Committee on the Judiciary reported this bill, to speak to the details, to the bill's merits.

I will speak to the rule with which the Committee on Rules brings this bill to the floor. It is, I believe, an extremely fair rule; it is an open rule. Two amendments were offered by members of the minority in the Committee on the Judiciary, amendments that failed on recorded vote, and there may be other Members of Congress and not on the Committee on the Judiciary that may wish to amend this bill. Under this open rule any Member of Congress, regardless of committee or party affiliation, has the opportunity to offer any germane amendment.

The rule provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill.

Finally, the rule provides for one motion to recommit, with or without instructions.

Mr. Speaker, House Resolution 126, I believe, is exemplary, it is a totally fair, completely open rule, and I urge its adoption.

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS

[As of April 5, 1995]

| Rule type | 103d Congress | | 104th Congress | |
|---|---|---|---|---|
| | Number of rules | Percent of total | Number of rules | Percent of total |
| Open/Modified-open[2] | 46 | 44 | 21 | 72 |
| Modified Closed[3] | 49 | 47 | 8 | 28 |
| Closed[4] | 9 | 9 | 0 | 0 |
| Totals: | 104 | 100 | 29 | 100 |

[1] This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

[2] An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.