

Floor Procedure in the 104th Congress; Compiled by the Rules Committee Democrats—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive: Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive: only certain substitutes	2R: 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive: considered in House no amendments	N/A
H.R. 2*	Line Item Veto	H. Res. 55	Open: Pre-printing gets preference	N/A
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open: Pre-printing gets preference	N/A
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open: Pre-printing gets preference	N/A
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive: 10 hr. Time Cap on amendments	N/A
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open: Pre-printing gets preference; Contains self-executing provision	N/A
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive: 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive: brought up under UC with a 6 hr. time cap on amendments	N/A
H.R. 729*	Death Penalty/Habeas	N/A	Closed: Put on suspension calendar over Democratic objection	None.
S. 2	Senate Compliance	N/A	Restrictive: makes in order only the Gibbons amendment; waives all points of order; Contains self-executing provision.	1D.
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Open	N/A
H.R. 830*	The Paperwork Reduction Act	H. Res. 91	Restrictive: makes in order only the Obey substitute	1D.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive: 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive: 10 hr. Time Cap on amendments	N/A
H.R. 1022*	Risk Assessment	H. Res. 96	Open	N/A
H.R. 926*	Regulatory Flexibility	H. Res. 100	Restrictive: 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	1D.
H.R. 925*	Private Property Protection Act	H. Res. 101	Restrictive: 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it.	1D.
H.R. 1058*	Securities Litigation Reform Act	H. Res. 105	Restrictive: 7 hr. time cap on amendments; Pre-printing gets preference	N/A
H.R. 988*	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive: makes in order only 15 germane amendments and denies 64 germane amendments from being considered.	8D: 7R.
H.R. 956*	Product Liability and Legal Reform Act	H. Res. 109	Restrictive: Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) of rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive: Makes in order only 4 amendments considered under a "Queen of the Hill" procedure and denies 21 germane amendments from being considered.	1D: 3R
H.J. Res. 73*	Term Limits	H. Res. 116	Restrictive: Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a "Queen of the Hill" procedure; All points of order are waived against the amendments.	5D: 26R
H.R. 4*	Welfare Reform	H. Res. 119	Open	N/A
H.R. 1271*	Family Privacy Act	H. Res. 125	Open	N/A
H.R. 660*	Housing for Older Persons Act	H. Res. 126	Open	N/A
H.R. 1215*	The Contract With America Tax Relief Act of 1995	H. Res. 129	Restrictive: Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute.	1D
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive: waives cl 2(1)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time.	1D
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open: waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XXI against the committee substitute.	N/A
H.R. 961	Clean Water Act	H. Res. 140	Open: pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business.	N/A
H.R. 535	Corning National Fish Hatchery Conveyance Act	H. Res. 144	Open	N/A
H.R. 584	Conveyance of the Fairport National Fish Hatchery of the State of Iowa	H. Res. 145	Open	N/A
H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility.	H. Res. 146	Open	N/A

* Contract Bills, 67% restrictive; 33% open. ** All legislation, 59% restrictive; 41% open. *** Restrictive rules are those which limit the number of amendments which can be offered, and include so called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103rd Congress. **** Not included in this chart are three bills which should have been placed on the Suspension Calendar. H.R. 101, H.R. 400, H.R. 440.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. WALDHOLTZ. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was on the table.

ELIMINATING NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL FROM THE GOALS 2000: EDUCATE AMERICA ACT

Mr. GOODLING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1045) to amend the Goals 2000: Educate America Act to eliminate the National Education Standards and Improvement Council, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1045

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. ELIMINATION OF THE NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL.

(a) REPEALS.—Subsection (b) of section 241, sections 211 through 218 of Part B of title II, and section 316 of the Goals 2000: Educate America Act (20 U.S.C. 5841 et seq.) are repealed.

(b) AMENDMENTS TO GOALS 2000: EDUCATE AMERICA ACT.—

(1) Section 201(3) of the Goals 2000: Educate America Act (20 U.S.C. 5812(3)) is amended by striking all that follows after "opportunity-to-learn standards" and inserting a period.

(2) Section 203(a) of such Act (20 U.S.C. 5823(a)) is amended by striking paragraphs (3) and (4) and by redesignating paragraphs (5) and (6) as paragraphs (3) and (4), respectively.

(3) Section 204(a)(2) of such Act (20 U.S.C. 5824) is amended by striking "described in section 213(f)".

(4) Section 219 of such Act (20 U.S.C. 5849) is amended—

(A) in subsection (a)(1) by striking "consistent with the provisions of section 213(c)."; and

(B) by striking subsection (b) and inserting the following:

"(b) APPLICATIONS.—Each consortium that desires to receive a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require."

(5) Section 220(a) of such Act (20 U.S.C. 5850(a)) is amended by striking "to be used" and all that follows through "by the Council".

(6) Section 221(a) of such Act (20 U.S.C. 5851(a)) is amended—

(A) in paragraph (1)—

(i) subparagraph (A), by striking "and the Council"; and

(ii) by striking subparagraphs (B) and (C) and redesignating subparagraph (D) as subparagraph (B); and

(B) in paragraph (2), by striking "and the Council, as appropriate."

(7) Section 308(b)(2)(A) of such Act (20 U.S.C. 5888(b)(2)(A)) is amended by striking "including—" and all that follows through the end of clause (ii) and inserting "including through consortia of States".

(8) Section 314(a)(6) of such Act (20 U.S.C. 5894(a)(6)) is amended by striking "if—" and all that follows through "(B)" and inserting "if".

(9) Section 315 of such Act (20 U.S.C. 5895) is amended in subsection (b)—

(A) paragraph (1)(A), by striking "paragraph (4) of this subsection" and inserting "paragraph (3)";

(B) by striking paragraph (2);

(C) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively;

(D) in subparagraph (B) of paragraph (3) (as redesignated), by striking "paragraph (5)," and inserting "paragraph (4)."; and

(E) in paragraph (4) (as redesignated), by striking "paragraph (4)" each place it appears and inserting "paragraph (3)".

(c) NATIONAL SKILL STANDARDS ACT OF 1994.—

(1) Section 503 of the National Skill Standards Act of 1994 (20 U.S.C. 5933) is amended—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking "28" and inserting "(27)";

(II) by striking subparagraph (D); and

(III) by redesignating subparagraphs (E) through (G) as subparagraphs (D) through (F), respectively;

(ii) in paragraphs (2), (3), and (5), by striking "subparagraphs (E), (F), and (G)" each place it appears and inserting "subparagraphs (D), (E), and (F)";

(iii) in paragraph (2), by striking "subparagraph (G)" and inserting "subparagraph (F)";

(iv) in paragraph (4), by striking "(C), and (D)" and inserting "and (C)"; and

(v) in the matter preceding subparagraph (A) of paragraph (5), by striking "subparagraph (E), (F), or (G)" and inserting "subparagraphs (D), (E), or (F)"; and

(B) in subsection (c)—

(i) in paragraph (1)(B), by striking "subparagraph (E)" and inserting "subparagraph (D)"; and

(ii) in paragraph (2), by striking "subparagraphs (E), (F), and (G)" and inserting "subparagraphs (D), (E), and (F)".

(2) Section 504 of such Act (20 U.S.C. 5934) is amended—

(A) by striking subsection (f); and

(B) by redesignating subsection (g) as subsection (f).

(d) AMENDMENT TO ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—Section 14701(b)(1)(B)(v) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8941(b)(1)(B)(v)) is amended—

(1) by inserting "and" before "the National Education Goals Panel"; and

(2) by striking ", and the National Education Statistics and Improvement Council".

(d) AMENDMENT TO GENERAL EDUCATION PROVISIONS ACT.—Section 428 of the General Education Provisions Act (20 U.S.C. 1228b), as amended by section 237 of the Improving America's Schools Act of 1994 (Public Law 103-382), is amended by striking "the National Education Standards and Improvement Council."

SEC. 2. TECHNICAL AND COINFORMING AMENDMENTS.

The table of contents for the Goals 2000: Educate America Act is amended, in the items relating to title II, by striking the items relating to sections 211 through 218 of part B of such title and the item relating to section 316.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania [Mr. GOODLING] will be recognized for 20 minutes, and the gentleman from Michigan [Mr. KILDEE] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. GOODLING].

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

Mr. Speaker, I would announce in advance that the floor prep statement put out by my side of the aisle is incorrect on this particular issue.

Mr. Speaker, today we are considering H.R. 1045, a bill to repeal the National Education Standards and Improvement Council [NESIC]. This legislation has bipartisan support and I hope that when we pass this legislation today, the other body will take it up immediately and send it to the President for his signature.

The National Education Standards and Improvement Council [NESIC] created by Goals 2000 is a Presidentially appointed council that has the mission of reviewing and certifying national education standards and State education standards that are voluntarily submitted. Because decisions about educating our children are primarily decided at the local level by parents, teachers and students, NESIC, commonly referred to as a "national school board," has generated great controversy about continued local control of education.

The distance between standards and curriculum is not very great. Currently, there is a prohibition on the Federal Government dictating curriculum to States and school districts and there is good reason to be wary of Federal involvement in certifying education standards. The seriously flawed and justifiably controversial history standards illustrate how the standards-setting process can go awry and point out the dangers of having a Presidentially appointed unaccountable body certifying education standards.

However, I want to make it very clear, academic standards based reform remains one of the most promising strategies for improving education for all children in our Nation. Academic standards are a statement of learning outcomes. What children need to know and be able to do. I think parents want to know what their children actually learned rather than that they spent 180 days in school and earned a Carnegie unit. There must be rigorous academic standards and not vague and fuzzy attempts to shape students' attitudes and values, matters that should be left to parents. The most important standards development must take place in our local communities and school districts. However, Federal certification of these standards is not necessary for this process to be effective or constructive.

While I recognize that many of my colleagues would like to go much further in limiting Federal involvement in education, I want to assure them that they will have the opportunity as our committee considers broader education reform legislation. By enacting this legislation today, it is my hope that this will put a stop to an unwarranted Federal intrusion into education while preserving education standards development by States and local school districts. To do less will certainly hamper any hope of the United States doing well in a very competitive world.

We must develop voluntary national and international standards in the aca-

demically subject areas and develop voluntary assessment tools to determine whether the standards are met. Teachers must then be prepared to teach to these higher standards.

I, therefore, urge my colleagues to support this bill.

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

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

Mr. Speaker, I rise today in support of this compromise.

I also want to thank my committee chairman and friend, BILL GOODLING, for his efforts. We have a long history of bipartisan cooperation in our committee and that, in large measure, is due to the influence of our committee chairman.

As someone who has served on this committee for 18 years, I want to underscore my own belief that education is a State responsibility, a local function, and an important Federal concern.

That is an appropriate balance which has deep roots in our Nation's history.

Our Nation is in the midst of a period of profound change. We are facing economic challenges from our global competitors that make it absolutely imperative that our children achieve to the highest possible academic standards. We are now a highly mobile society. People do not always live and work in the communities in which they were born. And, rarely does the employment base stay the same. Business and industry respond to the demands of the marketplace and so must our schools. We owe that to the children.

Mr. Speaker, reform of our system of public education is one of the most critical tasks we face. We made a good deal of progress in the last Congress. I believe the bill we have before us today will preserve that progress while it meets the consideration of those who felt some concern.

Again, my thanks to my committee chairman GOODLING and I would also like to acknowledge the hard work of your staff, particularly John Barth, Sally Lovejoy, Vic Klatt, and Jomarie St. Martin. And our staff Sara Davis, Broderick Johnson, and Dr. June Harris.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GOODLING. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania [Mr. GOODLING] that the House suspend the rules and pass the bill, H.R. 1045, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.