

abortionist decided to stop the abortion and deliver the 6-pound, 2-ounce little girl.

What if this abortionist had continued the partial-birth abortion? Would he have been convicted of killing Baby Phoenix? Absolutely not. Under our Nation's abortion law, the doctor could have continued the partial-birth abortion and delivered Baby Phoenix dead.

Our Nation's law protects this infanticide, the right of the doctor to kill a baby just because she is not fully outside her mother's body. Like Baby Phoenix, my son Dan was only 6 pounds when he was born. I remember cradling him in my hands. He was so tiny, but so perfect.

Those that oppose the Partial-Birth Abortion Ban Act support the right to kill babies like these. We should vote to override the President's veto of the Partial-Birth Abortion Ban Act and pass it into law this year.

#### IRS REFORM BILL

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

Mr. JONES. Mr. Speaker, my constituents in the third district of North Carolina have expressed their appreciation for this Congress for passing the Internal Revenue Service Restructuring and Reform bill, which awaits the President's signature.

This is an opportunity for President Clinton to sign into law legislation that protects American taxpayers from IRS abuse and prove to the American people that he is willing to work with this Congress to provide substantial tax reform for all Americans.

The IRS Reform bill is long overdue legislation that would shift the burden of proof from the hard-working American taxpayer back to the IRS where it belongs. In addition, taxpayers will receive 74 new rights and protections that will help reduce the power of the Internal Revenue Service and bring fairness to a corrupt system.

I urge the President to sign the IRS Reform bill and to work with the 105th Congress to continue providing hard-working Americans with a tax relief they need and rightly deserve.

#### PROVIDING FOR CONSIDERATION OF H.R. 4193, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1999

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 504 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 504

*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. 4193) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1999, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 306 or 401 of the Congressional Budget Act of 1974 are waived. 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 Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The amendments printed in part 1 of the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Points of order against provisions in the bill, as amended, for failure to comply with clause 2 or 6 of rule XXI are waived except as follows: page 88, line 10, through page 89, line 6. If an unprotected provision is stricken on a point of order, the Committee of the Whole shall immediately consider the amendment printed in part 2 of the report of the Committee on Rules if offered by Representative Johnson of Connecticut or her designee. That amendment shall be considered as read, be debatable for 30 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The amendment printed in part 3 of the report of the Committee on Rules may be offered only by Representative Young of Alaska or his designee, may be offered only at the appropriate point in the reading of the bill, shall be considered as read, shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in the report are waived. During consideration of the bill for further amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. During consideration of the bill, points of order against amendments for failure to comply with clause 2(e) of rule XXI are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such amendments as may have been adopted. 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.

□ 1030

The SPEAKER pro tempore (Mr. NEY). The gentleman from Washington (Mr. HASTINGS) is recognized for one hour.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

Mr. Speaker, H. Res. 504 is an open rule which waives all points of order against consideration of the bill for failure to comply with section 306 or section 401 of the Budget Act of 1974. The rule provides one hour of general debate, equally divided between the chairman and ranking minority member of the Committee on Appropriations. The rule further provides that the amendments printed in the Committee on Rules report accompanying the resolution shall be considered as adopted.

The rule also waives clause 2, prohibiting unauthorized appropriations and legislative provisions, and clause 6, prohibiting reappropriations in an appropriations bill, of rule XXI against the bill, except as follows: Page 88, line 10, through page 89, line 6.

The rule makes in order those amendments printed in the Committee on Rules report, which shall be considered as read, shall be debatable for the time specified in the report, equally divided between a proponent and an opponent, and shall not be subject to amendment. The rule also waives all points of order against amendments printed in the Committee on Rules report.

Mr. Speaker, the rule permits the Chair to accord priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. It allows the Chair to postpone recorded votes and reduce to five minutes the minimum time for electronic voting on any postponed votes, provided that voting on the first of any series of questions shall be not less than 15 minutes.

The rule waives points of order against amendments for failure to comply with clause 2(e) of rule XXI, prohibiting non-emergency amendments to be offered to a bill containing an emergency designation under the Budget Act.

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

Mr. Speaker, H.R. 4193, the Department of the Interior and Related Agencies Appropriations Bill for fiscal year 1999 was reported by the Committee on Appropriations by voice vote. The bill appropriates a total of \$13.4 billion for fiscal year 1999, which is roughly \$800 million less than the President's request and roughly \$700 million less than what was appropriated last year.

The bill's spending level is equal to the subcommittee's 302(b) allocation

for discretionary budget authority. Approximately one-half of the bill's funding finances Interior Department programs to manage and study the Nation's animal, plant and mineral resources. The balance of the measure's funds support other non-interior agencies that perform related functions. These include the Forest Service, conservation and fossil energy programs run by the Department of Energy, and the Indian Health Services, as well as the Smithsonian and other cultural organizations.

Mr. Speaker, I commend the chairman of the Committee on Appropriations, the gentleman from Louisiana (Mr. LIVINGSTON), for requesting an open rule on this important legislation. Recognizing that certain members have particular concerns about the bill, the Committee on Rules has reported a rule which permits those wishing to offer amendments to do so.

Accordingly, Mr. Speaker, I urge my colleagues to support both the rule and the underlying legislation, H.R. 4193.

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

POINT OF ORDER

Mr. YATES. Mr. Speaker, I make a point of order that a quorum is not present and move a call of the House.

The SPEAKER pro tempore. Under clause 6, rule XV of the House, the Chair cannot entertain a point of no quorum at this stage.

PARLIAMENTARY INQUIRY

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. YATES. Mr. Speaker, at what stage then can the point of no quorum be made?

The SPEAKER pro tempore. At such time as the Chair is putting the question to a vote.

Mr. YATES. Mr. Speaker, we have a very important debate coming up on the rule itself, and I would think that this is the proper time for the Chair to consider that Members of the House ought to hear the debate. I respectfully ask the Chair to have that in mind when it makes the ruling.

The SPEAKER pro tempore. Clause 6 of rule XV restrains the Chair from entertaining the point of order at this point in time.

The gentlewoman from New York (Ms. SLAUGHTER) is recognized for 30 minutes.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

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

Mr. Speaker, I thank the gentleman from Washington (Mr. HASTINGS) for yielding me the customary half hour.

Mr. Speaker, this rule has many good features. It is an open rule that will allow Members to work their will. It self-executes important amendments that deal with vital issues, such as the wildland fire suppression, forest health

and Indian health care. In fact, I would have been pleased to vigorously support this rule if it had protected all portions of the committee-reported bill from points of order and if it had allowed the precedents of the House to determine the order in which Members would be recognized to offer amendments.

However, the rule reported by the Committee on Rules leaves unprotected a single provision of the bill, allowing that provision of the bill to be struck, but then the rule allows a specified majority member to offer an amendment to put the same provision back in the bill.

Now, why do we go through this charade? Because apparently they wanted to mollify a segment of the conference while simultaneously allowing a majority Member, who is not a member of the Committee on Appropriations or the authorizing committee, to appear to take a leadership role on the arts.

As the Chair of the Congressional Member Organization for the Arts, I encourage all Members to support the arts and welcome their active participation and leadership in the ongoing efforts to fund the National Endowment for the Arts at a reasonable level.

However, this year in particular, the decision to award this important amendment to a majority Member is extremely unfortunate. This is the last year in which debate on Federal support of the arts will be led by the distinguished ranking member of the Subcommittee on Interior of the Committee on Appropriations, the gentleman from Illinois (Mr. YATES). Known as the champion of the National Endowment for the Arts and credited for keeping it alive by the sheer force of his will, the gentleman from Illinois (Mr. YATES) is retiring at the end of the year. Under the normal procedures of the House, the gentleman would have had the honor of offering amendments to strengthen the arts, but this rule deliberately snatches that honor from him, for purely partisan reasons.

Of course, this disappointment can never obscure the debt that artists, arts, educators and arts institutions across the Nation owe to their long time champion.

Mr. YATES. Mr. Speaker, will the gentlewoman yield?

Mrs. SLAUGHTER. I yield to the gentleman from Illinois.

MOTION TO ADJOURN

Mr. YATES. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. Does the gentlewoman from New York (Ms. SLAUGHTER) yield for that purpose?

Ms. SLAUGHTER. Mr. Speaker, I yield.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. YATES of Illinois moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn

offered by the gentleman from Illinois (Mr. YATES).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. YATES. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 7, nays 382, not voting 45, as follows:

[Roll No. 309]

YEAS—7

Conyers	Gephardt	Nadler
DeFazio	McDermott	
Filner	Miller (CA)	
	NAYS—382	
Abercrombie	Cooksey	Hamilton
Ackerman	Costello	Hansen
Aderholt	Cox	Hastert
Allen	Coyne	Hastings (FL)
Andrews	Cramer	Hastings (WA)
Archer	Crane	Hayworth
Bachus	Cubin	Hefley
Baesler	Cummings	Herger
Baldacci	Cunningham	Hilleary
Ballenger	Davis (FL)	Hilliard
Barcia	Davis (IL)	Hinchey
Barr	Davis (VA)	Hinojosa
Barrett (NE)	Deal	Hobson
Barrett (WI)	DeGette	Hoekstra
Bartlett	Delahunt	Holden
Barton	DeLauro	Hooley
Bass	Deutsch	Horn
Bateman	Diaz-Balart	Hostettler
Becerra	Dickey	Houghton
Bentsen	Dicks	Hoyer
Bereuter	Dingell	Hulshof
Berman	Doggett	Hunter
Berry	Dooley	Hutchinson
Bilbray	Doyle	Hyde
Bishop	Dreier	Inglis
Blagojevich	Duncan	Istook
Bliley	Edwards	Jackson (IL)
Blumenauer	Ehlers	Jackson-Lee
Blunt	Ehrlich	(TX)
Boehlert	Emerson	Jefferson
Boehner	English	Jenkins
Bonilla	Ensign	Johnson (CT)
Bonior	Eshoo	Johnson (WI)
Bono	Etheridge	Johnson, E.B.
Borski	Everett	Johnson, Sam
Boswell	Farr	Jones
Boucher	Fattah	Kanjorski
Boyd	Fawell	Kasich
Brady (PA)	Fazio	Kelly
Brady (TX)	Foley	Kennedy (MA)
Brown (CA)	Forbes	Kennedy (RI)
Brown (FL)	Fossella	Kildee
Brown (OH)	Fowler	Kilpatrick
Bryant	Fox	Kim
Bunning	Frank (MA)	Kind (WI)
Burr	Franks (NJ)	King (NY)
Buyer	Frelinghuysen	Kingston
Callahan	Frost	Klecza
Calvert	Furse	Klink
Camp	Gallegly	Klug
Campbell	Ganske	Knollenberg
Canady	Gejdenson	Kolbe
Cannon	Gekas	Kucinich
Capps	Gibbons	LaFalce
Carson	Gilchrest	LaHood
Castle	Gillmor	Lampson
Chabot	Gilman	Lantos
Chambliss	Goode	Largent
Chenoweth	Goodlatte	Latham
Christensen	Goodling	LaTourette
Clay	Gordon	Lazio
Clayton	Goss	Leach
Clement	Graham	Lee
Clyburn	Granger	Levin
Coble	Green	Lewis (CA)
Coburn	Greenwood	Lewis (GA)
Collins	Gutierrez	Lewis (KY)
Combest	Gutknecht	Linder
Condit	Hall (OH)	Lipinski
Cook	Hall (TX)	Livingston