

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶16.7 QUESTION OF PRIVILEGES

Mr. DOGGETT, pursuant to clause 2(a)(1) of rule IX, called up the following resolution as a question of the privileges of the House:

Whereas the inability of the House to pass an adjustment in the public debt limit unburdened by the unrelated political agenda of either party, an adjustment to maintain the creditworthiness of the United States and to avoid disruption of interest rates and the financial markets, brings discredit upon the House;

Whereas the inability of the House to pass a clean resolution to continue normal governmental operations so as to end the abuse of American citizens and their hard-earned dollars, Federal employees, private businesses who perform work for the Federal government, and those who rely upon Federal services as a bargaining tactic to gain political advantage in the budget negotiations, brings discredit upon the House;

Whereas previous inaction of the House has already cost the American taxpayer about \$1.5 billion in wasteful government shutdown costs, reduced the productivity and responsiveness of Federal agencies and caused untold human suffering;

Whereas the failure of the House of Representatives to adjust the Federal debt limit and keep the Nation from default or to act on legislation to avert another Government shutdown impairs the dignity of the House, the integrity of its proceedings and the esteem the public holds for the House: Now, therefore, be it

Resolved, That upon the adoption of this resolution the enrolling clerk of the House of Representatives shall prepare an engrossment of the bill, H.R. 2862, and the joint resolution, H.J. Res. 157. The vote by which this resolution is adopted by the House shall be deemed to have been a vote in favor of such bill and a vote in favor of such joint resolution upon final passage in the House of Representatives. Upon engrossment of the bill and the joint resolution, each shall be deemed to have passed the House of Representatives and been duly certified and examined; the engrossed copies shall be signed by the Clerk and transmitted to the Senate for further legislative action; and (upon final passage by both Houses) the bill and the joint resolution shall be signed by the presiding officers of both Houses and presented to the President for his signature (and otherwise treated for all purposes) in the manner provided for bills and joint resolutions generally.

Mr. DOGGETT was recognized and said:

"Mr. Speaker, this motion raises most directly a question of privileges of the House. True, the particulars of this motion concern the credit worthiness of the United States, something in which every American has a stake, particularly those with a variable mortgage, a car loan, a credit card balance, or whoever want to take out alone.

But, Mr. Speaker, what could more directly jeopardize the integrity of our proceedings here in the House of Representatives than misconduct, than

tampering with the fiscal integrity of the United States?

"Those who say we can live with financial anarchy would imperil both the dignity of this House and the hopes of millions of Americans for economic dignity. Indicative of this threat to the integrity of the House is the warning against a politically motivated default by six former Treasury secretaries, both Republicans and Democrats, who have expressed in their words their profound concern about the threat of default.

"The very idea that Uncle Sam would tell anyone who holds a Treasury bill or a Treasury bond, sorry, we do not want to pay, is not revolutionary, it is simply lunacy. The full faith and credit of the United States is not anything to be trifled with. If there are Members of this body who are willing to mess up the credit rating of the United States, let them mess up their own credit rating, not that of the American people who they are sworn to serve.

"When the Secretary of Treasury, Mr. Rubin, assures us that default is upon us, when he is compelled to undertake extraordinary measures to defer temporarily that default and only faces in return the threat of impeachment in this House, the dignity of this House is jeopardized. When we hear a declaration that "I do not care if we have no executive offices and no bonds for 60 days, not this time," the financial integrity of our country and the integrity and esteem with which the public holds this House is severely jeopardized. I refer, of course, to the words of the Speaker of the House, NEWT GINGRICH.

This motion and an ability to take up a clean resolution to adjust the debt limit before we run into financial ruin later this month would do something to undo the damage that has already occurred."

Mr. BENTSEN was recognized and said:

"Mr. Speaker, I join my colleague from Texas, Mr. DOGGETT, in introducing this privileged resolution and in urging its approval so that the U.S. Government can keep paying its bills and not default for the first time in its history.

"Rule IX of the rules of the House, which governs questions of privilege, states:

Questions of privilege shall be, first, those affecting the rules of the House collectively, its safety, dignity, and the integrity of its proceedings; and second, those affecting the rights, reputation, and conduct of members, individually, in their representative capacity only.

"We offer this privileged resolution because we can think of no issue that reflects more on the dignity and integrity of this House and on the reputation of every single Member than the creditworthiness of the United States.

"There is no question in my mind that the dignity and the integrity of this House and the reputation of every one of us would be irreparably harmed if we allowed our Government to de-

fault. And it would be especially irresponsible for this House to recess and leave town with this threat of default hanging over our Government.

"The creditworthiness of the United States should not be a pawn in a political game or a point of leverage to force huge cuts in Medicare, Medicaid, and education to pay for a tax cut we can't afford. We must pass a clean bill to increase the debt ceiling and allow the United States to honor its obligations, and we can do that by voting for this resolution today.

"Only the Congress can lift the debt limit and avoid default, and a failure to act in a timely manner does threaten the integrity of this body and the reputation of every one of us. If anyone doubts that, simply consider the consequences of default.

"Government will come to a halt yet again. Interest rates will rise. Credit will become more expensive. Our economy could very well slip into a recession. And our Nation's unmatched reputation in world financial markets would be tarnished forever.

"I hope there is no one in this body who doubts that if we allow these calamities to happen that the integrity of this body will not be damaged.

"I also hope there is no doubt that the reputation of every one of us will be harmed as well. Our reputation will be harmed with every single consumer we represent who has to pay more in higher interest rates for home loans, car loans, student loans, and credit card purchases. Our reputation will be harmed with every State and local government official we represent because they will not be able to obtain financing for the services they provide. And our reputation will be harmed with every single taxpayer who will have to pay more for Government services.

"I would submit to the Chair that, under a careful reading of rule IX, No. 1, "questions of privilege," this resolution is a question of privilege because it addresses a serious matter affecting the dignity and integrity of this House and the reputation of every Member. In addition, I would argue that the Chair should favorably review this question of privilege because, at this time, there is no other plan for this House to consider clean debt limit legislation before February 29, 1996, when Treasury Secretary Robert Rubin has told Congress that the Federal Government will go into default. Yet, Congress may recess without consideration of the vital legislation.

"So I would ask you, Mr. Speaker, to carefully read section IX of the House rules. It states clearly that—

Questions of Privilege shall be, first, those affecting the rights of the House collectively, its safety, its dignity, and the integrity of its proceedings, and second, those affecting the rights, reputation, and conduct of Members.

"This resolution seeks to protect the integrity of the House and the reputation of its Members by preserving the creditworthiness of the United States. This is the argument that my col-

league from Texas and I are making. This is truly a question of privilege because the reputation of the House and its dignity would be forever harmed if we fail to act and to honor our obligations.”.

Mr. EDWARDS was recognized and said:

“Mr. Speaker, I will be brief in my point. I think this resolution does deal with the integrity of this House in a very significant way. Unless I am mistaken, it was not too many years ago when colleagues on the Republican side of the aisle of this House came to this floor and argued that we should have privileged resolutions and measures to consider the so-called House bank scandal, because a number of House Members had purportedly bounced thousands of dollars of personal checks.

“I would suggest to the Speaker and to our colleagues that if having Members of this House bounce thousands of dollars in personal checks goes directly to the integrity of this House, how in the world could we not conclude that having the U.S. Government for the first time in two centuries bounce billions of dollars of checks to people to whom we owe money, and entities all across this world, an action that would undermine the integrity of our creditworthiness and our reputation as a nation, how can the personal bounced checks go directly to the integrity of the House and not have our Nation’s bouncing checks go to the integrity of the House?

“I would argue, therefore, Mr. Speaker, that this resolution clearly deals directly with the question of protecting the integrity and the dignity of this House, and would suggest that to rule otherwise might be inconsistent with the arguments we heard from our Republican colleagues just a few years ago.”.

The SPEAKER pro tempore, Mr. COMBEST, ruled that the resolution submitted did not present a question of the privileges of the House under rule IX, and said:

“The resolution offered by the gentleman from Texas alleges that the failure of the House to take specified legislative actions brings it discredit, impairs its dignity and the integrity of its proceedings, and lowers it in public esteem. On that premise it resolves that the House be considered to have passed two legislative measures.

“Under rule IX, questions of the privileges of the House are those ‘affecting the rights of the House collectively, its safety, its dignity, [or] the integrity of its proceedings.’ But a question of the privileges of the House may not be invoked to effect a change in the rules of the House or to prescribe a special order of business for the House. This principle has been upheld on several occasions cited in section 664 of the ‘House Rules and Manual,’ including March 11, 1987; August 3, 1988; and, in particular, June 27, 1974—where a resolution directing the Committee on Rules to consider report-

ing a special order was held not to present a question of privilege.

“The resolution offered by the gentleman from Texas—like those offered on February 7 and December 22, 1995, and on January 3, 1996—is also aptly addressed by the precedent of May 6, 1921. On that occasion Speaker Gillett held that a resolution presenting a legislative proposition as a question of constitutional privilege under the 14th amendment did not qualify as a question of the privileges of the House. The Chair will quote briefly from the 1921 ruling:

[W]here the Constitution orders the House to do a thing, the Constitution still gives the House the right to make its own rules and do it at such time and in such manner as it may choose. And it is a strained construction * * * to say that because the Constitution gives a mandate that a thing shall be done, it therefore follows that any Member can insist that it shall be brought up at some particular time and in the particular way which he chooses. If there is a constitutional mandate, the House ought by its rules to provide for the proper enforcement of that, but it is still a question for the House how and when and under what procedure it shall be done * * *.

“Speaker Gillett’s ruling is fully recorded in Cannon’s Precedents, at volume 6, section 48.

“Applying the precedent of 1921 and the others just cited, the Chair holds that the resolution offered by the gentleman from Texas does not affect ‘the rights of the House collectively, its safety, dignity, [or] the integrity of its proceedings’ within the meaning of clause 1 of rule IX. Rather, it proposes to effect a special order of business for the House—deeming it to have passed two legislative measures—as an antidote for the alleged discredit of previous inaction thereon. The resolution does not constitute a question of privilege under rule IX.

“To rule that a question of the privileges of the House under rule IX may be raised by allegations of perceived discredit brought upon the House by legislative action or inaction, would permit any Member to allege an impact on the dignity of the House based upon virtually any legislative action or inaction.”.

¶6.8 UNFINISHED BUSINESS--APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. COMBEST, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the Chair’s approval of the Journal of Tuesday, January 23, 1996.

The question being put, viva voce, Will the House agree to the Chair’s approval of said Journal?

The SPEAKER pro tempore, Mr. COMBEST, announced that the yeas had it.

So the Journal was approved.

¶6.9 WAIVING REQUIREMENT OF CLAUSE 4(B) OF RULE XI

Mr. MCINNIS, by direction of the Committee on Rules, reported (Rept. No. 104-453) the resolution (H. Res. 342)

waiving a requirement of clause 4(b) of Rule XI with respect to consideration of certain resolutions reported from the Committee on Rule.

When said resolution and report were referred to the House Calendar and ordered printed.

¶6.10 BILLS PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on the following day present to the President, for his approval, bills of the House of the following titles:

On January 23:

H.R. 1606. An Act to designate the United States Post Office building located at 24 Corliss Street, Providence, Rhode Island, as the “Harry Kizirian Post Office Building.”

H.R. 2061. An Act to designate the Federal building located at 1550 Dewey Avenue, Baker City, Oregon, as the “David J. Wheeler Federal Building.”

¶6.11 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Ms. WATERS, for today and balance of the week.

And then,

¶6.12 ADJOURNMENT

On motion of Mr. WELDON of Pennsylvania, at 8 o’clock p.m., the House adjourned.

¶6.13 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Resources. H.R. 2100. A bill to direct the Secretary of the Interior to make technical corrections to maps relating to the coastal barrier resources system, with an amendment (Rept. No. 104-452). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCINNIS: Committee on Rules. House Resolution 342. Resolution waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. No. 104-453). Referred to the House Calendar.

¶6.14 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. DEAL of Georgia:

H.R. 2872. A bill to authorize substitution for drawback purposes of certain types of fibers and yarns for use in the manufacture of carpets and rugs; to the Committee on Ways and Means.

By Mr. KENNEDY of Massachusetts:

H.R. 2873. A bill to amend title 10, United States Code, to limit the collection and use by the Department of Defense of individual genetic identifying information to the purpose of identification of remains, other than when the consent of the individual concerned is obtained; to the Committee on National Security.

By Mr. FRANK of Massachusetts (for himself, Mr. JACOBS, Mr. LUTHER, Mr. BARTON of Texas, Mr. GREEN of Texas, Ms. FURSE, and Mr. BROWN of Ohio:

H.R. 2874. A bill to require the Secretary of Defense to take the necessary steps to nego-