I see no further use to discuss this at this time unless the gentleman from New Mexico has a question or the distinguished gentleman from California.

Mr. DREIER. Mr. Speaker, I simply would like to say that this is a new day. We have seen tremendous cooperation between the authorizing committee and the appropriations subcommittee that is dealing with this.

Mr. Speaker, I yield 30 seconds to my friend, the gentleman from New Mexico [Mr. SKEEN], the chairman of the subcommittee.

Mr. SKEEN. I thank the gentleman for yielding me the time.

Mr. Speaker, I want to assure the gentleman from Wisconsin that there is going to be every opportunity for any other approach to this during the consideration of this particular bill and rule. The gentleman from Illinois [Mr. DURBIN] has one of them. I appreciate the concern, but I think this tactic of trying, if we do not pass the rule, delays the process of coming up with an adequate solution to this problem in itself. I would not like to see the delayed. I appreciate the concerns of the gentleman from Wisconsin.

Mr. DREIER. Mr. Speaker, I yield 3 minutes to my friend, the gentleman from Syracuse, NY [Mr. WALSH].

Mr. WALSH. I thank my good friend the gentleman from California for yielding me the time.

Mr. Speaker, I would like to first of all rise in strong support of this rule and commend our chairman, the gentleman from New Mexico [Mr. SKEEN], who has worked very, very closely with our ranking minority member, the gentleman from Illinois [Mr. DURBIN], on this bill all the way along. The same sense of fairness that the gentleman from Illinois [Mr. DURBIN] presented last year, the gentleman from New Mexico [Mr. SKEEN] has reciprocated, and we have all worked very closely on this together.

Let me just say, I hope we can pass this rule today. I think it is a good rule. It provides for full and open discussion. It is an open rule. I do not think they get any better than that.

Let me just suggest, regarding this amendment that I had offered in the subcommittee and full committee which was accepted, that if there is indeed a compromise worked out, that would be fine. But I want to make sure that the compromise does not gut the amendment.

I think it is very important to show that the subcommittee and the full committee support this amendment for good reasons, because this legislation, the standards that have been proposed by the Secretary will in fact change the way meat is inspected. The meat industry supports that idea. They support the higher standards. I think everyone does. It is how we get to them that matters.

What I have proposed is simply a 9-month process of negotiated rulemaking that would allow all the principals to come together, work out the differences, everyone be on equal footing, no one with special promises, everyone working basically with a plain white canvas with the same set of paints to get to a finished product on this legislation.

□ 1630

This is not a delay in any sense. In fact, if this negotiated rulemaking process were followed, I think we would avoid a lot of lengthy, costly lawsuits.

But again, if a compromise is worked out that is fair to everyone, I am going to support it. But I have not seen that agreement yet. I have worked very closely with the gentleman from Illinois [Mr. DURBIN]. I have discussed this fully with the staff, with the agriculture commissioner, and we are working conscientiously to resolve this important issue, and it is an important issue.

But just let me enter a couple of facts into this. First of all, 90 percent of the meat currently inspected in this country meets these higher standards. We are talking about 10 percent. Also, let me say 90 percent of food-borne illness in this country comes not from meat processing but from the failure to cook it properly, and the Secretary would do us all a service if he would get up on his bully pulpit and tell people: ''Cook your hamburger, cook it; cook it until it is black if you have to, but cook it,'' because that is where the problem is. It is not steaks and chops and poultry and so on. It is because of the way that hamburger is made that we have so much problem with that meat. So cook it. If we did that, if we would all cook it properly, we could substantially reduce this problem.

I thank the gentleman from Kansas [Mr. ROBERTS], the gentleman from New Mexico [Mr. SKEEN], the gentleman from Wisconsin [Mr. OBEY], the gentleman from Illinois [Mr. DURBIN], and the gentleman from California [Mr. DREIER] all for their interest. If there is to be a compromise, I will support it, but it has to be a real compromise.

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have no further requests for time. I would say though that I would urge a no vote on the previous questions. And if the previous question would be defeated, I would offer an amendment to the rule which would make in order an amendment which would remove the protection from a point of order under clause 2 of rule XXI for language pertaining to the prevention of implementation of new meat and poultry inspection regulation by the USDA.

I will also offer the Brewster-Harman lockbox amendment, and I include the text of the two amendments at this point in the RECORD.

The amendments referred to are as follows:

On page 2, line 25 strike the period and insert the following: '', except as follows: beginning with '': Provided'' on page 24, line 13, through page 25, line 5.''

After the period on page 3, line 7 insert the following: ''All points of order are waived against the amendment numbered 1 printed in the Congressional Record of July 10, 1995 pursuant to clause 6 of rule XXIII, to be offered by Representative Brewster or his designee.''

Mr. HALL of Ohio. Mr. Speaker, if there are no further requests for time from my colleague, I yield back the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself such time as I might consume to simply say that this is a very fair, balanced, and open rule. It is obvious that we have members of the appropriations subcommittee and the authorizing committee working very closely together to deal with the issue of meat inspection. We also are working on a compromise to deal with the question of the lockbox.

It is very important that we overwhelmingly pass first the previous question, and then the rule, and I urge an ''aye'' vote on both.

Mr. Speaker, I yield back the balance of my time and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. SHAYS). The question is on ordering the previous question.

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

Mr. HALL of Ohio. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, further proceedings on this question are postponed until later today.

## PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1977, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 189 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 189

*Resolved*, That during further consideration of H.R. 1977 pursuant to House Resolution 187, further consideration of the bill for amendment in the Committee of the Whole House on the state of the Union shall proceed without intervening motion except: (1) amendments printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII before July 14, 1995; (2) motions that the Committee rise offered by the majority leader or his designee; and (3) motions that the Committee rise and report the bill to the House with such amendments as may have been adopted offered as preferential under clause 2(d) of rule XXI. Each further amendment to the bill may be offered only by the Member who caused it to be printed, shall be considered as read, shall be debatable for ten 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 Chairman of the Committee of the Whole

may postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment made in order by this resolution. The Chairman of the Committee of the Whole may reduce to not less than five minutes the time for voting by electronic device on any postponed question that immediately follows another vote by electronic device without intervening business: *Provided,* That the time for voting by electronic device on the first in any series of questions shall be not less than fifteen minutes.

The SPEAKER pro tempore. The gentleman from California [Mr. DREIER] is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSON] pending which I yield myself such time as I might consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. DREIER asked and was given permission to include extraneous material.)

Mr. DREIER. Mr. Speaker, the Rules Committee brings to the floor of the House today the third rule providing for the consideration of H.R. 1977, legislation making appropriations for the Department of the Interior and related agencies in fiscal year 1996.

The rule which the House passed last week for this legislation was a very straightforward and balanced rule. It was open, it was fair, and it was reasonable given the importance of moving ahead with this year's appropriations process. Unfortunately, despite the wide open amendment process called for in that rule, we saw the bill become needlessly bogged down in partisan politics, and we witnessed the deliberative process being taken hostage by dilatory tactics.

Mr. Speaker, I suggest that the time has now come to rescue this bill, and the deliberative process, from the clutches of partisan delay and obstruction. This additional rule is offered simply as a precaution, to enable the House to move this critical funding legislation forward, but in a manner which is fair and reasonable to both sides of the aisle.

First, the rule provides for the further consideration of H.R. 1977 for amendment without any intervening motions, except for: amendments which have been printed in the CONGRESSIONAL RECORD prior to July 14, 1995; motions that the Committee rise if offered by the Majority Leader or his designee; and motions that the Committee rise and report with bill back to the House with any amendments adopted in the Committee of the Whole, as a preferential motion pursuant to clause 2(d) of rule XXI.

Second, under the rule, amendments which have been printed in the RECORD may be offered only by the Members who submitted them to be printed. Such amendments shall be considered as read, and are debatable for a period not to exceed 10 minutes each, equally divided and controlled by the proponent and an opponent. Moreover, such amendments are not amendable, and are not subject to a demand for a division of the question either in the House or in the Committee of the Whole.

Furthermore, the rule authorizes the Chairman of the Committee of the Whole to postpone any request for a recorded vote on an amendment to a later time. Finally, the Chair may reduce to 5 minutes the time for a vote on any amendment in a series of amendments, provided that the time for voting on the first in any such series of amendments is not less than 15 minutes.

Mr. Speaker, the Rules Committee recognizes that there are a number of amendments on issues important to both sides of the aisle, such as funding for the arts and humanities, which merit additional debate time beyond the 10 minutes allowed under this new rule. Accordingly, I intend to offer an amendment to the rule which would permit the House to debate nine specific amendments already printed in the RECORD, each for a period not to exceed 20 minutes, equally divided and controlled by the proponent and an opponent. The amendment is the result of close cooperation and consultation with the minority, and in light of our cooperation with the minority on this amendment, I hope very much we will be able to maintain strong bipartisan support for it.

Mr. Speaker, in recent months the House has made remarkable progress toward fulfilling its legislative agenda. On the very first day of this session, the House passed a sweeping set of congressional reforms. Within the first 100 days we completed the historic Contract With America, often with bipartisan support. Just last month we passed an equally historic plan to balance the Federal budget in 7 years.

Now we have the obligation and the responsibility to move ahead with the annual appropriations process. I do not have to remind our colleagues, Mr. Speaker, just how important these funding bills are. Without prompt passage of these bills by both Chambers, the continued operations of the Federal Government would most certainly be in jeopardy. The August district work period is just 3 short weeks, I hope they are short weeks away, and the end of the fiscal year itself is just over the horizon. Clearly, time is of the essence, and our work is cut out for us.

While the Rules Committee continues to support a generally open amendment process, as much as possible, when considering appropriations bills, I believe we owe it to our constituents, whom we are elected to serve, to legislate in a responsible and efficient manner. These are not mutually exclusive goals, Mr. Speaker, and that is the principle underlying the rule which we consider this afternoon.

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

□ 1645

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

Mr. Speaker, House Resolution 189 reflects an agreement between the chairman and the ranking minority member of the Appropriations Committee for completing consideration of amendments to the Interior appropriations bill for fiscal year 1996. Although we have some concerns about this rule, we urge Members to support it.

This new rule would limit the offering of all further amendments to the Interior appropriations bill for fiscal year 1996 to those that were printed in the CONGRESSIONAL RECORD prior to July 14. No amendments printed on July 14 or later, including secondary amendments, would be in order.

Debate time on each of those amendments would be restricted to 10 minutes, although under the amendment to the rule to be offered by the gentleman from California [Mr. DREIER], nine specified amendments would be debatable for 20 minutes each, rather than 10 minutes. Those amendments are ones that Democratic Members, particularly, believe require more than 10 minutes to adequately debate, and we appreciate the fact that time for their consideration will be extended.

In addition, this new rule would restrict all other motions, except a motion to rise if offered by the majority leader or his designee, and a motion to rise and report with adopted amendments as a preferential motion pursuant to rule XXI, clause 2(d), which is a prerogative of the majority leader or his designee. Thus, no other Member would have the right to make a motion to rise, or a motion to strike the enacting clause, or any other motion that, under normal procedure, any Member is allowed to make.

Finally, the new rule gives the chairman of the Committee of the Whole the authority to postpone recorded votes, and to reduce to 5 minutes a recorded vote on any amendment in a series of amendments that follow an initial 15-minute vote. By enabling the chairman to cluster and reduce the allotted time for recorded votes, the House will be able to save a great deal of time that would otherwise be spent voting.

Mr. Speaker, this new rule will help assure that consideration of the Interior appropriations bill will come to a close in a matter of hours, rather than be prolonged for several more days. Both the chairman and the ranking minority member of the Appropriations, and our respective leaders, in the interest of moving appropriations bills through the House more expeditiously, agreed last Thursday night to limit debate on all the remaining amendments following completion of title I of H.R. 1977.

Because the rule reflects the concurrence of the two parties, we are supporting it. However, I do want to mention the concerns that many Members

on this side of the aisle have about this rule.

First, the fact that the rule will not allow second-degree amendments means that there will be less flexibility in the amending process. For example, in a case where a last-minute change to an amendment could produce a compromise that would be supported by a majority of Members, that change will be prohibited unless unanimous consent is obtained.

Second, although leaders on both sides support limiting time on the remaining amendments to 10 or 20 minutes apiece, these limits mean that many Members who wish to participate in debate on particular amendments will not have that opportunity, and that some very important issues will not be aired nearly to the extent that they deserve to be aired before we cast votes on them. We hope that on future appropriations bills, it will not be necessary to curtail debate on amendments to the extent provided for here.

Third, and most importantly, fundamental rights of Members in floor procedure—which are particularly important to Members of the minority—would be waived by this rule. As I mentioned earlier, no Member other than the majority leader or his designee would have the right to offer motions to rise or other motions that are the prerogative of any Member under the standing Rules of the House.

Although we understand the reason the majority has written into the rule the denial of that right, I would like to point out that it is highly unusual for the House to waive or limit that right. In fact, to the best of our knowledge, it is unprecedented for that right to be waived in a rule. We raise this matter in the hope that it will not be included in future rules.

Finally, Mr. Speaker, beyond our concerns about the rule itself, as I have said in previous statements, many of us have strong objections to the bill this rule makes in order.

We do not believe that the majority of Americans support the bill's deep cuts in the many important and useful programs it funds—programs that cost very little for the immense value they add to the quality of our lives.

We are dismayed that the bill cuts funding for these programs by 12 percent, especially since many of them have already been reduced in recent years. What we find particularly troubling is the fact that the reason the bill cuts so deeply is because those spending reductions are needed to help pay for an unnecessary increase in defense spending, and a tax cut that will mainly benefit the wealthiest among us. We think that those budget priorities are wrong.

We are further dismayed that many sensible amendments that have been offered since debate began on H.R. 1977—amendments that would have improved the bill's protection of our natural and cultural resources—have not been accepted by a majority of Members. We hope that pattern will change with some of the remaining amendments to be considered, particularly the amendments that would help protect our Nation's forests.

We also hope that the membership will not agree to amendments that would provide less protection for some of these programs. In particular, we hope that the amendments which would cut or eliminate funding for the NEA, the National Endowment for the Arts, will be rejected.

Mr. Speaker, to repeat, despite our concerns about the rule, we do support it, and we urge Members to vote for it.

Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. MILLER].

(Mr. MILLER of California asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. MILLER of California. Mr. Speaker, Members, the press, and the public should understand the cynical and dangerous strategy being pursued by the Republican majority on this bill. The Republican plan, like this legislation, is not designed to improve management of the Department of the interior, or even the laws and policies administered by that Department.

Instead, it is intended to wreak havoc with the environmental laws, the resource management laws, the species protection laws that we have implemented over the past quarter century to protect the land, the health and the safety of the American people.

The Republican majority offers up a new rule, a more restrictive rule, to cut off debate and limit our ability to learn what is in this bill or to offer alternatives to it. The Republican majority claims this new rule is designed to make the House proceed more efficiently.

That is untrue. It is designed to allow them to undermine, subvert, and repeal basic environmental, management and safety laws without giving dissenting Members—and the public—a reasonable opportunity to learn what their legislation would do.

The cynicism of this approach can be demonstrated by reading a memo, dated July 6, 1995, from the chairman of the Rules Committee to the Republican leadership. In this memo, which I move be placed in the RECORD, Chairman SOLOMON discussed several different ''alternatives to restrict rules on appropriations bills.'' The memo identifies several procedural ways for the majority to curtail the debate and prevent a full airing of the issues and policies they are attempting to impose.

I find it especially intriguing that one of the Republican strategies is to ''Limit Legislative Amendments.'' Chairman SOLOMON notes that, ''The more legislative policy debates that are injected into the appropriations process, beyond mere cutting amendments, the longer the amendment process on each bill will take.''

That is, of course, true, because appropriations bills are not supposed to contain authorizing language under the rules. This sweeping authorizing language is contained in these bills only because the Republican majority has waived points of order against them, and because Republican majorities have voted to include them in the bills in the first place. It goes without saying that Democrats lack the votes to include authorizing language, to delete authorizing language, or do much of anything else in these bills.

They are slashing away at the scientific knowledge on which we base sensitive resource decisions, placing in jeopardy our ability to plan management practices to minimize the impact on communities.

They are compromising law enforcement capability even as over 20,000 crimes from murder to resource violations occurred on Fish and Wildlife Service lands last year.

They have crippled the ability of the Park Service to enforce the law creating the Mojave National Preserve, which passed this Congress by overwhelming margins last year.

They have handicapped the effective implementation of the Endangered Species Act by depriving the EPA of funds needed for prelisting actions that could minimize more drastic action down the road.

They have killed the Urban Parks Program that serves dozens of needy communities and was expanded by last year's crime bill.

They have dissolved critical assistance to both Indian children and adults to assist their education in public schools.

This bill undoes major changes enacted just last year to improve self governance by Indian tribes.

It crippled the Land and Water Conservation Fund by slashing funds for acquiring lands by nearly 80 percent.

Altogether, this bill makes over 70 substantive changes in law, most without a day of hearings by the authorizing committees to see what impact those devastating cuts and changes would have on the ability of agencies to do the jobs they are charged with doing for the American people. This is not rational law-making; this is slash and burn, shoot-from-the-hip legislating and it is bad for America.

I know Republican Members will say that Democrats included authorizing language when we were in the majority, and they are right.

The difference is that the authorizing committees regularly objected to such practices. As an authorizing chairman, I vigorously objected to that misuse of the legislative process, as did other authorizing chairman. We changed the rules to limit authorization law changes in appropriations bills.

By contrast, the new Republican majority came into office in January having denounced the so-called tyranny of Democratic rules, only to issue restrictive rule after restrictive rule. They have made a mockery of their pledge of open debate and open rules. Indeed, Republican authorizing chairmen are co-

complicitous in this backdoor strategy for changing the law, and the Republican rules are preventing us from using the House Rules they wrote to block this unconscionable practice.

Now, as if this is not cynical enough, let me quote from Chairman SOLOMON's memo again. He writes that if his various schemes for limiting amendments and debates on these terrible bills are ''not sufficient,'' ''the leadership can always seek a second rule''—as they are doing today—''to further restrict amendments (as was done on the foreign ops bill) and blame Democrats for the need to do so.''

''And blame Democrats for the need to do so.''

What a cynical and deceitful strategy.

Let us remember, first of all, that many of the amendments that are delaying this process are being offered by Republicans, not Democrats, including the one by Mr. GILCHREST concerning the use of volunteers—an amendment that passed with overwhelming bipartisan support because the original restrictions voted by the Republican majority were so punitive and counterproductive. Other Republican amendments, like that by Mr. NEUMANN, are so terrible that they prompt extended debate, including the opposition of the Speaker himself.

Second, let me note that the reason so many amendments are needed is that these bills are bad legislation, written with a hand on the bible of right wing extremism and an eye on the calendar, noting how late we are in the legislative year without a single appropriations bill through the process—not because of Democratic obstructionism, but purely because of the mismanagement of the process by the Republican majority.

So now, the Republicans who castigated Democrats for allegedly restrictive rules and who promised open rules, are not only bringing initially restricted rules to the floor, but are plotting even more restrictive rules on sweeping legislation.

And no one should be confused as to why the Republican majority seeks these new rules: it is because they want these sweeping changes to fundamental laws to take place without public scrutiny and without full debate.

They do not want the press, or the American people, to know what is in this legislation. They want to proceed with the fiction that this is a dry bill of numbers that appropriates money for fiscal year 1996 when, in fact, it is anything but; it is an insidious and extremist bill that rips up the ability of this government to continue to manage our resources, waste taxpayer money, or protect our citizens.

And it is for that reason that we oppose this legislation and seek to modify it through the regular amendment process. And because the Republicans are embarrassed to have their handiwork found out, and because they want to prevent good faith efforts to change their flawed product—by Democrats and Republicans alike—that they come forward with this rule to clamp down on the debate and steamroll their flawed product through the House.

The memorandum referred to follows:

[Memorandum—July 6, 1995]

Re alternatives to restrictive rules on appropriations bills

To: The Republican Leadership.

From: Jerry Solomon.

So far, the majority leadership and Appropriations Committee have not taken advantage of existing House rules to manage and control the amendment process, even though the Rules Committee has followed the Majority Leader's guidelines on appropriations rules to allow for a greater management and control. These include opening appropriations bills to amendment by title instead of by paragraph, and by encouraging Members to pre-print their amendments in the RECORD to receive priority in recognition. This should have paved the way for unanimous consent agreements and motions, if necessary, to limit debate on particular amendments and amendments thereto, and even to limit debate on further amendments to a particular title. Under House Rules, once such a motion has been agreed to, only preprinted amendments are allowed upon the expiration of the time limit, and such amendments may only be debated for 10 minutes—5 minutes for and 5 minutes against. In addition, the Leadership has not exercised the Majority Leader's new prerogative under the Rules to offer the motion to rise once House is considering limitation amendments at the end of the process. This could be done, for instance, after allowing two limitation amendments per side, with time agreements on each.

Below is a listing of suggestions for alternative approaches to restrictive rules:

Time Limit Agreements—The majority managers of appropriations bills should make a greater effort to seek unanimous consent to limit time on amendments, including amendments thereto.

Time Limit Motions—The majority managers should take greater advantage of moving reasonable time limits on amendments, and, if necessary, on further amendments to a title. None has been moved to date as far as we know. Such motions on titles would still allow for ten minute debates on preprinted amendments after the time has expired for debating priority amendments offered by both sides to the title.

Limiting Legislative Amendments—The more legislative policy debates that are injected into the appropriations process, beyond mere cutting amendments, the longer the amendment process on each bill will take. A greater effort could be made by the Leadership to limit legislative provisions and amendments on appropriations bills in favor of debating and voting on these through the regular authorization process. In this way, the Leadership could reserve such debates in the appropriations process to only those major issues which the Leadership strongly feels must be attached to appropriations bills.

Limit Dilatory Motions—Special rules could confine the minority to not more than one motion to strike the enacting clause per bill and also authorize not more than one motion to rise per day by anyone other than the majority manager or the majority leader. At present, motions to strike the enacting clause are in order at any time there has been a change in the bill, i.e., an amendment adopted; and motions to rise are in order at any time after there has been only one intervening speech since the last such motion.

Second Rule—If the above suggestions are still not sufficient in expediting action, the Leadership can always seek a second rule to further restrict amendments (as was done on the foreign ops bill), and blame Democrats for the need to do so.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume to express my very deep appreciation to my friend, the gentleman from Martinez, CA, the former chairman of the authorizing committee, for his very kind words in support of our efforts to proceed with the open amendment process.

He has described us as being both cynical and deceitful. The fact of the matter is when we began this appropriating process, we had a wide-open rule that had the goal of allowing every Member to participate in this process.

□ 1700

Only when we had to stay in session very, very late at night and deal with this process of delay did it lead us to conclude that this was necessary.

Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Ohio [Mr. REGULA], the chairman of the subcommittee.

(Mr. REGULA asked and was given permission to revise and extend his remarks.)

Mr. REGULA. Mr. Speaker, I think it is important that we set the record straight here. We have had some allegations here about what is in this bill. I noted with interest that among the things that were mentioned that the bill does, it was not mentioned that it saves the taxpayers $1.5 billion dollars.

There was an election on November 8, 1994, and the message was clear: We want deficit reduction. We do not want to leave our children and our grandchildren with a continuing legacy of big debt.

When we put this bill together, we looked at all the functions and said, ''Where can we effectively get the job done and save money?'' And as a result of this approach, we have a savings in here, as I mentioned before, of $1.5 billion. Now, if that includes interest, in 20 years it is probably $4 or $5 billion, and on, and on, and on.

So, I think it is important that we note that.

Also, as I said when the bill was introduced, we really dealt with three categories of functions:

The must-dos. The must-dos are keeping the parks open, keep the forests open for the visitors, recreation users, keep the Fish and Wildlife facilities open for the visitors, keep the BLM lands open for the visitors, keep the Smithsonian open for the visitors, keep the National Gallery open, keep the Kennedy Center open for those who want to visit—this is one of our memorials—and we did that job.

These are must-dos. The must-dos are pretty much flat-funded in spite of the fact that we were faced with a 10-percent-plus reduction in the amount of money available.

The second category was the need-to-dos, and the need-to-dos are to finish buildings that are under construction. They include health and safety in our parks, and forests, and public lands generally. So we took care of those projects that were under way or that affected the health and safety of those that would visit our public facilities.

We took care of basic science. We recognized that, if we are to go into the next century with a nation that is on it toes, that if we are to leave a legacy of a highly developed economy in these United States, we have to continue a program of science.

So the United States Geologic Survey was kept pretty much at their 1995 levels. Again they deal with earthquakes, they did the mapping that was used in Desert Storm, they deal with water quality, the things that are important as a legacy to the future.

What we are really talking about in this bill is what kind of a world we are going to leave for future generations. Are we going to preserve the crown jewels of the national parks and forests? Are we going to leave a legacy of good science? Are we going to leave a legacy of good management? Because we do not want to burden future generations with an inordinate amount of debt to achieve our goals.

We put a freeze on land acquisition. Let us not buy more land until we take care of what we have. Let us not start new programs or new construction until we take care of what is already on the books.

The third category is the nice-to-dos, and there are a lot of nice things that we could do, but we do not have the money to do it, and we have that in our own lives. There are many things that people would like to do in their own personal lives, if they had a lot of money, but what we feel is important is to apply common sense, to apply balance. Therefore, on some of the things that would be nice to do we had to cut back severely, such as land acquisition.

We had over 400 letters from Members requesting some kind of a project or some kind of a program, many of those nice to do, but we had to say, ''No, we can't afford it if we are going to get a responsible budget in the future,'' and one of the things we did was try to avoid programs or construction that would have large downstream costs. It is a goal, as outlined in the budget adopted by the House and the other body, the budget of the Congress, if my colleagues will, to achieve balance by the year 2002; that is only 7 years away. To do that we have to start on a glide path to achieve savings, and that means not starting new programs that would be expensive, not starting new construction that would be expensive, not acquiring land that would cost big dollars to manage.

So that is the commonsense, that is the responsible, approach, and that is what we attempted to do in this bill, and I think we did it with fairness, without partisanship, and I certainly believe the bill and the rule deserve support.

I had to smile a little bit when there was some mention of the endangered species issue and the fact that this does not provide for listing or prelisting. The reason is that there is no authorization. The authorization expired a couple of years ago when this body was in the control of what is now the minority party, and that party chose to not reauthorize the Endangered Species Act. I do not know why, because I just heard comments that this is very important, and yet for a period of approximately 2 years nothing was done to enact a reauthorization. Therefore, under the rules of this House, we are not in a position to appropriate money because there is no authorization.

Now I have to say that the Committee on Resources is working on an authorization bill, and we have funding in there, in this bill, subject to authorization. That is the proper way to do it, and that is what we have tried to do throughout this bill, and I certainly urge the Members to support the rule and support the bill.

Mr. BEILENSON. Mr. Speaker, before yielding to our next speaker, may I just say very briefly I think it is fair to say that there is no finer or respected Member than the distinguished member from Ohio who just spoke, but I would say to our friend from Ohio that the reason the gentleman has been forced to make such large cuts in so many programs that are, in fact, not only nice to do, but many of us think are important to do, is because his party adopted a budget resolution which requires us over the next 7 years to spend an additional $77 billion on defense which I think perhaps the majority of us would like to argue against and because they are setting aside $245 billion for tax cuts, the benefits of which, the majority of benefits of which, go to the wealthiest among us. If we were not having to pay for those $350 billion worth of cuts and raises in spending for defense and tax cuts, the gentleman would have had available to him and to his committee an additional several billions of dollars which would have made his job, and our job, a good deal less difficult and painful.

Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Wisconsin [Mr. OBEY], the ranking minority member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding this time to me.

Mr. Speaker, I would simply like to say that, because the gentleman from California has indicated accurately this is a rule which has been worked out between both sides, I certainly have absolutely no objection to the rule. I certainly have misgivings about the process by which we have gotten here, but I certainly do not have any objection to the specific rule and will, in fact, support the rule.

Let me simply say, having done that, however, that I would like to respond to some of the thoughts that we heard from the gentleman from California earlier with respect to the need to finish the appropriations process by August. I certainly want to see that happen, too. I know of no one on this side of the aisle who does not feel a strong degree of responsibility to try to finish the appropriation bills in the House by the time we leave here for the scheduled August recess, and I want to say that I fully intend to provide whatever cooperation is required to get that done. What I do not want to see in the process, however, is to see policy issues buried and budget issues buried so we do not have adequate ability to discuss them in a manner which will make those issues most understandable to the general public who will be affected by our decisions on those issues. I think the gentleman from California [Mr. MILLER] indicated earlier his concerns about what is happening, and frankly, Mr. Speaker, there are some of us who feel what is happening is this:

We feel that after the original news stories came out about the kind of meetings with lobbyists that led to the deregulation bill that passed this House and was then turned down in the Senate 100 to nothing because it was looked at as simply being a lobbyists' dream list, we feel that people who are pushing those kinds of changes in regulatory practices which are desired by special interests and are not desired by the general public, we feel that there is a very high potential for the appropriations process being abused by bringing those issues into the appropriations process, burying them in an appropriations bill debate strong policy issues that have to do with the Clean Water Act, the Clean Air Act, the food inspection, basic labor law, basic rights of working people under that law, basic law with respect to housing. And we do not believe that those issues ought to be slipped into the appropriations process, debated for 5 or 10 minutes a side, and in essence have this House make major policy decisions with absolutely no ability to really discuss those issues, absolutely no ability to amend the amendments that are being offered, and no ability for the people on the committees who know the most about those issues, the policy committees, the authorizing committees, to actually participate in that discussion so that Members of this House know what they are doing when they do it.

I do not want to wake up after we have walked out of here in August and discover that only then is the press able to find out what has been slipped through here on appropriation bill after appropriation bill—something which we would not have had the ability to debate and which the press would not have had the ability to cover until after we are out of here in August. So I want to repeat: I am very willing to cooperate to see to it that we meet our responsibilities to get the budget issues through. That is the job of the Committee on Appropriations, to

help see to it we get the budget issues through by the time we get out of here. But I do not want that cooperation to be abused by then also bringing into the mix a huge number of policy issues which on their merits deserve to be discussed in full public view, in the light of day, not at 10, 11, or 12 o'clock at night on the floor, or as was the case last week, not in subcommittee at 1, 2, 3, and 4 o'clock in the morning when certainly there is no member of the public attending, no members of the press, and the message about what has been done to people never gets out.

So if we could accommodate that distinction, I think we could get along here a whole lot better than was the case Thursday night, and the public we are supposed to serve will have been served much better in the process.

Mr. DREIER. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Speaker, I just want to make it very clear that this is a bill to appropriate money, and every dollar in this bill was subject to amendment. There is no restriction on the ability of Members to add or subtract the amount of money. So I think there has to be an understanding, while there are some policy questions involved in the bill, that basically the money issues are open for amendment in every dimension.

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Mr. OBEY. Mr. Speaker, if the gentleman will yield, I am sure the gentleman understands, however, that is these language amendments are protected by the rule, we are operating outside of the normal confines of the House rules, and that has very serious implications for some laws that are very important to the consuming public.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. YATES] the ranking member.

(Mr. YATES asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. YATES. Mr. Speaker, I want to talk about family values briefly tonight, because we are going to vote on them later in the evening.

Love of family, respect for our fellow man, a well-educated and ethically minded people is our ideal and our goal for all Americans. You know how important education is in attaining these goals. To that end, the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute for Museum Services are three of the most powerful educational forces in existence.

Mr. Speaker, we now fund the National Science Foundation at nearly $3 billion, and we do not cut that foundation, and we should not cut that foundation, because it fosters the development of science and mathematics, which is very important. But the National Science Foundation does not provide funds to foster education in history, in languages, in philosophy, in ethics, in religion, in literature, in the arts. In other words, the National Science Foundation does not contribute to the disciplines that will educate our children in the ways of peace in communities at home and in nations abroad.

Do you believe that education in science and math is enough without education in the other disciplines? Of course you do not. If you do not, then why should you attack the Endowments and the Institute of Museum Services which contribute to fostering those important educational subjects. These are very powerful educational agencies, and I do hope that the attacks against them tonight will be thwarted.

Mr. Speaker, I would submit for the RECORD a letter which I have received, dated July 10, from Dr. Norman Rice, Mayor of Seattle, who is also president of the United States Conference of Mayors.

THE UNITED STATES
CONFERENCE OF MAYORS,
*Washington, DC, July 10, 1995.*

Hon. SIDNEY YATES,
*U.S. House of Representatives,*
*Washington, DC.*

DEAR MR. YATES: At our 63rd Annual Conference of Mayors, held June 16–20, in Miami, the mayors passed a strong resolution in support of the National Endowments for the Arts and Humanities and the Institute for Museum Services.

As you begin your final deliberations over the future of these three federal agencies, I strongly urge you to take into consideration the support the arts and humanities have at the local level and the vital role they play in improving the lives of all Americans, especially our young children.

We are all aware of the budget constraints and the need to work towards a balanced budget, but we feel Congress would be making a grave error to eliminate, or drastically reduce, federal support for the arts which, in turn, leverages critical private support for the arts. Every mayor has witnessed how federal leadership in the arts and humanities has benefited his or her community in the creation of jobs, businesses, tourism, and overall quality of life.

I have enclosed a copy of our Arts and Humanities resolution that was passed unanimously by the mayors.

We urge you to support continued federal involvement in the arts and humanities.

Sincerely,

NORMAN RICE,
*Mayor of Seattle, President.*

ARTS, HUMANITIES AND MUSEUMS FUNDING AND REAUTHORIZATION

Whereas, the arts, humanities and museums are critical to the quality of life and livability of America's cities; and

Whereas, the National Endowment for the Arts' and the National Endowment for the Humanities' thirty years of promoting cultural heritage and vitality throughout the nation has built a cultural infrastructure in this nation of arts and humanities agencies in every state and 3,800 local arts agencies throughout the country; and

Whereas, the National Endowment for the Arts (NEA), National Endowment for the Humanities (NEH), Institute of Museum Services (IMS) are the primary federal agencies that provide federal funding for the arts, humanities and museum programs, activities, and efforts in the cities and states of America; and

Whereas, federal funding serves as a catalyst to leverage additional dollars for cultural activity—the $373 million invested in these three agencies by the federal government leverages up to 12 times that amount from state and local governments, private foundations, corporations and individuals in communities across the nation to support the highest quality cultural programs in the world; and

Whereas, federal funding for cultural activities stimulates local economies and improves the quality of civic life throughout the country—the NEA, NEH and IMS support programs that enhance community development, promote cultural planning, stimulate business development, spur urban renewal, attract new businesses, draw significant tourism dollars, and improve the overall quality of life in our cities and towns; and

Whereas, the nonprofit arts industry generates $36.8 billion annually in economic activity and supports 1.3 million jobs—from large urban to small rural communities, the nonprofit arts industry annually returns $3.4 billion in federal income taxes; $1.2 billion in state government revenue and $790 million in local government revenue; and

Whereas, federal arts funding to cities, towns and states has helped stimulate the growth of 3,800 local arts agencies in America's cities and counties and $650 million annually in local government funding to the arts and humanities; and

Whereas, federal funding for cultural activities is essential to promote full access to and participation in exhibits, performances, arts education and other cultural events regardless of geography and family income; and

Whereas, federal funding for cultural activities is essential to maintaining the delicate balance in shared responsibility and partnership for public funding of the arts and humanities at the federal, state and local government levels; and

Whereas, the NEA and NEH have been placed in a precarious position because of difficult economic times; and

Whereas, draconian cuts to the NEA's and NEH's budget would have a disastrous effect on the survival of arts and humanities institutions, arts organizations, artists, and cultural programming at the national, state and local level; and

Whereas, the NEA's budget has already incurred repeated funding cuts for several consecutive years and currently operates at its 1984 funding level,

Now, therefore, be it resolved, that the U.S. Conference of Mayors calls upon the President and Congress to reauthorize the National Endowment for the Arts, National Endowment for the Humanities and the Institute of Museum Services for five years at a funding level that enables the agencies to exercise a strong national leadership role to invest in the social, economic and cultural well-being of the American public.

Be it further resolved, that the U.S. Conference of Mayors calls upon the President and Congress to oppose eliminating or phasing-out our federal cultural agencies; to oppose reducing their budgets; and to oppose mandating all funds be blockgranted to the states, which would eliminate the national leadership role of these federal agencies.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Michigan [Mr. DINGELL] the ranking member of the Committee on Energy and Commerce.

Mr. DINGELL. Mr. Speaker, I am hard put to explain why such a punitive and harsh rule is before this body at this time.

This is a bad rule for a bad piece of legislation. It establishes bad precedence. It curtails the rights of the Members to adequately debate the measure before us, and it confines Members to a straitjacket with regard to the amendment process, the opportunity to speak and to explain these amendments.

It is, all in all, a bad rule, and it should be rejected by the House. It permits only Members on the Republican side to offer a motion to rise, it permits only Members on the Republican side to have a motion which would require the House to rise and report the bill back to the House with such amendments as may have been adopted. It requires that amendments which are offered may be only debatable for 10 minutes, 5 minutes for the proponents, 5 minutes for the opponents.

Legislative amendments which would deal with fuel efficiency standards for appliances and buildings would get 5 minutes on each side. Those are important matters and they were debated in this House for a number of hours at an earlier time. The action which is being taken here is not being taken by a legislative committee, but rather by the Committee on Appropriations.

I would make the observation to this body that fuel efficiency and energy efficiency standards for appliances are something which are of importance to American industry, and the standards which are now on the books with regard to energy efficiency for appliances was adopted as a result of the solicitation of American industry.

This is something which is probably not known to my Republican colleagues, because most of those who are pushing this kind of change were not present in the House at the time it was adopted. The reason industry wanted those standards was so that they would not confront the certain probability of every State in the Union coming forward with different energy efficiency standards for appliances. Why? Because they could not have meaningful interstate commerce in appliances when they have to have standards which are enacted in 50 different ways, in 50 different sets of language, by 50 different States.

Five minutes on each side is going to be afforded to this body to discuss a proposal of that importance.

Let me make another observation. The language of the rule prohibits division of the question. It sets up the curious situation where we may find that two amendments will be adopted, after no reading and after no debate. Members who might wish to amend an amendment to perfect it are now precluded by this rule. For example, if a member of the legislative committee desires to offer an amendment which would perfect a rule, perhaps the one offered by the gentleman from Mississippi [Mr. PARKER] or perhaps by the gentleman from Massachusetts [Mr. OLVER], he will not be permitted to do so.

Why? Because of the rule. That is the amendment under the rules, which is a normal action which is taken by this body, to perfect amendments and to make the legislation more meaningful, more correct, and more in the broad, overall public interest.

Mr. DREIER. Mr. Speaker, it is my great pleasure to yield 2 minutes to my very good friend from Michigan, Mr. DINGELL, pending which I hope he will yield to me just a moment so that I might clarify some of the things the gentleman has said.

Mr. DINGELL. I will be happy to yield to the distinguished gentleman from California.

Mr. DREIER. Mr. Speaker, I would simply like to clarify a statement made. In my opening statement, I said that at the end of this rule debate, I will, having a request that came from Members on my friend's side of the aisle, ask for a doubling of the amount of time for debate on nine amendments, including amendments that were raised. If I could continue, I say that because we did have an agreement of 10 minutes per side, a total of 10 minutes. Now we have doubled that, because Members on your side made that request of us.

Mr. DINGELL. Mr. Speaker, reclaiming my time, this is a little like rape. The issue here is not how much force is used, but just that force is used. The hard fact is 10 minutes to discuss a matter on one side, to discuss a matter of this importance, is not an adequate amount of time in which to engage in responsible debate. The gentleman has not corrected any of the concerns, and I thank the gentleman for yielding, I have enormous respect for him, but he has not corrected nor has he proposed to correct the fact that the amendments may not be amended.

Mr. DREIER. Mr. Speaker, if the gentleman will continue to yield, we simply did that at the request of the minority.

Mr. DINGELL. The gentleman's kindness is extraordinary, but it is not adequate, nor does it do the things that have to be done to make this rule the kind that a responsible legislator may support.

Mr. BEILENSON. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Speaker, I rise today in opposition to this restrictive rule which does not allow us to consider fully the magnitude of the changing proposes in this bill. To limit debate on whether to eliminate all support of the arts, the soul of America, to 10 minutes, is outrageous.

Those supporting eliminating funding for the National Endowment for the Arts argue that it is too costly. If given more than a minute, I could argue, with verity, that cutting the National Endowment for the Arts would in actuality do damage to our national economy.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. NADLER. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding. I would like to clarify one more time the time for debating the amendment to which my friend is referring has been doubled, or will be when I offer an amendment at the end of the debate. We are doubling the amount of time.

Mr. NADLER. Mr. Speaker, reclaiming my time, for a relatively small Federal investment, millions of dollars are generated each year in our communities as a result of NEA funding. In 1992, the $166 million invested by the National Endowment for the Arts is estimated to have generated local economic activity throughout the country totalling $1.68 billion. In fact, the Federal Government received an average of $3.4 billion in income tax revenue from nonprofit arts organizations, according to a recent study. To cut this funding would be fiscally imprudent.

But there is much more than money at stake here. What is at stake is the soul of America—the richness, the texture, the intangible verve which courses through our daily existence in ways that we do not always recognize in the short run.

To argue that we must sell our soul to pay our bills is downright irresponsible. Some might argue that the work spurred by NEA funding is not a worthwhile investment of our federal tax dollars. Yes, it is difficult to quantify the noneconomic benefits we gain from our Federal commitment to the arts. But what of our grandfather's pocketwatch that we keep always, for which we invest in repairs, which has no real value in an economic sense? We cannot describe why it is valuable to us, but it is part of who we are—it feeds our soul in an intangible way. Similarly, it is difficult to quantify the smile on a child's face when she sees her first play at a children's theater, or the self-exploration we may experience when we look at a painting. These are things on which we cannot put a price, but are made possible through our Federal commitment to the arts and humanities.

Some may argue that they support the arts—but taxpayers should not be forced to finance the NEA. But without NEA support, many of the smaller, community based arts organizations would perish. Private funds are stimulated by the NEA imprimatur and matching requirements.

When this body established the NEA, we said, ''The Congress hereby finds and declares * * * that it is necessary and appropriate for the Federal Government to help create and sustain not only a climate encouraging freedom of thought, imagination, and inquiry but also the material conditions facilitating the release of this creative talent.'' This remains an important goal. Let us

not act rashly and put in jeopardy the future of America's soul with only 10 minutes of debate.

Mr. BEILENSON. Mr. Speaker, I ask Members to support this rule.

(Mr. BEILENSON asked and was given permission to include extraneous material in the RECORD.)

The material referred to follows:

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS

| Bill No. | Title | Resolution No. | Process used for floor consideration | Amendments in order |
|---|---|---|---|---|
| H.R. 1* | Compliance | H. Res. 6 | Closed | None. |
| H. Res. 6 | Opening Day Rules Package | H. Res. 5 | Closed; contained a closed rule on H.R. 1 within the closed rule | None. |
| 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; 10 hr. Time Cap on amendments; Pre-printing gets preference | N/A. |
| H.R. 729* | Death Penalty/Habeas | N/A | Restrictive; brought up under UC with a 6 hr. time cap on amendments | N/A. |
| S. 2 | Senate Compliance | N/A | Closed; Put on Suspension Calendar over Democratic objection | None. |
| H.R. 831 | To Permanently Extend the Health Insurance Deduction for the Self-Employed. | H. Res. 88 | Restrictive; makes in order only the Gibbons amendment; Waives all points of order; Contains self-executing provision. | 1D. |
| H.R. 830* | The Paperwork Reduction Act | H. Res. 91 | Open | N/A. |
| H.R. 889 | Emergency Supplemental/Rescinding Certain Budget Authority | H. Res. 92 | Restrictive; makes in order only the Obey substitute | 1D. |
| H.R. 450* | Regulatory Moratorium | H. Res. 93 | Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference | N/A. |
| H.R. 1022* | Risk Assessment | H. Res. 96 | Restrictive; 10 hr. Time Cap on amendments | N/A. |
| H.R. 926* | Regulatory Flexibility | H. Res. 100 | Open | N/A. |
| H.R. 925* | Private Property Protection Act | H. Res. 101 | 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. 1058* | Securities Litigation Reform Act | H. Res. 105 | 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. 988* | The Attorney Accountability Act of 1995 | H. Res. 104 | Restrictive; 7 hr. time cap on amendments; Pre-printing gets preference | N/A. |
| H.R. 956* | Product Liability and Legal Reform Act | H. Res. 109 | Restrictive; makes in order only 15 germane amendments and denies 64 germane amendments from being considered. | 8D; 7R. |
| H.R. 1158 | Making Emergency Supplemental Appropriations and Rescissions | H. Res. 115 | 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) od rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment. | N/A. |
| H.J. Res. 73* | Term Limits | H. Res. 116 | 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.R. 4* | Welfare Reform | H. Res. 119 | 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. 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 to 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 |
| H. Con. Res. 67 | Budget Resolution | H. Res. 149 | Restrictive; Makes in order 4 substitutes under regular order; Gephardt, Neumann/Solomon, Payne/Owens, President's Budget if printed in Record on 5/17/95; waives all points of order against substitutes and concurrent resolution; suspends application of Rule XLIX with respect to the resolution; self-executes Agriculture language. | 3D; 1R |
| H.R. 1561 | American Overseas Interests Act of 1995 | H. Res. 155 | Restrictive; Requires amendments to be printed in the Record prior to their consideration; 10 hr. time cap; waives cl 2(1)(6) of rule XI against the bill's consideration; Also waives sections 302(f), 303(a), 308(a) and 402(a) against the bill's consideration and the committee amendment in order as original text; waives cl 5(a) of rule XXI against the amendment; amendment consideration is closed at 2:30 p.m. on May 25, 1995. Self-executes provision which removes section 2210 from the bill. This was done at the request of the Budget Committee. | N/A |
| H.R. 1530 | National Defense Authorization Act FY 1996 | H. Res. 164 | Restrictive; Makes in order only the amendments printed in the report; waives all points of order against the bill, substitute and amendments printed in the report. Gives the Chairman en bloc authority. Self-executes a provision which strikes section 807 of the bill; provides for an additional 30 min. of debate on Nunn-Lugar section; Allows Mr. Clinger to offer a modification of his amendment with the concurrence of Ms. Collins. | 36R; 18D; 2 Bipartisan |
| H.R. 1817 | Military Construction Appropriations; FY 1996 | H. Res. 167 | Open; waives cl. 2 and cl. 6 of rule XXI against the bill; 1 hr. general debate; Uses House passed budget numbers as threshold for spending amounts pending passage of Budget. | ..... |
| H.R. 1854 | Legislative Branch Appropriations | H. Res. 169 | Restrictive; Makes in order only 11 amendments; waives sections 302(f) and 308(a) of the Budget Act against the bill and cl. 2 and cl. 6 of rule XXI against the bill. All points of order are waived against the amendments. | 5R; 4D; 2 Bipartisan |
| H.R. 1868 | Foreign Operations Appropriations | H. Res. 170 | Open; waives cl. 2, cl. 5(b), and cl. 6 of rule XXI against the bill; makes in order the Gilman amendments as first order of business; waives all points of order against the amendments; if adopted they will be considered as original text; waives cl. 2 of rule XXI against the amendments printed in the report. Pre-printing gets priority (Hall) (Menendez) (Goss) (Smith, NJ). | N/A |
| H.R. 1905 | Energy & Water Appropriations | H. Res. 171 | Open; waives cl. 2 and cl. 6 of rule XXI against the bill; makes in order the Shuster amendment as the first order of business; waives all points of order against the amendment; if adopted it will be considered as original text. Pre-printing gets priority. | N/A |
| H.J. Res. 79 | Constitutional Amendment to Permit Congress and States to Prohibit the Physical Desecration of the American Flag. | H. Res. 173 | Closed; provides one hour of general debate and one motion to recommit with or without instructions; if there are instructions, the MO is debatable for 1 hr. | N/A |
| H.R. 1944 | Recissions Bill | H. Res. 175 | Restrictive; Provides for consideration of the bill in the House; Permits the Chairman of the Appropriations Committee to offer one amendment which is unamendable; waives all points of order against the amendment. | N/A |
| H.R. 1868 (2nd rule) | Foreign Operations Appropriations | H. Res. 177 | Restrictive; Provides for further consideration of the bill; makes in order only the four amendments printed in the rules report (20 min each). Waives all points of order against the amendments; Prohibits intervening motions in the Committee of the Whole; Provides for an automatic rise and report following the disposition of the amendments. | ..... |

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. 1977 *Rule Defeated* . | Interior Appropriations | H. Res. 185 | Open; waives sections 302(f) and 308(a) of the Budget Act and cl 2 and cl 6 of rule XXI; provides that the bill be read by title; waives all points of order against the Tauzin amendment; self-executes Budget Committee amendment; waives cl 2(e) of rule XXI against amendments to the bill; Pre-printing gets priority. | N/A |
| H.R. 1977 | Interior Appropriations | H.Res. 187 | Open; waives sections 302(f), 306 and 308(e) of the Budget Act; waives clauses 2 and 6 of rule XXI against provisions in the bill; waives all points of order against the Tauzin amendment; provides that the bill be read by title; self-executes Budget Committee amendment and makes NEA funding subject to House passed authorization; waives cl 2(e) of rule XXI against the amendments to the bill; Pre-printing gets priority. | N/A |
| H.R. 1976 | Agriculture Appropriations | H. Res. 188 | Open; waives clauses 2 and 6 of rule XXI against provisions in the bill; provides that the bill be read by title; Makes Skeen amendment first order of business, if adopted the amendment will be considered as base text (10 min.); Pre-printing gets priority. | N/A |
| H.R. 1977 (3rd rule) | Interior Appropriations | H. Res. 189 | Restrictive; provides for the further consideration of the bill; allows only amendments pre-printed before July 14th to be considered; limits motions to rise. | |

*Contract Bills, 67% restrictive; 33% open. **All legislation, 62% restrictive; 38% 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. BEILENSON. Mr. Speaker, I yield the balance of my time to the gentleman from California [Mr. MILLER].

The Speaker pro tempore. The gentleman from California [Mr. MILLER] is recognized for 2 minutes.

Mr. MILLER of California. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would ask my colleagues to oppose this rule. It was said by the gentleman from California in his opening statement that this rule was here to rescue this important bill from Democratic tactics. Let me just say on last Thursday we had 14 amendments offered on the floor of the House, 8 of which were Republican amendments. The total time for Democratic debate on those amendments was 3½ hours. We spent over 2 hours just on the Gilchrest amendment alone, the Gilchrest amendment, which was to remove legislation from this appropriations bill dealing with the use of volunteers in the environmental field by the National Biological Survey.

So most of the time was in fact spent trying to figure out how to remove legislation that was unacceptable both to Republicans and to Democrats. But because of that debate, we now see that all of a sudden debate on this bill, on issues ranging from endangered species to the National Endowment for the Arts, are now collapsed into 20 minutes or 10 minutes on these most important issues.

This is clearly a gift to those who do not want to take the heat for the policy considerations that they want to have this bill enact. They do not want to take the heat for the changes in the law. If you can get this down so later tonight at 10 or 11 o'clock at night we are spending 10 minutes a side to debate these issues, then you can go on about your business.

It is the wrong way to legislate. The House deserves better, the members of the authorizing committees who are disenfranchised by this effort deserve better, and the American people deserve better about these kinds of major changes being presented to us now, in as restrictive a rule essentially as you can have, which is to offer you the minimum time per side as opposed to the minimum time you have under the 5-minute rule for the Members of the House, which is 5 minutes per Member who can stand up and argue these debates.

□ 1730

That is open and free debate. This rule is not about open and free debate. This rule is about closing down debate so you do not have to answer the hard questions.

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

Mr. Speaker, we did hear from my friend from Woodland Hills that there is support of this rule. I guess I am speaking for the leadership on both sides of the aisle in stating that there is strong support for this rule.

I hope that we can pass it.

AMENDMENT OFFERED BY MR. DREIER

Mr. DREIER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DREIER:

Page 2, line 13, insert the following after the period:

''Notwithstanding the preceding sentence, the following amendments (identified by numerical designation pursuant to clause 5 of rule XXIII) shall be debatable for 20 minutes equally divided and controlled by the proponent and an opponent: the amendments numbered 11, 31, 40, 41, 57, 61, 65, 66, and 72. The amendment numbered 57 is hereby modified to insert on page 94 after line 24.''.

The SPEAKER pro tempore (Mr. SHAYS). The gentleman from California [Mr. DREIER] has 15 minutes remaining on the amendment and the rule.

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

Mr. Speaker, as I mentioned in my opening statement and in response to statements from the gentleman from New York [Mr. NADLER] and the gentleman from Michigan [Mr. DINGELL], this amendment would simply permit the House to debate a specific group of 9 amendments for up to 20 minutes each, rather than the 10 minutes provided for under the pending rule.

Debate time on these amendments shall be equally divided and controlled between the proponent and an opponent. As the new rule already stipulates, the amendments shall be considered as read, are not subject to amendment or to a demand for a division of the question.

Mr. Speaker, as I was saying earlier, we are offering this amendment in a spirit of bipartisanship, recognizing that certain issues that are associated with this bill, such as funding for the arts and humanities, deserve additional time on the floor for debate. As I have said, we have doubled the amount of time on that. This amendment was developed in close consultation and cooperation with the minority and I urge my colleagues to support this fair and straightforward amendment.

Mr. Speaker, I yield to the gentleman from California [Mr. BEILENSON]

Mr. BEILENSON. Mr. Speaker, we have no time over here. If we did, I would have recognized myself and would have joined in support of the amendment which we are pleased that the gentleman is offering. We ask for its support.

Mr. DREIER. Mr. Speaker, that is the reason that I was very careful in maintaining time over here so that I would get those wonderful words from the distinguished minority manager of this rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the amendment and on the resolution.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the amendment and on the resolution.

There was no objection.

The question is on the amendment offered by the gentleman from California [Mr. DREIER].

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

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

Mr. MILLER of California. 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. Pursuant to clause 5, rule I, further proceedings on this motion will be postponed until 6 p.m.

The point of no quorum is considered as withdrawn.

## PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING THE 5-MINUTE RULE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the following