

This bill bans an abortion practice that offends most Americans who value the sanctity of life. H.R. 1833 would ban a cruel and inhuman method of abortion and I urge its adoption.

Mr. SMITH of Texas. Mr. Chairman, I rise today in support of H.R. 1833, the Partial-Birth Abortion Ban Act.

Many of my colleagues on the other side of the aisle will attempt to frame this debate in terms of a woman's right to choose. But the Partial Birth Abortion Ban Act is not about women, choice, or reproductive rights. The true issue that this legislation addresses is the brutal late-term abortion procedure called partial-birth abortion.

Regardless of whether or not one believes that life begins at conception, a partial-birth abortion, which can be performed at any time following the 5-month period, is clearly the taking of an innocent human life. A baby is developed enough at 5-months to be able to live outside of the womb and there are many instances of infants being born prematurely at 5 months and surviving to live a full life.

The partial-birth abortion procedure should be prohibited. I heartily support this effort to protect the sanctity of human life.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill is considered as read for amendment under the 5-minute rule and the amendment in the nature of a substitute is adopted.

Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HANSEN) having assumed the chair, Mr. EMERSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1833), to amend title 18, United States Code, to ban partial-birth abortions, pursuant to House Resolution 251, he reported the bill, as amended pursuant to that rule, back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered and the amendment is adopted.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 288, nays 139, answered "present" 1, not voting 4, as follows:

[Roll No. 756]
YEAS—288

Allard	Armey	Baessler
Archer	Bachus	Baker (CA)

Baker (LA)	Gilchrest	Neal
Ballenger	Gillmor	Nethercutt
Barcia	Goodlatte	Neumann
Barr	Goodling	Ney
Barrett (NE)	Gordon	Norwood
Bartlett	Goss	Nussle
Barton	Graham	Obestar
Bass	Gunderson	Ober
Bateman	Gutknecht	Ortiz
Bereuter	Hall (OH)	Orton
Bevill	Hall (TX)	Oxley
Bilbray	Hamilton	Packard
Bilirakis	Hancock	Parker
Bliley	Hansen	Paxon
Blute	Hastert	Payne (VA)
Boehner	Hastings (WA)	Peterson (MN)
Bonilla	Hayes	Petri
Bonior	Hayworth	Pombo
Bono	Hefley	Pomeroy
Borski	Hefner	Porter
Brewster	Heineman	Portman
Browder	Herger	Poshard
Brownback	Hilleary	Pryce
Bryant (TN)	Hobson	Quillen
Bunn	Hoekstra	Quinn
Bunning	Hoke	Radanovich
Burr	Holden	Rahall
Burton	Hostettler	Ramstad
Buyer	Hunter	Regula
Callahan	Hutchinson	Riggs
Calvert	Hyde	Roberts
Canady	Inglis	Roemer
Camp	Istook	Rogers
Castle	Jacobs	Rohrabacher
Chabot	Johnson (SD)	Ros-Lehtinen
Chambliss	Johnson, Sam	Rose
Chenoweth	Jones	Roth
Christensen	Kanjorski	Royce
Chrysler	Kaptur	Salmon
Clement	Kasich	Sanford
Clinger	Kennedy (RI)	Saxton
Coble	Kildee	Scarborough
Coburn	Kim	Schaefer
Collins (GA)	King	Schiff
Combest	Kingston	Seastrand
Condit	Kleczka	Sensenbrenner
Cooley	Klink	Shadegg
Costello	Klug	Shaw
Cox	Knollenberg	Shuster
Cramer	LaFalce	Sisisky
Crane	LaHood	Skeen
Crapo	Largent	Skelton
Creameans	Latham	Smith (MI)
Cubin	LaTourrette	Smith (NJ)
Cunningham	Laughlin	Smith (TX)
Danner	Lazio	Smith (WA)
Davis	Leach	Solomon
de la Garza	Lewis (CA)	Souder
Deal	Lewis (KY)	Spence
DeLay	Lightfoot	Spratt
Diaz-Balart	Lincoln	Stearns
Dickey	Linder	Stenholm
Dingell	Lipinski	Stockman
Doolittle	Livingston	Stump
Dornan	LoBiondo	Stupak
Doyle	Longley	Talent
Dreier	Lucas	Tanner
Duncan	Manton	Tate
Dunn	Manzullo	Tauzin
Ehlers	Martinez	Taylor (MS)
Ehrlich	Martini	Taylor (NC)
Emerson	Mascara	Tejeda
English	McCollum	Thomas
Ensign	McCrery	Thornberry
Everett	McDade	Thornton
Ewing	McHale	Tiahrt
Fawell	McHugh	Traficant
Fields (TX)	McInnis	Upton
Flake	McIntosh	Volkmer
Flanagan	McKeon	Vucanovich
Foglietta	McNulty	Waldholtz
Foley	Metcalf	Walker
Forbes	Mica	Walsh
Ford	Miller (FL)	Wamp
Fowler	Minge	Watts (OK)
Fox	Moakley	Weldon (FL)
Franks (NJ)	Molinari	Weller
Frisa	Mollohan	White
Funderburk	Montgomery	Whitfield
Galleghy	Moorhead	Wicker
Ganske	Moran	Wolf
Gekas	Murtha	Young (AK)
Gephardt	Myers	Young (FL)
Geren	Myrick	Zeliff

NAYS—139

Abercrombie	Barrett (WI)	Bishop
Ackerman	Beilenson	Boehlert
Andrews	Bentsen	Boucher
Baldacci	Berman	Brown (CA)

Brown (FL)	Hastings (FL)	Rangel
Brown (OH)	Hilliard	Reed
Bryant (TX)	Hinchey	Richardson
Cardin	Horn	Rivers
Chapman	Hoyer	Roukema
Clay	Jackson-Lee	Roybal-Allard
Clayton	Jefferson	Rush
Clyburn	Johnson (CT)	Sabo
Coleman	Johnson, E. B.	Sanders
Collins (IL)	Johnston	Sawyer
Collins (MI)	Kelly	Schroeder
Conyers	Kennedy (MA)	Schumer
Coyne	Kennelly	Scott
DeFazio	Kolbe	Serrano
DeLauro	Lantos	Shays
Dellums	Levin	Skaggs
Deutsch	Lewis (GA)	Slaughter
Dicks	Lofgren	Stark
Dixon	Lowey	Stokes
Doggett	Luther	Studds
Dooley	Maloney	Thompson
Durbin	Markey	Thurman
Edwards	Matsui	Torkildsen
Engel	McCarthy	Torres
Eshoo	McDermott	Torrice
Evans	McKinney	Towns
Farr	Meehan	Velazquez
Fattah	Meek	Vento
Fazio	Menendez	Visclosky
Filner	Meyers	Ward
Frank (MA)	Mfume	Waters
Franks (CT)	Miller (CA)	Watt (NC)
Frelinghuysen	Mink	Waxman
Frost	Morella	Williams
Furse	Nadler	Wilson
Gejdenson	Olver	Wise
Gibbons	Owens	Woolsey
Gilman	Pallone	Wyden
Gonzalez	Pastor	Wynn
Green	Payne (NJ)	Yates
Greenwood	Pelosi	Zimmer
Gutierrez	Peterson (FL)	
Harman	Pickett	

ANSWERED "PRESENT"—1

Houghton

NOT VOTING—4

Becerra	Tucker
Fields (LA)	Weldon (PA)

□ 1408

Mr. RUSH changed his vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CANADY of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous material in the RECORD on the legislation just completed.

The SPEAKER pro tempore (Mr. HANSEN). Is there objection to the request of the gentleman from Florida?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 2546, DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 1996

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 252 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 252

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2546) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1996, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and amendments specified in this resolution and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Before consideration of any other amendment, it shall be in order without intervention of any point of order to consider the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by a Member designated in the report. That amendment 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. If that amendment is adopted, the bill, as amended, shall be considered as the original bill for the purpose of further amendment. The bill, as amended, shall be considered as read through page 58, line 4. All points of order against provisions of the bill, as amended, for failure to comply with clause 2 or 6 of rule XXI are waived. Debate on each further amendment to the bill and any amendments thereto shall be limited to thirty minutes. It shall be in order without intervention of any point of order to consider each of the amendments printed in the Congressional Record and numbered 1, 2 or 4 pursuant to clause 6 of rule XXIII, if offered by the Member who caused it to be printed or a designee. Each such amendment shall be considered as read, shall be debatable for thirty 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. During consideration of the bill for amendment the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. LINDER. Mr. Speaker, for purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas [Mr. FROST], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

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

Mr. LINDER. Mr. Speaker, House Resolution 252 is a modified open rule which provides for consideration of the H.R. 2546, the District of Columbia Appropriations Act for fiscal year 1996, and waives all points of order against this bill. House Resolution 252 allows for 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations.

Following the hour of general debate, the bill shall be considered for amendment under the 5-minute rule. Before consideration of any other amendment, it shall be in order to consider the amendment offered by Representative WALSH, which is printed in the Rules Committee's report, will not be subject to amendment and shall be debatable for 10 minutes equally divided and controlled by a proponent and an opponent of the amendment.

If the Walsh amendment is adopted, the bill as amended shall be considered as the original bill for the purpose of further amendment, and shall be considered as read through page 58, line 4. The rule also waives clauses 2 and 6 of rule XXI. As a consequence of the District's precarious financial situation, the subcommittee has included a number of legislative provisions that will ensure that a few specified activities are achieved by the local government.

The rule holds that debate and consideration of any amendments to the bill, and amendments thereto, shall be limited to 30 minutes. House Resolution 252 specifically makes in order amendments numbered 1, 2, and 4 which were printed in the CONGRESSIONAL RECORD of October 30, 1995, waives points of order against these amendments, and provides that these amendments shall not be subject to amendment.

Amendment No. 1, offered by Representative BONILLA, is designed to revoke the National Education Association's property tax exemption. It is now acknowledged that the NEA is a taxpayer subsidized labor union that has strayed from its original purpose to promote education. The NEA no longer deserves this tax exemption, and the Bonilla amendment will remove this Federal mandate and bring in over \$1 million to the District of Columbia.

Amendment No. 2, offered by Representative GUNDERSON, offers an opportunity to revive the District's school system by authorizing funding for school reforms and the creation of renewable 5-year public school charters. Mr. GUNDERSON has consulted with local officials on his reform package to help repair the ruined District school system, and the Rules Committee believes that this amendment deserved consideration by the whole House.

Amendment No. 4, offered by Representative HOSTETTLER, would repeal

the District's Domestic Partners Act, which provides that unmarried, adult, non-dependent cohabitants may register to receive health benefits and other legal rights. This act is simply poor public policy. Congress has consistently prohibited the use of Federal funds for implementing this act, and this amendment will end the annual process of prohibiting the enforcement of this law.

Members will have the opportunity to offer additional amendments under the 30 minute time arrangement for each amendment. The specified time limits will give all Members the opportunity to debate fully each amendment, while ensuring that this important bill moves along the appropriations process in a timely manner. The rule permits the chairman of the Committee of the Whole to accord priority in recognition to those Members who pre-printed their amendments in the CONGRESSIONAL RECORD, which will assist all the Members of the House in the consideration of the merits of each proposed amendment. Finally, the resolution provides for a motion to recommit with or without instructions as is the right of the minority.

Mr. Speaker, the District of Columbia, by all accounts, has gotten itself into a financial predicament that necessitates the serious action taken in H.R. 2546. The bill provides a total appropriation of \$4.97 billion for fiscal year 1996, and takes the additional step of placing a cap of \$4.87 billion on the total amount of appropriations available to the District Government for operating expenses. Certainly, a city the size of Washington, DC, can survive on almost \$5 billion, especially after the local District leadership institutes the necessary reforms to create a more efficient operation for our Nation's capital and its citizens.

Mr. Speaker, I might parenthetically point out that the county in which I live has 20,000 more citizens than the District of Columbia and it provides all the same services and does so for \$410 million per year, rather than \$4.97 billion.

In addition to the provisions that the DC subcommittee has included in the bill, I am pleased that the District Financial Management Assistance Authority has been specifically encouraged to expedite the implementation of sound financial practices as soon as possible. The Financial Authority, the local government and the inhabitants of the capital all recognize the feeling of apprehension that exists about the ability of the District to govern itself, and I hope that everyone can agree that this bill will effectively spur the District toward financial solvency.

Under the leadership of Chairman WALSH, the appropriators have had to balance an assortment of concerns, including home rule, and make difficult choices with the limited funding available this year. The product of their

work reflects both these new budget realities and the District's fiscal emergency. As a result, H.R. 2546 guarantees that the available funding is spent efficiently and where it is needed most.

Mr. Speaker, this rule was favorably reported by the Rules Committee yesterday. I urge my colleagues to support the rule so that we may proceed with debate and consideration of the underlying legislation which will assist the

District along the road to financial well-being.

□ 1415

Mr. Speaker, I submit the following for the CONGRESSIONAL RECORD:

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

[As of November 1, 1995]

Table with 5 columns: Rule type, 103d Congress (Number of rules, Percent of total), 104th Congress (Number of rules, Percent of total). Rows include Open/Modified-open, Modified Closed, Closed, and Total.

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

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

³ A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

⁴ A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of November 1, 1995]

Table with 5 columns: H. Res. No. (Date rept.), Rule type, Bill No., Subject, Disposition of rule. Lists various House Resolutions and their corresponding subjects and outcomes.

[As of November 1, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 251 (10/31/95)	C	H.R. 1833	Partial Birth Abortion Ban	A: 237-190 (11/1/95).
H. Res. 252 (10/31/95)	MO	H.R. 2546	D.C. Approps	

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; D-defeated; PQ-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

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

Mr. FROST. Mr. Speaker, I rise in opposition not only to this rule, but the D.C. Appropriations bill. Mr. Speaker, this bill makes me wonder what has happened to oft repeated Republican mantra of "local knows best." After reviewing the contents of this bill and the amendments made in order in the rule, that mantra might rather be "father knows best."

The Republican majority has for the past 10 months explained away their dismantling of Federal programs by claiming that the American people elected them to Congress to return power to the States and local governments. Well, Mr. Speaker, if those claims are so true, can you explain why the District of Columbia Subcommittee has seen fit to send us a bill which micromanages the affairs of the rightfully and lawfully elected government of this city?

Mr. Speaker, I am no particular fan of the manner in which the government of the District has been run in the past. It is bloated, inefficient, and taxes its residents far heavily. Its financial affairs are a disgrace, and that is evidenced by the street lights that are burned out and not replaced, the animal shelter nearly closed because the city did not pay its bills, and the ranks of the police force being decimated by the loss of senior experienced officers because of cuts in their basic rates of pay. The situation in which the Nation's Capital finds itself is very, very sad.

But, Mr. Speaker, does this situation then grant license to the gentleman from New York [Mr. WALSH] and his subcommittee to impose their own vision of the world as it should be? Does this situation grant the Congress the right to subvert the will of those American people who reside in the District? Because, as you well know, Mr. Speaker, those people have no voting voice in this Congress and this bill ensures that what little voice they have in governing their own affairs is nothing short of meaningless.

Mr. Speaker, if the content of the reported bill is not bad enough, then the rule reported by the Republican majority of the Rules Committee only makes matters worse. I am particularly opposed to the rule because of an amendment which was made in order. That amendment, to be offered by the gentleman from Wisconsin [Mr. GUNDERSON] will allow the use of Federal tax dollars to provide vouchers for students to attend private and religious schools. I have long opposed the use of tax-funded vouchers and I must strongly protest the inclusion of this amendment in the rule.

Mr. Speaker, in April the Congress enacted legislation which established the financial control board for the District of Columbia. That board, along with the city council and the Mayor, is working to resolve the deep financial crisis that faces this city. I do not know, Mr. Speaker, how prohibiting any city-owned or city-run facility from performing abortions is going to help the board, the council, or the Mayor find a way to fund the \$256 million shortfall in funds provided in this bill.

Mr. Speaker, we all agree the District of Columbia is in serious trouble and that much of this trouble is of the city's own doing. But that does not, Mr. Speaker, give this Congress the right to act in such a blatantly paternalistic manner. If the Republican majority finds such value in letting local governments conduct their own affairs, then I believe one of the first places they should demonstrate this commitment is in the city which houses our Nation's Capital. Let's let the financial control board do its job. Let's let the council make the laws which govern those American citizens who elected them.

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

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield 3 minutes to the gentleman from Georgia [Mr. KINGSTON].

Mr. KINGSTON. Mr. Speaker, it is interesting to me that the other side of this House is suddenly concerned about micromanaging Washington, DC. Maybe if they had dared to micromanage Washington, DC, for 1 or 2 of the years that they have been in the majority, Washington, DC, would not be a bankrupt city.

Mr. Speaker, we are in a position where we have been working with the Financial Control Board, with city officials, with outside experts, all year long trying to turn the Nation's Capital around.

It is a great city. They have some good folks involved in the government of Washington. We want them to run their own city. We want them to run the Nation's Capital. Yet, at the same time, we cannot continue year after year writing checks to Washington, DC, and turning the other way and act like the status quo is good enough.

Mr. Speaker, the city is in the red. It has been in the red. The audit is just unbelievable, the amount of things that have been found in it. For the other side of this House to be saying that we are micromanaging it is absurd.

Mr. Speaker, I have only been a Member of this body for 3 years, but I know that we have debated the abor-

tion issue, the domestic partnership issue, year after year every time the DC bill comes up. That is not something new. That is something that, yes, there is a philosophical difference generally outlined by party differences on those particular issues. But actually bringing it to the floor of the House shows that we are not trying to ram it through in a backroom deal. We are not trying to micromanage.

Mr. Speaker, these are things that we believe the American people should debate about. Remember this, the history of Washington, DC, is the Government moving to Washington. When George Washington was the President, the capital was in New York City and it was in Philadelphia. When they came here, it was a swamp. Washington surveyed this land, established the Nation's Capital and the city of Washington.

The city of Washington, DC, grew up around Congress; not vice versa. The only city that was here was Georgetown. Washington, DC, actually went through a period of home rule and lost it in the year 1874, because of mismanagement. Congress took over then for 100 years and then in 1974, home rule was started again.

We are at a situation now where we had all the evidence needed to pull home rule away, but we are choosing not to. The gentleman from New York [Mr. WALSH] and the committee, in a bipartisan basis with the gentleman from California [Mr. DIXON] has said no. Let us do not. Let us work with the Financial Control Board. Let us work with the city officials and give them the arm's-length support and leadership and partnership that they need to turn this great Nation's Capital around.

Mr. Speaker, I am confident that we can do that and I urge Members to support the rule.

Mr. FROST. Mr. Speaker, I yield 6 minutes to the gentleman from California [Mr. DIXON].

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

Mr. DIXON. Mr. Speaker, I rise in opposition to the rule for the fiscal year 1996 District of Columbia appropriations bill. Mr. Speaker, the House begins consideration of the District of Columbia Appropriations bill 1 month after the fiscal year has begun and 13 days before the continuing resolution—which covers the District government as well as the Federal Government—expires. Since the time that the subcommittee first marked up this bill on September 19, this measure has been mired in controversy about the budget cuts included in the bill, as well as some 40 legislative provisions initially

recommended by Chairman WALSH for inclusion in the bill.

After a second subcommittee markup on October 19, the District of Columbia appropriations bill was able to proceed to consideration by the full Appropriations Committee, in large measure, only because of an agreement reached among the principals to drop legislative and policy riders from the bill that deeply undermined the principle of home rule for the District of Columbia. Given the District's precarious financial condition, I thought that we had agreed to drop these controversial matters to expedite consideration of the bill, so that we could begin conference deliberations promptly and enact a final measure prior to the November 13 expiration of the continuing resolution.

Now, Mr. Speaker, we find ourselves in much the same situation in which we started with this bill. Apparently, the majority is determined to be the second city council for the District of Columbia. This rule grants point of order waivers for several legislative matters that should be determined by District voters through their elected representatives, not by this Congress.

During consideration of the bill by the full Appropriations Committee, an amendment was added to amend the District of Columbia Code to prohibit the use of both Federal and District funds for abortions, and to prohibit even privately-funded abortions in District-owned or operated facilities, except in the cases of life, rape or incest.

Mr. Speaker, this section of the bill goes far beyond the existing Hyde restrictions. In fact, this language is the most restrictive language ever imposed on women in the District of Columbia who rely on public facilities to receive health care. This language simply does not belong in this bill. And, the President has signaled that he will veto the bill if this language remains in it.

Second, the rule protects provisions which amend the District of Columbia Code to prohibit joint adoptions by individuals who are not married. Again, this is a policy matter that does not belong in an appropriations bill. It is a matter for local residents to decide, just as we allow residents of every other local and State government to determine their own adoption laws.

Mr. Speaker, I must also oppose the rule because it violates what I believed was an agreement reached to keep this bill as clean as possible of additional legislative provisions. The pending rule would make in order a 142-page legislative amendment on educational reform in the District of Columbia. Now, we all know that the District public schools are not doing the job that should be done for students. And, I commend the distinguished gentleman from Wisconsin [Mr. GUNDERSON], for his sincerity and hard work in crafting this amendment. But, the reality is that this is a very controversial amendment. There is no consensus on it. There is, however, a great deal of

concern about the bill's provisions as they relate to the establishment of charter schools and a voucher program in the District of Columbia. The Secretary of Education is opposed to the authorization of Federal funding to pay for private school vouchers. The American Civil Liberties is opposed to the voucher program in the amendment. As is the American Jewish Congress, Americans United for Separation of Church and State, the National Parent Teacher Association, and the National Association of State Boards of Education, American Federation of Teachers, American Association of School Administrators, National Education Association, Council of Great City Schools, and National Association of Elementary School Principals.

Mr. Speaker, the fact remains that this amendment simply does not belong in this bill, notwithstanding the fact that many elements of this bill have support among District of Columbia elected officials and residents. Adoption of the Gunderson amendment will only serve to further prolong the time it takes to enact the District's funding measure when it is critical to provide additional financial resources to a city on the brink of insolvency.

Finally, Mr. Speaker, the rule makes in order an amendment designed solely to punish one organization because some members do not happen to like its ideology. The Bonilla amendment would strip a congressional-granted District property tax exemption from the National Education Association. This is a punitive amendment that singles out just 1 of 27 organizations that enjoy the same exemption. The amendment does not belong on this bill.

Mr. Speaker, this rule is a bad rule. I cannot support it and I urge its defeat.

□ 1430

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

Mr. FROST. Mr. Speaker, I yield 7 minutes to the gentlewoman from the District of Columbia [Ms. NORTON].

Ms. NORTON. Mr. Speaker, this is a first for many Members of this body. It is the first time the Republicans have carried an appropriation for the District of Columbia since home rule. It is the first time that freshmen have had to vote on a bill at all for the capital of the United States. I hope they are bewildered by the exercise, because they have come here, of course, for national, not local matters.

I had hoped that this would be the year of bipartisanship, and I had every reason to believe it might. The District is in a financial crisis that is known around the world. And every Member of this body bears a responsibility, wherever the fault lies, to help raise the city again so that it can proudly claim to be the capital of this Nation.

I had every reason to hope for bipartisanship in the tone set by Speaker GINGRICH and in my work, especially with the chair of the Subcommittee on the District of Columbia, the gentleman from Virginia, Mr. DAVIS. I

faced a personal crisis, when my city had all the signs of going down the drain. Somebody had to speak up. At some political risk to myself, I said to the residents of my city, there must be a financial authority. Do not fight it. You need it in order to borrow, and you need it because we must revive the finances and management of the D.C. government. And in a bipartisan way and with the help of the administration, we worked on the financial authority bill.

The gentleman from New York [Mr. WALSH] worked fruitfully and productively with us as well. The bipartisanship continued when the District did not have funds so that it could put its share for Federal highway money. The majority helped get us the votes and that bill was passed, also with the help of the administration.

Pitifully, the Speaker, the Speaker's office called PEPCO last week to say, do not turn off the lights in the District. Money is coming. We will see to it. Yet I am told, there is plenty of money down there somewhere, ELEANOR. And the cops cannot get their cars out of the garage and yet the gentleman from New York [Mr. WALSH] says, I do not know where it is but it has got to be there. And, of course, he imposes a huge cut on the District knowing full well that he himself cannot point to where the money is. That is folded into this bill.

Thanks to the Speaker, we were able to negotiate most of the home rule and statutory items off the bill; and then of course we came to the Committee on Appropriations, and Members began to add such items to the bill. It is those items that make it impossible for this bill to come forward in the bipartisan way that other bills involving the District this year have come forward.

Some amendments are more gratuitous than others. Mr. WALSH regularly puts in an abortion amendment, but for some reason, he ceded his amendment to a Member that would amend the DC code on abortion. That has never been done in 20 years of home rule, and one wonders why he would not have exercised the necessary leadership on this instead of driving votes away on a statutory amendment on abortion, coming from the Congress, when every single jurisdiction in the United States has a local option on this controversial issue.

Where was his leadership then? Where was his leadership on Hostettler, when he comes forward knowing that there is already a domestic partnership amendment in the bill that keeps D.C. from spending its money and demagogically comes forward and says, let us enact it into legislation. Where is your leadership on that, Mr. WALSH?

The tragedy here is the Gunderson matter which has been negotiated endlessly and wonderfully with the District. Yet a voucher is in that bill that will drive votes from my side, and I can tell you from your side, as well, off the bill. And then just to be truly partisan

about it, you go to the list of agencies that have been granted exemption from DC property taxes, none of which should have been granted, and you say, let us pick out our political favorite to get. Let us pick out the NEA.

Pick them all out. Give us all 27, if you are serious, and you are not serious.

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

Ms. NORTON. I will not yield, sir.

POINT OF ORDER

Mr. LIVINGSTON. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore (Mr. HANSEN). The gentleman will state his point of order.

Mr. LIVINGSTON. Mr. Speaker, the remarks of the gentlewoman at the desk are very personal. I would like to inquire of the Chair what the rule is regarding personal arguments versus substantive arguments.

The SPEAKER pro tempore. Members cannot indulge in personalities during the debate.

Ms. NORTON. Mr. Speaker, I ask the gentleman to cite a personal remark. I have called the name of the leader of the subcommittee. I have made no personal remarks.

Mr. LIVINGSTON. Mr. Speaker, continuing my point of order, Mr. Speaker, I do not intend to ask that the Chair take down the words of the gentlewoman at this point, but the RECORD is replete with personal comments. We can debate this bill and we can pass this bill if we talk about the substance of the bill and not personalities.

Ms. NORTON. Mr. Speaker, I have made no invidious remarks. The one thing you have taken from me is my vote. Let me speak for my city.

The real crime is that this bill undercuts the financial authority that this body set up. Against the advice of the financial authority, this bill says, you must impose severe cuts on the city. A tough financial authority stepped forward and said, we have imposed cuts on the city. Now they said, give us only time enough so that we can also impose management reforms on the city, then perhaps we will go back to cuts. And still cuts have been extracted from our own (DC) budget.

This appropriation bill did not follow the bipartisan lead that was the lead of the Speaker and the authorizing committee this year. There were four pages of invasions into home rule. They were finally gotten off with the help of the leadership. Now there is a cut that will bury the city. Now the financial authority which the city has accepted has been ignored. Now the District is being treated like a Federal agency.

My colleagues, I represent 600,000 breathing Americans who have been loyal to their country. In their name, I ask that they be treated with the respect each and every one of you have insisted for your constituents.

Mr. LINDER. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. WALSH].

Mr. WALSH. Mr. Speaker, I thank the distinguished gentleman from the Committee on Rules for yielding time to me.

Mr. Speaker, I rise in strong support of this rule. I think the rule recommended by the Committee on Rules gives us all an opportunity to offer amendments. The rule makes some amendments in order. Other amendments would be in order to strike language in the bill. In all cases an adequate amount of time is allowed by the rule for full debate. I think it is a fair rule, and I urge bipartisan support.

Speaking of bipartisanship, Mr. Speaker, I would like to suggest that last year when the other party, the former majority party, had control of this committee, I worked with them to pass this bill. The District of Columbia spends every penny of the Federal formula funds that it receives from this Congress on the very first day of its fiscal year. That is the kind of fiscal house they operate.

The District of Columbia spends \$5 billion every year on a city of 570,000 people. That is unheard of anywhere else in this country. But I, along with others on our side, reached across the aisle to help the current minority party get this bill passed last year.

I would ask nothing less of them this year than to help us to pass this bill. It is our responsibility to govern. It is our responsibility to pass this bill. It took Republican votes last year to pass this bill, and I would ask them to reach across the aisle this year.

I would ask the Delegate, who has spoken so strongly in opposition to this bill, to recognize the fact that the District needs the money in this bill, that the District government needs the money to meet their commitments. There was no emphasis or effort on this side of the aisle to cut Federal funds from this bill. This is a hold-fast, steady-as-you-go, financial commitment to the District of Columbia. While the rest of the country is being asked to take severe cuts all across the board, we are not cutting the Federal funds to the District of Columbia. If this rule were to fail, that might be the first order of business by this subcommittee.

Home rule: Home rule is a delegation of responsibility from the Congress to the District of Columbia to organize and operate its own affairs. In the 20 years of home rule, we have seen one unbalanced budget after another to the point where the new administration last January announced that they were \$700 million in the hole. When Mayor Kelly was elected 4 years ago, the Congress gave the District authority to borrow \$336 million and gave them an additional \$100 million within the first eight months of her administration—\$400 million to cover the financial deficit that was occurring then.

The consistent message to the Congress from the District of Columbia is "respect home rule and send money; as much as you can send us, send us."

The District Government has done a terrible job running this city. Congress is always criticized for stepping in and involving itself, but I dare say the Congress would not step in, would not involve itself, if the city was being run in a responsible way.

There is no accountability in this city. There is no fiscal discipline in this city. There is an inability to deliver basic services in this city. The potholes do not get fixed, the garbage does not get picked up, the water and sewer system does not work right. It is rife with overemployment. The list goes on and on. They have the worst schools in America.

This subcommittee pursued the resolution of these problems aggressively. Then we took a step back and said, okay, we have the financial control board in place now. We will ask them to review these problems and make recommendations to Congress, back to the authorizing committee. So we basically took our hands off of the problem. I felt we should have been more aggressive, but that was not to be. But the fact is the control board now has the responsibility. We have delegated additional responsibility to them in our bill, and we have done our level best to avoid involving ourselves in the responsibilities of the District.

□ 1445

When the other party ran this committee, they interfered in home rule when it served their purposes. The underlying definition of "home rule" was, "if it is not controversial, we can do it. If it is controversial, we cannot do it." That is not home rule. That is a rationalization process.

Let me end by saying the delicate question: Where is the leadership here? Leadership requires individuals to take risks. The Delegate has taken no risks. They want the money, but they do not want to stand up for the bill. My colleagues cannot have it both ways; that is not leadership. They cannot say we have got to help the District, we have got to move the bill along, and then stand up and oppose the rule and oppose the bill. That is not leadership, not by my definition.

So I would suggest as a challenge to all of us to work together to extend a hand across the aisle, as the Republicans did for the Democrats last year, and get together, and pass this bill. There is enough in this bill to make everybody angry, but it is what the District needs at a minimum, and I would urge all of us, Republicans and Democrats, to support the rule and support the bill.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. DIXON].

Mr. DIXON. Mr. Speaker, I thank the gentleman from Texas [Mr. FROST] for yielding this time to me, and I rise to respond to the chairman of the subcommittee because I think his comments here point to the crux of the situation. There is certainly a financial

crisis in the District of Columbia, and I believe the gentleman from New York [Mr. WALSH] at the time believed that the approach to take was to establish the Financial Review Authority, and for my point of view that is working. But if anyone believes that the justification for the most rigid abortion language has anything to do with the financial crisis of the District, I will sell them the Brooklyn Bridge. If anyone believes that language dealing with adoption relates to the financial crisis, I will sell them a bridge in California. And if anyone believes the NEA or the domestic partners has anything to do with the financial crisis or moves the District forward as it relates to its finances, I will sell them this Capitol.

Mr. Speaker, the point is that this bill is being used to justify the political persuasions of some Members of this House.

Now it is clear that we have the jurisdiction to do so, but to stand up and say that we would not be interfering in the District's affairs if things were going well financially just ain't so because, these philosophies, notwithstanding problems of the District financially, are being driven to demonstrate a point to a constituent in anybody's particular State or district.

Finally, yes, the Congress, when there has been a Federal interest, has exercised certain discipline over the District of Columbia, but when we move on the issues that I am concerned about, we are not dealing with the financial structure of this District. No one on this floor believes it. No one on this floor thinks that we are eliminating abortion in city facilities either funded or operated because of the finances of this District. So let us be straightforward, Mr. Speaker. There is philosophy driving this and not financial concerns.

Mr. Speaker, I, in particular, support my colleagues' desire to get the finances of the District straight, but I do not, in particular, support the philosophy that is driving the amendments that we are going to be discussing to enter into this bill and the amendments that are already in this bill.

Mr. LINDER. Mr. Speaker, I yield myself a couple of seconds to say that, if the gentleman from California [Mr. DIXON] does not believe giving the NEA, or any other organization, tax-free use of its property, expanding the health insurance plans, or any of the other costly social programs that they have tried to not add to fiscal woes, he probably does believe he has bridges in Brooklyn to sell.

Mr. DIXON. Mr. Speaker, will the gentleman yield to me to respond?

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

Mr. DIXON. The problem with the NEA exemption is that the gentleman from Texas [Mr. BONILLA] says that they have violated their charter that was established in 1906. The committee of jurisdiction is the Committee on the Judiciary. There are 26 other organiza-

tions that enjoy the same, yes antiquated, exemption. Either we should make a finding and hold a hearing, but not come to a committee one day, and because we do not like this particular organization, say we are going to take it, the exemption, away from it. Whether my colleague is for the NEA or against the NEA, this is fundamentally wrong.

Mr. LINDER. Reclaiming my time, I would just respond to that by saying the only point to your reference that I was responding to was the notion that giving them \$1.4 million a year worth of the tax-free benefit is not additional financial burden. It does indeed.

Mr. Speaker, for purposes of debate only, I yield 5 minutes to the gentleman from Wisconsin [Mr. GUNDERSON].

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

Mr. GUNDERSON. Mr. Speaker, I would like to calm things down just a little bit, if I can, and I would like to begin by paying my respects to my friend and colleague, the gentleman from New York [Mr. WALSH], who has more patience than Solomon, and to the gentleman from California [Mr. DIXON] and to the gentlewoman from the District of Columbia [Ms. NORTON]. I got to tell the rest of my colleagues I have not been involved in the D.C. issue until this year. It is some of the hardest work in this Congress, and my colleagues all ought to understand that, and they ought to respect what these people go through, but I want to share with my colleagues in that mode three particular points that I think are important as we debate this rule and as we deal, in particular, with the so-called Gunderson amendment on reforming D.C.'s education.

There was an agreed upon process at the very beginning that we would try to reach a consensus in the various initiatives of reform, whether it be the schools, or the housing, or the crime and safety, or the taxes, and, where those agreements could be reached, we would marry them with the appropriation bill. Now nobody objected to that last spring, and I just have to tell my colleagues not to complain about the process now when they did not complain about the process at the beginning. There was a common understanding of how this was going to work.

Second, I think it is important to understand guidelines. It was the gentlewoman from the District of Columbia [Ms. NORTON] who told the Speaker that after some of my initial mistakes and some of my efforts to compensate for those mistakes by reaching out to the District that she believed we could reach a consensus on education and reform and that she asked the Speaker directly to do that, and so I have tried to bring everybody along in a consensus. This is not my preferred document. If I were going to have my name on education reform, there are a lot of things I would change in this because I

would want to know I could guarantee the outcomes, but we tried to bring everybody along in a consensus package under the guidelines that every one of us had to like 80 percent of the package.

Some of the people today who are opposing the package are the very ones who submitted to us in their reform document the very recommendations for independent charter schools included in our bill. Some of those who are opposing the scholarships today are the very people who sat in my office and said they understood, while they could not endorse this, this was a rational, reasonable compromise between the education reformers and the public education advocates and they would accept that, not endorse that, but they would accept that. They have changed. I cannot help that, that they have changed their word in that regard.

Third, let us talk about the scholarships. The Department of Education, the AFT, the NEA said, "Steve, we cannot in any way, shape, or form support a voucher, because a voucher takes money out of D.C. schools and puts it into private schools."

I said, "That's fair, and we're not going to do that." So we are not doing vouchers in this bill, and anybody who tries to say we are doing vouchers in this bill is frankly lying and misleading intentionally to misrepresent what this bill does.

This bill is a scholarship bill. It is a scholarship for D.C.'s children to improve their education. It is scholarships so students can go to the public schools in the District of Columbia. If a student in Anacostia wants transportation to go to Northwest, they can do so. If a young kid in Northeast wants to join the band, but does not have the money to buy a trombone, they can get a scholarship to do so. In the public schools of the District of Columbia, yes, there is a chance that a young student who wants to go to Gonzaga can apply for a scholarship, and if there is enough money there from public and private resources, not one dime coming from the District of Columbia, they can apply for that scholarship, and they may or may not get it.

But do not confuse this with the vouchers, and in the name of D.C.'s children do not misrepresent what we are doing, and in the name of those children of the District of Columbia and their future can we calm the rhetoric? Can we find a consensus? And can we find a way to move forward to reform D.C. schools? Because if we do not do it this week, we lose that chance for a whole year.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Speaker, I thank the gentleman from Texas [Mr. FROST] for yielding this time to me, and I want to use this opportunity to express my dismay at this bill. I think the Delegate from the District of Columbia [Ms.

NORTON] spoke very eloquently when she spoke about the elimination of home rule for D.C. We talk a good game about giving the power back to the States and the cities, about taking it away from the Congress, and when it comes to Washington, DC, we want to, apparently, do just the opposite. I think that home rule is home rule, and, if we are going to allow it for others, D.C. should be no different.

What disturbs me in this bill are several different parts. First of all, and it has been mentioned before, the whole abortion dispute to amend the D.C. Code not to allow the people of the District to decide what is right for them, not to allow them to spend their own money when it comes to abortion; this to me is wrong despite what people may feel, pro or con, on the issue of abortion. Singling out the NEA, as the gentleman from California [Mr. DIXON] points out, when there are 26 other groups that have the same privileges, singling them out to me seems absolutely wrong. The whole issue of domestic partnership, again to make it statutory not to allow D.C. home rule, if they want to have and allow domestic partnerships, I do not think that should be this Congress' business to tell them no. I think they ought to have a right to do whatever they want in terms of domestic partnership, and I do not think we ought to impose our views on them.

I also rise today to oppose the gentleman from Wisconsin, Mr. GUNDERSON's amendment to a D.C. appropriations bill. This amendment in my opinion is the latest in the ongoing efforts of this Congress to destroy rather than improve the public school system in this country, and it is time, when D.C. public schools need our strongest support, we are instead, in my opinion, considering proposals that will weaken them. I commend the gentleman from Wisconsin for his efforts to be open and inclusive in developing school reform proposals, however the provisions in the amendment to provide funding for charter schools will only create chaos in the D.C. schools without promoting real reform. The charter schools that could be funded by the legislation will include private schools. These private schools would have a direct entitlement to public funds and would not include requirements that teachers be certified.

□ 1500

Mr. Speaker, Federal funding of the charter schools would deprive the District's public schools of needed funds and further divide students along class, religious, and ethnic lines, without doing anything to improve education or increase student achievement.

The so-called low-income scholarship program in reality, despite what my friend, the gentleman from Wisconsin [Mr. GUNDERSON], says, is actually a voucher system and would have a similar adverse effect on the District's public schools. The program would allow Federal tax dollars to provide funding

for students attending private and religious schools in and outside the District.

This plan will divert attention and vital resources away from efforts to reform the District's schools. If additional resources can be found to support education in Washington, DC, they should be spent on helping the public system within the District, rather than funding schools outside of the District.

Mr. Speaker, I urge my colleagues to vote against the Gunderson amendment. We must reform D.C. schools, but the way to solve this problem is not to take funds and attention away from students that need help. The public schools need our support so our students can succeed. I also want to say if there are any amendments, the gentleman from Indiana [Mr. HOSTETTLER], I understand, is doing one on domestic partnership, I think, that should be rejected. The domestic partnership allows two people who are living together as a family for more than 6 months to enjoy certain rights.

If the people in the District of Columbia want to have that, that should be their prerogative. We cannot have this dual standard, this double standard whereby we say we want to take power away from Congress and give it to the States and cities, but when it comes to Washington, DC, we want to hit them over the head and tell them that they cannot run their own show.

Mr. FROST. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, the gentleman from Wisconsin [Mr. GUNDERSON] accused me of misrepresenting the facts. I have a copy of his amendment in front of me. I would like to read from the amendment. The English language is very clear.

There is hereby established in the Treasury a fund that shall be known as the District of Columbia Scholarship Fund, to be administered by the Secretary of the Treasury.

The Secretary of the Treasury shall make available and disburse to the corporation, at the beginning of each of fiscal years 1996 through 2000, such funds as may have been appropriated to the District of Columbia Scholarship Fund. . . .

There are authorized to be appropriated to the fund \$5 million in fiscal year 1996, \$7 million in fiscal year 1997, and \$10 million for each of fiscal years 1998 through the year 2000. That is Federal funds going into those scholarships. That is vouchers.

The gentleman accused me of misrepresenting the fact, saying that there were no Federal funds involved in those vouchers. It is in the language of his amendment on pages 110, 111, and 112.

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

Mr. FROST. I yield to the gentleman from Wisconsin.

Mr. GUNDERSON. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, I never said there were not Federal funds involved. There are obviously Federal funds involved. I said

there is a huge difference between a voucher and a scholarship. I would invite the gentleman, frankly, to go look up the two words in Webster's dictionary.

Mr. FROST. Reclaiming my time, Mr. Speaker, I believe the gentleman said there were no Federal funds involved, and that I was misrepresenting the fact that Federal funds were involved for this purpose. His own amendment, in the pages that I just read, 111 and 112, make it very clear that Federal funds were authorized to be appropriated under this bill for vouchers.

Mr. Speaker, I yield 2½ minutes to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I urge my colleagues, somewhat reluctantly but urgently, to oppose this rule on the basis that it will allow public money to go to religious institutions. It does that through this rule because the rule, through the use of a parliamentary gimmick, allows for authorization on an appropriation bill. The bill that will be before us contains what has consistently and historically been described as school vouchers.

The gentleman from Wisconsin [Mr. GUNDERSON] prefers to call them scholarships, but I think that is a distinction without much of a difference. Vouchers, or scholarships, as the gentleman from Wisconsin calls them, have been a great national issue for the past decade and more in this country. They have been widely considered and debated in cities all across America, including this city, the District of Columbia, which just a few years ago had this proposal before them. They were not called vouchers, they were not called scholarships. At that time it was called paroch aid.

The voters of the District of Columbia, in a fairly broad turnout, voted 9 to 1 against vouchers, scholarships, paroch aid. Are we not going to tell them that the Congress of the United States knows better than they do, when they spoke by a vote of 9 to 1?

Mr. Speaker, time and time again, Supreme Court after Supreme Court has found that taxpayer money being diverted to religious schools is unconstitutional because it violates, clearly, the first amendment to the Constitution of the United States. I urge my colleagues, therefore, to begin the process of opposing vouchers. I urge my colleagues to oppose vouchers, scholarships, and paroch aid by voting no on the rule, and then no on the Gunderson substitute.

In my remaining time, however, I want to commend the gentlewoman from the District of Columbia [Ms. NORTON], who finds herself, unfortunately, in a fiscal and legislative box canyon not of her making. She is doing a good job in trying to solve this dilemma. I do not urge my colleagues to support the bill, but I do urge them in their commendation of the work of the

gentlewoman from the District of Columbia.

The SPEAKER pro tempore (Mr. HANSEN). The gentleman from Texas [Mr. FROST] has 2½ minutes remaining, and the gentleman from Georgia [Mr. LINDER] has 7½ minutes remaining.

Mr. FROST. Mr. Speaker, I yield myself the balance of our time.

The SPEAKER pro tempore. The gentleman from Texas (Mr. FROST) is recognized for 2½ minutes.

Mr. FROST. The issues are very clear, Mr. Speaker. This is a question of local control, which the other side says they believe in, but they obviously only believe in it in every case except the District of Columbia. This is a question of are we going to appropriate Federal funds to be used for school vouchers in the District of Columbia; are we going to do other things that have been described by the gentleman from California [Mr. DIXON], the ranking member on this committee, that we have not done in the past.

Mr. Speaker, I urge a "no" vote on the rule, and if the rule should be successful, a "no" vote on the bill.

Mr. LINDER. Mr. Speaker, I yield myself the remainder of our time.

Mr. Speaker, it may not be very exciting to talk about the rule, but I think the rule is fair. We would be here all day with efforts to instruct Washington, DC on how to conduct their lives and their government if we did not have a reasonably closed rule, and we have that. Yet, we have the important decisions to be put before us.

I think the Gunderson amendment is an important one, because it is an honest effort to try to change a school system that is an abject failure by any measure. It spends more money per pupil than any other school system in the Nation and does not graduate 50 percent of its people. To try and do that not with their money, not telling them how to spend their money, but money we give to them, seems to me to be reasonable.

Someone said if the people of the District of Columbia want that, they ought to have it. That is true in theory, but in practice, they are spending 40 percent of their budget coming from other folks. I would not be here pleading and begging for more of your money plus freedom if it were my county. I would not think I would have deserved more of your money. I would be embarrassed to make some of these claims. However, this District of Columbia government spends over 10 times what my county government spends with more people and more services, and yet runs up an annual deficit that exceeds my county's entire budget by two times. I would be embarrassed to say we deserve more.

The fact of the matter is we could just read this morning on the front page of the Washington Post Metro section, where the city of the District of Columbia gave a \$547,000 loan to an entrepreneur who had not paid back the previous loan, had \$100,000 in liens

against his businesses, had not paid back his school loan until this year, and the Mayor, in announcing the \$547,000 loan, did not even know how much it was for. He thought it was \$400,000.

No, this is not a city that does know better. It is a city that has been spending other people's money for an awful lot of time, and wants, of course, absolute freedom in doing that. There is not another city in America that can look to someone else for 40 percent of its budget, and look to themselves for the freedom to spend it.

I think this bill will pass today, because I think we have to pass some kind of appropriations for this city to keep it going. It will be close. I think it will pass without much help from the minority, but I think we must pass the rule to get the bill to the floor. There are too many bills unpaid, there are too many fire engines in garages, being held there because we have not been able to pay for the repair. There are too many hospitals waiting for reimbursements. We simply must help them pay their bills to keep the city moving. I suspect we will be doing this.

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

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

Mr. DIXON. Mr. Speaker, I do not want to argue with the gentleman from Georgia, but the gentleman says that 40 percent of the budget is someone else's money. The gentleman may be correct, I do not know for sure. Could he tell me where he gets this figure?

Mr. LINDER. I suspect that the gentleman who is the chairman of the subcommittee could address that.

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

Mr. LINDER. I yield to the gentleman from New York.

Mr. WALSH. Mr. Speaker, I think the gentleman is correct. The District's total appropriated budget is about \$5 billion, including a \$712 million direct grant to the District by Congress.

Mr. DIXON. Is the gentleman referring to the Federal payment—

Mr. WALSH. Yes.

Mr. DIXON. Of \$660 million.

Mr. WALSH. Plus \$52 million for the pensions.

Mr. DIXON. \$712 million.

Mr. WALSH. \$712 million, and another perhaps \$1 billion, \$1.2 billion, for formula funds, Medicaid funds, transportation funds, and so on.

Mr. DIXON. All communities receive those.

Mr. WALSH. The gentleman made the point that it makes up 40 percent of their budget. It does not in other communities around the United States.

Mr. LINDER. Mr. Speaker, reclaiming my time, there is not another city in America that has 40 percent of its money coming from a Federal grant or direct aid.

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

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. FROST. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 241, nays 181, not voting 10, as follows:

[Roll No. 757]

YEAS—241

Allard	Gallegly	Myrick
Archer	Ganske	Nethercutt
Bachus	Gekas	Neumann
Baessler	Geren	Ney
Baker (CA)	Gilchrest	Norwood
Baker (LA)	Gillmor	Nussle
Ballenger	Goodlatte	Oxley
Barr	Goodling	Packard
Barrett (NE)	Gordon	Parker
Bartlett	Goss	Paxon
Barton	Graham	Petri
Bass	Greenwood	Pickett
Bateman	Gunderson	Pombo
Bereuter	Gutknecht	Porter
Bevill	Hall (TX)	Portman
Bilbray	Hancock	Poshard
Bilirakis	Hansen	Pryce
Bliley	Hastert	Quillen
Blute	Hastings (WA)	Quinn
Boehner	Hayes	Radanovich
Bonilla	Hayworth	Ramstad
Bono	Hefley	Regula
Brownback	Heineman	Riggs
Bryant (TN)	Hergert	Roberts
Bunn	Hilleary	Rogers
Bunning	Hobson	Rohrabacher
Burr	Hoekstra	Ros-Lehtinen
Burton	Hoke	Roth
Buyer	Hostettler	Royce
Callahan	Hunter	Salmon
Calvert	Hutchinson	Sanford
Camp	Hyde	Saxton
Canady	Inglis	Scarborough
Castle	Istook	Schaefer
Chabot	Johnson, Sam	Schiff
Chambliss	Jones	Strastrand
Chenoweth	Kasich	Sensenbrenner
Christensen	Kelly	Shadegg
Chrysler	Kim	Shaw
Clinger	King	Shays
Coble	Kingston	Shuster
Coburn	Klug	Skeen
Collins (GA)	Knollenberg	Smith (MI)
Combest	Kolbe	Smith (NJ)
Condit	LaHood	Smith (TX)
Cooley	Lantos	Smith (WA)
Cox	Largent	Solomon
Cramer	Latham	Souder
Crane	LaTourette	Spence
Crapo	Laughlin	Stearns
Cremins	Lazio	Stockman
Cubin	Leach	Stump
Cunningham	Lewis (CA)	Stupak
Davis	Lewis (KY)	Talent
Deal	Lightfoot	Tate
DeLay	Linder	Tauzin
Diaz-Balart	Lipinski	Taylor (NC)
Dickey	Livingston	Thomas
Doolittle	LoBiondo	Thornberry
Dornan	Longley	Tiahrt
Dreier	Lucas	Trafficant
Duncan	Manton	Upton
Dunn	Manzullo	Vucanovich
Ehlers	Martini	Waldholtz
Ehrlich	Matsui	Walker
Emerson	McCollum	Walsh
English	McCrery	Wamp
Ensign	McDade	Watts (OK)
Everett	McHugh	Weldon (FL)
Ewing	McInnis	Weller
Fawell	McIntosh	White
Fields (TX)	McKeon	Whitfield
Flanagan	McNulty	Wicker
Foley	Metcalf	Wilson
Forbes	Mica	Wolf
Fowler	Miller (FL)	Young (AK)
Fox	Molinari	Young (FL)
Franks (CT)	Montgomery	Zeliff
Frelinghuysen	Moorhead	Zimmer
Frisa	Morella	
Funderburk	Myers	

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Abercrombie	Gibbons	Ortiz
Ackerman	Gilman	Orton
Andrews	Gonzalez	Owens
Baldacci	Green	Pallone
Barcia	Gutierrez	Pastor
Barrett (WI)	Hall (OH)	Payne (NJ)
Becerra	Hamilton	Payne (VA)
Beilenson	Hastings (FL)	Pelosi
Bentsen	Hefner	Peterson (FL)
Berman	Hilliard	Peterson (MN)
Bishop	Hinchee	Pomeroy
Boehrlert	Holden	Rahall
Bonior	Horn	Rangel
Borski	Houghton	Reed
Boucher	Hoyer	Richardson
Brewster	Jackson-Lee	Rivers
Browder	Jacobs	Roemer
Brown (CA)	Jefferson	Roukema
Brown (FL)	Johnson (CT)	Roybal-Allard
Brown (OH)	Johnson (SD)	Rush
Bryant (TX)	Johnson, E. B.	Sabo
Cardin	Johnston	Sanders
Chapman	Kanjorski	Sawyer
Clay	Kaptur	Schroeder
Clayton	Kennedy (MA)	Schumer
Clement	Kennedy (RI)	Scott
Clyburn	Kennelly	Scott
Coleman	Kildee	Serrano
Collins (IL)	Klecicka	Sisisky
Collins (MI)	Klink	Skaggs
Conyers	LaFalce	Skelton
Costello	Levin	Slaughter
Coyne	Lewis (GA)	Spratt
Danner	Lincoln	Stark
de la Garza	Lofgren	Stenholm
DeFazio	Lowey	Stokes
DeLauro	Luther	Studds
Dellums	Maloney	Tanner
Deutsch	Markey	Taylor (MS)
Dicks	Martinez	Thompson
Dingell	Mascara	Thornton
Dixon	McCarthy	Thurman
Doggett	McDermott	Torkildsen
Dooley	McHale	Torres
Doyle	McKinney	Torricelli
Durbin	Meehan	Towns
Edwards	Meek	Velazquez
Engel	Menendez	Vento
Eshoo	Meyers	Visclosky
Evans	Mfume	Volkmer
Farr	Miller (CA)	Ward
Fattah	Minge	Waters
Fazio	Mink	Watt (NC)
Filner	Mollohan	Waxman
Flake	Moran	Williams
Foglietta	Murtha	Wise
Ford	Nadler	Woolsey
Frank (MA)	Neal	Wyden
Frost	Oberstar	Wynn
Furse	Obey	Yates
Gejdenson	Olver	

NOT VOTING—10

Army	Harman	Tucker
Fields (LA)	Moakley	Weldon (PA)
Franks (NJ)	Rose	
Gephardt	Tejeda	

□ 1532

Ms. ESHOO, Mrs. ROUKEMA, Mr. STENHOLM, and Mr. ABERCROMBIE changed their vote from "yea" to "nay."

Mr. CRAMER and Mr. COX of California changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. WALSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and that I may include tabular and extraneous material on the bill, H.R. 2546.

The SPEAKER pro tempore (Mr. HANSEN). Is there objection to the request of the gentleman from New York?

There was no objection.

DISTRICT OF COLUMBIA
APPROPRIATIONS ACT, 1996

The SPEAKER pro tempore. Pursuant to House Resolution 252 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2546.

□ 1533

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2546) making appropriations for the government of the district of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1996, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from New York [Mr. WALSH] will be recognized for 30 minutes and the gentleman from California [Mr. DIXON] will be recognized for 30 minutes.

The Chair recognizes the gentleman from New York [Mr. WALSH].

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

Mr. WALSH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, 20 years of home rule and 15 years of unrestrained spending have brought the District government to the brink of financial insolvency.

The District government has had the same mayor for 13 of those 20 years. It is very difficult sometimes to discern charisma from leadership, and when that occurs and the latter is lacking, unsuspecting citizens are left to shoulder the burden.

The bill we bring to you today will provide the District government with a total budget of \$4.97 billion for fiscal year 1996 consisting of \$4.87 billion for operating expenses and \$102 million for capital outlay. I believe \$4.97 billion is sufficient to provide adequate services given the size—68 square miles—and population—570,000—of the city. The District needs to do a better job of managing and setting priorities. It needs to be held accountable. I believe that will be done through the D.C. Financial Responsibility and Management Assistance Authority that was established earlier this year by Public Law 104-8. The authority is chaired by Dr. Brimmer, and I am confident with he and his colleagues will be successful in encouraging meaningful structural reforms and accountability in the District government.

Mr. Chairman, the \$4.97 billion consists of \$2.8 billion of the District's own funds, and \$712 million in Federal funds provided in this bill, \$1 billion in Federal grants, and \$362 million in private and other funds, and \$161 million in intra-District funds.

The \$712 million in Federal funds recommended in this bill is consistent with our 602(b) allocation in budget authority and outlays. That amount includes a Federal payment to the general fund of \$660 million as authorized in Public Law 103-373 and requested in the President's budget. In my opinion, Mr. Chairman, this payment by the Federal Government is generous.

The other part of the \$712 million is the \$52 million for the Federal contribution to the police, fire, teachers, and judges retirement funds. This amount is \$70 thousand below the President's request and reflects a reduction that was necessary in order to comply with our 602(b) allocation.

DISTRICT'S FINANCIAL CRISIS

During fiscal year 1994 it became apparent that the District government was in serious financial trouble. The District's annual financial statement for fiscal year 1994 confirmed everyone's suspicion—the biggest annual deficit in the District's history had occurred and the government was technically insolvent.

Realizing what was about to occur, the House fifteen months ago made a decision that was long overdue. It recognized that there was very little accountability in the District government and a great deal of deception. Although the budgets in the past were balanced on paper, the city was overspending its budget and would soon be out of cash unless it changed its ways. The House, on a bipartisan basis, voted to cut the District's spending by \$150 million—no change was made to its revenues.

When the bill came out of conference last year the reductions were \$140 million and 2,000 positions as well as a cut in the Federal payment of \$10 million.

A year later the District is still in a financial crisis.

FINANCIAL MANAGEMENT AUTHORITY

Recognizing this the Congress in April of this year created a Financial Responsibility and Management Assistance Authority. The Authority became operative in June and in the last 5 months has made some tough decisions. I have a lot of confidence in the Authority and believe it is headed in the right direction to bring the District government back from the brink of financial disaster to a sound financial footing.

BILL APPROPRIATES ALL REVENUE SOURCES

Unlike past years, our bill this year appropriates all of the District's revenues which include the Federal payment, local taxes and other local revenues, and Federal and other grants. In past years the bill did not include Federal and other grants which were considered nonappropriated revenues. The