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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. INGLIS of South Carolina].

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 16, 1995.

I hereby designate the Honorable BOB INGLIS to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

O gracious God, as You have blessed each person with the miracles of life and given us opportunities for compassion for others, we pray that by Your spirit, our motives would be purified and our intentions made exemplary. As Your word has commanded us to seek justice and love mercy, remind us to be authentic in our aspirations and faithful in Your service that Your message of respect and understanding will be seen in our lives and be the symbol of our humanity. Bless us this day and every day, we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Minnesota [Mr. GUTKNECHT] come forward and lead the House in the Pledge of Allegiance?

Mr. GUTKNECHT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain fifteen 1-minute speeches on each side.

SUPPORT AMERICA BY SUPPORTING THE BALANCED BUDGET ACT

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, the President must have inhaled, because last night he asked the American taxpayers to give him an additional $874 billion of their money for more Government, more taxes, and more spending.

This proves that once again the President has no intention of balancing the Federal budget. He would rather add billions of dollars to our debt.

What the President is doing is reckless. He has replaced leadership, responsibility, and the wishes of the American people with big Government and political games.

If the President is truly for a balanced budget, then he will sign the continuing resolution and join Republicans by embracing a 7-year balanced budget bill that will ensure a strong and secure future for our country. Americans, once again tell the President to support America by supporting the Balanced Budget Act.

TEMPER TANTRUM NO BASIS FOR GOVERNMENT SHUTDOWN

(Mr. GUTIERREZ asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUTIERREZ. Mr. Speaker, I had a traumatic experience on an airplane Monday. I asked for an aisle seat and they gave me a window. The pilot never came back to say hello, and when we landed, I, a Member of Congress, had to walk out with all of the rest of the passengers. So I drafted a bill to shut down Government until the airline apologizes to me. Unfortunately, as a Democrat, I was ignored.

But there is hope, Mr. Speaker. A Republican is fighting for Congressmen whose feelings are hurt on airplanes. NEWT GINGRICH feels bad. He says he was mistreated on the trip to Israel. I quote, ''Every President we had ever flown with had us up front. Having to exit through the rear of the plane is part of why you ended up with us sending you down a tougher continuing resolution.''

Because our President thought that respecting Yitzhak Rabin's death was more important than stroking NEWT's ego, we must threaten the services of our seniors, our veterans, and our students.

NEWT, have some decency. The future of our Nation is more important than where you sit on an airplane. The next time you throw a temper tantrum, leave the American public out of it.

THE PICTURE IS COMING INTO FOCUS

(Ms. DUNN of Washington asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DUNN of Washington. Mr. Speaker, the Democratic process was never meant to be a smooth process; that is

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why our Founding Fathers created a system of checks and balances. That is why we have a loyal opposition. That is why we negotiate. But, Mr. Speaker, there comes a time for closure. That time is now.

The picture is coming into focus, Mr. Speaker. One side wants a balanced budget by a date certain; the other side is not even certain about a date. On the one side is Congress, including, as these folks will not tell you, 48 Members of their own conference intent on balancing the budget in 7 years. On the other side is the President.

Mr. President, it is time to come to the table. Do not pick up your walking stick; come join us now and negotiate this 7-year balanced budget. Our children are counting on us.

NAFTA ACCOUNTABILITY ACT TO MEASURE AGREEMENT'S IMPACT

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, today my colleagues and I introduce the NAFTA Accountability Act of 1995 to stand up for the thousands and thousands of workers across our country who are being terminated.

NAFTA promised our country a $12 billion trade surplus. This year we will rack up an historic $40 billion deficit with our two trading partners on the continent. NAFTA promised our people 200,000 new jobs.

It has already cost us over 300,000 lost jobs: Like 3,200 workers at Fruit of the Loom in Alabama, Louisiana, Kentucky, and North Carolina; like 200 workers at Emerson Electric in Indiana; like 120 workers at Alcatel Data Networks in New Jersey; like 127 workers at American Manufacturing Co. in Alabama; like 130 workers at Data Products in Georgia; like 220 workers at Woolrich, Inc. in Pennsylvania; like 340 workers at Oxford Industries in Georgia; like 245 workers at Sara Lee in Georgia.

Mr. Speaker, we will continue the list as the week moves on.

TIME FOR THE PRESIDENT TO COMMIT TO A BALANCED BUDGET

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

Mr. NORWOOD. Mr. Speaker, today we will ask only one thing of the President. We will ask that he agree to work with us to balance the budget in 7 years using the numbers of a nonpartisan Congressional Budget Office. It is a basic, simple request, but for some reason he seems very afraid of this commitment.

Mr. Speaker, the President said last night he thinks it will hurt America. Fortunately, some of us know better than that. The hundreds of people calling my office certainly know better than that. They know that the best thing we can do for this country is to make an unmistakable commitment to balance this budget.

That is what we will do. No matter what the President says, no matter how long it takes, we are going to balance this budget in 7 years, and we will do it by controlling spending, saving Medicare, and giving the hard-working people of America back some of the money that was stolen from them by the 103d Congress. The people of the 10th District have my word on this.

WHY CAN WE NOT FIND COMMON GROUND?

(Ms. HARMAN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HARMAN. Mr. Speaker, driving my 11-year-old to school this morning she said, ''Mommy, I need to write a term paper, but the D.C. public library is closed. You worked until midnight last night. Why can't you get the Government started again so that my library will open?''

Mr. Speaker, why can't we? Why can't we stop shouting and issuing press releases and instead find common ground? Why can't we pass a continuing resolution this week and then back off and go home and talk to our constituents, not about whether to pass a 7-year balanced budget, but about what should be in it.

There are genuine disagreements among us. If we come back on November 28 and spend 5 or 6 days having an enlightened debate about the Medicare cuts, about tax cuts, about Federal entitlements and block grants. I think our constituents can help us find this common ground that just might get us to passing a 7-year balanced budget. I think we can make our children proud, not just about what we do here, but about how we treat each other.

PRESIDENT SAYS ONE THING AND MEANS ANOTHER

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

Mr. CHABOT. Mr. Speaker, so now the President tells us he does not want a balanced budget, and we were wrong to believe him when he said he did. Sure, he campaigned promising a balanced budget in 5 years, and sure, at one point he said he favored a balanced budget in 7 years but how insensitive, how downright mean-spirited, of us to take him at his word. What were we thinking?

Last night, we passed what the President said he wanted, a clean bill with simple language reiterating the President's commitment to a 7-year balanced budget and he's throwing it back in the face of the American people.

But it shouldn't be that surprising. After all, this is the man who said he wanted a middle-class tax cut and then gave us the largest tax increase in history. This is the man who said he wanted to end welfare as we know it and is now fighting us as we try to make welfare reform a reality.

So, you know, on second thought, maybe it's good that the President says he'll veto our balanced budget. Maybe that means he'll sign it and the Government shutdown will end.

REPUBLICANS MEETING IN SECRET

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

Mr. PALLONE. Mr. Speaker, the Republicans have been meeting in secret the last few days to hammer out their differences over the budget bill, which they will probably bring to the floor tomorrow. This is the bill that cuts Medicare and effectively destroys Medicare in order to pay for tax cuts for the wealthy.

Mr. Speaker, they have not allowed the Democrats to participate in their secret negotiations, and as a result of that, a bad budget bill, as the New York Times says today, only gets worse.

If I could just read, according to the New York Times, ''The House GOP budget will take about $900 worth of benefits on average from families earning less than $30,000, but only $155 from families earning above $100,000. At the same time, it will cut taxes by virtually nothing on the low-income families, but cut them by about $1,600 for high-income families.''

The Republicans work in secret and they come up with a budget bill that we will get tomorrow that provides even more tax cuts for wealthy Americans while it destroys Medicare and destroys Medicaid and provides us with a much worse health care system than we have now in America.

MISTREATMENT RESULTS IN GOVERNMENT SHUTDOWN

(Mr. SCHUMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, when I heard last night that NEWT GINGRICH said he had shut down the Government because he did not get the right treatment on an airplane, I was amazed. I could not believe it.

Mr. Speaker, today it is true. Here it is in black and white in my hometown paper, the New York Daily News, ''Cry baby, Newt's tantrum. He closed down the government because Clinton made him sit at the back.''

Well, the only thing one can treat such statements and actions with is humor and verse, so with all due respect to Peter, Paul, and Mary and ''Leaving on a Jet Plane,'' here goes.

Well, my bags are packed, I am ready to go. I am sitting here on Air Force One, but sitting in the back ain't much fun. They wouldn't give me an aisle seat. The in-flight

meal was mystery meat. Where is the guy in charge? I am going to complain. But the President won't talk to me. In light of Israel's tragedy, cutting Medicare is not the first thing on his mind. I am leaving on a jet plane, don't know when you will get paid again. I am leaving on a jet plane, don't know when you will be paid again.

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REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE RESOLUTION 264

Mr. BERMAN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of House Resolution 264.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). Is there objection to the request of the gentleman from California.

There was no objection.

THE REAL ISSUE

(Mr. WELLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELLER. Mr. Speaker, today's headline really says it all: ''Clinton, No to GOP Offer To Keep the Government Open.''

Mr. Speaker, last night 48 Democrats joined Republicans, broke ranks and resisted the strong-arm tactics of the left-wing liberal Democratic leadership by voting to keep the Government operating and open, and frankly, also voting to balance the budget.

That is really what this issue is all about. Are the American people going to have a balanced budget? Are the American people going to have a government that lives within its means?

Calls and letters that I am receiving from the folks back home are 4 to 1 in favor of balancing the budget and supporting the Republican Congress.

Kathleen Platek from Manhattan, IL: ''You're doing a great job. Hang in there to balance the budget.''

Ardele Ommem from Bradley, IL: ''Support Republican budget. Keep the Government operating. Tell Bill Clinton to go to work.''

Jacqueline Jordan from Mokena: ''Balance the budget.''

Mr. Speaker, the folks back home are watching. They want the Government to balance the budget. That is what this issue is all about.

ACADEMY AWARD WINNER

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, every year we all await the Academy Awards. It really captures our attention to see who is going to be the winner in all the different categories.

Well, there is one category our Speaker has sewn up. There is absolutely no question that NEWT GINGRICH has now absolutely sewn up the category of best performance by a child actor this year. There is only one problem. The Speaker is not a child.

Now that this country has paid dearly for his temper tantrum and paid dearly for his shutting down the Congress, shutting down the whole country because of his little peeve, could we get a performance that is more statesmanlike? I think that is what this country would really like.

But congratulations, Mr. Speaker. If you wanted to be the best child actor, you got it.

AMERICA IS WATCHING

(Mr. EWING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EWING. Mr. Speaker, today we are here, we have lots of cutesy ideas, we have little statues and we have posters. But, ladies and gentlemen, the people see past that. The people of America know what is stopping this Government.

All your actions here today will not block out in their mind that the Democrats and the President are refusing to work with the Republicans to balance the budget. The President has a chance today to reverse that, and he can sign the new clean CR that we have sent down to the White House. America is watching. The antics on this floor today will not cover up the fact that they want a balanced budget and they want us to hang tough until we do it, for ourselves, for our seniors and for our children. Let us get to it.

COMPROMISE NEEDED IN BUDGET BATTLE

(Ms. MCKINNEY asked and was given permission to address the House for 1 minute.)

Ms. MCKINNEY. Mr. Speaker, if the Republican leadership is so committed to balancing the budget, then why do they not abandon their $245 billion tax cut? Why is it that seniors, students, and the poor have to sacrifice to balance the budget, but America's wealthiest corporations and insurance companies will get a huge windfall?

Clearly, Mr. Speaker, the GOP is using the balanced budget only as a pretext to wage their feudal class-war against seniors and working families. Why do they not go after the $500 billion in corporate welfare, as well as make Germany and Japan pay for their own defense?

Mr. Speaker, if the Republicans agree to abandon their tax cuts and eliminate just $200 billion in corporate welfare, then even I will support their budget.

PRESIDENT CLINTON URGED TO SIGN THE BILL

(Mr. GUTKNECHT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUTKNECHT. Mr. Speaker, the debate is now clear and the battle is joined. As Paul Harvey has said, Americans hate statistics but Americans know what they expect from us. They want us to put government on a diet and they want us to balance their budget. We are a Nation that gets up early, rolls up our sleeves and gets the job done. To be told that we cannot balance this budget within 7 years is an insult to the intelligence of the American people. You promised to balance the budget in 5 years. Mr. President, if you meant what you said, then sign this bill.

THE HORRIBLE WELFARE BILL

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, with most of the Republican leadership running for the Presidency right now, and running on ego and on meanness, it makes sense that this new majority is sending President Clinton a welfare bill that pushes over 1 million more children into poverty and does nothing, absolutely nothing, to help recipients prepare for jobs that pay a decent wage.

On the other hand, the Democrats have a welfare reform bill that invests in education, in job training, in child care and child support.

Mr. Speaker, when 100 percent of the House Democrats voted for this legislation, we demonstrated that conservatives, moderates, and liberals can agree on reform that guarantees a safety net for children and gets their parents to work.

I ask, why does the crybaby Speaker not cry about real babies? Real babies who are becoming even poorer as a result of this mean-spirited, whining leadership. We must veto this horrible welfare bill.

THE PRESIDENT AND THE TRUTH

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

Mr. BALLENGER. Mr. Speaker, President Bill Clinton has willfully misled the American public on his plans for the future of America.

During his campaign for President, he said he would support a balanced budget in 5 years. Two years later, he refuses to even consider balancing the budget in seven years.

He said he would end welfare as we know it. Now he says he will veto a bill that ends welfare as we know it. He said he supported tax relief for the American family. But his first budget raised taxes on American families.

Mr. Speaker, President Clinton is to truth what Abraham Lincoln was to lying.

The American people should not believe a word he says, because many

times Bill Clinton does not believe the words he is saying.

As President Clinton continues to refuse to open the Government, I urge the American people to focus on these facts. Republicans are going to keep their promises and offer a real balanced budget. Bill Clinton is going to break his promises and fight any balanced budget.

GOVERNMENT SHUTDOWN

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

Mr. DOGGETT. Mr. Speaker, NEWT GINGRICH and Medicare, the three words you need to understand this mess in Washington. He may really be a crybaby, but NEWT GINGRICH wants to demonstrate he is king of the mountain. And what better way to do that than to issue a royal decree cutting Medicare, even if it takes the taxpayers having to pay for 800,000 Federal employees to have a taxpayer paid vacation. And since the king expects lobbyists to come bearing tribute, it is only natural Speaker GINGRICH would be doing everything he can today to kill our ban on gifts from lobbyists to Members of this Congress just as he killed real lobby regulation last session. And before this week's shutdown and NEWT's paid vacation for 800,000 Federal employees, we already had shut down one institution of this body, shut down with lethargy, shut down with delay.

POINT OF ORDER

Mr. HOKE. Mr. Speaker, point of order. Is it parliamentary to call the Speaker of the House a crybaby?

The SPEAKER pro tempore. Such remarks are not in order and Members should refrain from using such language.

The gentleman may proceed in order.

PARLIAMENTARY INQUIRY

Mr. DOGGETT. Mr. Speaker, parliamentary inquiry. Is it proper to refer to the front page of a newspaper that calls him a crybaby?

POINT OF ORDER

Mr. HOKE. Mr. Speaker, point of order. The chart is demeaning to the House.

Mr. VENTO. Regular order, Mr. Speaker. The gentleman should state his point of order, Mr. Speaker, if he has a point of order.

Mr. HOKE. My point of order is that we are not to have demeaning charts.

Mr. VENTO. Point of order, Mr. Speaker. That is not a point of order.

Mr. HOKE. That is a point of order.

The SPEAKER pro tempore. Will the gentleman suspend?

The Chair rules it is a legitimate point of order. The Chair also rules that the Members must be respectful of other Members and must avoid such referencing of other Members on the floor.

Mr. HOKE. Would the Chair please instruct the Member to take the chart down?

The SPEAKER pro tempore. The gentleman must proceed in order.

PARLIAMENTARY INQUIRY

Mr. DOGGETT. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. DOGGETT. Mr. Speaker, so that I may comply with the rules of the House, I understand then that I am not to refer to the Speaker as a crybaby. May I use the term ''NEWT's tantrum''?

The SPEAKER pro tempore. In answering the gentleman's question, the Chair would point out to the gentleman that the gentleman should be respectful of all Members of the House and the Speaker as well. The gentleman may not use demonstrations to be disrespectful to any Member or to the Speaker.

Mr. DOGGETT. But the Chair is not suggesting that this Daily News ''crybaby'' front page has to come down at this point?

Mr. HOKE. Regular order.

The SPEAKER pro tempore. The Chair is suggesting that it should be removed if it is intended to bring disrespect toward a Member of the House.

Mr. DOGGETT. It is not on the House, Mr. Speaker. How much time do I have remaining?

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. DOGGETT. With the parliamentary inquiries? Not with my 1 minute.

The SPEAKER pro tempore. No, with the gentleman's use of time.

Mr. DOGGETT. I thank the Speaker.

BALANCE THE BUDGET

(Mrs. SEASTRAND asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SEASTRAND. Mr. Speaker, last night in an interview, President Clinton was asked this question by Dan Rather: ''Are you saying, flat out, that you will veto a bill sent to you that contains only the insistence to balance the budget, you'll veto that?''

The President said, ''Yes.''

Mr. Speaker, the President has divulged what Republicans in Congress have been saying all along. That is, President Clinton is too closely aligned with the liberal Washington establishment to do what is right for the American people. He is more concerned about spending more money on Government than balancing the budget, and he is more concerned about bureaucracy than our children's future.

The responsibility for this Government rests squarely on the shoulders of President Clinton. He asked for a clean bill. He has one. Now he says he will veto it.

Folks back home have been calling me to hang in there, balance the budget. Well, now it is time for the folks back home to call President Clinton. The number is 202–456–1414.

A GRAVE ERROR

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

Mr. FRANK of Massachusetts. Mr. Acting Speaker, I have not myself been a great defender of the real Speaker. Indeed, I thought the American people were right when they found him to be the most unpopular elected official in America.

But yesterday I was ready to jump to his defense. I do not think people should be disrespectful of the Speaker. When I heard people suggest that Speaker GINGRICH had said that he was going to be tougher in negotiations and do more to shut down the Government because the President had been rude to him, I was ready to leap to his defense.

I said, how can you accuse Speaker GINGRICH, as much as I disagree with him on policy, of being so petty, of being so personal as to say that because the President did not distract himself from the Middle East peace process to come and talk to him and take his mind off having to sit with some other Republicans, how could you claim that this man would then use that as a reason to help shut down the Government?

Of course we have this problem because the Republicans have not passed the appropriations bills. It is their own lack of ability that has led the Health and Human Services Department and the Labor Department not to be there. To compound that with insensitivity is a very grave error.

CHARACTER OF MORNING'S DEBATE

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

Mr. HOKE. Mr. Speaker, what is incredible about this debate this morning, if we call it a debate, is that what we see finally is that the Democrat rhetoric has been reduced simply to petty, the pettiest of ad hominem attacks on the personality of the Speaker.

☐ 1030

And they are doing this because of two things: No. 1, they are embarrassed by the fact 48 of their own Members last night, quite correctly, cast their vote, including a couple that have been down here this morning, although they did not mention it.

And, second, because they are out of ideas, they know it has finally come to showing the liberal agenda against the commonsense agenda.

The only difference in the continuing resolution of last night was a 7-year balanced budget, a commitment to come to the same agreement that every one of these people, when they go back to their districts, talk about. This is the moment of truth, 7 years, scored honestly with honest numbers in an honest way, working together.

The Washington Post got it absolutely right when they said the Democrats, let by the president, chose instead to present themselves as the demagogues that they are.

WHY IS THE GOVERNMENT SHUT DOWN?

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

Mr. MILLER of California. Mr. Speaker, the country is asking today: Why is the Government shut down?

The President has made it clear the Government is shut down because he will not yield to the blackmail on Medicare, on Medicaid, on school lunch, on student loans.

What we did not understand is why is the Speaker, why is the Speaker going forward to shut down the Government?

POINT OF ORDER

Mr. KINGSTON. Point of order, Mr. Speaker.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). The gentleman will suspend. The gentleman makes a point of order.

Mr. MILLER of California. Why is the Speaker going forward? Because he is angry about his treatment.

Mr. KINGSTON. Point of order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will suspend. The gentleman from California will suspend.

Mr. MILLER of California. I have 1 minute to speak.

The SPEAKER pro tempore. The gentleman will suspend.

Mr. MILLER of California. He is upset.

The SPEAKER pro tempore. The gentleman will suspend.

For what purpose does the gentleman from Georgia rise?

Mr. KINGSTON. Mr. Speaker, point of order. Was it not the opinion of the Chair that the chart in the gentleman's hand is out of order?

The SPEAKER pro tempore. The gentleman is correct.

Mr. DOGGETT. Point of order, Mr. Speaker.

Mr. MILLER of California. May I be heard on the point of order?

The SPEAKER pro tempore. The gentleman will suspend.

Mr. KINGSTON. Mr. Speaker, since it is obvious the Democrat Party does not want to play by the rules of the House, would it not be in order to remove the chart from the floor?

Mr. MILLER of California. If I may be heard on the point of order.

Mr. DOGGETT. Point of order, Mr. Speaker. I would like to state my point of order.

Mr. MILLER of California. The point of order——

The SPEAKER pro tempore. The gentleman will suspend. The gentleman from California may be heard on the point of order.

Mr. MILLER of California. The point of order, I believe, is to suggest what, that I am holding the cover of the front page of the New York Daily News?

Mr. KINGSTON. Point of order, Mr. Speaker. He is trying to debate. My point of order and question to the Chair was: Should not that chart be removed from the Chamber, since the Democrats obviously do not have the self-discipline to follow the rules of the House?

Mr. MILLER of California. On the point of order, Mr. Speaker, this chart is in order under the House rules because this chart provides and has provided to 800,000 New Yorkers the explanation of why the Speaker shut down the Government.

Mr. DOGGETT. Point of order, Mr. Speaker; point of order, Mr. Speaker.

The SPEAKER pro tempore. The Chair is prepared to rule on the point of order.

All Members should not use charts that are demeaning to other Members, in order to preserve the decorum of the House.

Mr. DOGGETT. Point of order, Mr. Speaker.

Mr. FRANK of Massachusetts. Mr. Speaker, parliamentary inquiry. When we had a previous objection——

The SPEAKER pro tempore. The gentleman will suspend. The gentleman from Texas was on his feet first.

Mr. DOGGETT. Mr. Speaker, under the rules of the House, if the gentleman or any of the other gentleman of the majority wish to object to this chart, instead of continuing to interrupt our speakers who use it, the proper approach under the rules is to state an objection. Then we can have a vote on it in the House, and I raise a point of order against these continued obstructions of the orderly debate and ask them to state their objection, if that is what they want, and get a ruling from the Chair.

The SPEAKER pro tempore. The gentleman from Texas will suspend.

The Chair is prepared to rule. The Chair ruled in this case on the point of order that the chart was not in order because it was demeaning to another Member, the Speaker.

Mr. DOGGETT. You have ruled it is out of order? Are you directing us to remove it from the floor?

The SPEAKER pro tempore. That is correct.

Mr. DOGGETT. Then I ask for a vote on that.

Mr. Speaker, I appeal the ruling of the Chair. I appeal the ruling of the Chair that the chart of the front page of the Daily News is out of order.

Mr. KINGSTON. Mr. Speaker, I move to table the motion.

The SPEAKER pro tempore. The question, first, is, shall the decision of the Chair stand as the judgment of the House?

The gentleman from Georgia moves to lay the appeal on the table.

The question is on the motion to table offered by the gentleman from Georgia [Mr. KINGSTON].

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

Mr. HOKE. 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. On that, I demand the yeas and nays.

The yeas and nays were ordered.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 231, nays 173, not voting 28, as follows:

[Roll No. 803]

YEAS—231

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

NAYS—173

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Chapman
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Jackson-Lee
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (RI)
Kennelly
Kildee
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Skelton
Slaughter
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Tejeda
Thompson
Thornton
Thurman
Torricelli
Towns
Velazquez
Vento
Visclosky
Ward
Watt (NC)
Waxman
Williams
Woolsey
Wyden
Wynn
Yates

NOT VOTING—28

Becerra
Clay
Collins (MI)
Condit
Cox
Crane
Dixon
Dornan
Fattah
Fields (LA)
Fields (TX)
Kennedy (MA)
Kleczka
Lofgren
McCrery
Porter
Riggs
Shadegg
Sisisky
Smith (NJ)
Spratt
Torres
Tucker
Volkmer
Waters
Weldon (PA)
Wilson
Wise

□ 1055

Mr. OBERSTAR and Mr. POSHARD changed their vote from ''yea'' to ''nay''.

So the motion to table the appeal of the ruling of the Chair was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Miss COLLINS of Michigan. Mr. Speaker, during rollcall vote No. 803 on tabling the appeal of the Chair, I was unavoidably detained. Had I been present, I would have voted ''no''.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members will proceed at this point for four more 1-minute speeches on each side.

CUTE AND CLEVER SPEECHES

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, you know, the Democrats are being so clever today that it makes you think they borrowed some of that $40,000 Hazel O'Leary spent on a PR firm to come up with some good 1-minutes, and I congratulate them only for being cute and clever today, $133,000 a year, and they get their reading material from cartoons. They go to college, they graduate, they go to law school, and what do we get? We get tabloids and cartoons.

□ 1100

Mr. Speaker, I give my one-minute on this side of the aisle today, and although there are only a few yards difference between these lecterns, often there are miles and miles and huge canyons of philosophical distance.

I think it is important that we start talking bipartisanship. Last night, 48 of your Members joined 241 of our Members in saying we are going to put partisan sniping behind us. We are going to put the Federal employees who are out of work back to work. We are going to end the furloughs. We are going to reopen the Social Security services office, the Passport office. We are going to reopen the National Parks, and most of all, 48 of your Members in a bipartisan fashion said yes to balancing the budget in 7 years. In doing this, they did not sell out on welfare; they did not compromise on taxes.

Finally, Mr. Speaker, you all come over to our side; we will talk.

QUIT PLAYING GAMES

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, yesterday, Speaker GINGRICH threw a tantrum and revealed the real reason he has shut down the Government—because the President did not pay enough attention to him on Air Force One. The Speaker's outburst at breakfast, gives new meaning to the phrase whine and dine.

Meanwhile, I got a call yesterday from a small businessman who told me that he will have to lay off employees because his business relies on contracts from the Department of Energy and Department of Defense that have not been paid.

Across the country, 56,000 seniors and workers have been denied Social Security benefits, 15,000 veterans have been unable to file compensation, pension and education benefit claims—all because the Speaker did not get his ego stroked on Air Force One.

The Speaker's massive ego gets bruised, so he puts people out of work and denies seniors and veterans their benefits. Mr. Speaker, quit whining, quit playing games with people's lives, and do your job.

THE STRATEGY OF THE LIBERALS

(Mr. TIAHRT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TIAHRT. Mr. Speaker, the strategy of the liberals is very clear here. Let us distract the House. Let us focus on the real issues today. We want to get Government workers back to work. We want to see a balanced budget in 7 years. But I know it is going to be difficult with the Cabinet that the President has.

For example, Secretary O'Leary has been wasting money. According to the GAO, her agency has been ineffective. Then there was Vice President Gore's report that said she was inefficient. Then there was a first class travel, taking a large contingency. Then there was a private investigatory firm that was going to cost us $46,500 of taxpayer dollars, this year.

Well, now we find out she has also hired a media consultant at $277 a day, at taxpayers' expense, to improve her image. She spent $200,000 on this.

Mr. Speaker, it is time for Secretary O'Leary to resign. We need for her to do that just to balance the budget and get these Government workers back to work.

GINGRICH GOP THEME CHANGE

(Mr. VENTO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VENTO. Mr. Speaker, what we are seeing today is a Gingrich Republican theme change. A new tune. First of all, the Gingrich Republicans were indifferent and noncaring about the fact that the Government was closing down and that 2.3 million workers were being sent home. But today, that tact that theme of attaching to the necessary funding resolutions because the Republican Congress did not do their work in the first place, now attached to that was the death penalty, environmental problems, Medicare cuts, and other policy changes.

The fact is that now, of course, they are saying they have a clean resolution, a different theme but the fact is, it is just a shell and a pea game. Under this guise of these funding resolutions the Gingrich GOP are attempting to force the same kind of Medicare cuts, the tax breaks for their wealthy friends and the injection of special interests in this process.

The thing is, get your work done, present these policy questions honestly, do not try to cement these provisions and advantages in place to cut Medicare, and to cut education, and the other programs that are so important to American families.

The Gingrich Republican theme change is not going to work. The American people understand what is at the base of the goals no matter how you hide them and note the whining by the Speaker, because he was not treated right on Air Force One. The poll numbers speak for themselves, the American people are not with the Gingrich Republicans. You do not have the economics or the public opinion on your side. So let us pass a truly clean resolution and get on with the real work of this Congress and pass a just budget.

ELIMINATE THE DEPARTMENT OF COMMERCE

(Mr. CHRYSLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHRYSLER. Mr. Speaker, there has been a lot of talk about essential and nonessential Federal employees. Many of my constituents are asking why the Federal Government hires employees who are not essential in the first place. I did not.

The Department of Commerce recently sent two-thirds of its employees home because they were deemed nonessential. My bill to dismantle the Commerce Department only eliminated one-third. I guess I did not go far enough, but that is because I am conservative and not extreme.

A recent survey by the Greater Detroit Chamber of Commerce in my home State of Michigan indicated 89 percent of the business leaders there support the dismantling of the department. Business Week magazine agreed by a 2-to-1 margin. When the Clinton administration, former Commerce Secretaries, Michigan business leaders, and the Nation's senior business executives all agree that most of the Department of Commerce is nonessential, then it is time to put the Department of Commerce out of business.

MEMBERS SHOULD NOT BE DENIGRATED

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

Mr. WILLIAMS. Mr. Speaker, I count myself among the majority in the House who agree that none of us should denigrate any Member of this House, and I personally think that includes showing charts that denigrate Members of this House.

I thought it was therefore ironic when Speaker GINGRICH complained about his seat on Air Force One. We all understand, I believe, that the hallmark of his membership in this House has been verbal abuse, and the denigration of this President and Democratic-elected officials. NEWT GINGRICH has used these words about President Clinton, a previous Speaker of this House, or other Democrats: Sick, nuts, traders, corrupt, thugs. We all remember how he referred to the First Lady of the land. Frankly, NEWT GINGRICH is lucky to even get invited to ride on Air Force One.

GIFT BAN AND LOBBY DISCLOSURE

(Mr. SHAYS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHAYS. Mr. Speaker, on another note, today we will be taking up Gift Ban and Lobby Disclosure, two bills that were passed by the Senate a number of months ago. My plea to this Chamber is that on a bipartisan basis we can pass both bills. I salute the Democrats for pushing these issues before the Chamber, and my Republican colleagues who want to move forward.

I encourage them to vote against the Burton amendment, which, in my view, is a gutting amendment, and will keep things basically the way they are. I encourage them to support the Senate proposal or even better, a total ban, as the Speaker has proposed. On lobby disclosure, we need no amendment to that bill; we can send it on to the President. I understand a number of my colleagues on the Democratic side want to send it to the President. I encourage a number on my side to oppose any amendment and finally get lobbyists to register.

STATUS REPORT NEEDED FROM COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT

(Mr. PETERSON of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PETERSON of Florida. Today, Mr. Speaker, the gentleman from Florida [Mr. JOHNSTON] and I will introduce a privileged resolution calling for a report from the Committee on Standards of Official Conduct concerning the standing complaints against Speaker GINGRICH in that committee. Those complaints have been languishing in that committee for over 14 months. We have no intention to prejudice the outcome of the investigation, nor do we set a timetable for action. We only ask for a status report.

Mr. Speaker, it has been rumored that the majority leader will move to table this resolution today. We hope that we have a good debate on this issue and a vote on this resolution. I remind the Members of this House, the Committee on Standards of Official Conduct is our committee. It does not belong to the Speaker. They owe it to us to have a report as to the findings of their work.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2126, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996

Mr. MCINNIS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 271 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 271

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2126) making appropriations for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). The gentleman from Colorado [Mr. MCINNIS] is recognized for 1 hour.

Mr. MCINNIS. Mr. Speaker, for the 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 the consideration of this resolution, all time yielded is for the purpose of debate only.

House Resolution 271 is a straightforward resolution. The proposed rule merely waives all points of order against the conference report and against its consideration. This resolution was reported out of the Committee on Rules by voice vote.

Mr. Speaker, members of this House often stand on the floor and debate whether various programs should be conducted by Federal, State, or even local government. However, Mr. Speaker, if there is one thing that the State governments cannot do, or one thing the local governments cannot do, that is to provide for the national defense, the national security, and the intelligence requirements of the United States of America. The Congress and the President, as Commander in Chief, alone have this obligation. I urge my colleagues to support this rule.

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

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

Mr. Speaker, I urge my colleagues to support this rule. As every Member is fully aware, this is the second conference agreement on the Department of Defense appropriation. And, while not every Member will agree with every provision in this conference report, the conferees have attempted to address at least one of the major objections to the original report, that being the question of abortion.

Mr. Speaker, we are all well aware that the original conference report was defeated because of opposition from those Members who felt funding levels were too high, as well as those Members who opposed the provisions relating to the abortion. The conferees have

modified the abortion language to only allow the procedure to be performed in military hospitals in the cases of rape, incest, and to save the life of the mother. This action has thus removed an objection voiced by at least some of the opponents of the original conference report. While I would have preferred that the conference report maintain its original language on this matter, I do support the conference report and I would urge all Members to do likewise.

The provisions of this report track closely those originally passed by the House and deserve our support. I do not have to tell any Member how important it is to pass this appropriations bill. And, I need not remind Members of our responsibility to act on each and every one of the remaining appropriations bills in order that the Federal Government might be funded for the fiscal year. In spite of the passage of a short-term continuing resolution by the House last night, which may very well be vetoed, we must continue to press forward to fulfill our constitutional responsibilities.

Mr. Speaker, Democrats want to solve this impasse. And I cannot deny that my Republican colleagues share that goal. We—Democrats and Republicans—can go a long way toward resolving this situation by passing this conference report this morning.

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

□ 1115

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

Mr. OBEY. Mr. Speaker, I cannot believe what we are about to do in this House. Last night, amid much pontificating, this House told the American people that we were going to be committed to balancing the budget within 7 years. Today, as the very first legislative act after that promise, we are being asked to vote for an appropriation bill which adds $7 billion to the President's budget.

That money does not go to the troops. That money does not go to readiness. Because if we in fact take a look at what is happening in this bill on O&M, the major readiness account, it is actually lower than the President's for that account by half a billion dollars, once we deduct Coast Guard funding, which is really a transportation function, once we deduct the adjustment that was made on inflation in this bill but not made on the estimates in the President's budget, and that adjustment should have been made in both legislative vehicles, and once we deduct the contingency fund, $650 million.

This added money is put largely in 3 areas: One is in procurement; well, it is put in two areas largely, procurement and pork.

On procurement, this committee is insisting that we go ahead with the congressional demand to buy 40 B–2 bombers even though the Pentagon itself only wants 20. The cost of one of those bombers is about $1.2 billion. That would pay the undergraduate tuition for every single student at the University of Wisconsin for the next 11 years.

We are being asked to buy the F–22, years early, at a total cost eventually of $70 billion. And people say, oh, we need this, we need a strong defense. Well, of course we need a strong defense, but this chart demonstrates what has happened to our military budget versus Russia's since the Berlin Wall fell.

The red chart shows that the Russian military budget has dropped by about 70 percent. The United States military budget, by that same token, has dropped by about 10 percent. That is hardly reacting to reality.

People say, well, we have to worry about somebody besides Russia. Okay. Let us take every single threat that has been suggested to the United States, from Russia, from China, from Syria, Iraq, Iran, Libya, North Korea, that well-known military powerhouse, Cuba. Add all of the money together, and you know what? We still outspend them militarily by 2½ times. That does not count our NATO allies, and you know, the last time I looked, they were on our side.

So we are being asked to provide this huge bill, yet we are being asked to cut back on housing, cut back on education. We are being asked to squeeze the life's blood out of Social Security and Medicaid, knock hundreds of thousands of Americans out of health insurance because of Medicaid.

This is indeed where the rubber hits the road. Last night was a nice generic promise, but today you have an opportunity to demonstrate whether you were serious or whether you are going to blow a hole in that promise one day after you made it.

This country cannot afford to spend $7 billion more than President Clinton wants us to spend on the military budget, if it intends to get to a balanced budget in 7 years. If anybody believes you can do that, you are smoking something that ain't legal.

So I would urge you to recognize reality, recognize that if you are going to make the tough choices that were talked about last night, you might as well start now. You might as well start on this bill. We ought to vote this bill down and keep it down until we get a bill back that reflects the financial crisis which the House declared we were in last night.

I urge Members to vote against this bill. I have talked to the President's chief of staff, 15 minutes ago, and he has told me he is going to veto this bill. There is no sense sending this bill to him. It is a mission in futility. We cannot afford it. We should not be engaged in wasted motion. This bill is a dead duck, and it ought to be.

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

I would suggest to the gentleman that just preceded me that to reduce the defense budget in the proportions that he is talking about means we are going to have to have fairly dramatic cuts in personnel. Obviously the largest expenditure in the defense budget is personnel. It is a little ironic to hear the gentleman on one night speaking about how the deficit is making Federal employees be furloughed and the next day suggesting huge cuts in personnel in the military budget.

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

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. I would like to correct a statement just made by the previous speaker. The fact is the President's budget does not contain any reductions in personnel. We are not asking for any reductions in personnel. We are asking for reductions in the F–22, the B–2, we are asking for reductions in procurement items. We are not asking for one dime in reduction in personnel.

You have said it—not you but people on your side have said it time and time again. It does not matter how many times you say it. You are wrong each time.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield to the gentleman from Colorado.

Mr. MCINNIS. I thank the gentleman from Massachusetts for yielding.

If the gentleman is going to get any kind of cuts proportionate to the comparisons on those charts that he is making with Russia, tell me how you are going to get those kinds of cuts by just cutting out the B–2 bomber. You cannot do it.

Mr. FRANK of Massachusetts. I yield to the gentleman from Wisconsin.

Mr. OBEY. What proportion is the gentleman talking about? I am not suggesting we cut our budget the same as Russia.

Mr. MCINNIS. Why is the gentleman using the chart?

Mr. OBEY. I am using the chart to show that we can afford, given the fact that we spent 2½ times as much as our enemies, we can afford to hold the budget to the amount the President has asked for. That is $7 billion out of a more than $250 billion budget. That is hardly a big slasher.

Mr. FRANK of Massachusetts. Reclaiming my time, Mr. Speaker, this is a very important debate, because we have been told that we can balance the budget within 7 years and we should vote for that concept of a balanced budget within 7 years and then we can debate how to do it.

But if you pass this appropriations bill today with the excessive and unnecessary procurement that is in it, that the gentleman from Wisconsin has talked about, if you commit to the weapon systems he talked about in

those numbers, then you are guaranteeing that if you balance the budget within 7 years, you will drastically reduce spending for a whole lot of areas.

We are in a zero sum game. We all agree that the budget is going to be balanced. There is some question about when. But this is partly why some of us have a problem with being told, ''Well, just agree to a balanced budget in 7 years and then we can work it out.''

If this appropriation passes, we are committed to a level of expenditure for weapon systems procurements in the tens of billions that will inevitably have to come out of other programs.

What we have is the worst case of cultural lag I have ever seen. For more than 50 years, the United States sensibly led the free world to defend against enemies who were powerful enough to deprive us of our freedom. Fortunately, today in the world, as the gentleman from Wisconsin has documented, we do not have any threat to our physical existence. Yes, it would be convenient to do this, it would be beneficial to do that, but there is a qualitative difference.

What we have here is the old cold war argument where our survival was at stake. Now we have had a transfer. We are not talking about survival. Indeed, people on the other side are opposed to many of the uses for the military. We have the paradox where people on the other side want to spend more and more on the military and use it less and less. I think there is reason to use it less and less.

My final point is this: This is the real foreign aid bill. More money is spent by U.S. taxpayers through this bill to subsidize the economies of other nations than in the foreign aid bill many times over, except that we do not have poor nations here. This is a subsidy to wealthy nations.

The military budgets of Japan and Germany and England and France and Denmark and Norway and the other wealthy nations are a fraction of what they should be. Yesterday's, Tuesday's New York Times has an article about a book which says one reason the rapidly increasingly prosperous Asian nations have done so well is that America has, for free, provided them with defense. So we subsidize their defense while they build up big trade surpluses. We continue, in this bill, the pattern of greatly excessive spending, not for America's military security but in part as a form of foreign aid to the wealthy nations of Europe and Asia.

As a consequence, if you pass this bill, you get into a situation where every dollar spent for the B–2 bomber, for unneeded weapons, weapons the Pentagon does not want, it is only logical it has to come out of medical care, out of education. It is why the Republicans are voting to raise the rents of older people in public housing, which is part of their legislative package.

If we adopt this conference report, we then make it very clear that a balanced budget will consist in substantial part of excessive spending on the military, subsidies to the budgets of Western Europe, subsidies to the budgets of our Asian trading partners. So we defend them, and in return we will make up for those subsidies by cutting medical care, cutting education, cutting housing. It is a very bad deal.

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

Mr. Speaker, one of the benefits of this job is the excitement that we get when we have the opportunity to engage in general debate. But I am a little curious. The gentleman from Massachusetts of course has the opportunity to vote ''no'' on the conference report, and the gentleman from Massachusetts is going to have an opportunity certainly to engage in bringing his points forward in general debate.

I would yield to the gentleman for an answer to the question: Do you have an objection to the rule passed on voice vote up in the Committee on Rules?

This is the rules debate. Do you have an objection, and the same with the gentleman from Wisconsin, to the specific rule?

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MCINNIS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I would say two things.

First, I am debating now because we only have an hour on the overall bill, so I am glad to sue the debate time.

But do I have an objection to the rule? In this sense, no rule, no bill. So I object to the rule because of the company it keeps, and if the rule is going to hang around with a bill like that, it is going to damage its reputation.

I would ask the gentleman from Colorado, who has the time, if he would yield to my friend from Wisconsin.

Mr. MCINNIS. Mr. Speaker, I reclaim my time and yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I thank the gentleman for asking that question. The fact is that when this bill was before us originally, we had a time limit imposed that prevented us from raising many of the issues that we wanted to raise at that time. So the only time we have had an opportunity to raise these issues has been on the rule today. When we deal with the conference report shortly, we will only have about 20 minutes during which we can explain our concerns about the bill. So that is why we are taking the time on the rule to explain our concerns about the bill.

Mr. MCINNIS. Reclaiming my time, the gentleman still has not answered the question: When the final tally comes, do you object to the rule?

I yield for a response to the gentleman from Wisconsin.

Mr. OBEY. Mr. Speaker, I frankly accept the fact that the rule is going to pass. I am simply legitimately using the rule on the bill to discuss what is at stake. In my view what we ought to do is defeat the rule so that this bill can go back to committee and get fixed.

□ 1130

Mr. FROST Mr. Speaker, I yield 4 minutes to the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Speaker, I rise in opposition to this bill. This rule obviously would not be necessary with an appropriation bill if we were following the proper procedure, but that seems to be sort of forgotten in the actions of this House in this session.

I rise in opposition to this because I think it is fundamentally a question of misplaced priorities in terms of this Congress and our budgets. The fact is that we do not need just smart weapons in this Nation in order to defend our national security. We need smart people. We need smart soldiers and sailors not just smart weapons.

Look what is happening in this budget. Look at what is happening. We are disinvesting in our total budget in people, in education programs. We are taking the House budget that was passed, removed $10 billion in the next 7 years from scholarships and assistance in terms of education at a time when, you know, the world of work is changing; the world of national security is changing.

What does this bill do? This bill tips the balance in terms of weapons systems. The weapons systems that have tentacles that stretch into every State in this Nation, all of us have employers and some jobs that are related to putting the weapon systems together. But who is going to run those systems?

Economists will tell you, if you want to make your national economy work, you need to have capital, you need to have research and you have to have investment in people. You have to have human resource.

What is happening in our military today is they basically have to take on this task of training themselves. What this bill does is cuts the operation and maintenance budget. You buy all sorts of new weapons systems. In order to keep them bill does is cuts the operation and maintenance budget you buy all sorts of new weapons systems. In order to keep them in the air, keep them functioning, you have to cannibalize those particular aircraft, those weapons systems, to keep them going because of shortfalls in operations and maintenance.

What do you do in terms of the maintenance for the systems. Then there is the question of operation. Who is going to operate them? We have to take up the training task, when we do not have recruits and individuals that have the ability to do the job we will have problems, in the security of this Nation.

So the fact is you shortchange by overload the appropriation with more weapons systems and too little operations and maintenance. You are shortchanging the operations and maintenance. We all know we can end up buying an aircraft carrier, we can end up buying more B–2 bombers. Who is going to take care of them? They are not going to be readiness ready. They are

not going to have a readiness factor in terms of being ready to serve the function in the field. It has been pointed out that in years past, the past 50 years, one could arguably State that we needed the high defense spending many nuclear weapons and other types of weapons systems. That argument, in light of what has happened in recent years, you cannot escape what is the demise of the cold war is not relevant has occurred today.

These weapons systems are becoming obsolete as we go forward. We are setting a policy path to build more of them in a world environment where many of these sophisticated weapons systems, and I am pleased they will not be used, I hope they will not be used, we cannot use them, but it is a time in history where we need to call on others around the globe to start picking up their own responsibility in terms of their own national defense.

The weapons systems and sophisticated systems that have been under our control in the past are not applicable to many of the situations we have, whether in the former Yugoslavia, whether in North Africa, whether in many other place of conflict around the globe.

It is time, I think, to say ''no,'' to say we do not want this continued American buildup and spendup. We need to bring this in line. We have to bring this in line, in other words, to get into the retrenchment and realignment—the downsizing of the U.S. military budgets.

Yesterday, in Minnesota, 3M Co., which headquarters is in my district, announced the fact they were going to eliminate 5,000 jobs from their company, many of them jobs in Minnesota, good jobs. The fact is that the U.S. military should be facing the same plight we have given them the time, we have given them the dollars.

If these dollars were being spent on a builddown, if they were being spent only on the base realignment and closing and actually moving forward in terms of building it down so we could have a soft landing for many of the people in the military, that would be one thing.

But that is not what this measure is doing. What you are doing is you are shortchanging, you are shortchanging the operation and maintenance in these type of adjustment dollars that should be present. They have been stripped out of this bill. They are no longer there to help the communities that are impacted. The Nunn-Lugar program to take a part the former Soviet nuclear facilities isn't funded.

That is why I am rising today. You have abandoned that particular process in Russia and in terms of our American communities so that we can get to this with less pain and less risk.

We would like to work with you and help you, but this bill does not do it, and it deserves to be defeated today on this floor.

Mr. MCINNIS. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. YOUNG], the chairman of the subcommittee.

Mr. YOUNG of Florida. Mr. Speaker, I thank the distinguished gentleman for yielding me this time.

I did not intend to be involved in the debate on the rule, because that is not what this debate is even about. This is a good rule, a bipartisan rule. We ought to just go ahead and expedite the rule and get to the conference report.

But I really cannot leave unchallenged the issue that we reduced readiness. That is just totally erroneous. We reduced some of the operations and maintenance accounts. That is correct. In fact, we reduced these particular accounts by about $1.7 billion.

Let me tell you where we reduced. Then I want to tell you where we added back for readiness. We reduced the technology reinvestment program. It may be a good program, but it should not necessarily be funded by the Department of Defense. That is one of the reductions that this previous speaker talked about.

We reduced consultants and research centers by $90 million. You know, they refer to them as Beltway Bandits sometimes. We cut that.

The Nunn-Lugar funding to convert Soviet, former Soviet, military industries, well, our understanding is that a lot of that conversion went to a new type of Russian military industry. So we took the money out of that.

The U.N. peacekeeping assessment, $65 million; we should pay our peacekeeping assessments, but it should not come out of this bill. It ought to come out of the State Department bill or it ought to come out of the foreign aid bill, but not the Defense bill.

Another large reduction, $129 million for travel, support aircraft operations. We made these reductions because of Members on that side of the aisle who asked us to do it, and we agreed to those amendments. So, yes, we did make those kinds of reductions.

What did we add back for real readiness and quality-of-life issues for our personnel? We added over $2 billion. The gentleman from Wisconsin [Mr. OBEY] does not like me to repeat this, but I will. We did provide money for the pay raise for the members of the military.

We added funds for housing allowances for members of the military.

We added $322 million to upgrade barracks facilities that are a tragedy. People who might have to go to war and risk their lives should not have to live like that.

We added $170 million for training shortfalls, training moneys that had been borrowed in advance for other contingency operations that had not been approved by Congress, incidentally.

We created a new initiative that even the President thinks is a good idea now, paying for the known contingency operations as we go, to deny access to the air of Saddam Hussein's air forces and to provide comfort for those non-Saddam supporters in Iraq.

We added $647 million for that because that contingency is ongoing, and we ought to pay for it as we go. We ought to be up front and be honest.

So the truth is, yes, we did reduce the operations and maintenance accounts on one hand but we increased them by adding real readiness and quality-of-life on the other hand, and I think that, as we discuss these issues, we really ought to be accurate, and I will do my very best and I know my colleague, the gentleman from Pennsylvania [Mr. MURTHA], will, to make sure the debate remains as accurate as possible.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Speaker, let me commend the chairman of the subcommittee and the ranking minority member for many, many good things in this piece of legislation.

But let me also say there are things in here which I find very troubling. We are in the midst of a budget deficit debate here which involves almost impossible choices of things that we have to cut. There are proposals from the Republican side of the aisle for deep cuts in the Medicare Program, deep cuts in programs providing health care for poor children, for elderly people in nursing homes, cuts in education programs, cuts in environmental programs. And here we have a bill where we are being asked to spend $7 billion more than the administration requested.

Let me focus on one particular item of expenditure, the B–2 bomber. The B–2 bomber was designed to fight the Soviet Union. The Soviet Union, as we knew it, no longer exists, and yet the contractor that builds the planes has enough political muscle in the House of Representatives to force us to add in this bill 20 new B–2 bombers at a cost of $31 billion.

Let me tell you about the B–2 bomber. First, it does not work. This bomber, despite the money we have invested in it, its radar cannot tell the difference between a cloud and a mountain. Now, that is a very difficult problem facing a pilot when you cannot tell the difference.

Second, it costs too much, at least $1.5 billion to $2 billion per plane.

Third, we do not need it, since the Soviet Union is gone.

And, fourth, the Pentagon says they do not want it. But we are still pressing forward with this defense pork barrel for one contractor, $31 billion.

We have to make choices in politics. Let me tell you what I would do with the $31 billion. Personally, I would more than double the investment we make each year in the National Institutes of Health medical research. I honestly believe that families across America would feel much more secure at home knowing that we are spending money looking for a cure for cancer, looking for a cure for AIDS, fighting diseases which ravage families across

America and around the world. That is a much more important investment than more B–2 bombers.

Second, I would make certain we do not make the education cut called for by the Gingrich Republicans. They want to cut college student loans by $10 billion while we are building these B–2 bombers. Kids from working families find it tough enough to afford college today. The Republicans are increasing the cost of that college education. Take the $10 billion they would cut, put it into college education.

And, finally, I would give full deductibility to self-employed people, I am talking about small businesses here and farmers, for their health insurance. More and more Americans are starting their own businesses, and that is good for our economy. The biggest single problem they face is the cost of health care. We allow big corporations to duck the full cost. Small companies should be allowed to.

You do those three things with the B–2 bomber money, and I think this country is better off.

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

First of all, I think that the previous speaker points out that the President's budget that this conference report comes out above that, I think he should kind of paint the entire picture.

No. 1, this conference report is $746 million less than the House report. No. 2, nearly $400 million less than the bill that we passed a year ago.

Paint the entire picture.

Mr. Speaker, I yield 1¼ minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Speaker, the gentleman from Illinois and I have always gotten along. He is a good, robust debater. I like to think I am, too.

But we must be very careful on health issues not to give false hope to people across this country on the AIDS crisis that has now killed more young men in the prime of life than died in combat in World War II. There will never be a cure for the AIDS virus.

I called Dr. Tony Fauci, the head man up at National Institutes of Health. We have to get saying this correctly. We can only hope for a vaccine to keep the humano-immunodeficiency virus locked inside the T-cells for the rest of your life, but once that virus is inside that microscopic T-cell, it is never coming out.

Dr. Fauci himself has slipped over the years. I called him, and he apologizes. The word c-u-r-e can never be applied to the AIDS plague. We hope for a vaccine to extend peoples' lives.

Mr. MCINNIS. If the gentleman will yield, may I ask the gentleman's position on the bill?

Mr. DORNAN. I am going to support this bill because of what the gentleman from Illinois missed is the importance of a balanced defense budget in harmony with domestic budgets. However, I will fight like hell for reportability on rape in the military. If a woman or a dependent is raped, how can any Senator tell me that when the Uniform Code of Military Justice is violated, you do not have to report who raped you for your trip home? Outrageous. Never again. This time, yes.

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Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, with all this gray hair and 23 years on the Committee on National Security, let us talk about this budget. At a time when dollars are so precious, this thing is $7 billion more than the Joint Chiefs, the President, than anyone asked for; $7 billion more. It is more than the rest of the world is spending on defense. And what are we buying with it? We are buying all sorts of hardware, because those are the special interests with the most gravitas in this town, and that is wrong, at the time we are cutting student loans and cutting health research and cutting all sorts of things.

Now, one of the things that stands out of that whole list of add-ons that we are buying is the B–2 bomber. The B–2 bomber is the son of the B–1 bomber. I was here when Carter said no to the B–1 bomber, and then President Reagan moved in and turned that around and we built this whole fleet of B–1 bombers. Anyone seen them? Anyone seen them anywhere? No, no, no. Every time they take off, it seems they fall out of the sky. Actually, this last weekend we did see them. According to the paper, one B–1 bomber was used as a float on Fifth Avenue during the veterans parade. This has to be the most expensive parade float in the history of America.

Now we are going to add 20 more B–2's than anybody wanted into this budget, and make the American people pay for it. Will the American people feel more secure with their children in college, or having more B–2 bombers? Will the American people fell more secure with health care research funded, or more B–2 bombers? We could go on and on and on with those issues.

Are we really going to stand here and say we have to make tough decisions in every other area of the budget, and then add more to this budget, when we never did that even during the cold war? I never remember adding more to the defense budget than was asked for.

Please, one cannot be a fiscal conservative and vote for this bill.

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

Mr. Speaker, I think that is somewhat of an exaggeration by the preceding speaker, that every time the aircraft take off, they fall out of the sky. I think that deserves a correction.

Mr. Speaker, I yield 1 minute to the gentleman from Maine [Mr. LONGLEY].

Mr. LONGLEY. Mr. Speaker, if one looks at the last 24 hours on this floor, it is incredible. We are now advised the President has no intention of balancing the budget. But there is another aspect of that as well. He does not have a budget, he does not have a plan.

I compliment the committee for coming together with a solid approach to dealing with our defense needs; a plan that, despite the fact that defense has been cut 35 to 40 percent in the last 10 years, is stabilizing defense spending and in fact leveling it and decreasing it over the next 7 years.

But we are doing so in the context of a balanced budget. We are recognizing that, yes, there are limits. We cannot spend unlimited amounts of money on everything. We are going to set priorities and spend money where we need to spend it, on the most important issues that we have determined as a Congress.

I think an issue that also needs to be addressed here is that we are going to balance the budget, as remarkable as that may seem to the other side of the aisle.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Speaker, I believe very strongly in a strong national defense. I think this country ought to have a defense that allows us to protect all of the interests of the United States of America. I just think that when we look at the reality of what the world is today, we need to recognize that our defense budget this year, this year, before we add an extra $7 billion that the military really did not ask for into the defense budget, will outspend all of our NATO allies, all of the former Soviet States, all of the Eastern European countries, all of the former Soviet Union itself, all of China, all of both Koreas, all of Japan, and the entire Third World. If you put all of their defense budgets together, the United States will spend more.

I would think that maybe we could slide by on $270 or $280 billion a year. But, no, no, that is not good enough, because somehow the Republicans have come up with a notion that if they stand for a stronger national defense, no matter what the number the Democrats put up, as long as you put up a few billion dollars more, you can go out to the American public and say you are for a stronger national defense than the Democrats are for.

You pretend to try to balance the budget, when you know that if you look at the defense needs of this country, the military itself will tell you that the F–22 is not the airplane it needs. The B–2 bomber, we are going to spend money for an extra 20 B–2 bombers this year. Who are the B–2s going to go against? We are going to spend an extra $3.5 billion for star wars.

I am all for theater based national defense systems. We wanted to protect our troops when they go into battle, that is fine with me. I think we ought to do it. We ought to put the research money into making certain we have a

good theater based defense system. But a space based star wars system? Nobody in their right mind, not even some of the most radical right-wing Republicans will tell you that star wars will work. It will cost trillions of dollars to defend ourselves against a threat that nobody believes is going to take place.

Why in God's name would anybody send a missile at the United States? They have to send a whole platoon of them in order to be effective. Why would they possibly do that? If they can put a bale of marijuana into a ship and bring it into New York harbor, why would they bother to put all these bombs on a missile? The truth of the matter is, that if we want to have a strong national defense, we ought to go out and build one. But we ought to build one in recognition of what the real threat to the United States is today.

What we are doing is we are spending billions and billions of dollars in national defense that we do not need to spend, and at the same time we are gutting and cutting and hurting the working class people of this country and the poor.

We are saying we do not have enough money for the Healthy Start Program, which deals with the fact we now have children in the United States of America that are dying at rates higher than in most Third World nations. We are willing to jack up the price of the Medicare premium, we are willing to go after the hot meals for senior citizens, we are willing to go after vulnerable people in this country and say we do not have enough money in the budget to help them. But we do have plenty of money in the budget to assist in building some of the most sophisticated weapons systems that this country does not need.

We ought to build a strong national defense, but we ought not to waste money on national defense that could in fact be making this country much stronger in the long run by investing in our most important resource, the American people.

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

Mr. Speaker, I guess I need to make a couple points, particularly with some of the background that I have got with North Korea. I should advise the preceding speaker that if North Korea, for example, were to launch a nuclear weapon into Tokyo, or, as science progresses and they gain the ability, which they will gain within a very short period of time, to launch a nuclear weapon into the center of San Francisco, it will not take a ''whole platoon'' of missiles to be effective. The preceding speaker ought to be advised just one of those type of missiles anywhere could be very effective.

I would also like to advise the preceding speaker that when he talks about the working class, first of all, most people I know are in the working class. When I talk to them, they want a strong defense. I agree with the preceding speaker that we need some balance, but I think that some of the remarks are somewhat exaggerated by the speaker, especially in regards to the missile.

I am very curious, hearing the strong comments about this budget, to see just exactly where the preceding speaker thinks the money is going to come from for the deployment by the Democratic President for troops in Bosnia, putting ground troops into Bosnia? I would be interested to see how his vote comes down on the deployment by our President to put those troops in Bosnia.

Mr. Speaker, I yield 10 seconds to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Speaker, I would like to point out if our true concern is a single missile going from Korea into Japan, maybe if the gentleman wants to build up a strong Japanese national defense, why do not you ask the Japanese to pay for it, instead of what your budget does, which is to allow us to subsidize it?

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

Mr. Speaker, the key here is we are being absolutely ignorant, and in fact we are being malfeasant in office, if we refuse to acknowledge the fact that we have to prepare for defense against missiles. We lucked out, frankly, in Iraq and the Persian Gulf situation. We were able to stop some of those missiles. We need to improve that technology. It is going to happen again.

I might also add, the gentleman and I periodically see each other working out. I would add that the person working out who is in the best shape and who is the strongest person in the facility is the person who spends the most time on it.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. YOUNG].

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, the previous speaker mentioned the great investments that we have. We have a lot of great investments. The greatest investment that we make in our national defense are the young Americans, men and women, who wear the uniform, who train to defend this country or our national interests. And one reason that our defense costs are so high is we have an all-volunteer service. We do not have a draft or a conscripted army or military like the other nations that the gentleman is referring to.

In fact, of this $240 billion bill, half of it, nearly half, $120 billion-plus, goes to pay salaries, allowances, and medical care for those young Americans who are prepared at a moment's notice to be deployed wherever the President of the United States might choose to deploy them, and the salaries of the DOD civilian workforce.

So, yes, our costs are higher, because we do not have a draft. We have an all-volunteer military, and we ought not to make those people live like paupers. There are too many of them today who are married and have families that have to rely on food stamps to get by, and that is not right.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I agree with you wholeheartedly. I offered an amendment to try to deal with the fact that we have got too many of our military not being paid enough money. If these funds were dealing with that issue, I would be more than happy to vote for it. I am talking about the $7 billion additional funds that the military itself did not ask for that are put into this budget because of a lot of pork going back into Members' districts.

Mr. YOUNG of Florida. Mr. Speaker, reclaiming my time, when we get to the debate on the bill, we will be happy to address that very specifically. We ought to go ahead and get this rule passed so we can get to the real debate on what is right for the national defense.

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

Mr. Speaker, I would just add that the previous speaker on my side of the aisle is absolutely correct. This debate right now is not the general debate on the military expenditures, and that is probably where the rest of this would be more appropriate. This debate is about the rule.

I would remind all of my colleagues in the House Chamber this rule was passed by voice vote in the Committee on Rules when we had a recorded vote on it. It is a conference report, but when the bill came up, it was passed by an overwhelming bipartisan majority. I think it is appropriate to move this on, get to a vote, and go into general debate.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. MURTHA].

Mr. MURTHA. Mr. Speaker, I just want to reiterate what the gentleman said about this rule. It should be a bipartisan rule. I hope it will pass quickly so that we can move on with the debate on the bill itself.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker, I rise in support of the rule, and I also will support the bill. I serve on the Committee on National Security. I think this is a good bill. It gives us a strong defense. I hope Members will support the rule and the bill.

Mr. MCINNIS. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules.

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Mr. SOLOMON. Mr. Speaker, first of all, the reason I am at the Democratic

podium is because I used to be over here, back when John F. Kennedy was a great President, and he stood up for America, and he supported a strong defense.

Mr. Speaker, I have been sitting here very patiently listening to this debate and getting ready for the other things we are going to be bringing up in the Commitee on Rules, such as the balanced budget bill and other things. However, I just heard my good friend, the gentleman from Wisconsin [Mr. OBEY], and the gentleman from Illinois [Mr. DURBIN], and others talking about how the Republican plan cuts all of these programs.

When I was debating the balanced budget earlier on as Chairman of the Committee on Rules, I insisted that all of the alternatives that were brought to the floor must bring about a balanced budget, and we told the Democrats that they would have to present one. We told ourselves, we told the President, and when we wrote a rule and brought these alternatives to the floor, all of them were balanced. What a change in concept over what had been happening over these last 40 years.

The Republican budget does balance the budget in 7 years, but as I look through it, I cannot find all of these cuts that everybody is talking about. When you talk about school lunch programs, when you talk about WIC, a very important program, when you talk about Head Start, all of them, I do not find cuts. I find increases in all of these programs. What I do find is that we have really cut the bureacucracy, we have really shrunk the power of the Federal Government and returned it to the States, and to the counties and the towns and the cities and villages and to the local school districts and to the private sector where it belongs.

In other words, getting rid of this huge Federal bureaucracy, that is where you will find the cuts in here, I say to my colleagues, the real cuts, not in programs for the needy.

Mr. Speaker, I heard somebody up here complaining because there was a B–2 bomber on display in a parade in New York City. Well, Mr. Speaker, I support that, because we need to promote pride and patriotism and volunteerism and the love of God. We need to really push those intangibles in this country. That is what Ronald Reagan did. That is what made him a great President.

Mr. Speaker, speaking of Ronald Reagan, I heard my good friend, the gentleman from Massachusetts [Mr. KENNEDY], who does not talk like John Kennedy did, complaining because there is $7 billion in this budget that the military did not ask for. Let me tell the gentleman why the military did not ask for it, because they were intimidated into not asking for it by the President of the United States, the President of the United States who, by his own admission, never had much use for our military. Of course, that, over the years, has always turned my stomach.

Mr. Speaker, you go back to why this country was formed over 200 years ago, and it was formed as a republic of States. It is not a democracy, as such, not a federalist government, it is a republic of States that were joined together, and read the preamble to the Constitution, for the purpose of providing a common defense for these States. For my State and your State. That is really why we are here. Yet this Government has grown so much over the years where we have 37,000 employees in the Department of Commerce, in a Department of Commerce which is no longer an advocate for business and industry, but is there to regulate business and industry.

We have a Department of Energy with 17,000 employees, and has it produced a quart of oil or a gallon of gas? Not in my State, it has not. We have a Department of Education with 6,000 to 7,000 employees. Has that improved education? No, it has not.

The problem with the Republican budget is it does not go far enough. Here is mine that is a 5-year balanced budget, and let me tell you, it cuts those things, the Department of Commerce, the Department of Education, the Department of Energy, but it protected the defense budget of this country.

Mr. Speaker, let me say to my colleagues what the budget bill does before you. Let me go back to 1979. Our military preparedness had reached such an all-time low that our military personnel, overseas, and even in this country, were on food stamps, and we were losing all of our qualified commissioned officers and noncommissioned officers. They could not afford to stay in our military.

Mr. Speaker, we changed all of that in 1981 with the election of Ronald Reagan, and we brought about a concept of peace through strength which rebuilt our military. No longer would we see what happened in 1979 when Jimmy Carter, in order to try to rescue some hostages out of Iran, had to cannibalize 14 helicopter gunships just to get 5 that would work and 3 of those failed, and so did the rescue attempt.

You turn that around and look what happened after we brought down the Iron Curtain and to what happened in the gulf war. Our military personnel went over there with the very best that we could give them. The night vision gear that our troops had that theirs did not allow us to see them. They could not see us, and the casualties were practically zero, because we gave them the very best.

Well, I say to my colleagues, do not think for a minute that the dangers are not out there. Somebody asked, why do we need a B–2 bomber? Well, if North Korea launches a missile into Japan, who is going to be there? We are the world leaders, we have to protect them.

If Iran or Iraq launches a missile into Israel, do you want Israel to pay for it? Just think about this, I say to my colleagues. If you want to preserve this republic of States, we have to provide for a strong military. This budget does. This budget before you gives 9 and 10 and 11 percent increases in readiness, in manpower so that we can keep the young men and women, these great young men and women, so talented, in our military today. It provides for research and development.

I would say to the gentleman from Florida [Mr. YOUNG] that I just admire the gentleman for what he has done there, for the procurements so that we can guarantee, should our troops have to go into Bosnia, 25,000 of them which will go there over my dead body, but should they have to go there, damn it, they better go there with the very best. That is what this bill does, and that is why I want everybody in this Chamber to come over here, and I want you to vote for this rule and vote for the bill, because you are going to be doing it for the young men and women that you will be voting some day to put in harm's way, and you've got to give them the best to do it.

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

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Speaker, speaking of women in the military, last week the new majority actually let the House of Representatives go a whole week without an overt attack on women's reproductive rights, but now they are back at it again. Today, the antichoice forces are hoping to score another victory by denying military women, women who happen to be stationed overseas, access to a safe and legal abortion in a military hospital, even when they will use their own money.

Military women defend our country with their lives. Now their lives will be in jeopardy when they are forced into Third World clinics and unsafe back alleys. Is that what you would want for your daughters? Is that what you would want for your granddaughters? Another day in Washington, another attack on Roe versus Wade. Stand up for military women, for their constitutional right to choose. Vote no on this rule.

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

Mr. Speaker, I am amazed by this testimony. I yield 30 seconds to the gentleman from Florida [Mr. YOUNG], and ask the gentlewoman from California [Ms. WOOLSEY] to stay on the floor.

Mr. YOUNG of Florida. Mr. Speaker, yesterday we passed a Treasury-Postal conference report on the appropriations bill, and the language that the gentlewoman objects to today was the identical language that was in that bill yesterday, which she voted for. I just think that consistency does have some value.

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

simply to say that I agree with the gentleman from Florida, that if one is going to vote one way and talk another way the next day, that is not very consistent.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentlewoman from California [Ms. WOOLSEY].

Ms. WOOLSEY. Mr. Speaker, yesterday, rather than not vote for a bill that was good in general, I was able to vote against my conscience for women. I did not like doing it; I did it. I do not want to do it again, and I hope the rest of the Congress will not either.

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

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE. Mr. Speaker, I thank the gentleman from Texas for yielding me this time.

Mr. Speaker, I rise to say that I am going to vote for the rule, because I believe that there has been a very favorable compromise on that. However, I am going to take this time to say that this bill is not the right bill for America, because this bill does not do what we think it does.

Mr. Speaker, I believe in readiness, military readiness, I believe in supporting the military personnel, but I do not believe in excess and waste. If this House voted last night for a 7-year balanced budget, it is important to tell the American people that this bill is $8 billion more than the Defense Department needs and $8 billion more than they requested.

If there is anything that I hear when I go home, the question becomes, why are we spending money for the defense of Germany and Japan and many other places? Not because we are not their allies and friends and would not rise with them in a time of real need—not peace time—but the reason why their budgets can be so low is because we are bolstering their defense, and it is certainly pursuant to our historical relationship during World War II.

Mr. Speaker, we are finished with World War II, and have since finished with the Korean war. So I ask my colleagues on this bill, it is important to be prepared, it is important to have the support of military personnel that are well trained. We saw that in Bosnia with the U.S. Captain who was shot down and his acknowledgement of the good training that the military gave him, and I will support that. But not $8 billion extra in trinkets that are not needed.

So I think it is important that we defeat the bill, because we are not doing what we said we would like to do, and that is to balance the budget. We are taking it out of education, we are forcing 1 million of our children and making sure they cannot eat because of the proposed mean welfare reform package. We are taking money from Medicare and Medicaid, and we are not dealing with a reasonable defense program.

Mr. Speaker, listen to the thorough work of the Defense Department. I think they make a lot of sense. They know how to get us ready for war, if necessary. They told us they did not need this extra $8 billion. Let us get some common sense. Let us defeat this bill when it comes to the floor.

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

Mr. Speaker, I would like to compliment the gentlewoman from Texas, because she has distinguished correctly the difference between this debate and the next debate. She did state that she was going to support the rule, and that is what this debate is about.

As we are nearing the vote, I would urge Members to remember that this is on the rule. We are going to have the general debate in a few minutes.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Speaker and my colleagues, I think it is important that we pass this rule, and we pass it by a large margin. Let me say why.

Mr. Speaker, we just heard the previous speaker say that we should take the advice of the military on the spending issues. Under the Constitution, the most important role of this Congress is to provide for our national defense, to provide for our security. We do not need a Congress if we let these decisions be made by our Department of Defense.

Let me tell my colleagues why we are making these decisions. Just look at the experience we had with Iraq. If they were launching Scud-type missiles with intercontinental ballistic capability at the United States, there would be a whole different theme here today. If we took into consideration the situation with Iran that has bought dozens of submarines. If we took into consideration the dismantling of the former Soviet Union and the largesse arms sales of not just weapons, but weapons systems.

If we look at the policies of this administration who are now talking about selling intercontinental missile parts from the former Soviet Union, republics, on the world market, then we see that this Congress has a responsibility to make those decisions, and if we just remember the experience of the Gulf war when our friends would not even let us fly over their areas or their territories, we see the importance of a B–2 bomber, a B–2 bomber which is going to replace dozens of men and women who would be put at risk who are flying planes that are older than the pilots. We make those decisions. That is the purpose of this Congress, not to listen to people in the Department of Defense or people who want to spend money on other programs that do not provide for national security.

So this is our most important responsibility under the Constitution. That is why this rule is important, and that is why we must pass it by a large margin and send a message to the White House.

Mr. FROST. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker, there are differences of opinion on this side of the aisle. Some of our Members are for this conference report, others are not. I urge a yes vote on the rule, and I personally urge a yes vote on the conference report, and I yield back the balance of my time.

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

Again, the rule was passed by voice vote. We have just heard the comments from the gentleman, and of course, the ranking member on the Committee on Rules. I would urge my colleagues to vote for the rule. We can move right in, get past that, and get into a very healthy general debate.

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. OBEY. 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 372, nays 55, not voting 5, as follows:

[Roll No. 804]

YEAS—372

Abercrombie	Bryant (TX)	Deal
Ackerman	Bunn	DeLauro
Allard	Bunning	DeLay
Andrews	Burr	Diaz-Balart
Archer	Burton	Dickey
Armey	Buyer	Dicks
Bachus	Callahan	Dingell
Baesler	Calvert	Dixon
Baker (CA)	Camp	Doggett
Baker (LA)	Canady	Dooley
Baldacci	Cardin	Doolittle
Ballenger	Castle	Dornan
Barcia	Chabot	Doyle
Barr	Chambliss	Dreier
Barrett (NE)	Chapman	Duncan
Bartlett	Chenoweth	Dunn
Barton	Christensen	Edwards
Bass	Chrysler	Ehlers
Bateman	Clay	Ehrlich
Beilenson	Clayton	Emerson
Bentsen	Clement	Engel
Bereuter	Clinger	English
Berman	Clyburn	Ensign
Bevill	Coble	Eshoo
Bilbray	Coburn	Everett
Bilirakis	Coleman	Ewing
Bishop	Collins (GA)	Farr
Bliley	Collins (MI)	Fawell
Blute	Combest	Fields (TX)
Boehlert	Condit	Flake
Boehner	Cooley	Flanagan
Bonilla	Costello	Foglietta
Bonior	Cox	Foley
Bono	Coyne	Forbes
Borski	Cramer	Ford
Boucher	Crane	Fowler
Brewster	Crapo	Fox
Browder	Cremeans	Franks (CT)
Brown (CA)	Cubin	Franks (NJ)
Brown (FL)	Cunningham	Frelinghuysen
Brown (OH)	Danner	Frisa
Brownback	Davis	Frost
Bryant (TN)	de la Garza	Funderburk

Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Maloney
Manton
Manzullo
Martini
Mascara
Matsui
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Metcalf
Meyers
Mica
Miller (FL)
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Pallone
Parker
Paxon
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Royce
Sabo
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stokes
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Tiahrt
Torkildsen
Torres
Torricelli
Traficant
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Wynn
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—55

Barrett (WI)
Becerra
Collins (IL)
Conyers
DeFazio
Dellums
Deutsch
Durbin
Evans
Fattah
Fazio
Filner
Frank (MA)
Furse
Gutierrez
Johnston
Lofgren
Lowey
Luther
Markey
Martinez
McCarthy
McDermott
McKinney
Meehan
Meek
Menendez
Mfume
Miller (CA)
Minge
Nadler
Oberstar
Obey
Olver
Owens
Pastor
Payne (NJ)
Rangel
Roybal-Allard
Rush
Sanders
Schroeder
Stark
Studds
Thurman
Towns
Velazquez
Vento
Waters
Watt (NC)
Waxman
Williams
Woolsey
Wyden
Yates

NOT VOTING—5

Fields (LA)
Moran
Pombo
Tucker
Volkmer

□ 1236

Mr. HILLIARD AND Mr. PALLONE 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. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the further conference report on the bill H.R. 2126 and that I may include extraneous and tabular matter.

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

There was no objection.

CONFERENCE REPORT ON H.R. 2126, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996

Mr. YOUNG of Florida. Mr. Speaker, pursuant to House Resolution 271, I call up the conference report on the bill (H.R. 2126), making appropriations for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 271, the further conference report is considered as having been read.

(For further conference report and statement, see proceedings of the House of November 15, 1995, at page H12415.)

The SPEAKER pro tempore. The gentleman from Florida [Mr. YOUNG] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. MURTHA] will be recognized for 30 minutes.

Mr. OBEY. Mr. Speaker, it is my understanding the gentleman from Pennsylvania is not opposed to the further conference report. If that is the case, then I would ask, under clause 2 of rule XXVIII, to control one-third of the time.

The SPEAKER pro tempore. Does the gentleman from Pennsylvania oppose the further conference report?

Mr. MURTHA. Mr. Speaker, no, I support the bill.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] will be recognized for one-third of the time.

Mr. OBEY. I thank the Chair.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida [Mr. YOUNG].

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we are presenting a good national defense appropriations bill today. I would say that it did not come easy. It is the work product of a lot of hours on the part of a lot of very serious and credible Members of this Congress in making this bill come together.

We had some 1,700 differences between our bill and the bill passed by the other body, and we were able to resolve all of those without too much difficulty, with one exception that I will mention in just a minute.

But I want to call attention to the members of the subcommittee who worked so diligently in making this possible today. I will mention the gentleman from Pennsylvania [Mr. MCDADE], the chairman of the Committee on Appropriations, the gentleman from Louisiana [Mr. LIVINSGTON], the gentleman from California [Mr. LEWIS], the gentleman from New Mexico [Mr. SKEEN], the gentleman from Ohio [Mr. HOBSON], the gentleman from Texas [Mr. BONILLA], the gentleman from Washington [Mr. NETHERCUTT], the gentleman from Oklahoma [Mr. ISTOOK], and the very distinguished ranking member and former chairman of this subcommittee, who has been a tremendous partner in a bipartisan effort all the way through, the gentleman from Pennsylvania [Mr. MURTHA], and the gentleman from Washington [Mr. DICKS], the gentleman from Texas [Mr. WILSON], the gentleman from North Carolina [Mr. HEFNER], the gentleman from Minnesota [Mr. SABO], and the gentleman from Wisconsin [Mr. OBEY], as the ranking member on the full committee who serves ex-officio on our subcommittee.

We had a lot of difficult decisions to make, and we did that, and to be as brief as I can, Mr. Speaker, this bill, this conference report, is very much similar to the conference report we presented about 7 weeks ago.

But there are two differences I would like to call to your attention. One is the Army is having difficulty meeting the end strength that was directed to them, and if we did not provide the additional money for the Army end strength issue, they would have had to release members of the Army without advanced notice and just put them on the street. So we provided the funding necessary to have the Army meet its end strength targets gradually. We did not add any new money to the bill. We just took the money out of one account and put it into the other account. So we took care of that problem for today.

The big issue and the one that caused us difficulty on the floor the last time this bill was before us was the language dealing with abortion. Now yesterday, when the Treasury-Postal appropriations bill was adopted, it included certain language dealing with abortion. After that passed the House, we went back to our conference and adopted the identical language, and so the language

dealing with abortion in this conference report today is the same as it was.

That language, Mr. Speaker, in this conference report today, is identical to that which we passed yesterday on a vote of 374 to 52, and so we believe that the major controversies have been resolved now and we can move expeditiously to deal with this bill.

I might say just briefly, Mr. Speaker, that this has been a bipartisan effort. This legislation provides funding for the defense of our Nation and our national interests. Almost half the money in this bill goes to pay the salaries and the allowances, housing, medical care, et cetera, for those who serve in our military in uniform who are trained and prepared to defend this Nation's interests wherever they might be.

Today, while the world looks at Bosnia and is wondering what is going to happen, the President of the United States has suggested that he intends to send some 20,000 Americans to Bosnia. Those young people need to be taken care of properly, and nearly half of the money in this bill goes to pay their salaries, their housing allowances, medical care, and things of this nature. This has always been a bipartisan effort to provide for national defense.

□ 1245

It is a little unfortunate that this effort has been allowed to become embroiled in the larger issues of the budget reconciliation, the budget bills, the continuing resolutions. It does not really belong there, because defense properly should be strictly nonpolitical, it should be bipartisan in nature.

The bill we present today is just that. It is nonpolitical, it is bipartisan, and it addresses the needs, as we see it, that our national defense establishment needs to be prepared for whatever contingency there might be.

At this point I would like to submit for the RECORD tables summarizing the conference agreement.

H.R. 2126 - DEPARTMENT OF DEFENSE APPROPRIATIONS, 1996

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE I						
MILITARY PERSONNEL						
Military Personnel, Army	20,870,470,000	19,721,408,000	19,884,808,000	19,776,567,000	19,946,187,000	-924,283,000
Military Personnel, Navy	17,752,237,000	16,930,809,000	17,008,363,000	16,979,209,000	17,008,563,000	-743,674,000
Military Personnel, Marine Corps	5,800,071,000	5,677,740,000	5,928,340,000	5,888,540,000	5,885,740,000	+85,669,000
Military Personnel, Air Force	17,388,579,000	17,108,120,000	17,284,620,000	17,158,443,000	17,207,743,000	-180,836,000
Reserve Personnel, Army	2,168,120,000	2,101,386,000	2,122,866,000	2,102,466,000	2,122,466,000	-45,654,000
Reserve Personnel, Navy	1,411,409,000	1,348,223,000	1,350,023,000	1,349,323,000	1,355,523,000	-55,886,000
Reserve Personnel, Marine Corps	350,048,000	361,751,000	366,101,000	364,551,000	378,151,000	+28,103,000
Reserve Personnel, Air Force	771,634,000	782,761,000	783,586,000	783,861,000	784,586,000	+12,952,000
National Guard Personnel, Army	3,350,505,000	3,218,258,000	3,240,858,000	3,222,422,000	3,242,422,000	-108,083,000
National Guard Personnel, Air Force	1,238,429,000	1,246,427,000	1,254,827,000	1,259,827,000	1,259,627,000	+21,198,000
Total, title I, Military Personnel	71,101,502,000	68,696,663,000	69,231,892,000	68,881,029,000	69,191,008,000	-1,910,494,000
TITLE II						
OPERATION AND MAINTENANCE						
Operation and Maintenance, Army	18,443,688,000	18,134,736,000	18,996,131,000	17,947,229,000	18,321,965,000	-121,723,000
(By transfer - National Defense Stockpile & DBOF)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	.....
Operation and Maintenance, Navy	21,476,170,000	21,175,710,000	20,846,710,000	21,195,301,000	21,279,425,000	-196,745,000
(By transfer - National Defense Stockpile & DBOF)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	.....
Operation and Maintenance, Marine Corps	2,021,715,000	2,269,722,000	2,506,822,000	2,341,737,000	2,392,522,000	+370,807,000
Operation and Maintenance, Air Force	19,613,927,000	18,206,597,000	18,673,793,000	18,202,437,000	18,561,267,000	-1,052,660,000
(By transfer - Aircraft Procurement, Air Force 1995/1997)	(23,500,000)	.....	.....	.....	.....	(-23,500,000)
(By transfer - National Defense Stockpile & DBOF)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)	.....
Operation and Maintenance, Defense-Wide	10,477,504,000	10,366,782,000	9,906,810,000	9,804,068,000	10,388,595,000	-88,909,000
Operation and Maintenance, Army Reserve	1,237,009,000	1,068,591,000	1,119,191,000	1,068,312,000	1,119,191,000	-117,818,000
Operation and Maintenance, Navy Reserve	846,619,000	828,042,000	841,565,000	828,042,000	859,542,000	+12,923,000
Operation and Maintenance, Marine Corps Reserve	81,862,000	90,283,000	102,079,000	90,283,000	100,283,000	+18,421,000
Operation and Maintenance, Air Force Reserve	1,471,505,000	1,485,947,000	1,519,267,000	1,485,947,000	1,519,267,000	+47,762,000
Operation and Maintenance, Army National Guard	2,424,888,000	2,304,108,000	2,334,487,000	2,361,708,000	2,440,808,000	+15,920,000
Operation and Maintenance, Air National Guard	2,772,928,000	2,712,221,000	2,737,221,000	2,724,021,000	2,776,121,000	+3,193,000
National Board for the Promotion of Rifle Practice, Army	2,544,000	.....	.....	.....	.....	-2,544,000
Court of Military Appeals, Defense	6,126,000	6,521,000	6,521,000	6,521,000	6,521,000	+395,000
Environmental Restoration, Defense	1,480,200,000	1,622,200,000	1,422,200,000	1,487,000,000	1,422,200,000	-58,000,000
Summer Olympics	14,400,000	15,000,000	15,000,000	15,000,000	15,000,000	+600,000
Special Olympics	3,000,000	.....	.....	.....	.....	-3,000,000
Humanitarian Assistance	65,000,000	79,790,000	.....	60,000,000	.....	-65,000,000
Former Soviet Union threat reduction	380,000,000	371,000,000	200,000,000	325,000,000	300,000,000	-80,000,000
Contributions for International Peacekeeping and Peace Enforcement Activities Fund	.....	65,000,000	.....	.....	.....	.....
Overseas Humanitarian, Disaster, and Civic Aid	.....	.....	50,000,000	.....	50,000,000	+50,000,000
Total, title II, Operation and maintenance	82,819,065,000	80,800,250,000	81,483,817,000	79,940,608,000	81,552,727,000	-1,266,338,000
(By transfer)	(173,500,000)	(150,000,000)	(150,000,000)	(150,000,000)	(150,000,000)	(-23,500,000)
TITLE III						
PROCUREMENT						
Aircraft Procurement, Army	1,028,753,000	1,223,067,000	1,468,067,000	1,498,623,000	1,558,805,000	+530,052,000
Missile Procurement, Army	813,795,000	676,430,000	842,830,000	846,555,000	865,555,000	+51,760,000
Procurement of Weapons and Tracked Combat Vehicles, Army	1,151,914,000	1,298,966,000	1,818,884,000	1,396,264,000	1,652,745,000	+500,831,000
Procurement of Ammunition, Army	1,125,321,000	795,015,000	1,019,315,000	1,090,891,000	1,110,685,000	-14,636,000
Other Procurement, Army	2,649,348,000	2,256,601,000	2,570,125,000	2,760,002,000	2,769,443,000	+120,095,000
Aircraft Procurement, Navy	4,627,645,000	3,886,488,000	4,310,703,000	4,897,393,000	4,589,394,000	-38,251,000
Weapons Procurement, Navy	2,159,080,000	1,787,121,000	1,738,211,000	1,771,421,000	1,669,827,000	-489,253,000
Procurement of Ammunition, Navy and Marine Corps	417,779,000	.....	483,779,000	.....	430,053,000	+12,274,000
Shipbuilding and Conversion, Navy	5,412,464,000	5,051,935,000	5,577,958,000	7,082,001,000	6,643,958,000	+1,231,494,000
(By transfer)	(1,200,000,000)	.....	.....	.....	.....	(-1,200,000,000)
Other Procurement, Navy	3,329,171,000	2,398,080,000	2,480,870,000	2,394,280,000	2,483,581,000	-845,590,000
Procurement, Marine Corps	422,410,000	474,116,000	480,852,000	597,139,000	458,947,000	+36,537,000
Aircraft Procurement, Air Force	6,352,482,000	6,183,866,000	7,140,703,000	7,163,258,000	7,367,983,000	+1,015,521,000
(Transfer to O & M, Air Force)	(-23,500,000)	.....	.....	.....	.....	(+23,500,000)
Missile Procurement, Air Force	3,560,762,000	3,647,711,000	3,223,285,000	3,550,192,000	2,943,931,000	-616,831,000
Procurement of Ammunition, Air Force	288,401,000	.....	321,328,000	.....	338,800,000	+50,399,000
Other Procurement, Air Force	6,959,101,000	6,804,898,000	6,508,425,000	6,540,951,000	6,284,230,000	-674,871,000
Procurement, Defense-Wide	2,056,230,000	2,179,917,000	2,187,085,000	2,114,824,000	2,124,379,000	+68,149,000
National Guard and Reserve Equipment	770,000,000	.....	908,125,000	777,000,000	777,000,000	+7,000,000
Total, title III, Procurement	43,124,838,000	38,882,049,000	42,676,405,000	44,460,774,000	44,069,316,000	+944,880,000
(By transfer)	(1,176,500,000)	.....	.....	.....	.....	(-1,176,500,000)
TITLE IV						
RESEARCH, DEVELOPMENT, TEST AND EVALUATION						
Research, Development, Test and Evaluation, Army	5,478,413,000	4,444,175,000	4,742,150,000	4,639,131,000	4,870,884,000	-607,729,000
Research, Development, Test and Evaluation, Navy	8,727,368,000	8,204,530,000	8,715,481,000	8,282,051,000	8,748,132,000	+20,764,000
Research, Development, Test and Evaluation, Air Force	12,011,372,000	12,598,438,000	13,110,336,000	13,087,369,000	13,126,567,000	+1,115,195,000
Research, Development, Test and Evaluation, Defense-Wide	8,662,942,000	8,802,881,000	9,029,888,000	9,198,784,000	9,411,057,000	+748,115,000

H.R. 2126 - DEPARTMENT OF DEFENSE APPROPRIATIONS, 1996

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
Developmental Test and Evaluation, Defense	238,003,000	259,341,000	259,341,000	246,082,000	251,082,000	+13,079,000
Operational Test and Evaluation, Defense	12,501,000	22,587,000	22,587,000	22,587,000	22,587,000	+10,086,000
Total, title IV, Research, Development, Test and Evaluation	35,130,599,000	34,331,953,000	35,879,590,000	35,474,024,000	36,430,109,000	+1,299,510,000
TITLE V						
REVOLVING AND MANAGEMENT FUNDS						
Defense business operations fund	945,238,000	878,700,000	1,573,800,000	1,178,700,000	878,700,000	-66,538,000
National Defense Sealift Fund	724,400,000	974,220,000	974,220,000	1,024,220,000	1,024,220,000	+299,820,000
(Transfer out, prior year funds - SCN)	(-1,200,000,000)	.....	.....	.....	.....	(+1,200,000,000)
Total, title V, Revolving and Management Funds	1,669,638,000	1,852,920,000	2,548,020,000	2,202,920,000	1,902,920,000	+233,282,000
TITLE VI						
OTHER DEPARTMENT OF DEFENSE PROGRAMS						
Defense health program:						
Operation and maintenance	9,614,370,000	9,865,525,000	9,917,125,000	9,908,525,000	9,938,325,000	+323,955,000
Procurement	329,589,000	288,033,000	288,033,000	288,033,000	288,033,000	-41,556,000
Total, Defense Health Program	9,943,959,000	10,153,558,000	10,205,158,000	10,196,558,000	10,226,358,000	+282,399,000
Chemical Agents & Munitions Destruction, Defense: 1/						
Operation and maintenance	355,784,000	393,850,000	393,850,000	353,850,000	353,850,000	-1,934,000
Procurement	198,965,000	299,448,000	299,448,000	224,448,000	265,000,000	+66,035,000
Research, development, test, and evaluation	20,700,000	53,400,000	53,400,000	53,400,000	53,400,000	+32,700,000
Total, Chemical Agents	575,449,000	746,698,000	746,698,000	631,698,000	672,250,000	+96,801,000
Drug Interdiction Defense	721,266,000	680,432,000	688,432,000	680,432,000	688,432,000	-32,834,000
Office of the Inspector General	140,872,000	139,226,000	178,226,000	139,226,000	178,226,000	+37,354,000
Total, title VI, Other Department of Defense Programs	11,381,546,000	11,719,914,000	11,818,514,000	11,847,914,000	11,765,266,000	+383,720,000
TITLE VII						
RELATED AGENCIES						
Central Intelligence Agency Retirement and Disability System Fund	198,000,000	213,900,000	213,900,000	213,900,000	213,900,000	+15,900,000
Community Management Account	92,684,000	93,283,000	75,683,000	98,283,000	90,683,000	-2,001,000
National Security Education Trust Fund	8,500,000	15,000,000	.....	7,500,000	7,500,000	-1,000,000
Total funding available	(-75,000,000)	.....	(-78,100,000)	.....	.....	(+75,000,000)
Rescission	.....	.....	-12,279,000	.....	.....	.....
Kaho'olawe Island conveyance and Environmental Restoration Trust Fund	50,000,000	.....	.....	25,000,000	25,000,000	-25,000,000
Total, title VII, Related agencies	349,184,000	322,183,000	277,304,000	344,683,000	337,083,000	-12,101,000
TITLE VIII						
GENERAL PROVISIONS						
Additional transfer authority (Sec. 8005)	(2,000,000,000)	(2,000,000,000)	(2,000,000,000)	(2,400,000,000)	(2,400,000,000)	(+400,000,000)
FFRDCs labs (Sec. 8046)	-520,589,000	.....	-90,097,000	-90,000,000	-90,000,000	+430,589,000
Overseas Military Fac. Invest. Recovery	7,086,000	.....	.....	.....	.....	-7,086,000
Guard and Reserve "Overbilling"	67,000,000	.....	.....	.....	.....	-67,000,000
National Science Center, Army (Sec. 8074)	45,000	85,000	85,000	85,000	85,000	+40,000
Sports account, reappropriation	800,000	.....	.....	.....	.....	-800,000
Civil-Mil coop program	8,000,000	.....	.....	.....	.....	-8,000,000
Rongelap Resettlement Trust Fund	5,000,000	.....	.....	.....	.....	-5,000,000
Coast Guard	39,497,000	.....	44,000,000	.....	.....	-39,497,000
Mil retirement fund (COLA accel)	376,000,000	.....	.....	.....	.....	-376,000,000
Defense conversion SMOCTA reapprop	10,000,000	.....	.....	.....	.....	-10,000,000
Phila Naval Shipyard Utility Reconfig Proj	14,200,000	.....	.....	.....	.....	-14,200,000
Contr to International Organizations	-4,561,000	.....	.....	.....	.....	+4,561,000
Payments to the Asia Foundation	5,000,000	.....	.....	.....	.....	-5,000,000
Procurement (rescission)	-304,900,000	.....	.....	.....	.....	+304,900,000
Aircraft procurement, Navy (resc)	-200,000,000	.....	.....	.....	.....	+200,000,000
Burdensharing contribution, misc. receipts	-360,000,000	.....	.....	.....	.....	+360,000,000
Contractor ADP (Sec. 8101)	.....	.....	-30,000,000	.....	-30,000,000	-30,000,000
Transfer of funds (Sec. 8118)	.....	.....	(200,000,000)	.....	.....	.....
Military Technicians	.....	.....	.....	96,050,000	.....	.....
Rescissions (Sec. 8063)	.....	.....	.....	-232,244,000	-561,217,000	-561,217,000
Inflation Reestimate (Sec. 8125)	.....	.....	.....	.....	-832,000,000	-832,000,000
Management efficiencies (Sec. 8129)	.....	.....	.....	.....	-442,000,000	-442,000,000
VCX lease termination costs (Sec. 8126)	.....	.....	.....	.....	.....	.....
Total, title VIII	-857,422,000	85,000	-76,012,000	-228,109,000	-1,955,132,000	-1,097,710,000

H.R. 2126 - DEPARTMENT OF DEFENSE APPROPRIATIONS, 1996

	FY 1995 Enacted	FY 1996 Estimate	House	Senate	Conference	Conference compared with enacted
TITLE IX						
MANAGEMENT FUNDS						
Emergency Response Fund, FY94 supplemental	299,300,000					-299,300,000
Grand total	245,018,068,000	236,386,017,000	244,039,500,000	242,725,841,000	243,293,297,000	-1,724,771,000
BUDGET SCOREKEEPING ADJUSTMENTS						
Fiscal year 1995 adjustments:						
Disposal & lease of DOD real property (Sec. 8055)	8,000,000	8,000,000	8,000,000	8,000,000	8,000,000	
Adjustment for unapprop'd balance transfer (Stockpile)	150,000,000					-150,000,000
Stockpile collections (unappropriated)	-150,000,000					+150,000,000
Emergency Response Fund, FY94 supplemental	-299,300,000					+299,300,000
Rescission of unobligated balances:						
Procurement 1993/1994	-517,000,000					+517,000,000
RDT&E, 1994	-131,600,000					+131,600,000
Sec. 115 of P.L. 104-6:						
Missile procurement, Air Force	(-76,900,000)					(+76,900,000)
RDT&E, Air Force	(76,900,000)					(-76,900,000)
Emergency funding, FY95 supplemental	-2,475,097,000					+2,475,097,000
Burdensharing contribution, misc. receipts		-50,000,000	-50,000,000	-50,000,000	-50,000,000	-50,000,000
Travel and administrative reduction (H.R. 1944)	-50,000,000					+50,000,000
Total adjustments	-3,464,997,000	-42,000,000	-42,000,000	-42,000,000	-42,000,000	+3,422,997,000
RECAPITULATION						
Title I - Military Personnel	71,101,502,000	68,696,663,000	69,231,892,000	68,881,029,000	69,191,008,000	-1,910,494,000
Title II - Operation and Maintenance	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Title III - Procurement	43,124,636,000	38,682,049,000	42,878,405,000	44,460,774,000	44,069,316,000	+944,680,000
Title IV - Research, Development, Test and Evaluation	35,130,569,000	34,331,953,000	35,879,580,000	35,474,024,000	36,430,109,000	+1,299,510,000
Title V - Revolving and Management Funds	1,669,638,000	1,852,920,000	2,548,020,000	2,202,920,000	1,902,920,000	+233,282,000
Title VI - Other Department of Defense Programs	11,381,546,000	11,719,914,000	11,816,514,000	11,647,914,000	11,765,266,000	+383,720,000
Title VII - Related agencies	349,184,000	322,183,000	277,304,000	344,683,000	337,083,000	-12,101,000
Title VIII - General provisions	-857,422,000	85,000	-76,012,000	-226,109,000	-1,955,132,000	-1,097,710,000
(Additional transfer authority)	(2,000,000,000)	(2,000,000,000)	(2,000,000,000)	(2,400,000,000)	(2,400,000,000)	(+400,000,000)
Title IX - Management Funds	299,300,000					-299,300,000
Total, Department of Defense	245,018,068,000	236,386,017,000	244,039,500,000	242,725,841,000	243,293,297,000	-1,724,771,000
Scorekeeping adjustments	-3,464,997,000	-42,000,000	-42,000,000	-42,000,000	-42,000,000	+3,422,997,000
Grand total	241,553,071,000	236,344,017,000	243,997,500,000	242,683,841,000	243,251,297,000	+1,698,226,000
Allocation recap (sec. 602b):						
Mandatory	198,000,000	213,900,000	213,900,000	213,900,000	213,900,000	+15,900,000
Discretionary:						
Non-defense	381,439,000					-381,439,000
Defense	240,973,632,000	236,130,117,000	243,783,600,000	242,469,941,000	243,037,397,000	+2,063,765,000
Total discretionary	241,355,071,000	236,130,117,000	243,783,600,000	242,469,941,000	243,037,397,000	+1,682,326,000
Grand total	241,553,071,000	236,344,017,000	243,997,500,000	242,683,841,000	243,251,297,000	+1,698,226,000

1/ Included in budget under Procurement title.

2/ FY 1995 Enacted includes Supplemental P.L. 104-6 (+$2,709,997,000 in new BA and -$2,259,956,000 in Rescissions).

3/ FY 1995 Enacted includes Rescissions P.L. 104-19 of -$50,000,000 in BA and -$37,500,000 in outlays for Travel reductions.

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

Mr. OBEY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, as I said in debate on the rule about an hour ago, last night this House voted to promise to the American people that we would have a balanced budget within 7 years. Yet today this bill is coming before us $7 billion above the budget request of the Pentagon and the President. We are being required this year to reduce domestic discretionary spending by $24 billion. This bill is $1.7 billion above last year.

Because of the size of this bill and because this is a zero sum game on the appropriations side of the budget, what that means is that the reductions in domestic programs—for things like education, job training, housing, research—those reductions are 50 percent larger than they would have to be if we did not have this budget $7 billion above the President and $1.7 billion above last year.

Now, as I said earlier, the money in this bill above the President's budget did not go into readiness, it did not go into operation and maintenance. It went into procurement, and it went into pork: the double P's.

This chart, as I mentioned before, demonstrates what has happened to the Russian military budget since the Berlin Wall came down. The red bars demonstrate that the Russian military budget has declined by 70 percent since 1989. The U.S. military budget has declined by 10 percent.

Do I think we ought to cut our budget to the level of Russia? No. Do I think that this demonstrates that we have a little margin of safety? You betcha.

Now, people will say, ''Well, we have to worry about more than Russia.'' So, again, as I said during the rule, this chart demonstrates how our military spending stacks up against all of the military spending for our potential military adversaries. Russia, China, Syria, Iraq, Iran, Libya, North Korea, and good old muscle-bound Cuba. We spend 2.5 times as much as they do. That does not count the spending by our NATO allies, and I think it is safe to say they are on our side.

So I make that point to demonstrate that there is no military emergency that requires this expenditure of money under these tough financial situations. I do not think we should be buying twice as many B–2 bombers as the Pentagon wants. I do not think we should be buying the F–22 years early at a cost of $70 billion. I especially do not think we ought to be loosening up on loopholes which allow executive compensation at military contractors corporate headquarters to be paid for by the taxpayer, rather than out of corporate profits.

I have a GAO report which indicates what has happened to executive compensation at corporations that provide military hardware to the United States. We, until this year, limited the amount of that compensation that would be paid for by taxpayers to $250,000 per executive. That is equal to the compensation for the President of the United States, for God's sake. Anything above that amount, the company was supposed to pay for out of its profits.

This year, this House adopted an amendment lowering that amount to $200,000. But in conference, they adopted a loophole which provides an exception if the Office of Federal Procurement Policy establishes in the Federal acquisition regulation's guidance governing the allowability of individual compensation, and those words were added to the conference report, which in effect opens the door to charging taxpayers a whole lot more than $200,000 per executive.

Now, if you take a look what those contractors are paid, you see that a number of these contractors are paid more than $1 million, some $1.6 million, one of them $2.7 million. I would ask, why should those executive salaries be financed to such a gross level by the taxpayers of the United States? We have one corporation, for instance, where the top executive in 1989 was paid $634,000. Today their top paid executive is paid $1.6 million. Another corporation, which laid off 20,000 workers earlier this year, in 1989 they were paying their top executive $764,000. Today they are paying him $2.1 million. Hardly the kind of action you would expect to see in a corporation that is having huge layoffs of average workers.

I do not think the taxpayer wants Uncle Sam to be financing these huge increases in corporate executive salaries for defense contractors when their workers are being laid off. This bill contains a loophole that allows that to happen.

My motion to recommit will simply say that we are going to reimpose the hard limit that this House first proposed; namely, $200,000. Anything above that, if the company wants to pay it, they pay it out of their own corporate profits, not out of taxpayers' pockets.

So that is what I will have in the motion to recommit. I would urge that Members vote for the motion to recommit and against this bill, because given the so-called promise that was made last night to balance the budget in 7 years, we simply cannot afford the spending in this bill.

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

Mr. Chairman, one of the things we do every year in the hearings is to try to adjust the bill, depending on what we consider is the threat, and we work hard at that. I do not think we can depend on our allies to come to our aid in any circumstances. I think we learned after World War I and World War II that if we are not prepared for what we consider the immediate and long-term threat, we could have a problem.

We have cut the defense budget substantially over the years. As a matter of fact, most of the cuts made to the Reagan and Bush budget were made in defense. We cut $155 billion out of defense over that 12-year period. I think that the Iraq war, the war in Saudi Arabia, shows we did cut it in a very sensible way. We cut it in a way that we still had good troops, quality people, and good technology.

Now, lately, we have allowed procurement to start to slip. The reason we had a low number of casualties was the fact that we had superior technology, superior training, and superior troops. And that was a tribute, I think, to the House, and the House can be proud of what happened.

This year, we are starting to get behind again in a number of areas. Real property maintenance, there is a $12 billion backlog. In depot maintenance, there is a $2 billion backlog. All those things are important to readiness. Now, we try periodically to overcome those, but we take the amount of money allocated to us by the budget resolution, and we do the best we can.

The area where we saw slipping dramatically was procurement. We have reduced procurement from $120 billion over a 6- or 7-year period to about $40 billion. Now, $40 billion is a lot of money, and we feel it is well spent, because if we do not keep our industrial base, if we do not have the most modern technology, our people are at risk. Even in an operation like Bosnia, which is not an all-out war, but an area where you need technology to protect our troops, we want to make sure we have the finest equipment available to our troops and there is a minimal risk to them.

I remember in Iran when we sent a helicopter to Iran, we had to borrow spare parts; we had a disaster where a number of Americans were killed because the training was inadequate. As a matter of fact, at that period of time, half the combat aircraft in our arsenal were dead-lined because of lack of spare parts. We do not want that to happen again.

I assess the type of deployments that we have been making is what will continue. Our troops have been denied for long periods of time away from home, the same troops over and over again. Our AWACS airplanes, we have 10,000 people in the Adriatic supporting this long-term commitment we have for humanitarian airlift to Bosnia.

As a matter of fact, it is the longest airlift in the history of the United States. Without that, people would have been starving. We have a commitment there. We have upheld our commitment. But the airplanes are wearing out. As a matter of fact, the 141's, we are flying the wings off of them. We have to reengine a number of KC–135's. As the C–17's come into the arsenal, we need to continue to upgrade the 135's and the 141's.

So we have a problem with procurement. We have a problem with modernization, and we have tried to balance that out.

We also set aside, and this was a suggestion of the chairman, we set aside money for the operations as they go on, for continual flights, the operations in the Adriatic, the continual flights into Bosnia. That is the kind of thing we should be doing so the American people and the Congress know what is going on.

So our military is ready. It is stretched thin, but I think that the amount of money we have appropriated here is just about the right amount. One thing for sure, if the Defense Department does not agree, they will come back and ask for rescissions, and we will adjust that as the year goes on, as they always do.

So I think we have a good bill, and I hope Members will vote for the bill.

One of the issues that came up in the passage of the bill was an issue that the gentleman from Vermont [Mr. SANDERS] brought up. The gentleman got up and brought to our attention the fact that there were a number of people at the highest level being reimbursed because of the build-down and consolidation of these defense companies.

The gentleman was absolutely right. The gentleman believed that we should do something about it. The gentleman believed that in the conference, and we accepted that language, and in the conference we have tried to address that language.

The Defense Department at first did not agree with us. They felt that it was appropriate what they had done. We pointed out to them, the gentleman from Florida [Mr. YOUNG], the chairman, and I pointed out that we felt this was not only bad public policy, but it is something we felt needed to be changed.

We have been negotiating with those folks. We think that we have done the best we could do in order to comply with what the gentleman from Vermont wanted. I would be glad to answer any questions that the gentleman may have about that issue. We appreciate the gentleman's suggestion.

Mr. Chairman, I yield such time as he may consume to the gentleman from Vermont [Mr. SANDERS].

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Mr. SANDERS. Mr. Speaker, I thank the chairman, the gentleman from Florida [Mr. YOUNG], and I thank very much the gentleman from Pennsylvania [Mr. MURTHA] for their cooperation on this issue.

I think the gentleman from Pennsylvania correctly described the situation. It seemed to me, and I think virtually every Member of the U.S. Congress, that there was something wrong in the process when the taxpayers of America were asked to supply $31 million in executive bonuses to the highest ranking officials, who are very, very well paid, of Lockheed and Martin Marietta when they merged.

When I brought that issue to the floor, the gentleman from Florida [Mr. YOUNG] was very gracious, and the gentleman from Pennsylvania [Mr. MURTHA] was very gracious, and they accepted the amendment. Since then, we together fashioned perfecting language to make absolutely clear that the Pentagon ought not to spend $1 of appropriated funds for the Lockheed-Martin payments or any such future payments pursuant to the merger of defense contractors.

The gentleman from Pennsylvania described the fact that during the conference, as I understand it, the Pentagon was a little bit vague abut their willingness to accept this provision. What I would like to do right now is enter into a colloquy with both Mr. YOUNG and Mr. MURTHA, just to make it absolutely clear on the RECORD that our intent is to make certain that not one penny of taxpayer money goes to the merger of Lockheed-Martin and to the bonuses that those chief executives are going to receive.

Would the gentleman from Florida [Mr. YOUNG] want to comment on that?

Mr. MURTHA. Mr. Speaker, I would ask the gentleman from Vermont to let me comment first.

The conferees included a general provision, section 8122, which is intended to ensure that no taxpayer funds be used to pay for special executive bonuses triggered by corporate mergers. The conferees directed the Department to promptly revise its policies and regulations to make it absolutely clear no taxpayers' funds shall be used to reimburse any contractor for special executive bonuses or any other special retention incentive, payments for executives triggered by the corporate merger acquisition, or any other change in corporate control.

Now, this was agreed to by all the conferees. Since the, I guess even before then, the gentleman from Florida [Mr. YOUNG] and I had written to the Secretary of Defense and pointed out that we are very serious about this language and we expect it to be carried out, and they have said to us in private conversations they intend to carry out our direction.

Mr. SANDERS. Mr. Speaker, I would just ask the gentleman from Pennsylvania, then, it is his understanding that from the highest levels of the Pentagon there is an assurance that not one penny of taxpayers' money will go to the merger of Lockheed-Martin? That is your understanding? No golden parachutes for those guys?

Mr. MURTHA. That is exactly right.

Mr. SANDERS. Well, Mr. Speaker, I just want to thank both the chairman and the ranking member for their support on this issue.

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

Mr YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. CUNNINGHAM] who himself is an ace fighter pilot.

Mr. CUNNINGHAM. Mr. Speaker, the gentleman from Wisconsin [Mr. OBEY] states that Russia has no Stinger anymore. Last year they dropped five Typhoons——

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I will be happy to yield to the gentleman's time afterwards.

Mr. OBEY. I did not say that. Quote me accurately.

Mr. CUNNINGHAM. Reclaiming my time, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from California is recognized.

Mr. CUNNINGHAM. Mr. Speaker, Russia dropped five typhoon nuclear submarines last year. I do believe the gentleman says we do not need to fund the F–22 now, instead of later.

Russia has built, developed, and is flying currently the SU–35. The SU–35 is superior to our F–14 and F–15's today. It cruises at about 1.4 Mach. The F–22 cruises at 1.4 mach. The F–22 carries advanced AMRAAM missile. The SU–35 carries the AA–10, which is much superior to our AMRAAM missile. And when Russia is still developing arms and engaged in global warfare, then, yes, we do have a threat.

If we go to Bosnia for 1 year, estimates are between $3 billion and $6 billion to the United States. The bottom-up review is review that was set forth after the scale-down of our military, the bare bone minimum to be able to fight two conflicts. The GAO has put us at $200 billion below the bottom-up review—$200 billion. And my colleagues on the other side wonder why we are trying to increase defense a little bit.

Mr. Speaker, many of us have given blood and been shot, and a person does not much care what the machine costs if it gives them an advantage over our enemy, if it will bring them home alive instead of in a body bag.

I think what the gentleman from Pennsylvania [Mr. MURTHA] and what the gentleman from Florida [Mr. YOUNG] have done is appropriate to protect our men and women in the armed services. And, by the way, I would say to the gentleman from Wisconsin [Mr. OBEY], it is in the Constitution to do that.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

I would simply point out, the gentleman can talk about all the new Russian fighters he wants. My question is how many of them: 1, 2, 5, 10? We have 700 F–15's and we are going to buy another 400 F–22's. He has to be kidding. Come on.

The other thing I would say is, if the gentleman thinks that the Russian military power is such a powerhouse these days, I have a one-word reply for him, Chechnya. They could not even handle that one.

Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman from Wisconsin for yielding me time.

I believe it is essential to send this bill back to conference to save at least

several billion dollars. In the first place, we should be very clear. My friend from Pennsylvania said we cannot count on our allies coming to our aid. No one has even suggested that. What this says is that America should go to everybody else's aid.

There is a fundamental confusion we have today. We are not now talking about our survival against enemies like the Nazis and the Soviet Union that threatened our very ability to maintain free societies. We are talking about places where it might be useful to intervene, where it would advance things.

Members have said if we intervene we want our troops to be as well armed as possible. Of course, we do. That is not in dispute. The question is will we continue to maintain this position where we are on call for everybody in the world.

I was struck by Tuesday's New York Times, an article about the great success of the Asian newer economies. And it says one reason they have been able to be so successful is America's role in the cold war of defending them gave them a stable structure. It talks about how low their government expenditures were. Sure, because ours were high.

This continues to be the most expensive form of foreign aid in the history of this country, because it subsidizes the military budgets of all of these wealthy nations that then compete with us, that build up trade surpluses; and we say to them do not worry we will take charge. Our disparity in military spending, with all of our allies and competitors, is overwhelming.

Mr. Speaker, it is not simply some erring without cost. This is the greatest of the reverse Houdinis. Houdini used to have other people tie him in knots and his trick was to get out of the knots. That was what Houdini did. Other people tied him up and he got out of the knots.

The politicians' version is the reverse Houdini. They tie themselves up in knots and then say to people gee, we would love to help you, but we are all tied up in knots. We do not really want to cut your Medicare, but we cannot really afford it. We do not really want to make it more expensive for you to go to school and raise what your kid has to pay, but we have not got the money. We wish we could do more about cleaning up the Superfund sites, we wish we did not have to have retroactive liability, but we cannot afford it. This is why we cannot afford it, because of the massive subsidies of France, and Japan, and Germany, and England, and Thailand, and Malaysia, and all those other wealthy and increasingly wealthy nations.

Mr. Speaker, this bill does not have to put anybody in jeopardy. In fact, Members have said what about Bosnia. A majority of Members are apparently prepared to vote not to send the troops to Bosnia. Why then are they insisting on providing the funds to do it? The more we fund this operation, the more money we give them to take care of Bosnia, the less our chance is going to be to block the troops going there.

If, in fact, we do believe there is an over-extension, and I think that is right, and in fact we do believe that it is time the Europeans not came to our aid, I do not want them to come to defend the Mexican border, I do not think we need any troops from them to come here, we need them to do something on their own behalf. Let us stop subsidizing them at the expense of Medicare, education and the environment.

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

I want to make sure that all the Members understand. What I am talking about is our own defense. And to develop a fighter and to deploy it to the field takes 16 years. And I sympathize with what the gentleman from California said, since he is the top ace of the Vietnam war, and certainly knows as much about fighter aircraft as anybody in the House. The relationship between having exactly what the pilot needs versus something that is inferior——

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

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

Mr. CUNNINGHAM. Mr. Speaker, I would say to the gentleman it takes almost 5 years just to develop the engine for an airplane. That is the problem with the F–18, the F, right now.

And I would say to my friend, the gentleman from Wisconsin [Mr. OBEY], right now in Bosnia-Herzegovina we are flying our F–18's and our Strike Eagles. The wing life of those airplanes are almost all gone. Those F–18's, they want the CD because they want the top model. That is almost gone.

The Air Force has not bought an airplane in 2 years because they cannot afford it. The F–16 that Captain O'Grady flew. We did not replace that. And to protect our kids in combat and make sure our people on the ground are well protected, we need those, and I thank the gentleman.

Mr. MURTHA. Mr. Speaker, reclaiming my time, I want to make one other point. There is not money in this bill for any troops to be deployed in Bosnia. This is for the ongoing operations that are gong on right now.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California [Ms. HARMAN].

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

Ms. HARMAN. Mr. Speaker, this conference report is a responsible effort to fund a strong defense. I supported it 7 weeks ago when we first debated it, and I support it now.

Let me make three quick points:

This is not a less dangerous world. Many of us traveled to Jerusalem just last week to pay honor to the visionary peacemaker who was martyred for his cause. Religious fanaticism is increasing all around the world and it takes many forms. We need to be prepared.

Second, the abortion rider has no place in this bill. It caused the House to defeat the conference report when it first came up. It serves to penalize military servicewomen and their dependents and makes it difficult for them to exercise their constitutional rights.

Third, the plus-up in spending is, in my view, appropriate and I'm prepared to defend it in the context of a 7-year balanced budget, which I voted for. Among the items funded are critical procurement including the C–17, the F–18C/D and E/F, defense satellites, and long lead for more B–2 strategic bombers.

Let me comment on the B–2.

We can afford to buy more B–2's and we should. Within the budget resolution profile, money is available as we:

First, retire the expensive, aging B–52 fleet;

Second, buy the cheaper munitions the B–2 uses; and

Third, reap savings from acquisition reform.

Much of the argument against more B–2's assumes the B–52 will remain combat capable through the year 2030. The last B–52H was produced in the early 1960's, so the aircraft will be almost 70 years old in 2030.

If the B–52 were a person at that time, it would be collecting Social Security. Do we want to send our sons and daughters to war in a 70-year-old bomber. I don't think so. I think we want to use the most survivable aircraft possible, an aircraft we have in production right now—B–2.

The cost of the aircraft is a concern to us all. But it is half the cost its opponents estimate.

The B–2 saves us money by using cheaper weapons. The old B–52 and the B–1 use expensive guided missiles and bombs to fly in from standoff orbits. Since the B–2 can go right to even the most heavily defended target, it can use cheaper laser and gravity bombs, which cost about one one-hundredth of the cost of the B–52's weapons.

The new Deputy Defense Secretary testified this May 18 before the Senate Armed Services Committee that, ''If I do not have any carriers available for 15 days and I do not have any tactical aircraft in theater and I do not have any means to get tactical aircraft in theater and we have to continue with this MRC scenario, then I am going to need a lot more bombers than I have in the current force.'' That means B–2's.

We can find further savings in acquisition reform. Last year, Secretary Perry testified that as much as $30 billion could be saved by downsizing and procurement reform over 5 years. Those savings would kick-in just when they are needed most. They would provide more than enough funds for the B–2, within the budget resolution profile.

As the mother of the lockbox, no Member is more committed to deficit reduction than I am. But this is not the way to get smart, prudent deficit reduction.

Mr. Speaker, as a parent of two draft-age children and two younger ones, I am convinced that we must field and fully fund the most effective and survivable weapons systems. The most precious resource this country has is our children. Today, in this House, let us fund the best defense for our children and the men and women who will defend them. Vote for this conference report.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself 2 minutes.

□ 1315

Mr. Speaker, during most of the debate today, we have actually spent more time talking about subjects and matters that are extraneous to national defense items that really have nothing to do with national defense. A lot of those extraneous matters, although they are extremely important, should be done in other legislative bills or appropriations bills, or they could be cone by the States, or they could actually be done maybe in some cases by the cities and the counties.

Mr. Speaker, if there is one thing that this Congress and this President have a responsibility to do that no State can do, that no city or county can do, that is to provide for the defense of this Nation and for our national interests wherever they might be. We are talking about preparing kids in uniform who have volunteered to serve in the military, preparing them to accomplish whatever mission they might be assigned to, and do it effectively, and at the same time give themselves some protection while they are doing it.

So only the Federal Government can do this. The other extraneous materials should not even be a discussion or part of the discussion on the defense appropriations bill.

Mr. Speaker, the gentleman from Wisconsin [Mr. OBEY] keeps bringing that same chart up about how much the Americans spend versus how much somebody else spends. I am going to repeat something again a little bit differently than I did the first time.

Some years ago, a lot of our messages were delivered in music and in songs and in poetry. There was a song where the key phrase went, ''and the soldiers get paid $21 a day, once a month.'' How many are old enough to remember that? Twenty-one dollars a day once a month.

Well, since that time, we have begun to pay our soldiers considerably more, no enough, but a whole lot more than $21 a day once a month. However, the other nations to whom the gentleman from Wisconsin [Mr. OBEY] compares us in our spending, they are still paying $21 a day once a month, because they are conscripts.

Mr. Speaker, I yield 1 minute to the gentleman from Washington [Mr. NETHERCUTT], a member of the subcommittee.

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

I am happy to rise in support of this conference report and the important funding provisions that it does contain. I hope that my colleagues and the President will sign this bill, because it will increase our Nation's current and future readiness. It will improve the quality of life of our members of our Armed Forces, and most importantly, it will ensure our long-term security.

The main thing this conference report does is ensure our readiness of our America's Armed Forces. The bill provides for future readiness by reversing a decade of steep decline in weapons procurement. The prior speakers are correct. It takes years and years to get these weapons systems and these procurement systems in place. I hope that we do not have to go to war again, but if we do, we have to give our men and women, our young people in the armed services the best possible equipment possible, and Stealth equipment and technology is the answer for our future.

Captain O'Grady is from my district, and if he had been in a Stealth aircraft, perhaps he would not have been shot down over Bosnia. So that is the importance here. B–2, the F–22, FA–18 aircraft, they are our future and we need to fund them.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. BONILLA], another distinguished member of the subcommittee.

Mr. BONILLA. Mr. Speaker, I thank the gentleman from Florida [Mr. YOUNG], the chairman of the committee, and the gentleman from Pennsylvania [Mr. MURTHA], the ranking member.

Mr. Speaker, just a point I would like to make to start out in support of this bill, if the entire Congress worked as cohesively as the members of this subcommittee have worked on this issue, we would be all at home picking out our turkeys at this time.

Mr. Speaker, this is a good bill. It provides adequate, by no means more than necessary, funding for important factions of our military: Pay raises, tank-killers, helicopters, F–22s, and yes, the B–2 bomber. Those of us who have the vision that this bill is not just about this year or next year, it is about the next century and how we are going to protect our country from outside aggressors, some of which may not even have been born yet, but we have to have that vision to preserve our freedom and liberty.

People in this country can walk down the streets safely knowing that foreign aggressors are no threat, and we enjoy the freedom to speak out, freedom of speech, freedom to demonstrate, freedom to express ourselves as conservatives, as liberals, as moderates in this country from all across the Nation. We have enjoyed these freedoms forever, because we are always ready, and we demonstrate to the world through the support of our military that we are going to be ready for anything that might transpire.

For those idealists who sit out there and say, well, there is no threat out there now, lose sight of the vision that this bill is important for the next century as well.

We have to maintain a strong military, because without a strong military, we do not even have an opportunity to talk about preserving programs like HUD or Commerce or any of these other things that people might think are important. If we do not protect ourselves in the future, we are not going to be able to consider any of this stuff. Education will not even be a possibility for us if we are not willing to all stand up and preserve the greatest military that this planet has even seen to make sure that our children are protected well into the next century.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman from Wisconsin for yielding me this time.

Let me just answer the prior speaker. Yes, indeed, we should be talking about threat. To me, the threat is the threat of the debt. The threat of the debt is what people have been talking about here, and this is the one budget that is coming in over $7 billion over what the Joint Chiefs of Staff asked for. We did not even do that during the cold war. So you cannot talk threat of the debt and then turn around with this.

Mr. Speaker, then we also have to say, are the things that we are buying into here threat-based? Are we dealing with what the real threat is?

The real threat today is things like rental cars blowing up, the world center blowing up, the Oklahoma place, radical fundamentalism. How do you use B–2 bombers against that? Then let us look at this post-cold-war world. If you took everything that we owe the United Nations for peacekeeping, for dues, for everything, that would break out to $7 per American. Well, we are not going to pay it, because we think it needs to be reformed, and we could debate how is the best way to get it reformed.

Mr. Speaker, if you take this budget and divide it up per American, this is $1,000 per American, $1,000. Now, is this really dealing with the threat? There is big increases in here for the CIA, but it, of course, does not need reform? I do not think so. There is the B–2 bomber which no one can figure out why we are buying it. We have not even figured out when we are going to use the B–1 bomber or many of the other things.

I think basically what we do by paying and spending all of this money is we are saying to the whole world, let us do it all. We want to continue to be the Atlas and hold up the defense everywhere. If we do this, then I think we cannot complain about the world saying to us, OK, you do everything in Bosnia. You raised your hand. You volunteered to do it. You put all of the

money in. We will be voting today to spend more than the rest of the world.

Think of the message that sends. We are volunteering to do it all.

Mr. MURTHA. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. SKELTON].

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

Mr. Speaker, I rise in strong support of this bill. The subcommittee has done a superb job, and I appreciate them bringing it back, and hopefully in a much more acceptable version than the one that unfortunately was sent back several days ago.

Under the Constitution, this Congress is charged with raising and maintaining the military. I have over the past several years worked to put together a budget that would meet the needs of our military in future years. It is difficult. This year I was successful in putting one together.

I testified before the Committee on the Budget, and I concluded that we needed, over the next 5 years, an additional $44 billion over the administration recommendation. That figure, given by the Committee on the Budget, was at or near what I recommended.

This bill takes care of the soldiers and the sailors and the airmen and the marines; it gives them adequate pay, it helps take care of their families and their needs, and you have to keep those young people in the military. It takes a long time to grow a good staff sergeant, a long time to grow a major, a long time to grow a chief petty officer, a long time to grow a letter commander.

Then we look at what we are asking them to work with. A very aging bomber fleet, other airplanes that no longer are produced, trucks, equipment that is mundane, but yet is old and is wearing out. We need to keep our forces the strongest in this world. This bill helps to do that.

We noticed in the paper just the other day where the Pentagon says there are going to be some $60 billion short on just procurement over the next several years. We must proceed along this line and fully fund the military and take care of our troops.

Mr. YOUNG of Florida. Mr. Speaker, I yield 1 minute to the gentleman from Virginia [Mr. BATEMAN].

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

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

Mr. Speaker, I would say to my colleagues that it has been said, primarily on this side of the aisle, that this defense appropriations bill is above the level of what the President requested. I would hope that they would bear in mind that while it may be above the level that the President requested, it is not above the level of the things that the members of the Joint Chiefs of Staff have come to us and told us were needed, even though it is beyond what the Commander in Chief ultimately signed up to.

Mr. Speaker, I would also suggest that we on this side of the aisle had a Contract With America, and one of the provisions was to rejuvenate our national defense. This is our opportunity to fulfill that very, very significant part of that contract. This bill is below the budget level; it is a bill that, verifying what the gentleman from Pennsylvania has said, it seeks to do something about the deterioration and the maintenance of our real property and the depot maintenance accounts, which are woefully deficient, and to prevent a degrading of our readiness. This is a bill whose time certainly must today come. Let us get on with it.

Mr. MURTHA. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. TRAFICANT].

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

Mr. TRAFICANT. Mr. Speaker, I once said on the House floor years ago, it has been used several times, why are we spending all of this money on defense, on these B–2's? We cannot see it; they cannot be detected by radar. Why do we not just put out a press release and tell the Soviets we have 500. How would they know anyway?

Well, I have come around full circle, like many of my colleagues have. We know it is not like that really, and after Captain Scott O'Grady, and after Alrich Ames, it does not quite work that way, does it? I voted for military cuts, and quite frankly, we cut an awful lot. I think we have cut too far.

Mr. Speaker, I support this bill, I support this measure. Let me say this to the Congress of the United States, the most urgent duty and responsibility placed on this Congress is our national defense. Folks, we just cannot get it done with the Neighborhood Crime Watch. It is going to cost money, but freedom, freedom is costly.

Now, there are some people who think that there is just some left-wing liberals around here who just want to go on with all of these social programs. Let me say this to the membership of the Democratic Party. We have, and we have always stood, for a strong national defense. When the lives of the American people in the free world are at stake, we then do stand up, and I say today, let us stand up for a couple of chairmen here, past and present, who have done their job. It is not a popular job, but freedom sometimes is very costly. Today is one of those days.

Mr. Speaker, I am proud to stand here in support, and I would like the authorizing committee to look at my bill that would allow the placement of some of these troops falling out of chairs without armrests overseas, placing them on our border, not to make arrests, but to help us to secure our borders as well.

I support this bill, I am proud to support this bill, and I have come full circle on some of these issues, but damn it, if one is wrong on something and one sees something that can be improved, I think it is incumbent upon us to do the right thing, and I am proud to support the bill.

□ 1330

Mr. YOUNG of Florida. Mr. Speaker, I yield 1 minute to the gentleman from Indiana [Mr. BUYER].

Mr. BUYER. Mr. Speaker, I rise in support of this bill and want to compliment, I will call you both chairmen, I respect both of you a lot, if I can do that here on the House floor.

I think that it is a fool's folly to think that he is full of wisdom when he is safe and secure in peace to reduce his strength. In reality, when one is alone in the world, without strength and might, there is a true loss of courage.

This bill addresses the shortfalls in our military readiness and addresses the quality of life issues which we all seek and desire for the men and women in arms. I support this bill.

At a time of what happened on this House floor this morning, when there can be a total breakdown and lack of civility among this body, we can come together in a bipartisan fashion when it comes to the issue of national security. We are going to do that today and we are going to send this bill down to the President, and I believe it is a bill which he should sign, not veto.

God bless this country.

Mr. YOUNG of Florida. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Pennsylvania [Mr. WELDON], a member of the Committee on National Security.

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise in strong support of this bill, and I want to commend Chairman YOUNG and Vice Chairman MURTHA.

It is a good bill, in an impossible situation. I did not support every weapons system in this bill, but this is the best bill that we could come up with and one that I strongly support.

I want to thank the committee for supporting military personnel, especially our health care system. I can personally attest to its excellence.

I want to thank the committee for its emphasis on missile defense. Contrary to what we have heard on this floor, the threat has not gone away. When Russia goes all the way to the top, when the Norwegians launch a missile, a satellite missile, and activate their entire missile defense system to the point of almost launching an attack against this country, there is something we have to be on the alert for. When the Russians are offering to sell their SS–25 technology to Third World nations, we have to be prepared. When the North Koreans and the Chinese are building missiles that can hit our mainland, we have got to be able to increase missile defense funding, and this bill does that.

I want to thank the committee, also, and I want to say to my colleagues who say we have not cut defense, would you please tell the 1 million members of the UAW, the machinists union, the electrical workers union, that we have not cut their jobs? Would you be the one to tell them? For those who want to support sending our troops to Bosnia, tell us where we are going to get the $1.5 billion that you do not want to support in this bill.

This is a good bill. Let us vote ''yes.''

Mr. YOUNG of Florida. Mr. Speaker, I yield 1 minute to the gentleman from Washington [Mr. METCALF].

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

Mr. METCALF. I thank the gentleman from Florida for yielding me the time, and for his consideration in the last week.

Mr. Speaker, I rise in strong support of H.R. 2126 as reported by the conference committee. Over the past 2 weeks, I was prepared to offer a motion to instruct the conferees on this bill to insist upon the House-passed language restricting the use of funds for a troop deployment in Bosnia without congressional approval.

I did not press that motion because I have been assured that we will vote on the Hefley bill, H.R. 2606, before the Thanksgiving recess. H.R. 2606 will send a clear message to the President that it is unacceptable to fund the deployment of United States troops in Bosnia without congressional approval.

The bill before us, the defense appropriations bill, will end the dangerous downsizing of our military over the past 10 years. I urge my colleagues to support it. I thank the gentleman from Florida for a job well done.

Mr. OBEY. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, first of all I do want to congratulate the committee for following through on the request that we have had to prevent golden parachutes at defense contractor corporations from being paid for by the taxpayer. I think that is long overdue. I congratulate the committee.

I simply want to say again in closing, we voted last night for a balanced budget in 7 years. It is fundamentally inconsistent with that vote for the Congress, the next day, to pass legislation which adds $7 billion to the President's budget for military spending, and adds money above the amount spent last year.

This chart demonstrates that Russia has reduced its spending by over 70 percent. I would point out to the gentleman from Florida that this chart takes into account wage differentials. We have only reduced our military budget by about 10 percent. That hardly indicates to me that we are in a military jam.

The United States will spend $1.3 trillion over the next 5 years. The defense budget in adjusted dollars is higher than it was under Eisenhower, higher than it was in 1975 under Nixon, and even through the cold war. We spend as much as the rest of the world combined; 4 times as much as Russia, almost 17 times as much as the 6 bad guys: Iraq, North Korea, Iran, Libya, Syria, and Cuba. The United States, NATO, and our Asian allies account for 80 percent of all military spending in the world.

I think, with all due respect, that is more than enough. I urge Members to vote ''no'' on passage, and I urge Members to vote ''yes'' on the motion to recommit. That motion to recommit will simply eliminate a loophole in the conference report to assure that corporation profit rather than taxpayers' money will be used to pay for executive compensation for military contractors above $200,000. I do not think the taxpayers should be financing multimillion-dollar salaries for these executives while those companies are downsizing their own workers, and while we are downsizing our own budget.

I would simply urge Members to remember that, despite the fact that many people in this House would like to ignore it, this bill is fundamentally related to what happens on Social Security, what happens on Medicare, what happens on education, what happens on housing, what happens on all of the other priorities that we have in our budget.

We simply cannot restore any significant amount of the huge reductions in education, in housing, in environmental protection unless this bill is brought under financial control. Right now it is not. I urge Members to vote ''no.'' I urge members to vote ''yes'' on the recommit motion.

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

I just want to make a couple of comments. I want to compliment the gentleman from Washington [Mr. METCALF] for holding off on his motion on Bosnia because I think we are in a very delicate stage in the negotiations and I think any action by the House at an inappropriate time could endanger the talks that are going on, and I would even appeal in the House that it is delicate and we certainly would not want to send the wrong signal and be responsible for what happens if it turned out the wrong way.

The other thing, I rise to oppose the motion to recommit and say that we worked out the best we could work out with the Senate on the language, on the pension at the recommendations of the gentleman from Vermont [Mr. SANDERS] and the support of the gentleman from Wisconsin [Mr. OBEY]. I would hope that Members would vote against recommittal.

Mr. Speaker, I yield the balance of my time to the gentleman from Washington [Mr. DICKS].

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). The gentleman from Washington is recognized for 2 minutes.

(Mr. DICKS asked and was given permission to revise and extend this remarks.)

Mr. DICKS. Mr. Speaker, I want to compliment the gentleman from Florida [Mr. YOUNG], the chairman, and the gentleman from Pennsylvania [Mr. MURTHA], former chairman of this subcommittee, for an excellent job.

I represent a district in the State of Washington where we have a number of defense bases, McCord Air Force Base, Fort Lewis, Puget Sound Naval Shipyard, Trident Submarine Base, Keyport. Not all of those are exactly in my district but they are on the border of my district, and some inside.

I hope we get this defense bill passed, because thousands of workers, even though we get this essential versus nonessential, but thousands of these workers at these bases have been sent home. The sooner we can pass the defense appropriations bill, get it through the Senate, send it to the President, get it signed, we can get those people back to work.

I agree with those who say today that we now must put a floor under the decline in defense spending. We have been cutting defense every year since 1985. We have cut the budget by about $10 billion per year. In other words, in 1985 we were at $350 billion, today we are at about $250 billion. With that, we have reduced procurement from about $135 billion in 1985 down to $41 to $43 billion this year. This committee puts the money back into procurement. I think that is the next major problem, and the Joint Chiefs have pointed it out.

Today is a day when I think this committee and the House should come together and pass this bill. I think the chairman of the committee and the good staff have done an excellent job.

A number of people have mentioned stealth technology. I will just tell Members this: In the Gulf war, the F–117 proved that stealth technology works. I think it is the best investment we can make to save lives and save money.

I urge my colleagues to stay with the committee, let us pass this bill, and let us get it down to the President and get it signed.

Mr. OBEY. Mr. Speaker, I yield the balance of my time to the gentleman from California [Mr. DELLUMS], the distinguished ranking member of the Committee on National Security.

The SPEAKER pro tempore. The gentleman from California is recognized for 4½ minutes.

Mr. DELLUMS. Mr. Speaker, we come to the concluding moments of this debate.

Mr. Speaker, I think perhaps I must preface my remarks by saying the ostensible beauty of this institution is that we can indeed challenge each other intellectually and politically, and that we can differ over the definition of what is a strong national defense.

Having said that, let me try to place this legislation, from my perspective, in proper context.

The cold war is over. Mr. Speaker, ushering in a new era, the post-cold-war world. Uncharted water, unprecedented activity, tremendous challenges, perhaps, as the gentlewoman from California said, danger as well as opportunity.

In the context of the cold war, it was easy for us to understand who we thought our enemies were.

I would assert that the enemy of the post-cold-war world is war itself, and the tremendous challenge and opportunity we have is to give our children who we have been talking about over the past 72 hours and our children's children perhaps the greatest gift that we can give them, a world at peace.

The gentleman from Wisconsin has pointed out eloquently what the spending issues are here.

□ 1345

At this very moment, our spending level, American military budget, is roughly equal to the combined military budget of the rest of the world. That is awesome. When you combine America's military expenditures with the expenditures of our allies, that is, our friends, that exceeds 80 percent of the world's military budget. So less than 20 percent of the so-called enemies, less than 20 percent of the world's military budget spent by them. We outspend our ostensible enemies 4 to 1, absolutely astonishing.

Let us place this bill in that context. What does this bill do in a post-cold-war world where war is now the enemy, where peace is now the challenge, where we have tremendous domestic issues before us? This military budget increases our military expenditures above and beyond requests in excess of $7 billion.

Let us look within that budget to ascertain what they cut. At a time when we have the opportunity to dismantle the dangerous nuclear weapons that have been aimed at us for 40 years in the context of the cold war from the Soviet Union, we cut Nunn-Lugar funds designed to take away the nuclear weapons to, indeed, give a fantastic and awesome gift to our children, and that is a world without the insanity and the madness and the danger of nuclear weaponry. We cut that program.

In the context of the post-cold-war world where every 2 years we are closing military bases and downsizing and communities are experiencing economic dislocation, where the domestic challenges are how do we engage the economic conversion so that those communities can rebound and move into the 21st century, we cut, in this program, technology conversion. It flies in the face of reality. it certainly challenges this gentleman's logic.

What do we increase? We increase programs like the B–2 bomber and other programs. People have spoken eloquently to them. I do not have time to go through those programs and challenge them, but I do want to take the time so to say this: Many of these extraordinary weapons systems, Mr. Speaker, if the truth be told, and I choose to tell it today, have little, if anything, to do with enhancing the nature of our national security. It has to do with the fundamental issue of generating employment in people's communities. And that is real. That for me is not a throw-away line. If someone is building a B–2 bomber, they may agree with my intellectual and political analysis and say, ''Ron, I don't think we need a Cold War weapons system that is flying around trying to find a post-cold-war mission. But if you stop my job on Friday, where do I work on Monday?'' That is our challenge. But not to keep building B–2's for employment, but developing fiscal, monetary, and budgetary policies designed to generate employment.

I would conclude by saying this: This military budget, in the context of the post-cold-war world, is going in the wrong direction. It should be rejected. Let us come together to march in the 21st century with sanity and reason.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to congratulate all of those who participated in the debate. It has been a good debate.

I disagree with some of the arguments that I heard from one side or the other, and I know in the heat of debate sometimes we sometimes misspeak unintentionally.

The gentleman who just spoke said that we had cut the effort to denuclearize the former Soviet Union. Not so. The nuclear arms reduction program, chemical weapons destruction, those programs were fully funded.

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

Mr. YOUNG of Florida. I yield to the gentleman from California.

Mr. DELLUMS. In the context of the rules debate laid out a list of what you reduced, and you said you reduced Nunn-Lugar in technology conversion. We can go get the record on that.

Mr. YOUNG of Florida. I say to my friend we did not reduce this part of Nunn-Lugar; the part dealing with nuclear destruction and chemical destruction, we did not reduce that part of that program.

First, let me suggest, Mr. Speaker, regarding the motion offered by the gentleman from Wisconsin [Mr. OBEY] to recommit, there will be no debate. I would at this point ask, as the gentleman from Pennsylvania [Mr. MURTHA] has already done, that we handily defeat that motion to recommit and get on with getting this bill passed.

The last few days I have heard a lot of criticism that we cannot get appropriations bills passed. That is what we are trying to do today. We are trying to get a good bipartisan appropriations bill passed to provide for the defense of our Nation.

There are some things in here that are not definitely related to national defense specifically that have been complained about, but let me tell you about an example of one. One thing the Defense Department does not want in this bill is breast cancer research. But we have a lot of women in the military, and we have a lot of men in the military who have wives and daughters, and we provide an adequate sum to accelerate the breast cancer research and treatment program essential to every woman in America because no woman is exempt from breast cancer. We try to do our share.

Other appropriations bills in the last decade have increased every year, increased, except for one. The legislation providing for funding for our national defense has gone down every year for the last 10 years, and, my friends, this year this bill is less than it was last year by $400 million. So this is the 11th year in a row that we have reduced spending on national defense.

But in this bill we are getting a lot more for the defense dollars than we have gotten in a long time. I might say this, that at the same time that we are reducing our spending for national defense, we have a commander in chief who is deploying U.S. troops around the globe anytime that he wants to and, for the most part, without coming to Congress and getting the approval of the Congress.

In fact, at the beginning of this year we had to appropriate over $2 billion to pay for those contingencies that had not been planned for.

One of the big arguments has been we did things in here the Pentagon did not ask for. The gentleman from Wisconsin [Mr. OBEY] had a chart I have seen so many times. I have a scroll here the gentleman from Wisconsin [Mr. OBEY] says he memorized. This scroll reaches across the well. It talks about minor items nobody ever identified, because they are not politically attractive, but minor items that could keep the war effort or defense effort from moving if called upon to do so. So we take care of a lot of those things.

But this one, I just brought this one along to show you. Our President believes we are not doing enough for national defense. You remember this picture. President Clinton said last December he wants more in military spending over the next 6 years. He said even in an era when the public wants a leaner Government, the people of this country expect us to do right by our men and women in uniform. This is exactly what we are doing in this bill: Taking care of the men and women in uniform.

The question has been raised so many times the Pentagon does not want many of the things in this bill. Well, on Veterans Day, believe it or not, November 11, this headline appeared, and this story in the Washington Post, ''Pentagon Leaders Urge Accelerated 50 Percent Boost in Procurement.'' Now, these are not contractors. These are not industry people. These are not defense politicians. These are the guys

that fought the war in Desert Storm. These are the people that fought the war in Vietnam, and the actions in Panama and Grenada and places like that.

What do they say? The uniformed leaders of the Armed Forces, worried about aging weapons and equipment, after a decade of declining procurement, have recommended a roughly 50-percent jump in spending on purchases over the next 2 years. The people that have to fight the wars, the ones that we count on to defend this Nation, preserve our security and our freedom and our independence, they say that the 10-year decline in providing for the national defense has got to change.

That is what your war-fighting Pentagon says we ought to be doing.

Mr. Speaker, I ask for a ''no'' vote on the motion to recommit and a strong ''yes'' vote on the conference report.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). Without objection, the previous question is ordered on the further conference report.

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. Is the gentleman opposed to the further conference reports?

Mr. OBEY. I certainly am, Mr. Speaker.

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

The Clerk read as follows:

Mr. OBEY moves to recommit the Conference Report on the bill H.R. 2126 to the Committee on Conference with instructions to the managers on the part of the House to:

insist on the inclusion of the provision committed to conference in section 8075 of the House bill as follows: ''None of the funds provided in this Act may be obligated for payment on new contracts on which allowable costs charged to the government include payments for individual compensation at a rate in excess of $200,000 per year.''

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

Mr. OBEY. 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.

Pursuant to the provisions of clause 5, rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the question of the adoption of the conference report.

The vote was taken by electronic device, and there were—yeas 121, nays 307, not voting 4, as follows:

[Roll No. 805]

YEAS—121

Ackerman
Baldacci
Barrett (WI)
Becerra
Beilenson
Bentsen
Bevill
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Clay
Clayton
Clyburn
Collins (IL)
Collins (MI)
Conyers
Cooley
Costello
Coyne
Danner
de la Garza
DeFazio
Dellums
Deutsch
Dingell
Dixon
Doggett
Duncan
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Filner
Flake
Foglietta
Ford
Frank (MA)
Furse
Gephardt
Green
Gutierrez
Hilliard
Hinchey
Jackson-Lee
Jacobs
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kildee
Kleczka
LaFalce
Lantos
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
Meehan
Mfume
Miller (CA)
Minge
Moakley
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Poshard
Rahall
Rangel
Rivers
Roth
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Schroeder
Serrano
Shays
Slaughter
Stark
Stokes
Studds
Thurman
Torres
Towns
Velazquez
Vento
Visclosky
Volkmer
Waters
Watt (NC)
Waxman
Wise
Woolsey
Wyden
Wynn
Yates

NAYS—307

Abercrombie
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Berman
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dooley
Doolittle
Dornan
Doyle
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Ganske
Gejdenson
Gekas
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kasich
Kelly
Kennelly
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manton
Manzullo
Martini
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meek
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Mink
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Reed
Regula
Richardson
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Royce
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schumer
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—4

Chapman
Fields (LA)
Rose
Tucker

□ 1414

Messrs. FLANAGAN, KLINK, EDWARDS, LIGHTFOOT, CARDIN, SCHUMER, LEWIS of Kentucky, GORDON, FAZIO of California, TEJEDA, and REED changed their vote from ''yea'' to ''nay.''

Ms. DANNER, Mrs. ROUKEMA, Mr. MOAKLEY, and Mr. COOLEY changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. McHUGH. Mr. Speaker, on rollcall No. 806, on the way to the Chamber, I was unavoidably detained. Had I been present, I would have voted ''yea.''

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 270, nays 158, not voting 4, as follows:

[Roll No. 806]

YEAS—270

Abercrombie
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bevill

Bilbray
Bilirakis
Bishop
Bliley
Boehlert
Boehner
Bonilla
Bono
Boucher
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Canady
Castle
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Clyburn
Coburn
Coleman
Collins (GA)
Combest
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
de la Garza
Deal
DeLauro
DeLay
Diaz-Balart
Dickey
Dicks
Dixon
Dooley
Doolittle
Dornan
Dreier
Dunn
Edwards
Ehrlich
Emerson
English
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gonzalez
Goodlatte
Goodling
Goss
Graham
Green
Greenwood
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hilleary
Hobson
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kasich
Kelly
Kennedy (RI)
Kennelly
Kim
King
Kingston
Klink
Knollenberg
Kolbe
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Longley
Lucas
Manton
Manzullo
Martinez
McCollum
McCrery
McDade
McHale
McIntosh
McKeon
McNulty
Meek
Metcalf
Meyers
Mica
Miller (FL)
Mink
Molinari
Mollohan
Montgomery
Moorhead
Moran
Murtha
Myers
Myrick
Neal
Nethercutt
Ney
Norwood
Nussle
Ortiz
Oxley
Packard
Parker
Pastor
Paxon
Peterson (FL)
Pickett
Pombo
Porter
Pryce
Quillen
Quinn
Radanovich
Reed
Regula
Richardson
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Salmon
Saxton
Scarborough
Schaefer
Schiff
Scott
Seastrand
Shadegg
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Traficant
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—158

Ackerman
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Bereuter
Berman
Blute
Bonior
Borski
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Camp
Cardin
Chabot
Chapman
Clay
Clayton
Clement
Coble
Collins (IL)
Collins (MI)
Condit
Conyers
Cooley
Costello
Coyne
Danner
DeFazio
Dellums
Deutsch
Dingell
Doggett
Doyle
Duncan
Durbin
Ehlers
Engel
Ensign
Eshoo
Evans
Fattah
Filner
Flake
Foglietta
Ford
Frank (MA)
Franks (NJ)
Furse
Ganske
Gilman
Gordon
Gutierrez
Gutknecht
Heineman
Hilliard
Hinchey
Hoekstra
Hoke
Jackson-Lee
Jacobs
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kildee
Kleczka
Klug
LaFalce
LaHood
Lantos
Largent
Levin
Lewis (GA)
Lincoln
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney
Markey
Martini
Mascara
Matsui
McCarthy
McDermott
McInnis
McKinney
Meehan
Menendez
Mfume
Miller (CA)
Minge
Moakley
Morella
Nadler
Neumann
Oberstar
Obey
Olver
Orton
Owens
Pallone
Payne (NJ)
Payne (VA)
Pelosi
Peterson (MN)
Petri
Pomeroy
Portman
Poshard
Rahall
Ramstad
Rangel
Riggs
Rivers
Roemer
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sanford
Sawyer
Schroeder
Schumer
Sensenbrenner
Serrano
Shays
Skaggs
Slaughter
Stark
Stokes
Studds
Stupak
Torricelli
Towns
Upton
Velazquez
Vento
Volkmer
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wyden
Wynn
Yates
Zeliff
Zimmer

NOT VOTING—4

Fields (LA)
Hayes
McHugh
Tucker

□ 1423

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 264

Mr. DIXON. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of House Resolution 264.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). Is there objection to the request of the gentleman from California?

There was no objection.

ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

(Mr. PETERSON of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PETERSON of Florida. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I hereby give notice of my intention to offer a resolution—on behalf of myself and the gentleman from Florida [Mr. JOHNSTON]—which raises a question of the privileges of the House.

The form of the resolution is as follows:

Whereas the Committee on Standards of Official Conduct is currently considering several ethics complaints against Speaker Newt Gingrich;

Whereas the Committee has traditionally handled such cases by appointing an independent, non-partisan, outside counsel—a procedure which has been adopted in every major ethics case since the Committee was established;

Whereas—although complaints against Speaker Gingrich has been under consideration for more than 14 months—the Committee has failed to appoint an outside counsel;

Whereas the Committee has also deviated from other long-standing precedents and rules of procedure; including its failure to adopt a Resolution of Preliminary Inquiry before calling third-party witnesses and receiving sworn testimony;

Whereas these procedural irregularities—and the unusual delay in the appointment of an independent, outside counsel—have led to widespread concern that the Committee is making special exceptions for the Speaker of the House;

Whereas the integrity of the House depends on the confidence of the American people in the fairness and impartiality of the Committee on Standards of Official Conduct.

Therefore be it resolved that;

The Chairman and Ranking Member of the Committee on Standards of Official Conduct should report to the House, no later than November 28, 1995, concerning:

(1) the status of the Committee's investigation of the complaints against Speaker Gingrich;

(2) the Committee's disposition with regard to the appointment of a non-partisan outside counsel and the scope of the counsel's investigation;

(3) a timetable for Committee action on the complaints.

Mr. Speaker, this is motherhood. This is not to take a prejudicial view of their findings, it is asking for a clear, specific report to this House, of which we stand ready to receive at any time.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time or place designed by the Speaker in the legislative schedule within 2 legislative days of its being properly noticed. The Chair will announce the Chair's designation at a later time.

The Chair's determination as to whether the resolution constitutes a question of privilege will be made at the time designed by the Chair for consideration of the resolution.

HOUSE OF REPRESENTATIVES GIFT REFORM ACT

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 268 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 268

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 250) to amend the Rules of the House of Representatives to provide for gift reform. The amendments recommended by the Committee on Rules now printed in the resolution are hereby adopted. The previous question shall be considered as ordered on the resolution, as

amended, and any amendment thereto to final passage without intervening motion except:

(1) Thirty minutes of debate on the resolution, which shall be equally divided and controlled by the chairman and ranking minority member of the Committee on Rules;

(2) The amendment printed in part 1 of the report of the Committee on Rules accompanying this resolution, if offered by Representative Burton of Indiana or his designee, which shall be considered as read and shall be separately debatable for thirty minutes equally divided and controlled by the proponent and an opponent; and

(3) If the amendment printed in part 1 of the report is rejected or not offered, the amendment printed in part 2 of the report, if offered by Representative Gingrich of Georgia or his designee, which shall be considered as read and shall be separately debatable for thirty minutes equally divided and controlled by the proponent and an opponent. All points of order against the amendments printed in the report are waived. During consideration of the resolution, no question shall be subject to a demand for division of the question.

□ 1430

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

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

(Mr. SOLOMON asked unanimous consent to revise and extend his remarks and include extraneous material.)

Mr. SOLOMON. Mr. Speaker, House Resolution 268 provides for the consideration of House Resolution 250, the House Gift Reform Rule. The rule provides for 30 minutes of debate equally divided and controlled between myself and the ranking minority member of the Rules Committee. The rule provides that the technical amendments adopted by the Rules Committee are considered as adopted.

Following debate on House Resolution 250, the rule makes in order the consideration of an amendment in the nature of a substitute to be offered by Representative BURTON of Indiana or his designee.

The rule then provides that it is in order, if the Burton substitute is rejected or not offered, to consider an amendment by GINGRICH of Georgia or his designee.

Following the disposition of that amendment, if offered, the House would then vote on final adoption of the resolution as amended.

Mr. Speaker, House Resolution 250 was introduced on October 30 by our Rules Committee colleague, Mrs. WALDHOLTZ of Utah, with a bipartisan group of cosponsors. It is identical to the Senate gift rule adopted on July 28 by a vote of 98 to 0. There are no substantive changes.

An earlier version of the resolution, House Resolution 214, was introduced on September 6 by Mrs. WALDHOLTZ. It amended the existing House gift rule, which is under the exclusive jurisdiction of the Committee on Standards of Official Conduct. Given that committee's heavy workload, the leadership requested that the Rules Committee assume responsibilities for reporting the gift rule.

Mrs. WALDHOLTZ accordingly redrafted her resolution as a new House rule and introduced that version as House Resolution 250 which was referred to our committee.

On October 27, the majority leader held a press conference at which he promised that both the gift rule and the lobbying disclosure bill would be considered by the House not later than today, November 16.

I am pleased that both the majority leader and the Rules Committee have been able to keep to that timetable. I especially want to commend my colleagues for enduring the forced march we put them through over the last 3 weeks to come up to speed on this issue.

We conducted two hearings at which we heard from numerous House Members as well as public witnesses. Then, on Tuesday of this week, we marked-up and reported by unanimous voice vote House Resolution 250 with only minor, technical changes recommended by the chairman and ranking minority member of the ethics committee.

Mr. Speaker, House Resolution 250 would apply a new and tighter gift rule to House Members, officers and employees. Whereas at present, gifts under $50 are not counted towards the annual aggregate of $250 from any source, the new gift rule would lower that exempt threshold to gifts under $10. No formal record-keeping or disclosure is required for gifts of $10 or more—only good faith compliance.

And the proposed new rule also lowers the annual limit for total gifts from the same source in a year from $250 to $100.

And, whereas, at present meals are not counted towards the gift limit, under the proposed new rule, meals of $10 or more would be counted.

The new rule differs from the existing rule in that it does exempt gifts from close personal friends. However, it requires an ethics committee waiver for any gifts from friends that are over $250 in value. And as with the present rule, gifts from relatives are exempt from the limits.

Mr. Speaker, another tough new provision of this proposed gift rule is the more frequent and detailed disclosure of reimbursement from private sources for travel related to a Member's official representation duties. These include making speeches to groups, fact-finding, and substantial participation events.

Whereas the current rule requires annual disclosure and does not require a detailed accounting of reimbursable expenses, the new rule requires that disclosures be filed with the Clerk within 30 days of such travel, and that a good faith estimate be included of total costs for travel, lodging, meals, and other expenses.

Mr. Speaker, I won't go into greater detail at this time on the proposed new rule, since other members of the Rules Committee will be doing so, and there will be further time during debate on the resolution itself.

I would point out to Members that we could have brought House Resolution 250 directly to the floor as privileged motion without a special rule. But, in that case, there would be no opportunity for amendments.

But because it was the strong feeling of many Members on both sides of the aisle that there should be an opportunity to allow for the consideration of alternatives, we have put out this rule that will permit the possible consideration of two such alternatives.

One is by Mr. BURTON of Indiana. It would retain the current $250 annual aggregate on gifts, but would lower the exempt category from gifts under $100 to gifts under $50. Moreover, the Burton substitute would include meals towards the limit if they are $50 or more.

Another major difference between the Burton substitute and the base text is that the Burton substitute would permit Members to be reimbursed for travel for charity events.

Finally, the rule permits the offering of an amendment by the Speaker or his designee that would ban all gifts from persons other than close personal friends or relatives, and gifts of personal hospitality.

In other words—there could be no gifts or meals from people who are not friends or relatives.

The Speaker's amendment would also make clear that Members could take a spouse or dependent child to privately reimbursed, events connected with their official duties—as they now may under existing rules—without having to make a determination that the presence of the wife or child ''is appropriate to assist in the representation of the House.''

Mr. Speaker, this is a good rule, a fair rule, and one which does allow for both stricter and less strict alternatives than House Resolution 250. I urge adoption of the rule and of the new gift ban reform resolution before us.

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

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

Mr. Speaker, I am extremely gratified that we are here today to begin the debate on reform of the gift rules. I rise, however, in reluctant support for the rule which has been reported by the Republican majority of the Committee on Rules. Mr. Speaker, for 11 months my Democratic colleagues and I have attempted to bring this issue before the House. Now, when at last the Republican leadership has scheduled this reform for the consideration of the full House, they have stacked the deck.

Mr. Speaker, instead of providing the House with an opportunity to take a clean vote on the Senate-passed gift reform proposal, this rule compels the House to vote down two gift reform amendments before the House ever gets to House Resolution 250, which contains virtually the same language as the Senate measure passed last July. The resolution is sponsored by the gentlelady from Utah [Mrs. WALDHOLTZ], as well as a number of Democrats and Republicans. House Resolution 250, closely resembles the proposal of the gentleman from Texas [Mr. BRYANT], which Democrats have tried to bring to the House on six separate occasions this year. The resolution was reported by the Rules Committee with only minor modifications.

While most observers recognize that the Rules Committee proposition is not perfect, it is clearly far superior to the substitute proposed by the gentleman from Indiana [Mr. BURTON], but also provides far more flexibility for Members than the proposal which may be offered by the Speaker. This rule stacks the deck in such a way that the House will be forced to choose between more of the same—which is the Burton substitute—or a modified zero gift rule—which is what the Speaker's amendment offers. If either one of those propositions prevail, then the Waldholtz bipartisan proposal will never even come to a vote.

Never mind the fact that the Rules Committee held one briefing, two hearings, and one markup on the Waldholtz proposal. Never mind that the Rules Committee proposal was carefully examined by the Standards Committee and contains amendments that were recommended on a bipartisan basis by the Chair and ranking member of that committee. Never mind, Mr. Speaker, that the bipartisan group of Members supporting gift reform asked that House Resolution 250 be quickly sent to the floor and considered without amendment.

So what has the Rules Committee done, Mr. Speaker? In effect, the committee has ignored the product of its own labors and has given us a rule which may very well assure that the Waldholtz proposal may never be voted on directly.

Mr. Speaker, the Democratic Members of the Rules Committee support reform, but we question how we can move toward reform when this rule which puts golf outings ahead of real reform. We will support this rule, but it is a shame that the House is being placed in this position. Yesterday an amendment was offered to this rule which would have allowed for a direct vote on the Waldholtz proposal and every member of the majority—that's right, every Republican Member including Mrs. WALDHOLTZ, the sponsor of the proposal—voted no. I have to ask, What's the problem, Mr. Speaker? Why can't we just take a vote on a proposal which enjoys such wide bipartisan support?

Mr. Speaker, this issue, and the closely linked issue of lobby reform, have enjoyed support from Members both Democratic and Republican, liberal and conservative, senior and junior. Congressional reform is not a partisan issue—it is an issue that matters to all Americans who cherish this House as the House of the people. We cannot let the appearance of impropriety continue to add fuel to the fire of public animosity toward the Congress. If we do not pass the Senate-passed version of gift reform, I fear we will, to a man and a woman, be held in scorn and ridicule.

Mr. Speaker, I would urge my colleagues—those of us who are truly committed to restoring the public's confidence in this institution—to vote support this rule, but in doing so, I must urge a ''no'' vote on the Boston proposition. Mr. Speaker, this institution is not held in particularly high regard by the American people, especially at this moment when we are grappling with this budget impasse. I fear that in spite of our good intentions, and those intentions are bipartisan—this rule will force us into a box and our resulting actions will be seen as just more serious business as usual here in Washington.

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

Mr. SOLOMON. Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. GOSS], a distinguished member of the Committee on Rules as well as a member of the Committee on Standards of Official Conduct, who has probably more expertise on these matters than any Member I know.

Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GOSS] be permitted to manage the remainder of the bill with me.

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

There was no objection.

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

Mr. GOSS. Mr. Speaker, I thank the gentleman from New York [Mr. SOLOMON], the distinguished chairman of the Committee on Rules, for his confidence. Fortunately, we have staff here who really do know what the Rules of the House are that can help us out, in case I go off track.

I think more important, since we are talking about the rule at this point in the debate, I think it is critical to note that today we are fulfilling a commitment that was made to the House and to the American people that we would debate and vote on the new gift rules for our membership by November 16.

□ 1445

For those like this Member who may have lost track of the days and nights in the midst of all the budget discussions and so forth in the past few days, it just so happens that today is November 16. Promises made, promises kept. I congratulate our leadership for doing that.

I commend the many Members who have worked to bring us to this point, most notably my colleague on the Committee on Rules, the gentlewoman from Utah [Mrs. WALDHOLTZ]. She has persevered under extraordinarily difficult circumstances, and we owe her our thanks. Likewise, I must commend and thank the gentleman from New York [Mr. SOLOMON], my chairman, for his hard work and eminent fairness in handling this issue. It has not been easy.

Mr. Speaker, Thomas Jefferson once said, ''When a man assumes the public trust, he should consider himself as public property.''

Many Americans subscribe to that philosophy, I among them, and it is for that reason that I support efforts to strengthen and expand our current gift rules. I quickly say that I realize that how you deal with the problem of gifts is a very personal decision for all Members, and I totally respect the rights of how they go about doing it.

Therefore, I think we have come up with a pretty good rule because we have tried to provide for a number of options, hopefully finding a comfortable home for each of the Members' personal preferences that still passes muster with the idea that we are being asked to explore gift reform by the American people.

I believe that most of the Members and staff who work long hours in this Capitol are very honorable and very deserving of the public's confidence. However, I also know from the polls, just general street talk, that the public does not always have great confidence in us, in part because they believe perhaps that we enjoy too many perks and privileges, many of them provided by people who seek special access.

For this reason, since my early days in Congress, my policy for myself and my own office staff has been not to accept any gifts, meals, or travel. Although this policy is personal to me, and it is certainly more stringent than any of the reform versions we are taking under consideration today, I find it has proven to be relatively easy to implement and precluded a lot of difficult decisions that frankly would have been in gray areas that might have raised people's concerns. I know other Members who have practiced the same policy generally agree with those conclusions. Regardless of what we do today, I personally will continue my policy.

Now, gift reform for the entire House, however, is important even if most of the Members adopt their own stringent policies voluntarily. Why? The answer is simple. Because a large number of American people have asked us to take this extra step. Many feel our low approval ratings can be raised only if we do take that kind of a commitment to begin to build back trust. I think building back trust is an important mission for this Congress.

Mr. Speaker, I am pleased that this rule affords Members with differing

perspectives on the need and the proper direction of gift reform an opportunity to be heard and issue their debate and their arguments and their persuasion on the approach that they think is best.

I know some Members believe strongly that the approach embodied in House Resolution 250, which is the one that the other body adopted in July, they feel strongly that is the wrong way to go, that will not work. Others believe that that approach does not go far enough, that it will not restrict Members' and staffers' acceptance of gifts and it will not achieve the mission of building credibility.

So we have the chance to debate these points of view and vote first on a bipartisan substitute offered by the gentleman from Indiana [Mr. BURTON], a measure that is designed to emphasize disclosure more than bans. If that should fail, then we will vote on a proposal offered by our Speaker geared toward a more stringent gift ban than the other body has adopted. If neither alternative should pass, then we will have a vote on House Resolution 250, provisions that are almost identical to the other body's, we have cleaned up some of the minor problems in it, but it is very similar to that, known as the Waldholtz version.

This seems to me to be a very fair and proper way to go. I do not know how we could have done it better and accommodated more views and still brought the matter to the floor. I urge our colleagues' support for this rule so we can get on and examine the versions that we have offered for us.

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

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Mr. Speaker, I thank my friend on the Committee on Rules for yielding me this time.

Mr. Speaker, I rise in support of lobby reform and the rule and the gift reform legislation, the Barrett-Shays-Waldholtz bill before us now, which merely reflects the gift reform bill of the gentleman from Texas [Mr. BRYANT] which we have tried to take up since the beginning of this year.

We cannot begin today without a quick recounting of events that have occurred over this calendar year. Our consideration of lobby and gift reform today characterizes the Republican approach to legislating: take bills which enjoy broad bipartisan support, that were passed by the Senate unanimously, act only when forced to, and then proceed in a partisan manner.

Democrats have offered four previous occasions to consider lobby and gift reforms on the House floor this year, most recently just 3 weeks ago during the consideration of the second legislative branch appropriations bill. On October 25, that bill was pulled from the floor. Why? Because Democrats and reform-minded Republicans had the votes to pass the lobby and gift bills we will consider today. Then and only then did Majority Leader ARMEY make a public commitment to consider these bills today. Did he then take a bipartisan approach? I would argue no.

The Senate-passed lobby bill was not even referred to the committee for 3 months. The lobby reform bill languished at the desk. The Subcommittee on the Constitution did not mark up a lobby bill until hearings were completed, until given the go-ahead by the GOP leadership. The gift reform bill was referred to the partisan Committee on Rules instead of the usual referral to the bipartisan Committee on Standards of Official Conduct. The restrictive rule offered for the gift bill today stems from extensive discussions and votes within the Republican conference, but no consultation with the Democratic leadership ever took place.

So, at the end of the day, is the product improved? Has more bipartisanship on the issue been achieved? Has more bipartisanship on the issue been achieved? Has the House earned its traditional reputation as the more reform-minded of the two bodies? The events speak for themselves.

At the very least, the GOP leadership tactics have cast a shadow over what should have been a straightforward, consensus approach, working hand-in-hand as we did in the last Congress to pass this kind of legislation.

Now the situation has been created where our gift reform product may fall short of the Senate, or our lobby reform bill may be amended, permitting it to bog down in a House-Senate conference committee over amendments that have already shown to be unpopular in the other body. If either of those things happens today, the blame clearly will lie at the feet of the Republican leadership.

I urge my colleagues to adopt the Senate-passed provisions. We should have done so a long time ago.

For my colleagues who want to complicate this issue by saying the limits are too low or charity events will be restricted or record-keeping will be required, I say the American public does not like what it sees in Washington, and we need to set a higher standard and work toward restoring their trust.

I say that not because I am holier than thou. I am no different than any other Member in this institution. I have engaged in all the practices that will be mentioned here today. I am not impugning the motives of any of my colleagues. I think this is the cleanest legislative body anywhere, and I think it has been cleaner every year I have served here.

There is no question in my mind, however, that we need to bring responsibility and accountability to our dealings with lobbyists and our relationships with them. That is the point of these bills that have been brought to this floor finally today. That point should not be obscured by any 11th hour reformers who seek to maintain their own notions of business as usual.

Our mission today is to restore the confidence of the American people in this great institution. Whether we like it or not, the perception exists that this place is too influenced by too close a relationship with those who are paid to influence our decisions.

I urge my colleagues to accept this very unfair rule, yes, accept it anyway, and to defeat the various amendments, and pass the Senate-passed gift and lobby reform provisions.

I know this will be a divisive issue, within both the conference of the Republicans and the caucus of the Democrats. But I think it is in the best tradition of past efforts to reform the institution, and to try to build additional public understanding of the relationships we invariably must have with interest groups and lobbyists, and at the same time reassure each other that our own common standards will be such that we can go to the public and ask for them to reinvest their trust in us.

Many of us have different standards. I do not impugn, as I say, the motives of any. We all have different perspectives as we evaluate where we must be on these issues. But there are other standards that must apply to all of us because we are judged often by the actions of a few.

Mr. Speaker, I urge my colleagues to support the rule.

Mr. GOSS. Mr. Speaker, I yield 2¼ minutes to the distinguished gentleman from the Commonwealth of Virginia [Mr. BATEMAN].

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

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

Mr. Speaker, it would have been much easier for me not to have asked for the time to speak on this issue, on this subject matter. But I think that would have been an act of cowardice for me not to do so.

I know full well that it is politically more comfortable to vote for the most extreme measure pending before us on that subject. But I think that does to this body an enormous disservice. Harken to the words of the gentleman from California who just spoke, who says this is the cleanest institution, legislative body that he knows of and it is getting better all the time. Then why are we flagellating ourselves the way we are doing it?

I could stand before you and tout the virtues of the House Resolution 250 based text that we have before us, but I have looked at it, I have studied it, and it is terribly, terribly flawed.

You should know that what comes to you as the instrument passed by the other body was written on the floor of the other body in an ad hoc, spontaneous kind of way. If we look at that legislation, it shows all the earmarks of the atmosphere in which it was drafted. It is shot full of opportunities for entrapment of Members. It calls for Members exercising, quote, good faith discretion, which is an invitation for

those who are most conscientious to deny themselves while inviting those who are least conscientious to go to the limits of the system. It creates the necessity of a recordkeeping that would burden you to the point where it would seriously jeopardize your ability to get the work done for which you were elected.

Mr. Speaker, in 1967 when I first decided to run for public office, I promised myself and my family that it would be more important why I got elected than whether I got elected. I think we should apply that standard as we make our judgments in passing the better gift reform bill.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, gift reform is not a Republican issue. It is not a Democratic issue. It is an issue that strikes at the very core of the integrity of this institution.

The greatest honor in my life is serving in this institution. I have met some of the greatest people I have ever met in my life, and I think virtually every one of those people is dedicated to doing what is right for the American people. I think Congress gets a bad rap when people think we are not here to help. But I also think it is incumbent upon us to do everything we can to make sure the people of this country have confidence in this institution. We must have the people in this country have confidence in the democratic process. In order to do so, that means we are going to have to make some personal sacrifices and I am willing to take those sacrifices. That means we are going to have to say, ''I am willing to give up golf trips.'' That means we are going to have to say, ''I am willing to give up unlimited meals worth $50.'' That means I am going to have to say, yes, it is more important for the integrity of this institution than it is for me to have frills that every one of us wants.

I am human just like everybody else. I would love to have these things. But it is far more important for this institution to have the integrity restored in it.

□ 1500

That is why I think it is important that we are working together today on a bipartisan basis. It is important we move forward.

This is not a perfect bill. You are never going to have a perfect bill in this area, but it is, I think, a bill that moves in the right direction. It is a bill that deserves the support of every person of this institution.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, the gentleman from California talked about fairness. I know we are talking about gift reform, but there was some partisanship put in it.

In 30 years the Republicans did not win but one motion to recommit because the deck was stacked. The king-of-the-hill rule in my first years here, we did not win any, because the deck was stacked.

We are trying to offer three different options. Personally I feel that during the time when the Government is shut down, we have got appropriations bills to do, we have got 25,000 troops that are looking, by the President, to be sent to Bosnia, it is absolutely ludicrous for us to be doing this at this particular time.

Let us take a look. I am going to support the Burton amendment. I will also support a zero, no trips, no gift, nothing, de nada, rather than partial.

Let me tell you why. Democrats have got a convention coming up in Chicago. Can you imagine when a high school student volunteers time as a gift? Can you imagine someone that drives a car or a flower or anything? There is no way that the people that put on your convention or the people that are involved in it are going to stay out of prison. I guarantee you someone is going to question somebody working somewhere sometime, and that person is going to end up going to jail. I mean, it is absolutely ludicrous.

I have never been on a trip myself, never once, never taken my family. I do not plan on doing it. I would love to go to Mexico where we have a lot of problems in common with California. But I have not done that.

I think probably the most thing I have ever received is a T-shirt or a golf hat. But individually it does not matter.

But I think for us to take and do this partially and the recordkeeping, you say it is insignificant, but I think, I really believe you are going to end up with Members on both sides of this thing in jail just because something is not reported. Somebody drops a book off, which I have received books, I have no idea what they cost. I will log it in. If it comes up over the $10 or $50, like that, somebody could bring it up, and we could end up in a lot of trouble.

I would ask you to support Burton or support zero.

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

I ask the gentleman from California, who just spoke, if he would remain at the microphone, if he would.

I know that the legislation is complicated and it is hard to keep track of all the details when things move around. But the gentleman may not have been aware that there is a specific exemption in the bill for political activities. Nothing surrounding the political convention either of the Democratic Party or of the Republican Party is covered under this legislation.

Mr. CUNNINGHAM. If the gentleman will yield, then would a charity gift at a political event be covered?

Mr. FROST. All I can tell the gentleman is the restrictions in this paragraph shall not apply to the following, and then it says a contribution is defined in section 301(a) of the Federal Election Campaign Act of 1971 that is lawfully made under the act, the contribution for election to a State or local government office prescribed by section 301(8) (b) of the act or attendance at a fundraising sponsored by a political organization.

A political convention is obviously sponsored by a political organization. The intent is not to cause problems for either the Republican Party or the Democrat Party at their national conventions.

Mr. CUNNINGHAM. I thank the gentleman.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, I have been essentially involved in virtually every reform issue this House has faced since I first came, whether that issue is limiting outside income or requiring financial disclosure or campaign reform or lobbying gift reform. I have not been involved in that because I thought that most Members did not have integrity, I have been involved in it because I know that they do.

Yet what we have often seen is that many Members in this place have their reputations unjustly besmirched because of the careless or thoughtless actions and sometimes the venal actions of a very small percentage of the Members of this body. I do not believe that we can afford, as an institution or as stewards of the political process, I do not believe that we can afford to have a situation continue in which taxpayers can turn on their television set and see their local Congressman cavorting on a beach with his expenses paid for by lobbyists or golfing with his expenses paid for by lobbyists. The system cannot afford it. That kind of scene turns this country cynical. It robs them of any remaining faith they have left in their political institutions.

We have got to cut off that kind of behavior and that kind of activity. That is why I would urge the House, when they take action today, to support the committee bill, to oppose the Burton amendment.

I respect the gentleman's motives. But I do not respect the judgment that leads one to conclude that we can afford to continue those kinds of relationships. I think that for the good of the country, those kinds of relationships must end, and that is the most important lesson which I think we have to take out of the debate today.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Washington [Mrs. SMITH], who has been one of the principals in bringing this legislation forward.

Mrs. SMITH of Washington. Mr. Speaker, I rise today to commend the Members of the Committee on Rules and the House leadership for allowing gift reform to come to the floor for a vote.

I will be supporting the rule, and I will also be supporting the substitute

amendment offered by the Speaker and the base bill underlying this bill.

Just know that if you vote for the Burton amendment, you do not ever get to real reform. The rule is structured in a way that, if Burton passes, you never get the two reform versions, not the total ban and not the bipartisan solution that mirrors the Senate solution. You must vote ''no'' on Burton first.

Now, why am I supporting both of the underlying bills? A group of freshmen, in a variety of ways, sometimes the same bill, sometimes with others, came together in December and made a decision that we would run against the perceived perception of this place that it was affected by special interests. We ran against incumbents, some of us, saying we would be different, we would not go and be affected by those special interests and that we had to keep our word, see, because we had run on a promise, a contract, and the American people thought that contract included going and cleaning up Congress and changing the perception.

People turn on the TV night after night and see us in warm places with friends on golf trips and have the perception everyone is like that, and since I have been here, I realize that is an exception. It is not the rule.

The hearts are good here. They are well-intentioned. But the people still have little confidence in us.

I urge my colleagues to vote ''yes'' on the rule, vote ''no'' on Burton. Burton is introduced by a lot of people with good hearts who believe very strongly that these trips are not harmful. But they are harmful to our image. Vote ''no'' on Burton and ''yes'' on the rule.

Mr. FROST. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Connecticut [Mrs. DELAURO].

Ms. DELAURO. Mr. Speaker, it is time that we restore the integrity of the House of Representatives by banning gifts to Members of Congress. These gifts threaten the bonds of trust that we need in order to govern in this body.

We are here to do the people's business, and we are compensated very well for that. We do not need paid vacations, frequent-flier miles or free meals to sweeten the deal.

Most of all, Members of Congress do not need lobbyists' paid golf weekends. If Members want to play at Pebble Beach or Augusta, they should do it on their own time and on their own tab.

I am pleased a bipartisan effort is being made to finally ban gifts. I commend my colleagues on the other side of the aisle for their work on this issue. I must register my disappointment that Congress has not acted sooner. In fact, Democrats have tried to bring gift ban measures to the floor of the House 4 times since the first day of this Congress but have been blocked each time.

The House passed a strong gift ban bill last year with a 3-to-1 bipartisan majority, only to see that bill blocked in the Senate. This year, the Senate passed a gift ban 98 to 0. It is time to make sure that the House follows the same strict rules as the Senate.

I urge my colleagues to support the resolution, oppose the Burton amendment or any other changes that would weaken the gift ban, create loopholes for lobbyists or would impede the momentum that has pushed this House toward finally banning unnecessary and harmful gifts.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Utah [Mr. HANSEN], my friend and colleague.

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

Mr. HANSEN. Mr. Speaker, in this House, there are two things you have to look at. One is perception, and one is reality.

I spent 12 years on the Ethics Committee. In fact, I was the ranking member for the last 2 years of the Ethics Committee. I remember the Jim Wright case well. I remember the case where I was in charge of the Republican side on check cashing—109 Members say they lost their positions because of that.

I also took the time to go back and look at every case that has ever happened since the beginning of Congress on what we have tried in front of the Ethics Committee; somebody hit somebody with a cane, they went outside here and dueled, they spit on each other, they did all kinds of interesting things. But, you know, to this day, whatever the perception is, the reality is there has never been a case before the Ethics Committee because of an honoraria or a gift, never been there.

When I was first here in the early 1980's, we had an interesting time. We said we have got to change this around, and we did not get around to it, however, but in 1989 we did. People, like the gentleman from Indiana [Mr. MEYERS] sitting there, the distinguished gentleman from Ohio [Mr. STOKES], and others, all of us spent hundreds of hours trying to come up with some rules. We got them done. We did away with honoraria. We did away with a lot of things.

Then what happened? We had people come to the floor and say, ''We finally did it. We have got it done. We will pacify the American public. They will be happy with this.'' That was not done behind closed doors. That was done in the open, for everybody to see. All the papers said, ''Gee, they finally did it.''

Let me just ask the question: How many in here know what we did in 1989? I do not think very many people do. One. Thank you. I appreciate the gentleman from Texas.

Most of the people, though, it is just like saying what is wilderness. Nobody can define that. So we get down to the idea of what have we got; really, why do you not take it and read it before you vote on it? Why do you not find out what we have got before we talk about something else?

There are a lot of ways to skin this cat.

I personally feel we should leave it as it is and say to the American public, ''Why do you not go read what we did in 1989? I think you will feel we did a good thing and a good thing for America.''

I urge the Members to just let this one go. I am proud of the work that we did in 1989. I see no reason to change it.

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

Mr. MILLER of California. Mr. Speaker, Members of the House, I rise in strong support of this bipartisan effort to reform the rules of the House with respect to gifts.

I, too, will be supporting Speaker GINGRICH's substitute for no gifts. I wish he had treated lobbyists differently than the Girl Scouts, but so be it. I think we are better off with no gifts at all than all of the other problems raised by the exemptions.

I would seriously hope my colleagues would turn down the Burton amendment. This effort at disclosure is not real disclosure. But what it does is take off all the limits between lobbyists and people with unlimited expense accounts and the special access they have to Members of Congress at events, whether they are billed for charity or for any other. You may disclose under the Burton amendment that you went to charity. What you will not disclose is you played with three oil executives or three people from the homebuilders or three people from the banking industry or from the savings-and-loans. That was not chance. That was set up. It was determined ahead of time because that is how they attracted those people to give money to the charity was to promise them that they could play with the Member of Congress and they could spend time with them over a 3-hour, 4-hour, 5-hour period of time.

□ 1515

That will never be disclosed under the Burton resolution. We ought to turn that down. Because disclosure, disclosure will not solve the problem that we have. The problem that we have is that a group of paid people in this town who do very good work on behalf of their clients, whether it is on behalf of teachers or utility companies or home builders or what have you, they do marvelous work, but because of their access to money, because of their access to privilege, they have access to Members far beyond what our constituents have to us.

That is not fair, in an area where we are competing for ideas and competing for votes and competing to persuade our colleagues to vote one way or another, and that access that is bought by money must be ended. The bipartisan bill does that.

The Speaker's amendment takes it a step further, which I think is worthy of all of our support. Our constituents do not want us to disclose it, they want us

to stop it, and they want us to stop it now.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, as a newcomer in this Congress, my concern with many of my Republican colleagues is not that they have tried to change the operation of this House too much, but that they have changed it too little. And with all due respect to my good friend from Florida, I have to say that the Republican leadership really has broken its promise to the American people in this regard.

From day one, when the issue was the relationship between the lobby and the Members of this body, they refused to reform. We tried on January 4, we tried in May, we tried in June, we tried in September, we tried in October, again and again and again. We met a stone wall of resistance to doing anything to change those ties that bind Members of Congress to the lobby.

This year, finally, under pressure from the U.S. Senate, where 98 Members of that Senate voted to reform gift ban, finally it became obvious that some reform was going to have to happen. And I salute those Members, largely new members of the Republican caucus, who have spoken out on this issue, because it is essential that it have bipartisan support.

Yet as recently as this past Sunday on ''Meet the Press,'' Speaker GINGRICH again spoke out against the version of this bill that passed the U.S. Senate. We have a rule today that has been structured to make it as tough as possible to pass a real meaningful rule.

So today we have an opportunity to enact real reform, yet there is yet an amendment up here that would provide little more than the current system. It is essential that we not contract out the operation of this Congress to the lobby, that we rely on the Members of the Congress to do it, and not the gifts from the lobby.

Mr. FROST. Mr. Speaker, I yield 1½ minutes to the gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in support of the rule and for underlying bipartisan bill. Mr. Speaker, we were sent here to give Americans a better life, not to live the good life at the expense of lobbyists. But Congress has played games with gift bans for years, grandstanding against perks, but quietly preserving them.

Today we can stop playing games and pass real gift ban reform, either the Shays-Barrett gift ban bill, or the Gingrich total ban on gifts, or we can keep playing games, especially golf, and pass the Burton substitute. We need to vote against the Burton substitute.

House Resolution 250 is a good, tough gift ban. It limits single gifts to $50 and annual gifts to $100. The Burton substitute is not a gift ban; it is a gift bonanza. It will continue free round trip tickets to charity events; it says a gift under $50 is not really a gift. How many Americans would agree with that?

The only true gift ban bill before us today is the bipartisan Shays-Barrett bill, or Speaker GINGRICH's total ban, but in order to get to them, we need to vote for the rule and against the Burton substitute.

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from New Jersey [Mrs. ROUKEMA].

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Speaker, I rise in strong support of the rule and of this resolution. It has taken us too long to get to this day.

What we are doing here today is a straightforward change in the House rules to enact a strict ban on gifts to Members from lobbyists and other people with a direct interest in legislation. And, you know what? It is about time. Ross Perot is absolutely right on this one. The system is badly broken and must be fixed today. No more excuses, no more delays.

These two measures, the gift ban and the lobbying disclosure bill, are designed to correct basic faults in the system, a system that has shaken the confidence of the American people and our ability to do what is best for the country, and not what is best for our junketeering buddies.

Mr. Speaker, I do not know of any of my colleagues who can be bought off on an important issue by a trip or a dinner. But the American people perceive Washington to be nothing more than a swamp of back scratching and self-enrichment. Today we can take a step to correct that view. We must act here and now to eliminate the potential for corruption and eliminate even the appearance of junketeering buddies.

Mr. Speaker, some in this Chamber have decided to spread myths and use scare tactics on this bill. But my colleagues, I do not want you to be fooled by the loose talk on this resolution.

I really am looking forward to the day when this House cannot only do what we have to do today, but look forward to the real good government reform that the American people want and deserve, which is campaign financing reform. That will have to wait until next year. But without delay, today, we should defeat the Burton substitute. It kills reform, and support the Shays-Waldholtz-Barrett gift ban.

Mr. Speaker, I submit to you the ''Dear Colleague'' of the gentleman from Connecticut, Mr. CHRIS SHAYS, the gentlewoman from Utah, Mrs. ENID WALDHOLTZ, and the gentleman from Wisconsin, Mr. TOM BARRETT, which dispels those myths and tells the reality of this bill.

CONGRESS OF THE UNITED STATES,
Washington, DC, November 16, 1995.

GIFT BAN: MYTH VERSUS REALITY, PART 2

DEAR COLLEAGUE: Many questions have arisen recently during the discussion of gift ban legislation. We want to take this opportunity to dispel some of the ''myths'' you may have heard regarding the resolution.

Myth. This legislation will result in countless innocent members and staff going to jail for accidentally violating the ban.

Reality. H. Res. 250 is a rules change, not a law, and therefore could not result in any criminal violations. Just like the system that exists today, violation of the gift rules would be subject to disciplinary action by the Standards Committee.

Myth. I understand the personal friendship exemption doesn't apply if a gift was paid for with company expenses, or by someone other than my friend. Therefore, I could be in violation even if I don't know that a gift my friend gave me was paid by his company.

Reality. The rule states a member shouldn't apply the personal friendship exemption if ''to the actual knowledge of the Member, officer, or employee'' someone other than the friend paid for the gift. If you didn't know the gift was not paid for by your friend, you would not be in violation.

Myth. Sometimes my attorney waives a fee for me, just as she does for other clients. Under the H. Res. 250, I wouldn't be allowed to accept this.

Reality. The resolution exempts gifts which are ''offered to members of a group or class in which membership is unrelated to congressional employment.'' As long as your lawyer waives other clients' fees, and is not waiving your fee because you are a Member of Congress, you would not be in violation. This is similar to current rules.

Myth. I understand that personal hospitality is allowed under H.Res. 250, but that the exemption doesn't apply to free lodging at a company-owned resort. If someone invites me to stay at his condo, and I don't know that it's owned by his company, I will be in violation.

Reality. The limitations on gifts of personal hospitality are the same under H.Res. 250 as they are under current rules. You would not be in violation if you did not know the condo was company-owned.

Myth. If my friend invites me to go on his boat or use his jet ski, and I don't know that they're owned by his company, I would be in violation of the rule.

Reality. Again, if you don't know that a gift was paid by a company, you would not be in violation of the rule.

Myth. If someone gave me four tickets worth $20 each for my family to attend a baseball game, I would not be able to accept them, because the cumulative value of $80 exceeds the $50 limit.

Reality. The Standards Committee currently applies a ''simultaneous gift rule'' which would continue under H.Res. 250. Under this rule, the tickets would each be considered separate gifts and could be accepted as long as each ticket's value did not exceed $50. The total value of all tickets could not exceed $100.

Myth. Sometimes there's a charity event in my district, such as a 10K run or a tennis tournament, and the fee is waived for me. Under H.Res. 250, I couldn't participate in such events and have the fee waived.

Reality. This is not true. The resolution allows members to accept free attendance at a charity event, offered by the event's sponsor. You would not be able to accept free airfare to or lodging at a charity event.

Myth. Under the resolution, a gift to a staff member would count toward the member's limit.

Reality. A gift to a staff member does not count towards his/her member's limit, it would count toward the staff member's limit.

Myth. Sometimes I take courses or lessons and the fee is waived. Under H.Res. 250, I won't be able to do this.

Reality. Training is exempt under H.Res. 250 if such training is in the ''interest of the House''. The Standards Committee could determine if a class is in the interest of the House.

Myth. Unpaid interns would be banned under the legislation.

Reality. This is not true. Regulations regarding the service of interns already exist in House rules. H.Res. 250 does not affect these rules.

Myth. Use of government tennis courts and weight rooms would be banned.

Reality. This is not true, for two main reasons. Under the resolution ''Anything which is paid for by the Federal Government, by a State or local government, or secured by the Government under a Government contract'' is exempt. In addition, opportunities which are ''offered to members of an organization . . . in which membership is related to congressional employment and similar opportunities are available to large segments of the public through organizations of similar size'' are allowed.

Myth. I will not be able to take tickets to any game, even if it is a university in my district.

Reality. If the tickets are worth less than $50 each, they can be accepted. The cost of the tickets would count toward the aggregate $100 annual gift limit.

Myth. If an unsolicited gift basket comes into my office I will be in violation of the gift ban.

Reality. Provided the gift basket is worth less than $50, it can be accepted. The cost of the gift basket would count toward the aggregate $100 annual limit. If it is worth more than $50, the resolution states ''if it is not practical to return a gift because it is perishable, the item may, at the discretion of the recipient, be given to an appropriate charity or destroyed.''

Myth. If the Chamber of Commerce has a lunch, I won't be able to go and interact with my constituents.

Reality. Food and attendance at a widely-attended event is exempt from the ban.

Myth. I will never be able to go on a fact-finding trip to gain information that I need to do my job. In addition, my constituents will not be able to invite anyone but me to speak at their events—even if there is another member of Congress who is more knowledgeable on the issue than I am.

Reality. Travel may be accepted from anyone other than a registered lobbyist, as long as it is specifically related to official business. The travel must be publicly disclosed, and entertainment cannot be paid for unless it is provided to all attendees regardless of Congressional employment. Activities which are substantially recreational in nature cannot be paid for.

Myth. My staff and I will spend countless hours on paperwork requirements required by this resolution.

Reality. There are no record-keeping requirements included in H. Res. 250. The only additional requirement is further disclosure on travel.

I hope this is helpful. If you have any questions, call Allison Clinton (Shays), Bryan George (Barrett), or Linda Toy (Waldholtz).

Sincerely,

CHRISTOPHER SHAYS,
TOM BARRETT,
ENID WALDHOLTZ.

Mr. FROST. Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Speaker, I rise in support of this bipartisan bill. Not all lobbying is bad, and not all gifts are given for cynical reasons, but there is no denying that members of Congress are getting too close to lobbyists, and it is up to us to break up the symbolic relationship between legislators and the people hired to influence them.

Many of us were elected promising to change the way Congress does business, because the American people are convinced that Members of Congress take too many free trips, take too many expensive gifts, and have too many free steak dinners.

I am not so sure they are wrong. Just look at all the political wrangling and legislative game playing that has been going on on this issue, all in the name of saving free golf trips and greens fees.

Can you imagine, in the same week that we are closing down the Federal Government, we are thinking about voting to open up free trips for golf and free trips for greens. Last Congress, my freshman class, my Democratic freshman class, led the way of fighting for a gift ban, but that died in the U.S. Senate.

The Republican leadership this year has procrastinated and capitulated and delayed long enough. Working in a bipartisan way, we have this before the floor today. Four times earlier this year we tried to do it through Democratic amendments.

Now is the time to pass it. In the elections last November, voters gave Congress a mandate to change the way Washington does business. It is time to stop the political games and start working together to make this institution more accountable.

Vote against the Burton substitute, and let us vote for real reform. Let us pass it today.

Mr. GOSS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Alabama [Mr. CALLAHAN].

Mr. CALLAHAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am going to speak on the Burton amendment when it comes up. I have listened with great interest today. All of the Members of Congress who are so concerned about ethics in this House, I wonder if any of them have taken the opportunity to read the law? We are talking about a House rule and the law of the United States which says that anyone who is in Congress who accepts any gift in return for any vote on this floor is subject to imprisonment and removal from office.

If anyone is so pious and so convinced that there are Members of Congress who are taking these bribes, it is their obligation to this Congress to name names, to tell us who is doing this. They are doing this to get a headline back in their district, and they are getting a few, but they are making a tremendous mistake.

So get headlines back in your district, and then go back and tell people who you are talking about. Then bring those names to the Attorney General and let us prosecute them.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON–LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I really do not want to prosecute anyone. I simply want to have the U.S. Congress stand up and do their job, and that is to recognize that we are here to do the people's business, and not to be the recipient of all the goodies that may come into our office.

These are honest people here, folks. No one is attempting to prosecute law abiding Members of the U.S. Congress. We know however debate that the in the national arena has been directed at this House improving self-regulation. But this is a simple rule that has a simple face value to it, and that is that we should not accept gifts that may intrude upon the process of government. It simply prohibited gifts except at a certain monetary value. It allows Members to do their job on behalf of the American people, but it says that gift taking from lobbyists and others is just plain wrong. It is a simple fact, and I accept it, and was glad to vote for the rule.

I would ask my colleagues to join together to ensure that the American people will know that this House has cleaned its own self up, that this House is prepared to acknowledge the fact that the business at hand is to save the taxpayers' dollars, and also to be found to be beyond reproach. It is important that we recognize that this is not a harsh rule, simply a fair rule. It is a rule that is simply fair, and simply acknowledges that we are here to work, and to work hard.

Mr. Speaker, I would ask my colleagues to think about what the image has been of this Congress, aside from the fact we have not passed a clean continuing resolution that would allow the Government to keep its doors open, not for us, but for the American people. It is time now then to tell them that we are ready to get down to work and to avoid the aspersions that have been cast upon this Congress that we spend our time taking gifts and not doing work.

It a simple rule, it is a simple process. Clean our own act up. This Congress can do it. Stop the gift. Let us do it today.

Mr. GOSS. Mr. Speaker, I yield 2¼ minutes to the distinguished gentlewoman from Ohio [Ms. PRYCE], my friend and colleagues on the Committee on Rules.

Ms. PRYCE. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, today the House of Representatives will take another important step toward fulfilling our promise to the American people to change the status quo by voting on gift reform legislation.

Now, this is personally satisfying, Mr. Speaker, because many of us in the

sophomore class worked very hard since we arrived to bring about meaningful congressional reform, and now we finally have the strength of numbers to do it. I commend my colleagues and the new freshman class for all the hard work they have done to keep this important issue on the front burner, for working with our leadership to bring this to the floor this year.

Mr. Speaker, before I ran for Congress I was a judge, and when I decided to run for this seat, I called my mother and told her. And there was a long silence on the other end of the phone. And I said, ''Mother, what do you think?'' and she finally said, ''Deborah, how could you leave the bench to go to that sleazy place?''

Now, this was my own mother. I have since convinced her that things are not all that bad, but, unfortunately, I do not believe my mother is the only person in America who held this institution in such low esteem.

Now, for too long our constituents have believed that well-funded special interest groups have maintained undue influence over the legislative process. While I firmly believe that the Members and staff of this body conduct the people's business every day with honesty, integrity, and with high ethical standards, there is still a perception, much like my mother's, that Members' decisionmaking is often clouded by acts of generosity extended to them.

□ 1530

As a result, public confidence in this institution has steadily declined and the taxpayers have issued a renewed challenge to make Congress more open and accountable. As Members of Congress, we have the obligation to respond by setting higher standards for ourselves.

Mr. Speaker, this is a fair and balanced rule. It calls for honest debate on three very different proposals to strengthen current gift restrictions. Each proposal represents its own priorities and represents much hard work and sincere thought and all improve the status quo. I urge adoption of this rule and adoption of pursuant legislation to reform gift reception in this body.

Mr. FROST. Mr. Speaker, I yield such time as she may consume to then gentlewoman from California [Ms. ESHOO].

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

Ms. ESHOO. Mr. Speaker, I rise in support of the rule and the underlying bill and urge Members to support that and vote in opposition to the Burton substitute.

Mr. Speaker, I rise to urge my colleagues to reject the Burton substitute and support a complete ban on gifts.

Since arriving in Congress, I've made it my office policy not to accept any gifts from lobbyists or allow any of my staff to do so. Earlier this year, I was one of 32 Members who signed a Common Cause pledge saying that lobbyists gifts are forbidden in my office.

Now is the time to turn this voluntary pledge into the mandatory House rules for all of us.

It's important because we need to restore pubic trust in Congress and its Members. And there can be no better way to begin this process than by giving up lobbyist-provided meals, tickets, vacations, food baskets, and golf outings that have come to symbolize what's wrong with Washington and the way it operates. These gifts should be flat out eliminated.

Mr. Speaker, the Burton substitute is weak tea when what we need is strong medicine. It's time for Congress to give up gifts from lobbyists and get back to work for those who pay our salaries—the American people. I urge my colleagues to place a complete ban on lobbyist gifts.

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

Mr. GOSS. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Connecticut [Mr. SHAYS], who has also been in the forefront of this matter.

Mr. SHAYS. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, this is a debate I have not looked forward to because there are such strong feelings. This is kind of an in-house debate. We talk one way here and the general public on the outside hears and sees something totally different. We do not win friends, but this is a debate that we have to have.

I say we are at the crossroads in this Congress, and I particularly speak out to my Republican freshmen. They came as reformers, and already some of them are getting sucked up into this place. I believe we have to reform gift ban and lobby disclosure, and I believe the time is now.

Mr. Speaker, I salute the gentleman from Texas [Mr. ARMEY] for promising a vote. Little did I realize how many of our conference did not want him to do that. My admiration goes out to him, and the gentleman from New York [Mr. SOLOMON], who I call a seasoned veteran with a freshman heart, and the gentleman from Florida [Mr. GOSS], for the fine work he has done.

I encourage my colleagues as much as I can to defeat the Burton amendment, and I encourage the staff that are watching to wake up their Members and have them realize that if Burton passes, reform is dead. And tomorrow I know what the headlines will say. They will say this Congress is against reform. And if we do support the Burton amendment, we are against reform.

Mr. Speaker, we need to clean up our own House and we need to act quickly. I urge Members to oppose the Burton amendment. I urge Members to consider the Senate amendment, sponsored by the gentlewoman from Utah [Mrs. WALDHOLTZ] and the gentleman from Wisconsin [Mr. BARRETT] and others. It is a fine sensible proposal.

We will also have the opportunity to get rid of all gifts, which may be Members' decision, and something that we ultimately all may do, but we do not get to the Senate proposal, the Barrett proposal, the Waldholtz proposal, we do not get to the Speaker's proposal of no gift if Burton passes. The Burton amendment keeps things the way they are now, except it just discloses how sleazy this place has become.

I urge my colleagues to wake up and understand what this vote is all about. It is about whether we go forward or go backward, and I urge it to happen on a bipartisan basis.

Mr. FROST. Mr. Speaker, at this point I urge adoption of the rule, and I yield back the balance of my time.

Mr. ALLARD. Mr. Speaker, today, I rise in opposition to this rule. It is not often that I rise in opposition to a rule, as I have a great deal of respect for the gentleman from New York, the chairman of the Rules Committee. I rise in opposition to the rule not because I do not favor gift reform, but rather, I believe in the need for effective gift reform. I have always been a strong advocate for congressional reform and believe strongly in the concept of a citizen legislature. If we are to achieve these goals we must pass gift reform legislation that is truly effective. The gentlelady from Utah has proposed such legislation. Unfortunately, if this rule passes, the opportunity to vote on this truly historic piece of legislation will be greatly limited.

This rule, as presented, favors the substitute. If we wish to arrive at a real solution to the gift reform equation, we must be allowed to weigh each measure on its own merits, without the limits of this rule. Any limits placed on debate should allow each of these measures to be brought to the floor individually. This way, the U.S. House of Representatives can begin the process of removing many of the perks Congress has enjoyed over the last 40 years.

I will support the Burton substitute if it is the only piece of gift reform legislation brought to the floor, even though I believe House Resolution 250, the Congressional Gift Reform Act, to be the strongest piece of gift reform legislation presented to date.

Mr. GOSS. Mr. Speaker, I yield myself the remainder of my time.

Mr. Speaker, just make a few points I would like to speak to very quickly.

First of all, we are talking about House rules, not criminal statute. I say that because there are some who have put out some thoughts that there is the potential of going to jail and so forth because of these House rules we are talking about. Breaking the law is always possible and anybody can go to jail and should if they deserve to, but we are talking about the rules of the House here, not about criminal law.

Second, I would like to point out that volunteers have been brought up in some scenarios. They are subject to another rule and not part of this legislation today.

Third, there was talk about a political convention. That is not covered, as my friend from Texas has talked about. There is a specific exemption from that, and, as we know, we separate our official from our campaign functions very carefully and need to continue to do that.

Fourth, this is a bipartisan event. There are participants from both sides of the aisle and many different points

of view involved, not only in the base legislation but in the amendments that we will be discussing.

Fifth, I would like to point out that even though some have cast aspersions about GOP's leadership abilities to move this forward, we have only been here 10 months and we have it on the floor on the date we promised. The others who have been here for 40 years perhaps did not come to quite as timely a decision on this. So I think we have done OK.

Sixth, I would like to point out that on page 12 of the committee report, an incorrect reference is made to a restriction on the provision of ''free attendance'' at a widely attended event, which does not exist in House Resolution 250. For the record, there is no restriction on who may provide free attendance at such an event.

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 resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. SOLOMON. Mr. Speaker, pursuant to House Resolution 268, I call up the resolution (H. Res. 250) to amend the Rules of the House of Representatives to provide for gift reform, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 268, the amendments printed in House Resolution 250 are adopted.

The gentleman from New York [Mr. SOLOMON] and the gentleman from Texas [Mr. FROST] each will be recognized for 15 minutes.

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

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent to divide our 15 minutes equally between myself and the gentleman from Indiana [Mr. BURTON], 7½ minutes each.

I yield to the gentleman from Texas [Mr. FROST] for a similar request.

Mr. FROST. Mr. Speaker, I will yield up to 7½ minutes to opponents of the legislation during this debate. It is not clear as to whether the opponents at this portion of the debate will be asking for the full 7½, but if they do, for purposes of control, I will yield up to 7½ minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York and the gentleman from Texas?

There was no objection.

The gentleman from New York [Mr. SOLOMON] is recognized for 7½ minutes.

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

Mr. Speaker, House Resolution 250 is the long-awaited House Gift Reform Act. This new rule would place tight new limits on the types and value of gifts that Members, officers, and employees may accept.

Mr. Speaker, let me say at the outset that this is a bipartisan effort. We have had people on both sides of the aisle championing these new limits for several years now.

That is not to say that our 1989 Ethics Reform Act did not set significant new standards for all branches of the Federal Government. It did as the gentleman from Utah [Mr. HANSEN] said. We eliminated the honoraria of up to $2,000, that Members used to be able to receive for speeches. It outlawed certain types of outside employment for Members, officers, and employees—such as working with or being affiliated with law firms.

And it banned certain types of gifts from all persons and not just from those having a direct interest in legislation, as was previously the case.

But the resolution before us today continues the ethics reforms we enacted back in 1989.

Moreover, this resolution continues the reform revolution set in motion on the opening day of this Congress when we overhauled the rules and procedures of this House, eliminated scores of committees and subcommittees, and downsized our committee staff by one-third. We shrunk the size of this Congress.

As the chairman of the Rules Committee, and one who has been heavily involved in reform efforts since I came to this body, I pledged that January 4, 1995, was just the beginning, that reform was an ongoing and dynamic process, and that we would continue to reform this institution as long as we were in the majority, and we are doing that today.

Mr. Speaker, I am pleased that we have continued with the reform initiatives that we set in motion on opening day. This gift rule reform resolution is just the latest chapter in that ongoing effort.

I especially want to commend the freshmen Members, like the author of this resolution, the gentlewoman from Utah, Mrs. WALDHOLTZ, an outstanding member of this body, the gentlewoman from Washington, Mrs. LINDA SMITH, the gentleman from Kansas, Mr. SAM BROWNBACK, and especially the gentleman from Connecticut, Mr. CHRIS SHAYS, and a whole host of others.

The people wanted a new Congress with new priorities and a new agenda. And they wanted a Congress that was willing to literally clean its own House.

Notwithstanding the great strides we have made in meeting the demands and expectations of the electorate, there is still a great skepticism and distrust around the country about this Government, and we have to do something about that.

Unfortunately, that public distrust extends to every branch of government, including the Congress. It is not because we have failed, or because this body is filled with dishonest Members. That is certainly not the case. This House is filled with the most honest, bright, and hardworking Members in the history of the Republic.

Notwithstanding that, the people are still skeptical, suspicious, even distrustful of public officials. It is a legacy of the past, and nothing new in our history. The people have seen too many empty promises, too much business as usual, and they want results—sometimes sooner or greater than a democracy can deliver.

Overriding all this is the age-old suspicion that politicians are only out for themselves, are too influenced by special interests, and are too little concerned with the interests of the people.

Mr. Speaker, I am proud to say that this 104th Congress is keeping its promises of the last election. We are about to deliver on the most important of those promises—something all the people want—and that is to balance the budget.

But, until we complete action on that, and the other legislation that we have already passed in this House, there remains that public skepticism and distrust. Do we really mean what we say? Will we really see it all through?

The resolution before us is part and parcel of our congressional reform efforts to dispel those public misperceptions that we are somehow not here to do the people's business, and are somehow beholden to those who supposedly lavish us with gifts.

Mr. Speaker, my colleagues know that is not the case. They know that they will not be returning to this House in the next Congress if they do not put the people first, and carry out the people's mandate and expectations.

So this resolution that significantly tightens up on the House gift and disclosure rules, is not a great sacrifice, because it does not involve any major alteration in our behavior. We do not have to make any significant changes in our behavior or conduct, because most Members do not now take or accept the kind of gifts this rule would prohibit.

But I am convinced that by adopting tighter gift rules and restrictions we will help to convince the people that we are not being unduly influenced by gifts or meals or trips or what have you. Our greatest gift is the continuing trust and support of the people and the privilege they have bestowed upon us to represent them and their interests in the people's House.

Let's give them a gift in return, and that is this small but significant step to help restore the trust of the people in their Representatives. That is not asking too much. It is the least we can do. Let's pass this gift rule and demonstrate that we are indeed worthy of the trust and responsibility the people have placed in us.

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

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

Mr. Speaker, I rise in strong support of House Resolution 250. The reform of the gift rules for House Members and staff is a bipartisan issue and one that

has been supported for many years by Members of all political stripes and by many citizen organizations. We have, in years past, made significant changes in our rules, but in spite of those reforms, many Members have recognized that there is still a need to continue to change how this institution does business.

Mr. Speaker, I am very gratified that the persistence of the gentleman from Texas [Mr. BRYANT] has finally paid off. His untiring efforts to bring this issue to the full House, along with the efforts of a broad bipartisan coalition of freshman and other junior Members, demonstrates that this issue does not belong to any one political party. My Rules Committee colleague, the gentlewoman from Utah [Mrs. WALDHOLTZ], is to be congratulated for shepherding this issue through the Rules Committee and to the floor today. I also want to thank my friend, the gentleman from Florida [Mr. GOSS], for his steadfast support for bringing this issue to the full House.

And now that the House has finally come to the moment in which it can demonstrate its commitment to reform, I want to urge all of us to think carefully about how we are going to vote today. If, as we all know, there are those in the public who will never be satisfied with what we do here, there are also other Americans who understand that the men and women elected to this institution are honorable and that we are trying to do the right thing. We are here because we want to give something back to this great Nation which has given each and every one of us so much.

Mr. Speaker, the House has three choices today: First, a substitute will be offered by the gentleman from Indiana [Mr. BURTON]. His proposal would leave the current gift rules in place but would require extensive disclosure of any gifts received or any trips taken by Members or their staff. Mr. BURTON's proposal, if I understand it correctly, would impose new disclosure requirements which will allow our constituents to decide if we are unduly influenced by lobbyists and other special interests. I submit, Mr. Speaker, that Mr. BURTON's heart is in the right place, but that his substitute simply does not get the job done. I would urge a no vote on this proposition.

The second proposition may be offered by Speaker GINGRICH if the Burton substitute does not pass. The Speaker's proposal would zero out accepting gifts. His proposal does, however, contain a number of exceptions which may or may not address the issue of how to deal with small, inexpensive gifts from constituents or other groups.

That proposal is, of course, the proposition reported by the Committee on Rules and which is sponsored by a broad bipartisan coalition. This amendment to the rules of the House reduces the allowable amount of accumulated gifts from any one source from $250 to $100 per year, and prohibits the acceptance of any gift with a value exceeding $50. With certain exceptions, lobbyists are prohibited from giving gifts to Members and staff. But most importantly, this new rule would specifically bar Members from accepting reimbursement for transportation and lodging costs associated with their attendance at charity golf, tennis, and ski tournaments.

This prohibition directly addresses the lifestyle issue which has caused this institution so much unneeded and unwarranted grief. This prohibition is key to the gift rule reform effort.

The proposal reported by the Rules Committee is not perfect, but it is a significant improvement on the current rule. I urge my colleagues to support the bipartisan proposal reported from the Rules Committee.

□ 1545

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

Mr. BURTON of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. BARR].

Mr. BARR. Mr. Speaker, I thank the gentleman from Indiana for allowing me to weigh in on a very important topic.

Mr. Speaker, the sound of hands beating against chests today is just deafening. We have before us now something that everybody can beat their chests and say that we cleaning up the cesspool, we are cleaning up the sleaze.

Mr. Speaker, I do not know about the other Members here, but in the 11 months that I have been here I have had a parade of constituents through my offices that are church people, that are members of Little League teams, that are members of Chambers of Commerce, that are members of small and large businesses in my district, and elsewhere in the country, environmental groups, that have an absolute right. They want to come in and see me. They are not coming in with bags of cash. I do not know who my colleagues are hanging out with, those who talk about sleaze and sewers, maybe they are hanging out with a different class of people than I do coming up here from my district in Georgia.

The legislation that we are talking about here today does not address those fundamental issues that we have already addressed that are already addressed in the criminal laws and the ethical regulations in this House.

What we are talking about today is beating our chests and making the public think we are really changing something, when all we are doing is preventing people from coming into our office that may have a baseball cap to show us that they want displayed, because they are proud of something they have done. Now, we have to virtually subject those people to a pat-down search before we allow those people into our office under House Resolution 250 or under the Speaker's legislation, and ask them for a receipt.

One of our staff people cannot go out to dinner, to find some time because they do not have time during the day. They are doing the people's business. They could not go out and have a meal with some folks back home. What we are doing is cutting off our nose to spite our face. We are diverting attention from real issues here. What we are going to end up with is a god-awful piece of legislation that is a lawyer's dream.

Mr. Speaker, I have sat here just trying to focus on one bit of a discussion earlier when we were talking about this rule on whether or not attendance at a political convention is or is not exempted under here. In the space of 2 minutes, we can look through House Resolution 250 and find four different places where it may or may not be covered.

It is a nightmare. Do not pass nightmares, despite the fact that we can beat our chests and make people feel good. The Burton substitute is very proper.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Hawaii [Mr. ABERCROMBIE].

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

Mr. ABERCROMBIE. Mr. Speaker, this is general debate and I will speak again at the time of the introduction of the Burton-Brewster-Clay-Abercrombie amendment, the full disclosure amendment.

Mr. Speaker, the previous speaker just mentioned about beating on chests, and I agree with him entirely. I did not come into this institution as the last person to be sworn in by Tip O'Neill before he retired to have people stand here in the well of the House and say that there is only the ''appearance of integrity;'' that it is not an honor and a privilege to serve in this House.

Mr. Speaker, I will tell my colleagues if there is a perception out in the country that there are less than honorable people here, it is created by individuals. We cannot account for everybody who comes in here, but the voters see to it whether or not they want those folks to come back in here.

There is nothing in this bill presently before us that provides what our full disclosure amendment provides. As a matter of fact, there is no disclosure provision. I would like to know, all those who have come down here and talked about appearance, restoring integrity, the perception; that it is more important to attack the perception of the House, more important to attack that.

Mr. Speaker, I would like to know all of those who have stood down here so self-righteously proclaiming that they, of course, are ready to assume the mantle of probity; they would not be guilty, not even the odor of mendacity is about their persons.

But for the rest of us, for the rest of us, no disclosure? I would like to know whether any of those Members have

taken any money from any source that they now stand here and say they will take no money from in the form of a meal. How about a campaign contribution? I would like to see now many people who are standing down here saying, ''Not me, I would not take a meal or anything from a lobbyist.'' They would not? Mr. Speaker, then they should come down here and let me see what their campaign contribution form looks like.

Now, far be it from me that there is anything wrong with that, but what we are really talking about here is campaign reform, campaign financing. If that is what my colleagues want to attack, attack that.

There is an exception. There is an exception for campaign activities, as was pointed out by the previous speaker. Will somebody please explain to me how we are going to have an exemption for campaign activities, but at the same time say that we are actually passing a gift rule?

Mr. Speaker, I understand the motivation of someone trying to say that they are cleaning the place up. Yet, every single Member who said that also remarked that they were fully believing that the integrity of the House was intact; it was merely the perception that the House does not have that integrity which was in question.

If that is the case, let us be honest. If there is a Member in here that is a thief and a crook, then stand up and say so. That is what we have a Committee on Standards of Official Conduct for and a Justice Department for.

Mr. Speaker, I say let us have full disclosure, just as we do with our Federal election campaign reports. That amendment will be before Members. Then my colleagues can go back to their constituents and say to them, ''Yes, you can examine my record, you can examine what I did, and you make a judgment as to whether I am worthy to be in this House.''

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

Mr. BURTON of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, I would like to say for those of us who have not worked as hard as others have on this issue, we compliment the gentleman from Indiana [Mr. BURTON] on his work. A lot of people put a lot of dedicated time into this issue.

Mr. Speaker, I think we have to meet three tests if we are going to have an adequate disclosure and gift reform. One is it has to be clear. I think gray areas are the worst enemy of everybody. That is what causes problems.

Second, it has to be easy to administer. We get to the point in some of the proposals where the recordkeeping itself is going to be the issue.

Third, I think it has to meet the commonsense test. I think that the record has been, at least with respect to charities and charitable events, that Members of Congress attending as, whether we call them bait or celebrities or whatever to raise money and to raise help for cancer research, for heart research, and for other good charities, is a good thing; something we should promote and not deny.

Mr. Speaker, I think that the Burton proposal meets the clarity test, the easy-to-administer test, and the commonsense test. That is what I am going to support.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. BRYANT].

(Mr. BRYANT of Texas asked and was given permission to revise and extend his remarks.)

Mr. BRYANT of Texas. Mr. Speaker, this is the third year that we have spent in this House dealing with this issue. We passed it in the last Congress and we passed the conference report. The Senate did the same. As many know, it was filibustered to death in the Senate at the very end. Earlier this year the Senate voted by a margin of 98 to 0 to enact the bill that is before us today.

Mr. Speaker, many, many Members of this House and many, many Members of the other House have worked extremely hard to find a way to put together exactly the kind of bill that the gentleman from California [Mr. HUNTER] was just describing. One that made sense; one that was reasonable; one that we could live with and work with; but one at the same time that would assure the public that Members of this House were not making decisions on laws based upon their social contacts and the free things which they receive from lobbyists, the very people who are hired to influence our decisions.

There is adequate reason for them to be worried about that. If my colleagues turn on any of these television magazine shows any given night of the week, they are likely to see a sordid picture of Members of Congress all decked out in their golf regalia playing golf at some tropical clime for free, accompanied by lobbyists and representatives of some of the biggest and most powerful companies in this country.

Mr. Speaker, I would say to the gentleman from Hawaii [Mr. ABERCROMBIE] I do not believe this place has crooks in it. I do not believe this place deserves what it has been frequently called by its own Speaker, and that is to say the adjective ''corrupt.'' It is not, and I do not believe that it has been in the time that I have been here. But people are given that impression when Members cross the line and spend that much time with lobbyists.

Mr. Speaker, all we have done with this bill is say there is going to be a $50 limit. Members are not going to be able to get free meals every night of the week from the same guy and they cannot fly across country for the purpose of playing golf.

Mr. Speaker, I have spoken to the gentleman from Indiana [Mr. BURTON] about this. He sincerely believes that the role of Members in these charity golf tournaments is a public good and ought not to be curtailed in any way, but the price of that is the confidence of the public in this institution.

The fact of the matter is that when Members go to these charity golf tournaments, there is no secret who is playing golf with them, who is in their foursome, who is spending time with them. It is somebody who wants to be able to influence their decisions in this House.

Mr. Speaker, the public wants us to do away with this. The fact of the matter is that a minor inconvenience for some people, and no inconvenience for the majority of us, is all that will result from passing this bill today.

Mr. Speaker, I strongly urge Members to go ahead and get rid of this last gasp of reactionary talk about the ability of Members to do free things around this institution and around this country. Let us go ahead and pass this bill today and vote against the Burton amendment and let us finish this issue once and for all.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. TRAFICANT].

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

Mr. TRAFICANT. Mr. Speaker, the Burton amendment is not the end of the world, but the truth is the perception is that it is the end of the world and Members do not want to explain votes around here.

Mr. Speaker, I think the gentleman from Alabama [Mr. CALLAHAN] was right on target. If Members are selling their vote for a luncheon, they are subject to a bribe arrest, thrown out of Congress, and going to jail.

But the bottom line is after it is all over and after we cannibalize Congress once again, the truth and the reality is we will ban gifts, but the same lobbyists who cannot take Members to lunch can give them $5,000 in the primary, $5,000 in the general, and that is not going to be changed, because that will question the fabric of a free participatory democracy.

Full disclosure is not all bad, and I will deal with the perception. But I took this time because in the companion bill where we are talking about lobbying, foreign interests lobby the Congress. In this next bill I have an amendment that sets stricter guidelines and standards and makes sure they have to register so we know who they are.

Mr. Speaker, I have been trying for 4 years to get it out, and everybody says, ''We are for it, but not this time, JIM.''

Mr. Speaker, I am going to support this cannibalization, but I believe the gentleman from Alabama [Mr. CALLAHAN] is right. We have an awful lot of laws and maybe they ought to be enforced and Congress should stop cannibalizing themselves.

Mr. Speaker, a Congress that must cannibalize itself must be perceived by

the Nation as a Congress that might just cannibalize them at some point.

□ 1600

Mr. BURTON of Indiana. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. OXLEY], my good colleague.

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

Mr. OXLEY. Mr. Speaker, I rise in support of the Burton substitute. Those of us who have been criticized for going to events whether they are charity balls or dinners or golf events or tennis events, whatever it is, on behalf of charity I think have really taken a bum rap. When you talk about perception, the perception is not reality.

I remember one of the events I had an opportunity several years ago to participate in out in Idaho was the charity event where we raised money for cancer research. Those of you who are worried that I was going to be playing with some well-heeled lobbyist, I ended up playing with the head of the Mormon Church. I can say with all honesty that, while it was a wonderful experience, he had very little influence over me other than perhaps some of my language, if I might have missed a put.

The fact is that this effort by the Members is a very honorable one. The gentleman from Indiana, gentleman from Oklahoma, others have participated in these events. I am proud of it. I am proud of the fact that I have had an opportunity to help raise money for charity. I see nothing wrong with it as long as you report it.

The gentleman's efforts to tighten the disclosure and the requirements are perfectly applicable. I do not think anybody should take advantage of this. Understand all of these are reportable. All of these rate public scrutiny, and ultimately our responsibility is to the people who elect us. Those are the people who really count.

That is really what it is all about. That is full disclosure under the Burton approach and allow us then to go and explain it to our constituents. Those are the people that elect us. We are not responsible to other members. We are not responsible to the media. We are responsible to people who sent us here. That is what the Burton proposal does. It is full disclosure, gives us an opportunity to represent our constituents the way we think they ought to be represented. If they think that we are representing them well, they will return us to office. If they are offended by that, they will kick us out.

Support the Burton amendment.

Mr. FROST. Mr. Speaker, may I inquire of the time remaining?

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). The gentleman from Texas [Mr. FROST] has 4 minutes remaining, the gentleman from Florida [Mr. GOSS] has 3½ minutes remaining, and the gentleman from Indiana [Mr. BURTON] has 2½ minutes remaining.

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

Mr. BURTON of Indiana. Mr. Speaker, I yield 2½ minutes to the gentleman from Alabama [Mr. CALLAHAN], my dear friend and colleague.

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

Mr. CALLAHAN. Mr. Speaker, we are faced today with three alternatives. One, we can accept the current bill. No. 2, we can accept the Burton amendment that he is going to offer. Or No. 3 we can accept the Gingrich amendment which will follow the Burton amendment, if it fails, and have zero gifts; maybe that is best.

I stood here and I challenged those of my colleagues that are so passionate in their belief that we are a bunch of corrupt individuals, that it is your constitutional authority to name names. And if you know of anyone who is selling his vote on the floor of this House for a golf game or for a meal or for anything else, it is your constitutional obligation to notify the Attorney General and incarcerate and make this Member who is violating the law be evicted from this House as the law so states.

So our options, as I see it today, a classical example of—a neighbor of mine, Dr. Les Grier, called me last weekend and he said: ''SONNY, the Lions Club is having a membership drive. We would like to have you as a member because you are a Member of Congress, and we think we will be able to attract other members.''

I said: ''Les, I am never there during the week. I cannot come to the meetings. I cannot afford to pay the $400 a year because I am never there to eat the meals.'' He said' ''For you we will waive the annual fees.''

So under this provision, I could not even join the Kiwanis Club as an honorary member. That, my friends, is wrong. At least under the Burton bill we would be able to accept these types of activities in our home districts. We would still have to disclose them, as the Burton bill requires, but at least we would not be convicted by an accusation by some opponent or by some individual who might dislike us for any reason.

So I encourage Members today to think what they are doing. Accept the Burton amendment as the best alternative to the three alternatives we are facing here today. Remember that this is a rule of the House that the law of the land requires us, as a member of Congress, not to sell our votes. And regardless of all of these innuendoes and regardless of all of these individuals in this House who are doing this for a headline back at home, it is absolutely wrong.

Mr. FROST. Mr. Speaker, I yield 1 minute and 30 seconds to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, Americans seek genuine reform of this Congress, not another sop or flop. They certainly seek more than the change of a number, which is little more than the substitute provides to change the level at which disclosure must occur. The problem with disclosure, among others, is that too often the beneficiaries of largess receive so many gifts they have trouble keeping track of all of them. I think of one leader in this body who disclosed his custom-made ostrich boots, but until he was asked by a reporter, he forget that he had a cruise to the Bahamas as well.

Americans do not need to count the number of gifts that people receive and read about more gift through disclosure, about the level of benevolence of the lobby to the Congress. What they want to read is that this practice has stopped.

I have the utmost respect for my colleague from Hawaii, and he is right that dealing with gifts is only part of the problem. We need to deal with campaign finance reform as well.

My colleagues remember that it was in June that Speaker GINGRICH and President Clinton shook hands on genuine reform, bipartisan reform, up in New Hampshire. It took from June until November for Speaker GINGRICH to answer that handshake, and his proposal was the appointment of a new stall commission to stall any reform on campaign finance until next year.

Do not let the need for one reform get in the way of another reform. Let us do what is right and pass some kind of genuine reform of the lobby and gift laws that the U.S. Senate did on an unanimous and bipartisan basis.

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

Mr. FROST. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, I just very briefly want to address several issues that were raised on this side, one dealing with the Lions or the Kiwanis. There is nothing in this bill that is going to prevent someone from going to Lions or Kiwanis events in their district. There are Members talking about criminal law coming into effect. That does not come into effect at all in this bill.

This bill deals with the House rules. There are no criminal sanctions contained in this legislation whatsoever. So I think it is important that we keep the debate on what is really going on here. That is whether or not we should be banning these gifts altogether. No criminal sanctions, you can still go to the Kiwanis breakfasts.

Mr. FROST. Mr. Speaker, we have no further requests during this portion of the debate, and I yield back the balance of my time.

Mr. GOSS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, Abraham Lincoln once said

> With public sentiment, nothing can fail; without it nothing can succeed.

History has proven this to be true time and again.

And that is why restoring the public's faith in this institution must be a top priority. After all, if the people we work for do not believe in us they will not believe in the decisions we make. Despite the fact that almost every individual Member and staffer are honorable—people do not think very highly of us collectively.

Many think we have been out of touch, living in a different sort of world than they face everyday; the kind of world where gifts and meals and vacations are paid for by someone else. And because of that, they do not have confidence that the decisions we make are always in their best interests.

This is a major problem for us, especially at a time when we are seeking to make the tough choices needed to balance our budget.

Public support is crucial to the success of our mission—and in my view, responsible gift reform is crucial to that public support.

Mr. Speaker, as a member of both the Rules Committee and the Ethics Committee, it has been my chore to learn the details behind the principles at issue in this debate. I have studied current rules, the provisions of House Resolution 250, and the provisions of the alternative proposals we face.

I have listened to question and comments by dozens of our Members—in public hearings before the Rules Committee, and in one-on-one discussions. I know Members want to do the right thing—and they do have legitimate concern that we develop rules that make sense, that are understandable and effective and will not trip Members up even as they try to comply. In my view, the type of approach our Speaker may bring forward later today—involving a total ban on gifts—is the cleanest and best way to go toward accomplishing those goals. But I also believe that we could make major progress if we adopt House Resolution 250 as reported by our Rules Committee. Even though this measure has some problems, it does accomplish significant change. It gets a handle on most gifts and meals provided to Members and staff by imposing new limits. It provides for greatly expanded and more timely disclosure on travel. And it creates new restrictions on the actions of registered lobbyists.

These are all positive—and I think workable—provisions. I think they deserve support by this House. Our consitutents have asked for such improvements.

Finally, Mr. Speaker, let me say to my friend DAN BURTON, that I understand the concerns he has raised and I respect the effort he has made in crafting an alterantive to House Resolution 250. He has some solid ideas, but in my view his alternative is not sufficient to meet the necessity we face.

I worry that Americans will see the $50 threshold as too high and the allowance of travel to recreational charity events as too generous.

As I have throughout this process, I intend to listen carefully to the debate—we have a series of choices: if BURTON is too relaxed or has image problems then vote ''no'' and consider Speaker GINGRICH's full ban on gifts—if that's too tough then WALDHOLTZ is middle ground. I'll vote ''no'' on Burton ''yes'' on Gingrich because I believe that is where America is and I believe that is where we should be, too.

Mr. REED. Mr. Speaker, recent days the new House majority has shown a distinct lack of bipartisanship.

However, today, the Republicans are waking up to the need for reform and are offering legislation to ban gifts to Members of Congress. I urge all of my colleagues to join me in supporting both House Resolution 250 and the Gingrich amendment which will send a strong signal to our constituents that we don't want gifts, we don't need them, and, most importantly, that this House is not for sale.

Regrettably, there are those in this House who do not want reform. They want to continue the practices of the past. The want all Members to be tainted by their need to get free travel and lodging at golf, tennis, and sking charity events. They would have us believe that Members of Congress somehow deserve different treatment than the average American—this is just plain wrong—and I urge my colleagues to reject it.

Today's vote is long overdue, but there are other reform efforts that need to be acted upon, particularly campaign finance reform.

Last year, I voted for a campaign finance reform bill, supported by Common Cause, which would have set spending limits and reduced the influence of special interests in political campaigns. This bill never made it to the President, but I am hopeful that we can work together in a bipartisan manner to develop a fair campaign finance reform plan this year. We need campaign finance reform if we truly care about changing the nature of politics and encouraging Americans to stay involved in the system.

Mr. Speaker, I urge my colleagues to support true gift ban legislation, and I look forward to passing a campaign finance reform bill. Thank you.

Mr. PORTMAN. Mr. Speaker, I rise in support of Speaker Gingrich's substitute to H. Res. 250, the gift ban legislation. The Speaker's substitute is the only version that would ban all gifts.

This is a tough issue. There is no easy way to monitor or regulate items that we as Members of Congress receive for free.

Once you start down the path of regulating these gifts, which we already have under current law, it gets messy. We must then ask ourselves: Was the gift under ten dollars? Did I report it in a timely manner? Was he or she a lobbyist?

If we've decided it's important to go down this path, I just think it's easier, simpler and safer to establish as a general rule that all gifts should be turned down—there are fewer pitfalls to this path. However, you need two exceptions to make it workable. One, a common sense friends and family exception is necessary. Two, we need a widely attended gathering exception to allow us to attend receptions and accept meals, for example at Rotary speeches and political events.

These exceptions are in this amendment. Even with the common sense exceptions, some wonder whether this path is workable. I think the bright line test is as workable as any other set of rules, and again, is easier and safer to comply with.

I lived under these rules in the Bush White House, where I had the unenviable job of enforcing them, and here in my own Congressional office. I urge my colleagues to support this amendment as the best way to demonstrate that real reform has come to this House.

Ms. JACKSON-LEE. Mr. Speaker, as a servant of the people of the 18th Congressional District of Texas, I strongly support both House Resolution 250 which was sponsored by Congresswoman WALDHOLTZ as well as the amendment offered by Speaker GINGRICH. For many years now, Congress has suffered under the perception by the American public that its Members can be influenced and swayed by gifts from lobbyists and special interest groups. While many Members hold themselves to strict codes of conduct regarding gifts, this bill is an opportunity to strengthen rules which would put to rest all suspicions about the behavior and integrity of all Members.

This bill simply applies good, commonsense rules to the issue. It sets reasonable limits and conditions, as representatives of the people, must accept. Alarmist cries have been raised by some of my colleagues during this debate and I do not agree with, nor do I think they can justify their roars of outrage.

This bill limits to $100 the total annual gift contribution from any one source. It also allows the attendance for members at conferences, dinners or receptions which are appropriate to our duties. To address the matter of charitable activities, may I remind my colleagues that our participation in charity functions are explicitly allowed, but not transportation or lodging. That is responsive to the American people's sense of what our real job is here to work for them.

May I remind those in opposition of this bill that this is indeed a truly bipartisan effort with both sides of the aisle coming together to support this legislation. I cannot believe that what this piece of legislation proposes would not be good for this institution.

Gift reform is something that is long overdue in this legislative body and I believe that it is now time to put to rest all issues regarding the public trust. That trust is the very basis of both our Government and our society. Without the trust of those we represent, we have legitimacy and no Government.

Mr. POSHARD. Mr. Speaker, I rise today in strong support of the Congressional Gift Reform Act. This important resolution would apply more stringent limitations on gifts, meals, entertainment, and travel Members of the House of Representatives and their staff would be permitted to receive.

Americans have long asked Congress to clean itself up and this is an opportunity for us to do just that. As elected Representatives, we have a moral duty to represent our constituents as honorably as possible. It is time to finally put the interests of our Nation and its people ahead of those in Washington with deep pockets.

Current House rules allow Members and staff to receive gifts up to $250 from a single source each year excluding gifts worth less than $100 and all meals. I believe this is unacceptable. Under today's resolution, Members

of Congress and staff could not receive a total of $100 in gifts from any one source nor could they accept a single gift or meal with a cost exceeding $50. In addition, the measure bans lobbyists from paying for any travel, regardless of whether it is related to official duties or recreation. While the resolution is not a complete ban on the acceptance of gifts, which I have long supported, I believe it is a strong step in the right direction.

However, during consideration of this resolution, we may have the opportunity to vote on an amendment to completely ban gifts and meals. I encourage my colleagues to join me in supporting this measure, because I believe it would truly reduce the amount of influence lobbyists and special interests have on the legislative process.

Because I support true gift reform, I rise in opposition to the Burton amendment, because it leaves the status quo. It is simply an attempt to gut a bipartisan effort to enact effective gift reform. Under this amendment, Members would still be able to accept $250 in gifts a year and accept free travel and lodging to certain charity events.

Mr. Speaker, thank you for allowing this very bipartisan effort to be considered today. I believe our action on this measure will demonstrate to the American people Congress' sincere effort to reduce the influence of special interests and lobbyists on Capitol Hill.

Mr. CASTLE. Mr. Speaker, the Wall Street Journal recently reported that more than 70 percent of U.S. voters said they couldn't usually trust the government to do the right thing. This is a serious problem. One of the foundations of representative democracy is citizens trusting and having confidence in their elected officials. When trust and confidence dissipates, democracy cannot thrive.

We have an obligation to try and regain the public's trust. This may not be easy, as public figures are scrutinized more carefully in this media age than ever before in our Nation's history. But we must make every effort to conduct ourselves in a way that is above reproach or suspicion. We must systematically and methodically modify our behavior and our institution in ways that reassure the American people.

One of the most obvious ways to strengthen our institution is to address the issue of gifts to Members and staff. The public can see that current congressional gift rules are, quite frankly, farcical. Members and staff are free to accept gifts up to a cumulative value of $250 from anyone. But meals do not count, and gifts under $100 do not count toward the $250 limit. Recreational trips such as golf, tennis, and ski tournaments, which may be charitable but also give lobbyists unique access to Members and staff, are also permitted under current gift rules. It is extremely difficult to convince the public that this unique access does not influence the policy process.

While few, if any, Members or staff are corrupted by a free meal or tickets to a Red Sox game, given the low regard that Americans have for Congress simply must set higher standards for ourselves.

I strongly support House Resolution 250, which prohibits Members and staff from accepting any gift worth more than $50, and from accepting an aggregate of more than $100 worth of gifts from any one source in a year. It does not make the distinctions between whether or not the gift is given here in the District of Columbia, or back home. It does not make distinctions between gifts from lobbyists or nonlobbyists. The rule is clear, concise, and simple, and therefore more likely to be followed than a rule which is cumbersome or confusing.

The legislation in no way prohibits Members from performing their responsibilities to constituents. They will still be able to travel around their State and meet their constituents, eat a hamburger at a barbecue or crab legs at a crab feast, accept tee-shirts, mugs, and other locally produced products.

The bill recognizes that just because we are Members of Congress doesn't mean that we have no life or personal friends, and it contains a reasonable personal hospitality exemption.

Finally, the bill has passed the test of political palatability, as the Senate fought out the battle of compromise last summer and unanimously passed this bill.

Congressman BURTON will offer a substitute amendment to House Resolution 250 that emphasizes full disclosure of gifts rather than banning gifts. Under the Burton substitute, recreational trips would still be permitted, and Members and staff could accept gifts up to a $250 annual limit. The Burton amendment is an improvement over current law, but I believe it does not go far enough, and I intend to vote against it.

Will passage of House Resolution 250 alone restore public confidence in Congress? Perhaps not, but we cannot refuse to act simply because we may not achieve our goal promptly. I urge my colleagues to oppose the Burton amendment and support House Resolution 250 so that we can show the American people that we have heard and respect their clarion call for action.

Mr. LEVIN. Mr. Speaker, you have to wonder, really wonder, why the Burton substitute is before us.

The American people know what they want. They want a restoration of trust in the integrity of government. They want an end to business and usual. They want an end to ski trips and golf tournaments and retreats in the Bahamas where Members cozy up to the special interests.

Today, after nearly a year of stalling, the Republican leadership has finally given us two very clear opportunities to meet those expectations. House Resolution 250 bans charity junkets, imposes though new rules on meals and tickets, and restricts the largesse of lobbyists. We may also apparently have before us a bill banning all gifts, a bill which essentially tracks a rule I have in my office.

But we may never even get to vote on either of those measures. Because the Republican leadership, after trying for nearly a year to dodge this issue, has allowed the gentleman from California [Mr. BURTON] to first offer a far more lenient measure.

If Mr. BURTON'S substitute passes, the bad old status quo would be replaced by a bad new status quo, under which Members could continue to take unlimited $49 meals, day after day after day, because gifts under $50 wouldn't count.

And if Mr. BURTON'S substitute passes, Members could take travel and lodging to golf and tennis tournaments, ski vacations, and fishing trips, so long as the trip is sponsored by a charity and raises at least $1 for the charity.

Do those who back the Burton amendment really think they can fool the American people that golf tournaments and ski events are ''substantially recreational''? Do they think they can fool the American people that these events aren't paid for by special interests? Do they think they can fool the American people that there will be no lobbyists on the tennis courts?

I want to change the status quo. House Resolution 250, of which I am a cosponsor, shatters the old ways. Even the proposal offered by Mr. GINGRICH is, for once, neither too extreme nor too ideological. But the Burton proposal is simply the status quo in a new wrapping. There is no way I can support it, and I urge my colleagues to defeat the Burton substitute.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the rule, it shall be in order to consider the amendment printed in part 1 of House Report 104–341 if offered by the gentleman from Indiana [Mr. BURTON] or his designee, which shall be considered read and shall be debatable for 30 minutes, equally divided and controlled by the proponent and an opponent.

If the amendment printed in part 1 of the report is rejected or not offered, it shall be in order to consider the amendment printed in part 2 of the report, if offered by the gentleman from Georgia [Mr. GINGRICH] or his designee, which shall be considered read and shall be debatable for 30 minutes, equally divided and controlled by the proponent and an opponent.

The text of House Resolution 250, as amended, is as follows:

H. RES. 250

Resolved,

SECTION 1. AMENDMENT TO HOUSE RULES.

Rule LII of the Rules of the House of Representatives is amended to read as follows:

''RULE LII

''GIFT RULE

''1. (a)(1) No Member, officer, or employee of the House of Representatives shall knowingly accept a gift except as provided in this rule.

''(2) A Member, officer, or employee may accept a gift (other than cash or cash equivalent) which the Member, officer, or employee reasonably and in good faith believes to have a value of less than $50, and a cumulative value from one source during a calendar year of less than $100. No gift with a value below $10 shall count toward the $100 annual limit. No formal recordkeeping is required by this subparagraph, but a Member, officer, or employee shall make a good faith effort to comply with this subparagraph.

''(b)(1) For the purpose of this rule, the term 'gift' means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term includes gifts of services, training, transportation, lodging, and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.

''(2)(A) A gift to a family member of a Member, officer, or employee, or a gift to any other individual based on that individual's relationship with the Member, officer, or employee, shall be considered a gift to the Member, officer, or employee if it is given with the knowledge and acquiescence of the

Member, officer, or employee and the Member, officer, or employee has reason to believe the gift was given because of the official position of the Member, officer, or employee.

''(B) If food or refreshment is provided at the same time and place to both a Member, officer, or employee and the spouse or dependent thereof, only the food or refreshment provided to the Member, officer, or employee shall be treated as a gift for purposes of this rule.

''(c) The restrictions in paragraph (a) shall not apply to the following:

''(1) Anything for which the Member, officer, or employee pays the market value, or does not use and promptly returns to the donor.

''(2) A contribution, as defined in section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) that is lawfully made under that Act, a lawful contribution for election to a State or local government office or attendance at a fundraising event sponsored by a political organization described in section 527(e) of the Internal Revenue Code of 1986.

''(3) A gift from a relative as described in section 109(16) of title I of the Ethics in Government Act of 1978 (Public Law 95–521).

''(4)(A) Anything provided by an individual on the basis of a personal friendship unless the Member, officer, or employee has reason to believe that, under the circumstances, the gift was provided because of the official position of the Member, officer, or employee and not because of the personal friendship.

''(B) In determining whether a gift is provided on the basis of personal friendship, the Member, officer, or employee shall consider the circumstances under which the gift was offered, such as:

''(i) The history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between such individuals.

''(ii) Whether to the actual knowledge of the Member, officer, or employee the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift.

''(iii) Whether to the actual knowledge of the Member, officer, or employee the individual who gave the gift also at the same time gave the same or similar gifts to other Members, officers, or employees.

''(5) Except as provided in clause 3(c), a contribution or other payment to a legal expense fund established for the benefit of a Member, officer, or employee that is otherwise lawfully made in accordance with the restrictions and disclosure requirements of the Committee on Standards of Official Conduct.

''(6) Any gift from another Member, officer, or employee of the Senate or the House of Representatives.

''(7) Food, refreshments, lodging, transportation, and other benefits—

''(A) resulting from the outside business or employment activities (or other outside activities that are not connected to the duties of the Member, officer, or employee as an officeholder) of the Member, officer, or employee, or the spouse of the Member, officer, or employee, if such benefits have not been offered or enhanced because of the official position of the Member, officer, or employee and are customarily provided to others in similar circumstances;

''(B) customarily provided by a prospective employer in connection with bona fide employment discussions; or

''(C) provided by a political organization described in section 527(e) of the Internal Revenue Code of 1986 in connection with a fundraising or campaign event sponsored by such an organization.

''(8) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer.

''(9) Informational materials that are sent to the office of the Member, officer, or employee in the form of books, articles, periodicals, other written materials, audiotapes, videotapes, or other forms of communication.

''(10) Awards or prizes which are given to competitors in contests or events open to the public, including random drawings.

''(11) Honorary degrees (and associated travel, food, refreshments, and entertainment) and other bona fide, nonmonetary awards presented in recognition of public service (and associated food, refreshments, and entertainment provided in the presentation of such degrees and awards).

''(12) Donations of products from the State that the Member represents that are intended primarily for promotional purposes, such as display or free distribution, and are of minimal value to any individual recipient.

''(13) Training (including food and refreshments furnished to all attendees as an integral part of the training) provided to a Member, officer, or employee, if such training is in the interest of the House of Representatives.

''(14) Bequests, inheritances, and other transfers at death.

''(15) Any item, the receipt of which is authorized by the Foreign Gifts and Decorations Act, the Mutual Educational and Cultural Exchange Act, or any other statute.

''(16) Anything which is paid for by the Federal Government, by a State or local government, or secured by the Government under a Government contract.

''(17) A gift of personal hospitality (as defined in section 109(14) of the Ethics in Government Act) of an individual other than a registered lobbyist or agent of a foreign principal.

''(18) Free attendance at a widely attended event permitted pursuant to paragraph (d).

''(19) Opportunities and benefits which are—

''(A) available to the public or to a class consisting of all Federal employees, whether or not restricted on the basis of geographic consideration;

''(B) offered to members of a group or class in which membership is unrelated to congressional employment;

''(C) offered to members of an organization, such as an employees' association or congressional credit union, in which membership is related to congressional employment and similar opportunities are available to large segments of the public through organizations of similar size;

''(D) offered to any group or class that is not defined in a manner that specifically discriminates among Government employees on the basis of branch of Government or type of responsibility, or on a basis that favors those of higher rank or rate of pay;

''(E) in the form of loans from banks and other financial institutions on terms generally available to the public; or

''(F) in the form of reduced membership or other fees for participation in organization activities offered to all Government employees by professional organizations if the only restrictions on membership relate to professional qualifications.

''(20) A plaque, trophy, or other item that is substantially commemorative in nature and which is intended for presentation.

''(21) Anything for which, in an unusual case, a waiver is granted by the Committee on Standards of Official Conduct.

''(22) Food or refreshments of a nominal value offered other than as a part of a meal.

''(23) An item of nominal value such as a greeting card, baseball cap, or a T-shirt.

''(d)(1) A Member, officer, or employee may accept an offer of free attendance at a widely attended convention, conference, symposium, forum, panel discussion, dinner, viewing, reception, or similar event, provided by the sponsor of the event, if—

''(A) the Member, officer, or employee participates in the event as a speaker or a panel participant, by presenting information related to Congress or matters before Congress, or by performing a ceremonial function appropriate to the Member's, officer's, or employee's official position; or

''(B) attendance at the event is appropriate to the performance of the official duties or representative function of the Member, officer, or employee.

''(2) A Member, officer, or employee who attends an event described in subparagraph (1) may accept a sponsor's unsolicited offer of free attendance at the event for an accompanying individual if others in attendance will generally be similarly accompanied or if such attendance is appropriate to assist in the representation of the House of Representatives.

''(3) A Member, officer, or employee, or the spouse or dependent thereof, may accept a sponsor's unsolicited offer of free attendance at a charity event, except that reimbursement for transportation and lodging may not be accepted in connection with the event.

''(4) For purposes of this paragraph, the term 'free attendance' may include waiver of all or part of a conference or other fee, the provision of local transportation, or the provision of food, refreshments, entertainment, and instructional materials furnished to all attendees as an integral part of the event. The term does not include entertainment collateral to the event, nor does it include food or refreshments taken other than in a group setting with all or substantially all other attendees.

''(e) No Member, officer, or employee may accept a gift the value of which exceeds $250 on the basis of the personal friendship exception in paragraph (c)(4) unless the Committee on Standards of Official Conduct issues a written determination that such exception applies. No determination under this paragraph is required for gifts given on the basis of the family relationship exception.

''(f) When it is not practicable to return a tangible item because it is perishable, the item may, at the discretion of the recipient, be given to an appropriate charity or destroyed.

''2. (a)(1) A reimbursement (including payment in kind) to a Member, officer, or employee from a private source other than a registered lobbyist or agent of a foreign principal for necessary transportation, lodging and related expenses for travel to a meeting, speaking engagement, factfinding trip or similar event in connection with the duties of the Member, officer, or employee as an officeholder shall be deemed to be a reimbursement to the House of Representatives and not a gift prohibited by this rule, if the Member, officer, or employee—

''(A) in the case of an employee, receives advance authorization, from the Member or officer under whose direct supervision the employee works, to accept reimbursement, and

''(B) discloses the expenses reimbursed or to be reimbursed and the authorization to the Clerk of the House of Representatives within 30 days after the travel is completed.

''(2) For purposes of paragraph (a)(1), events, the activities of which are substantially recreational in nature, shall not be considered to be in connection with the duties of a Member, officer, or employee as an officeholder.

''(b) Each advance authorization to accept reimbursement shall be signed by the Member or officer under whose direct supervision the employee works and shall include—

''(1) the name of the employee;

''(2) the name of the person who will make the reimbursement;

''(3) the time, place, and purpose of the travel; and

''(4) a determination that the travel is in connection with the duties of the employee as an officeholder and would not create the appearance that the employee is using public office for private gain.

''(c) Each disclosure made under paragraph (a)(1) of expenses reimbursed or to be reimbursed shall be signed by the Member or officer (in the case of travel by that Member or officer) or by the Member or officer under whose direct supervision the employee works (in the case of travel by an employee) and shall include—

''(1) a good faith estimate of total transportation expenses reimbursed or to be reimbursed;

''(2) a good faith estimate of total lodging expenses reimbursed or to be reimbursed;

''(3) a good faith estimate of total meal expenses reimbursed or to be reimbursed;

''(4) a good faith estimate of the total of other expenses reimbursed or to be reimbursed;

''(5) a determination that all such expenses are necessary transportation, lodging, and related expenses as defined in paragraph (d); and

''(6) in the case of a reimbursement to a Member or officer, a determination that the travel was in connection with the duties of the Member or officer as an officeholder and would not create the appearance that the Member or officer is using public office for private gain.

''(d) For the purposes of this clause, the term 'necessary transportation, lodging, and related expenses'—

''(1) includes reasonable expenses that are necessary for travel for a period not exceeding 3 days exclusive of travel time within the United States or 7 days exclusive of travel time outside of the United States unless approved in advance by the Committee on Standards of Official Conduct;

''(2) is limited to reasonable expenditures for transportation, lodging, conference fees and materials, and food and refreshments, including reimbursement for necessary transportation, whether or not such transportation occurs within the periods described in subparagraph (1);

''(3) does not include expenditures for recreational activities, nor does it include entertainment other than that provided to all attendees as an integral part of the event, except for activities or entertainment otherwise permissible under this rule; and

''(4) may include travel expenses incurred on behalf of either the spouse or a child of the Member, officer, or employee, subject to a determination signed by the Member or officer (or in the case of an employee, the Member or officer under whose direct supervision the employee works) that the attendance of the spouse or child is appropriate to assist in the representation of the House of Representatives.

''(e) The Clerk of the House of Representatives shall make available to the public all advance authorizations and disclosures of reimbursement filed pursuant to paragraph (a) as soon as possible after they are received.

''3. A gift prohibited by clause 1(a) includes the following:

''(a) Anything provided by a registered lobbyist or an agent of a foreign principal to an entity that is maintained or controlled by a Member, officer, or employee.

''(b) A charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) made by a registered lobbyist or an agent of a foreign principal on the basis of a designation, recommendation, or other specification of a Member, officer, or employee (not including a mass mailing or other solicitation directed to a broad category of persons or entities), other than a charitable contribution permitted by clause 4.

''(c) A contribution or other payment by a registered lobbyist or an agent of a foreign principal to a legal expense fund established for the benefit of a Member, officer, or employee.

''(d) A financial contribution or expenditure made by a registered lobbyist or an agent of a foreign principal relating to a conference, retreat, or similar event, sponsored by or affiliated with an official congressional organization, for or on behalf of Members, officers, or employees.

''4. (a) A charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) made by a registered lobbyist or an agent of a foreign principal in lieu of an honorarium to a Member, officer, or employee shall not be considered a gift under this rule if it is reported as provided in paragraph (b).

''(b) A Member, officer, or employee who designates or recommends a contribution to a charitable organization in lieu of honoraria described in paragraph (a) shall report within 30 days after such designation or recommendation to the Clerk of the House of Representatives—

''(1) the name and address of the registered lobbyist who is making the contribution in lieu of honoraria;

''(2) the date and amount of the contribution; and

''(3) the name and address of the charitable organization designated or recommended by the Member.

The Clerk of the House of Representatives shall make public information received pursuant to this paragraph as soon as possible after it is received.

''5. For purposes of this rule—

''(a) the term 'registered lobbyist' means a lobbyist registered under the Federal Regulation of Lobbying Act or any successor statute; and

''(b) the term 'agent of a foreign principal' means an agent of a foreign principal registered under the Foreign Agents Registration Act.

''6. All the provisions of this rule shall be interpreted and enforced solely by the Committee on Standards of Official Conduct. The Committee on Standards of Official Conduct is authorized to issue guidance on any matter contained in this rule.''.

SEC. 2. ACCEPTANCE OF GIFTS BY THE COMMITTEE ON HOUSE OVERSIGHT.

Clause 4(d) of rule X of the Rules of the House of Representatives is amended by striking ''and'' at the end of subparagraph (1), by striking the period at the end of subparagraph (2) and inserting ''; and'', and by adding after subparagraph (2) the following:

''(3) accepting a gift, other than as otherwise provided by law, if the gift does not involve any duty, burden, or condition, or is not made dependent upon some future performance by the House of Representatives and promulgating regulations to carry out this paragraph.''.

SEC. 3. EFFECTIVE DATE.

This resolution and the amendment made by this resolution shall take effect on and be effective for calendar years beginning on January 1, 1996.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Speaker, I offer an amendment in the nature of a substitute.

The SPEAKER pro tempore. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. BURTON of Indiana: Strike all after the resolving clause and insert:

SECTION 1. GIFT DISCLOSURE.

(a) FINANCIAL DISCLOSURE.—Rule XLIV of the Rules of the House of Representatives is amended by adding at the end the following:

''3. Notwithstanding section 102 of the Ethics in Government Act of 1978, each report filed with the Clerk under title I of such Act for calendar year 1996 or any subsequent calendar year shall disclose any gift (including a meal) with a fair market value in excess of $50 (other than personal hospitality of an individual or any gift received from a relative of the reporting individual), as adjusted under section 102(a)(2)(A) of the Ethics in Government Act of 1978.''.

(b) GIFT RULE.—Clause 4 of Rule XLIII of the Rules of the House of Representatives is amended by striking ''$100'' and inserting ''$50''.

SEC. 2. CONVENTIONS, ETC.

Clause 4 of Rule XLIII of the Rules of the House of Representatives is amended by striking ''A Member'' and inserting ''(a) Except as provided in paragraphs (b), (c), and (d), a Member'' and by adding at the end the following:

''(b)(1) A Member, officer, or employee may accept an offer of free attendance at a widely attended convention, conference, symposium, forum, panel discussion, dinner, viewing, reception, or similar event, provided by the sponsor of the event, if—

''(A) the Member, officer, or employee participates in the event as a speaker or a panel participant, by presenting information related to Congress or matters before Congress, or by performing a ceremonial function appropriate to the Member's, officer's, or employee's official position; or

''(B) attendance at the event is appropriate to the performance of the official duties or representative function of the Member, officer, or employee.

''(2) A Member, officer, or employee who attends an event described in subparagraph (1) may accept a sponsor's unsolicited offer of free attendance at the event for the spouse or dependent of the Member, officer, or employee.

''(3) For purposes of this paragraph, the term 'free attendance' may include waiver of all or part of a conference or other fee, the provision of lodging or transportation or the provision of food, refreshments, entertainment, and instructional materials furnished to all attendees as an integral part of the event. The term does not include entertainment collateral to the event, nor does it include food or refreshments taken other than in a group setting with all or substantially all other attendees.

''(c) A Member, officer, or employee, or the spouse or dependent thereof, may accept a sponsor's unsolicited offer of free attendance at a charity event of—

''(1) the event is sponsored by an organization which is listed under section 501(c)(3) of the Internal Revenue Code of 1986;

''(2) all Member, officer, employee, spouse, or dependent-related expenses are paid by the sponsoring organization and not by another corporation or individual;

''(3) the proceeds to charity from the event exceed the costs of the event; and

''(4) the participation contributed in a tangible way to the success of the event.

''(d) The restrictions contained in paragraphs (a), (b), and (c) shall not apply to a Member who is attending an event in the Member's congressional district.''.

The SPEAKER pro tempore. Under the rule, the gentleman from Indiana [Mr. BURTON] and a Member opposed will be recognized for 15 minutes.

The Chair recognizes the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I ask unanimous consent that the time allotted to me be divided between myself and the gentleman from Connecticut [Mr. SHAYS].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER pro tempore. The gentleman from Connecticut [Mr. SHAYS] will be recognized for 7½ minutes, and the gentleman from Indiana [Mr. BURTON] will be recognized for 7½ minutes.

Mr. FROST. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Texas [Mr. FROST] will be recognized for 15 minutes.

Mr. FROST. Mr. Speaker, I ask unanimous consent that 7½ minutes of my time be yielded to the gentleman from Texas [Mr. BRYANT] and the remaining 7½ minutes to the gentleman from Oklahoma [Mr. BREWSTER], and that both gentlemen be allowed to yield time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas [Mr. BRYANT] will be recognized for 7½ minutes, and the gentleman from Oklahoma [Mr. BREWSTER] will be recognized for 7½ minutes.

The Chair recognizes the gentleman from Indiana [Mr. BURTON].

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Mr. BURTON of Indiana. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas [Mr. DELAY], the Republican whip of the House.

Mr. DELAY. Mr. Speaker, I rise in support of the Burton substitute and in favor of full disclosure.

The time has come that the American people know exactly what their Representatives are doing here in Washington.

Are they feeding at the public trough, taking lobbyist paid vacations, getting wined and dined by special interest groups? Or are they working hard to represent their constituents?

The people, the American people, have a right to know.

Only the Burton substitute will let the American people decide what is appropriate activity and what is inappropriate activity for their Representatives.

Let us not kid ourselves here today. We are beating ourselves on the heads to prove we are pure enough to deserve the people's trust. Some Members are so distrustful of themselves and their colleagues, that they would rather we talk with no one in a casual setting, that we set up an artificial wall between us and the public.

I say the best disinfectant is full disclosure, not complete isolation. We serve our constituents poorly if we believe that all Representatives are on the take and need to be taken away from the public, and we serve no one if we set up an ethics minefield that will only bring further dishonor to this House, for activities that most Americans do every day.

Should it be unethical for a Member of Congress to eat dinner with a constituent?

Why do we not let the people decide what is right and what is wrong? Why do we not just tell the people what gifts we get, through full disclosure, and stop this ridiculous charade of public virtue at the expense of common sense.

The American people sent us here to represent them, not to hide every time they call to join them for dinner. Support full disclosure. Support the integrity of the House. Support the Burton substitute.

Mr. SHAYS. Mr. Speaker, I yield myself 15 seconds to point out that the Burton legislation is not full disclosure. Any gift under $50 is not part of the disclosure; it is not part of any limit. We can have countless numbers of gifts under $50.

Mr. Speaker, I yield 1½ minutes to the gentleman from Kansas [Mr. BROWNBACK].

Mr. BROWNBACK. Mr. Speaker, I thank the distinguished gentleman from Connecticut [Mr. SHAYS] for yielding this time to me.

Mr. Speaker, I rise in opposition to the Burton amendment, and I state as well at the very outset that I think the people that are bringing this amendment and supporting it are doing so in all good faith and what they are trying to do is a positive statement toward this body. I disagree on what they are doing versus another approach, and I also impugn no one's character and suggest that no one is selling their vote for a gift. But to me this issue is about public trust, and the public does not trust when Members of Congress receive expensive gifts, they do not trust that system, and, when we have that failure of trust in a representative democracy, that is a very, very dangerous thing to have.

That is what this issue is about. It is about the issue of public trust and a system and a public that does not trust this system, and that is why I disagree with the Burton amendment even though it is offered in all good faith by the gentleman from Indiana [Mr. BURTON] and those who support it, because it is a disclosure system, but it continues to allow a system of gifts to be able to be given to Members of Congress, a system that the public does not support.

Mr. Speaker, I support rather the Speaker's approach to going to a complete ban on all gifts, and I would urge Members to support that. The Waldholtz approach I think is a good approach as well for as far as it does further limit, but I think it is probably time to do just what the commercial days and just say no to gifts.

Mr. BREWSTER. Mr. Speaker, I yield 3 minutes to the gentleman from Hawaii [Mr. ABERCROMBIE].

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

Mr. ABERCROMBIE. Mr. Speaker, I thank the gentleman from Oklahoma [Mr. BREWSTER] for yielding this time to me.

The reason that there is a perception of corruption, or whatever variation of the word is going to be used on this floor, has been used on this floor, is it keeps getting repeated here, and so people hear that in the general public even though the same people say we are all honorable except for the thieves and crooks among us, and then they do not say who the thieves and the crooks are.

Now let us get down to what the Burton amendment does, and why I am supporting it, and why a broad spectrum of people are supporting it. This has to do with the charitable events.

Now in real life some of us do try not only to do our duty, but to try to justify our existence by our relationship with our fellow human beings. I founded, along with one of the most conservative people in the Democratic caucus, the honorable gentleman from Alabama [Mr. CRAMER], who started the Children's Advocacy Center in Alabama; I heard about it, and I brought it to the State of Hawaii. We had the first statewide children's advocacy center, and any of my colleagues have been a probation officer like I have been, anybody who served in the Committee on the Judiciary who knows what sexual abuse is of children, knows what the Children's Advocacy Centers have accomplished. It takes children who have been abused and keeps them from being abused further.

Now I am to participate in an event in December. I am going to put on a charitable event for the Children's Advocacy Center, and I have appeared for them in other places around the country. I am going to be there, and I am going to put on a little, one of my famous Blues Brothers, acts. I hope some of my colleagues can catch it sometime. It is terrific, I want to tell my colleagues. If my colleagues think I am good down here, they should see me with my dark glasses and my porkpie hat. Mr. Speaker, a lot of people have a good time when that happens, but the main reason for doing it is to see to it that sexually abused children are no longer molested.

And now I am supposed to withdraw myself from that because of some perception that somebody has conjured up as to what kind of person I am or somebody else is?

Now I will tell my colleagues what else we do from Hawaii. We appear for the Aloha United Way, the United Way, that my colleagues have in their community. We have the Aloha United Way, and we went as a congressional delegation to New York City to ask people who do business in Hawaii to help us with the United Way in Hawaii.

Now somebody wants to run against me, and that is what I hear from one Member after another, the reason we cannot vote for this amendment is somebody is going to use it in a campaign commercial against us. Mr. Speaker, I invite anybody who wants to use a campaign commercial against me that I am supporting the United Way to please do so because any idiot that is going to run for office is going to use that for an excuse, and anybody here that cannot contend with an opponent that is going to be against them because they are in favor of charitable events, he deserves, or she deserves, to get elected, and my colleague does not. But I am proud to be associated with these charitable events, I am proud to appear anywhere in the country on their behalf, and I am proud to support the Burton-Clay-Brewster-Abercrombie amendment.

Mr. BRYANT of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. BARRETT].

Mr. BARRETT of Wisconsin. Mr. Speaker, this may be a well-meaning amendment, but it guts the bill.

Mr. Speaker, there are millions of people in this country who are involved in the United Way. There are millions of people in this country who care about abused children. There are millions of people in this country who care about all sorts of very valuable things for our society. But do those people get their airfare paid? Do those people get golf fees paid, green fees paid, that could be $100–$200? No, of course not, of course not, and that is what the issue is here today.

I think that the people in this body are admirable, they are honorable, people, and most of them got elected here because they are involved in their community, and they have been elected for that, and they should continue to be doing that. But they should not have privileges that the people sitting in this gallery, the people sitting in this country, do not have. It is that simple. The people in this country do not want this regulated, they do not want more paperwork, they do not want more bureaucracy. Mr. Speaker, they want this practice stopped, and that is what we should do.

Mr. BURTON of Indiana. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. BONO], my dear friend and colleague.

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

Mr. BONO. Mr. Speaker, this is a sad state of affairs because when people do honorable things, and then somebody writes some bill and says, ''You know, you have to stop doing that honorable thing, can't do that anymore;'' why? Mr. Speaker, because we are writing this extremely righteous bill that will make us honest. I did not know I was not honest.

Mr. Speaker, it is very sad that we cannot look our constituents in the eye and say, I don't do that, I don't do that, I just do what I do, so I'll be happy to show you or tell you whatever I do. I'll disclose that, but please let me take care of my own ethics, and if I'm not worthy, throw me out. But let me be responsible for myself. Don't make me responsible to some poorly written legislation.

Do my colleagues know that when I read this legislation I said, Well, what about my film festival that I founded in Palm Springs? Can I have my party at my house that the film festival puts on?

They said, ''We don't know.''

Mr. Speaker, if they do not know, how do we know when we are breaking the law with this bill?

I support the Burton amendment.

Mr. SHAYS. Mr. Speaker, I yield 30 seconds to the gentleman from Washington [Mrs. SMITH].

Mrs. SMITH of Washington. Mr. Speaker, I think it needs to be made very clear that no one says that anyone is doing anything illegal, and there are no criminal penalties in this bill. But I do want to say that over the years, as I have been in politics, I know when I spend time with people like we spend on these charity golf trips that we get real close to the lobbyists that sponsor them. It is the time they get, my colleagues, it is not so much the money. It is the time we spend with them that they have our ear. The American people do not have our ear that long. It is the impression. The American people believe in the last poll that I just read that just came out, 90 percent of the people believe we listen to lobbyists more than the people.

Mr. BREWSTER. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida [Mrs. FOWLER].

(Mrs. FOWLER asked and was given permission to revise and extend her remarks.)

Mrs. FOWLER. Mr. Speaker, I rise today in support of the Burton amendment.

My State of Florida is known as the Sunshine State, not just because of our favorable weather conditions, but because we have led the Nation with our government in sunshine laws. In Florida, you conduct your business in public and you let the people decide if what you are doing is appropriate.

The Burton bill follows the same approach. It keeps the current $250 limit, lowers the threshold from $100 to $50 and draws open the curtains to let the sunshine in.

Everything else we are doing in this Congress is about sending power back to the people. Giving them more control over their government. That is what this bill does. Disclose everything, then let the people decide if their representative is using their office for personal gain. No other bill on the floor today provides the same level of disclosure as the Burton bill. Vote for sunshine, vote for the Burton amendment.

□ 1630

Mr. BRYANT of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, I think the gentlewoman from the other side of the aisle put it quite well with reference to this measure. We now have the opportunity to achieve on a true bipartisan basis, finally, real reform. We should not substitute for full reform something that appears to be full reform, done in the name of disclosure, which really does not change the existing law very much at all.

What the American people want is not to hear more of the details of the kind of business as usual that they have rejected. They want to see it stopped once and for all.

Many of these charitable events are done for a most charitable and worthy purpose. The only problem is that so often, it is the Member who gets most of the charity, and not the good cause that the charitable event is for.

There is still no reason that Members of Congress cannot participate in such events, contribute to their community, but the direction and the purpose needs to be for the benefit of the charity, not for the benefit of the Member. We have the opportunity today to make real progress in this area. Let us do it by rejecting this substitute.

Mr. SHAYS. Mr. Speaker, I yield 1½ minutes to my colleague, the gentleman from Wisconsin, Mr. SCOTT KLUG.

Mr. KLUG. Mr. Speaker, I thank my colleague for yielding time to me. I would also like to thank the gentleman from Wisconsin, TOM BARRETT, and the other Members of the bipartisan team who have been working on this bill and similar legislation.

Mr. Speaker, I do not doubt the intentions of my colleagues who are offering the substitute but, Mr. Speaker, you know how the road to hell was eventually paved, and in this case we also know how the cart path at Pebble Beach was paved as well.

Wisconsin's legislature has had a zero gift ban in place for a number of years, and I am not sure how I can tell people in this body, but legislation actually gets passed. Members of the Wisconsin State Legislature get laws into place without accepting alarm clocks and trips and gym bags and tee shirts and all the other bric-a-brac that shows up in our office, and they also manage to play golf and play tennis, but they do so and they pay their own way.

Mr. Speaker, our constituents sent us here to do a number of things. They have sent us here to balance the budget, and we are beginning to work on it this week. They sent us here to eventually pass term limits, and before I

leave, I hope Congress will eventually put term limits in place as well. More than anything else, they wanted us to make this a place again that we can be proud of, our constituents back home, and every one of us who serve in this institution as well. I hope we defeat the Burton amendment and pass the substitute offered by the Speaker.

Mr. Speaker, there is one other thing our constituents want us to do, by the way. They want us to pay for our own lunch.

Mr. BREWSTER. Mr. Speaker, I yield 1 minute to the gentleman from Montana [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I support the efforts of the gentleman from Indiana [Mr. BURTON] and the gentleman from Oklahoma [Mr. BREWSTER]. I want a tough bill, but I also want to be able to continue to help my friends raise money for charity.

There is a former Congressman around here named Ralph Harding, and Ralph and I and a number of other people have combined under the present system to raise more than $1 million to help fight leukemia in this country. Senator ORRIN HATCH and I do not see things eye to eye politically, but we are good friends, and I have helped ORRIN for a number of years raise hundreds of thousands of dollars for efforts such as child care centers and halfway houses, safe houses for battered spouses down in Utah.

The system works now. I do not get anything out of this, but it works well, and we really ought to protect and shield those charities so that we continue to raise millions of dollars for needy efforts in this country. That is what the gentleman from Indiana [Mr. BURTON] and the gentleman from Oklahoma [Mr. BREWSTER] are trying to do. I support them in their efforts.

I have always worked for strong ethics legislation. I am going to continue to do that by voting for the amendment of the gentleman from Indiana and the gentleman from Oklahoma.

Mr. BRYANT of Texas. Mr. Speaker, I yield 1½ minutes to the gentleman from Minnesota [Mr. MINGE].

Mr. MINGE. Mr. Speaker, I would like to make three observations about this legislation. First, those of us that serve in Congress are actually serving in a fiduciary capacity. We represent the people in the congressional districts that sent us. We have a fiduciary relationship with them. It is our obligation to try to observe this in every respect.

Second, I think we should attempt to observe the same standards that are observed in the rest of government. There has been a great deal of criticism of the Supreme Court recently, and judges for accepting trips. As I understand it, the judicial branch is trying to review its rules and tighten things up.

The executive branch has gone through that process and they have a proposal; not a proposal, they have legislation and rules that they live by that are not consistent with what is being urged by the gentleman from Indiana [Mr. BURTON]. Instead, it is the same or very close to the underlying bill and the Senate legislation.

Third, I would like to just briefly comment that access is perhaps the critical thing. People are looking for access to Members of Congress. They want our time. I think we have to try to make sure that our time is given to people, not on the basis of their ability to help finance trips, but instead on the basis of our availability in our office and in our district to meet with them on the merits of the cases.

We certainly have many other areas where reform is needed. At the same time, I think we should avoid impugning the integrity of anyone in the Chamber. I do not question the motives of the gentleman from Indiana [Mr. BURTON]. I think he, too, is interested in improving the caliber of this institution, but we need legislation similar to the Senate's.

Mr. SHAYS. Mr. Speaker, I yield 1 minute to the gentleman from Michigan, Mr. PETE HOEKSTRA.

Mr. HOEKSTRA. Mr. Speaker, I thank my colleague for yielding time to me.

Mr. Speaker, we have a vision. We want to restore the trust of the American people and the integrity of the legislative process. For the last 11 months we have been pursuing this. We have reformed welfare, Medicare, regulatory reform. We have a whole series of reforms on opening today. Today we are going to finish a couple of more pieces of business.

The Waldholtz bill is reasonable reform guidelines. We have listened to the American people. They said, ''Reform these legislative businesses and items, but also restore the process where you are personally enriched.'' The Waldholtz bill is a reasonable process. It does not ban participation in charities, it does not ban participation in charity events, it just says that when you participate in charities, just like all the other people that are participating in these events, you are expected to be charitable and carry your own weight at these events.

All the Burton bill does is it protects access to Members of Congress through privilege and special interest. It needs to stop. Vote ''no'' on Burton.

Mr. BREWSTER. Mr. Speaker, I yield myself the remainder of my time.

The SPEAKER pro tempore. The gentleman from Oklahoma [Mr. BREWSTER] is recognized for 2½ minutes.

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

Mr. BREWSTER. Mr. Speaker, I am pleased to stand in support of the Burton full disclosure amendment. I am very concerned with the Congress bashing that is quite popular with certain Members and with the media. It makes me angry to watch the news and continually see honest Members of Congress portrayed as crooks who can be influenced by meals, travel, entertainment, or other gifts in making official decisions.

By even considering this issue, we serve only to reinforce that negative image. People who oppose the Burton bill have called the supporters of the bill the so-called golf and tennis caucus. What I would like to know is how many of those Members who feel it is wrong to accept a cup of coffee from a lobbyist feel it is all right to ask for a $1,000 campaign contribution?

If a Member of Congress can have his or her vote bought for a cup of coffee or a $25 meal, then imagine what happens to that individual when they beg for and receive a $500 campaign contribution, a $1,000 contribution, or even numerous $5,000 contributions. Honesty is not for sale. If a Member feels they can be influenced by someone buying their dinner, they should not go. Neither should they call some lobbyist and ask for a $1,000 campaign contribution.

Mr. Speaker, this is not about keeping golf and tennis trips, this is about restoring credibility to this institution. If it is wrong to play golf with a lobbyist at a charity event, then why do we make it right in this legislation to play at political events that the Democratic Congressional Campaign Committee has, the national Republican Campaign Committee has, and we ask Members to call these same lobbyists asking them to bring money? If the first is wrong, so is the second.

We will never satisfy the people who are pushing this issue. You can fire your staff, take an oath of poverty, and work for free, and you will never satisfy some groups on this issue.

The Burton bill allows our constituents to judge us, not the Ethics Committee, but the people who elected us to come here to start with. Mr. Speaker, the answer to gift reform is reporting and accountability. The answer to gift reform is the Burton full disclosure amendment. I urge my colleagues to support the Burton full disclosure amendment.

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

The SPEAKER pro tompore. The gentleman from Oklahoma [Mr. BREWSTER] has 15 seconds remaining.

Mr. BRYANT of Texas. Mr. Speaker, I yield 30 seconds to the gentlewoman from Oregon [Ms. FURSE].

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

Ms. FURSE. Mr. Speaker, it is so simple. Why pass laws to make Members fill out forms to tell what they took from lobbyists? Zero is zero. No complications, no forms, no gifts.

I ask Members to defeat the substitute and vote for real reform.

Mr. SHAYS. Mr. Speaker, I yield 1 minute to the gentleman from Iowa, [Mr. GANSKE].

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

Mr. GANSKE. Mr. Speaker, I will vote for gift ban reform. I believe that

House Resolution 250 is reasonable, and that the Burton amendment just does not go far enough. I will also vote for the Gingrich amendment, which is a ban on all gifts. The Burton amendment basically allows the current system to continue, and I oppose it. If you are for the status quo, vote for the amendment.

Mr. Speaker, lobbyists represent farmers, unions, teachers, insurers, consumers, and others. They provide information on both sides of issues for the common citizens they represent. I will listen to a lobbyist for farmers, just as I do for an individual farmer, but I do not need a fancy meal in order to be well informed. Vote against the Burton amendment and vote for the Gingrich amendment, or for House Resolution 250, or for both.

Mr. SHAYS. Mr. Speaker, I yield 1 minute to the gentleman from Delaware [Mr. CASTLE].

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

Mr. Speaker, I rise in support of the gift ban reform bill and against the Burton amendment. I would just like to make several simple points. First, the current rules which we have are farcical. Why, gifts under $100 do not even count to the $250 cumulative limit we can achieve.

No. 2, the executive branch lives by tough gift rules. Gifts over $20 are banned, and the cumulative value of gifts which can be accepted is $50.

No. 3, this reform bill is not overly restrictive. Gifts over $50 are banned, and gifts under $50 may be accepted up to an aggregate of $100.

Finally, and maybe this is most important of all, the public, our constituents, probably get no unsolicited gifts whatsoever. We are arguing about the amount of the gifts we should get. I think we should not be afraid to restrict ourselves in terms of these gifts. Mr. Speaker, I urge us to consider that.

I would also urge us to look at the fact that the Senate passed this same bill unanimously last year. I would urge us to defeat the Burton bill, to consider the Gingrich amendment, as you please, and to make absolutely sure that we all vote for the reform bill in the name of the public when it comes up at the end of the day.

Mr. BREWSTER. Mr. Speaker, I yield such time as he may consume to the gentleman from Missouri [Mr. CLAY].

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

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

Mr. Speaker, I rise in support of the amendment.

Mr. BRYANT of Texas. Mr. Speaker, I yield myself the remainder of my time.

The SPEAKER pro tempore. The gentleman from Texas [Mr. BRYANT] is recognized for 3½ minutes.

(Mr. BRYANT of Texas asked and was given permission to revise and extend his remarks.)

□ 1645

Mr. BRYANT of Texas. Mr. Speaker, I think it is heartwarming at this contentious time in this House's business to find so many Republicans and Democrats coming forward on the same side, and frankly on both sides, but particularly on the side of reform, because this bill has been a bipartisan effort for three years. I think if we can pass it today intact, it will be a bipartisan credit to this House, one of which we can all be very, very proud.

Mr. Speaker, the refuge that has been taken by the proponents of the Burton amendment in charitable activities I think is clever. In a few ways, maybe it is even deserved. But by and large, I think it is clever, because it suggests that all of these activities are really being done only for the benefit of charities.

The fact of the matter is, there is no prohibition in this bill for charitable activities. None whatsoever. All of the charitable activities that have been referred to which are all very fine efforts can continue to be done.

The fact of the matter is, though, that this particular charitable activity that these Members are talking about does not involve any sacrifice on their part, it involves them being flown by this charity, which is normally a charity activity sponsored by a major corporation that lobbies this House ever day of the week, flown by them clear across the country to a beautiful place to play golf for several days and then home again, and then usually they get a bag of gifts at the same time.

I do not care whether it influences your vote or not. I do not think in most cases it does, but the public sees it that way and the public loses confidence in this institution. Why in the world would anybody come here and ask that they be able to continue playing charity golf at the expense of the reputation of this institution?

The fact of the matter is that the Burton amendment will allow unlimited gifts, unlimited free tickets, unlimited meals, et cetera, from lobbyists as long as they are under $50 all year long.

Do I think that that kind of thing corrupts Members or makes them always vote with the lobbyists? No, but I do know this: It has a regular and certain subconscious effect on anybody to constantly be in the company of somebody else who is paying the bills. That is just human nature.

Mr. Speaker, it is our job here to pass legislation and rules that give the public confidence that we are not legislating in the interests of those people that are hanging around, but we are legislating in the interests of those people that sent us up here and, by the way, pay us a nice salary for doing this job.

I say to my colleagues, if you want to go on these charity golf trips, if you want to be in this activity, pay for it yourself. I urge Members to vote against the Burton amendment. Let us pass this bill and have a bipartisan project that we can be proud of.

Mr. SHAYS. Mr. Speaker, I yield 30 seconds to the gentleman from Florida [Mr. GOSS].

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

Mr. GOSS. Mr. Speaker, this partial disclosure that is proposed by the gentleman from Indiana [Mr. BURTON], my friend and colleague, has two things in it that I think Members should know about. First of all, we have a fairly significant new disclosure requirement that means reporting any gift over $50, that includes meals, will have to be reported. There is no such provision now, that is something new, and before you vote for this, I would urge that you think about that if you are planning to vote for it.

Second, Mr. Speaker, there is no exemption from disclosure requirements for gifts over $50 from personal friends. Members should know that they and their staff would be required to disclose any gift, including a meal, over $50 from a personal friend. That is also new.

Mr. SHAYS. Mr. Speaker, I yield myself the balance of my time to point out that a vote for the Burton amendment is a vote against reform. It allows gifts of up to $250 each year, or $500 per term. It allows any gifts under $50, countless gifts under $50; it allows paid vacations in the name of charity, in many cases funded by lobbyists.

The passage of the Burton amendment prevents a vote on the Senate bill and the Waldholtz-Barrett bill. It also prevents a vote on the Speaker's bill of no gift. I urge an absolute no vote on the Burton amendment.

Mr. BREWSTER. Mr. Speaker, I yield the remainder of my time to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, this has been a very civilized debate and I appreciate that from all of my colleagues. There are some things, though, that have not been explained that I think need to be explained.

Mr. Speaker, we are not talking about just prohibiting access from lobbyists, we are talking about our constituents' access, because the legislation that the gentlewoman from Utah [Mrs. WALDHOLTZ] and the gentleman from Connecticut [Mr. SHAYS] and others are sponsoring is going to limit access by our constituents. If they come to Washington and want to take us out to lunch or to dinner, we are going to have to say no in many cases, especially if we have a long-term relationship, if they are not a dyed-in-the-wool friend.

In addition to that, my colleagues, remember this: It says, gifts and meals valued at $10 or more count toward the cumulative limit of $100. Now, it says you do not have to keep records on that, but I am telling you that you are going to have to keep records on that, everything over $10. Everything over $10. Now, how many in this place are

going to be watching everything over $10?

Mr. TAYLOR of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Mr. Speaker, I would inquire of the gentleman, would it not be just as easy to buy them lunch?

Mr. BURTON of Indiana. Mr. Speaker, reclaiming my time, I would say to the gentleman from Mississippi, of course. The fact of the matter is we have constituents coming in here by the hundreds and everybody here knows that, and if my colleague has the money to buy every one of them lunch, then congratulations. I do not.

The fact of the matter is, you are going to have to keep track of everything over $10, because at some point in the future, you may be called up before the Committee on Standards of Official Conduct, and you are going to have to answer.

Now, in addition to that, remember this: If you violate the ethics laws, and we did not think when we had the House bank scandal we were going to have problems, but we did, and a lot of people were defeated and some even went to jail over it. I am telling you, we are going to have problems with this, and there is going to have to be legal fees paid.

Now, if you go before the Committee on Standards of Official Conduct and you have to plead your case because of some of these improprieties or alleged improprieties, you are going to have to hire an attorney and you are going to have to pay for it and it is going to cost you a lot of money.

Now, let us talk about my bill, my approach. It has been said by the proponents of the Waldholtz bill that they have broad bipartisan support. Well, we have broad bipartisan support on my substitute. We have over 100 cosponsors, because Members, when they find out what they are going to be up against, realize that it is better to have complete and full disclosure than to start worrying about everything over $10 that we are going to have to be accountable for.

Now, what is wrong with full disclosure? Who are we answerable to? Who put us here? Our constituents. Our constituents put us here. If we do something wrong and it is in the paper, they are going to hold us accountable. So what is wrong with disclosing everything?

Mr. Speaker, what my bill says is that everything above $50 we keep track of, if it is a meal or a gift or whatever it is. We keep track of it and we report it on our FEC report. I guarantee you, these people up here are going to be watching our FEC reports because they already do, and if we abuse our privileges in the House, they are going to report it on the front pages of our papers, and we are going to be held accountable by our constituents and maybe even thrown out of office.

So that is the way to handle it. Have full disclosure. Do not mess with this minutia that is going to get us into trouble before the Committee on Standards of Official Conduct.

Now, I would like to talk about these charities. I go to about two of these charity events a year. One is the Danny Thompson event in Sun Valley, ID. I do not even know who I am going to play with when I play in that event, because it is drawn by lottery. You do not know if it is a lobbyist or a businessman or who it is.

So this idea that we are being lobbied all the time is crazy. We have more of these lobbyists in our office every day than we do on the golf course, so that is a bogus argument. The fact of the matter is the Danny Thompson Golf Tournament has raised collectively over $3 million for cancer research, and with the private foundations that give matching funds, that translates into $30 million that has been raised for cancer research. In this past year they found a cure for kids who have lymphatic cancer that is going to save thousands and thousands of young kids' lives.

Now, is the Federal Government going to pick up the tab for that? What is wrong with us playing in a charity event that helps those things and helps those kids? I see nothing wrong with it.

The answer, my friends, is complete and full disclosure. Let those people, let the American people know what we are doing and let them be the judge, not some Committee on Standards of Official Conduct.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). Pursuant to the rule, the previous question is ordered on the amendment.

The question is on the amendment in the nature of a substitute offered by the gentleman from Indiana [Mr. BURTON].

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

Mr. BURTON of Indiana. 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 154, nays 276, not voting 2, as follows:

[Roll No. 807]

YEAS—154

Abercrombie
Allard
Bachus
Baker (CA)
Baker (LA)
Barr
Barton
Bateman
Bevill
Bishop
Bliley
Boehlert
Boehner
Bonilla
Bono
Boucher
Brewster
Brown (FL)
Bryant (TN)
Bunn
Bunning
Burr
Burton
Callahan
Calvert
Chambliss
Clay
Clement
Clinger
Clyburn
Coburn
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Cooley
Crane
Crapo
Cubin
Cunningham
Danner
de la Garza
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Ehrlich
Emerson
Everett
Ewing
Fattah
Fields (TX)
Fowler
Frisa
Funderburk
Gekas
Gillmor
Hancock
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Herger
Hilliard
Hostettler
Houghton
Hunter
Istook
Jefferson
Johnson, E. B.
Johnson, Sam
Jones
Kelly
Kim
King
Kingston
Klink
LaFalce
LaHood
Latham
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Livingston
Lucas
Manton
Martinez
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Meek
Mfume
Montgomery
Moorhead
Moran
Murtha
Myers
Nethercutt
Ney
Norwood
Ortiz
Owens
Oxley
Packard
Parker
Pastor
Payne (NJ)
Payne (VA)
Pombo
Quillen
Radanovich
Rangel
Regula
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Saxton
Scarborough
Schaefer
Shuster
Skeen
Spence
Stearns
Stenholm
Stockman
Stump
Tanner
Tauzin
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Towns
Traficant
Volkmer
Vucanovich
Watt (NC)
Watts (OK)
Whitfield
Wicker
Williams
Wilson
Young (AK)
Zeliff

NAYS—276

Ackerman
Andrews
Archer
Armey
Baesler
Baldacci
Ballenger
Barcia
Barrett (NE)
Barrett (WI)
Bartlett
Bass
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bilbray
Bilirakis
Blute
Bonior
Borski
Browder
Brown (CA)
Brown (OH)
Brownback
Bryant (TX)
Buyer
Camp
Canady
Cardin
Castle
Chabot
Chapman
Chenoweth
Christensen
Chrysler
Clayton
Coble
Coleman
Condit
Conyers
Costello
Cox
Coyne
Cramer
Cremeans
Davis
Deal
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Engel
English
Ensign
Eshoo
Evans
Farr
Fawell
Fazio
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Harman
Hayworth
Hefley
Hefner
Heineman
Hilleary
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hoyer
Hutchinson
Hyde
Inglis
Jackson-Lee
Jacobs
Johnson (CT)
Johnson (SD)
Johnston
Kanjorski
Kaptur
Kasich
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klug
Knollenberg
Kolbe
Lantos
Largent
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lincoln
Linder
Lipinski
LoBiondo
Lofgren
Longley
Lowey
Luther
Maloney
Manzullo
Markey
Martini
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan

Menendez	Reed	Stark
Metcalf	Richardson	Stokes
Meyers	Riggs	Studds
Mica	Rivers	Stupak
Miller (CA)	Roberts	Talent
Miller (FL)	Roemer	Tate
Minge	Roukema	Taylor (MS)
Mink	Roybal-Allard	Thornton
Moakley	Royce	Thurman
Molinari	Rush	Tiahrt
Mollohan	Sabo	Torkildsen
Morella	Salmon	Torres
Myrick	Sanders	Torricelli
Nadler	Sanford	Upton
Neal	Sawyer	Velazquez
Neumann	Schiff	Vento
Nussle	Schroeder	Visclosky
Oberstar	Schumer	Waldholtz
Obey	Scott	Walker
Olver	Seastrand	Walsh
Orton	Sensenbrenner	Wamp
Pallone	Serrano	Ward
Paxon	Shadegg	Waters
Pelosi	Shaw	Waxman
Peterson (FL)	Shays	Weldon (FL)
Peterson (MN)	Sisisky	Weldon (PA)
Petri	Skaggs	Weller
Pickett	Skelton	White
Pomeroy	Slaughter	Wise
Porter	Smith (MI)	Wolf
Portman	Smith (NJ)	Woolsey
Poshard	Smith (TX)	Wyden
Pryce	Smith (WA)	Wynn
Quinn	Solomon	Yates
Rahall	Souder	Young (FL)
Ramstad	Spratt	Zimmer

NOT VOTING—2

Fields (LA)	Tucker

□ 1719

Messrs. LONGLEY, WHITE, NEUMANN, HALL of Texas, WYNN, BUYER, Ms. HARMAN, and Messrs. METCALF, RAHALL, SERRANO, GILCHREST, CONDIT, SISISKY, and CHRYSLER changed their vote from ''yea'' to ''nay.''

Mr. OWENS, Ms. DANNER, and Messrs. WATTS of Oklahoma, NETHERCUTT, and ALLARD changed their vote from ''nay'' to ''yea.''

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

(Mr. GEPHARDT asked and was given permission to speak out of order and address the House for 1 minute.)

LEGISLATIVE PROGRAM

Mr. GEPHARDT. Mr. Speaker, I ask for this time to inquire about the schedule for today and the rest of the week.

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

Mr. GEPHARDT. I yield to the distinguished majority leader and ask about the schedule for the rest of the day and the week.

Mr. ARMEY. I thank the gentleman for yielding.

Mr. Speaker, of course, the Members are very concerned about what will be our schedule, and we have worked very hard to come to a point where now I can give a pretty good outline of what the rest of the week and the early part of next week will look like.

If the gentleman will continue to yield, it is our hope to finish the Gift Reform Act and the Lobby Disclosure Act this evening, Mr. Speaker. Tomorrow we plan to consider the conference report on the Balanced Budget Act of 1995 and also to consider H.R. 260, legislation regarding American troops in Bosnia.

On Saturday, the House will be in session and voting, beginning about 12 noon.

The House will not be in session on Sunday, but will be in session on Monday and Tuesday.

Given the circumstances, I cannot divine further than next Tuesday, although we will inform Members early next week about the balance of the week, and I thank the gentleman for yielding.

Mr. GEPHARDT. I would like to ask the gentleman if he has a good estimate on when Members might expect to be able to leave here on Saturday afternoon or evening.

Mr. ARMEY. I thank the gentleman for his inquiry. I can only regret that it was not directed to someone else.

But my best estimate is that our work would be completed around 6 on Saturday.

Mr. GEPHARDT. Could the gentleman further inform us what might be on the schedule for Saturday and what time Members might be expected to be here on Monday?

Mr. ARMEY. The most certain thing we would have under consideration on Saturday would be further consideration of the Balanced Budget Act of 1995, upon action of the other body, and then, of course, we have some very important conference reports we would hope to get to on Saturday as well.

Mr. GEPHARDT. On Monday, what time would the gentleman think we might come in?

Mr. ARMEY. I am pleased to announce to my colleagues that we expect no votes before 2 on Monday.

Mr. GEPHARDT. And finally, could the gentleman answer about what would be the estimated time of the first vote on Saturday?

Mr. ARMEY. Saturday, I should think that we would probably have the first vote between 12:30 and 1 o'clock.

Mr. FAZIO of California. Mr. Speaker, will the gentleman yield?

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

Mr. FAZIO of California. Mr. Speaker, I thank the gentleman from yielding.

I wonder if we could learn about the activities later this evening. My understanding is that there are some 20 amendments that have been listed as possible amendments to the lobby reform bill which will follow the gift rule. Does the gentleman have a time certain tonight that we would terminate our activities, or do we just go through the evening into the morning hours dealing with the amendments, many of which have been heard but some of which are new?

Mr. ARMEY. I appreciate the gentleman's concern. Let me just say, first of all, of course, it is an open rule, and as is often the case in an open rule with a great many amendments, the managers of the bill can often work things out with the Members with amendments, and that is always the best way to come to an arrangement on time.

What I would propose doing is watching to see how well that progress can go and then perhaps making a decision about completing the bill or perhaps, in fact, giving it further consideration.

It is our hope and our desire to complete the bill tonight, and I am placing a great deal of confidence in the collegiality of the bill managers and the Members with amendments.

Mr. GEPHARDT. One more point or question. With respect, I would just urge the distinguished majority leader to perhaps look at the idea of coming in Saturday a littler earlier so that Members would have a chance, if they were going to go back to their districts on Saturday night, to be able to accomplish that.

Mr. ARMEY. It appears that the gentleman's point is well taken, and I will take it under consideration.

Mr. GEPHARDT. Let me say to the distinguished majority leader that I would hope that it might be possible, and I know the President made statements today, and the Speaker and the Senate majority leader, about trying to figure our way through this business of a continuing appropriation.

If something could be arrived at on Saturday, I assume that if that can be accomplished for a period of time that would get us past Thanksgiving, that we might be able to avoid a session on Monday and Tuesday. I know that is a very tough thing to get done and will take some time. But if that could be done, does the gentleman think we might be able to avoid Monday and Tuesday?

Mr. ARMEY. I believe that it could be possible should an accord be reached on a continuing appropriation, but at this point I have to say we have a very clear and a very important schedule before us that we would intend to work on.

Mr. FAZIO of California. If the gentleman would yield further, I have had some Members suggest that perhaps we could work on Sunday, if it would be possible to be out of here next week; in other words, keep working until we have completed our work. Is there any possibility that that could be entertained?

Mr. ARMEY. At this point, we have no plans to work on Sunday.

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

Mr. GEPHARDT. I yield to the gentleman from Michigan.

Mr. DINGELL. Could the gentleman tell us what the plans are for Wednesday and Thursday for next week? Could the distinguished gentleman from Texas tell us what the plans of the leadership are for Wednesday and Thursday of next week?

Mr. ARMEY. I thank the gentleman for his inquiry.

If I may, if the gentleman would yield further, Mr. Speaker, I hope it is in order for me to make the observation that Sunday is a Sabbath and we try to respect that. In addition, of course, the gentleman, and you are a tough crowd, and, if I may say to the Members, we are, of course, very much cognizant of Thursday, Thanksgiving Day. We are also acutely aware of the fact of the difficulties of traveling on Wednesday prior to Thursday, and we will make every effort we can to find a place where we can close business in order to enable Members to be back in their districts with their families Thanksgiving Day. I will assure the gentleman from Michigan this is a very big priority with us.

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

Mr. GEPHARDT. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I would say to the majority leader, I understand, of course, Saturday is the Sabbath, Sunday is the day of rest for many, as well, and for religious services. But, Mr. Leader, you are well aware that we have now shut down the Government for the longest period of time in history as a result of an impasse between the Congress and the President. Waiting until Monday or Tuesday to try to resolve this will not only put many, many people in the public and private sectors in great distress and trauma, but it also will incur substantially additional costs.

□ 1730

If we could resolve this by the end of the weekend so that the Federal Government could undertake operations on Monday, that would be beneficial for every American and would be in the fiscal best interests of our country, which, of course, are some of the things we have been discussing.

Toward that end, I would hope we would very seriously consider trying to resolve this impasse before the beginning of next week.

Mr. ARMEY. Mr. Speaker, I thank the gentleman, and the gentleman's expression of concern I think is very much a genuine expression and one that can only invoke the most empathic response. The gentleman did, in fact, just last night vote for a continuing resolution that would enable us to resolve the dilemma. We are moving that along as fast as we can to the White House. We are hopeful the President will sign it, in which case we will be exactly where the gentleman wants to go.

Mr. HOYER. In the event though, Mr. Leader, we are not there, what I am urging is that we continue to work with consideration for religious services for all the Members, but in that context, to continue to work straight through, so that we could try to resolve this impasse.

Mr. GEPHARDT. Mr. Speaker, I yield to the gentleman from Arizona [Mr. SALMON].

Mr. SALMON. Mr. Speaker, just an alternative thought on the schedule. I know the President and others on the other side have been critical of our not getting out the appropriations bills. Maybe we should just keep going right on up to Thanksgiving to get those appropriations bills out.

Mr. GEPHARDT. I would say to the gentleman, since we do not have our applause meter out here, we cannot decipher that.

Mr. ARMEY. If the gentleman will yield further, may I assure my colleagues, the hourly schedules and daily schedules we have outlined here for the floor, I believe, accommodate quite nicely to everything I can at this time forecast we could have available to bring to the floor within the day's outline. If other opportunities present themselves, we will certainly revisit the schedule and inform Members.

Mr. SOLOMON. Mr. Speaker, if the gentleman will yield, there will not be another vote for another 30 minutes or so, so if some of the Members want to leave, they are welcome to.

AMENDMENT OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Speaker, as the designee of the gentleman from Georgia [Mr. GINGRICH], I offer an amendment printed in part 2 of House Report 104–341.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SOLOMON: Page 2, line 3, strike ''(1)'' and strike lines 6 through 15.

Page 7, strike lines 1 through 5, and page 9, strike lines 15 through 16 and redesignate paragraphs (13) through (22) as paragraphs (12) through (21).

Page 10, line 9, insert a period after ''individual'' and strike ''if others'' and all that follows through line 12.

Page 13, beginning in line 24 strike ''3 days exclusive of travel time within the United States'' and insert ''4 days within the United States''.

Page 14, insert a period after ''employee'' in line 17 and strike ''subject to'' and all that follows through line 23.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. SOLOMON] will be recognized for 15 minutes, and a Member opposed will be recognized for 15 minutes.

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

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

Mr. Speaker, as the chairman of the Rules Committee, I am obliged to support the position of the committee which was to favorably report House Resolution 250 and urge its adoption. It is a good resolution and one which we can all be proud of.

At the same time, I have an obligation as a Member to support amendments that will help to improve and strengthen this resolution, and the amendment of our distinguished Speaker is such an amendment.

During our hearings on House Resolution 250, I agreed with those House Members and public witnesses who urged us to report to the House the resolution as passed by the Senate. We used that as our guidelines in reporting House Resolution 250 to the House by unanimous voice vote, with only a few technical amendments.

At the same time, I was deeply troubled by the prospect that the $10 exemption for gifts that would count toward the $50 and $100 limits would inadvertently trip up some Members and land them in the Ethics Committee on a frivolous or malicious complaint filed with that committee.

At first we considered raising the exempt threshold to those gifts under $20 which was the exempt limit in last year's bill passed by the House and Senate.

But we did not do that, because too many people would charge that we were weakening the resolution. I therefore came to conclude that the best way to avoid getting into trouble was to adopt the total gift ban recommended by the Speaker.

It retains most of the exceptions contained in the existing resolution including exemptions for gifts from close personal friends and relatives, gifts of personal hospitality, and reimbursements from private sources for travel, in connection with our official duties, such as speech making, factfinding, and substantial participation events.

The two exceptions from the gift rule that are dropped in the Gingrich-Solomon amendment are gifts of home State products made to Members, and their offices, and gifts of nominal value such as t-shirts, baseball caps, coffee mugs, etc. Members can still accept such things as commemorative plaques for their service as Members.

But I think most Members will be much more comfortable with the zero-gift rule proposed by the Speaker, because it does establish that bright line between what is acceptable and what is not acceptable.

There is no need for recordkeeping or disclosure for gifts from persons who are not close personal friends or relatives. You just cannot accept them. Period?

No meals, no free tickets, no bottles of wine, or baskets of fruit or birthday cakes—no matter what their value. What could be more simple than just saying no—in a polite way of course.

I know many Members now have such a policy in their own offices including me and to a person they indicate that it is the easiest policy in the world to live with, because there are no gray areas. If a gift comes into your office from someone who is not a friend, you just refuse to accept it.

I urge support for the Gingrich-Solomon amendment that simply says accept no gifts.

Mr. Speaker, the Gingrich-Solomon amendment also makes another important change in this resolution, and that is to delete the requirement that for a spouse or child to accompany you on a privately reimbursable trip for official

business, you must determine and certify that they are, and I quote ''appropriate to assist in the representation of the House.''

Mr. Speaker, that is demeaning, insulting, and unnecessary language. It is contrary to our family friendly policy that we established this year in this House. One Member of this House put it very bluntly but appropriately when she said: ''I don't take my husband with me to represent the House. I take him with me to keep our marriage together.''

Mr. Speaker, we don't make speeches to groups and associations for the fun of it. We do so because part of our representational function here is to help educate the public as to what we are doing in this Congress. We can not depend on the media or on people staying glued to C–SPAN for them to know what the Congress is doing.

We have an obligation to keep the people informed as to what legislation we are considering, what our agenda is, and what we have accomplished.

My wife is gracious enough to accompany me on the few trips I do take when I am invited to address associations that represent my constituents.

I do not and will not make it a condition for her accompanying me on those rare occasions that she must somehow prove that she is representing the House to justify her being with me. I want her to be with me because she is my wife and not because she is an ambassador for the House, as important as this institution is.

Mr. Speaker, in conclusion, the Gingrich-Solomon amendment is simple; it is easy to understand; and it is that bright line that is easy to comply with. It says to our Members and to this House that we do not depend on, we do not need, or we certainly do not want any kind of gifts from persons who are not friends or relatives.

It says to our constituents what they expect of us in the first place, and that is that we are willing to adopt, to comply with, and to enforce the strictest of ethical standards.

It says to the American people that there is no question that we are somehow beholden to the gifts of those who may even indirectly try to influence our behavior or voting in this House.

We are here because we believe that this Government is and should be of the people, by the people, and for the people, and, as the people's House, we are here as servants of the people for 2 short years before we must take our records and conduct, back to the people for renewal.

I urge the adoption of the amendment.

□ 1745

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

Mr. FROST. Mr. Speaker, I will manage the time, as I know of no Member who intends to rise in opposition to this amendment on our side.

The SPEAKER pro tempore. The gentleman from Texas [Mr. FROST] is recognized for 15 minutes.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE. Mr. Speaker, I thank the gentleman from Texas for yielding me time, and I thank him for his leadership, along with my good friend, the gentleman from Texas, JOHN BRYANT.

I appreciate the words of the distinguished gentleman from New York and rise to support the Speaker's amendment on this issue because there are just two simple propositions that we need to pay attention to.

This amendment would result in a ban of all underlying gifts, and it would even include, though I come from the great State of Texas and they have some good barbecue, any gifts that come in as home-State products. Simply a fairness issue.

I think it is time now for the U.S. Congress to go right to the line, to go straight to the point. And the point is to ban all gifts. It bans Members from accepting free travel to events that are substantially recreational in nature. Nothing less, nothing more. Simple fairness.

Coming on this House floor on January 4, 1995, as a freshman, that was the first statement I made, a willingness to ban gifts so that we could get on with the people's business. Now we have come to this point on November 16, 1995. I join in supporting what really we should be doing, cleaning the people's House; standing up for what Americans say we should be doing, and that is doing their work. Ban all gifts. It is a good amendment.

Mr. SOLOMON. Mr. Speaker, I yield 2 minutes to the gentleman from Sanibel, FL, PORTER GOSS, one of the very distinguished Members of this body. He is not only a member of our Committee on Rules but he is a longstanding member of the Ethics Committee.

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

Mr. GOSS. Mr. Speaker, this amendment makes three major changes to the base text of House Resolution 250, leaving the rest of its provisions intact. These changes have the effect of: First, providing a general ban on all gifts—including meals. This proposal does away with the idea of dollar value thresholds—in other words, regardless of the value of a gift or meal, Members and staff would simply not be permitted to accept it. In terms of defining what constitutes a gift, this amendment retains 21 of the 23 exceptions that are in House Resolution 250—most of them commonsense mentions that provide Members with some sense of confidence that they can live normal lives; second, providing a reasonable assurance that Members can make their own decisions about when it is appropriate for them to be accompanied by their spouse or child at an event or on a trip; and third, conforming the domestic travel limit to current House rules of 4 days.

These changes make a lot of sense to me. For Members who are concerned that the dollar thresholds and triggers in House Resolution 250 could entrap Members even as they try to do the right thing. By banning all gifts the bright lines should be very clear. Having had such a policy in my office for 7 years—in fact a policy that goes beyond this proposal, because we accept no travel—I can assure my colleagues that a clear ban is workable. I urge my colleagues to support this approach—it is fair and it will go a long way in helping to restore the public's faith in this body.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan [Ms. RIVERS].

Ms. RIVERS. Mr. Speaker, before I was elected last November, I took the common cause pledge to not accept gifts in my office, and I have adhered to that pledge throughout the time that I have been here. I introduced a bill that would do exactly what this amendment would do, it would say that in Congress we do not take gifts.

Throughout my district, I have talked about the need for Congress to operate in a bipartisan way and for Congress to clean up its House in terms of ethics, and I am pleased to support this effort today, which is both, bipartisan and reflective of our need to put ethics first.

Mr. Speaker, this is really the deimperialization of Congress. We are saying to our Nation that we will not take gifts, we will pay for our own food, we will pay for our own travel, we will pay for our own recreation. This is not revolutionary, it is not unreasonable, it is not unduly burdensome, it is simply the right thing to do. I urge a ''yes'' vote.

Mr. SOLOMON. Mr. Speaker, I yield 1 minute to the gentleman from Kansas [Mr. BROWNBACK], one of the outstanding new Members of this body, one who has led the fight for reform since he arrived here about 11 months ago.

Mr. BROWNBACK. Mr. Speaker, I want to thank the chairman for his kinds words.

Briefly stated, this is a very important reform on trying to reestablish some public trust in elective office. I say this not to impugn anything or anybody at this institution or body, but simply that people do not trust the system. We have to change the system.

I think until we ban gifts completely, they will not trust the system. Indeed, half steps forward may actually take us backward in the public's perception of this body and trust. And that is what this is all about, about public trust.

I urge my colleagues to vote ''yes'' on this amendment, to just say ''no'' to gifts, to ban them, and to start to reestablish that public trust in this body.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. HOEKSTRA].

Mr. HOEKSTRA. Mr. Speaker, I thank my colleague on the other side of the aisle for yielding me time, and I also want to compliment the distinguished gentleman, the chairman of the Committee on Rules, for structuring a fair rule, and also for being a partner during the last 3 weeks as we have tried to put together this reform to the gift policy in the House.

It has been a fun time, it has been a learning time, but, most importantly, I think tonight, as we complete this process, we can demonstrate that we have gone through a process of listening to the American people, we have spent a tremendous amount of time listening to Members, Members of both sides of the aisle, and recognize that they have all approached this issue with a lot of emotion, a lot of good will, and a lot of genuine interest in doing the right thing.

Mr. Speaker, I think tonight we will have the opportunity to do the right thing. We will have an opportunity to set a clear, new standard on the gifts that House Members can accept. This does not preclude us from interacting in an effective and efficient way with our constituents, with those that are here to educate us on the issues, this just moves a whole set of concerns, issues that have been associated with how constituents and other individuals may interact with Congress.

We are going to set a new standard. I applaud the Speaker for bringing this idea and this concept to the floor, and I think we have a real opportunity to say the new standard is we will accept no gifts. Our interaction with our constituents, our interaction with those that are here to educate us on the issues will deal purely with the substance of the various issues.

Mr. Speaker, I think this is a good opportunity to set a standard, to set a standard which perhaps the other body will also follow.

Mr. SOLOMON. Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut, Mr. CHRIS SHAYS, one of the true leaders of reform in this House.

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

Mr. SHAYS. Mr. Speaker, I rise in support of the Gingrich amendment to House Resolution 250 and commend the gentleman from Georgia on his valuable contribution to this debate.

A total gift ban, as proposed in the Gingrich amendment, makes sense. It's simple, straightforward and strong.

The American people want gift reform and this amendment goes even further than the Senate-passed rule many of us have been advocating. I thank Speaker GINGRICH for coming forward with this bold proposal, and urge its adoption.

Mr. SOLOMON. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania, Mr. JOHN FOX, another outstanding new Member of this body, another leader in reform since he arrived here 11 months ago.

Mr. FOX of Pennsylvania. Mr. Speaker, no one runs for this office to receive gifts from lobbyists. No one runs for reelection for that purpose. There is a public expectation we should not receive gifts, trips or entertainment. Our citizens do not. We need to help restore the confidence in the House by passing the Gingrich-Solomon amendment. No gifts mean no recordkeeping. The concept is overdue. Please vote for the amendment.

Mr. FROST. Mr. Speaker, may I ask the time remaining on each side.

The SPEAKER pro tempore. The gentleman from Texas [Mr. FROST] has 10½ minutes remaining and the gentleman from New York [Mr. SOLOMON] has 3½ minutes remaining.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. DURBIN].

□ 1800

Mr. DURBIN. Mr. Speaker, it was good fortune in life as a college student to go to work for U.S. Senator Paul Douglas of Illinois, a man who literally wrote the book on ethics and government.

He had a gift policy in the early 1960's, where he would not accept a gift of value more than $2.50. He ended up retuning almost everything. Sometimes it created embarrassment and a stir, but it was a standard that he lived by and people respected him for that.

Mr. Speaker, I am going to support this bipartisan effort. It holds Members of Congress to a higher standard, and we should be held to that standard. I have personally established a gift ban in my office and it has been in place for quite some time. This disclosure and the gift-ban provisions here are consistent with that, and I think a good measure for this House to follow. I am sorry it has taken us this long to bring this matter before us.

Mr. Speaker, having said that, now that we have established ourselves a higher standard for Members of Congress, let me suggest that we are in the midst of a governmental crisis where we are holding Members of Congress to a lower standard. I make reference to the bill I introduced, H.R. 1221, ''No budget, no pay.''

We sent home 800,000 Federal employees without pay while Members of Congress still receive their paychecks. We have said to those widows and dependents of veterans, ''You may not get a check December 1, but your Congressman will.'' We have said to our staff people, ''You may not get a check for your services, but your Congressman will.''

Frankly, I think this is an outrage. Members of Congress have basically created a political crisis which could be solved in a heartbeat. I frankly think if we turned off the TV cameras and the machines printing congressional checks, this crisis would be over in 15 minutes.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. GILCHREST].

Mr. GILCHREST. Mr. Speaker, if I understand this correctly, there are three schools of thought driving the gift ban. The first is that some believe Members of Congress regularly, or even occasionally, sell their vote for a dinner or a golf game. If anyone seriously believes this, instead of bringing a bill to the floor, they should bring a complaint to the Committee on Standards of Official Conduct. I do not think anyone who knows this institution or its Members could believe that this is the case.

The second theory maintains that the problem is not reality; the problem is perception. They think that the people believe that we are easily bribed and we need to prohibit these bribes in order to placate the populace. In other words, they say that on a day when the Government is shut down over budget problems and we are on the brink of entering a conflict in Bosnia, the American people want us to go through this self-flagellation to restore the appearance of integrity. I am not sure that is what we ought to be spending our time on.

The third school of thought maintains that our constituents will reelect us as long as we make a grand show of how terrible this institution or its Members are. If we make it clear to everyone that we are trying to clean this place up and that we are trying to somehow play the integrity guardian of this place, then they will never consider us politicians.

Mr. Speaker, in the Bible it says that hypocrites stand on the street corner and pray out loud. Well, I think we ought to restore the confidence of the public by doing the public good.

Mr. Speaker, I do not go to dinner with lobbyists. I have no interest in gifts. I do not play golf. I do not like to travel. More importantly, I do not take any PAC money. I do not take any money outside the district. I find it ridiculous that the suggestion here is that if Members take a $25 dinner from a lobbyist, they might be bribed, but if they accept $5,000 from a PAC, they will not be bribed.

The only gift, for example, that would interest me right now is that we get our work done, and we can all go home. But, Mr. Speaker, I will vote for this legislation.

Mr. FROST. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio [Mr. HOKE].

Mr. HOKE. Mr. Speaker, I want to speak in favor of this amendment.

Mr. Speaker, I want to share with the House my own experience in business, because we went through this same challenge in the companies that I founded and ran, and we finally decided that we could tinker around with different ways of trying to deal with the problem, if there is such a problem, of purchasing influence by suppliers through entertainment and gifts.

Mr. Speaker, if, in fact, my colleagues believe that there is an ethical vulnerability, and obviously that is what we are saying because we do have rules in this area already, then the way to really solve it, the way to really end it once and for all, is to create a zero-tolerance standard, because what that does with a zero-tolerance standard is that it draws the brightest of bright lines. It makes it crystal clear on a daily basis. There is absolutely no question in anybody's mind and everyone knows what the standard is.

Mr. Speaker, we are talking about a standard of no gift, zero tolerance, no question. It is crystal clear. It is very simple. So long as Members take on the yoke of representation in this House, Members will know without any question, without any doubt, exactly what their responsibility in this area is with respect to the acceptance of gifts.

Mr. Speaker, that is why I support the amendment. I urge my colleagues to do the same thing, and I hope it passes.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina [Mr. GRAHAM].

Mr. GRAHAM. Mr. Speaker, it is good to be working on something that we can agree on today and really improve the quality of Government. It is not about whether Members can be bought. That is not the issue here. I respect the Members of this body. Nobody is going to be bought because they go to dinner.

Mr. Speaker, if Members have a propensity to being bought, they can get bought no matter what rules we have. That is not the issue. The issue is to make this body more businesslike and reflect the value system that the American public wants us to adopt.

Mr. Speaker, I came from South Carolina, the legislature there, where we had several people unfortunately go to jail because they did get bought. We had a lot of rules, but they still got bought. We looked at the situation in South Carolina and we said, ''Let us adopt bright-line rules and make people feel better about this institution.'' In South Carolina, legislators cannot take anything from a registered lobbyist.

Mr. Speaker, let me tell my colleagues this: Government still works. Lobbyists do not need to give me anything to tell me about their business interest, to tell me what they would like to happen with their Government. We can sit down and we can talk and I will listen and I will do what I think is best for my district. We do not need money to change hands; we do not need gifts to change hands.

Military officers, and I was one for 6½ years, cannot take anything from the contractors that they deal with.

Mr. Speaker, what we are trying to do is run this place in a more businesslike fashion and restore public trust. The issue is not about being bought. The issue is changing Congress to make sure that we live in a system that is very similar to the average, everyday American.

The gift situation needs to be changed, and I congratulate the Speaker for putting in a zero-tolerance level as the standard. I congratulate the Democratic Party for helping us to get there to restore faith in our Congress. This is a small step forward, but it is a good step forward.

Mr. FROST. Mr. Speaker, how much time do I have remaining.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). The gentleman from Texas [Mr. FROST] has 4 minutes remaining, and the gentleman from New York [Mr. SOLOMON] has 3½ minutes remaining.

Mr. FROST. Mr. Speaker, do I understand that the gentleman from New York only has one speaker who will close?

Mr. SOLOMON. Mr. Speaker, that is correct.

Mr. FROST. Mr. Speaker, I yield the remainder of my time to the gentleman from Texas [Mr. BRYANT].

(Mr. BRYANT of Texas asked and was given permission to revise and extend his remarks.)

Mr. BRYANT of Texas. Mr. Speaker, I am glad we are at this point, finally, after all these years of effort on the part of many people on both sides of the aisle, and we are about to prohibit the acceptance of gifts. Mr. Speaker, I think it is right that we do so.

I can only observe that we spent a good part of that 2½ years trying to hammer out a compromise between those who were opposed to doing anything and those of us who wanted a complete ban, and the compromise that we came up with it what is in the bill that is known as the Waldholtz bill before the House today.

Had we known the Speaker was going to come forward with an amendment to take it down to zero, we would have embraced that in the first place. I am glad he has done it. I would point out that his bill, like the underlying bill, has many, many exceptions to it, including gifts from relatives and gifts based on personal friendship, and attendance at lobby-attended events and so forth, which are good exceptions. I support them.

Mr. Speaker, I notice in the gentleman's provisions that he specifically left out of the list of exceptions, items of little intrinsic value, such as baseball caps and greeting cards. I am curious to know, and this is an actual question, not a rhetorical question, if that was intentional. If it was not intentional, I wonder is it would not be a good idea to fix it while we have a chance.

Mr. SOLOMON. Mr. Speaker, if the gentleman would yield, I would say to the gentleman, it was not intentional and we would accept a unanimous consent to remove it.

MODIFICATION OFFERED BY MR. BRYANT OF TEXAS TO THE AMENDMENT OFFERED BY MR. SOLOMON

Mr. BRYANT of Texas. Mr. Speaker, reclaiming my time, if that is appropriate at this time, I ask unanimous consent to do that.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BRYANT of Texas. Mr. Speaker, finally, I would say to the Members of the House it is not only that Lord that works in mysterious ways; it is the U.S. Congress. However we got here, I am glad we are here. We ought to vote for it and be proud of it as a bipartisan product and move on to other business.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. So the Chair can be clear about the impact of that unanimous consent request, the gentleman from New York will suspend one moment so we can make certain of the import of that.

Mr. SOLOMON. Mr. Speaker, I would ask the gentleman from Texas [Mr. BRYANT] I do not know if he has the bill there, but on page 9, lines 21 and 22, there is a section that says, an item of nominal value such as a greeting card, baseball cap, or T-shirt.

Mr. BRYANT of Texas. Yes.

Mr. SOLOMON. And that was the one the gentleman was talking about?

Mr. BRYANT of Texas. That is the one I was referring to.

Mr. SOLOMON. The other item was on page 7, which was donations of products from the State that the Member represents that are intended primarily for promotional purposes, such as display or free distribution, and are of minimal value to any other recipient.

Mr. BRYANT of Texas. I would like to include that in the unanimous consent request, although I did not before.

Mr. SOLOMON. The others were taken out for the same reason, unintentionally. If the gentleman from Texas wants to include that, we would accept it.

Mr. BRYANT of Texas. Mr. Speaker, I would do so and if it is not necessary to rearticulate that, I will leave it that way.

Mr. SOLOMON. So that the Speaker and the Clerk understand, on page 7, we are removing lines 7 through 11, and on page 9 we are removing lines 21 and 22. That is the Byrant unanimous consent request.

The SPEAKER pro tempore. The Chair understands this to be the unanimous consent request. The Clerk will read what the Chair understands to be the modification that is being requested.

The Clerk read as follows:

Modification offered by Mr. BRYANT of Texas to the amendment offered by Mr. SOLOMON.

In the second paragraph of the amendment offered by Mr. SOLOMON of New York, strike out Instructions. On page 9, strike lines 21 through 22.

Mr. SOLOMON. And page 7, lines 7 through 11.

POINT OF ORDER

Mr. ABERCROMBIE. Mr. Speaker, I have a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. ABERCROMBIE. Mr. Speaker, is this being made available in writing to the Members?

The SPEAKER pro tempore. The Clerk is attempting to report the modification proposed by the unanimous-consent request.

Mr. ABERCROMBIE. Mr. Speaker, I reserve the right to object.

The SPEAKER pro tempore. The gentleman reserves the right to object and the gentleman's point of order is noted.

If the gentleman will suspend for a moment while the Chair verifies the unanimous-consent request.

Mr. SOLOMON. I just sent it to the desk.

The SPEAKER pro tempore. The Clerk will now rereport the modification that is the subject of the unanimous-consent request of the gentleman from Texas [Mr. BRYANT], realizing that there is a reservation of objection by the gentleman from Hawaii.

The Clerk read as follows:

Modification offered by Mr. BRYANT of Texas to the amendment offered by Mr. SOLOMON:

Strike out the second paragraph of the instructions.

The SPEAKER pro tempore. Is there objection to the modification offered by the gentleman from Texas [Mr. BRYANT]?

Mr. ABERCROMBIE. Reserving the right to object, Mr. Speaker, could we have it explained once more? Perhaps the gentleman from Texas [Mr. BRYANT] or the gentleman from New York [Mr. SOLOMON] would explain at this juncture precisely what it is that will be allowed or disallowed, whichever makes the most sense in terms of an explanation.

Mr. Speaker, I yield to either the gentleman from Texas or the gentleman from New York.

The SPEAKER pro tempore. The gentleman from Hawaii will suspend. The gentleman from Hawaii has the floor and may yield to whomever he may wish.

Mr. ABERCROMBIE. Mr. Speaker, I yield to the gentleman from Texas [Mr. BRYANT] or the gentleman from New York, if he feels he can contribute to the explanation.

The SPEAKER pro tempore. There is an explanation forthcoming about an important unanimous-consent request.

□ 1815

The gentleman from Hawaii has yielded to the gentleman from Texas [Mr. BRYANT].

Mr. BRYANT of Texas. Mr. Speaker, the amendment to the bill simply says that there will be no gifts accepted by any Member unless they fall under specific exemptions. Those exemptions are the same exemptions that are in the Senate rules, that are in the underlying rule which the gentleman from Georgia [Mr. GINGRICH] has amended, with two omissions that were inadvertent, one of those is home State products of minimal value for display or distribution, and the other is items of little intrinsic value such as baseball caps or greeting cards. Those were accidentally omitted from the list of exceptions and, accordingly, I made a unanimous consent request that they be added back into the list of exceptions thereby permitting Members to accept those without worrying about any problems.

Mr. ABERCROMBIE. Mr. Speaker, continuing my reservation of objection, what concerns me here is, the reason I raised the question, the reason that I am doing this is that I am concerned that we are now arriving at a point where we are listing what is proscribed, or are we listing what is included in that which is accepted? If it is not specifically named in this legislation, does that mean then that we run the risk of having it considered something which is forbidden?

Mr. SOLOMON. Mr. Speaker will the gentleman yield?

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

Mr. SOLOMON. Mr. Speaker, the answer is yes.

Mr. BRYANT of Texas. Mr. Speaker, if the gentleman will continue to yield, I am not sure what the gentleman from New York [Mr. SOLOMON] answered yes to. I want to make it very clear.

Mr. ABERCROMBIE. Mr. Speaker, reclaiming my time, I am exactly clear as to what the gentleman from New York [Mr. SOLOMON] just said. Mr. SOLOMON just said that in regard to what you just named—greeting cards and baseball caps—that will now be allowed. Presumably, had that not been included at this point, or the attempt made to include it at this point, you could get greeting cards which would be illegal. You could get baseball caps which would be illegal. The question I asked, and why I am reserving the right to object is, I am trying to find out—excuse me, not I—but if we do not list everything that is allowed, does that mean that that which does not appear in this specific list of exemptions may very well at some point be considered as being illegal and will we have to find that out as we go along?

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

Mr. ABERCROMBIE. I yield to the gentleman from Iowa.

Mr. NUSSLE. Mr. Speaker, if I could even go one step further than that, I think the beauty of this amendment, prior to this unanimous-consent request, was that it is a clear signal to the lobbyists, do not send anything. Then we do not have to decide. Then there is not a problem.

Now we are saying that baseball caps and other items, other items of minimal value, now it becomes a judgment call not only on the giver but also the receiver as to what else may be included, which goes to the gentleman's point, but also to what is of minimal value.

The beauty of this amendment, which was a gift ban, which exempted out the family and everything else, was that it not only was a suggestion to us but it was a clear signal to those who might want to give. I think that was the beauty of it. I would hope that the gentleman would continue to object.

Mr. ABERCROMBIE. Mr. Speaker, I have not objected yet.

Mr. NUSSLE. If the gentleman does not, I might.

Mr. ABERCROMBIE. Mr. Speaker, I appreciate the editorial clarity, but I am trying to find out here from the chairman of the Committee on Rules, who is now being advised on all sides, Mr. Speaker, I thank you for your patience in this, but I do think it is crucial to the understanding of the bill before us.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). So that Members may have clarity of thought, the gentleman from Hawaii still controls the floor under a reservation of objection.

Mr. BRYANT of Texas. Mr. Speaker, will the gentleman yield?

Mr. ABERCROMBIE. Further reserving the right to object, I yield to the gentleman from Texas.

Mr. BRYANT of Texas. Mr. Speaker, the specific item which was inadvertently left out of the Gingrich amendment said, and it said this for several years in its text, items of little intrinsic value, such as baseball caps and greeting cards. Items of little intrinsic value, we want to leave that in there so there is no problem for any Member. That is all we are trying to do here. My unanimous-consent request, which has been approved by the other side, is simply to leave it in there.

Mr. ABERCROMBIE. Mr. Speaker, we are exchanging these words verbally right now. I am looking at the amendment to House Resolution 250, gift reform. The amendment retains exceptions for, and then it lists quite a number of items. If I understand it correctly, there is now a unanimous-consent request that language be added to that list of exemptions; am I correct?

Mr. SOLOMON. Mr. Speaker, if the gentleman will continue to yield, yes, the gentleman is correct.

Mr. ABERCROMBIE. Mr. Speaker, could the gentleman repeat the language at this time, please.

Mr. SOLOMON. Mr. Speaker, I would be glad to. If the gentleman has the underlying legislation, the proposal before him, on page 7, lines 7 through 11, they are allowed under the underlying legislation. And the Gingrich amendment would prohibit them. This is what the underlying legislation allows.

Mr. ABERCROMBIE. Reclaiming my time, is the gentleman referring to, on page 7, ''donations of products from the State.''——

Mr. SOLOMON. Mr. Speaker, that is correct.

Mr. ABERCROMBIE. ''That a Member represents that are intended primarily for promotional purposes, such

as display or free distribution, and are of minimal value to any individual recipient''?

Mr. SOLOMON. Mr. Speaker, if the gentleman will continue to yield, exactly. And then flip the page to page 9.

Mr. ABERCROMBIE. Page 9?

Mr. SOLOMON. Yes, lines 21 and 22.

Mr. ABERCROMBIE. An item of nominal value such as greeting cards, baseball cap or T shirt.

Mr. SOLOMON. Keep in mind ''such as.''

Mr. ABERCROMBIE. Yes. Now, is it the case that by inadvertence this was left out of the bill?

Mr. SOLOMON. The underlying legislation, it was specifically left in. In other words, as an allowed gift. Under the Gingrich legislation, it was inadvertently prohibited.

Mr. ABERCROMBIE. Mr. Speaker, in the Gingrich legislation that is now before us, it was inadvertently left out; is that correct?

Mr. SOLOMON. Mr. Speaker, that is correct.

Mr. ABERCROMBIE. So if this is accepted, the unanimous consent request is accepted, those two elements that appeared in the underlying bill would now appear in the Gingrich legislation?

Mr. SOLOMON. Mr. Speaker, that is correct.

Mr. ABERCROMBIE. Mr. Speaker, continuing my reservation of objection, it occurs to me that the ''such as'' may be illustrative, but is it supposed to be illustrative of the amount of money, when we say intrinsic value, are we talking about, is it your understanding, Mr. SOLOMON, that that has a dollar value, when the phrase intrinsic value is utilized to describe——

Mr. SOLOMON. Mr. Speaker, minimal, nominal value, yes.

Mr. Speaker, the gentleman from Georgia [Mr. GINGRICH] our Speaker, has to leave in about 3 minutes. There are 3½ minutes remaining in the debate.

Mr. BRYANT of Texas. Mr. Speaker, I withdraw my unanimous-consent request for the time being.

The SPEAKER pro tempore. The gentleman's request is withdrawn for the time being.

Mr. SOLOMON. Mr. Speaker, on opening day the Speaker of this House directed the Republican Members of this House to reform this Congress. We put through profound changes, such as shrinking the number of committees, subcommittees, eliminating proxy voting and opening up sunshine for these committees. He also directed us to continue the reforms of this House. This is one of them.

Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. GINGRICH], the great Speaker of this House.

Mr. GINGRICH. Mr. Speaker, I thank the gentleman from New York [Mr. SOLOMON] for yielding time to me.

Mr. Speaker, I want to thank the gentleman from Texas [Mr. FROST] for the way he handled this this afternoon and enabled Members to participate in a bipartisan manner.

I want to thank the gentleman from Texas [Mr. BRYANT], because the truth is when we first drafted this we did not intend to drop out the T shirt part in particular. Members who go and they try to help with charities and a lot of other things. I appreciate his bringing it to our attention. I hope when I am done he can actually finish working that out with the gentleman from Hawaii and really make that unanimous-consent request a second time.

I also thought, however, that the gentleman from Maryland [Mr. GILCHREST] had a very important point. I want to mention here to the House the testimony I made a few days ago to the House Committee on Government Reform and Oversight about establishing a bipartisan commission to look at the entire fabric of power in the information age, from lobbying to gifts to campaign financing to party financing to independent expenditures, because the truth is, we can ban gifts and then we end up with a PAC giving $5,000. We can outlaw PAC's and then we end up with an independent expenditure of $500,000. There are all sorts of things that go on in the information age that we do not record very well, we do not understand very well. And we are not going to have any one or two reforms that automatically improve it.

I do believe that I had an obligation to offer this amendment. Let me explain why. I think that the Speaker has an obligation to try to protect all the Members of the House. I was told by several members of the Committee on Standards of Official Conduct and several former members of the Committee on Standards of Official Conduct that the rules adopted by the Senate were clearly unenforceable and would in the end end up with Members by the most innocent of just forgetting things over the course of an entire year traveling back and forth to home, the kind of schedules we keep, inadvertently ending up in the kind of violations that would for the first time cause real problems and lead Members to innocently end up either being entrapped or finding themselves in trouble they had no notion of.

The gentleman from Utah [Mr. HANSEN], who had been for many years our ranking member, made the point that we have never actually had an ethics case involving a gift. So at one level one can say, why are we changing it? But if we are going to change it in the direction that the Senate chose, then I think frankly we have an obligation to change it decisively and clearly.

I just think that we have to recognize that there is bipartisan support for trying to figure out how should we operate. We win an election. We are here for 2 years. We serve the people. What should the standards be?

My conclusion was that the simplest, the cleanest and the clearest standard was to say, no gifts. That may well mean what the gentleman from Pennsylvania [Mr. WALKER] was saying a while ago, we may literally have to set up a repository that anonymous gifts end up at go to a charity or to go somewhere because people literally will drop things off. But the rule ought to be, no gifts. Personal friends, yes, Members have every right to have a personal life. Family, yes, we hope Members have a family life. We want you to, despite the recent schedule.

But the fact is that there is a clear line and rather than have all sorts of little nuances and regulations and red tape, I would urge my colleagues to vote for this amendment to end accepting gifts from lobbyists and others who give them the gift because they are a Member of Congress. There is no way around it. They did not get the gift before they were elected, they are not going to get the gift after they leave. That is different from personal friends and it is different from family, and I think it is the right thing, to just end it and take this as step one.

Then I hope the House will join me before the year is out in voting for a bipartisan commission to look at the totality of what we have to do to clean up this system and make it fair for the average American.

The SPEAKER pro tempore. The Chair would advise Members, at this point the gentleman from New York [Mr. SOLOMON] has one-half minute remaining, and the gentleman from Texas [Mr. FROST] has 2 minutes remaining.

The Chair will now entertain the unanimous-consent request.

MODIFICATION OFFERED BY MR. BRYANT OF TEXAS TO THE AMENDMENT OFFERED BY MR. SOLOMON

Mr. BRYANT of Texas. Mr. Speaker, I ask unanimous consent that the language found at page 7, lines 1 through 5, and page 9, lines 15 and 16, be reintroduced as exceptions.

Mr. SOLOMON. Mr. Speaker, the gentleman is on the introduced bill and not on the bill before us. The gentleman should be on the Gingrich amendment.

The SPEAKER pro tempore. The Clerk will report the proposed modification.

Modification offered by Mr. BRYANT of Texas to the Amendment offered by Mr. SOLOMON: Strike out the second paragraph of the amendment.

□ 1830

Mr. BRYANT of Texas. Mr. Speaker, I ask unanimous consent that we do what the Clerk just read.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). Is there objection to the request of the gentleman from Texas?

Mr. NUSSLE. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. FRANK of Massachusetts. Mr. Speaker, is there any way, under the rule reported out, that the House could amend the pending amendment short of a unanimous-consent request?

Mr. SOLOMON. Not short of a unanimous-consent request.

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

Mr. FRANK of Massachusetts. So that no amendment would be allowed?

The SPEAKER pro tempore. Only by unanimous consent.

Mr. FROST. Mr. Speaker, I yield back the balance of my time.

PARLIAMENTARY INQUIRIES

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

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. ABERCROMBIE. I would like to know, Mr. Speaker, whether with the objection the possibility of the two items mentioned by the gentleman from New York [Mr. SOLOMON] in response to the request from the gentleman from Texas [Mr. BRYANT] are now out of the Gingrich amendment with respect to that which appears in the underlying bill.

The SPEAKER pro tempore. The Chair is not at liberty to interpret the modification that was suggested.

Mr. ABERCROMBIE. Further parliamentary inquiry, Mr. Speaker, and the reason I am asking is that it may determine how I will vote and, perhaps, others will vote.

The SPEAKER pro tempore. The Chair would advise the gentleman from Hawaii that the modification was not agreed to by unanimous consent.

Mr. ABERCROMBIE. Does that mean, any further parliamentary inquiry because I want to understand the meaning of it, and I think I am entitled to that before I vote, I am entitled to understand it. If everybody else in the room understands it, that is fine; I intend to have a full understanding before I vote.

Mr. Speaker, I ask unanimous consent to extend the time by 2 minutes.

The SPEAKER pro tempore. The Chair would like to make sure all heard the unanimous-consent request. Will the gentleman restate it?

Mr. ABERCROMBIE. It is to extend the time of debate another 2 minutes.

The SPEAKER pro tempore. To be controlled by? Equally divided?

Mr. ABERCROMBIE. By me.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

Mr. SOLOMON. Reserving the right to object, Mr. Speaker, we would not object to the time being extended for the gentleman from Texas [Mr. FROST] or for myself, but we could not do it for the gentleman from Hawaii.

Mr. ABERCROMBIE. Mr. Speaker, I think I need to get a clear understanding. I will do it under the parliamentary inquiry, but I thought it might be more in order if there was an opportunity for members to maybe, perhaps, discuss it.

The SPEAKER pro tempore. Then the gentleman from Hawaii has a parliamentary inquiry that is being entertained by the Chair?

Mr. ABERCROMBIE. Mr. Speaker, I will stay with the parliamentary inquiry, and I withdraw my unanimous-consent request.

The SPEAKER pro tempore. The gentleman withdraws his unanimous-consent request.

Mr. ABERCROMBIE. The parliamentary inquiry, Mr. Speaker, is that if I, or anybody else on the floor, wishes to vote for a bill which contains the two elements as enunciated by the gentleman from New York [Mr. SOLOMON] and the gentleman from Texas [Mr. BRYANT], would I then vote against the Gingrich proposal as presently before the body and then vote, should that fail, for the underlying legislation? If I wanted to vote for a bill which contained all of the exemptions listed in the underlying bill, minus those two, which I believe would have been added had there not been objection to the unanimous-consent request made by the gentleman from Texas [Mr. BRYANT]——

The SPEAKER pro tempore. The Chair would advise the gentleman, given a request for regular order, that the gentleman is not stating a proper parliamentary inquiry, but the Chair understands his dilemma. The Chair cannot advise the Member as to the import of this amendment. The Chair can only say it is a modification by unanimous consent.

Mr. ABERCROMBIE. Mr. Speaker, I cannot hear you.

Mr. Speaker, I am doing my best to make a parliamentary inquiry within the boundaries of the rules.

The SPEAKER pro tempore. A parliamentary inquiry is being made by the gentleman from Hawaii. The Chair will entertain that first, and then will take up any others.

The Chair would advise the gentleman from Hawaii that the Chair is not at liberty to interpret the import of any amendments currently pending. The Chair will simply say that a modification was proposed by unanimous-consent request, objection was heard, so the underlying amendment remains the same as it was debated now on the floor.

The gentleman from New York [Mr. SOLOMON] has one-half minute remaining. The gentleman from Texas [Mr. FROST] has yielded back.

It may answer the gentleman from Hawaii's parliamentary inquiry to have the gentleman from New York use that one-half minute.

Mr. ABERCROMBIE. Mr. Speaker, maybe I did not state it correctly, and I will make a further parliamentary inquiry then. There are obviously Members who want to vote.

The SPEAKER pro tempore. The Chair will indulge the gentleman from Hawaii [Mr. ABERCROMBIE] for one more inquiry.

Mr. ABERCROMBIE. Mr. Speaker, I understand that there are Members who are now prepared to vote. I am glad they have all received wisdom. I do not pretend to have it.

My parliamentary inquiry is:

Should the Gingrich proposal as presently before us be defeated, would we then be voting on the underlying legislation which would contain the two elements which do not now exist, as I understand it, in the Gingrich proposal because the unanimous-consent was objected to?

The SPEAKER pro tempore. Without objection, the Clerk will report the pending Solomon amendment.

The Clerk read as follows:

Amendment offered by Mr. SOLOMON: Page 2, line 3, strike ''(1)'' and strike lines 6 through 15.

Page 7, strike lines 1 through 5, and page 9, strike lines 15 through 16 and redesignate paragraphs (13) through (22) as paragraphs (12) through (21).

Page 10, line 9, insert a period after ''individual'' and strike ''if others'' and all that follows through line 12.

Page 13, beginning in line 24 strike ''3 days exclusive of travel time within the United States'' and insert ''4 days within the United States''.

Page 14, insert a period after ''employee'' in line 17 and strike ''subject to'' and all that follows through line 23.

The SPEAKER pro tempore (during the reading). The Chair would advise the gentleman from Hawaii [Mr. ABERCROMBIE] that the Clerk is reading the pending amendment offered by the gentleman from New York [Mr. SOLOMON] as the designee of the gentleman from Georgia [Mr. GINGRICH].

PARLIAMENTARY INQUIRIES

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

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. SOLOMON. I ask the gentleman from Hawaii [Mr. ABERCROMBIE] to listen to my parliamentary inquiry.

Mr. Speaker, is it not a fact that in the Waldholtz legislation pending before us there is an exception which allows Members to accept nominal values such as greeting cards, baseball caps, and T-shirts? The answer is yes.

The SPEAKER pro tempore. The Chair is not at liberty to interpret the underlying amendment, but the gentleman is the offeror of the amendment.

Mr. SOLOMON. Well then, Mr. Speaker, is it not a fact that in the Gingrich amendment it strikes the exception which allows the gentleman from Hawaii to accept a T-shirt?

The SPEAKER pro tempore. The gentleman is not stating a proper parliamentary inquiry.

Mr. FRANK of Massachusetts. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. FRANK of Massachusetts. Mr. Speaker, under the new regime have we now debated T-shirts more than we have debated the defense budget today?

The SPEAKER pro tempore. The gentleman has not stated a proper parliamentary inquiry.

The Chair at this point would advise Members that the gentleman from New York [Mr. SOLOMON] has one-half minute remaining in the debate and the gentleman from Texas [Mr. FROST] has yielded back the balance of his time.

Mr. SOLOMON. Mr. Speaker, I yield myself the balance of my time to conclude.

Mr. Speaker, the amendment before us is the Gingrich amendment which does strike the exception which allows Members to accept T-shirts, greeting cards. If the Gingrich amendment passes, it will ban all gifts except those exceptions allowed in the underlying legislation. I would urge Members to vote for the Gingrich amendment.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered on the amendment.

The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

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

RECORDED VOTE

Mr. SOLOMON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 422, noes 8, not voting 2, as follows:

[Roll No. 808]

AYES—422

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E.B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—8

Fattah
Hastings (FL)
King
Murtha
Myers
Rahall
Towns
Williams

NOT VOTING—2

Fields (LA)
Tucker

□ 1900

Mr. RAHALL and Mr. HASTINGS of Florida changed their vote from ''aye'' to ''no.''

Messrs. SMITH of Michigan, SANFORD, and LAFALCE changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. (Mr. INGLIS of South Carolina). Pursuant to House Resolution 268, the previous question is ordered on the resolution, as amended.

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.

RECORDED VOTE

Mr. SOLOMON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 422, noes 6, not voting 4, as follows:

[Roll No. 809]

AYES—422

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fawell
Fazio
Fields (TX)
Filner
Flake
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Gordon
Goss

Graham
Green
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—6

Fattah
Goodling
King
Myers
Towns
Williams

NOT VOTING—4

Fields (LA)
Murtha
Sabo
Tucker

□ 1919

So, the resolution, as amended was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR THE CONSIDERATION OF H.R. 2564, LOBBYING DISCLOSURE ACT OF 1995

Mr. GOSS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 269 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 269

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. 2564) to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill of failure to comply with clause 2(l)(6) of rule XI are waived. General debate shall be confined to the bill and shall not exceed two hours equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five minute rule. The bill shall be considered as read. All points of order against any amendment printed in the report of the Committee on Rules accompanying this resolution are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except on motion to recommit with or without instructions.

SEC. 2. If H.R. 2564 is passed by the House in a form that is identical to S. 1060, as passed by the Senate, then at any time thereafter it shall be in order without intervention of any point of order to consider the Senate bill in the House. The previous question shall be considered as ordered on the Senate bill to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Florida [Mr. GOSS] is recognized for 1 hour.

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

GENERAL LEAVE

Mr. GOSS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the resolution (H. Res. 269) providing for the consideration of the bill (H.R. 2564) to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes, and that I may include extraneous material.

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

There was no objection.

Mr. GOSS. Mr. Speaker, with this rule, the House begins important discussions of reform that will, I hope, assist in restoring the public confidence in this institution and its practices. With this rule we embark on the first of the triumvirate of issues that concern Americans most about the mechanics of how this democracy functions: Lobby reform, gift reform and campaign finance reform. Beginning now with lobby reform, we will work to rewrite an outdated, inadequate and exceedingly vague series of rules pertaining to registered lobbyists and, specifically, public disclosure of their activities.

I am generally an ardent supporter of open rules, and today I bring to the House an open rule for consideration of this lobby reform bill—a rule that should have the support of all members. I should note, however, that in this special case, I have some reservations about what will happen if amendments are adopted to this bill. The reason for my concern is that this issue—lobby reform—has been bottled up in the Congress for years. This year, we have a real chance to break the logjam and send a good bill to the President for signature. The other body has already passed the identical measure we begin with today—and if the House passes the same bill without amendment, the measure could head straight to the White House without further delay. In my view, that would be the optimal result. Although I believe very strongly in the merit of several of the amendments members will hear today—most notably a proposal to restrict lobbying with taxpayer funds by executive branch officials and a proposal to restrict lobbying by organizations that are taxpayer-funded through grants—I intend to vote against all amendments to this bill because of my overriding belief that we've got to get the essence of lobby reform passed and signed into law now. I have learned from past efforts on this and other difficult subjects that, if you load up these bills with new ideas, late in the process, you become spoilers of the good in pursuit of the perfect. I hope my colleagues will consider that as they cast their votes today.

Mr. Speaker, that being said, Members should know that this is a wide open rule, providing that any Member may offer an amendment to H.R. 2564 if that amendment conforms to the standing rules of the House. The rule provides two hours of general debate, equally divided and controlled by the chairman and ranking member of the Judiciary Committee. The rule waives clause 2(1)(6) of rule XI—the 3-day layover rule—against consideration of the bill and it waives all points of order

against two amendments printed in the Rules Committee report.

Mr. Speaker, those amendments—one offered by Mr. MCINTOSH and the other offered by Mr. ISTOOK—pertain to disclosure by non-profit organizations that lobby and restrictions on the lobbying activities of federal grantees. It is my understanding that the sponsors of these amendments have received some conflicting advice from the Parliamentarian as to whether or not waivers are actually necessary. However, given the great interest among members in these issues, the majority on the rules committee felt that we should provide these waivers just to be sure. The rule further provides one motion to recommit with or without instructions and a procedure to allow for a hook-up with the bill from the other body, should the house pass H.R. 2564 without amendment. Finally, if that hook-up happens, the rule provides one motion to recommit for the bill from the other body.

Mr. Speaker, in closing, let me commend my colleague from Florida, Mr. CANADY, for his hard work on this subject—and for his efforts to reach across party lines and make this a truly bipartisan effort. I think most members are agreed that lobby reform is not—and should not be—a partisan issue, and it is my hope that we will act with dispatch today to get this matter onto the President's desk. Support this rule and the bill.

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

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

(Mr. HALL of Ohio asked and was given permission to revise and extend his remarks.)

Mr. HALL of Ohio. Mr. Speaker, I would like to commend my colleague from Florida, Mr. GOSS, as well as my colleagues on the other side of the aisle for bringing this resolution to the floor.

House Resolution 269 is an open rule which will allow full and fair debate on H.R. 2564, a bill which strengthens reporting requirements for lobbyists who contact executive and legislative branch officials and their staff.

As my colleague from Florida has described, this rule provides 2 hours of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary.

Under this rule, amendments will be allowed under the 5-minute rule, the normal amending process in the House. All Members, on both sides of the aisle, will have the opportunity to offer amendments.

The rule waives all points of order against two amendments. One, by Mr. ISTOOK, would restrict lobbying activities of organizations that receive Federal grants. This amendment is similar to other recent Istook amendments that have been attached to appropriations bills.

The second amendment which receives a waiver is by Mr. MCINTOSH. This amendment establishes new and detailed reporting requirements for nonprofit organizations that lobby Federal, State, or local governments.

The bill is a fair proposal that will give the American people more information about the influences of the legislative process.

Mr. Speaker, this is not a perfect rule. I am disappointed that Rules Committee waived points of order against the two amendments. I believe that these two amendments should be subject to the same requirement for germaneness that all other amendments must meet.

During committee, Mr. MOAKLEY made a motion to strike the waiver for these two floor amendments. Mr. MOAKLEY'S motion was defeated along nearly a straight party line vote.

However, it is better to be inclusive than too restrictive. Therefore, I urge adoption of this open rule which will permit full debate on this bill and allow Members an opportunity to offer amendments.

□ 1930

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

Mr. GOSS. Mr. Speaker, I yield such time as she may consume to the distinguished gentlewoman from Ohio [Ms. PRYCE], an extremely valued member of the Committee on Rules.

Ms. PRYCE. Mr. Speaker, I am pleased to join my colleague from Sanibel, Florida, Mr. GOSS, in supporting this wide-open rule providing for the consideration of the Lobbying Disclosure Act of 1995. Requiring greater disclosure of lobbying activities in Congress on the executive branch is one of the most important elements of our bipartisan reform agenda, and I congratulate my chairman and colleagues on the Committee on Rules for bringing this bill to the floor under an open amendment process.

I also want to congratulate our leadership for allowing the House to consider lobby reform legislation while we are working very hard to resolve differences over the budget and annual appropriations process. It should be very clear to the American people and to the guardians of the status quo that this Congress is firmly committed to changing the institution.

Under the terms of this fair resolution, any Member can be heard on any germane amendment to the bill at the appropriate time. Almost all of the amendments we discussed in the Committee on Rules yesterday appeared to be germane to this debate and can be offered while the bill is open to amendment under the 5-minute rule.

Mr. Speaker, for nearly 40 years of being in the minority and having very little control over the agenda, Republicans in the House are understandably anxious to press ahead with our agenda. Last year the Republican freshman class put together a bold comprehensive list of congressional reforms, and, despite being in the minority at that time, we were successful in many of our commonsense proposals. This year sophomore Members, as we are, together with the very active reform minded freshman class and with the help of many of our Democratic colleagues we have continued to fight for real change and reform.

As our colleagues will recall, in the first day of the new Congress the House passed a sweeping set of reforms that included everything from banning proxy voting, cutting committee staffs and overhauling the committee system. Following that, we had the first-ever vote on congressional term limits. We passed two very important budget process reform items, a balanced budget constitutional amendment and a workable line-item veto proposal. Today we are about to add to our list of promises kept by passing legislation which requires the full disclosure of efforts by paid lobbyists to influence the decisionmaking process of both executive and legislative branches of government.

Disclosing the activities of those who want to influence the Federal Government is simply a public right-to-know issue. Our constituents want nothing more than to know who is getting paid to lobby their elected Members, how much they are receiving in compensation and who the clients are.

Mr. Speaker, a lot of bipartisan work has gone into crafting this bill. The fact that the Committee on the Judiciary reported it by an overwhelming vote of 30 to zero reflects strong support on both sides of the aisle for enacting meaningful lobby reform this year.

We should not miss the opportunity to give the American people what they want, what they deserve and what they are entitled to. That is more openness and accountability in government. Together with the new gift restrictions that the House overwhelmingly adopted bipartisanly today, this legislation will help reassure the American people that their leaders in Congress are getting the job done without undue influence from special interests.

Finally, Mr. Speaker, let me say that all of us here would like to improve public confidence in government and their elected officials and representatives. The bill soon to come before us will give us the opportunity to do just that by increasing Congress's accountability to the people that we serve. I urge my colleagues to adopt this fair and open rule and pass this legislation.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. TRAFICANT].

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

Mr. TRAFICANT. Mr. Speaker, I want to commend the majority party for bringing the issue. I also want to say that, when we are talking about lobbying, the issue that I would like to

address are the foreign lobbyists that lobby our Government on behalf of foreign interests. This issue has been covered under the Foreign Agents Registration Act of 1938 which was promulgated initially to deal with undercover spy operations of Nazi propaganda. Since then, this has changed, folks. Now we have very slick operators who represent trade, industrial and competitive issues. They have been able to avoid the registration, and the law is so archaic, it will not bring it around.

This bill, and I want to give credit to the chairman, does address some of those issues. But it does not go far enough. I give a lot of credit to it, but I am hearing, we are for this, Jim, we are for it for 4 years but not now.

Let me say this. Right now the penalties are so great under this provision, it is like taking a bazooka to kill a gnat, a flee. As a result, the Department of Justice is not pursuing cases where people, literally, do not register. We have had GAO report after GAO report saying that we are just not getting individuals to file and identify themselves. The Traficant bill in essence takes the Foreign Agents Registration Act and technically changes it to the Foreign Interest Registration Act. There are no exemptions. If you represent the interests of a trade issue, you represent a commercial issue, you must register.

The GAO said out of 3,000 possible who should register in their last report, only 775 did register. The Traficant amendment brings about common sense civil penalties for minor infractions. the penalty could be as low as $2,000 for failure to in fact register. But for serious violations and other complications, the Department of Justice can throw the book at them.

We have been offering these exemptions. Let me say this to the majority party. You want to do something about lobbying, Democrats have supported you, but let me tell you what you are doing. If you do not come down tough on those high-powered people that lobby our Government on behalf of foreign governments, we will have failed with the integrity of this particular legislative initiative.

I am asking that my colleagues review my amendment. The leaders are saying, we do not want to complicate this, and the other body, we do not want to get it beat. We like your stuff. If other amendments pass to this bill, this bill is going to carry some different changes. The Traficant amendment should be incorporated without a fight because, my colleagues, we have allowed some powerful lobbyists to influence legislative and government decisions, and they do not even, have not even been registering under our law.

So with that, I would appreciate that any Member who wants information on this to contact my office.

Mr. GOSS. Mr. Speaker, I am not sure whether the gentleman from Ohio needed a waiver or not. I think in an open rule he would be able to proceed.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Connecticut [Mr. SHAYS].

Mr. SHAYS. Mr. Speaker, I would like to first thank the majority leader for scheduling a vote on this very important bill of lobby disclosure and to thank the gentleman from New York [Mr. SOLOMON] and the gentleman from Florida [Mr. GOSS] and the other members of the Committee on Rules for having an open vote.

I am hoping at the end that this bill will remain as it is, unamended and sent directly to the President instead of sent to the Senate where it could likely die. I particularly want to thank the gentleman from Florida [Mr. CANADY] and the gentleman from Massachusetts [Mr. FRANK] for keeping this bill clean in subcommittee and in the full committee.

I just want to weigh in as strongly as I can that lobby disclosure has basically not changed since the late 1940s. In 1946 we passed a lobby disclosure bill. The courts basically gutted that law in the early 1950s. We have, it is estimated, 40- to 60,000 lobbyists in Washington. Only about 4,000 or so are registered. This bill is necessary. The President supports it. The President deserves for us to send it to him rather than back to the Senate. I am hopeful that the chairman of the subcommittee and the ranking member, if there are logical amendments to this bill, are able to hold hearings on those amendments but not incorporate them in this bill.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SHAYS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentleman for yielding to me.

As we did in the last Congress, he and I worked together, and we have achieved some reform, and I believe we will go to achieve it now. I have spoken to the chairman of the subcommittee. I wish things were different and that we had more confidence that, if we sent something back to the other body, it would not just sink into the La Brea tar pits. But given the experience, I am committed and I know more importantly the people, the chairman of subcommittee is committed. There will be a number of amendments offered that many of us will think well of, and it will be our intention I hope to bring out a second bill. But we would like to keep this one free of amendment because that is the difference between simply sending it back to the Senate and having no hope of sending it for signature.

Mr. HALL of Ohio. I yield 1 minute to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, what the gentleman from Connecticut is saying, I think we have agreement, those of us who have worked on this, we, many of us plan to vote against all amendments, even some that in other contexts we would favor because we want to get a bill to the President. That will then leave us, I think, with the job of having another round of hearings and markup and send a second bill over there.

We do not want to jeopardize this bill. That is why many of us who have been working on this with all of the Perils of Pauline we have been through, we have a chance now to send the lobbying bill to become law before the end of year, and then we will start on the second round.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from Connecticut.

Mr. SHAYS. Mr. Speaker, I would like to thank the gentleman for the incredible work he did on congressional accountability when he was in the majority and also when he was in the minority. We can work on a bipartisan basis, I think, to pass this bill unamended and then to work for logical reform.

Mr. FRANK of Massachusetts. Mr. Speaker, I would say to the gentleman, I agree with him; we can work on a bipartisan basis. It is just not as much fun.

Mr. HALL of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. MCHALE].

Mr. MCHALE. Mr. Speaker, it may not be as much fun, but it certainly is more productive. I for one welcome the bipartisan spirit that I am confident will surround this debate.

I rise in strong support of H.R. 2564, the Lobbying Disclosure Act. My words in many ways will echo the bipartisan comments previously made by the gentleman from Florida [Mr. GOSS], the gentleman from Ohio [Mr. HALL], the gentleman from Massachusetts [Mr. FRANK] and the gentlewoman from Ohio [Ms. PRYCE].

Last January I stood at this very microphone and fought with my colleague on behalf of the Congressional Accountability Act when the gentleman from Connecticut, [Mr. SHAYS] and I and others said that it was time that Members of Congress should be covered by the same laws that govern all other American citizens. Today's effort on behalf of 2564 is very much in that tradition.

Let me first of all indicate, Mr. Speaker, the quality of the current law. The current lobbying disclosure legislation originally passed in 1946 as noted by my friend, Mr. SHAYS, is in my view totally inadequate. The current law is a piece of legislative Swiss cheese with more holes than substance. Again it has been noted briefly a couple of moments ago out of some 14,000 Washington lobbyists, only 4,000 have been required to register under the provisions of existing law, law that is woefully inadequate to the task at hand. Some 50 years after its enactment, we can do better.

The legislative history of H.R. 2564 is straightforward. The language we are

considering today, if we are wise enough not to amend it, is identical to language that passed in the Senate on July 25 in an overwhelming unanimous bipartisan vote, 98 to 0. If we pass language today without amendment, the bill will go straight to the President's desk, and after 50 years of inadequacy on the subject of lobbying disclosure, we will finally have a law that measures up to the task.

The bill covers paid professional lobbyists, those who spend 20 percent or more of their time lobbying and are paid more than $5,000 during a 6-month period. It requires the semiannual report. Documents are to be filed with the Clerk of House and the Secretary of the Senate and shall be available for full public inspection. Grassroots lobbying activities are protected as they are under the Constitution, and we do not infringe upon those activities in any way.

Finally, Mr. Speaker, let me once again emphasize, this is the type of bipartisan action the American people have requested. Today's legislation reflects great credit on the gentleman from Florida [Mr. CANADY], the gentleman from Massachusetts [Mr. FRANK], and the gentleman from Connecticut [Mr. SHAYS].

I urge an affirmative vote on the rule and the defeat of all amendments.

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

Mr. MCHALE. I yield to the gentleman from Connecticut.

Mr. SHAYS. I thank the gentleman. He introduced this bill identical to what the Senate did and then incorporated his bill and the committee bill. I just want to thank the gentleman for his leadership on this issue and to say that it has been a pleasure to work with him as well. I am sorry I left him out of my salutes because he deserves to be on the very top.

Mr. MCHALE. Mr. Speaker, I would note that the quality of the bill was much improved when the name of the gentleman from Florida [Mr. CANADY] was moved to the front.

Mr. HALL of Ohio. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California [Ms. WOOLSEY].

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

Mr. WOOLSEY. Mr. Speaker, the American people are sick and tired of wealthy special interests peddling influence through the halls of Congress. We need to change the way Washington works, and we need to do it now.

□ 1945

For too long, Congress has been held hostage by lobbyists trying to force their special interest agendas on the American public. And too often, they are successful.

H.R. 2564 is the first truly comprehensive lobbying reform bill in almost 50 years. This bill will let the American people know who the lobbyists are and how much they are spending to influence Members of Congress.

The Senate passed this important bill unanimously. We don't need to change it. We need to pass it and send it to the President right away. Let us not delay this much needed reform any longer.

Mr. Speaker, it is time to restore faith in American Government. Vote for honest government. Vote for this bill and vote for it without amendment.

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

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

Mr. Speaker, I, contrary to published reports in the local newspaper this morning, will support this rule. I would add parenthetically that I have received an apology from the newspaper for making a mistake, and that started my day in a very pleasant way, but people have been asking me why I would not support this rule. I am supporting this rule. I urge others to do the same.

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 resolution was agreed to.

A motion to reconsider was laid on the table.

POSTPONING VOTES AND LIMITING DEBATE TIME ON AMENDMENTS TO H.R. 2564, LOBBYING DISCLOSURE ACT OF 1995

Mr. CANADY of Florida. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 2564 pursuant to House Resolution 269 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, and that the Chairman of the Committee of the Whole may reduce to not less than 5 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 15 minutes; and further, that debate on each amendment to the bill and any amendments thereto be limited to 30 minutes equally divided and controlled by the proponent of the amendment to the bill and an opponent.

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

Mr. SKAGGS. Reserving the right to object, Mr. Speaker, and I do not expect that I will object, but I just want to inquire of the gentleman if it is further his understanding that agreement has been reached informally with the proponents of certain of the amendments that have been noticed on this bill that they will not come up tonight, namely the amendment protected by the rule offered by the gentleman from Indiana [Mr. MCINTOSH], the amendment protected in the rule to be offered by the gentleman from Oklahoma [Mr. ISTOOK], and two other amendments offered by the gentleman from Indiana [Mr. MCINTOSH] dealing with the same general subject?

Mr. CANADY of Florida. Mr. Speaker, will the gentleman yield?

Mr. SKAGGS. I yield to the gentleman from Florida.

Mr. CANADY of Florida. Mr. Speaker, it is my understanding that the gentleman from Oklahoma [Mr. ISTOOK] and the gentleman from Indiana [Mr. MCINTOSH] have both agreed that those amendments would not be brought before the House this evening.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SKAGGS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Let me give the gentleman further assurance. It is my guess that there being a significant majority of Members left that have any brains, that within about 20 minutes after this unanimous-consent request there will not be any Members left in this place. Therefore any amendment that is offered would be at the suffrage of people who did not want to suggest the quorum problem, so I would assure my friend, if there was any problem, that all of a sudden we would be deterred by the lack of a quorum.

Mr. SKAGGS. I appreciate the gentleman's further assurances.

Further on my reservation, the ½ hour equally divided debate time that was included in the UC request would apply to each and all amendments to the bill either considered tonight or at such subsequent date as we might resume debate on this legislation; is that correct?

Mr. CANADY of Florida. That is correct.

Mr. FRANK of Massachusetts. Will the gentleman yield to me further under his reservation of objection?

Mr. SKAGGS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Let me say to the gentleman who has been very responsible for this, and I appreciate our ability to work together, while we would have the power under this unanimous-consent request to roll votes when we resumed, I would assume that a spirit of comity would govern whether or not we use that; that is, if there was not agreement on both sides, we would not roll the votes when we come back at it on the next time.

Mr. SKAGGS. Mr. Speaker, I yield to the gentleman from Florida.

Mr. CANADY of Florida. It would certainly be my desire that that power be exercised in consultation with the minority and other interested parties so that the interests of all Members of the House could be fully protected.

Mr. SKAGGS. Further reserving the right to object, and in the same vein, I think, and as I understand it, there are some logical groupings of amendments,

and it might make sense to apply some sense of germaneness and mutual relevancy as we look at which might be rolled, and I assume the gentleman would agree to take those kinds of factors into consideration as well.

Mr. CANADY of Florida. Yes; of course the Chair will be making the decisions as to when the rolling of amendments will take place and who will be recognized to offer an amendment, but it would certainly be my desire to work with all Members to take into account those considerations.

Mr. FRANK of Massachusetts. Mr. Speaker, if the gentleman would yield, let me say the subcommittee chairman has been perfectly fair, and I think there is no problem.

Mr. SKAGGS. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Tim Sanders, one of his secretaries.

LOBBYING DISCLOSURE ACT OF 1995

The SPEAKER pro tempore. Pursuant to House Resolution 269 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. 2564.

□ 1951

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. 2564) to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes, with Mr. KOLBE 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 Florida [Mr. CANADY] will be recognized for 1 hour, and the gentleman from Massachusetts [Mr. FRANK] will be recognized for 1 hour.

The Chair recognizes the gentleman from Florida [Mr. CANADY].

Mr. CANADY of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today this House is presented with an historic opportunity to end 40 years of inaction on the issue of lobbying disclosure reform. H.R. 2564, the Lobbying Disclosure Act of 1995, provides for the effective disclosure of those who lobby the executive and legislative branches of Government, what legislation they are attempting to influence, and how much they are being compensated to do so.

An identical measure passed the Senate on July 25 by a vote of 98 to zero. However, the Senate vote should not be taken as a sign that lobbying disclosure reform legislation is a sure bet for even the 104th Congress, which has been far more reform-minded than those which came before. Indeed, for more than 40 years, there is only one word to describe the attempts at meaningful reform of the laws governing disclosure of lobbying activities—that word is ''gridlock.'' Over the years, Congress has tried again and again, but failed again and again, to pass meaningful lobbying disclosure legislation.

The Supreme Court's narrow construction of the 1946 Regulation of Lobbying Act in U.S. versus Harriss unquestionably made the legislation virtually meaningless. But the Court in that same opinion also demonstrated that it was sympathetic to the need for lobbying disclosure. In fact, the Court made it plain that Congress needed to be aware of the activities of interest and pressure groups.

As Chief Justice Earl Warren stated, ''The full realization of the American ideal of government by elected representatives depends to no small extent on their ability to properly evaluate * * *'' lobbying activities. ''Otherwise the voice of the people may all too easily be drowned out by the voice of special interest groups seeking favored treatment while masquerading as proponents of the public weal.''

Ironically, in 1950 the staff director of the Joint Committee on the Organization of Congress, George Galloway, said in reference to the 1946 act that ''after the lobbying law had been in operation for a few years, experience would reveal any defects in it which could be corrected by amending and strengthening the Act.'' Unfortunately, Mr. Galloway could not have been more wrong. Yes, the act has revealed its extensive defects. However, every attempt to strengthen the act has turned into an exercise in futility.

The history of lobbying disclosure reform is a history of inaction and stalemate. From 1956 to 1959, major revisions to the Lobbying Act were proposed. No action was taken on those proposals.

In 1965, the Senate's Committee on Rules and Administration issued a report recommending that administration of the Lobbying Act be assigned to the Comptroller General. No action was taken on this recommendation.

In 1967, measures strengthening the Lobbying Act passed the Senate. President Johnson urged the House to take similar action, but the House failed to do so.

In 1970, the Committee on Standards of Official Conduct, newly established in the wake of the Bobby Baker investigations, reported a complex lobbying disclosure bill titled the Legislative Activities Disclosure Act. This major effort at lobbying reform ultimately came to naught.

In 1976, a bill was approved in the Senate, but the House did not act until the final day of the 94th Congress. There was no time to reconcile the different bills passed by each chamber of Congress. Once again nothing was accomplished.

In 1977, the House Judiciary Committee and the full House passed lobbying disclosure legislation, but the Senate bill was held up in committee.

In 1979, the House Judiciary Committee once again reported a measure, but the House leadership held up floor consideration until the Senate showed it could get a bill through committee. The bill never made it through the Senate Committee.

In 1992, after years of study by the Senate Committee on Governmental Affairs, the first version of the Lobbying Disclosure Act was introduced. However, the Senate did not consider the bill in the 102d Congress.

Just last year in the 103d Congress, this House passed a lobbying disclosure reform bill by an overwhelming majority. The Senate passed an identical bill last year, but cloture could not be obtained on the Conference Committee report in the Senate. Thus the effort failed.

In some years as this history shows, one chamber passed lobbying reform and the other chamber then failed to act. In other years, the legislation died in conference between the House and the Senate. At other times, there was simply no movement forward.

The bottom line was always the same: Gridlock. But today this House can end the gridlock. Today this House can pass the Lobbying Disclosure Act without amendment. Today this House can send the Senate-passed bill directly to the President's desk for his signature. This is an historic opportunity we cannot let slip away from us.

The Committee on the Judiciary reported this legislation last week with no amendments and no dissenting votes. Today this House will consider a number of amendments to this bill. Some of the amendments have considerable merit; others have less merit; and a few are quite simply bad ideas.

But all of the amendments have one thing in common: they threaten to derail this important reform bill. If this issue goes back to the Senate, and if history is any guide, we may very well hear nothing more about lobbying reform during this Congress. We should not forsake the good in order to achieve the ''perfect'' lobbying disclosure reform bill. The risk of derailing this bill is simply too great.

Mr. Chairman, let me briefly describe what this bill does. H.R. 2564 is designed to strengthen public confidence in Government by replacing the existing patchwork of lobbying disclosure laws with a single, uniform statute which covers the activities of paid, professional lobbyists. The Act streamlines disclosure requirements to ensure that meaningful information is provided and requires all paid, professional lobbyists to register and file regular, semiannual reports identifying

their clients, the issues on which they lobby, and the amount of their compensation.

□ 2000

It also creates a more effective and equitable system for administering and enforcing the disclosure requirements.

Under the bill, a lobbyist is defined as any individual who is employed or retained for compensation for services that include more than one lobbying contact, other than an individual whose lobbying activities constitute less than 20 percent of the time engaged in the services provided by such individual to that client over a 6-month period.

Lobbyists for hire are exempted from these disclosure requirements if their total income from a particular client does not exceed $5,000 in a semiannual period. ''In-house'' lobbyists are also exempted from registration if their total lobbying expenses do not exceed $20,000 in a semiannual period.

If we are to succeed today, and as the House continues with consideration of this bill later this week, I urge my colleagues to defeat any and all amendments to this bill so we may send it directly to the President for his signature. If we amend this bill, I fear that history may repeat itself, and this Congress will become just another chapter in the 40-year history of failure to enact meaningful lobbying disclosure reform. Today we have a golden opportunity to move forward to end 40 years of gridlock on this issue. I urge all of my colleagues to support H.R. 2564 without amendment.

Mr. Chairman, I would conclude by thanking a number of Members who have played a critical role in moving this legislation forward. First, I would like to thank the gentleman from Massachusetts [Mr. FRANK], who is the ranking member on the Subcommittee on the Constitution of the Committee on the Judiciary. The gentleman from Massachusetts [Mr. FRANK] has played a key role in moving this legislation through the Committee on the Judiciary and bringing it to the floor today. I want to express my gratitude to him for his diligent efforts on behalf of this important legislation.

I also want to thank my colleague on the Committee on the Judiciary, the gentleman from Texas [Mr. BRYANT]. The gentleman from Texas has worked hard on this legislation for quite a while. In the last Congress he played the key role in moving the legislation forward. Ultimately, that effort failed, but the gentleman from Texas [Mr. BRYANT] has made an invaluable contribution to this whole subject. I want to acknowledge him.

Further, I should thank my colleague, the gentleman from Connecticut [Mr. SHAYS]. Mr. SHAYS has been diligent in pursuing this issue of lobbying disclosure reform as he has pursued the issue of gift reform, and I am grateful to him for his assistance.

I also want to thank the gentleman from Pennsylvania [Mr. MCHALE] for his leadership on this issue, as the House has moved forward with the consideration of it.

Mr. Chairman, this is truly a bipartisan issue. There is strong support for this effort on both the Democratic side of the House and the Republican side of the House. This is not an issue that should be viewed in a partisan way at all. This is an issue about making information available to the American people, so the American people can know what is going on in the corridors of power here in Washington. For too long, lobbying activities have not been disclosed. For too long, there have been questions about the propriety of certain activities. I believe that the best disinfectant is sunlight, and this sort of disclosure law will help eliminate many of the concerns that have been previously expressed.

Mr. Chairman, I look forward to the continued debate on this issue. I believe that this House will rise to the occasion and break the 40 years of gridlock and give the American people the sort of disclosure that they deserve on this important issue.

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

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I appreciate the generous words of my colleague, the gentleman from Florida [Mr. CANADY]. The subcommittee on which we jointly serve, under his chairmanship, played a very important role in this. There was some resistance to that role when the bill that we are in effect dealing with now, the House version of a Senate bill, when the Senate bill came over it was held at the desk. The Speaker, for reasons that were never made explicit, did not want to refer it to us.

I think it is fair to say that there have been people in this House who were not eager to see this bill become law, but their resistance was overcome by the persistence of a number of Members, and I think it is interesting that the reluctance never quite came out in public. The gentleman from Florida [Mr. CANADY] is right when he said that sunlight can be the best disinfectant.

It was, in fact, important in bringing this bill forward because there were people who wished it would go away, but it did not go away. They were not prepared to confront it.

Legislation very similar to this passed the House in the previous Congress. I think the record that the former Speaker, Tom Foley, compiled in a number of areas has been insufficiently appreciated, particularly in the reform area. Under his Speakership the House did do a version of the Congressional Compliance Act, very close to what is now the law. The House did pass this bill. The two pieces of legislation, some other reforms, campaign finance reform, all ran into problems in the Senate. The procedures of the Senate are part of the problem. The Senate has very different rules than the House, and the filibuster and other rules interfered.

That is why I join the gentleman from Florida [Mr. CANADY], the chairman of the subcommittee, as well as the gentleman from Pennsylvania, the gentleman from Connecticut, the bipartisan group that has been actively advocating this, and my friend, the gentleman from Texas. All of us, Democratic and Republican, who have been advocates of this lobbying reform either through our committee position or through sponsorship of the bill, or both, believe that it is very important that Members join us in voting against amendments.

Mr. Chairman, I want to express my appreciation to the chairman of the Committee on Rules, to the chairman of the full Committee on the Judiciary, and the subcommittee, because they did the honorable thing. It is an open rule. I suppose it is unusual for supporters of a bill to come to the floor and say, ''One, we are glad to have an open rule; two, we hope none of the amendments are adopted.'' But I think that is a position which shows respect for democratic procedures and some confidence in the House.

We do believe that the adoption of amendments, no matter how meritorious, bring this bill back into the kind of perilous back and forth that they have had before. We want to explain to people, people have said, ''You are being too cautious. After all, it passed overwhelmingly.''

As the gentleman from Florida pointed out in his history, this legislation has the history of receiving more verbal support and less actual support than almost anything. Everybody is for this, but it still dies. Everybody is for it, but something happens to it, so the fact that it was not a close vote in the Senate does not mean that if we amend it and send it back, it will come merrily whispering back here.

This is legislation that a lot of people do not like. If we give them opportunities to trip it up it will be tripped up. We now stand closer to changing the lobbying law in a direction that will improve it than in anybody's memory, because we now have a bill out of the Senate and it is here, and we have the power to send it to the President of the United States for his signature.

Any amendment here, no matter how meritorious, will put this bill back into the Senate and cause the kind of problems that have happened before, because, as I said, it is a bill that has a lot of people laying in ambush for it. So what I want to repeat is what the gentleman from Florida [Mr. CANADY] I know agrees with: We do not believe this is the end to lobbying legislation; indeed, we believe it is the beginning. We could actually pass a bill that makes reforms. We, I think, agree, and others agree with us, not that we have identical views, but we agree that further reform is necessary.

Mr. Chairman, I look forward to a two-step process. We will send this bill

to the President and he will sign it, and it will become law. We will show people we can do something. Then we will deal with some of the other very worthwhile amendments that people have had.

Finally, I just want to say that among those who should be given some credit is the chairman of our Democratic Caucus, the gentleman from California, [Mr. FAZIO] who through his role on the Legislative Subcommittee of the Committee on Appropriations pushed hard for this, and it took a lot of people to get it here. It is clearly an improvement.

We should note that, to my knowledge, every organization in the private sector, in the volunteer sector that monitors lobbying from the standpoint of wanting to reform procedures agrees that we should pass this bill. There are people from a range of organizations who came to us and said, ''Yes, it could be improved. This could be made better, but do not do that now, please, because we think it is best to send this bill to the President.''

So we can tell Members that there is an overwhelming consensus from the advocates of this bill in the House, from those of us on the committee, from the advocates in the voluntary community, from the people who felt we need reform. They overwhelmingly believe that a commitment to true reform is best demonstrated by passing this bill as is, and then, under the leadership of the gentleman from Florida, fairly soon after, starting the process of hearing and markups. We may well have a second bill. However, if we do not get this one forward, I think we risk being added to the list of glorious failures in the effort to reform.

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

Mr. CANADY of Florida. Mr. Chairman, I yield 5 minutes to the gentleman from Delaware, [Mr. CASTLE].

Mr. CASTLE. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I am not going to take anything close to 5 minutes, with the hour of the night and the work we have been doing. I would just like to second everything we have heard already in the rules discussion, what the gentleman from Massachusetts [Mr. FRANK] has said, what the gentleman from Florida [Mr. CANADY] has said, particularly in the area of not amending this legislation. I do not care how meritorious an amendment could be, it could be fatal to the passage of a very important step in progressing with true lobbying reform.

We have already heard the history here of 50 years of different Members of Congress on both sides of the aisle finding a whole variety of reasons why they are not able to support the basic elements of lobbying reform, disclosure, the things we needed to do in order to make sure that we are dealing with the problem that is perceived, and I think to some degree is a reality, of dealing with lobbyists in the United States of America and in the Congress of the United States of America. I would hope we would all follow that.

I believe this bill before us today meets the basic purpose of lobbying disclosure, which is quite simple: Require people who are paid to lobby Congress to disclose who is paying them, how much they are being paid, and what they are paid to lobby about. It is not much more complicated than that. I congratulate the Senate and the sponsor here for capturing the essence of this.

The bill takes care of this by carefully defining who is a lobbyist and which lobbyist must register; again, something which is, in my view, very imprecise today and ill-defined in the laws of the United States of America. Of course, it makes it very difficult to follow exactly who are the lobbyists, what is the problem, and what should we be doing about it.

I congratulate all of those who have put it together. The bottom line is that the House of Representatives must pass lobbying reform legislation this year that ultimately can be signed into law, and there is no reason for a delay. Through the process tonight and the votes that may be taken on other days as we deal with this particular piece of legislation, we must resist it.

This is a good bill. I am proud to be a cosponsor of it. I encourage all of us to follow it very carefully, to understand what is in it, and as we did with the gift ban reform today, which I think turned out in a way that only a few could dream about before, we can pass this, too, and we will have taken two tremendous strides in making Congress a more respected and better-perceived place by the public, as they look at what we are doing in our jobs here.

Mr. Chairman, I wish the sponsor very good luck with all of this as we deal with this in the days to come, and urge its passage.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. BRYANT] who has had more to do with this bill legislatively, I think, than any Member in the House, both in the last session and in this one.

(Mr. BRYANT of Texas asked and was given permission to revise and extend his remarks.)

Mr. BRYANT of Texas. Mr. Chairman, I thank the gentleman very much for yielding time to me, and would first like to thank him for his kind remarks and his very hard work on this bill. I would very much like to thank the gentleman from Florida [Mr. CANADY] for his very kind remarks a moment ago.

It is very interesting tonight, this is the second bill in a row that we have taken up in the midst of maybe the most heated, partisan standoff in recent history in the Congress, and while it goes on around us, we have taken up two bills that were totally bipartisan, and I think reflect on the great work this Congress can do when the two sides work together well.

I would like to also say about the gentleman from Florida [Mr. CANADY], his deserves great praise this year. Last year when we were moving it through in the past majority, though, he was also with us from the beginning, even when it was tough, even when at the last it took on kind of a partisan tone. I just want to say thank you to him for being loyal to the cause no matter what happened, and congratulate him for how far he has brought it today.

Mr. Chairman, this bill has no opponents. Therefore, I am not going to talk a long time, but it does have a threat to its success. That is those who, no doubt well-meaning individuals, want to offer amendments. I suspect that many of them are good amendments, things that I would love to vote for, and both the gentleman from Massachusetts and the gentleman from Florida would approve as well. But the fact of the matter is that the history of this effort has already been given tonight by two speakers.

We have tried over and over and over to pass it. We got it all the way through the House to the Senate, to the conference committee, out of the conference committee, back to the Senate, and it was filibustered to death last year. We have a chance this time, a golden opportunity, to actually pass it. If we simply pass it tonight with no amendments, it will then go to the President for signature, and we will have really achieved something that everybody has been trying to achieve for years and years and not been able to do.

What will we have achieved? We will have passed legislation that allows the public to see what is really going on here with regard to lobbying the Congress; now, under this bill, the executive branch as well.

The bill closes a raft of loopholes that are in the existing lobbying laws which are not really very useful in their current state. It covers professional lobbyists, and lawyers cannot get off the hook. They have to register just like nonlawyers, and it exempts anybody who spends less than 20 percent of their time lobbying, so average people who just want to petition their government are not going to be affected by this, nor are the representatives of various institutions who need to come from time to time. A professional lobbyist would have to register, however.

What it requires is disclosure of who is paying how much to whom to lobby which Federal agencies or which Houses of Congress, and on what issues. It requires this disclosure in a simplified way, so the public can inquire and can find out what is really going on in the legislative process.

□ 2015

I am proud to be associated with the bill. As I said, since it has no opponents, I do not think a lot of time should be taken talking about it, but I

strongly urge Members who are considering offering amendments, in view of the fact this is an open rule, not to do so. Because no matter how well meaning they may be, they could be the cause of letting this bill be killed. Because if it goes back, has to go to conference committee, once again I think we will see it go down the drain.

Finally, Mr. Chairman, I want to reiterate my thanks to the gentleman from Florida [Mr. CANADY] and to the gentleman from Massachusetts [Mr. FRANK] and urge Members to vote for the bill against the amendments.

Mr. CANADY of Florida. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Chairman, I thank the gentleman from Florida [Mr. CANADY], and I want to associate myself with all the remarks so far.

Mr. Chairman, on March 3, I introduced a freestanding piece of legislation, H.R. 1130, to radically alter how special interests lobby the Federal Government. The bill before us now, H.R. 2564, contains a vital provision of my legislation. This provision, placed in this bill at my behest by Senator SIMPSON, prohibits tax-exempt lobbying organizations, that is 501(c)(4) groups, from receiving Federal funds.

I just was not able to find room for it on the House floor schedule, and the fast train moved by, so Senator SIMPSON was nice enough to accommodate me, and was strongly, if not passionately, for exactly what I was trying to accomplish.

Mr. Chairman, there are over 142,000 of these 501(c)(4) groups, and most of them do good work. They are in the sole business, some of them, however, of lobbying the Federal Government. That is what they were created to do. Collectively, they own over $35 billion in assets. They spend nearly $18 billion each year running their organizations, pursuing their agendas, and pushing their causes.

It is all great. Covered by free speech. But certainly one of the most egregious examples of a conflict of interest that I think I have ever heard of is for political advocacy groups to receive the tax dollars of hard working American citizens. Presidents of some of these 142,000 organizations often reap hundreds of thousands of dollars in salaries.

Just a couple of examples. The President of AARP makes over, way over, $300,000 a year. That is two full Congress people and a chief of staff, who is rather senior. the five senior executives of the Mutual of America Life Insurance Company, and yes, Mr. Chairman, they are a tax-exempt lobbying organization, they make a combined, five people, $2.7 million. Why do they need the hard-earned money of taxpayers? This is an absurdity.

A political advocacy group can now, under current law, lobby Congress to create a new program; and then, once created, apply for and receive Federal funds dispensed through that very same program. Then they come back to Congress and lobby for continued or increased funding of that very same program or a new program.

Of course, these lobbying groups have not successfully manipulated this system by luck. They have argued that no Federal funds they receive are used for lobbying, because, of course, that is against the law. They will also argue that any money they receive is designated for administering of various social programs created by Congress, some good, some not so good, some even counterproductive. But they have many elderly housing and senior citizen employment jobs, for example, at EPA, the Environmental Protection Agency.

What they and their defenders fail to address, and we have seen this happen for decades with the old melted down evil empire, is the fungible nature of money. One dollar from someone else's pocket frees up one dollar in their own pockets. Imagine the outcry if the Michigan militia were to receive Federal dollars from a literacy program to teach children how to read. Reasonable minds would understand that such funds are wholly fungible; and, notwithstanding the arguably deserving nature of the reading program, the militia's political nature should, of course, preclude them as a grantee.

Mr. Chairman, the political nature of tax-exempt lobbying organizations is exactly the point that we should address when it comes to ultimately deciding who gets Federal funding and who does not.

Not long ago outrage was expressed when it was discovered that the Nation of Islam was receiving taxpayer funding. There is no doubt about it, alarm bells would have been ringing, rightly, all over Capitol Hill if the bigoted, the disgraceful, racist KKK was a Federal grantee providing day care or low-income housing.

Whether from the far left of the political spectrum, all the way to the far right, or every stop in between, this provision should stop that. It would cover the National Rifle Association as well as AARP or NCSC. It is my firm belief that political advocacy groups should not receive one penny of taxpayer funds for any program.

Mr. Chairman, the Dornan language in H.R. 2564 puts a stop to this gross example of everything that is wrong with some of the lobbying on this Capitol Hill. I thank the manager of the bill for its inclusion and and I thank everybody for working so hard on this.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, I thank the gentleman very much for yielding time to me.

I would like to join in piling on as far as the praise that ought to be dispensed tonight, not only to floor managers of the bill, the gentlemen at the desks, but also my friend, the gentleman from Texas [Mr. BRYANT], the gentleman from Pennsylvania [Mr. MCHALE], certainly the gentleman from Connecticut [Mr. SHAYS], all of whom deserve the thanks of the Members for pushing this legislation so vigorously.

Mr. Chairman, the gentleman from Oklahoma and the gentleman from Indiana, however, have given notice that they will try to attach their controversial and much traveled Istook-McIntosh amendment to this bill. Do my colleagues remember that amendment? It would create a reporting, paperwork, litigation and bureaucratic nightmare for businesses, charities, civic organizations, churches and other groups.

My colleagues remember that amendment. It would restrict the ability of organizations like the Red Cross and the YMCA to talk to any level of government, State, Federal or local, about the pressing problems this Nation's communities face every day.

It would, in the words of George Will, make lawyers happy. It would erect a litigation-breeding, regulatory regime of baroque complexity regarding political expression, according to noted conservative columnist George Will. Or it represents what former Republican Congressman and former president of the American Conservative Union, Mickey Edwards, calls Big Brother with a vengeance.

Mr. Chairman, my colleagues remember that amendment. Well, it is back. The only thing new is that the proponents have cut the Istook-McIntosh amendment into four pieces to be offered as four amendments to the lobby reform bill before us. I call this approach the Kentucky Fried Chicken method of legislating. You take a whole bill and cut it into pieces hoping that this will somehow make it easier to swallow.

They have pulled their amendment apart hoping it will seem more reasonable. Well. Mr. Chairman, parts is parts. Whether it is one amendment or four amendments, the Istook-McIntosh proposal is still enough to make anyone choke. Or perhaps more accurately, it is enough to strangle any charity in red tape.

The first of the amendments, the Istook offering, would set limits for businesses or other organizations use of their own funds to talk to virtually any government official at any level about nearly anything, including regulations, contracts, loans, permits, renewals, licenses, awards, if that organization, business or nonprofit received any Federal funds.

In addition to businesses and charities, if Members can believe this, these regulated organizations include colleges and universities and State and local governments that use any independent contractors to help them with their government relations.

These regulated organizations, yes, even States and local governments, would be required to file annual reports

with the Federal Government detailing every penny they use to talk to any level of government. And on top of that, today's Istook amendment broadly expands the current Tax Code definition of lobbying to include any contact about ''a program, policy, or position'' of a government agency.

The next serving consists of three McIntosh amendments. One would create a bounty hunter lawsuit system that would encourage harassing lawsuits against tens of thousands of regulated charities, businesses and other groups. This is nothing but a lawyer relief proposal. This amendment incorporates what is called the False Claims Act, which will allow any zealous citizen, regardless of motive, to sue any charity, business or other group claiming some violation of this whole block of Istook-McIntosh regulations, and to collect as a bounty up to 30 percent of the treble damages provided for under the False Claims Act.

So anybody who does not happen to agree, for instance, with Catholic Charities or Planned Parenthood, has every incentive to sue and try to collect money for their trouble.

Another McIntosh amendment would also create an additional paperwork reporting and bureaucratic maze for any organization described under section 501 of the Tax Code, including charities, civic organizations, churches, veterans groups, business groups such as the Chamber of Commerce, and many others if they receive almost anything from the Federal Government. As far as I can figure, virtually all section 501 organizations are likely to be regulated.

These regulated groups would also have to file reports with the Federal Government detailing the use of the group's own funds on political advocacy, lobbying, their endorsements, coalition memberships, the names of those they have hired to do their government relations work, any in-kind support or payments to participate in any initiative or referendum.

Finally, the third McIntosh amendment would create a system that treats any group of 501(c)(4) organizations who happen to use the same name or represent themselves as being affiliated as if they were one single organization for purposes of the limitations and regulations that are contemplated here. This would mean, for instance, that all Rotary Clubs around the country would have to somehow collect from the thousands of local Rotary chapters all of the public policy involvement and spending information and then file it with the Federal Government.

There are many other organizations that would fall into the same trap, including the National Rifle Association, Disabled American Veterans, the National League of Cities, Veterans of Foreign Wars, Ladies Auxiliary, and the International Olympic Commission.

Mr. Chairman, whether this is offered to us in four ugly pieces or one ugly whole, the Istook-McIntosh proposal is a bureaucratic swamp that will interfere with the mission of charities, bog down American businesses, and encourage unnecessary and absolutely pointless litigation. It should be defeated in all its forms. It should be defeated both because of its own lack of merit and because of the effect it and any other amendment will have on the prospects for final enactment of this legislation as has already been well discussed this evening.

Mr. Chairman, I thank the gentleman again for the time.

Mr. CANADY of Florida. Mr. Chairman, I yield 7 minutes to the gentleman from Tennessee [Mr. BRYANT].

Mr. BRYANT of Tennessee. Mr. Chairman, I thank my colleague from Florida for yielding me this time.

I would begin by saying that this is the Lobbying Disclosure Act, and in some of the early debate on this we have heard about the thousands and thousands of lobbyists who frequent the halls of Congress and how only about 4,000 of these folks are registered.

□ 2030

I do want to say something, though, positive about lobbyists. I have not been up here that long. I have been here as a freshman about a year now, and I have found a couple of words that I think are misused and abused quite often. That is the words ''lobbyists'' and ''bureaucrats.''

Mr. Chairman, I have found out that these folks are real people. They have beating hearts and they have families and children, and so forth. They work at their jobs very hard. The lobbyists I have found are good people. They represent a lot of people when they come up here to Washington, when they come to our offices. They represent folks back home who do not have the opportunity to visit in Washington and see us personally. They often have good information, education, and they often disagree with each other.

But with that said, Mr. Chairman, I think this bill is very appropriate, and I would support it. I think what we need is more accountability, more sunshine, as the gentleman from Florida [Mr. CANADY] has mentioned, and more disclosure. I think that would be wholesome for this system. I think it has been evidenced by the fact that the other body passed this same bill by a score of 98 to nothing on July 25.

Mr. Chairman, a week or so ago I was proud to be a part of the House Committee on the Judiciary who considered this bill, and again saw a strong bipartisan effort in support of this bill. There were 30 people who voted for it and no one voted against it.

By passing this Lobbying Disclosure Act, I think we can end the business as usual that we see up here and certainly the perception by the folks back home that there is business as usual up here, and it is not good business. We can demonstrate that we want disclosure of lobbying activities and thus improve the level of accountability and the legislative process itself.

Now, I know there is not a lot of disagreement about what is in this bill, but I would like to go over some of it. My colleague, the gentleman from Texas [Mr. BRYANT], indicated that he expected some controversial amendments, but that everyone agrees pretty much what is in the base bill.

Mr. Chairman, I would like to tell the people back in the district that I represent what this bill actually does do, though. It is going to require these lobbyists to identify their clients and the people that they lobby. They will have to register to do that. They will need to disclose the general issues on which they are lobbying, and they will also have to tell how much money they are being paid to do this lobbying.

We have a fine definition of what a lobbyist is. I think it is one that is fair. It does not get into the problem some of the lobbying bills of last year got into, some of the groups that really are not lobbyists, and I do not think we are going to see any type of problem there.

The definition that we have in this bill truly identifies the lobbyist who walks the Halls of Congress, who represents many people up here, who lobbies Congressmen and their staff and who gets paid to do it.

More about this bill. It does not create any new bureaucracy. There is an awful lot of talk about adding more jobs. This does not do that. We use the services of the Clerk of the House and the Secretary of the Senate to implement the disclosure requirements, which will be done on a semiannual basis.

Second, the bill contains no criminal penalties. The lobbyists who knowingly violate this bill may receive civil fines up to $50,000. Third, grassroots lobbying organizations are affected under this legislation. As I mentioned earlier, last year's controversial provisions are not in this bill.

Mr. Chairman, H.R. 2564 also addresses the problem of nonprofit organizations using taxpayer money to lobby and this bill does it in a very clean, simple manner. The bill adopts the Simpson amendment from the other body. Its provisions simply state that 501(c)(4) organizations, which are the lobbying arms of many nonprofit groups, if they engage in lobbying, they are ineligible. They cannot receive Federal funds.

These kinds of nonprofit organizations can choose to lobby and not receive Federal funds, or to receive Federal funds and not lobby. This provision does not affect the normal charities who do not lobby and are identified as 501(c)(3) under the Internal Revenue Code.

Such diverse organizations as the U.S. Chamber of Commerce, the American Association of Association Executives, the American League of Lobbyists, and the Alliance for Justice, all support this legislation.

There is one other part of this particular bill that I do like, and I want to add it as part of my discussion, because I think it is important. Under the current law, our U.S. Trade Representative cannot aid or advise a foreign entity on matters before any officer or employee of any department or agency of the United States within 3 years after the termination of this individual service. What this bill does is make that a lifetime ban for activity on the part of a former trade representative or a deputy trade representative in conducting any of these relationships.

Moreover, it takes the reverse also in determining who is eligible to serve an administration as a deputy trade representative or as a trade representative. It would disqualify any person who has represented a foreign entity or aided or advised a foreign entity in any trade negotiation or trade dispute.

Mr. Chairman, I think altogether we have something here that is a very sound bill and I am proud to rise again in a bipartisan effort to support this very fine lobbying bill and urge my colleagues to vote for it.

Mr. Chairman, I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. MCHALE], one of the main sponsors of this bill.

Mr. MCHALE. Mr. Chairman, many years ago Lt. Gen. Arthur MacArthur, Gen. Douglas MacArthur's father, wrote to his superiors saying, and I quote:

> I have just been offered $250,000 and the most beautiful woman I have ever seen to betray my trust. I am depositing the money with the Treasury of the United States and request immediate relief from this command. They are getting too close to my price.

Mr. Chairman, the American people are concerned that not every high-ranking official of our Government may have General MacArthur's sense of humor or his high sense of integrity.

Mr. Chairman, H.R. 2564 is the most significant lobbying reform in the last 50 years. The legislation under which we operate this evening has been in effect since 1946. It is woefully inadequate, and there is a bipartisan recognition that the law needs to be reformed and it needs to be reformed tonight.

Under H.R. 2564, paid professional lobbyists will be required to file semiannual reports detailing their identity, their clients, the lobbying issues upon which they have contacted covered officials, and the money spent when contacting Members of Congress, executive agencies, senior staff and, General MacArthur would be pleased to know, high-ranking military officers.

Lobbying is a constitutionally protected activity, but one best exercised with maximum public exposure. In politics, as elsewhere, sunshine is the best disinfectant. Mr. Chairman, I am pleased to stand at this microphone tonight and recognize that on this occasion, one of so many that we have missed during the past 11 months, so many missed opportunities during the 104th Congress, recognize this evening that in a bipartisan effort with the gentleman from Florida [Mr. CANADY], with the gentleman from Massachusetts [Mr. FRANK] seated immediately to my right, the gentleman from Connecticut [Mr. SHAYS] having shepherded this bill from the beginning, and all of these Members having at least allowed my participation, we are about to bring before the membership of this House the most extraordinary change in the lobbying law of the United States considered in the last 5 decades.

We have done it with, I think, an extraordinary sense of the importance of the ability of the people under the Constitution to petition their government. As pointed out by one of the previous speakers, unlike earlier legislation, we have provided sufficient attention to detail in guaranteeing the right to petition the government, in protecting the rights of grassroots lobbying.

Mr. Chairman, the legislation that we now consider I anticipate will receive the same bipartisan measure of support that it received on July 25 when the Members of the U.S. Senate voted 98 to zero to pass it. It is critically important for those of us who advocate genuine lobbying reform that we keep the bill clean this evening and that we resist the temptation to adopt any one amendment because, frankly, those who would kill this bill lack the courage to do so on the floor, but might be successful in a conference committee.

Therefore, having experienced that defeat previously, I urge the Members to oppose all amendments, vote for the bill, and send it to the President, where I anticipate he will promptly sign it.

Mr. CANADY of Florida. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. FLANAGAN], the vice chairman of the Subcommittee on the Constitution.

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

Mr. FLANAGAN. Mr. Chairman, I rise in strong support of H.R. 2564, the Lobbying Disclosure Act of 1995, and urge my colleagues to support it too by opposing all amendments. Any amendment adopted today to this bill could ultimately serve to kill lobbying disclosure reform this year in Congress.

Mr. Chairman, although this bill isn't perfect—in fact, it could go further in controlling and disclosing lobbying activities here in Washington—it is a conscientious, bipartisan attempt to end over a half century of gridlock on this issue. But, I warn you that gridlock will remain if this bill isn't kept clean and, instead, is loaded with extraneous amendments. I would like to remind all of my colleagues, that if a single word is changed to this bill, it will have to go back to the dim, dark dungeons of the other body where many, many bills go, but only a few come back, and even fewer become law.

For over five decades, Congress has tried to enact meaningful lobbying reform proposals, like this one, only to have their efforts thwarted because of House-Senate differences. Just last year, both Chambers of Congress passed different lobbying disclosure bills. However, because those proposals were different and those differences were never rectified in conference, neither of them were ever enacted into law.

Mr. Chairman, given the history of gridlock on this issue, it is important that the Lobbying Disclosure Act we have before us today not be weighed down with extraneous amendments that will only serve to derail real lobbying reform efforts this year and probably in this Congress.

The proposal we are considering today is identical to S. 1060, the other body's lobbying disclosure legislation which passed that Chamber earlier this year by a vote of 98 to zero. The House should now follow the Senate's lead by passing their language today so a bill can be placed on the President's desk this weekend, a bill he will certainly sign into law.

Mr. Chairman, this legislation, which is sponsored by the Republican gentleman from Florida [Mr. CANADY] and the Democratic gentleman from Massachusetts [Mr. FRANK], is a good bill. It is a genuine attempt to impose new disclosure requirements for lobbyists who contact legislative and executive branch officials and their staff, and it deserves the support of every member of the House of Representatives.

Specifically, the bill requires all paid, professional lobbyists who contact Federal Government officials, including Congressmen, or their staff to identify their clients, the general issues on which they lobby, and how much they are paid. Under this bill, lobbyists must register and report semiannually with the Clerk of the House and the Secretary of the Senate so their information is readily available to the public. If lobbyists knowingly fail to register or disclose false information, they will be turned over to the Justice Department where they will be prosecuted and faced with a maximum civil penalty of $50,000.

This bill protects average citizens' right to petition Government by defining a lobbyists as ''any individual who is employed or retained for compensation for services that include more than one lobbying contact.'' This language will ensure that no person's first amendment rights are violated and that genuine grassroots lobbying is exempted from this bill.

With all this said, I again urge my colleagues to withhold from offering or voting for amendments so we can have a strong lobbying disclosure reform law on the books—something that has not occurred in this country in over 40 years.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE], a member of the Committee on the Judiciary.

(Ms. JACKSON-LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE. Mr. Chairman, I rise to applaud the gentleman from Florida [Mr. CANADY] and the ranking member [Mr. FRANK] and their bipartisan effort to really put forward a very, very good bill.

Mr. Chairman, interestingly enough, one of the many responsibilities that we have in the U.S. Congress and one that I frankly enjoy, is the opportunity to listen to and to interact with those who come to present their issues. Most often, those are individual citizens who have come to express their views about an issue.

If there is an amendment I cherish more, it is certainly the first amendment that protects our right for freedom of expression. However, I think it is extremely important that we recognize that this bill still applauds and affirms that right. This Lobby Disclosure Act, H.R. 2564, a bipartisan legislation, clearly reaffirms what my colleagues have already taken to the floor, the right of lobbyists to present their views on behalf of their clients.

The legislation only requires that lobbyists file semiannual reports on the following which include, the legislation that they are lobbying Members. A simple request. That simply means what is the lobbyist there lobbying the Member about, so that it relates to their responsibilities and their clients' interests.

□ 2045

The amount of income received from clients, the expenses incurred by lobbying organizations and, of course, these reports are to be made public. I think foremost we need to realize that lobbyists are doing their job and they are pressing forward under the first amendment, they rise to express their beliefs or their arguments on behalf of citizens mostly of this country.

This bill is good because it exempts small firms. For example, individuals and lobbying firms that spend less than $5,000 within a 6-month period would be exempted from the bill's registration requirements. In addition, organizations spending less than $20,000 on lobbying expenses during a 6-month period would also be exempted from these requirements.

Furthermore, individuals who spend less than 20 percent of their time on lobbying activities would not have to meet the registration requirements. It strikes a fair balance between the rights of our citizens under the first amendment and the Constitution to express their views.

I always look for a local flavor to legislation, and there is a local flavor to this lobbying bill. There is a good part that responds to the accusations that have been made about lobbyists and lobbyists' activities. But then we have the amendments, the baby Istook amendment that I hope we will reject.

This evening the United Negro College Fund is having a dinner in Houston, an organization that has supported educating youngsters across this Nation. I would imagine if the Istook amendment was passed and if the United Negro College Fund, a national organization, desired to press us on educational issues to educate young people, they would be denied under this amendment. For example, the Ensemble Theater, a local community theater in my community that brings arts to those who might not have the opportunity, if they joined in to a national arts group and wanted to press this Congress under the first amendment to enhance arts dollars, they would be forbidden.

Then the Houston Partnership, an organization that has promoted the city of Houston and encourages international trade, might join into the national Chamber of Commerce and be denied under the Istook amendment or any others.

Then the Clear Lake Economic Council that wanted to fight to preserve the jobs of those citizens at the Johnson Space Center would be denied. And then Hester House, an institution that supports the rights and needs of children in Houston, formerly Congresswoman Barbara Jordan and Mickey Leland grew up in the Hester House. That organization might be denied, under the McIntosh proposal and the baby Istook amendments, to press the point of providing more Medicaid, more health care for our children.

We have got good legislation on the table. We have got a good bill that acknowledges that lobbyists have rights to press constitutional issues, their rights under the first amendment on behalf of their clients. But in fact what may happen to those who will be denied is that important points will not be made, important points from organizations like United Negro College Fund, the Boy Scouts, and the Girl Scouts.

So we need legislation that reaffirms the rights of Americans under the first amendment whether they come to us as lobbyists or come to us as individuals. This sunshine law discloses any questions that we may have through a very fine registration program, through an evidencing of who you represent as a lobbyist and whether in fact you are pressing the issues of your client. That is fair, my colleagues. I will tell you that it is not fair to deny those who would come, who simply want to press their points and organize such as AARP, when we were organizing about the Medicare issue in the U.S. Congress and senior citizens came and organized rallies on the grassy area out front, to deny them that right. That is not the kind of bill that I think these two fine gentlemen have offered. So I would simply say, vote separately for this bill and leave the amendments alone and we will have a fair bill.

Mr. CANADY of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. TORKILDSEN].

Mr. TORKILDSEN. Mr. Chairman, I thank the gentleman for yielding time to me.

I rise in the strongest possible support of the lobbying reform proposal before us this evening. I applaud the gentleman from Florida and Massachusetts for bringing this bill to the floor. In the 104th Congress, we have passed many reform initiatives, including the Congressional Accountability Act, to make Congress follow the same laws that all Americans must follow.

Earlier this year, the House passed term limits, and earlier tonight we passed gift ban legislation. It is my hope, as someone who refuses all PAC contributions, that we will enact in this Congress campaign finance reform that bans all PAC contributions to House and Senate campaigns.

But tonight we have before us a solid bill to reform the way lobbyists do business in Congress. This important issue has achieved bipartisan support as evidenced by a unanimous vote reporting the legislation out of the Committee on the Judiciary. Hopefully this bipartisan cooperation will spill over into the budget debate and help us reach a balanced budget as well.

Clearly, Americans have many questions about how lobbyists work in Washington, DC. In its current form, this bill does not tie the hands of groups or individuals who seek to make their voice heard in the legislative process. This legislation is simply a more stringent disclosure of lobbyists activities. Under this proposal, registered lobbyists must disclose the congressional Chamber and Federal agencies they approach, the issues they discuss with the relevant officials and the amount of money they spend on their efforts. This is basic commonsense reform.

The freshman and sophomore classes constitute half the Members of this Congress. We came to Washington on a promise to change the way this House, this Congress and this Federal Government operate. This bill is one more step in fulfilling that commitment.

I would urge my colleagues to pass the bill as written, as any amendment will delay implementation and possibly kill the bill in this Congress. There will be efforts to include other provisions in the general area of lobbying disclosure and reform. But the bill before us tonight is not the vehicle for those additional provisions.

I urge all my colleagues to pass the bill without additional amendments so

we will see lobbying reform become law this year.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska [Mr. BARRETT], one of those who has been active on behalf of this bill.

Mr. BARRETT of Nebraska. Mr. Chairman, most Americans who have watched television this week or read newspapers certainly are under the impression that Democrats and Republicans cannot get along at all. It is unfortunate because this is one of those instances where Democrats and Republicans have worked very well together. I think it is important that we point that out to the American people.

I want to pay tribute to the gentleman from Florida [Mr. CANADY] and the gentleman from Connecticut [Mr. SHAYS] on the Republican side, both of whom have been very active on this measure, the gentleman from Massachusetts [Mr. FRANK], the gentleman from Pennsylvania [Mr. MCHALE], and the gentleman from Texas [Mr. BRYANT], who also have been active on the Democratic side.

What we have shown here is, if the two parties have people in them who talk to each other and communicate, we can actually do things that move this country forward. This bill is an excellent example of a bill that will move this country forward because the lobbying disclosure provisions that have already passed the U.S. Senate under unanimous vote in July of this year are provisions that virtually everyone agrees with. These are provisions that will make it easier not only for the American people to know what is going on in Congress but actually make it easier for the lobbyists not to be buried in paperwork.

It provides some streamlining provisions that make more sense, some commonsense proposals that have been introduced into this law. It also requires disclosure of who is paying whom how much to lobby, which Federal agencies and Houses of Congress. It is important for the American people to know who the people are that are sinking dollars into this institution. I think that this is a good step forward.

It also closes some loopholes in existing lobbying registration laws. Probably most importantly, it covers all professional lobbyists. Unfortunately, with the loopholes that we have in the current law, there are too many people who can come and work the halls of this Congress but never have to actually register as lobbyists.

So I applaud all the Members on both sides of aisle who have worked on this measure, and it is my hope that we move forward. I also hope very strongly that we avoid the Istook amendment and other amendments because these amendments will only have the effect of killing this bill.

Mr. CANADY of Florida. Mr. Chairman, I yield 4 minutes to the gentleman from Michigan [Mr. UPTON].

Mr. UPTON. Mr. Chairman, I was prepared this evening to offer an amendment that would permanently ban Members, former Members of Congress forever from lobbying on behalf of a foreign government. I had intended to offer that amendment because I believe very strongly that it is wrong for former Members to use their job here as a revolving door to cash in later on behalf of a foreign government. Currently there is a 1-year ban on that activity, not a lifetime ban.

Americans all across this land are very upset with the role that lobbyists play here in Washington and with good reason. All too often our elected leaders represent perhaps the most influential lobbyists rather than the people who elected them. Executive branch officials, I might note, are in fact barred for life from lobbying on behalf of foreign governments. The underlying bill that we are taking up today, H.R. 2564, also bars U.S. trade officials from representing foreign countries for life.

As we work to restore the public confidence in this Congress, we should apply that same standard to Members who serve here. I feel that we need to encourage folks to become public servants for the right reasons and that reward for helping people while you serve, not using that service to benefit our own pockets. It is not right that taxpayers send their representatives to Washington to fight for them and then that elected official leaves office and perhaps sells that knowledge to another government at the expense of the American people. Each of us were sent here to represent our own districts and our State and certainly our country. And it would be wrong for us to use that experience to represent someplace else.

I understand the debate that is going on tonight. The bill that has come over from the Senate, the committee chairman, subcommittee chair as well as the ranking side prefer no amendments because they want to get this bill through. In a number of private discussions that I have had with Members this evening, I feel that it may be more prudent in fact to offer this at another time on another bill, but in fact in this Congress to get the job done. I might.

Mr. Chairman, I yield to the gentleman from Florida [Mr. CANADY] for some clarification of that.

Mr. CANADY of Florida. Mr. Chairman, let me commend the gentleman on this amendment. I believe that this amendment addresses a very important issue. I believe that it is wrong for Members of Congress who have left the Congress to then run out and find a foreign client, a foreign government to represent here in Washington. I think that is an abuse of the system and something that should not continue.

I believe that we should consider restrictions on that sort of activity. It would be my intention as chairman of the Subcommittee on the Constitution to hold hearings on this subject as well as other related issues that we are not addressing in this bill but which do need to be addressed. I appreciate the gentleman from Michigan.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. UPTON. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I appreciate the constructive spirit in which the gentleman is approaching this. I think he has a very good amendment. I have not had a chance to give a lot of thought but it seems very good to me. If I had to vote on it right now, I would vote for it. But I think it will obviously be a useful thing for us to have at the hearings, the markup.

I hope something very much like it will emerge. I believe and I know my friend from Florida agrees. It is very likely that we will want to do another bill because there are a number of good ideas that have come up. I will be urging that we go forward with this, and I am very, very likely to be supporting legislation of the sort the gentleman from Michigan offered. I appreciate the spirit of trying to get this bill through that he would give us a chance to do it in that manner.

Mr. UPTON. Reclaiming my time, I appreciate those comments from both my friends. I would at this point indicate that I will not offer my amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, if the gentleman will continue to yield, let us all hope that he is a role model for our colleagues.

Mr. UPTON. I will not offer therefore my amendment this evening and look forward to working with both gentlemen in the future.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 3 minutes to the gentlewoman from New York [Mrs. LOWEY].

(Mrs. LOWEY asked and was given permission to revise and extend her remarks.)

Mrs. LOWEY. Mr. Chairman, George Will's conservative credentials are second to none, but in the case of the Istook amendment, even card-carrying conservatives like Mr. Will cannot hold their nose and support this legislation.

This amendment slams the doors of the political process in the faces of the Girl Scouts, Mothers Against Drunk Driving, and thousands of community-based nonprofit organizations across this great Nation. In doing so, it will create untold amounts of government redtape and bureaucracy for America's charities.

Mr. Chairman, we need this lobby reform bill now more than ever. This is a Congress where the NRA writes the gun laws, the polluters write the Clean Water Act, and the Christian Coalition dictates social policy. That's the problem—and the American people know it. But does anyone in this Chamber, or anyone in America, really think that the Girl Scouts and the YMCA have too much power and influence in Washington? Of course not.

Several weeks ago, Mr. Chairman, I was successful in passing legislation in

this body that will finally get tough with underage drinking and driving, a crime that claims thousands of lives every year. My zero tolerance legislation was offered with the encouragement, support, and cooperation of Mothers Against Drunk Driving.

As a charity, MADD operates under the existing laws that govern charities, including those which limit advocacy work. However, MADD will be directly impacted by the Istook amendment because it works with the Department of Transportation and the Department of Justice to combat drunk driving and assist the victims of this crime. In the words of MADD's national president, the Istook amendment will have ''a chilling effect'' on MADD's ability to fulfill its mission.

Mr. Chairman, MADD was started in 1980 Candy Lightner, who in attempting to bring the drunk driver who killed her daughter to justice, found the system rigged against her. Since 1980, it has been MADD's leadership that has been instrumental in curbing the carnage on our roadways. However, had the Istook provision been in effect 15 years ago, MADD would not have been able to bring us to where we are today.

As George Will has stated, the Istook amendment will ''erect a litigation-breeding regulatory regime of baroque complexity.''

Let's not punish Girls Scouts. Defeat this extremist amendment.

□ 2100

Mr. CANADY of Florida. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. SHAYS] who has done more than any other person to move forward with the agenda of reform on gifts and lobbying than any other person in the Congress.

Mr. SHAYS. Mr. Chairman, I thank the gentleman for yielding this time to me, but there have been so many who have been working on reform, and I think one of the reasons why I have stayed here tonight is it is rather comforting and calming to be in an environment where Republicans and Democrats are working together for a common cause. It may not be as exciting, but it sure is relaxing.

I first want to thank the subcommittee chairman and the ranking member, the gentleman from Florida [Mr. CANADY], the chairman, and the gentleman from Massachusetts [Mr. FRANK], the ranking member, for doing yeoman's work in getting this bill out of their subcommittee intact, identical to the way the Senate passed the bill, getting it through the full committee intact identical to the way the Senate passed this bill, and for good reasons. The Senate passed a fine bill. They passed it way back in July, and candidly we probably would not even be dealing with this legislation today if it was not for the work of Mr. LEVIN and Mr. COHEN and Mr. MCCONNELL, and the work that they did in the Senate in giving us a bill that we can present to the President of the United States if it leaves this Chamber without amendment.

Mr. Chairman, we have one gigantic choice. We can amend the bill and send it to the Senate, where it may pass eventually someday, some year at some time, or we can send it to the President where he will put his signature and for the first time in nearly 50 years we will have an updated and better lobby disclosure bill.

The Lobbying Disclosure Act of 1995 deserves to be made law. It will for the first time require the registration of people who have not been registered before. It will require them to disclose general information about what they do and how much they spend, and I know that in addition to the fine work of the gentleman from Florida [Mr. CANADY] and the gentleman from Massachusetts [Mr. FRANK] he has had a supportive committee on both sides, Republican and Democrat, and I particularly want to thank the gentleman from Tennessee [Mr. BRYANT] and the gentleman from Illinois [Mr. FLANAGAN] and the gentleman from Virginia [Mr. GOODLATTE] for their help, and also the gentleman from Texas [Mr. BRYANT] on the other side of the aisle, the gentleman from Wisconsin [Mr. BARRETT] on the other side of the aisle, the gentleman from Pennsylvania [Mr. MCHALE] on the other side of the aisle. This is legislation that the gentleman from Pennsylvania [Mr. MCHALE introduced in support of what the Senate has done. There really is no excuse for us to cave in and do candidly, and when I say ''candidly'' it almost sounds like the gentleman's name, candidly to do what unfortunately some in my own leadership want to have happen, they want this bill amended.

Mr. Chairman, for some reason my colleagues want it sent back to the Senate. For some reason they want it to go to conference. I do not understand why. To me it is simply the wrong way to go. There are going to be some excellent proposals made, and it is going to be tempting to go along with those proposals, but we have a chairman and the ranking member of the committee who have agreed to take these good proposals, to take action on them, and bring them back to the floor of the House as a separate bill, and then we can send that bill to the Senate, and let us see what happens.

I would just like to read from the language that accompanied the Lobbying Disclosure Act of 1995, two paragraphs, and one of the things that the gentleman from Florida [Mr. CANADY] pointed out is that in 1991 the General Accounting Office, GAO, found that almost 10,000 of the 13,500 individuals and organizations listed in the book ''Washington Representatives'' were not registered under the 1946 act. GAO interviewed a small sample of the unregistered Washington representatives listed. Three-quarters of those interviewed contacted both Members of Congress and their staffs, dealt with Federal legislation, and sought to influence the actions of Congress or the executive branch. We have 10,000 of the 13,500 listed as Washington representatives not registered as lobbyists. I mean there is a reason. When we passed the act many years ago in 1946, the Federal Regulation of Lobbying Act of 1946, the Senate, the Supreme Court, significantly weakened that act in 1954 and basically made it pretty much unworkable. The 1946 act requires anybody whose principal purpose is influencing legislation to register with the Clerk of the House or the Secretary of the Senate. It simply is not being done because the Senate gutted that requirement.

So I am concerned a bit about the fact that we will seek and discuss amendments tonight. I am concerned that tomorrow we may just have one vote after another. All it is going to take is just one amendment to basically send this bill back to the Senate. There will be for some reason some people satisfied and happy that we have sent it back to the Senate. For the life of me I do not understand why we would not want to know who is a lobbyist, know what they do, and how much money is involved.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from Rhode Island [Mr. KENNEDY].

Mr. KENNEDY of Rhode Island. Mr. Chairman, I would like to first thank the ranking member of the Committee on the Judiciary, the gentleman from Massachusetts [Mr. FRANK], for yielding me this time. Now I would like to thank the gentleman from Florida [Mr. CANADY] for offering this legislation today, and I would like to rise in support of the Lobbying Disclosure Act of 1995 as it has been introduced. This bill makes important and substantive changes to the current regulations related to the lobbying process. I do have concerns, however, about a particular provision.

For the purposes of clarification of this provision, I would like to enter into a colloquy with the gentleman from Florida [Mr. CANADY], the chairman of the subcommittee and the author of this legislation.

Section 18 of H.R. 2564 prevents 501(c)(4) organizations, as defined under the Internal Revenue Code of 1986 from receiving a Federal ''award, grant, contract, loan or any other form'' if such organizations want to engage in lobbying activity.

I have been contacted by members of the Disabled American Veterans from my home State of Rhode Island. They are concerned and have expressed concern that section 18 of H.R. 2564 may preclude them from utilizing space at local Veterans Administration facilities. The DAV, the Disabled American Veterans, works for the physical, social, mental, and economic rehabilitation of wounded and disabled veterans, obtains fair and just compensation, adequate medical care, and oftentimes

suitable gainful employment for wartime veterans who became disabled in service to our country. They deserve every bit of it.

Annually, the DAV provides assistance to 300,000 veterans and their families—at no charge to the veteran and no charge to the Federal Government. I am concerned that section 18 would place in jeopardy the vital services provided by the DAV.

As my colleagues, the gentleman from Florida [Mr. CANADY] knows, these veterans' organizations often use the facilities, these veterans' facilities, as an opportunity for them to reach out to the same constituency that the veterans' facilities are mandated to reach out to. They do not want to be shut out, and I think that what we want to do is help them help us in the Federal Government do the job that we are trying to do on behalf of our veterans, and I would ask my colleague, the gentleman from Florida [Mr. CANADY] to clarify this section for me.

Mr. CANADY of Florida. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY of Rhode Island. I yield to the gentleman from Florida.

Mr. CANADY of Florida. Mr. Chairman, I thank the gentleman from Rhode Island for yielding, and I appreciate the gentleman's expression of concern on this issue.

Section 18 provides that organizations described in section 501(c)(4) of the Internal Revenue Code which ''engage in lobbying activities shall not be eligible for the receipt of Federal funds constituting an award, grant, contract, loan or any other form.'' It is my understanding that ''any other form'' as referred to in this section means any other form of Federal funds. It is my intention that use of a borrowed room by the Disabled American Veterans would not constitute receipt of Federal funds and the DAV would not run afoul of this provision.

I believe that this should address the concern raised by the Disabled American Veterans, an organization which does so much to help so many American veterans.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I thank my colleagues for his assistance on this matter, commend him, and look forward to continuing to work with him on behalf of our veterans, and I thank him for his explanation and clarification of this. I think it honors the spirit of what the DAV is trying to do, and I think it also honors the spirit of our bill, so in both of those respects I would like to commend the author, once again like to commend the ranking member, the gentleman from Massachusetts [Mr. FRANK], and I appreciate the opportunity this evening to speak on behalf of the bill.

Mr. CANADY of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. FOX].

Mr. FOX of Pennsylvania. Mr. Chairman, I just wanted to continue the colloquy which was very ably started by the gentleman from Rhode Island [Mr. KENNEDY]. I, too, rise to assure the veterans beyond the DAV, to the Purple Heart veterans, American Legion, the VFW, and all other veterans' groups of service men and women who have done so much for our country, when it comes to any activity as described that has been by the gentleman from Rhode Island [Mr. KENNEDY] and other activities that the gentleman from Massachusetts [Mr. FRANK] and I would describe to our colleagues, are all of them, as far as the gentleman is concerned, protected under the legislation and it would not rise to any infraction on their part?

Mr. CANADY of Florida. Mr. Chairman, if the gentleman would yield, that is absolutely correct. This principle would apply to other organizations who are serving in a similar manner.

Mr. FOX of Pennsylvania. I know, because speaking for all 435 Members of this House, and I am sure the 100 Members in the other Chamber, would want to have that protection knowing that the veterans we are trying to serve, work with, would in fact be protected under this legislation.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CANADY of Florida. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I just would like to join in and agree, although I should note that presently there are only 433 Members of this House.

Mr. FOX of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. CANADY of Florida. I yield to the gentleman from Pennsylvania.

Mr. FOX of Pennsylvania. We added a few in this partisan reform Congress.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York [Mrs. MALONEY].

Mrs. MALONEY. Mr. Chairman, the events of the last week have shaken the public's confidence in this great house.

Now, we have the chance to restore some of that confidence by passing the lobbying disclosure bill.

The time for delay is over.

It is time the public knew who is lobbying who and for how much.

It is time Members stop taking contributions from lobbyists for legal defense funds or charities they control.

The people send us here to represent them in the greatest legislative body ever conceived.

That is what it's all about.

Not the lobbyists.

Not the trips.

Not the gifts.

And the American people know that.

We need to send a clear, bipartisan message that we understand that all of us together and that we know that too.

Finally, we need to reject any amendment that would restrict the ability of businesses, universities, and charitable organizations from using their own money, just because they receive some federal funding.

A lobbying disclosure bill passed the other body 98–0.

Let us pass this bill with the same bipartisan spirit and reject any extremist amendment designed to make it partisan.

Mr. CANADY of Florida. Mr. Chairman, I yield 4 minutes to the gentleman from Virginia [Mr. GOODLATTE], a member of the Committee on the Judiciary.

Mr. GOODLATTE. Mr. Chairman, I would like to thank the gentleman from Florida [Mr. CANADY], my good friend, the chairman of our subcommittee, and the ranking minority member, the gentleman from Massachusetts [Mr. FRANK] for the strong bipartisan support of this important legislation that we have been struggling for years to bring forward, and I also very much appreciate the very kindly way that this debate has proceeded.

□ 2115

We are in general agreement about this, but I would hope that we would have the same kind of level of debate. Even at times when we are in strong disagreement on the underlying issues, we should never let the debate break down, as it does sometimes.

Congressional reforms have been a major priority since last year's elections. For instance, we have taken steps to clean up sloppy administrative and financial practices in the House of Representatives. We have passed into law the Congressional Accountability Act, making Members of Congress subject to the same laws that we pass and impose on everyone else. Now we are focusing on lobbying reform and rules governing gifts to Members of Congress, which rules we just changed earlier this evening. The people that I talk to feel that lobbyists have too much power and more access to the government than average folks. They are right to feel that way. That is why we are taking strong steps to rein in lobbying activity abuse.

Existing rules governing lobbying are unclear, contain weak enforcement provisions, and lack clear guidance as to who is to register as a lobbyist. This bill will take care of this problem. The main focus of this legislation is to provide for meaningful disclosure by full-time lobbyists. Currently, only those lobbyists who, in their personal judgment, believe it is their principle purpose to lobby must register. In other words, it is up to the individual lobbyist to decide whether or not to register.

This legislation, however, carefully defines the term ''lobbyist.'' Someone who spends more than 20 percent of his or her time engaged in lobbying activities for a client in a 6-month period is considered to be a lobbyist. That person must register with the Clerk of the House and the Secretary of the Senate.

Lobbyists will be required to file a semiannual report which contains information about clients, issues, and

Federal agencies in which their lobbying activities are involved, and the ability of the government to enforce lobbying rules is strengthened, but the controversial provisions related to grassroots lobbying contained in last year's bill have been removed, and I think that will be a great reassurance to a great many Americans concerned abut their individual right to contact their Representatives in Congress and make their voice heard. This bill in no way will interfere with that right.

In addition to creating an effective system of disclosure for lobbyists of domestic clients, this bill amends the Foreign Agents Registration Act. That act addresses the disclosure of interests of foreign individuals, corporations, and governments. Under this legislation, major loopholes in these requirements are eliminated, which will greatly enhance the disclosure of lobbying by foreign interests.

The House of Representatives is known as the people's House, and the people's business should be conducted without undue influence. These reforms will help make sure that happens.

Mr. CANADY of Florida. Mr. Chairman, I yield 3 minutes to the gentlewoman from New Jersey [Mrs. ROUKEMA].

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in strong support of H.R. 2564, the Lobbying Disclosure Act of 1995 and urge my colleagues to approve a clean bill with no further amendment.

My reason for supporting a clean bill is simple. If we pass this bill as is, it goes directly to the President for his signature. If we amend this legislation, it goes back to the Senate and into likely oblivion.

Let's be clear—amending this bill means killing lobby reform for this Congress. And that would be Washington business-as-usual at its worst. The same type of business-as-usual that has kept lobbying reform bottled up for 40 years.

Mr. Chairman, this important legislation requires meaningful disclosure of the activities of paid lobbyists, by requiring more information than ever before, and it covers lobbying of both the Congress and the Executive Branch.

Any individual who receives at least $5,000 from a single client in a 6-month period for lobbying purposes or an organization which spends more than $20,000 in a 6-month period for lobbying activities is required to register semiannually with the Clerk of the House of Representatives and the Secretary of the Senate.

Registered lobbyists must disclose the congressional chamber and federal agencies they approached, the issues they discuss with the officials, and the amount of money they spent on their lobbying effort.

If foreign entities—such as a company or government—are involved, the lobbyist must state this on the disclosure report. All of this information will be easily available to the House and Senate, as well as to the public.

The bill sets up violations guidelines for people who fail to register or disclose false information. The Clerk of the House of Representatives and the Secretary of the Senate must turn over potential violators to the Department of Justice, which will decide whether to prosecute. Lobbyists found guilty face a maximum civil penalty of $50,000 per violation.

H.R. 2564 also: prevents tax deductions for lobbying expenses, which were eliminated in 1993, from being restored; prohibits 501(c)(4) corporations who lobby Congress from receiving federal grants; repeals the Ramspeck Act, which allows former Congressional or judicial employees to obtain civil service employment without taking the civil service exam; prohibits former U.S. trade representatives or deputies, from representing a foreign government, political party, or business; expands the existing financial disclosure statement for Members of Congress by adding more categories to describe the value of personal assets and liabilities.

This legislation includes meaningful reforms of this outdated system. But lets dispell some of the misconceptions surrounding H.R. 2564.

This bill does not: Create a new bureaucracy—Implementation will be carried out by the Clerk of the House and the Secretary of the Senate.

This bill: Contains no criminal penalties—Only lobbyists who knowingly violate the law may be subjected to civil fines.

This bill: Does not cover grass roots lobbying and does not hinder the ability of ordinary citizens to petition Congress.

Mr. Chairman, this bill is not perfect. But we cannot allow the perfect to be the enemy of the very good. We cannot allow this legislation to suffer the same fate as reform bills in the past.

This is serious reform—another important step toward changing Washington's business-as-usual.

I am afraid it is more than reputation. I am afraid that in the minds of many of us here in this body, we are really in need of serious reform, and must dispel any hint or any smell of business as usual.

Let us do the right thing. I urge my colleagues to oppose any amendments to this bill. As meritorious as some may seem, approving any of them means the destruction of the Lobbying Disclosure Act and any reform in this Congress.

Mr. TOWNS. Mr. Chairman, last week during a 216–210 vote on the very same matter, I voted no. Unfortunately, there was some kind of malfunction in the voting machine and my vote was not recorded.

I want to state for the record that my position on the gentleman from Oklahoma's amendment has not changed. I remain opposed to limitations on any of our citizens' right to petition their Government. Simply because you are a university, a business, or a charitable organization should not force you to give up your first amendment rights.

I would urge opposition to this measure by my colleagues. Let us not trample on first amendment protections in an effort to silence critics of the policies promoted by our colleagues across the aisle.

Ms. WOOLSEY. Mr. Chairman, I rise in opposition to the conference report for H.R. 2564, the Defense appropriations bill for fiscal year 1995.

Mr. Chairman, this bill will prohibit military women who are stationed overseas from obtaining an abortion in a military hospital—even if they use their own money to pay for this procedure.

Mr. Chairman, this provision of H.R. 2564 will put the lives of military women in danger, because they will be forced to use third-world clinics or unsafe back alley facilities.

It is true that, as Representative YOUNG pointed our earlier, I voted yesterday for the conference report on H.R. 2020, the Treasury-Postal appropriations bill for fiscal year 1996. I voted for this bill because I know that this measure is necessary to get our Nation's Federal employees back to work.

Under this bill, Federal employees will lose their ability to use their own health insurance to pay for a full range of reproductive services. This is a travesty, and I fought against this provision when it was considered initially by the House.

Nevertheless, I believe that there is a critical difference between the anti-choice provisions in the Defense appropriations bill and the Treasury-Postal appropriations bill.

The difference is that when a military woman needs an abortion, and she is stationed overseas in a third-world nation, the only medical facility which is likely to be clean and safe, with well trained doctors, will be the base Hospital. Plain and simple, I cannot support a bill which denies military women the chance to use the only decent available medical facility.

Today, the anti-choice forces are hoping to score another victory by denying military women, who happen to be stationed overseas, access to a safe and legal abortion.

Military women defend our country with their lives. Now their lives will be in jeopardy if the Defense appropriations conference report passes.

Is this what you would want for your daughter? is this what you would want for your granddaughter?

I urge my colleagues to protect a military woman's constitutional right to reproductive choice. Vote no on the conference report for H.R. 2126.

Mr. DAVIS. Mr. Chairman, I rise in strong support of the Clinger amendment.

The Clinger amendment will save taxpayer dollars and protect career civil servants from being drafted into hardball political advocacy.

Federal workers are routinely being pressured to participate in partisan lobbying campaigns. These lobbying efforts are often offensive to the civil servant's personal values and damaging to his or her career.

What do you think happens to the career employee who expects to serve during numerous Presidencies but who gets caught up in

partisan lobbying efforts by his agency? Well, the next administration with a different political stripe comes in and is naturally suspicious of that civil servant's professional judgment and independence.

The Clinger amendment simply says: Let us leave the political talk to presidentially appointed and Senate confirmed appointees and let the dedicated career Federal workers that I represent get their jobs done free of politics.

I am especially alarmed by some of the unsolicited political propaganda that was mailed to all members of the Virginia General Assembly this year by the Environmental Protection Agency. State senators and delegates complained about this junk mail that featured false statements in opposition to the Unfunded Mandates Reform Act of 1995 and some of the regulatory reform initiatives.

I support an open and vigorous exchange of ideas, and I am proud to serve in a body that epitomizes the free exchange of political thought. While there will always be a time and place for political advocacy, our system of government depends on a dedicated corps of civil servants who actually fulfill the mission crafted by Congress and the President—free of being enlisted in partisan lobbying campaigns.

Surely the President, his hundreds of Senate-confirmed appointees, combined with the thousands of nonprofit and for-profit advocacy organizations in this town can adequately express the full range of diverse policy and political opinions without requiring the taxpayer to finance lobbying campaigns by Federal agencies that harm the careers of civil servants.

I urge my colleagues to unanimously support this important amendment offered by the distinguished chairman of the Government Reform and Oversight Committee.

Mr. LEVIN. Mr. Chairman, there are critics of lobbying reform who hold the cynical belief that if this bill can be amended, it will get bogged down in the Senate, and lobby reform will die.

That would be tragic.

I very much believe in the open, democratic system in our Nation where people can communicate with their elected representatives, directly or through others. To do so is an important aspect of our democracy.

I also believe the American public is entitled to know who is lobbying whom, and who is spending how much.

But today the lobbying disclosure system we have is chaotic and badly broken. It has so many loopholes that the public has no clear idea whatsoever about how lobbyists are spending millions of dollars.

If you take the long view, this is our best chance since 1948, when President Truman called for reform of the lobbying disclosure law, to do the job, and do the job right.

This bill is a good bill as it stands. The Senate supported it unanimously and its leaders on this issue played an indispensable role in its design and passage.

The administration today said the President will sign this bill in its current form.

And now, it is our turn. If we do this right, the American people will be able to know what they are entitled to know: Who is paying how much, to whom, to lobby Congress and the executive branch.

All week long, the American people have been given one reason after another to wonder if there is any issue on which the Senate, and the House, and the President can cooperate. This is surely one such issue.

Put that together with gift ban we passed earlier tonight, and I believe we will have taken two very important steps toward restoring trust in the integrity of Government. I sincerely hope campaign finance reform will be next, and soon.

Mr. LATOURETTE. Mr. Chairman, I rise today to speak in support of the Clinger antilobbying amendment, which would prohibit Federal agencies from using appropriated funds to promote public support or opposition for a legislative proposal.

This amendment is not about stifling free speech, it is not about muzzling lobbying activities. What the Clinger amendment is about, ladies and gentlemen, is the Congress laying down the law and saying ''It is wrong for us to spend a dime of taxpayer money so Federal agencies can lobby the Congress and attempt to shape legislation to suit that agency's agenda or whims.''

As a member of the Transportation and Infrastructure Committee, I saw this practice first hand as we worked on legislation overhauling the Clean Water Act. The Environmental Protection Agency actually allowed its employees to prepare lobbying materials for the committee members. These included fact sheets which had little to do with facts. Instead, these were thinly guised agency propaganda filled with political undertones.

One of the arguments that has been advanced is that this amendment is unconstitutional. That argument is without merit.

The constitutional argument apparently has two prongs—one claims that the first amendment is impacted; the other focuses on the separation of powers between this branch and the executive branch.

It's difficult to see how the first amendment guarantees of Federal officials would be impacted. The language isn't as restraining as the Hatch Act; employees on their own dime may enjoy the freedoms of speech, association, expression, and the right to petition. And, if I understand the CRS opinion correctly, nearly identical language has been included in the Interior Department appropriations for about 15 years.

Turning for a moment to the separation of powers issue, clearly the proposed action is within the authority granted to Congress by the Constitution; the administration's constitutional rights are found in article II, section 3—that is, the President shall ''take care that the laws are faithfully executed'' or to ''recommend to Congress' consideration such measures as he deems necessary and expedient.''

Chairman Clinger's amendment doesn't restrict the administration's ability to enforce or administer the laws of the United States. It doesn't restrict direct contact with Members, and it exempts the President and his Senate-confirmed appointees so it in no way hampers the President from faithfully executing the laws nor providing suggestions to Congress.

However, Federal agency employees should not be preparing lobbying materials to influence the legislative process. It it's a part of their job description then their job description needs to be rewritten. This is a wildly inappropriate use of taxpayer funds, and we as a Congress should seek to stop it, not just for the 104th Congress, but in the future.

What Chairman CLINGER has proposed is a commonsense amendment. It is not harsh, it is not radical, it does not jeopardize the Constitution or our right to free speech.

I think Americans would be appalled to know that at the Department of Veterans Affairs, employee check stubs contain a message from Secretary Jesse Brown urging opposition to the House budget plan.

That the U.S. Department of the Interior sent a letter to public land constituents indicating opposition to the Livestock Grazing Act.

That the U.S. Corps of Engineers and the U.S. Fish and Wildlife Service assembled a ''Taking it Too Far'' slide show and panel discussion to oppose the takings legislation.

That the Corporation for American Service [Americorp] published its first annual report containing selected press clips praising Americorp and criticizing congressional action.

Who pays for all this? You, the public. Is this how you want Federal employees to use their time, crafting political propaganda? I don't think so.

The American people know this is wrong, and they should be offended that this practice has been allowed to exist so long without any adequate remedy.

Maybe I could muster up some sympathy for those who oppose this amendment if we were faced with some dire shortage of lobbyists in this town. Of course, that's not the case.

This morning, just out of curiosity's sake, my office called the Office of Records and Registrations to get the latest tally on the number of lobbyists. Right now, we have 6,531 active lobbyist registrants on Capitol Hill; that's more than twice the number of people who live in my hometown, Madison Village, OH.

Of course, it only gets worse. If you tally up the lobbyists who are active registrants with clients, we've got—get this—12,556 lobbyists. And on the inactive, but still registered front, we've got another 37,181 lobbyists.

Forgive me for stating the obvious, but it sounds to me like we've got our lobbying needs covered and we can make do without Federal employees, who do not even register as lobbyists, jumping into the fray. Where I come from, I'd say we've already got more lobbyists here than you can shake a stick at.

Enough's enough. Let the Federal agency employees do their real jobs. Support the Clinger amendment.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, this bill is considered read for amendment under the 5-minute rule.

The text of H.R. 2564 is as follows.

H.R. 2564

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Lobbying Disclosure Act of 1995''.

SEC. 2. FINDINGS.

The Congress finds that—

(1) responsible representative Government requires public awareness of the efforts of paid lobbyists to influence the public decisionmaking process in both the legislative and executive branches of the Federal Government;

(2) existing lobbying disclosure statutes have been ineffective because of unclear statutory language, weak administrative and enforcement provisions, and an absence of clear guidance as to who is required to register and what they are required to disclose; and

(3) the effective public disclosure of the identity and extent of the efforts of paid lobbyists to influence Federal officials in the conduct of Government actions will increase public confidence in the integrity of Government.

SEC. 3. DEFINITIONS.

As used in this Act:

(1) AGENCY.—The term ''agency'' has the meaning given that term in section 551(1) of title 5, United States Code.

(2) CLIENT.—The term ''client'' means any person or entity that employs or retains another person for financial or other compensation to conduct lobbying activities on behalf of that person or entity. A person or entity whose employees act as lobbyists on its own behalf is both a client and an employer of such employees. In the case of a coalition or association that employs or retains other persons to conduct lobbying activities, the client is the coalition or association and not its individual members.

(3) COVERED EXECUTIVE BRANCH OFFICIAL.—The term ''covered executive branch official'' means—

(A) the President;

(B) the Vice President;

(C) any officer or employee, or any other individual functioning in the capacity of such an officer or employee, in the Executive Office of the President;

(D) any officer or employee serving in a position in level I, II, III, IV, or V of the Executive Schedule, as designated by statute or Executive order;

(E) any member of the uniformed services whose pay grade is at or above O–7 under section 201 of title 37, United States Code; and

(F) any officer or employee serving in a position of a confidential, policy-determining, policy-making, or policy-advocating character described in section 7511(b)(2) of title 5, United States Code.

(4) COVERED LEGISLATIVE BRANCH OFFICIAL.—The term ''covered legislative branch official'' means—

(A) a Member of Congress;

(B) an elected officer of either House of Congress;

(C) any employee of, or any other individual functioning in the capacity of an employee of—

(i) a Member of Congress;

(ii) a committee of either House of Congress;

(iii) the leadership staff of the House of Representatives or the leadership staff of the Senate;

(iv) a joint committee of Congress; and

(v) a working group or caucus organized to provide legislative services or other assistance to Members of Congress; and

(D) any other legislative branch employee serving in a position described under section 109(13) of the Ethics in Government Act of 1978 (5 U.S.C. App.).

(5) EMPLOYEE.—The term ''employee'' means any individual who is an officer, employee, partner, director, or proprietor of a person or entity, but does not include—

(A) independent contractors; or

(B) volunteers who receive no financial or other compensation from the person or entity for their services.

(6) FOREIGN ENTITY.—The term ''foreign entity'' means a foreign principal (as defined in section 1(b) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611(b)).

(7) LOBBYING ACTIVITIES.—The term ''lobbying activities'' means lobbying contacts and efforts in support of such contacts, including preparation and planning activities, research and other background work that is intended, at the time it is performed, for use in contacts, and coordination with the lobbying activities of others.

(8) LOBBYING CONTACT.—

(A) DEFINITION.—The term ''lobbying contact'' means any oral or written communication (including an electronic communication) to a covered executive branch official or a covered legislative branch official that is made on behalf of a client with regard to—

(i) the formulation, modification, or adoption of Federal legislation (including legislative proposals);

(ii) the formulation, modification, or adoption of a Federal rule, regulation, Executive order, or any other program, policy, or position of the United States Government;

(iii) the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license); or

(iv) the nomination or confirmation of a person for a position subject to confirmation by the Senate.

(B) EXCEPTIONS.—The term ''lobbying contact'' does not include a communication that is—

(i) made by a public official acting in the public official's official capacity;

(ii) made by a representative of a media organization if the purpose of the communication is gathering and disseminating news and information to the public;

(iii) made in a speech, article, publication or other material that is distributed and made available to the public, or through radio, television, cable television, or other medium of mass communication;

(iv) made on behalf of a government of a foreign country or a foreign political party and disclosed under the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.);

(v) a request for a meeting, a request for the status of an action, or any other similar administrative request, if the request does not include an attempt to influence a covered executive branch official or a covered legislative branch official;

(vi) made in the course of participation in an advisory committee subject to the Federal Advisory Committee Act;

(vii) testimony given before a committee, subcommittee, or task force of the Congress, or submitted for inclusion in the public record of a hearing conducted by such committee, subcommittee, or task force;

(viii) information provided in writing in response to an oral or written request by a covered executive branch official or a covered legislative branch official for specific information;

(ix) required by subpoena, civil investigative demand, or otherwise compelled by statute, regulation, or other action of the Congress or an agency;

(x) made in response to a notice in the Federal Register, Commerce Business Daily, or other similar publication soliciting communications from the public and directed to the agency official specifically designated in the notice to receive such communications;

(xi) not possible to report without disclosing information, the unauthorized disclosure of which is prohibited by law;

(xii) made to an official in an agency with regard to—

(I) a judicial proceeding or a criminal or civil law enforcement inquiry, investigation, or proceeding; or

(II) a filing or proceeding that the Government is specifically required by statute or regulation to maintain or conduct on a confidential basis,

if that agency is charged with responsibility for such proceeding, inquiry, investigation, or filing;

(xiii) made in compliance with written agency procedures regarding an adjudication conducted by the agency under section 554 of title 5, United States Code, or substantially similar provisions;

(xiv) a written comment filed in the course of a public proceeding or any other communication that is made on the record in a public proceeding;

(xv) a petition for agency action made in writing and required to be a matter of public record pursuant to established agency procedures;

(xvi) made on behalf of an individual with regard to that individual's benefits, employment, or other personal matters involving only that individual, except that this clause does not apply to any communication with—

(I) a covered executive branch official, or

(II) a covered legislative branch official (other than the individual's elected Members of Congress or employees who work under such Members' direct supervision),

with respect to the formulation, modification, or adoption of private legislation for the relief of that individual;

(xvii) a disclosure by an individual that is protected under the amendments made by the Whistleblower Protection Act of 1989, under the Inspector General Act of 1978, or under another provision of law;

(xviii) made by—

(I) a church, its integrated auxiliary, or a convention or association of churches that is exempt from filing a Federal income tax return under paragraph 2(A)(i) of section 6033(a) of the Internal Revenue Code of 1986, or

(II) a religious order that is exempt from filing a Federal income tax return under paragraph (2)(A)(iii) of such section 6033(a); and

(xix) between—

(I) officials of a self-regulatory organization (as defined in section 3(a)(26) of the Securities Exchange Act) that is registered with or established by the Securities and Exchange Commission as required by that Act or a similar organization that is designated by or registered with the Commodities Future Trading Commission as provided under the Commodity Exchange Act; and

(II) the Securities and Exchange Commission or the Commodities Future Trading Commission, respectively;

relating to the regulatory responsibilities of such organization under that Act.

(9) LOBBYING FIRM.—The term ''lobbying firm'' means a person or entity that has 1 or more employees who are lobbyists on behalf of a client other than that person or entity. The term also includes a self-employed individual who is a lobbyist.

(10) LOBBYIST.—The term ''lobbyist'' means any individual who is employed or retained by a client for financial or other compensation for services that include more than one lobbying contact, other than an individual whose lobbying activities constitute less than 20 percent of the time engaged in the services provided by such individual to that client over a six month period.

(11) MEDIA ORGANIZATION.—The term ''media organization'' means a person or entity engaged in disseminating information to the general public through a newspaper, magazine, other publication, radio, television, cable television, or other medium of mass communication.

(12) MEMBER OF CONGRESS.—The term ''Member of Congress'' means a Senator or a Representative in, or Delegate or Resident Commissioner to, the Congress.

(13) ORGANIZATION.—The term ''organization'' means a person or entity other than an individual.

(14) PERSON OR ENTITY.—The term ''person or entity'' means any individual, corporation, company, foundation, association,

labor organization, firm, partnership, society, joint stock company, group of organizations, or State or local government.

(15) PUBLIC OFFICIAL.—The term ''public official'' means any elected official, appointed official, or employee of—

(A) a Federal, State, or local unit of government in the United States other than—

(i) a college or university;

(ii) a government-sponsored enterprise (as defined in section 3(8) of the Congressional Budget and Impoundment Control Act of 1974);

(iii) a public utility that provides gas, electricity, water, or communications;

(iv) a guaranty agency (as defined in section 435(j) of the Higher Education Act of 1965 (20 U.S.C. 1085(j))), including any affiliate of such an agency; or

(v) an agency of any State functioning as a student loan secondary market pursuant to section 435(d)(1)(F) of the Higher Education Act of 1965 (20 U.S.C. 1085(d)(1)(F));

(B) a Government corporation (as defined in section 9101 of title 31, United States Code);

(C) an organization of State or local elected or appointed officials other than officials of an entity described in clause (i), (ii), (iii), (iv), or (v) of subparagraph (A);

(D) an Indian tribe (as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e));

(E) a national or State political party or any organizational unit thereof; or

(F) a national, regional, or local unit of any foreign government.

(16) STATE.—The term ''State'' means each of the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

SEC. 4. REGISTRATION OF LOBBYISTS.

(a) REGISTRATION.—

(1) GENERAL RULE.—No later than 45 days after a lobbyist first makes a lobbying contact or is employed or retained to make a lobbying contact, whichever is earlier, such lobbyist (or, as provided under paragraph (2), the organization employing such lobbyist), shall register with the Secretary of the Senate and the Clerk of the House of Representatives.

(2) EMPLOYER FILING.—Any organization that has 1 or more employees who are lobbyists shall file a single registration under this section on behalf of such employees for each client on whose behalf the employees act as lobbyists.

(3) EXEMPTION.—

(A) GENERAL RULE.—Notwithstanding paragraphs (1) and (2), a person or entity whose—

(i) total income for matters related to lobbying activities on behalf of a particular client (in the case of a lobbying firm) does not exceed and is not expected to exceed $5,000; or

(ii) total expenses in connection with lobbying activities (in the case of an organization whose employees engage in lobbying activities on its own behalf) do not exceed or are not expected to exceed $20,000,

(as estimated under section 5) in the semiannual period described in section 5(a) during which the registration would be made is not required to register under subsection (a) with respect to such client.

(B) ADJUSTMENT.—The dollar amounts in subparagraph (A) shall be adjusted—

(i) on January 1, 1997, to reflect changes in the Consumer Price Index (as determined by the Secretary of Labor) since the date of enactment of this Act; and

(ii) on January 1 of each fourth year occurring after January 1, 1997, to reflect changes in the Consumer Price Index (as determined by the Secretary of Labor) during the preceding 4-year period,

rounded to the nearest $500.

(b) CONTENTS OF REGISTRATION.—Each registration under this section shall contain—

(1) the name, address, business telephone number, and principal place of business of the registrant, and a general description of its business or activities;

(2) the name, address, and principal place of business of the registrant's client, and a general description of its business or activities (if different from paragraph (1));

(3) the name, address, and principal place of business of any organization, other than the client, that—

(A) contributes more than $10,000 toward the lobbying activities of the registrant in a semiannual period described in section 5(a); and

(B) in whole or in major part plans, supervises, or controls such lobbying activities.

(4) the name, address, principal place of business, amount of any contribution of more than $10,000 to the lobbying activities of the registrant, and approximate percentage of equitable ownership in the client (if any) of any foreign entity that—

(A) holds at least 20 percent equitable ownership in the client or any organization identified under paragraph (3);

(B) directly or indirectly, in whole or in major part, plans, supervises, controls, directs, finances, or subsidizes the activities of the client or any organization identified under paragraph (3); or

(C) is an affiliate of the client or any organization identified under paragraph (3) and has a direct interest in the outcome of the lobbying activity;

(5) a statement of—

(A) the general issue areas in which the registrant expects to engage in lobbying activities on behalf of the client; and

(B) to the extent practicable, specific issues that have (as of the date of the registration) already been addressed or are likely to be addressed in lobbying activities; and

(6) the name of each employee of the registrant who has acted or whom the registrant expects to act as a lobbyist on behalf of the client and, if any such employee has served as a covered executive branch official or a covered legislative branch official in the 2 years before the date on which such employee first acted (after the date of enactment of this Act) as a lobbyist on behalf of the client, the position in which such employee served.

(c) GUIDELINES FOR REGISTRATION.—

(1) MULTIPLE CLIENTS.—In the case of a registrant making lobbying contacts on behalf of more than 1 client, a separate registration under this section shall be filed for each such client.

(2) MULTIPLE CONTACTS.—A registrant who makes more than 1 lobbying contact for the same client shall file a single registration covering all such lobbying contacts.

(d) TERMINATION OF REGISTRATION.—A registrant who after registration—

(1) is no longer employed or retained by a client to conduct lobbying activities, and

(2) does not anticipate any additional lobbying activities for such client,

may so notify the Secretary of the Senate and the Clerk of the House of Representatives and terminate its registration.

SEC. 5. REPORTS BY REGISTERED LOBBYISTS.

(a) SEMIANNUAL REPORT.—No later than 45 days after the end of the semiannual period beginning on the first day of each January and the first day of July of each year in which a registrant is registered under section 4, each registrant shall file a report with the Secretary of the Senate and the Clerk of the House of Representatives on its lobbying activities during such semiannual period. A separate report shall be filed for each client of the registrant.

(b) CONTENTS OF REPORT.—Each semiannual report filed under subsection (a) shall contain—

(1) the name of the registrant, the name of the client, and any changes or updates to the information provided in the initial registration;

(2) for each general issue area in which the registrant engaged in lobbying activities on behalf of the client during the semiannual filing period—

(A) a list of the specific issues upon which a lobbyist employed by the registrant engaged in lobbying activities, including, to the maximum extent practicable, a list of bill numbers and references to specific executive branch actions;

(B) a statement of the Houses of Congress and the Federal agencies contacted by lobbyists employed by the registrant on behalf of the client;

(C) a list of the employees of the registrant who acted as lobbyists on behalf of the client; and

(D) a description of the interest, if any, of any foreign entity identified under section 4(b)(4) in the specific issues listed under subparagraph (A).

(3) in the case of a lobbying firm, a good faith estimate of the total amount of all income from the client (including any payments to the registrant by any other person for lobbying activities on behalf of the client) during the semiannual period, other than income for matters that are unrelated to lobbying activities; and

(4) in the case of a registrant engaged in lobbying activities on its own behalf, a good faith estimate of the total expenses that the registrant and its employees incurred in connection with lobbying activities during the semiannual filing period.

(c) ESTIMATES OF INCOME OR EXPENSES.—For purposes of this section, estimates of income or expenses shall be made as follows:

(1) Estimates of amounts in excess of $10,000 shall be rounded to the nearest $20,000.

(2) In the event income or expenses do not exceed $10,000, the registrant shall include a statement that income or expenses totaled less than $10,000 for the reporting period.

(3) A registrant that reports lobbying expenditures pursuant to section 6033(b)(8) of the Internal Revenue Code of 1986 may satisfy the requirement to report income or expenses by filing with the Secretary of the Senate and the Clerk of the House of Representatives a copy of the form filed in accordance with section 6033(b)(8).

SEC. 6. DISCLOSURE AND ENFORCEMENT.

The Secretary of the Senate and the Clerk of the House of Representatives shall—

(1) provide guidance and assistance on the registration and reporting requirements of this Act and develop common standards, rules, and procedures for compliance with this Act;

(2) review, and, where necessary, verify and inquire to ensure the accuracy, completeness, and timeliness of registration and reports;

(3) develop filing, coding, and cross-indexing systems to carry out the purpose of this Act, including—

(A) a publicly available list of all registered lobbyists, lobbying firms, and their clients; and

(B) computerized systems designed to minimize the burden of filing and maximize public access to materials filed under this Act;

(4) make available for public inspection and copying at reasonable times the registrations and reports filed under this Act;

(5) retain registrations for a period of at least 6 years after they are terminated and reports for a period of at least 6 years after they are filed;

(6) compile and summarize, with respect to each semiannual period, the information contained in registrations and reports filed with respect to such period in a clear and complete manner;

(7) notify any lobbyist or lobbying firm in writing that may be in noncompliance with this Act; and

(8) notify the United States Attorney for the District of Columbia that a lobbyist or lobbying firm may be in noncompliance with this Act, if the registrant has been notified in writing and has failed to provide an appropriate response within 60 days after notice was given under paragraph (6).

SEC. 7. PENALTIES.

Whoever knowingly fails to—

(1) remedy a defective filing within 60 days after notice of such a defect by the Secretary of the Senate or the Clerk of the House of Representatives; or

(2) comply with any other provision of this Act; shall, upon proof of such knowing violation by a preponderance of the evidence, be subject to a civil fine of not more than $50,000, depending on the extent and gravity of the violation.

SEC. 8. RULES OF CONSTRUCTION.

(a) CONSTITUTIONAL RIGHTS.—Nothing in this Act shall be construed to prohibit or interfere with—

(1) the right to petition the government for the redress of grievances;

(2) the right to express a personal opinion; or

(3) the right of association,

protected by the first amendment to the Constitution.

(b) PROHIBITION OF ACTIVITIES.—Nothing in this Act shall be construed to prohibit, or to authorize any court to prohibit, lobbying activities or lobbying contacts by any person or entity, regardless of whether such person or entity is in compliance with the requirements of this Act.

(c) AUDIT AND INVESTIGATIONS.—Nothing in this Act shall be construed to grant general audit or investigative authority to the Secretary of the Senate or the Clerk of the House of Representatives.

SEC. 9. AMENDMENTS TO THE FOREIGN AGENTS REGISTRATION ACT.

The Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.) is amended—

(1) in section 1—

(A) by striking subsection (j);

(B) in subsection (o) by striking ''the dissemination of political propaganda and any other activity which the person engaging therein believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, persuade, or in any other way influence'' and inserting ''any activity that the person engaging in believes will, or that the person intends to, in any way influence'';

(C) in subsection (p) by striking the semicolon and inserting a period; and

(D) by striking subsection (q);

(2) in section 3(g) (22 U.S.C. 613(g)), by striking ''established agency proceedings, whether formal or informal.'' and inserting ''judicial proceedings, criminal or civil law enforcement inquiries, investigations, or proceedings, or agency proceedings required by statute or regulation to be conducted on the record.'';

(3) in section 3 (22 U.S.C. 613) by adding at the end the following:

''(h) Any agent of a person described in section 1(b)(2) or an entity described in section 1(b)(3) if the agent is required to register and does register under the Lobbying Disclosure Act of 1995 in connection with the agent's representation of such person or entity.'';

(4) in section 4(a) (22 U.S.C. 614(a))—

(A) by striking ''political propaganda'' and inserting ''informational materials''; and

(B) by striking ''and a statement, duly signed by or on behalf of such an agent, setting forth full information as to the places, times, and extent of such transmittal'';

(5) in section 4(b) (22 U.S.C. 614(b))—

(A) in the matter preceding clause (i), by striking ''political propaganda'' and inserting ''informational materials''; and

(B) by striking ''(i) in the form of prints, or'' and all that follows through the end of the subsection and inserting ''without placing in such informational materials a conspicuous statement that the materials are distributed by the agent on behalf of the foreign principal, and that additional information is on file with the Department of Justice, Washington, District of Columbia. The Attorney General may by rule define what constitutes a conspicuous statement for the purposes of this subsection.'';

(6) in section 4(c) (22 U.S.C. 614(c)), by striking ''political propaganda'' and inserting ''informational materials'';

(7) in section 6 (22 U.S.C. 616)—

(A) in subsection (a) by striking ''and all statements concerning the distribution of political propaganda'';

(B) in subsection (b) by striking '', and one copy of every item of political propaganda''; and

(C) in subsection (c) by striking ''copies of political propaganda,'';

(8) in section 8 (22 U.S.C. 618)—

(A) in subsection (a)(2) by striking ''or in any statement under section 4(a) hereof concerning the distribution of political propaganda''; and

(B) by striking subsection (d); and

(9) in section 11 (22 U.S.C. 621) by striking '', including the nature, sources, and content of political propaganda disseminated or distributed''.

SEC. 10. AMENDMENTS TO THE BYRD AMENDMENT.

(a) REVISED CERTIFICATION REQUIREMENTS.—Section 1352(b) of title 31, United States Code, is amended—

(1) in paragraph (2) by striking subparagraphs (A), (B), and (C) and inserting the following:

''(A) the name of any registrant under the Lobbying Disclosure Act of 1995 who has made lobbying contacts on behalf of the person with respect to that Federal contract, grant, loan, or cooperative agreement; and

''(B) a certification that the person making the declaration has not made, and will not make, any payment prohibited by subsection (a).'';

(2) in paragraph (3) by striking all that follows ''loan shall contain'' and inserting ''the name of any registrant under the Lobbying Disclosure Act of 1995 who has made lobbying contacts on behalf of the person in connection with that loan insurance or guarantee.''; and

(3) by striking paragraph (6) and redesignating paragraph (7) as paragraph (6).

(b) REMOVAL OF OBSOLETE REPORTING REQUIREMENT.—Section 1352 of title 31, United States Code, is further amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e), (f), (g), and (h) as subsections (d), (e), (f), and (g), respectively.

SEC. 11. REPEAL OF CERTAIN LOBBYING PROVISIONS.

(a) REPEAL OF THE FEDERAL REGULATION OF LOBBYING ACT.—The Federal Regulation of Lobbying Act (2 U.S.C. 261 et seq.) is repealed.

(b) REPEAL OF PROVISIONS RELATING TO HOUSING LOBBYIST ACTIVITIES.—

(1) Section 13 of the Department of Housing and Urban Development Act (42 U.S.C. 3537b) is repealed.

(2) Section 536(d) of the Housing Act of 1949 (42 U.S.C. 1490p(d)) is repealed.

SEC. 12. CONFORMING AMENDMENTS TO OTHER STATUTES.

(a) AMENDMENT TO COMPETITIVENESS POLICY COUNCIL ACT.—Section 5206(e) of the Competitiveness Policy Council Act (15 U.S.C. 4804(e)) is amended by inserting ''or a lobbyist for a foreign entity (as the terms 'lobbyist' and 'foreign entity' are defined under section 3 of the Lobbying Disclosure Act of 1995)'' after ''an agent for a foreign principal''.

(b) AMENDMENTS TO TITLE 18, UNITED STATES CODE.—Section 219(a) of title 18, United States Code, is amended—

(1) by inserting ''or a lobbyist required to register under the Lobbying Disclosure Act of 1995 in connection with the representation of a foreign entity, as defined in section 3(7) of that Act'' after ''an agent of a foreign principal required to register under the Foreign Agents Registration Act of 1938''; and

(2) by striking out '', as amended,''.

(c) AMENDMENT TO FOREIGN SERVICE ACT OF 1980.—Section 602(c) of the Foreign Service Act of 1980 (22 U.S.C. 4002(c)) is amended by inserting ''or a lobbyist for a foreign entity (as defined in section 3(7) of the Lobbying Disclosure Act of 1995)'' after ''an agent of a foreign principal (as defined by section 1(b) of the Foreign Agents Registration Act of 1938)''.

SEC. 13. SEVERABILITY.

If any provision of this Act, or the application thereof, is held invalid, the validity of the remainder of this Act and the application of such provision to other persons and circumstances shall not be affected thereby.

SEC. 14. IDENTIFICATION OF CLIENTS AND COVERED OFFICIALS.

(a) ORAL LOBBYING CONTACTS.—Any person or entity that makes an oral lobbying contact with a covered legislative branch official or a covered executive branch official shall, on the request of the official at the time of the lobbying contact—

(1) state whether the person or entity is registered under this Act and identify the client on whose behalf the lobbying contact is made; and

(2) state whether such client is a foreign entity and identify any foreign entity required to be disclosed under section 4(b)(4) that has a direct interest in the outcome of the lobbying activity.

(b) WRITTEN LOBBYING CONTACTS.—Any person or entity registered under this Act that makes a written lobbying contact (including an electronic communication) with a covered legislative branch official or a covered executive branch official shall—

(1) if the client on whose behalf the lobbying contact was made is a foreign entity, identify such client, state that the client is considered a foreign entity under this Act, and state whether the person making the lobbying contact is registered on behalf of that client under section 4; and

(2) identify any other foreign entity identified pursuant to section 4(b)(4) that has a direct interest in the outcome of the lobbying activity.

(c) IDENTIFICATION AS COVERED OFFICIAL.—Upon request by a person or entity making a lobbying contact, the individual who is contacted or the office employing that individual shall indicate whether or not the individual is a covered legislative branch official or a covered executive branch official.

SEC. 15. ESTIMATES BASED ON TAX REPORTING SYSTEM.

(a) ENTITIES COVERED BY SECTION 6033(b) OF THE INTERNAL REVENUE CODE OF 1986.—A registrant that is required to report and does report lobbying expenditures pursuant to section 6033(b)(8) of the Internal Revenue Code of 1986 may—

(1) make a good faith estimate (by category of dollar value) of applicable amounts

that would be required to be disclosed under such section for the appropriate semiannual period to meet the requirements of sections 4(a)(3), 5(a)(2), and 5(b)(4); and

(2) in lieu of using the definition of ''lobbying activities'' in section 3(8) of this Act, consider as lobbying activities only those activities that are influencing legislation as defined in section 4911(d) of the Internal Revenue Code of 1986.

(b) ENTITIES COVERED BY SECTION 162(e) OF THE INTERNAL REVENUE CODE OF 1986.—A registrant that is subject to section 162(e) of the Internal Revenue Code of 1986 may—

(1) make a good faith estimate (by category of dollar value) of applicable amounts that would not be deductible pursuant to such section for the appropriate semiannual period to meet the requirements of sections 4(a)(3), 5(a)(2), and 5(b)(4); and

(2) in lieu of using the definition of ''lobbying activities'' in section 3(8) of this Act, consider as lobbying activities only those activities, the costs of which are not deductible pursuant to section 162(e) of the Internal Revenue Code of 1986.

(c) DISCLOSURE OF ESTIMATE.—Any registrant that elects to make estimates required by this Act under the procedures authorized by subsection (a) or (b) for reporting or threshold purposes shall—

(1) inform the Secretary of the Senate and the Clerk of the House of Representatives that the registrant has elected to make its estimates under such procedures; and

(2) make all such estimates, in a given calendar year, under such procedures.

(d) STUDY.—Not later than March 31, 1997, the Comptroller General of the United States shall review reporting by registrants under subsections (a) and (b) and report to the Congress—

(1) the differences between the definition of ''lobbying activities'' in section 3(8) and the definitions of ''lobbying expenditures'', ''influencing legislation'', and related terms in sections 162(e) and 4911 of the Internal Revenue Code of 1986, as each are implemented by regulations;

(2) the impact that any such differences may have on filing and reporting under this Act pursuant to this subsection; and

(3) any changes to this Act or to the appropriate sections of the Internal Revenue Code of 1986 that the Comptroller General may recommend to harmonize the definitions.

SEC. 16. REPEAL OF THE RAMSPECK ACT.

(a) REPEAL.—Subsection (c) of section 3304 of title 5, United States Code, is repealed.

(b) REDESIGNATION.—Subsection (d) of section 3304 of title 5, United States Code, is redesignated as subsection (c).

(c) EFFECTIVE DATE.—The repeal and amendment made by this section shall take effect 2 years after the date of the enactment of this Act.

SEC. 17. EXCEPTED SERVICE AND OTHER EXPERIENCE CONSIDERATIONS FOR COMPETITIVE SERVICE APPOINTMENTS.

(a) IN GENERAL.—Section 3304 of title 5, United States Code (as amended by section 2 of this Act) is further amended by adding at the end thereof the following new subsection:

''(d) The Office of Personnel Management shall promulgate regulations on the manner and extent that experience of an individual in a position other than the competitive service, such as the excepted service (as defined under section 2103) in the legislative or judicial branch, or in any private or nonprofit enterprise, may be considered in making appointments to a position in the competitive service (as defined under section 2102). In promulgating such regulations OPM shall not grant any preference based on the fact of service in the legislative or judicial branch. The regulations shall be consistent with the principles of equitable competition and merit based appointments.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect 2 years after the date of the enactment of this Act, except the Office of Personnel Management shall—

(1) conduct a study on excepted service considerations for competitive service appointments relating to such amendment; and

(2) take all necessary actions for the regulations described under such amendment to take effect as final regulations on the effective date of this section.

SEC. 18. EXEMPT ORGANIZATIONS.

An organization described in section 501(c)(4) of the Internal Revenue Code of 1986 which engages in lobbying activities shall not be eligible for the receipt of Federal funds constituting an award, grant, contract, loan, or any other form.

SEC. 19. AMENDMENT TO THE FOREIGN AGENTS REGISTRATION ACT (PUBLIC LAW 75–583).

Strike section 11 of the Foreign Agents Registration Act of 1938, as amended, and insert in lieu thereof the following:

''SECTION 11. REPORTS TO THE CONGRESS.—The Attorney General shall every six months report to the Congress concerning administration of this Act, including registrations filed pursuant to the Act, and the nature, sources and content of political propaganda disseminated and distributed.''.

SEC. 20. DISCLOSURE OF THE VALUE OF ASSETS UNDER THE ETHICS IN GOVERNMENT ACT OF 1978.

(a) INCOME.—Section 102(a)(1)(B) of the Ethics in Government Act of 1978 is amended—

(1) in clause (vii) by striking ''or''; and

(2) by striking clause (viii) and inserting the following:

''(viii) greater than $1,000,000 but not more than $5,000,000, or

''(ix) greater than $5,000,000.''.

(b) ASSETS AND LIABILITIES.—Section 102(d)(1) of the Ethics in Government Act of 1978 is amended—

(1) in subparagraph (F) by striking ''and''; and

(2) by striking subparagraph (G) and inserting the following:

''(G) greater than $1,000,000 but not more than $5,000,000;

''(H) greater than $5,000,000 but not more than $25,000,000;

''(I) greater than $25,000,000 but not more than $50,000,000; and

''(J) greater than $50,000,000.''.

(c) EXCEPTION.—Section 102(e)(1) of the Ethics in Government Act of 1978 is amended by adding after subparagraph (E) the following:

''(F) For purposes of this section, categories with amounts or values greater than $1,000,000 set forth in sections 102(a)(1)(B) and 102(d)(1) shall apply to the income, assets, or liabilities of spouses and dependent children only if the income, assets, or liabilities are held jointly with the reporting individual. All other income, assets, or liabilities of the spouse or dependent children required to be reported under this section in an amount or value greater than $1,000,000 shall be categorized only as an amount or value greater than $1,000,000.''.

SEC. 21. BAN ON TRADE REPRESENTATIVE REPRESENTING OR ADVISING FOREIGN ENTITIES.

(a) REPRESENTING AFTER SERVICE.—Section 207(f)(2) of title 18, United States Code, is amended by—

(1) inserting ''or Deputy United States Trade Representative'' after ''is the United States Trade Representative''; and

(2) striking ''within 3 years'' and inserting ''at any time''.

(b) LIMITATION ON APPOINTMENT AS UNITED STATES TRADE REPRESENTATIVE AND DEPUTY UNITED STATES TRADE REPRESENTATIVE.—Section 141(b) of the Trade Act of 1974 (19 U.S.C. 2171(b)) is amended by adding at the end the following new paragraph:

''(3) LIMITATION ON APPOINTMENTS.—A person who has directly represented, aided, or advised a foreign entity (as defined by section 207(f)(3) of title 18, United States Code) in any trade negotiation, or trade dispute, with the United States may not be appointed as United States Trade Representative or as a Deputy United States Trade Representative.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to an individual appointed as United States Trade Representative or as a Deputy United States Trade Representative on or after the date of enactment of this Act.

SEC. 22. FINANCIAL DISCLOSURE OF INTEREST IN QUALIFIED BLIND TRUST.

(a) IN GENERAL.—Section 102(a) of the Ethics in Government Act of 1978 is amended by adding at the end thereof the following:

''(8) The category of the total cash value of any interest of the reporting individual in a qualified blind trust, unless the trust instrument was executed prior to July 24, 1995 and precludes the beneficiary from receiving information on the total cash value of any interest in the qualified blind trust.''.

(b) CONFORMING AMENDMENT.—Section 102(d)(1) of the Ethics in Government Act of 1978 is amended by striking ''and (5)'' and inserting ''(5), and (8)''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendment made by this section shall apply with respect to reports filed under title I of the Ethics in Government Act of 1978 for calendar year 1996 and thereafter.

SEC. 23. SENSE OF THE SENATE THAT LOBBYING EXPENSES SHOULD REMAIN NONDEDUCTIBLE.

(a) FINDINGS.—The Senate finds that ordinary Americans generally are not allowed to deduct the costs of communicating with their elected representatives.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that lobbying expenses should not be tax deductible.

SEC. 24. EFFECTIVE DATES.

(a) Except as otherwise provided in this section, this Act and the amendments made by this Act shall take effect on January 1, 1996.

(b) The repeals and amendments made under sections 13, 14, 15, and 16 shall take effect as provided under subsection (a), except that such repeals and amendments—

(1) shall not affect any proceeding or suit commenced before the effective date under subsection (a), and in all such proceedings or suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this Act had not been enacted; and

(2) shall not affect the requirements of Federal agencies to compile, publish, and retain information filed or received before the effective date of such repeals and amendments.

The CHAIRMAN. Pursuant to the order of the House of today, 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 the resolution.

The Chairman of the Committee of the Whole may reduce to not less than

5 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 not be less than 15 minutes.

Further, debate on each amendment to the bill and any amendments thereto will be limited to 30 minutes, to be equally divided and controlled by the proponent of the amendment and an opponent.

Are there any amendments to the bill?

AMENDMENT OFFERED BY MR. FOX OF PENNSYLVANIA

Mr. FOX of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FOX Pennsylvania: Page 23, insert after line 2 the following:

(d) PROHIBITION ON GIFTS.—

(1) IN GENERAL.—No lobbyist who is registered under section 4 may provide any gift to a Member of the House of Representatives, a Senator, or an officer or employee of the House of Representatives or the Senate unless the lobbyist is related to the Member, Senator, or officer or employee.

(2) DEFINITION.—For the purpose of paragraph (1), the term ''gift'' means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term includes gifts of services, training, transportation, lodging, and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.

(3) EXCEPTION.—The restriction in paragraph (1) shall not apply to the following:

(A) Anything for which the Member, Senator, officer, or employee pays the market value, or does not use and promptly returns to the donor.

(B) A contribution, as defined in section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) that is lawfully made under that Act, a contribution for election to a State or local government office limited as prescribed by section 301(8)(B) of such Act, or attendance at a fundraising event sponsored by a political organization described in section 527(e) of the Internal Revenue Code of 1986.

(C) A gift from a relative as described in section 109(5) of title I of the Ethics in Government Act of 1978 (Public Law 95–521).

(D)(i) Anything provided by an individual on the basis of a personal friendship unless the Member, Senator, officer, or employee has reason to believe that, under the circumstances, the gift was provided because of the official position of the Member, Senator, officer, or employee and not because of the personal friendship.

(ii) In determining whether a gift is provided on the basis of personal friendship, the Member, Senator, officer, or employee shall consider the circumstances under which the gift was offered, such as:

(I) The history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between such individuals.

(II) Whether to the actual knowledge of the Member, Senator, officer, or employee the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift.

(III) Whether to the actual knowledge of the Member, Senator, officer, or employee the individual who gave the gift also at the same time gave the same or similar gifts to other Members, officers, or employees.

(E) A contribution or other payment to a legal expense fund established for the benefit of a Member, Senator, officer, or employee that is otherwise lawfully made in accordance with the restrictions and disclosure requirements of the Committee on Standards of Official Conduct.

(F) Any gift from another Member, Senator, officer, or employee of the Senate or the House of Representatives.

(G) Food, refreshments, lodging, and other benefits—

(i) resulting from the outside business or employment activities (or other outside activities that are not connected to the duties of the Member, Senator, officer, or employee as an officeholder) of the Member, Senator, officer, or employee, or the spouse of the Member, Senator, officer, or employee, if such benefits have not been offered or enhanced because of the official position of the Member, Senator, officer, or employee and are customarily provided to others in similar circumstances;

(ii) customarily provided by a prospective employer in connection with bona fide employment discussions; or

(iii) provided by a political organization described in section 527(e) of the Internal Revenue Code of 1986 in connection with a fundraising or campaign event sponsored by such an organization.

(H) Pension and other benefits resulting from continued participation in an employee welfare and benefits plan maintained by a former employer.

(I) Informational materials that are sent to the office of the Member, Senator, officer, or employee in the form of books, articles, periodicals, other written materials, audiotapes, videotapes, or other forms of communication.

(J) Awards or prizes which are given to competitors in contests or events open to the public, including random drawings.

(K) Honorary degrees (and associated travel, food, refreshments, and entertainment) and other bona fide, nonmonetary awards presented in recognition of public service (and associated food, refreshments, and entertainment provided in the presentation of such degrees and awards).

(L) Donations of products from the State that the Member represents that are intended primarily for promotional purposes, such as display or free distribution, and are of minimal value to any individual recipient.

(M) Training (including food and refreshments furnished to all attendees as an integral part of the training) provided to a Member, Senator, officer, or employee, if such training is in the interest of the Senate or House of Representatives.

(N) Bequests, inheritances, and other transfers at death.

(O) Any item, the receipt of which is authorized by the Foreign Gifts and Decorations Act, the Mutual Educational and Cultural Exchange Act, or any other statute.

(P) Anything which is paid for by the Federal Government, by a State or local government, or secured by the Government under a Government contract.

(Q) A gift of personal hospitality (as defined in section 109(14) of the Ethics in Government Act) of an individual other than a registered lobbyist or agent of a foreign principal.

(R) Free attendance at a widely attended convention, conference, symposium, forum, panel discussion, dinner, viewing, reception, or similar event provided by the sponsor of the event.

(S) Opportunities and benefits which are—

(i) available to the public or to a class consisting of all Federal employees, whether or not restricted on the basis of geographic consideration;

(ii) offered to members of a group or class in which membership is unrelated to congressional employment;

(iii) offered to members of an organization, such as an employees' association or congressional credit union, in which membership is related to congressional employment and similar opportunities are available to large segments of the public through organizations of similar size;

(iv) offered to any group or class that is not defined in a manner that specifically discriminates among Government employees on the basis of branch of Government or type of responsibility, or on a basis that favors those of higher rank or rate of pay;

(v) in the form of loans from banks and other financial institutions on terms generally available to the public; or

(vi) in the form of reduced membership or other fees for participation in organization activities offered to all Government employees by professional organizations if the only restrictions on membership relate to professional qualifications.

(T) A plaque, trophy, or other item that is substantially commemorative in nature and which is intended solely for presentation.

(U) Anything for which, in an unusual case, a waiver is granted by the Committee on Standards of Official Conduct.

Mr. FOX of Pennsylvania (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FRANK of Massachusetts. Mr. Chairman, I reserve a point of order on the amendment. We have not had a chance to see it yet.

The CHAIRMAN. The point of order is preserved.

Pursuant to the order of the House of today, the gentleman from Pennsylvania [Mr. FOX] will be recognized for 15 minutes, and a Member opposed will be recognized for 15 minutes.

Mr. CANADY of Florida. Mr. Chairman, I rise in opposition to the amendment and claim the 15 minutes in opposition.

Mr. Chairman, I yield 7½ minutes of that time to the gentleman from Massachusetts [Mr. FRANK] and ask unanimous consent that he may be permitted to yield blocks of time to other Members.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. FOX] will be recognized for 15 minutes, the gentleman from Florida [Mr. CANADY] will be recognized for 7½ minutes, and the gentleman from Massachusetts [Mr. FRANK] will be recognized for 7½ minutes.

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

Mr. FOX of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I first want to say at the outset that H.R. 2564 is a bill whose

time has arrived. It would provide for the disclosure of lobbying activities to influence the Federal Government and for other purposes, and I think that Members in the Chamber realize that each of those who are here tonight as committee chairs, the gentleman from Massachusetts [Mr. FRANK] and the gentleman from Florida [Mr. CANADY] have done a great deal of work in bringing this legislation forward, and they have my gratitude and that of the other Members, my colleagues, for what they have done to this date.

Mr. Chairman, this legislation is excellent. I have an amendment which I believe is consistent with the bill, and I would say at this time that we have a duty to our constituents to restore accountability to the relationship between lobbyists and Members of Congress. We must work to obtain a higher standard in order to regain the trust of the American people who are sick and tired of business as usual.

My amendment helps to sustain our mission of enacting true lobby reform. The amendment would prohibit registered lobbyists from giving gifts to Members, officers, and employees of Congress. Exemptions apply, including gifts from friends or relatives. Quite simply, the amendment complements House Resolution 250, which was adopted this afternoon, by placing the responsibility on the lobbyist, Mr. Chairman, as opposed to solely on the recipient.

On the floor today we have heard from many Members expressing their frustration with the expansion of gift rules by which they must ethically abide, but without any accountability by the lobbyists. This is quite a disparity, if we are to enact true accountability to the relationships between lobbyists and Members of Congress.

Mr. Chairman, I know that my colleagues are concerned about any amendments that come before this House with regard to this important bill. However, I believe that this amendment is a strengthening provision and not a weakening one. While I endorse all of the provisions in this legislation, I firmly believe that my amendment will made a good bill even better, and we can finally attain the lobby reform we want in this country that will restore the people's trust and confidence in this House, and I believe this amendment will go a long way in maintaining the trust people want to have in their Congress.

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

The CHAIRMAN. The Chair would inquire of the gentleman from Massachusetts [Mr. FRANK] whether he will insist on his point of order.

Mr. FRANK of Massachusetts. Mr. Chairman, I will not insist now, I will withdraw it, but I would encourage any Members who do have any amendments to get them to us. I know the gentleman meant no discourtesy, it moved more rapidly than he had anticipated and it was not his fault, but now that we are in the amendment process, any Members who have amendments, if they could get them to us so we could review them for parliamentary purposes, that would expedite things.

Mr. Chairman, I withdraw my reservation of the point of order.

Mr. CANADY of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the gentleman's amendment, although I certainly commend the gentleman for his interests in the receipt of gifts by Members of Congress. That is an issue, of course, that has consumed the considerations of the House today as we have moved forward with the passage of a change in the House rules which will essentially prohibit Members from receiving gifts.

In light of that action by the House today, I find that this amendment is a little unusual. I do not know that there is a need for this amendment in light of the action of the House, that the House took earlier this very day.

Let me further say, Mr. chairman, that my primary reason for opposing this amendment, in addition to the fact that it is unnecessary and duplicative of the restrictions that we imposed on ourselves by our own actions earlier today, this amendment, like all the other amendments which are going to be offered, may be offered with the very best of intentions, but if a single one of these amendments is adopted that poses a great threat to this bill. It poses a threat to derail this reform effort.

We have recounted the history of 40 years of inaction and stalemate and gridlock on this subject of lobbying disclosure reform. Now is the time to move beyond the gridlock.

□ 2130

So, I would urge the Members of the House to vote against the amendment. I would encourage the gentleman to withdraw his amendment, in light of the action taken earlier today by the House on this subject. But, I commend the gentleman for his interest in the issue, and would simply ask that the Members look at this in the proper context.

Mr. Chairman, I know the gentleman is interested in reform, but this amendment, which is advanced in the name of reform, will actually have the potential to derail this major reform effort, so I would oppose the amendment.

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

Mr. FOX of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to respond briefly to the point raised with regard to the prior legislation, which was a rule adopted this afternoon under the Gingrich-Solomon amendment.

Mr. Chairman, frankly, while that placed a duty on the Members not to accept gifts from lobbyists, this legislation takes it one step further to protect the Member by saying the lobbyists cannot give us gifts, and rather than have a Member who is trying to comply with the law be entrapped, here under this legislation we would not have lobbyists giving gifts to Members. Mr. Chairman, in the spirit of what is right and fair about Congress, this should not be necessary.

Mr. Chairman, I appreciate the opportunity to clarify.

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

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I appreciate the gentleman's intentions, but I would join with the gentleman from Florida [Mr. CANADY] in opposing this on two grounds. First, it will interfere with the likelihood of this bill becoming law if we send this back to the Senate and we have differences between our gift ban and the Senate ban.

In fact, one of the things we talked about was whether or not Members could receive products from their home State. Now, with the objection of the gentleman from Iowa before, products from the State were ruled out under the gift ban, but they are an exception here. So, we have somewhat of a mismatch between them.

Beyond that, I would say to the gentleman from Pennsylvania, I do not think it is an appropriate thing for us to say, namely, that having passed the rule that said we could not accept these things, we somehow need further protection against the temptation of having them offer them to us.

To say that the Members need further protection because it would be against the rule for the Member to because it would be against the rule for the Member to accept it and we therefore, want to make sure the lobbyist does not offer it, I think does the Members a disservice. And as far as the unwary Member, I think the notion of a Member sauntering aimlessly through the halls and being ambushed by a gift-bearing lobbyist and before the Member has time to reject the gift, the Committee on Standards of Official Conduct ''police'' come and the Member is hauled off to the basement of the Capitol to be made to give up the T-shirt that was now illegal for him to receive, because we are not letting Members have T-shirts. I just think that the notion that we, having adopted a stiff rule that says Members cannot accept gifts, that we need to protect Members against the temptation of people offering them gifts is unwise.

But over and above that, Mr. Chairman, I would hope the gentleman would agree with us then even if he believes that this has merit, and it has some merit, it is not worth the jeopardy we would encounter in the other body if we were to change this. I would just say to the gentleman from Pennsylvania, I have heard us get all tangled up in T-shirts. I can just imagine what the Members of the other body would do.

Mr. CANADY of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just make the point that this amendment has been explained as an amendment to protect Members of Congress. I do not think we need protection. I think we can ensure that we follow the Rules of the House. We do not need to impose penalties on people outside the House to ensure that we do not violate our own rules.

It would be quite a shame to pass an amendment to protect Members of the House and, in the process, derail this important reform effort. I think our focus needs to be on protecting the American people and ensuring that the American people have access to the information they are entitled to have about lobbying activities here in Washington. That is what this bill does.

This amendment, although it is very well intended and I respect the gentleman's motives, I know that he is entirely supportive of the legislation and he has no intent to cause harm to it. I believe despite the gentleman's pure intentions, the consequence of adopting this amendment can be very harmful to our effort.

Mr. Chairman, if it is adopted, it will prevent this House from taking up the Senate bill, passing it, and sending it directly to the President. That is the direct result of the adoption of this or any other amendment. I urge that the Members of the House defeat this and all other amendments.

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

Mr. FOX of Pennsylvania. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. ENGLISH].

Mr. ENGLISH of Pennsylvania. Mr. Chairman, it is a violation of the law to offer a policeman a bribe, much as it is a violation of the law for the policeman to accept the bribe. I think it is somehow fundamental here that we should sanction this behavior on both ends.

Similarly, if we are serious about a gift ban, I think we should also impose a sanction on the deliberate and intentional giving of a gift that is illegal.

Mr. Chairman, I think that the Fox amendment is a distinct improvement on this underlying bill, which I am a strong supporter of and intend to offer an amendment to as well.

Let me just suggest to the gentlemen who have been making a very eloquent argument here that this bill should be kept pristine, that there should be no role of the House in improving this legislation, may I suggest that we are considering a reform bill here, but not the Pentateuch. There is nothing sacred about the underlying bill.

Mr. Chairman, I think it is incumbent upon us in the House of Representatives to pass the best reform bill that we possibly can. If we have to take that to conference, then we should have the discipline to insist that our conferees come forward with a product that we can approve and send to the White House. I do not think we should skip a step merely out of convenience.

Mr. FOX of Pennsylvania. Mr. Chairman, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I did want to say that the gentleman said we were arguing this bill was pristine. I did not argue that it was pristine. Indeed, the gentleman from Florida and I think it could benefit from some further amendment.

Mr. Chairman, what we believe is that at this point, we jeopardize the chance to get anything if we amend it. We, therefore, are proposing not that this never be changed, but that we do it in a two-step process; that we get a bill signed into law, and that we immediately begin to take up a second round.

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

Mr. CANADY of Florida. Mr. Chairman, may I inquire of the Chair regarding the amount of time remaining.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. FOX] has 10 minutes remaining, the gentleman from Florida [Mr. CANADY] has 4 minutes remaining, and the gentleman from Massachusetts [Mr. FRANK] has 4½ minutes remaining.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield my time to the gentleman from Florida [Mr. CANADY].

The CHAIRMAN. The gentleman from Massachusetts yields the time back to the gentleman from Florida.

The gentleman from Florida now has 8½ minutes.

Mr. CANADY of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut [Mr. SHAYS].

Mr. SHAYS. Mr. Chairman, it is intoxicating to be in an environment where we are working on a bipartisan basis. I did not think so soon I would actually stand up and oppose one of my best friends in Congress, and someone who I have such high respect for, but I oppose the amendment of the gentleman from Pennsylvania [Mr. FOX] primarily based on the fact that he puts in tremendous jeopardy an effort that began in the Senate, came to the Committee on the Judiciary, was passed by the subcommittee and the full committee without amendment, to finally get us to reform the Lobbying Disclosure Act.

Mr. Chairman, if I recall, the gentleman from Pennsylvania was born in 1947. In 1946, before the gentleman was born, was the last time we amended the Lobbying Disclosure Act, and it was gutted in 1954 by the Supreme Court.

Mr. Chairman, we need to get a strong lobby disclosure bill. This amendment, in my judgment, however strongly the gentleman from Pennsylvania and others feel about it, does not merit placing in jeopardy such an important bill that we could send to the Senate if it is not amended.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SHAYS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I just want to say to the gentleman from Connecticut, because he is a good friend, I appreciate his spirit of friendship to other Members. I would point out to the gentleman that under the gift rule, Members are allowed to give other Members presents, so the gentleman from Connecticut can give a birthday present to the gentleman from Pennsylvania, now that he remembers his birthday, and it does not have to be a product of the gentleman's own State.

Mr. SHAYS. Mr. Chairman, reclaiming my time, but I do not want to give him this present.

Mr. FOX of Pennsylvania. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois [Mr. WELLER].

Mr. WELLER. Mr. Chairman, first I want to commend my friends and colleagues, the gentleman from Florida [Mr. CANADY] and the gentleman from Massachusetts [Mr. FRANK] and all the Members that have invested so much time in this lobbying reform bill, which is so important to our effort to change how Washington works.

Mr. Chairman, like the gentleman from Pennsylvania [Mr. FOX] who is initiating the amendment that we are considering, this freshman class was elected to change how Washington works and brings a lot of new ideas to the Congress. I think that is what is really important about why I stand in support of the amendment of the gentleman from Pennsylvania.

This amendment prohibits lobbyists from offering gifts to Members of Congress. Think about this. We adopted pretty much a comprehensive gift ban. Nothing. No gifts that Members of Congress can accept, with a few exceptions such as birthdays from personal friends and families. A very limited number of exceptions.

But, Mr. Chairman, I ask my colleagues to think about this. There may be lobbyists out there who may want to take advantage of that rule that we have imposed to set a Member up and somehow offer a gift to a Member of Congress, so they can turn around and initiate an ethics violation against that Member of Congress for campaign purposes.

What this amendment does, this amendment essentially puts the onus, the burden, on the lobbyist and prohibits them from offering the gift in the first place. There are 435 Members of this body. I recognize that the only Members of this body that had input into this bill so far are members of the Committee on the Judiciary. That does not total 435 Members, and I think it is very important that the sponsors of all the amendments being offered have the full opportunity to offer them and of course the House, the 435 Members of the House have the opportunity to vote on them.

When the vote comes up for the amendment offered by the gentleman from Pennsylvania, I plan to vote ''aye'' because I believe this is a good idea to prohibit a lobbyist from offering a gift to a Member of Congress. Let us not allow a Member to be put in a bad situation. We made a decision not to accept gifts today. Let us make sure the lobbyists do not offer them.

Mr. CANADY of Florida. Mr. Chairman, I reserve the balance of my time.

Mr. FOX of Pennsylvania. Mr. Chairman, I first of all, I appreciate those Members who spoke in support of the amendment. I do appreciate those who have written the bill and the long history it took to bring this legislation to fruition. As my colleagues know, I strongly support the legislation, as was noted by the author, the gentleman from Florida [Mr. CANADY].

Mr. Chairman, this legislation is excellent. The amendment we think makes it stronger. In fact, I feel certain it does make it stronger. It places an affirmative duty on the lobbyist not to give the gift.

As it was described by the gentleman from Pennsylvania [Mr. ENGLISH] and the gentleman from Illinois [Mr. WELLER], others could thwart that process by in fact leaving gifts at Members' offices and reporting it later for political gain. Mr. Chairman, we know that appearance is reality in politics, and this would keep service with integrity at the forefront.

Mr. Chairman, no one who is offering amendments, I believe, especially mine is not being offered, to thwart the effort. The fact that there has not been amendment to the bill since 1946 is regrettable, but the 104th Congress did not start until January 4 this year, and I am pleased to see that there is a bipartisan effort to move this legislation forward.

The people of the United States have a zero tolerance when it comes to the gifts. My colleagues can see how quickly we passed House Resolution 250 today, because no one believes that those who come to Congress should privately benefit from that experience in the way of gifts or trips or entertainment. No one runs for this office to receive the gifts. No one runs for reelection for that purpose as well.

Mr. Chairman, this is the people's House and the public wants to keep the confidence in our House. By not having gifts, we do not have to worry about the recordkeeping that we will forget because we are too busy trying to get legislation adopted, answering constituent problems, or doing casework, work which is most important.

□ 2145

This is a concept that is long overdue. I believe it is as important as the bill itself to having lobbying disclosure. It is a bipartisan bill. I believe that to maintain the integrity of the office, to make sure it is consistent with H. Res. 250, I believe the amendment is consistent with the bill. It complements the bill. It is given in good faith. I think both the Republican and Democratic floor leaders know of the fact that I come here with the idea of comity, cooperation and to make sure that we are only doing the best for America, for this House and for the ethics that we want to see pursued and upheld. It is in that spirit that the amendment was offered and is being supported by a few of my colleagues and hopefully a great number more tomorrow.

I hope that the makers understand that we all want to see the legislation itself, H.R. 2564, passed and adopted so that we have for the first time the modern improvement and disclosure of lobbying activities in the United States as well as making sure that lobbyists do not offer gifts to Congressmen because that is also not in the spirit of what this Congress is all about.

Mr. Chairman, I yield back the balance of my time.

Mr. CANADY of Florida. Mr. Chairman, I yield myself such time as I may consume. I want to again express my admiration to the gentleman from Pennsylvania. He is a valuable Member of the House. I respect his motivation in bringing forward this amendment.

But I have to consider the history of the way the issue of lobbying disclosure reform has been dealt with. The gentleman from Pennsylvania, who spoke earlier, indicated that the House and the Senate should have an opportunity to work on this issue. I believe.

The fact of the matter is that the House and the Senate have been working on this issue for 40 years, but nothing has happened to pass a law. I do not want us to continue to work on it during this Congress and see the same result that we have seen over the last 40 years. We have seen this history of failure after failure. It is simply time that we break the gridlock. It is time for this Congress on a bipartisan basis to recognize that we have to get the job done, that we may not have a perfect bill, but that we have a bill that moves us forward in a significant way.

If the House adopts amendments, what will happen? I do not have a crystal ball to tell Members for certain how things will flow from that, but I can look at the history of the way this issue has been dealt with. And that history leads me to believe that there is a very great chance that this bill would go back to the Senate and that would be the last we would hear of it.

In this Congress. That would be such a shame. We have an historic opportunity to take up this bill, which has come true through the Senate and is identical to the bill that has emerged from the Committee on the Judiciary. We can take up that Senate bill and pass it and put it on the President's desk for him to sign. I believe that the President would sign it. I believe that we can make this reform happen and I believe that is what we should do.

This amendment will interfere with that. I would urge the Members of the House to defeat the amendment offered by my good friend from the State of Pennsylvania.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. FOX].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FOX of Pennsylvania. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the order of the House of today, further proceedings on the amendment offered by the gentleman from Pennsylvania [Mr. FOX] will be postponed.

Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. CLINGER

Mr. CLINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CLINGER: Beginning on page 25, redesignate sections 8 through 24 as sections 9 through 25, respectively, strike ''this Act'' each place it occurs and insert ''this Act (other than section 8)'', and insert after line 2 the following:

SEC 8. PROHIBITION ON USE OF APPROPRIATIONS FOR LOBBYING.

(a) IN GENERAL.—Subchapter III of chapter 13 of title 31, United States Code, is amended by adding at the end the following new section:

''§ 1354. Prohibition on lobbying by Federal agencies

''(a) PROHIBITION.—Except as provided in subsection (b), until or unless such activity has been specifically authorized by an Act of Congress and notwithstanding any other provision of law, no funds made available to any Federal agency, by appropriation, shall be used by such agency for any activity (including the preparation, publication, distribution, or use of any kit, pamphlet, booklet, public presentation, news release, radio, television, or film presentation, video, or other written or oral statement) that is intended to promote public support or opposition to any legislative proposal (including the confirmation of the nomination of a public official or the ratification of a treaty) on which congressional action is not complete.

''(b) CONSTRUCTION.—

(1) COMMUNICATIONS.—Subsection (a) shall not be construed to prevent officers or employees of Federal agencies from communicating directly to Members of Congress, through the proper official channels, their requests for legislation or appropriations that they deem necessary for the efficient conduct of the public business or from responding to requests for information made by Members of Congress.

''(2) OFFICIALS.—Subsection (a) shall not be construed to prevent the President, Vice President, any Federal agency official whose appointment is confirmed by the Senate, any official in the Executive Office of the President directly appointed by the President or Vice President, or the head of any Federal agency described in paragraph (2) or (3) of subsection (d), from communicating with the American public, through radio, television, or other public communication media, on the views of the President for or against any pending legislative proposal. The preceding sentence shall not permit any such official to delegate to another person the authority to make communications subject to the exemption provided by such sentence.

''(c) COMPTROLLER GENERAL.—

''(1) ASSISTANCE OF INSPECTOR GENERAL.—In exercising the authority provided in section 712, as applied to this section, the Comptroller General may obtain, without reimbursement from the Comptroller General, the assistance of the Inspector General within whose Federal agency activity prohibited by subsection (a) of this section is under review.

''(2) EVALUATION.—One year after the date of the enactment of this section, the Comptroller General shall report to the Committee on Government Reform and Oversight of the House of Representatives and the Committee on Governmental Affairs of the Senate on the implementation of this section.

''(3) ANNUAL REPORT.—The Comptroller General shall, in the annual report under section 719(a), include summaries of investigations undertaken by the Comptroller General with respect to subsection (a).

''(d) DEFINITION.—For purpose of this section, the term 'Federal agency' means—

''(1) any executive agency, within the meaning of section 105 of title 5; and

''(2) any private corporation created by a law of the United States for which the Congress appropriates funds.''.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 31, United States Code, is amended by inserting after the item relating to section 1353 the following new item:

''1354. Prohibition on lobbying by Federal agencies.''.

(c) APPLICABILITY.—The amendments made by this section shall apply to the use of funds after the date of the enactment of this Act, including funds appropriated or received on or before such date.

Mr. CLINGER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Pennsylvania [Mr. CLINGER] and a Member opposed will each be recognized for 15 minutes.

Mr. CANADY of Florida. Mr. Chairman, I rise in opposition to the amendment and claim the 15 minutes in opposition. I yield 7½ minutes of that time to the gentleman from Massachusetts [Mr. FRANK] and ask unanimous consent that he may be permitted to yield blocks of time to other Members.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. CLINGER] will be recognized for 15 minutes, the gentleman from Florida [Mr. CANADY] will be recognized for 7½ minutes, and the gentleman from Massachusetts [Mr. FRANK] will be recognized for 7½ minutes.

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

Mr. CLINGER. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, at the outset let me say that I want to commend the gentleman from Florida [Mr. CANADY] and the gentleman from Massachusetts [Mr. FRANK] for this legislation. And I know the long hours, months, years almost that has gone into bringing this measure before us tonight.

I am also sensitive to the concerns that they have raised this evening about wanting to keep a clean bill. I can understand their concern that we might again jeopardize the hope of getting true lobby reform legislation. But I would remind the Members of this body that this is an open rule. The Committee on Rules did provide us with an open rule. The amendment which I am bringing forward, I think, fits very admirably into the legislation that is being considered. It is an improving measure. It will definitely strengthen the bill, I think. And I think it also, I would suggest that it would be remiss of us to be intimidated by what the other body may or may not do. I think we need to do our work, do our business here, and trust that the other body will be reasonable in this regard.

I would tell Members at the outset that we have had strong indications from Members of the other body that they would be supportive of the inclusion in this measure.

What we are addressing, Mr. Chairman, in this legislation is a matter of some concern and one that I think is shared by most of the Members of this body. That is, what the executive branch does with taxpayer dollars in the way of lobbying.

Frankly, I got this idea for this amendment because we were receiving many, many concerns from many Members where they had heard from their constituents that they had been exposed to various efforts by one or another executive branch agency to apply grass roots lobbying. Initially it was just a trickle and then it was a flood.

We have had many, many examples of this. As they say, the proof is in the pudding, and we have compiled a top 10 reasons to support the Clinger amendment. And there are examples that include an employee check stub from the Department of Veterans Affairs opposing the House budget plan. Secretary Ron Brown had an invitation to attend a briefing to oppose the Mica commerce legislation.

There was a letter that we received from the National Spa and Pool Institute complaining about receiving lobbying materials from an agency that regulates that industry, namely the EPA. And Members might ask, as certainly I did, is there not a law on the books that would preclude an executive branch agency from lobbying through grass roots organizations to try and bring pressure to bear on the Congress. There is. The law is on the books. It is the Anti-Lobbying Act, passed in 1919. It is a criminal statute. The law itself is very unclear and has been the subject of numerous opinions, often conflicting, on what it means and how broadly it reaches.

During the last 75 years, Mr. Chairman, no one, not one individual, has been prosecuted under this law. Frankly, having the Department of Justice as the enforcing agency is a little bit like having the fox guarding the chicken coop.

The amendment that I am offering is modeled after a provision that has been included, civil provision that has been included in the Interior appropriations bill since 1978. So this is not a partisan issue. This has been applied to Republican administrations since it was put into the Interior appropriations bill in 1978. The amendment covers only Federal agencies and provides that no funds would be used for any activity that is intended to promote public support or opposition to any legislative proposal, including preparation of pamphlets, kits, booklets, et cetera. However Federal officials can continue to communicate directly with Members of Congress and provide information and respond to requests from Members.

In addition, the President, the Vice President, Senate confirmed appointees and other White House officials would be able to continue to communicate positions to the public. This is a reasonable and not an unduly restrictive amendment. The comptroller general would enforce the provisions if the funds have been expended in violation. And in addition, the GAO must report on the implementation of the legislation one year after enactment.

This is good government reform, Mr. Chairman. If we apply lobbying reform to Congress, we should also apply it to the executive branch.

For those who are thinking perhaps this is a partisan effort, and there may be those on the other side who would suggest that there was partisan animus here, I would like to point out that it really is not. Once enacted into law, such a provision would remain through all future administrations, and there were certainly examples we could point to during past years. The Reagan defense department organized defense contractors and spent money on a grass roots campaign to build support for the C–5B. That was wrong. It should not have been allowed to go forward, just as some of the activity that is going on in this administration should not be allowed to go forward.

So, as I said, Mr. Chairman, we do have strong indication the Senate would be willing to accept this. I would stress the fact again, we really should not allow ourselves to be intimidated and allow our business to be thwarted by what the other body may or may not do. I urge support of the amendment.

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

Mr. CANADY of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to express my admiration for the gentleman from Pennsylvania.

I have looked at this amendment. I think that this amendment does address a real problem that exists. Based on my review of it, I believe it is an

idea that I would support. However, I do not believe that this bill should be subjected to this amendment. I think this is the wrong place to bring this up.

This is an issue that is within the jurisdiction of the committee that the gentleman from Pennsylvania chairs. I know that this is an issue on which he has devoted or to which he has devoted a considerable amount of time. I believe that it is an issue which could move forward.

I fully accept that the gentleman here is acting because he believes that this is a problem that needs to be addressed and intends no harm to this bill. But my fear, again, is that, if we look at the history of the way this issue of lobbying disclosure reform has proceeded, we see that there have been many slips along the way that have prevented the ultimate success of various efforts.

Now, I think we can repeat history in this Congress, and I do not know that there is any way that we can be assured that the Senate would accept this language or any other language. That is something that the Senate decides. But what I am concerned about is the very real fact that we have to recognize that there are people who do not want this legislation to pass, people who do not want lobbying disclosure.

I do not believe that the gentleman from Pennsylvania is opposed to this. I believe that he supports the underlying bill. I have every confidence of that. But there are people who wish to see this bill derailed. I have seen evidence of that in a number of different ways. I think we have to be cognizant of that, and we have to be aware that this opportunity can slip away from us.

It is here. We have it. We have a good bill. It is a bill that has wide support. It has support from many of the people who are going to be subjected to the very requirements that are imposed by the bill. It is recognized as a reasonable, responsible approach, and it is something that we can go to the American people with and we can tell them that we are acting to protect their rights. We are acting to ensure that they have the knowledge that they are entitled to have.

I want to make sure that we do that in short order. I wanted to make certain that no amendments are adopted that will prevent us from moving forward to that goal.

Again, I respect the gentleman who is offering the amendment. I appreciate his interest in this issue. Quite frankly, when I spoke of different categories of amendments that would be considered, I said that there were some with merit, some that had less merit, and some that were simply bad ideas. I think that this is one of the amendments that is meritorious because I do believe there are problems. I do not think this is a partisan issue because, as the gentleman said, this would affect the current administration and future administrations. But there is a way to accomplish this goal.

I do not believe the way to accomplish this goal is by threatening the lobbying disclosure bill. This is really a somewhat different issue. It is within the jurisdiction of a different committee. I believe that the gentleman from Pennsylvania [Mr. CLINGER] could move forward with his idea as a separate bill. I believe that the Congress would adopt it.

This is not the time to bring it up. This is not the vehicle. I would urge the Members of the House to reject this amendment so that we can get on with the process of breaking the gridlock that has existed for the last 40 years on lobbying disclosure reform.

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

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

I agree with the thrust of the gentleman from Florida's comments. I would add a couple. Let us stress this is not within the Committee on the Judiciary's jurisdiction, and it is not about the regulation of private lobbyists.

□ 2200

We have a bill brought out by the Committee on the Judiciary that deals with private lobbyists. This has in common the word ''lobbying'' but it is a different set of issues. This is a potential abuse of public funds by the executive branch. That presents a very different set of issues than the question of disclosure and influence from various private interests, and putting the two together really does not have a great deal of legislative justification except there is a train leaving the station, and people who have a good idea would like to jump to it. That would not necessarily be a problem except that it can jeopardize passage.

The gentleman from Pennsylvania fairly said this is not partisan. This kind of lobbying has been done by Democratic and Republican administrations in the past, they do it in the future, but that is part of the problem because Democratic and Republican administrations will oppose this bill. This is not simply a Senate problem. This invites a veto. It invites a veto from President Clinton, it would have invited a veto from President Bush, it would have invited a veto from President Reagan.

So, I would hope the gentleman from Pennsylvania [Mr. CLINGER], using his chairmanship of the committee, would bring up a piece of legislation separately and let us deal with it, but I acknowledge what he says is true. This is not a partisan one, this is an interbranch one, but we have got a piece of legislation that addresses a real problem that we have been assured, because we have got a letter from the White House, they will sign it. The Senate has passed it. We send it to them, they will sign it.

Now the gentleman asks to add to that a matter not of partisan strife, but of interbranch strive, and to take where we have a consensus bill, to regulate and improve the regulation of private-sector lobbying and add to it a bill, which as my friend from Pennsylvania candidly said, and I agree with him, it is more of an executive branch versus a legislative rather than a partisan one, to add that is to invite a veto or to have people in the Senate who are like this, suddenly become defenders of executive branch prerogative and lobby against it.

So far that reason, because it is a different subject, and because the gentleman from Pennsylvania [Mr. CLINGER] has the ability to bring the bill out—the gentleman from Pennsylvania can bring this bill out at any time, it can come to the floor, we can debate it. I have some questions about some of the substance. It says, for instance, that press releases or oral statements can be done by the direct appointee but they cannot delegate it. As I read this, the problem the way it is drafted is, if the Secretary of State asked a non-Presidential appointee to draft a press release on an issue that was pending before the Congress, that would be a violation. I think that is overdrafted. I would like to deal with that, but let us deal with it in a separate bill brought out by the gentleman's committee, because to take this matter of executive versus legislative prerogative and add it to this other bill is probably more complicated than almost anything else. That is not to go to the merits of it, but it is clearly inviting a veto or a Senate filibuster before we get to a veto, and it will, I think, endanger the bill.

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

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

Mr. Chairman, I state at this point that the amendment is germane to the discussion this evening.

Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana [Mr. TAUZIN], the prime cosponsor of this amendment.

Mr. TAUZIN. Mr. Chairman, I thank the gentleman from Pennsylvania [Mr. CLINGER] for yielding this time to me, and indeed I join him in cosponsorship of this amendment. It is a very worthy amendment. I, too, am delighted with the bipartisan nature of this debate tonight and would want to commend all the parties. It is about time for this.

Let me say right up front this is the right place for this amendment. This bill is the right bill for this amendment, and I support this bill as I support this amendment. Why is it the right place for this amendment? This is a bill designed to deal with inappropriate lobbying influences upon this Congress. One of the most inappropriate lobbying influences upon this Congress is a use of taxpayer funds by agencies of our own executive government to influence and indeed to use those funds

to hopefully affect the outcome of legislation before this body. The evidences of it are numerous. The outrageous evidences of it have come to the floor only just recently before this body. Examples of it are like the one I would cite where SBA actually sent materials out to small businesses across America to urge them to support, support the Clinton health plan last year, actively lobbying businesses that they are supposed to help organize to engage themselves in a campaign for a proposition before this House and the Senate. Examples like that are numerous.

Second, the inappropriateness of this use of taxpayer funds in support of issues, in opposition to issues, before this Congress is often in collusion with private lobby groups who work before this body to influence the decisions that are made here. Here is a typical example. ''Taking it too far, a slide slow and panel discussion held at LSU in Baton Rouge.'' Sponsored by whom? Sponsored by the Coastal Energy and Environmental Resources Center, Sierra Club, Delta Chapter, U.S. Fish and Wildlife Service, and the Corps of Engineers to learn more about regulatory takings and the harmful potential effects of taking bills before the Congress, agencies of our Government using taxpayer funds to work with lobby groups organized to influence legislation before this Congress.

Mr. Chairman, no one, no one should allow that to happen under Democratic or Republican regimes. If ever there was a nonpartisan amendment that was offered in the right place at the right time, this is it. We ought to adopt this amendment. We ought to say affirmatively in the law that agencies of our Government indeed can communicate with Congress, agencies of our Government can indeed express administrative positions to the general public, but no agency ought to use taxpayer funds whether by themselves or in collusion with private lobby groups to influence the outcome of legislation before this body. That ought to be illegal. This amendment makes it illegal.

Mr. CANADY of Florida. Mr. Chairman, I yield to myself such time as I may consume.

Mr. Chairman, the gentleman from Louisiana [Mr. TAUZIN] makes some very important points. He has pointed out some examples which are very troubling. They trouble me, and I believe that the Congress should act to deal with those problems. I simply do not think that this is the right place or the right time, and I would like to follow up on the excellent point that the gentleman from Massachusetts made.

This issue represents a conflict between the legislative branch and the executive branch. It is fraught with the potential for a veto, and I do not believe that lobbying disclosure reform should be held hostage to this issue of executive branch lobbying, and I am afraid that that is what would happen. I am afraid that we would see a scenario in which this bill would be sent to the President, potentially with this in it, if everything went as we would like to have it, and we were able to get it through both houses, it would go to the President, and the President would veto it, and once again we would have failed to address the critical issue of lobbying disclosure reform that the Congress has been working on for 40 years without any product in terms of a new law being passed.

I respect the motivations of the proponents of this amendment, as I have said. I understand that they have identified a real problem, they are looking for a way to address it. But this is not the only vehicle in town. We are seeing a plethora of amendments coming forward, and I will guarantee my colleagues, given the history of this, I do not know that this is such a great vehicle to begin with, given the way this issue has not moved to final passage, so I would urge them maybe to re-evaluate whether this is indeed such a good vehicle.

The point is, if we can keep these amendments off, the House will have the opportunity to send this bill directly to the President, see it passed into law, and in the midst of all the conflict that is going on in Washington now, all the fighting that is going on and the stalemate that we see, and we all have our different views of why that is and who is to blame, but in the midst of that if we could pass this bipartisan reform effort and send it to the President for his signature, I think we would be sending a message to the American people that we can work together.

When we will listen to one another and when we will focus on the good of the American people, we can accomplish something that will benefit the people of this country, and this disclosure effort is good for democracy, it will help restore public confidence in the system of government established by our Constitution, and it will help eliminate some questions that now exist about the lobbying activities that go on in Washington.

So I would urge that we move forward with that effort, and reject this amendment and all other amendments to this bill.

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

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut [Mr. SHAYS].

Mr. SHAYS. Mr. Chairman, I thank the gentleman from Massachusetts for yielding me this time, and I say that I was contemplating not opposing this amendment for two reasons: One, I like it, and second, it is being offered by the chairman of the Committee on Government Reform and Oversight, who is my chairman, and I believe the best chairman in Congress. He has made that committee such an outstanding committee. I hope he does not tell the gentleman from Ohio [Mr. KASICH] that I said that.

My big concern is that this amendment has never had a hearing, never really had the opportunity to be considered, and I would like to encourage my chairman to offer this as a bill, take it up in our committee, allow people on both sides of the aisle to come before the committee, allow the administration to defend some of the outrageous things they have been doing and some that have been done in previous administrations, because this has been an abuse.

What a golden opportunity to set on the record a document that would justify its passage, and so I hope that by the time I wake up tomorrow the chairman of my Committee on Government Reform and Oversight will realize that it really belongs in the Committee on Government Reform and Oversight. This is not the right place or the right time in my judgment to tack on so many amendments to this lobby disclosure bill when it has not passed in over 50 years or 49 years. When nothing has gotten through this Chamber in nearly 50 years, to me it is just to invite a very unfortunate situation, and that is that lobby disclosure will once again be killed.

Mr. CLINGER. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HORN], chairman of the Subcommittee on Government Management, Information, and Technology.

Mr. HORN. Mr. Chairman, this has been a great day for reform. This is the second great day this year. The first was the first day of this Congress when we applied the workplace laws. Thanks to my colleague, the gentleman from Connecticut [Mr. SHAYS], we got rid of proxies, we cut committee staff, term limits on committee chairs.

Reform is growing in this country. A good example is California. Within 2 months, 100,000 people signed up to start a new reform party in California. People want us to get the job done. Today we had a great victory. The Speaker's proposal to ban all gifts was overwhelmingly adopted except by a handful of Members.

Now we need to finish this day tonight and tomorrow. We ought to accept reasonable amendments. The Clinger amendment is a reasonable amendment. I happen to think the Traficant amendment to deal with foreign lobbyists is a reasonable amendment. I do not think we who have equal bicameral status with the other body should simply tailor things to what we think might or might not be done in the other body. They have to feel the pressure of the people, they will feel the pressure of the people. A President that vetoes this bill because this provision is in it will feel the wrath of the people. So will the Members of the United States Senate feel that wrath.

The fact is here we have a complete misuse of taxpayer money by government officials regardless of party. It goes back for years. We need to hone

this in at the source of it, and it is Cabinet officers that are using civil servants that are there to operate programs to stir up kits for them and fliers and all the rest that can be used by lobby groups to come here and tell us the glories of this program or that program.

□ 2215

Let those lobby groups pay their own way. We should not have to be using taxpayer dollars.

Thomas Jefferson had it right when he talked about religious freedom. We ought to be talking about political freedom. We said, in conclusion, ''To compel a man to furnish contributions of money for propaganda and opinion which he disbelieves and abhors is sinful and tyrannical.'' I thank Jefferson was right. I think the clinger amendment comes at the right time. We have a whole series of cases. We do not need to hold a hearing to find that it exists. It exists.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Unfortunately, Mr. Chairman, partisanship does now appear to be rearing its head. We now see a threat to this bill. The gentleman from California was fair and talked about problems in previous administrations and an executive branch problem, but the gentleman who just spoke and the other gentleman used this as a platform to attack the Clinton administration. That is going to unravel this kind of consensus.

There was documentation only about recent problems. Yes, there have been tensions between the executive and the legislative, but the gentleman from California and the gentleman from Louisiana want to make this into a platform for attacking the current administration. No, you are not going to easily get a bill both back again through the other body and then signed by the President when it does this.

I am very surprised to hear my friend, the gentleman from California, say this does not need hearings. Every bill needs hearings and a markup to make sure you get it right. For example, this bill does, it seems to me to say that a press release can only be done if it deals with any pending legislative issue, including a nomination by the Cabinet head himself or herself. It says you cannot delegate this. Saying that you respond to an oral request for an interview, it can only be done by the Cabinet head himself or herself. No legislation does not need a hearing.

I think if this is what we are going to have, that this kind of partisan attack on one administration, no reference, except the gentleman from Pennsylvania, to the fact that this has been done previously, then you are not going to get legislation. If you care about it, you control the subcommittee and the committee, where is your bill? Why did you not bring a bill out? If this is so important, what have you been waiting for? Have your hearing, have your markup, bring a bill and let us debate it, but do not catch a ride on this train when you know it is going to derail it.

The CHAIRMAN. The gentleman from Florida [Mr. CANADY] has the right to close.

Mr. CLINGER. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Kansas [Mr. TIAHRT].

Mr. TIAHRT. Mr. Chairman, I thank the gentleman from Pennsylvania for yielding time to me.

Mr. Chairman, I think it is very significant to note it has been 40 years since we got to this now. I do not want to wait another 40 years before we get to the part of the problem that we have. I think this Clinger amendment addresses some of the important problems that we have now. I am sorry, I am a freshman here. I do not have a lot of experience on previous administrations. I do want to thank the current administration, because I think they had something to do with me being here.

I have found that there are agencies today that are abusing the system by sending out mailings in the hopes of influencing legislation. These are not individuals, these are not nonprofit groups, these are not private sector companies, these are Federal agencies that are using lobbying money, using money to lobby for more tax dollars to be spent on their agency.

In June this year, the Department of Energy sent out a mailing that was timed in correspondence, they sent out 10,000 of these to private individuals and businesses, at the cost of $3.50 each. June was selected to oppose some current legislation coming out, H.R. 993, the bill to abolish the Department of Energy. Part of the propaganda read, ''Dismantling the Department of Energy only is likely to disrupt Secretary O'Leary's efforts to reshape the department and produce meaningful savings.''

Let us talk about some of the meaningful expenditures. This is the agency that has over 500 public relations employees, costing taxpayers $25 million. This the agency that has spent over $46,000 to hire a private investigation firm to develop a list of unfavorable people, and ''to work on these people a little.'' Does that sound like lobbying, to work on these people a little? This is the agency that has hired a personal media consultant for Secretary O'Leary at a cost of $75,000 per year. These are all abuse.

This money does not go toward any valid mission of the Department of Energy, not toward environment management, not toward developing an agency energy policy, not toward finding one drop of oil, not one valid mission. I think it is an abuse of taxpayer dollars. That is why I support the Clinger amendment.

The CHAIRMAN. I would advise Members, the gentleman from Pennsylvania [Mr. CLINGER] has 2½ minutes remaining, the gentleman from Massachusetts [Mr. FRANK] has one-half minute remaining, and the gentleman from Florida [Mr. CANADY] has one-half minute remaining.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield the remainder of my time to the gentleman from Florida [Mr. CANADY].

The CHAIRMAN. The gentleman from Florida [Mr. CANADY] now has 1 minute remaining.

Mr. CLINGER. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Oregon [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, I rise in support of the Clinger amendment. For too long executive branch employees have improperly used appropriated funds to foster public support or opposition to pending legislation before Congress. Without a doubt, such activities are a blatant misuse of taxpayers' funds. The Clinger amendment does not impact any other Federal agency, it only targets the Federal Government. We must stop agencies from punching in at work, putting on their lobby hats, and taking taxpayers to the cleaners. The type of activity by the Federal bureaucrats is clearly not legitimate, and the Clinger amendment will halt all this abuse. The Clinger amendment is a key part of real government reform. It is not partisan in any way, and would apply permanently to no matter what administration was in place.

There have been abuses in previous administrations, but nothing has been done. The Department of Justice as the enforcing agency, we are giving a pack of wolves a red-carpet route to the sheep herd.

Federal bureaucracies should not be picking favors to one group or another pursuant to their own self-interest. Their jobs are to carry out the law passed by Congress not give speeches on congressional legislation or play lobbyists.

Enough is enough. I urge my colleagues to support the endeavors and vote on the Clinger amendment. If we do not make the most of this opportunity to hold Federal bureaucracies accountable for fulfilling their proper duty, then we in Congress should be held accountable. Let us not drop the ball on this one, let us support the amendment.

Mr. CLINGER. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Pennsylvania [Mr. CLINGER] has 1 minute remaining.

Mr. CLINGER. Mr. Chairman, I am sensitive to the fact that there is concern here about passing true lobby reform. I would point out, however, that we do have time. This is, after all, only the first session of the 104th Congress, so if there is a need to go to a conference, that can be done. May I also say that there are other ways in which this can be done, if in fact this piece of legislation happens to bog down.

Let me just in closing point out some of the organizations that have strongly endorsed this legislation: the National Taxpayers Union, the National Federation of Independent Businessmen, the

Chamber of Commerce, the Competitive Enterprise Institute, the National Association of Wholesaler-Distributors, Citizens Against Government Waste, the Chamber of Commerce, and many, many others.

Mr. Chairman, this is an amendment that has broad-based support because the need is very apparent. The abuse that has been throughout many administrations needs to be corrected. This amendment does correct it, does it in a reasonable and very fair way. I would urge support of the amendment.

Mr. CANADY of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I ask that the Members of the House keep their eye on the ball as we go through this debate. We have to keep focused on what the underlying bill is about and what we are trying to accomplish in the underlying bill. That is to reform lobbying disclosure, to have meaningful disclosure of lobbying activities that go on here in Washington with the executive branch and the legislative branch.

The gentleman from Pennsylvania [Mr. CLINGER] has what I believe is a good idea, an idea which addresses a real problem, but I believe that his idea should go through the committee process, it should be subjected to the hearing process, there should be a markup, and his idea should move forward as a separate initiative. It only has the potential for derailing this bill which has been worked on for so long by so many different people. I know that is not the gentleman's intention, but I am very much afraid that that may be the consequence if his amendment is adopted. I urge the Members of the House to defeat this proposed amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. CLINGER].

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. CANADY of Florida. Mr. Chairman, I demand a recorded vote, and pending that I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the order of the House of today, further proceedings on the amendment offered by the gentleman from Pennsylvania [Mr. CLINGER] will be postponed.

The point of no quorum is considered withdrawn.

Mr. CANADY of Florida. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose, and the Speaker pro tempore [Mr. FOX of Pennsylvania] having assumed the chair, Mr. KOLBE, 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. 2564) to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT AND WAIVING POINTS OF ORDER AGAINST CORRECTED CONFERENCE REPORT ON H.R. 2491, SEVEN-YEAR BALANCED BUDGET RECONCILIATION ACT OF 1995

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104–348) on the resolution (H. Res. 272) authorizing a specified correction in the form of the conference report to accompany the bill (H.R. 2491) to provide for reconciliation pursuant to section 105 of the concurrent resolution on the budget for fiscal year 1996, and waiving points of order against the corrected conference report, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2606, PROHIBITION ON FUNDS FOR BOSNIA DEPLOYMENT

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104–349) on the resolution (H. Res. 273) providing for consideration of the bill (H.R. 2606) to prohibit the use of funds appropriated to the Department of Defense from being used for the deployment on the ground of United States Armed Forces in the Republic of Bosnia and Herzegovina as part of any peacekeeping operation, or as part of any implementation force, unless funds for such deployment are specifically appropriated by law, which was referred to the House Calendar and ordered to be printed.

HOUR OF MEETING ON TOMORROW

Mr. SOLOMON. Mr. Speaker, I ask unanimous consent that when the House adjourns today, that it adjourn to meet at 9:30 a.m. tomorrow.

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

There was no objection.

LOBBYING DISCLOSURE ACT OF 1995

The SPEAKER pro tempore. Pursuant to House Resolution 269 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2564.

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 further consideration of the bill (H.R. 2564). To provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes, with Mr. KOLBE in the Chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Pennsylvania [Mr. CLINGER] had been disposed of.

Are there further amendments to the bill?

AMENDMENT OFFERED BY MS. KAPTUR

Ms. KAPTUR. Mr. Chairman, I offer amendment.

The Clerk read as follows:

Amendment offered by Ms. KAPTUR: Page 39, redesignate sections 22 through 24 as sections 23 through 25, respectively, and insert after line 10 on page 39 the following:

SEC. 22. LIMITATION ON REPRESENTING OR ADVISING CERTAIN FOREIGN ENTITIES.

(a) AMENDMENT.—Section 207(f) of title 18, United States Code, is amended to read as follows:

''(f) RESTRICTIONS RELATING TO FOREIGN ENTITIES.—

''(1) PERMANENT RESTRICTION.—Any person who is an officer or employee described in paragraph (3) and who, after the termination of his or her service or employment as such officer or employee, knowingly acts as an agent or attorney for or otherwise represents or advises, for compensation, a government of a foreign country or a foreign political party, if the representation or advice relates directly to a matter in which the United States is a party or has a direct and substantial interest, shall be punished as provided in section 316 of this title.

''(2) FIVE-YEAR RESTRICTION.—Any person who is an officer or employee described in paragraph (3) and who, within 5 years after the termination of his or her service or employment as such officer or employee, knowingly acts as an agent or attorney for or otherwise represents or advises, for compensation—

''(A) a person outside of the United States, unless such person—

''(i) if an individual, is a citizen of and domiciled within the United States, or

''(ii) if not an individual, is organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States and has its principal place of business within the United States, or

''(B) a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country,

if the representation or advice relates directly to a matter in which the United States is a party or has a direct and substantial interest, shall be punished as provided in section 216 of this title.

''(3) PERSONS TO WHOM RESTRICTIONS APPLY.—The officers and employees referred to in paragraphs (1) and (2) to whom the restrictions contained in such paragraphs apply are—

''(A) the President of the United States; and

''(B) any person subject to the restrictions contained in subsection (c), (d), or (e).

''(4) DEFINITIONS.—For purposes of this subsection—

''(A) the term 'compensation' means any payment, gift, benefit, rewards, favor, or gratuity which is provided, directly or indirectly, for services rendered;

''(B) the term 'government of a foreign country' has the meaning given that term in section 1(e) of the Foreign Agents Registration Act of 1938, as amended;

''(C) the term 'foreign political party' has the meaning given that term in section 1(f) of the Foreign Agents Registration Act of 1938, as amended;

''(D) the term 'United States' means the several States, the District of Columbia, and

any commonwealth, territory, or possession of the United States; and

''(E) the term 'State' includes the District of Columbia and any commonwealth, territory, or possession of the United States.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to paragraph (2), the amendment made by subsection (a) take effect on January 1, 1996.

(2) EFFECT ON EMPLOYMENT.—

(A) The amendment made by subsection (a) do not, except as provided in subparagraph (B), apply to a person whose service as an officer or employee to which such amendment apply terminated before the effective date of such amendment.

(B) Subparagraph (A) does not preclude the application of the amendment made by subsection (a) to a person with respect to service as an officer or employee by that person on or after the effective date of such amendment.

Ms. KAPTUR (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

□ 2230

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Ohio [Ms. KAPTUR] will be recognized for 15 minutes, and a Member opposed will be recognized for 15 minutes.

The Chair recognizes the gentlewoman from Ohio [Ms. KAPTUR].

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

Mr. Chairman, I appreciate the assistance of our esteemed colleagues, the gentleman from Florida [Mr. CANADY] and the gentleman from Massachusetts [Mr. FRANK] in allowing us to talk about this amendment this evening.

Mr. Chairman, the amendment is one that has been introduced in bill form in this Congress since the year 1985. There have been extensive hearings held on the content of this bill in several Congresses. For various reasons, because of its content and because of the pace of the legislative process, we have never been able to move this language on to a bill that was headed for presidential signature.

The acronym for this bill is FACEIT, the Foreign Agents Compulsory Ethics In Trade Act, and its purpose is to close the revolving door between government service and lobbying on behalf of foreign interests.

Mr. Chairman, our bill introduced with bipartisan support over the last decade, has two parts. The first is to impose a permanent restriction on high-level government officials from representing, aiding, or advising foreign governments and foreign political parties once they leave the employment of the United States and attempt to go back and lobby, advise, the very same clients before the very same agencies that they had worked for.

The second part of this bill would impose a 5-year prohibition on high-level officials against representing, aiding, or advising what we term ''foreign interests,'' and these are defined in the bill as well.

Let me say that in March of 1992, the General Accounting Office published a report which we requested entitled ''Former Federal Officials Representing Foreign Interests Before the U.S. Government.'' That report identified dozens of former high-level Federal officials, those who had served on the White House staff, those who had served at the highest level of Cabinet-level agencies, congressional staff, even some Members of Congress, executive agency officials in various administrations, who left the employment of the people of the United States, and then attempted and are representing foreign interests before the very agencies that they had served in years past.

We, in earlier years, thought it would be sufficient to merely ask for disclosure. In other words, the current law says to people, ''If you are conducting this type of activity, all you need to do is register.'' Well, lo and behold, the GAO found that numerous foreign agents simply do not register at all.

Mr. Chairman, the current law operates much like a sieve with very large holes in it. There is absolutely no enforcement and the disclosure process itself is extremely flawed. Our bill would ensure that our Federal officials are working on behalf of the people of this country and that they serve the government of the United States.

In my own personal experience here, I have seen too many officials of this country use their positions to seek post-employment opportunities. I might just say for the record, and I have said it in public hearings and I have said it here on the floor before, I have experience in my own district.

Mr. Chairman, the way I got into this was a businessman from my own district had come here to Washington, had gone on trade missions around the world with high-level government officials, and divulged certain aspects of his production, the products that he sold, what his competition was, to the government officials that accompanied him on these trade missions.

He came back to Washington 2 years later and he found that the people that he had spoken with were now working for his competition. Mr. Chairman, his question to me, when I met him as a fairly new Member of Congress, he said to me, ''Why should I tell you anything?'' I said, ''Well, I am very interested in what problems you are facing as a businessman trying to move your product into international markets.'' He had lost complete trust in the government of the United States because of what he had experienced. This is absolutely wrong.

Mr. Chairman, the reason it has been so hard to get this bill passed is because the people conducting these activities make lots and lots of money. Just think about the trade arena. The average person who is serving our government in trade negotiating capacity has a tenure today of less than a year and a half. We are beaten consistently in trade negotiations around the world because we have people who do not have the tenure, experience, and breadth of people negotiating for other countries.

Mr. Chairman, it is possible to work in a position in this government and maybe earn a salary of $100,000 a year, which sounds like big money in Toledo, Ohio, but then those same people can be offered four times as much as that the day after they leave the government to represent the very same clients before the agency that they just left.

Mr. Chairman, that is absolutely wrong. We need to plug the hole in that dike completely and restore integrity to the trademarking and other functions of this government.

The other aspect, what happens inside these agencies where we have people with integrity working very hard, when they see their compadres and compatriots in these agencies merely milking it for what they can get for themselves, it is totally demoralizing to serve in these various agencies and capacities in our government.

So, our purpose in this is to close the revolving door permanently for those who have such high-level knowledge that they can literally compromise the interests of this country, and it is to set a standard of integrity for those who would serve our people, and then try to cash in on it.

We have a cooling off period that we think is realistic in this bill. I think it will restore confidence among people like the businessman from my community who lost his respect for the government of the United States and the people who serve it here in our Nation's Capital.

Mr. Chairman, I would ask for favorable consideration by the committee and express a complete willingness to work with the gentleman from Florida to attach this legislation to this bill, or to work with the gentleman in any manner that could make an idea that is now a decade old a reality for the people of our country.

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

Mr. CANADY of Florida. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Florida is recognized for 15 minutes.

Mr. CANADY of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me say to the gentlewoman from Ohio, I believe that her amendment addresses a very important issue. Earlier this evening, the gentleman from Michigan [Mr. UPTON] was on the floor discussing an amendment that addresses a similar issue. Actually, the same issue in a somewhat different way.

Mr. Chairman, I believe that this is an issue which deserves attention. I believe it should have been addressed before, and it would certainly be my commitment to the gentlewoman from Ohio to do everything I can to see that this issue is addressed, because I believe that there are abuses, and I believe that people are utilizing the knowledge they have gained to disadvantage the Government of the United States. That, I think, is unfortunate. They are using it to benefit foreign interests in a way that certainly is abusive.

So, I would support an effort to address this, and I would tell the gentlewoman that I will do everything I can to hold hearings on this subject. I am opposing all amendments to this bill, because we believe that the time for lobbying disclosure reform is here. We have an historic opportunity to move forward with legislation in the House, and pass a bill which we can send directly to the President for him to sign.

My concern is if we add any amendments, we will derail that effort and, therefore, even amendments that address important issues such as this I must oppose. But, I would certainly tell the gentlewoman I will work with her in any way to see that this issue is addressed in the future.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CANADY of Florida. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I do remember and I was chair of the Administrative Law Subcommittee, which then had jurisdiction over this. I remember we began working on it and as we were dealing with some of the difficult issues like appropriately defining foreign entities at the time with international conglomerates, I then left that subcommittee chairmanship.

But, Mr. Chairman, I believed then, and believe now, that the gentlewoman is absolutely right. The gentleman from Michigan had a related issue that dealt specifically with former Members of Congress and he wants to deal with their representation of foreign governments.

The gentleman from Ohio [Mr. TRAFICANT] has had some concerns there. My view is, now that we have a consolidated jurisdiction here, is that one of the bills we should be dealing with as soon as we are through with this, is the notion of bringing out some legislation in the next session that would be a look at this whole question of foreign representation, and particularly the leveraging that people might get in working for our government and using it against them.

I was glad to hear the gentleman from Florida say that. I would be glad to be a participant in that effort. I think the gentlewoman is absolutely right.

Ms. KAPTUR. Mr. Chairman, will the gentleman yield?

Mr. CANADY of Florida. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Chairman, I want to thank both the gentleman from Florida [Mr. CANADY] and the gentleman from Massachusetts [Mr. FRANK]. I have to say, I recall my testimony before the subcommittee chaired by the gentleman from Massachusetts, and I was always welcomed. Some of the thinking that we refined in those years has helped us move to this point.

I thank the gentleman for working with us and being so open to us, and I thank the gentleman from Florida for offering to hold hearings on this matter and bringing in other Members who may have related measures.

Mr. Chairman, I think as the audience and American people are listening to us tonight, this is on the minds of a lot of the public. They have questioned why we as a Congress cannot move a measure through here. I think with the strong leadership of the gentleman from Florida and the support of the gentleman from Massachusetts and other Members in this institution, we can really do something and give the 21st century the kind of service here in Washington that our people deserve.

Mr. Chairman, I thank the gentleman from Florida for yielding time to me.

Mr. Chairman, I ask unanimous consent to withdraw my amendment at this point, and ask that we be one of the first witnesses that the gentleman welcomes to his committee when he holds that set of hearings.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

The CHAIRMAN. Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. ENGLISH OF PENNSYLVANIA

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ENGLISH of Pennsylvania: Page 39, line 9, strike ''**REPRESENTATIVE**'' and insert ''**OFFICIAL**''.

Page 39, line 13, strike ''or'' and insert a comma and in line 14 insert before the close quotation marks a comma and the following: ''Secretary of Commerce, or Commissioner of the International Trade Commission''.

Page 39, line 18, strike ''APPOINTMENT'' through ''REPRESENTATIVE'' in line 20 and insert ''APPOINTMENTS.''

Page 40, line 4, strike ''or as a'' and insert a comma and insert before the first period in line 5 a comma and the following: ''Secretary of Commerce, or Commissioner of the International Trade Commission''.

Page 40, line 8, strike ''or as a'' and insert a comma and in line 9 insert before ''on'' a comma and the following: ''Secretary of Commerce, or Commissioner of the International Trade Commission''.

Mr. ENGLISH of Pennsylvania (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Pennsylvania [Mr. ENGLISH] will be recognized for 15 minutes, and a Member opposed will be recognized for 15 minutes.

Mr. CANADY of Florida. Mr. Chairman, I rise in opposition to the amendment, and claim the 15 minutes in opposition. I yield 7½ minutes of that time to the gentleman from Massachusetts [Mr. FRANK], and ask unanimous consent that he may be permitted to yield blocks of time to other Members.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. ENGLISH] will be recognized for 15 minutes, the gentleman from Florida [Mr. CANADY] will be recognized for 7½ minutes, and the gentleman from Massachusetts [Mr. FRANK] will be recognized for 7½ minutes.

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

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to offer an amendment on my own behalf and on behalf of the gentleman from Ohio [Mr. TRAFICANT] a strong supporter of American workers and a strong advocate of a strong trade policy for America.

Mr. Chairman, I rise in strong support of the underlying bill, and I want to say at the outset that I think we need to extend a great deal of credit to the gentleman from Florida and the gentleman from Massachusetts, who are speaking here tonight. I believe the bill before us is a strong one, and I believe on several key points it needs to be strengthened even further.

One of the areas where I believe that this bill strongly merits support is its inclusion of a lifetime ban on the employment of the U.S. Trade Representative or deputy trade representative subsequent to leaving public service by foreign entities. This prohibition is coupled by a prohibition on the appointment of individuals who have aided or advised foreign companies or foreign interests to the position of trade representative or deputy trade representative.

My amendment builds on and amplifies that provision, addressing a significant oversight by extending this ban to the position of Secretary of Commerce and the position of member of the International Trade Commission.

Mr. Chairman, in my view this restriction is very, very important because it addresses a fundamental conflict of interest that exists within our trade hierarchy. Mr. Chairman, we are engaged in a trade war and we cannot allow our generals to trade allegiances on their retirement. If we do so, we compromise the interests of American workers, American farmers, American companies, when we allow trade officials to switch sides of the negotiating table.

In my view, this House has an obligation to block the revolving door that allows the trade talent that we have nurtured to cash in on their expertise at the expense of American workers. My amendment offered here today sends a clear message to the political class in Washington that we will no longer tolerate trade quislings or economic Benedict Arnolds.

□ 2245

In my view, it is appropriate that we extend this restriction to the Secretary of Commerce and to the International Trade Commission, because they play a seminal role in overseeing and administering trade policy in America.

The Secretary of Commerce has responsibility for leading key trade missions. The Secretary is familiar with trade policy and helps shape it. The Secretary of Commerce is familiar with the trade objectives of key American companies and overseas the Eximbank and other key trade programs that we depend on as part of our trade policy. The Secretary of Commerce also plays a significant role in the enforcement of our trade laws.

Similarly, the International Trade Commission provides advice on trade negotiations. The Commission rules on import relief for domestic industries. The Commission also provides for investigations of predatory dumping practices by our competitors.

The Commission advises the president on the domestic consequences of our trade policy and assesses the injury to American workers from imports. Overall, the ITC plays a fundamental role in shaping and administering our trade policy.

I urge my colleagues, recognizing that many of my colleagues would like to keep this bill free of amendment, to consider supporting this amendment to stop U.S. trade officials from using their position from cashing in on their expertise and insider knowledge at the expense of U.S. workers, farmers, companies and jobs.

I urge support of this amendment to stop former government officials from using their specialized knowledge of U.S. trade laws and regulations from benefiting by aiding our competitors. We should insist the employment restrictions in this bill apply to all of our trade officials.

So I urge support for the English-Traficant amendment. And I also urge this House to ultimately support this important piece of lobbying reform legislation which does us great credit.

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

Mr. CANADY of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I believe that the gentleman from Pennsylvania has brought forward an amendment that has considerable merit. Again, my opposition to this amendment does not relate to the substance of the amendment but to the potential impact that this amendment can have on our effort to move forward with reforming lobbyist disclosure in the bill that is before us.

In the bill that is before us, in section 21, there is a ban on the U.S. Trade Representative and the Deputy U.S. Trade Representative from representing, aiding or advising a foreign entity on matters before any officer or employee of any Department or agency of the United States. That is a lifetime ban in the bill.

Under existing law, there is a 3-year ban on the U.S. Trade Representative and a one-year ban on the U.S. Deputy Trade Representative.

The bill that is before the House now also places a limitation on appointments to the post of U.S. Trade Representative and Deputy U.S. Trade Representative by providing that anyone who has represented, aided or advised a foreign entity in any trade negotiation or trade dispute with the United States may not be appointed as U.S. Trade Representative or Deputy U.S. Trade Representative. So it is a two-way sort of prohibition. We are trying to stop the revolving door from going in either direction. That is in the bill.

Those prohibitions which improve and expand on the prohibitions in existing law are applied to the U.S. Trade Representative and Deputy U.S. Trade Representative.

I understand that a strong case can be made for applying similar prohibitions to others, such as the Secretary of Commerce and to Commissioners of the International Trade Commission. I would simply suggest that in this instance, though, what may be a perfect solution to this conflict of interest situation that exists is the enemy of a good solution and a good bill. I understand that that is not the intention of the gentleman from Pennsylvania.

I will say that I have had conversations with the gentleman from Pennsylvania, as we started to move this legislation forward. He has, throughout the process, expressed his support for the legislation. And I know that he is a firm supporter of lobbying disclosure reform.

But I believe that by adopting his amendment, this House would threaten the success of that effort. And after 40 years, I simply think it is time that we move on, we pass a bill and send it to the President. We have that opportunity. Now is the time to act. I do not believe that we need to delay.

For that reason, I must oppose the amendment offered by the gentleman from Pennsylvania, although I recognize his good intentions and the validity of the point behind the amendment.

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

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me say, I again agree with my friend from Florida. I would make note here, I think this is very much an area where we should be legislating. We had our colleague from Michigan [Mr. UPTON] offer an amendment that has some overlap here. Our colleague from Ohio, to be honest, I think if we were going to move now, I would have a problem because we have not had hearings on this yet. We have a lot of hearings. let me say, at no point will I criticize my friend from Florida for not having had a hearing. Because he has too many hearings. So I will not object to that.

I would say that I would hope and I think it has been very clear here that we set aside a day for hearing and a markup in subcommittee of this whole question of how do you deal with restrictions on representing foreign entity. One of the problems I remember from when we had the hearings was the gentlewoman from Ohio. It is a problem these days to get a good definition of a foreign entity, with the internationally owned conglomerates. That is something which I believe we can do but takes some doing.

We have had three different amendments, all of which I support in concept but have a different angle on this. I would hope that we could defer on this because I know the chairman plans to move on this.

I think one other bill we would probably be dealing with would be a regulation of foreign representation within the United States. We are going to talk some more about the coauthor, the gentleman from Ohio [Mr. TRAFICANT] about the Foreign Agents Registration Act.

I would say to my colleagues, this is of some complexity. I honestly do not think we could adopt all of these amendments now with the assurance that we had not created some problems, some overlap, et cetera. I would hope we could agree that we would have a day, a few days where we would have hearings and then a markup and come out sometime early next spring with a comprehensive billing dealing with the regulation of representation of foreign interests in the United States.

In that spirit, I would vote against this amendment if it comes to a vote now, but I hope I will see it and the gentleman from Michigan and the gentlewoman from Ohio, the other gentleman from Ohio, that we will be able to put together a very comprehensive package of which we can all be proud.

Mr. Chairman, I yield back the balance of my time.

Mr. ENGLISH of Pennsylvania. Mr. Chairman I yield 2 minutes to the very distinguished gentleman from Illinois [Mr. WELLER].

Mr. WELLER. Mr. Chairman, earlier in some comments I had made, I commended the gentleman from Florida [Mr. CANADY], and the gentleman from Massachusetts [Mr. FRANK] for their leadership in bringing this bill to the House floor. But I failed also to give credit to some Members that made sure that today's action occurred. That is the leadership of this House.

There are some who called into question whether or not we would have time to deal with gift and lobbying reform this year because of this House's commitment to balancing the budget, which is of course our No. 1 priority to live within our means. But we set aside time to deal with the need for gift and lobbying reform. I particularly want to thank the House Republican leadership for keeping their word.

Now, some have said that, if we do not keep this bill pristine as it came out of the Senate, pristine as it came out of the House Committee on the Judiciary that we may not have lobbying reform. We have a commitment from the House leadership that we are going to have lobbying reform. Should the House decide as a result of some of these good ideas that are being offered in these amendments to improve the bill, I believe that fairly soon we will have a lobbying bill sent to the President. We have to take a couple extra weeks. It could be a better bill and do a better job.

The English-Traficant amendment improves the bill. These are good ideas and, frankly, in an area that needs to be addressed.

The issue that the gentleman from Pennsylvania [Mr. ENGLISH] is trying to address is to eliminate the abuse by former U.S. trade officials using the contacts that they made while they were supposedly representing the United States of America for personal enrichment at the expense of the American worker, whether in Erie, PA or Joliet, IL. The present bill focuses on this problem by expanding existing restrictions on employing former U.S. Trade Representatives and their deputies and foreign entity lobbyists.

Now the bill of course expands the current law. But also I want to point out that the English amendment broadens the bill to include the Secretary of Commerce and Commissioners from the International Trade Commission, people who make extensive contact with foreign interests, and we certainly want to avoid any conflict of interest.

My colleagues, I urge adoption of the English amendment. It just makes sense, if you care about American workers. If you care about American jobs, let us vote for the English amendment.

Mr. CANADY of Florida. Mr. Chairman, I reserve the balance of my time.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. FOX] a very distinguished voice of reform, my colleague.

Mr. FOX of Pennsylvania. Mr. Chairman, I want to also applaud the efforts of the gentleman from Massachusetts [Mr. FRANK], and as well the gentleman from Florida [Mr. CANADY] for their outstanding efforts in making sure that lobbying disclosure reform will be a reality this year for the first time in a number of years. But I also am particularly proud to join with the effort for what Mr. ENGLISH and Mr. TRAFICANT are doing here today as well. That is to make a good bill better by the adoption of the English-Traficant amendment. Mr. ENGLISH has been working with a number of other leaders here in Congress to make sure that business opportunities are enhanced and that ethics are protected.

In that spirit, I come to Members tonight to support H.R. 2564, the Lobbying Disclosure Reform Act. As written, the bill makes crucial steps toward eliminating the abuse by former U.S. trade officials using their contacts for personal enrichment at the expense of the American worker. We applaud the bill's overall improvement of current law. Presently, U.S. Trade Representatives have a 3-year restriction before they can aid or advise a foreign entity on matters before any U.S. official.

This bill does toughen current law by extending the 3-year restriction to a lifetime ban and including the Deputy Trade Representative and preventing the appointment to either position of anyone who has previously aided or advised a foreign entity on trade issues.

But we believe the bill needs to go further. It is more or less a loophole because the Traficant-English amendment will make sure that other officials are included as well. The Secretary of Commerce and the Commissioners of the International Trade Commission are all crucially involved in America's trade. The English-Traficant amendment would include these positions with the bill's restrictions on the U.S. Trade Representative and the Deputy Trade Representative.

The time has come to stop former government trade officials from using their beltway contacts to ride the revolving door from public service to personal profit at the expense of the American people. I would ask my colleagues to strongly support the English-Traficant amendment to the lobbying disclosure reform to make a good bill even better.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think we have made the case here very strongly for this amendment. I think it is very difficult to argue with. I think it is a matter of equity for American workers. It is a matter of sound trade policy.

I think it is something that we need to provide as a fundamental protection to our institutions and to American companies. Let me say that I acknowledge the concerns of the advocates of reform, lobbying reform, who are here today. I want to join with them. I want to push for a good bill, a strong bill.

My sense is that, since we are operating under an open rule, there will be changes in this underlying bill. On that basis, I offer this amendment because I think it is an authentic improvement on this bill and an enhancement of a very important provision that I think is central to any lobbying reform.

The gentlemen who are here tonight have long been pushing lobbying reform, and that has proven to be a Sisyphean task. In Greek mythology, Sisyphus was a figure who was consigned throughout eternity to roll a boulder up a hill only to reach the peak of the hill and have the boulder roll down the other side and be forced to restart the process.

□ 2300

I recognize that lobbying reform is an initiative that has been out there a long time, has moved forward and always at the peak. There has been a failure to get it done. I believe that we need to move forward on this Sisyphean task, and I believe that during this session, with the support of this leadership in the House of Representatives, and on a bipartisan basis, we will be able to achieve fundamental lobbying reform.

Mr. Chairman, I yield back the balance of my time.

Mr. CANADY of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, again I want to commend the gentleman from Pennsylvania on his interest in this issue. I am very interested in this issue. I believe that the subject of this amendment and other amendments that have been brought forward tonight on the subject of the revolving door and the representation of foreign interests demands the attention of the Congress, and, as the chairman of the Subcommittee on the Constitution, I certainly intend to do everything I can to see that this issue is addressed. I believe that we need to hold hearings, I believe that we need to have input from a wide range of witnesses on this issue and other related issues, and I believe that we need to act on it. I believe that we should move forward with the legislation on this subject. I cannot tell my colleagues what the exact contours of that should be and exactly how it should be structured, but I believe that in this Congress we should move forward with an initiative on this general subject.

Having said that, I must again make this point, however, that I do not believe that the bill before us in the House tonight is the appropriate vehicle for amendments such as this. There are already provisions in the bill that address this general subject. I think we are taking a step forward in the provisions of the bill by placing a lifetime ban on the U.S. Trade Representative and Deputy U.S. Trade Representative that will prevent them from representing any foreign entity on matters before agencies of the United States. Those individuals play a key role in our policy, our trade policy, and I believe that imposing a lifetime ban on them is a big step forward.

I do not think that we should risk derailing this bill by accepting the amendment offered by the gentleman from Pennsylvania in expanding on the prohibition. I believe that his amendment, the substance of his amendment, should be considered in the regular legislative process. I give my commitment

that I will do that, but I must oppose this amendment, as I oppose all other amendments to this bill, because we are at the peak of the mountain now. We are just there, and this is not something that we have been working on in the Congress for a few years. We have been working on this issue in this Congress for 40 years, actually more than 40 years. As long as I have been alive, Congress has been struggling with this issue, acting a little here, a little there, but never bringing anything to completion, never passing a law to address this important need for lobbying disclosure reform. It is time we did that. We should not let some good ideas get in the way of accomplishing this important task.

So, Mr. Chairman, I urge the Members of the House to defeat the amendment offered by the gentleman from Pennsylvania.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. ENGLISH].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. ENGLISH of Pennsylvania. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the order of the House of today, further proceedings on the amendment offered by the gentleman from Pennsylvania [Mr. ENGLISH] will be postponed.

The CHAIRMAN. Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. WELLER

Mr. WELLER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WELLER: Page 21, line 9, strike ''and'', in line 14 strike the period and insert ''; and'', and after line 14 insert the following:

(5) a report of honoraria (as defined in section 505(3) of the Ethics in Government Act of 1978) paid to a media organization or a media organization employee, including when it was provided, to whom it was provided, and its value.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Illinois [Mr. WELLER] and a Member opposed to the amendment will each be recognized for 15 minutes.

Mr. CANADY of Florida. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois [Mr. WELLER] and claim the 15 minutes in opposition.

Mr. Chairman, I yield 7½ minutes of that time to the gentleman from Massachusetts [Mr. FRANK] and I ask unanimous consent that he be permitted to yield blocks of time to other Members.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The gentleman from Illinois [Mr. WELLER] will be recognized for 15 minutes, the gentleman from Florida [Mr. CANADY] will be recognized for 7½ minutes, and the gentleman from Massachusetts [Mr. FRANK] will be recognized for 7½ minutes.

The Chair recognizes the gentleman from Illinois [Mr. WELLER].

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

Mr. Chairman, I am offering an amendment today to a bill that I stand in strong support of, H.R. 2564, the Lobby Reform Act of 1995. It is a good bill, and I offer an amendment which I believe will make a better bill.

According to poll data taken early this spring, the public's trust of the media fared even worse than Congress'. That is why I feel it is imperative that this legislation include disclosure requirements that take into account the role the media plays in political debate and legislative outcomes.

Because a journalists's acceptance of honoraria could influence the type of information he or she will include in his or her report, I am introducing an amendment that will place the burden on lobbyists to disclose all honoraria that are paid to a member of the press, including when it was provided, to whom it was provided and its value. This is a matter of giving the public access to all the information that helps to shape the final outcome of a legislative product.

If I might also note, I am extremely pleased to see our Chamber taking the necessary steps to once and for all prove to the American people that we are dead serious about cleaning house and keeping business on the up and up.

Today, the House will vote and prove to the public that not only is Congress cleaning up its act, but that is requiring the people it does its business with to also clean up their act. I believe that my amendment strengthens H.R. 2564 by providing the public with information regarding what special interest money has been paid to the public's main source of information—the media.

I realize that members of the media may take issue with my amendment. Therefore, I would like to take a moment to address some potential points of contention:

First off, members of the media may argue that this amendment strips members of the process corps of their amendment right. I disagree. To the contrary, what this provides to those members of the media that do not accept honoraria, is a potential endorsement of their objectivity in their reporting of the people's business. This amendment places the burden of disclosure on the lobbying community not the press. The public has the right to know who is receiving special interest money whether it is a Member of Congress or a member of the media. I also want to point out that Members of Congress are prohibited from accepting honoraria.

Also, some may argue that this amendment is not necessary because members of the media should not be held to the same accountability as a Member of Congress. Again, I disagree. The influence that the media holds over the public is insurmountable. As the main link between Washington and the average citizen, every media, every reporter—whether it be written, visual or audio—has an immediate impact on the public's perception of what is going on. The public deserves to know if the information they are receiving is potentially tainted by an honoraria fee of perhaps even the $35,000 paid to the conveyor of the information.

I know what some may be thinking—$35,000—do they really earn that much for a speaking engagement? Yes, in one well publicized instance it caused the American Broadcast Corporation [ABC] to incorporate a tough new office policy in regard to speaking fees. According to Robert Friedman with the St. Petersburg Times, ABC prohibits ''staff from accepting a speaking fee from 'any group which you cover or might reasonably expect to cover.'" Obviously some of the media see nondisclosure of honoraria as opening itself up to the potential perception of impropriety.

Mr. Chairman, I insert the following articles into the RECORD at this time.

[From the New Yorker magazine, Sept. 12, 1994]

FEE SPEECH

(By Ken Auletta)

The initial hint of anger from twenty-five or so members of the House Democratic leadership came on an hour-and-a-quarter-long bus ride from Washington to Airlie House, in rural Virginia, one morning last January. They had been asked by the Majority Leader, Richard A. Gephardt, of Missouri, to attend a two-day retreat for the Democratic Message Group, and as the bus rolled southwest the convivial smiles faded. The members of the group began to complain that their message was getting strangled, and they blamed the media. By that afternoon, when the Democrats gathered for the first of five panels composed of both partisans and what were advertised as ''guest analysts, not partisan advisers,'' the complaints were growing louder. The most prominent Democrats in the House—Gephardt; the Majority Whip, David E. Bonior, of Michigan; the current Appropriations Committee chairman, David R. Obey, of Wisconsin; the Democratic Congressional Campaign chairman, Vic Fazio, of California; Rosa L. DeLauro, of Connecticut, who is a friend of President Clinton's; and about twenty others—expressed a common grievance: public figures are victims of a powerful and cynical press corps. A few complained of what they saw as the ethical obtuseness of Sam Donaldson, of ABC, angrily noting that, just four days earlier, ''Prime Time Live,'' the program that Donaldson co-anchors, had attacked the Independent Insurance Agents of America for treating congressional staff people to a Key West junket. Yet several months earlier the same insurance group had paid Donaldson a thirty-thousand-dollar lecture fee.

By four-thirty, when the third panel, ostensibly devoted to the changing role of the media, was set to begin, the Democrats could no longer contain their rage, lumping the press into a single, stereotypical category—you—the same way they complained that the press lumped together all members of Congress.

They kept returning to Donaldson's lecture fees and his public defense that it was ethically acceptable for him to receive fees because he was a private citizen, not an elected official. The Airlie House meeting was off the record, but in a later interview Representative Obey recalled having said of journalists. ''What I find most offensive lately is that we get the sanctimonious-Sam defense: 'We're different because we don't write the laws.' Well, they have a hell of a lot more power than I do to affect the laws written.''

Representative Robert G. Torricelli, of New Jersey, recalled have said, ''What startles many people is to hear television commentators make paid speeches to interest groups and then see them on television commenting on those issues. It's kind of a direct conflict of interest. If it happened in government, it would not be permitted.'' Torricelli, who has been criticized for realizing a sixty-nine-thousand-dollar profit on a New Jersey savings-and-loan after its chairman advised him to make a timely investment in its stock, says he doesn't understand why journalists don't receive the same scrutiny that people in Congress do. Torricelli brought up an idea that had been discussed at the retreat and that he wanted to explore: federal regulations requiring members of the press to disclose outside income—and most particularly television journalists whose stations are licensed by the government. He said that he would like to see congressional hearings on the matter, and added. ''You'd get the votes if you did the hearings. I predict that in the next couple of Congresses you'll get the hearings.''

Gephardt is dubious about the legality of compelling press disclosure of outside income, but one thing he is sure about is the anger against the media which is rising within Congress. ''Most of us work for more than money,'' he told me. ''We work for self-image. And Congress's self-image has suffered, because, members think, journalistic ethics and standards are not as good as they used to be.''

The press panel went on for nearly three hours, long past the designated cocktail hour of six. The congressmen directed their anger at both Brian Lamb, the C–SPAN chairman, and me—we were the two press representatives on the panel—and cited a number of instances of what they considered reportorial abuse. The question that recurred most often was this: Why won't journalists disclose the income they receive from those with special interests?

It is a fair question to ask journalists, who often act as judges of others' character. Over the summer, I asked it of more than fifty prominent media people, or perhaps a fifth of what can fairly be called the media elite—those journalists who, largely on account of television appearances, have a kind of fame similar to that of actors. Not surprisingly, most responded to the question at least as defensively as any politician would. Some of them had raised an eyebrow when President Clinton said he couldn't recall ten- or fifteen-year-old details about Whitewater. Yet many of those I spoke to could not remember where they had given a speech just months ago. And many of them, while they were unequivocal in their commentary on public figures and public issues, seemed eager to dwell on the complexities and nuances of their own outside speaking.

Sam Donaldson, whose annual earnings at ABC are about two million dollars, was forthcoming about his paid speeches: in June, he said that he had given three paid speeches so far this year and had two more scheduled. He would not confirm a report that he gets a lecture fee of as much as thirty thousand dollars. On being asked to identify the three groups he had spoken to, Donaldson—who on the March 27th edition of the Sunday-morning show ''This Week with David Brinkley'' had ridiculed President Clinton for not remembering that he had once lent twenty thousand dollars to his mother—said he couldn't remember. Then he took a minute to call up the information from his computer. He said that he had spoken at an I.B.M. convention in Palm Springs, to a group of public-information officers, and to the National Association of Retail Druggists. ''If I hadn't consulted my computerized date book, I couldn't have told you that I spoke to the National Association of Retail Druggists,'' he said. ''I don't remember these things.''

What would Donaldson say to members of Congress who suggest that, like them, he is not strictly a private individual and should make full disclosure of his income from groups that seek to influence legislation?

''First, I don't make laws that govern an industry,'' he said. ''Second, people hire me because they think of me as a celebrity; they believe their members or the people in the audience will be impressed.'' He went on, ''Can you say the same thing about a member of Congress who doesn't even speak—who is hired, in a sense, to go down and play tennis? What is the motive of the group that pays for that?'' He paused and then answered his own question: ''Their motive, whether they are subtle about it or not, is to make friends with you because they hope that you will be a friend of theirs when it comes time to decide about millions of dollars. Their motive in inviting me is not to make friends with me.''

Would he concede that there might be at least an appearance of conflict when he takes money from groups with a stake in, say, health issues?

Donaldson said, ''At some point, the issue is: What is the evidence? I believe it's not the appearance of impropriety that's the problem. It's impropriety.'' Still, Donaldson did concede that he was rethinking his position; and he was aware that his bosses at ABC News were reconsidering their relaxed policy.

Indeed, one of Donaldson's bosses—Paul Friedman, the executive vice-president for news—told me he agreed with the notion that on-air correspondents are not private citizens. ''People like Sam have influence that far exceeds that of individual congressmen,'' Friedman said, echoing Representative Obey's point. ''We always worry that lobbyists get special 'access' to members of government. We should also worry that the public might get the idea that special-interest groups are paying for special 'access' to correspondents who talk to millions of Americans.''

Unlike Donaldson, who does not duck questions, some commentators chose to say nothing about their lecturing. The syndicated columnist George Will, who appears weekly as a commentator on the Brinkley show, said through an assistant, ''We are just in the middle of book production here. Mr. Will is not talking much to anyone.'' Will is paid twelve thousand five hundred dollars a speech, Alicia C. Shepard reports in a superb article in the May issue of the American Journalism Review.

ABC's Cokie Roberts, who, according to an ABC official, earns between five and six hundred thousand dollars annually as a Washington correspondent and is a regular commentator on the Brinkley show in addition to her duties on National Public Radio, also seems to have a third job, as a paid speaker. Among ABC correspondents who regularly moonlight as speakers, Roberts ranks No. 1. A person who is in a position to know estimates that she earned more than three hundred thousand dollars for speaking appearances in 1993. Last winter, a couple of weeks after the Donaldson-''Prime Time'' incident, she asked the Group Health Association of America, before whom she was to speak in mid-February, to donate her reported twenty-thousand-dollar fee to charity. Roberts did not return three phone calls—which suggests that she expects an openness from the Clinton Administration that she rejects for herself. On that March 27th Brinkley show, she described the Administration's behavior concerning Whitewater this way: ''All of this now starts to look like they are covering something up.''

Brit Hume, the senior ABC White House correspondent, earns about what Roberts does, and is said to trail only Roberts and Donaldson at ABC in lecture earnings. This could not be confirmed by Hume, for he did not return calls.

At CNN, the principal anchor, Bernard Shaw, also declined to be interviewed, and so did three of the loudest critics of Congress and the Clinton Administration; the conservative commentator John McLaughlin, who now takes his ''McLaughlin Group'' on the road to do a rump version of the show live, often before business groups; and the alternating conservative co-hosts of ''Crossfire,'' Pat Buchanan and John Sununu.

David Brinkley did respond to questions, but not about his speaking income. Like Donaldson and others, he rejected the notion that he was a public figure. Asked what he would say to the question posed by members of Congress at the retreat, Brinkley replied, ''It's a specious argument. We are private citizens. We work in the private marketplace. They do not.''

And if a member of Congress asked about his speaking fee, which is reported to be eighteen thousand dollars?

''I would tell him it's none of his business,'' Brinkley said. ''I don't feel that I have the right to ask him everything he does in his private life.''

The syndicated columnist and television regular Robert Novak, who speaks more frequently than Brinkley, also considers himself a private citizen when it comes to the matter of income disclosure. ''I'm not going to tell you how many speeches I do and what my fee is,'' he said politely. Novak, who has been writing a syndicated column for thirty-one years, is highly visible each weekend on CNN as the co-host of the ''Evans & Novak'' interview program and as a regular on ''The Capital Gang.''

What would Novak say to a member of Congress who maintained that he was a quasi-public figure and should be willing to disclose his income from speeches?

''I'm a totally private person,'' he said. ''Anyone who doesn't like me doesn't have to read me. These people, in exchange for power—I have none—they have sacrificed privacy.''

In fact, Novak does seem to view his privacy as less than total; he won't accept fees from partisan political groups, and, as a frequent critic of the Israeli government, he will not take fees from Arab-American groups, for fear of creating an appearance of a conflict of interest. Unlike most private citizens, Novak, and most other journalists, will not sign petitions, or donate money to political candidates, or join protest marches.

Colleagues have criticized Novak and Rowland Evans for organizing twice-a-year forums—as they have since 1971—to which they invite between seventy five and a hundred and twenty-five subscribers to their newsletter, many of whom are business and financial analysts. Those attending pay hundreds of dollars—Novak refuses to say how much—for the privilege of listening to public officials speak and answer questions off the

record. ''You talk about conflicts of interest!'' exclaimed Jack Nelson, the Los Angeles Times Washington bureau chief. ''It is wrong to have government officials come to speak to businesses and you make money off of it.''

Mark Shields, who writes a syndicated column and is the moderator of ''The Capital Gang'' and a regular commentator on ''The MacNeil/Lehrer NewsHour,'' is a busy paid lecturer. Asked how much he earned from speeches last year, he said, ''I haven't even totalled it up.'' Shields said he probably gives one paid speech a week, adding, ''I don't want, for personal reasons, to get into specifics.''

Michael Kinsley, who is the liberal co-host of ''Crossfire,'' an essayist for The New Republic and Time, and a contributor to The New Yorker, is also reluctant to be specific. ''I'm in the worst of all possible positions,'' he said. ''I do only a little of it. But I can't claim to be a virgin.'' Kinsley said he appeared about once every two months, but he wouldn't say what groups he spoke to or how much he was paid. ''I'm going to do a bit more,'' he said. ''I do staged debates—mini 'Crossfire's'—before business groups. If everyone disclosed, I would.''

The New Republic's White House correspondent, Fred Barnes, who is a regular on ''The McLaughlin Group'' and appears on ''CBS This Morning'' as a political commentator, speaks more often than Kinsley, giving thirty or forty paid speeches a year, he said, including the ''McLaughlin'' road show. How would Barnes respond to the question posed by members of Congress?

''They're elected officials,'' he said. ''I'm not an elected official. I'm not in government. I don't deal with taxpayers' money.''

Barnes's ''McLaughlin'' colleague Morton M. Kondracke is the executive editor of Roll Call, which covers Congress. Kondracke said that he gave about thirty-six paid speeches annually, but he would not identify the sponsors or disclose his fee. He believes that columnists have fewer constraints on their speechmaking than so-called objective reporters, since columnists freely expose their opinions.

Gloria Borger, a U.S. News & World Report columnist and frequent ''Washington Week in Review'' panelist, discloses her income from speeches, but only to her employer. Borger said she gave one or two paid speeches a month, but she wouldn't reveal her fee. ''I'm not an elected official,'' she said.

Like Borger, Wolf Blitzer, CNN's senior White House correspondent, said that he told his news organization about any speeches he made. How many speeches did he make in the last year?

''I would guess four or five,'' he said, and repeated that each one was cleared through his bureau chief.

What would Blitzer say to a member of Congress who asked how much he made speaking and from which groups?

''I would tell him 'None of your business,'" Blitzer said.

Two other network chief White House correspondents NBC's Andrea Mitchell and CBS's Rira Braver—also do little speaking. ''I make few speeches,'' Mitchell said. ''Maybe ten a year. Maybe six or seven a year. I'm very careful about not speaking to groups that involve issues I cover.'' She declined to say how much she earned. For Braver, the issue was moot. I don't think I did any,'' she said, referring to paid speeches in the past year.

ABC's ''Prime Time Live'' correspondent Chris Wallace, who has done several investigative pieces on corporate-sponsored congressional junkets, said he made four or five paid speeches last year. ''I don't know exactly,'' he said. Could he remember his fee?

''I wouldn't say,'' he replied.

Did he speak to business groups?

''I'm trying to remember the specific groups,'' he said, and then went on. ''One was the Business Council of Canada. Yes, I do speak to business groups.''

So what is the difference between Chris Wallace and members of Congress who accept paid junkets?

''I'm a private citizen,'' he said, ''I have no control over public funds, I don't make public policy.''

Why did Wallace think that he was invited to speak before business groups?

''They book me because they feel somehow that it adds a little excitement or luster to their event,'' he said. He has been giving speeches since 1980, he said, and ''never once has any group called me afterward and asked me any favor in coverage.''

But isn't that what public officials usually say when Wallace corners them about a junket?

Those who underwrite congressional junkets are seeking ''access'' and ''influence,'' he said, but the people who hire him to make a speech are seeking ''entertainment.'' When I mentioned Wallace's remarks to Norman Pearlstine, the former executive editor of the Wall Street Journal, he said, ''By that argument, we ought not to distinguish between news and entertainment, and we ought to merge news into entertainment.''

ABC's political and media analyst Jeff Greenfield makes a ''rough guess'' that he gives fifteen paid speeches a year, many in the form of panels he moderates before various media groups—cable conventions, newspaper or magazine groups, broadcasting and marketing associations—that are concerned with subjects he regularly covers. ''It's like 'Nightline,' but it's not on the air,'' he said. He would not divulge his fee, or how much he earned in the past twelve months from speeches.

Greenfield argued that nearly everything he did could be deemed a potential conflict. ''I cover cable, but I cover it for ABC, which is sometimes in conflict with that industry,'' he said. Could he accept money to write a magazine piece or a book when he might one day report on the magazine publisher or the book industry? He is uneasy with the distinction that newspapers like the Wall Street Journal or the Washington Post make, which is to prohibit daily reporters from giving paid speeches to corporations or trade associations that lobby Congress and have agendas, yet allow paid college speeches. (Even universities have legislative agendas, Greenfield noted.) In trying to escape this ethical maze, Greenfield concluded, ''I finally decided that I can't figure out everything that constitutes a conflict.''

Eleanor Clift, of Newsweek, who is cast as the beleaguered liberal on ''The McLaughlin Group,'' said that she made between six and eight appearances a year with the group. Her fee for a speech on the West Coast was five thousand dollars, she said, but she would accept less to appear in Washington. She would not disclose her outside speaking income, and said that if a member of Congress were to ask she would say, ''I do disclose. I disclose to the people I work for. I don't work for the taxpayers.''

Christopher Matthews, a nationally syndicated columnist and Washington bureau chief of the San Francisco Examiner, who is a political commentator for ''Good Morning America'' and co-host of a nightly program on America's Talking, a new, NBC-owned cable network, told me last June that he gave between forty and fifty speeches a year. He netted between five and six thousand dollars a speech, he said, or between two and three hundred thousand dollars a year. Like many others, he is represented by the Washington Speakers Bureau, and he said that he placed no limitations on corporate or other groups he would appear before. ''To be honest, I don't spend a lot of time thinking about it,'' he said. ''I give the same speech.''

David S. Broder, of the Washington Post, who has a contract to appear regularly on CNN and on NBC's ''Meet the Press,'' said that he averaged between twelve and twenty-four paid speeches a year, mostly to colleges, and that the speeches are cleared with his editors at the Post. He did not discuss his fee, but Howard Kurtz, the Post's media reporter, said in his recent book ''Media Circus'' that Broder makes up to seventy-five hundred dollars a speech. Broder said he would support an idea advanced by Albert R. Hunt,the Wall Street Journal's Washington editor, to require disclosure as a condition of receiving a congressional press card. To receive a press card now, David Holmes, the superintendent of the House Press Gallery, told me, journalists are called upon to disclose only if they receive more than five per cent of their income from a single lobbying organization. Hunt said he would like to see the four committees that oversee the issuing of congressional press cards—made up of five to seven journalists each—require full disclosure of any income from groups that lobby Congress. He said he was aware of the bitter battle that was waged in 1988, when one committee issued new application forms for press passes which included space for detailed disclosure of outside income. Irate reporters demanded that the application form be rescinded, and it was. Today, the Journal, along with the Washington Post, is among the publications with the strictest prohibitions on paid speeches. Most journalistic organizations forbid reporters to accept money or invest in the stocks of the industries they cover. But the Journal and the Post have rules against reporters' accepting fees from any groups that lobby Congress or from any for-profit groups.

Hunt, who has television contracts with ''The Capital Gang'' and ''Meet the Press,'' said that he averaged three or four speeches a year, mostly to colleges and civic groups, and never to corporations or groups that directly petition Congress, and that he received five thousand dollars for most speeches.

William Safire, the *Times* columnist, who is a regular on ''Meet the Press,'' was willing to disclose his lecture income. ''I do about fifteen speeches a year for twenty thousand dollars a crack,'' he said. ''A little more for overseas and Hawaii.'' Where Safire parts company with Hunt is that he sees nothing wrong with accepting fees from corporations. He said that in recent months he had spoken to A.T. & T., the Pharmaceutical Research and Manufacturers of America, and Jewish organizations. Safire said that because he is a columnist his opinions are advertised, not hidden. ''I believe firmly in Samuel Johnson's dictum 'No man but a blockhead ever wrote except for money,'" he went on. ''I charge for my lectures. I charge for my books. I charge when I go on television. I feel no compunction about it. It fits nicely into my conservative, capitalist—with a capital 'C'—philosophy.''

Tim Russert, the host of ''Meet the Press,'' said that he had given ''a handful'' of paid speeches in the past year, including some to for-profit groups. He said that he had no set fee, and that he was wary of arbitrary distinctions that say lecturing is bad but income from stock dividends is fine. Russert also raised the question of journalists' appearing on shows like ''Meet the Press,'' which, of course, have sponsors. ''Is that a conflict? You can drive yourself crazy on this.''

Few journalists drive themselves crazy over whether to accept speaking fees from the government they cover. They simply don't. But enticements do come from unusual places. One reporter, who asked to remain anonymous, said that he had recently turned down a ten-thousand dollar speaking fee from the Central Intelligence Agency. A spokesman for the C.I.A., David Christian, explained to me, ''We have an Office of Training and Education, and from time to time we invite knowledgeable non-government experts to talk to our people as part of our training program.'' Does the agency pay for these speeches? ''Sometimes we do, and sometimes we don't,'' he said. Asked for the names of journalists who accepted such fees, Christian said the he was sorry but ''the records are scattered.''

Time's Washington columnist, Margaret Carlson, who is a regular on ''The Capital Gang,'' laughed when I asked about her income from speeches and said, ''My view is that I just got on the gravy train, so I don't want it to end.'' Carlson said she gave six speeches last year, at an average of five thousand dollars a speech, including a panel appearance in San Francisco before the American Medical Association (with Michael Kinsley, among others). She made a fair distinction between what she did for a fee and what Treasury Secretary Lloyd Bentsen tried to do in 1987, when, as Senate Finance Committee chairman, he charged lobbyists ten thousand dollars a head for the opportunity to join him for breakfast once a month. ''We are like monkeys who get up onstage,'' Carlson said, echoing Chris Wallace. ''It's mud wrestling for an hour or an hour and a half, and it's over.''

There are journalistic luminaries who make speeches but, for the sake of appearances, do not accept fees. They include the three network-news anchors—NBC's Tom Brokaw, ABC's Peter Jennings and CBS' Dan Rather—all of whom say that they don't charge to speak or they donate their fees to charity. ''We don't need the money,'' Brokaw said. ''And we thought it created an appearance of conflict.'' Others who do not accept fees for speaking are Ted Koppel, of ABC's ''Nightline''; Jim Lehrer, of ''The MacNeil/Lehrer News Hour''; Bob Schieffer, CBS' chief Washington correspondent and the host of ''Face the Nation''; and C-SPAN's Brian Lamb.

ABC's senior Washington correspondent, James Wooten, explained how, in the mid-eighties, he decided to change his ways after a last lucrative weekend: ''I had a good agent and I got a day off on Friday and flew out Thursday after the news and did Northwestern University Thursday night for six thousand dollars. Then I got a rental car and drove to Milwaukee, and in midmorning I did Marquette for five or six thousand dollars. In the afternoon, I went to the University of Chicago, to a small symposium, for which I got twenty-five hundred to three thousand dollars. Then I got on a plane Friday night and came home. I had made fifteen thousand dollars, paid the agent three thousand, and had maybe two thousand in expenses. So I made about ten thousand dollars for thirty-six hours. I didn't have a set speech, I just talked off the top of my head.'' But his conscience told him it was wrong. ''It's easy money,'' Wooten said.

As for me, *The New Yorker* paid my travel expenses to and from the congressional retreat. In the past twelve months, I've given two paid speeches; the first, at New York's Harmonic Club, was to make an opening presentation and to moderate a panel on the battle for control of Paramount Communications, for which I was paid twelve hundred dollars; the second was a speech on the future of the information superhighway at a Manhattan luncheon sponsored by the Baltimore-based investment firm of Alex, Brown & Sons, for which my fee was seventy-five hundred dollars. I don't accept lecture fees from communications organizations.

Like the public figures we cover, journalists would benefit from a system of checks and balances. Journalistic institutions, including *The New Yorker*, too seldom have rigorous rules requiring journalists to check with an editor or an executive before agreeing to make a paid speech; the rules at various institutions for columnists are often even more permissive. Full disclosure provides a disinfectant—the power of shame. A few journalistic institutions, recently shamed, have been taking a second look at their policies. In mid-June, ABC News issued new rules, which specifically prohibit paid speeches to trade associations or to any ''for-profit business.'' ABC's ban—the same one that is in place at the *Wall Street Journal* and the *Washington Post*—prompted Roberts, Donaldson, Brinkley, Wallace, and several other ABC correspondents to protest, and they met in early August with senior news executives. They sought a lifting of the ban, which would allow them to get permission on a case-by-case basis. But a ranking ABC official says. ''We can agree to discuss exceptions but not give any. Their basic argument is greed, for Christ's sake!'' Andrew Lack, the president of NBC News, said that he plans to convene a meeting of his executives to shape an entirely new speaking policy. ''My position is that the more we can discourage our people from speaking for a fee, the better,'' he said. And CBS News now stipulates that all speaking requests must be cleared with the president or the vice-president of news. Al Vecchione, the president of MacNeil/Lehrer Productions, admitted in June to having been embarrassed by the American Journalism Review piece. ''We had a loose policy,'' he said. ''I just finished rewriting our company policy.'' Henceforth, those associated with the program will no longer accept fees to speak to corporate groups or trade associations that directly lobby the government. The New Yorker, according to its executive editor, Hendrik Hertzberg, is in the process of reviewing its policies.

Those who frequently lecture make a solid point when they say that lecture fees don't buy favorable coverage. But corruption can take subtler forms than the quid pro quo, and the fact that journalists see themselves as selling entertainment rather than influence does not wipe the moral slate clean. The real corruption of ''fee speech,'' perhaps, is not that journalists will do favors for the associations and businesses that pay them speaking fees but that the nexus of television and speaking fees creates what Representative Obey called ''an incentive to be even more flamboyant'' on TV—and, to a lesser extent, on the printed page. The television talk shows value vividness, pithiness, and predictability. They prefer their panelists reliably pro or con, ''liberal'' or ''conservative,'' Too much quirkiness can make a show unbalanced; too much complexity can make it dull. Time's Margaret Carlson told me, not entirely in jest, ''I was a much more thoughtful person before I went on TV. But I was offered speeches only after I went on TV.'' Her Time colleague the columnist Hugh Sidey said that when he stopped appearing regularly on television his lecture income shrivelled. Obey wishes that it would shrivel for the rest of the pundit class as well. An attitude of scorn often substitutes for hard work or hard thought and it's difficult to deny that the over-all result of this dynamic is a coarsening of political discourse.

Celebrity journalism and the appearance of conflicts unavoidably erode journalism's claim to public trust. ''My view is that you're going to start having character stories about journalists,'' Jay Rosen, a journalism professor at New York University and the director of the Project on Public Life and the Press, told me recently. ''It's inevitable. If I were a big-name Washington journalist, I'd start getting my accounts together. I don't think journalists are private citizens.''

[From the American Journalism Review, June 1995]

TAKE THE MONEY AND TALK

(By Alicia C. Shepard)

It's speech time and the Broward County Convention Center in Fort Lauderdale.

ABC News correspondent and NPR commentator Cokie Roberts takes her brown handbag and notebook off of the ''reserved'' table where she has been sitting, waiting to speak. She steps up to the podium where she is gushingly introduced and greeted with resounding applause.

Framed by palm fronds, Roberts begins her speech to 1,600 South Florida businesswomen attending a Junior League-sponsored seminar. Having just flown in from Washington, D.C., Roberts breaks the news of the hours-old arrest of a suspect in the Oklahoma City bombing. She talks of suffragette Susan B. Anthony, of how she misses the late House Speaker Tip O'Neill, of the Republican takeover on Capitol Hill. Then she gives her listeners the inside scoop on the new members of Congress.

''They are very young,'' says Roberts, 52. ''I'm constantly getting it wrong, assuming they are pages. They're darling. They're wildly adept with a blow dryer and I resent them because they call me ma'am.'' The audience laughs.

After talking for an hour on ''Women and Politics,'' Roberts answers questions for 20 minutes. One woman asks the veteran correspondent, who has covered Washington since 1978, when there will be a female president.

''I think we'll have a woman president when a woman is elected vice president and we do in the guy,'' Roberts quips.

This crowd loves her. When Roberts finishes, they stand clapping for several minutes. Roberts poses for a few pictures and is whisked out and driven to the Miami airport for her first-class flight back to Washington.

For her trouble and her time, the Junior League of Greater Fort Lauderdale gave Roberts a check for $35,000. ''She's high, very high,'' says the League's Linda Carter, who lined up the keynote speakers. The two other keynote speakers received around $10,000 each.

The organization sponsored the seminar to raise money for its community projects, using Roberts as a draw. But shelling out $35,000 wouldn't have left much money for, say, the League's foster care or women's substance abuse programs or its efforts to increase organ donors for transplants.

Instead, Roberts tab was covered by a corporate sponsor. JM Family Enterprises. The $4.2 billion firm is an umbrella company for the largest independent American distributor of Toyotas. The second-largest privately held company in Florida, it provides Toyotas to 164 dealerships in five southern states and runs 20 other auto-related companies.

But Roberts doesn't want to talk about the company that paid her fee. She doesn't like to answer the kind of questions she asks politicians. She won't discuss what she's paid, whom she speaks to, why she does it or how it might affect journalism's credibility when she receives more money in an hour-and-a-half from a large corporation than many journalists earn in a year.

''She feels strongly that it's not something that in any way shape or form should be discussed in public.'' ABC spokeswoman Eileen Murphy said in response to AJR's request for an interview with Roberts.

Roberts' ABC colleague Jeff Greenfield, who also speaks for money, doesn't think it's a good idea to duck the issue. ''I think we ought not not talk about it.'' he says. ''I mean that's Cokie's right, obviously,'' he adds, but ''if we want people to answer our questions, then up to a reasonable point, we should answer their questions.''

The phenomenon of journalists giving speeches for staggering sums of money continues to dog the profession. Chicago Tribune Washington Bureau Chief James Warren has created a cottage industry criticizing colleagues who speak for fat fees. Washington Post columnist James K. Glassman believes the practice is the ''next great American scandal.'' Iowa Republican Sen. Charles Grassley has denounced it on the Senate floor.

A number of news organizations have drafted new policies to regulate the practice since debate over the issue flared a year ago (see ''Talk is Expensive,'' May 1994). Time magazine is one of the latest to do so, issuing a flat-out ban on honoraria in April. The Society for Professional Journalists, in the process of revising its ethics code, is wrestling with the divisive issue.

The eye-popping sums star journalists receive for their speeches, and the possibility that they may be influenced by them, have drawn heightened attention to the practice, which is largely the province of a relatively small roster of well-paid members of the media elite. Most work for the television networks or the national news weeklies; newspaper reporters, with less public visibility, aren't asked as often.

While the crescendo of criticism has resulted in an official crackdown at several news organizations—as well as talk of new hardline policies at others—it's not clear how effective the new policies are, since no public disclosure system is in place.

Some well-known journalists, columnists and ''Crossfire'' host Michael Kinsley and U.S. News & World Report's Steven V. Roberts among them, scoff at the criticism. They assert that it's their right as private citizens to offer their services for whatever the market will bear, that new policies won't improve credibility and that the outcry has been blown out of proportion.

But the spectacle of journalists taking big bucks for speeches has emerged as one of the high-profile ethical issues in journalism today.

''Clearly some nerve has been touched,'' Warren says. ''A nerve of pure, utter defensiveness on the part of a journalist trying to rationalize taking [honoraria] for the sake of their bank account because the money is so alluring.''

A common route to boarding the lecture gravy train is the political talk show. National television exposure raises a journalist's profile dramatically, enhancing the likelihood of receiving lucrative speaking offers.

The problem is that modulated, objective analysis is not likely to make you a favorite on ''The Capital Gang'' or ''The McLaughlin Group.'' Instead, reporters who strive for objectivity in their day jobs are often far more opinionated in the TV slugfests.

Time Managing Editor James R. Gaines, who issued his magazine's recent ban on accepting honoraria, sees this as another problem for journalists' credibility, one he plans to address in a future policy shift. ''Those journalists say things we wouldn't let them say in the magazine. . . .'' says Gaines, whose columnist Margaret Carlson appears frequently on ''The Capital Gang.'' ''It's great promotion for the magazine and the magazine's journalists. But I wonder about it when the journalists get into that adversarial atmosphere where provocation is the main currency.''

Journalists have been ''buckraking'' for years, speaking to trade associations, corporations, charities, academic institutions and social groups. But what's changed is the amount they're paid. In the mid-1970s, the fees peaked at $10,000 to $15,000, say agents for speakers bureaus. Today, ABC's Sam Donaldson can get $30,000, ABC's David Brinkley pulls in $18,000 and the New York Times' William Safire can command up to $20,000.

When a $4.2 billion Toyota distributor pays $35,000 for someone like Cokie Roberts, or a trade association pays a high-profile journalist $10,000 or $20,000 for an hour's work, it inevitably raises questions and forces news executives to re-examine their policies.

That's what happened last June at ABC. Richard Wald, senior vice president of news, decided to ban paid speeches to trade associations and for-profit corporations—much to the dismay of some of ABC's best-paid correspondents. As at most news organizations, speaking to colleges and nonprofits is allowed.

When Wald's policy was circulated to 109 employees at ABC, some correspondents howled (see Free Press, September 1994). Protests last August from Roberts, Donaldson, Brinkley, Greenfield, Brit Hume and others succeeded only in delaying implementation of the new guidelines. Wald agreed to ''grandfather in'' speeches already scheduled through mid-January. After that, if a correspondent speaks to a forbidden group, the money must go to charity.

''Why did we amend it? Fees for speeches are getting to be very large,'' Wald says. ''When we report on matters of national interest, we do not want it to appear that folks who have received a fee are in any way beholden to anybody other than our viewers. Even though I do not believe anybody was every swayed by a speech fee. I do believe that it gives the wrong impression. We deal in impressions.''

The new policy has hurt, says ABC White House correspondent Ann Compton. Almost a year in advance, Compton agreed to speak to the American Cotton Council. But this spring, when she spoke to the trade group, she had to turn an honorarium of ''several thousand dollars'' over to charity. Since the policy went into effect, Compton has turned down six engagements that she previously would have accepted.

''The restrictions how have become so tight, it's closed off some groups and industries that I don't feel I have a conflict with,'' says Compton, who's been covering the White House off and on since 1974. ''It's closed off, frankly, the category of organizations that pay the kind of fees I get.'' She declines to say what those fees are.

And it has affect her bank account. ''I've got four kids . . .'' Compton says. ''It's cut off a significant portion of income for me.''

Some speakers bureaus say ABC's new policy and criticism of the practice have had an impact.

''It has affected us, definitely,'' says Lori Fish of Keppler Associates in Arlington, Virginia, which represents about two dozen journalists. ''More journalists are conscious of the fact that they have to be very particular about which groups they accept honoraria from. On our roster there's been a decrease of some journalists accepting engagements of that sort. It's mainly because of media criticism.''

Other bureaus, such as the National Speakers Forum and the William Morris Agency, say they haven't noticed a difference. ''I can't say that the criticism has affected us,'' says Lynn Choquette, a partner at the speakers forum.

Compton, Donaldson and Greenfield still disagree with Wald's policy but, as they say, he's the boss.

''I believe since all of us signed our contracts with the expectation that the former ABC policy would prevail and took that into account when we agreed to sign our contracts for X amount,'' Donaldson says, ''it was not fair to change the policy midstream.'' Donaldson says he has had to turn down two speech offers.

Greenfield believes the restrictions are unnecessary.

''When I go to speak to a group, the idea that it's like renting a politician to get his ear is not correct,'' he says. ''We are being asked to provide a mix of entertainment and information and keep audiences in their seats at whatever convention so they don't go home and say, 'Jesus, what a boring two-day whatever that was.' ''

Most agree it's the size of the honoraria that is fueling debate over the issue. ''If you took a decimal point or two away, nobody would care,'' Greenfield says. ''A lot of us are now offered what seems to many people a lot of money. They are entertainment-size sums rather than journalistic sizes.''

And Wald has decided ''entertainment-size sums'' look bad for the network, which has at least a dozen correspondents listed with speakers bureaus. It's not the speeches themselves that trouble Wald. ''You can speak to the American Society of Travel Agents or the Electrical Council.'' he says, ''as long as you don't take money from them.''

But are ABC officials enforcing the new policy? ''My suspicion is they're not, that they are chickenshit and Cokie Roberts will do whatever the hell she wants to do and they don't have the balls to do anything,'' says the Chicago Tribune's Warren, whose newspaper allows its staff to make paid speeches only to educational institutions.

There's obviously some elasticity in ABC's policy. In April, Greenfield, who covers media and politics, pocketed $12,000 from the National Association of Broadcasters for speaking to 1.000 members and interviewing media giants Rupert Murdoch and Barry Diller for the group. Wald says that was acceptable.

He also says it was fine for Roberts to speak to the Junior League-sponsored business conference in Fort Lauderdale, even though the for-profit JM Family Enterprises paid her fee.

''As long as the speech was arranged by a reasonable group and it carried with it no tinct from anybody, it's okay,'' says Wald. ''I don't care where they [the Junior League] get their money.''

Even with its loopholes, ABC has the strictest restrictions among the networks. NBC, CBS and CNN allow correspondents to speak for dollars on a case-by-case basis and require them to check with a supervisor first. Last fall, Andrew Lack, president of NBC News, said he planned to come up with a new policy. NBC spokesperson Lynn Gardner says Lack has drafted the guidelines and will issue them this summer. ''The bottom line is that Andrew Lack is generally not in favor of getting high speaking fees,'' she says.

New Yorker Executive Editor Hendrik Hertzberg also said last fall that his magazine would review its policy, under which writers are supposed to consult with their editors in ''questionable cases.'' The review is still in progress. Hertzberg says it's likely the magazine will have a new policy by the end of the year.

''There's something aesthetically offensive to my idea of journalism for American journalists to be paid $5,000, $10,000 or $20,000 for some canned remarks simply because of his or her celebrity value,'' Hertzberg says.

Rewriting a policy merely to make public the outside income of media personalities guarantees resistance, if not outright hostility. Just ask John Harwood of the Wall Street Journal's Washington bureau. This year, Harwood was a candidate for a slot on the committee that issues congressional press passes to daily print journalists.

His platform included a promise to have daily correspondents list outside sources of income—not amounts—on their applications for press credentials. Harwood's goal was fuller disclosure of outside income, including speaking fees.

''I'm not trying to argue in all cases it's wrong,'' says Harwood. ''But we make a big to-do about campaign money and benefits lawmakers get from special interests and I'm struck by how many people in our profession also get money from players in the political process.''

Harwood believes it's hypocritical that journalists used to go after members of Congress for taking speech fees when journalists do the same thing. (Members of Congress are no longer permitted to accept honoraria.)

''By disclosing the people who pay us,'' says Harwood, ''we let other people who may have a beef with us draw their own conclusions. I don't see why reporters should be afraid of that.''

But apparently they are. Harwood lost the election.

''I'm quite certain that's why John lost,'' says Alan J. Murray, the Journal's Washington bureau chief, who made many phone calls on his reporter's behalf. ''There's clearly a lot of resistance,'' adds Murray, whose newspaper forbids speaking to for-profit companies, political action committees and anyone who lobbies Congress. ''Everybody likes John. But I couldn't believe how many people said—even people who I suspect have very little if any speaking incomes—that it's just nobody's business. I just don't buy that.''

His sentiment is shared in the Periodical Press Gallery on Capitol Hill, where magazine reporters applying for press credentials must list sources of outside income. But in the Radio-Television Correspondents Gallery, where the big-name network reporters go for press credentials, the issue of disclosing outside income has never come up, says Kenan Block, a ''MacNeil/Lehrer NewsHour'' producer.

''I've never heard anyone mention it here and I've been here going on 11 years,'' says Block, who is also chairman of the Radio-Television Correspondents Executive Committee. ''I basically feel it's not our place to police the credentialed reporters. If you're speaking on the college circuit or to groups not terribly political in nature, I think, If anything, people are impressed and a bit envious. It's like, 'More power to them.'''

But the issue of journalists' honoraria has been mentioned at Block's program.

Al Vecchione, president of McNeil/Lehrer Productions, says he was ''embarrassed'' by AJR's story last year and immediately wrote a new policy. The story reported that Robert MacNeil accepted honoraria, although he often spoke for free; partner Jim Lehrer said he had taken fees in the past but had stopped after his children got out of college.

''We changed [our policy] because in reading the various stories and examining our navel, we decided it was not proper,'' Vecchione says. ''While others may do it, we don't think it's proper. Whether in reality it's a violation or not, the perception is there and the perception of it is bad enough.''

MacNeil/Lehrer's new policy is not as restrictive as ABC's, however. It says correspondents ''should avoid accepting money from individuals, companies, trade associations or organizations that lobby the government or otherwise try to influence issues the NewsHour or other special * * * programs may cover.''

As is the case with many of the new, stricter policies, each request to speak is reviewed on a case-by-case basis. That's the policy at many newspapers and at U.S. News.

Newsweek tightened its policy last June. Instead of simply checking with an editor, staffers now have to fill out a form if they want to speak or write freelance articles and submit it to Ann McDaniel, the magazine's chief of correspondents.

''The only reason we formalized the process is because we thought this was becoming more popular than it was 10 years ago,'' McDaniel says, ''We want to make sure [our staff members] are not involved in accepting compensation from people they are very close to. Not because we suspect they can be bought or that there will be any improper behavior but because we want to protect our credibility.''

Time, on the other hand, looked at all the media criticism and decided to simply end the practice. In an April 14 memo. Managing Editor Gaines told his staff, ''The policy is that you may not do it.

Gaines says the new policy was prompted by ''a bunch of things that happened all at once.'' He adds that ''a lot of people were doing cruise ships and appearances and have some portion of their income from that, so their ox is gored.''

The ban is not overwhelmingly popular with Time staffers. Several, speaking on a not-for-attribution basis, argue that it's too tough and say they hope to change Gaines' mind. He says that won't happen, although he will amend the policy to allow paid speeches before civic groups, universities and groups that are ''clearly not commercial.''

''Academic seminars are fine,'' he says. ''If some college wants to pay expenses and a $150 honorarium, I really don't have a problem with that.''

Steve Roberts, a senior writer with U.S. News & World Report and Cokie Roberts' husband, is annoyed that some media organizations are being swayed by negative publicity. He says there's been far too much criticism of what he believes is basically an innocuous practice. Roberts says journalists have a right to earn as much as they can by speaking, as long as they are careful about appearances and live by high ethical standards.

''This whole issue has been terribly overblown by a few cranks,'' Roberts says. ''As long as journalists behave honorably and use good sense and don't take money from people they cover, I think it's totally legitimate. In fact, my own news organization encourages it.''

U.S. News not only encourages it, but its public relations staff helps its writers get speaking engagements.

Roberts says U.S. News has not been intimidated by the ''cranks,'' who he believes are in part motivated by jealousy. ''I think a few people have appointed themselves the critics and watchdogs of our profession. I, for one, resent it.''

His chief nemesis is Jim Warren, who came to Washington a year-and-a-half ago to take charge of the Chicago Tribune's bureau. Warren, once the Tribune's media writer, writes a Sunday column that's often peppered with news flashes about which journalist is speaking where and for how much. The column includes a ''Cokie Watch.'' named for Steve Roberts' wife of 28 years, a woman Warren has written reams about but has never net.

''Jim Warren is a reprehensible individual who has attacked me and my wife and other people to advance his own visibility and his own reputation,'' Roberts asserts. ''He's on a crusade to make his own reputation by tearing down others.''

While Warren may work hard to boost his bureau's reputation for Washington coverage, he is best known for his outspoken criticism of fellow journalists. Some reporters cheer him on and fax him tips for ''Cokie Watch.'' Others are highly critical and ask who crowned Warren chief of the Washington ethics police.

Even Warren admits his relentless assault has turned him into a caricature.

''I'm now in the Rolodex as inconoclast, badass Tribune bureau chief who writes about Cokie Roberts all the time,'' says Warren, who in fact doesn't. ''But I do get lots of feedback from rank-and-file journalists saying, 'Way to go. You're dead right.' It obviously touches a nerve among readers.''

So Warren writes about Cokie and Steve Roberts getting $45,000 from a Chicago bank for a speech and the traveling team of television's ''The Capital Gang'' sharing $25,000 for a show at Walt Disney World. He throws in parenthetically that Capital Gang member Michael Kinsley ''should know better.''

Kinsley says he would have agreed a few years ago, but he's changed his tune. He now believes there are no intrinsic ethical problems with taking money for speaking. He does it, he wrote in The New Republic in May, for the money, because it's fun and it boosts his ego.

''Being paid more than you're worth is the American dream,'' he wrote. ''I see a day when we'll all be paid more than we're worth. Meanwhile, though, there's no requirement for journalists, alone among humanity, to deny themselves the occasional fortuitous tastes of this bliss.''

To Kinsley, new rules restricting a reporter's right to lecture for largesse don't accomplish much.

''Such rules merely replace the appearance of corruption with the appearance of propriety,'' he wrote. ''What keeps journalists on the straight and narrow most of the time is not a lot of rules about potential conflicts of interest, but the basic reality of our business that a journalist's product it out there for all to see and evaluate.''

The problem, critics say, is that without knowing who besides the employer is paying a journalist, the situation isn't quite that clear-cut.

Jonathan Salant, president of the Washington chapter of the Society of Professional Journalists, cites approvingly a remark by former Washington Post Executive Editor Ben Bradlee in AJR's March issue: ''If the Insurance Institute of America, if there is such a thing, pays you $10,000 to make a speech, don't tell me you haven't been corrupted. You can say you haven't and you can say you will attack insurance issues in the same way, but you won't. You can't.''

Salant thinks SPJ should adopt an absolute ban on speaking fees as it revises its ethics code. Most critics want some kind of public disclosure at the very least.

Says the Wall Street Journal's Murray, ''You tell me what is the difference between somebody who works full time for the National Association of Realtors and somebody who takes $40,000 a year in speaking fees from Realtor groups. It's not clear to me there's a big distinction. I'm not saying that because you take $40,000 a year from Realtors that you ought to be thrown out of the profession. But at the very least, you ought to disclose that.''

And so Murray is implementing a disclosure policy. By the end of the year, the 40

journalists working in his bureau will be required to list outside income in a report that will be available to the public.

''People are not just cynical about politicians,'' says Murray. ''They are cynical about us. Anything we can do to ease that cynicism is worth doing.''

Sen. Grassley applauds the move. Twice he has taken to the floor of the Senate to urge journalists to disclose what they earn on the lecture circuit.

''It's both the amount and doing it,'' he says. ''I say the pay's too much and we want to make sure the fee is disclosed. The average worker in my state gets about $21,000 a year. Imagine what he or she thinks when a journalist gets that much for just one speech?''

Public disclosure, says Grassley, would curtail the practice.

Disclosure is often touted as the answer. Many journalists, such as Kinsley and Wall Street Journal columnist Al Hunt—a television pundit and Murray's predecessor as bureau chief—have said they will disclose their engagements and fees only if their colleagues do so as well.

Other high-priced speakers have equally little enthusiasm for making the information public. ''I don't like the idea,'' says ABC's Greenfield. ''I don't like telling people how much I get paid.''

But one ABC correspondent says he has no problem with public scrutiny. John Stossel, a reporter on ''20/20,'' voluntarily agreed to disclose some of the ''absurd'' fees he's earned. Last year and through March of this year Stossel raked in $160,430 for speeches—$135,280 of which was donated to hospital, scholarship and conservation programs.

''I just think secrecy in general is a bad thing,'' says Stossel, who did not object to ABC's new policy. ''We [in the media] do have some power. We do have some influence. That's why I've come to conclude I should disclose, so people can judge whether I can be bought.''

(Stossel didn't always embrace this notion so enthusiastically. Last year he told AJR he had received between $2,000 and $10,000 for a luncheon speech, but wouldn't be more precise.)

Brian Lamb, founder and chairman of C-SPAN, has a simpler solution, one that also has been adopted by ABC's Peter Jennings, NBC's Tom Brokaw and CBS' Dan Rather and Connie Chung. They speak, but not for money.

''I never have done it,'' Lamb says. ''It sends out one of those messages that's been sent out of this town for the last 20 years: Everybody does everything for money. When I go out to speak to somebody I want to have the freedom to say exactly what I think. I don't want to have people suspect that I'm here because I'm being paid for it.''

On February 20, according to the printed program, Philip Morris executives from around the world would have a chance to listen to Cokie and Steve Roberts at 7 a.m. while enjoying a continental breakfast. ''Change in Washington: A Media Perspective with Cokie and Steve Roberts,'' was the schedule event at the PGA resort in Palm Beach during Philip Morris' three-day invitational golf tournament.

A reporter who sent the program to AJR thought it odd that Cokie Roberts would speak for Philip Morris in light of the network's new policy. Even more surprising, he thought, was that she would speak to a company that's suing ABC for libel over a ''Day One'' segment that alleged Philip Morris adds nicotine to cigarettes to keep smokers addicted. The case is scheduled to go to trial in September.

At the last minute, Cokie Roberts was a no-show, says one of the organizers. ''Cokie was sick or something'' says Nancy Schaub of Event Links, which put on the golf tournament for Philip Morris. ''Only Steve Roberts came.''

Cokie Roberts won't talk to AJR about why she changed her plans. Perhaps she got Dick Wald's message.

''Of course, it's tempting and it's nice,'' Wald says of hefty honoraria. ''Of course, they [ABC correspondents] have rights as private citizens. It's not an easy road to go down. But there are some things you just shouldn't do and that's one of them.''

[From the Columbia Journalism Review, May–June 1995]

WHERE THE SUN DOESN'T SHINE—FINANCIAL DISCLOSURE FOR JOURNALISTS DOESN'T FLY

(By Jamie Stiehm)

Journalists don't like to politick on their own behalf; they'd much rather cover politics as a spectator sport. But every so often a few souls in Washington are asked—if not told—by their bureau chiefs to run for the prestigious Standing Committee of Correspondents in one of the congressional press galleries. In the case of the daily newspaper gallery, this is an inner circle, democratically elected, that makes important logistical decisions affecting coverage of both Congress and the national political conventions. Hence the tendency of the bigger newspapers and wire services to exercise their clout to get their people in there.

So this year, chances are that if he had kept quiet, John Harwood of the Wall Street Journal, the only candidate from one of the ''Big Four'' national newspapers, would have won. But instead, Harwood chose to ignite a controversial issue that has divided the journalistic community ever since Ken Auletta's September 12 New Yorker article made it the talk of the town: whether journalists should disclose to their peers and the public their ''outside income''—that is, income earned from speeches and sources other than their day jobs.

''I think it's time we do a better job of disclosing the sort of potential conflicts we so often expose in the case of public officials,'' Harwood wrote to 2,000 colleagues in a campaign letter. In an interview, he adds, ''Given the impact the media have on public policy discussions, we should be willing to subject ourselves to more scrutiny.''

This philosophy did not play too well with the masses. As they paid campaign calls around town, Harwood and the Journal's Washington bureau chief, Alan Murray, could hardly help noticing that the disclosure proposal did not excite enthusiasm. ''I was surprised,'' Murray states flatly, ''to find out so many of my colleagues oppose the right thing to do.''

Yet only a handful of daily gallery members, the so-called celebrity journalists who make substantial money from speaking engagements, would likely have serious outside income to disclose. (Harwood himself says that he earned only $300 last year from an outside source, for a speech he gave to the World Affairs Council.) The vast majority of the gallery members are beat reporters who might reasonably resent what some see as an invasion of privacy. ''What business of the gallery is it what my income is?'' says Stephen Green, of Copley News Service, who also ran and lost. ''People who are paying your salary should decide whether you have a conflict or not.'' Alan Fram of The Associated Press, the big winner, opposed disclosure partly on the ground that reporters are private citizens, not public officials.

Fram and Green see ''philosophical perils,'' as Green put it, in ''licensing'' reporters by requiring them to reveal certain facts and activities. ''That opens up a door we don't want to walk through,'' says Fram. ''What's the next step? Voting registration?''

Of the three press galleries that accredit reporters on Capitol Hill—the daily, periodical, and radio-TV galleries—only the periodical press gallery requires members to list all sources of earned income. This rule has always applied to the periodical gallery, largely because it receives more applications from people who might be moonlighting as trade association lobbyists, government consultants, or corporate newsletter writers.

Harwood argues that he only wants the daily gallery to do what the periodical gallery already does: put the sources, not the amounts, of outside income on record for any other gallery member to look up. He would go one step further, however, and make records available to the general public, not just journalistic peers: ''Put the judgment out there.''

Would writing these things down prevent anything impure from taking place? Maybe: environmental lawyers, for example, have found that the most effective laws are the ''sunshine'' statutes that made certain polluting practices less common simply by requiring companies to report them.

Anyway, the results are in. Out of a field of five, Harwood lost narrowly to the three winners: Fram of AP, Sue Kirchhoff of Reuters, and Bill Welch of USA Today, none of whom share his views. Is financial disclosure for journalists an idea whose time has come? If Harwood's loss is a good sounding of the current state of journalistic opinion, the answer is: not yet.

[From the Rocky Mountain News, Sept. 17, 1995]

MEDIA MORALITY: JOURNALISTS WHO PLAY LOOSE WITH RULES COMPROMISE CREDIBILITY

Lots of people hate journalists, and who can blame them?

We can be sanctimonious scolds and know-it-all nags.

We're full of unsolicited advice for every politician, police chief, pro athlete and parent, but when somebody turns the spotlight on our own behavior, we can react like Richard Nixon in bunker mode.

We expect leaders of government and private industry to live by rules that we sometimes don't apply to ourselves. We also expect those same leaders to drop what they're doing and talk to us whenever we have questions—often embarrassing ones—for them. But nobody is more defensive or evasive than a journalist who finds herself on the wrong end of the microphone.

Example: ABC News talking head Cokie Roberts recently caught some well-deserved grief for her outrageous speaking fees (such as $35,000 for a quick performance in Fort Lauderdale earlier this year). She became so annoyed with questions about her lucrative sideline that she quit talking to the press about the subject. If Roberts were a politician, she'd be badgered to a frazzle if she tried to get away with such arrogance, but some big-time journalists go easy on their peers.

In recent weeks, though, the extravagant speaking fees pulled down by such celebrity pundits as Roberts, David Brinkley, Michael Kinsley and William Safire have finally penetrated the public's consciousness. As a result, the skittish bosses of some of the new punditocracy have been re-examining their rules.

Roberts' boss at ABC handed down a new policy that prohibits his staff from accepting a speaking fee from ''any group which you cover or might reasonably expect to cover'' in the future. If journalists could accurately predict what next week's news is going to be, that rule might make some sense. In real

life, the rule has done little to curb ABC's speakers-for-hire.

The simpler and more honest rule was the one set down by James Gaines, managing editor of Time: ''To be sure that everyone knows our policy on accepting fees and/or expenses for outside speaking engagements . . . I want to make it perfectly clear: The policy is that you may not do it.''

This issue is not about forcing Cokie Roberts to get by on the sad little salary that ABC pays her for what is supposed to be her real job. Instead, it is about preserving the most important commodity that she has to offer: credibility.

When you're willing to rent yourself out for $35,000 a night—and worse yet, when you're unwilling to reveal the identities of the customers who have rented you—how can you expect your audience to have any faith in the integrity of your work?

That's not the only way in which the new punditocracy cashes in while compromising its credibility. Another example; Roberts' ABC colleague, George Will, is similarly mum about the various conflicts of interests that he and his lobbyist wife have created for themselves.

When Will writes about the businesses and foreign governments his wife has been paid to represent, he doesn't bother to disclose the connection to his readers. He also didn't let readers in on the depth of his chummy connections with the Reagans and their underlings during their years in power.

This isn't a partisan issue. How are we supposed to trust the objectivity of the celebrity journalists who have spent past Renaissance weekends palling around with Bill and Hillary Clinton at an exclusive South Carolina retreat?

This also isn't an issue limited to a handful of media fat cats. many journalists have to worry about the potential for similar conflict on a smaller scale.

Only a very few of us have to worry about the morality of huge speaking fees. Most of us are underpaid by the standards of other professions and seldom get more than a chicken dinner at the Kiwanis Club for our oratorical efforts.

Even then, we're supposed to get an editor's approval before agreeing to make such an appearance. Still, we humble journalists who never get invited on Crossfire can be self-indulgent other ways:

A few familiar TV faces such as Roberts and Will get all the attention, but there is a glut of lazy, overcautious Washington journalists who cut a symbiotic deal with the city's public officials in which they agree to pretend to take each other seriously.

I once watched a Washington reporter spend two entire workdays planning a dinner party—and he considered it real work—because the party would give him a chance to ''network'' with administration functionaries.

We can be almost cavalier about ''downsizing'' at dozens of Fortune 500 corporations, but when a newspaper folds, or when the bloated Los Angeles Times lays off some newsroom employees, we treat it like a national disaster. And we may yawn when truckers or textile workers are involved in an extended strike or lockout, but when members of Detroit's newspaper guild find themselves on the picket lines, we can get downright weepy.

We trumpet our Pulitizers and the other prizes of our industry, but we tend to relegate the major awards in other professions to the back pages and tiny print—assuming they're deemed worthy publishing at all.

And more and more ''journalists'' are making a career out of talking and writing about themselves; their kids, their parents, their hobbies and illnesses and psychic complaints. Journalism used to be about reporting on the lives of other people, but that can take a lot of time and trouble. And besides, our own lives are so fascinating.

Despite this creed, most of the journalists I know are honest and work pretty hard, and their egos are no more insufferable than the average lawyer's, insurance agent's. And journalism offers more creative satisfaction and redeeming social value than most other professions when it's done right. * * *

Mr. Chairman, disclosure is only a solution to this problem, and I would never suggest that members of the press be prohibited from earning outside income. On the contrary, I want to suggest that the public deserves the right to know which members of the press special-interest lobbies have paid money to. Lobbies are required to disclose which Members of Congress they have financial ties to, and they should be required to disclose which members of the press they have paid honoraria to.

Please do not misunderstand, I am not suggesting that organizations such as the Kiwanis or the Lion's Club should have to disclose any honoraria that it pays to a member of the media. My amendment makes clear that only registered lobbyists are required to disclose any honoraria that it makes available to a member of the media.

Further, I do not expect that my amendment will place an onerous burden on the lobby community. The disclosure of all honoraria to members of the media will be incorporated into a report that lobbyist will already be required to submit to the Clerk of the House of Representatives and the Secretary of the Senate.

As for the Senate, that Chamber has already made clear its intentions toward this matter. This summer the Senate passed Senate Resolution 162, recommending that each accredited member of the Senate Press Gallery file an annual public report with the Secretary of the Senate disclosing the member's primary employer and any additional sources and amounts of earned outside income. Well, I am not suggesting that our Chamber enact similar provisions tomorrow, but that we once again reinforce to the public that they are correct—they do have the right to know if there is even the slightest hint of impropriety—whether it be in the halls of Congress or in the newspaper article in their hand.

This is lobbying reform, my colleagues. This amendment strengthens the bill, and I ask for bipartisan support.

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

Mr. CANADY of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this evening I have spoken in opposition to a number of amendments on the grounds that I believe that the amendments would interfere with our success in passing meaningful lobbyist disclosure reform. Some of those amendments are amendments that I would support. I have to say that this is an amendment about which I have some serious doubts. I believe that there are serious first amendment issues that are raised by this amendment, and I respect my colleague, the gentleman from Illinois [Mr. WELLER], and I understand his motivation to address this, some abuses that may have occurred, in a responsible way, however I have a question about where would we stop if we require this sort of disclosure with respect to activities of people in the media? What would be the next sort of disclosure that we would require? Are we going to get involved in a process of policing the media to make certain who is influencing the media and who is not influencing the media?

Mr. Chairman, I think that leads us down a path that is fraught with problems and could lead to a threat to the freedom of the press in this country.

Now I tell my colleagues the truth. I do no like a lot of what the press has to say. I think the media is biased in many respects. But we have a Constitution in this country, and we have protected the freedom of the press that is inconvenient at times. It is inconvenient to those of us who are in public office when we feel that we have been unfairly attacked. But that is the system of government that our Founders gave us, and I believe that on balance that is a very good system, and I would much rather have a free press that is free from time to time to be irresponsible, that is free all the time to be biased, than to have a press that is policed by people sitting in a Chamber such as this, and I am opposed to any effort that would start us down that road.

Now I am also puzzled by this amendment. In some ways it is extremely underinclusive in dealing with the issue that it apparently attempts to address.

□ 2310

The fact of the matter is that people who work for newspapers and other media outlets are employed by persons and corporations that themselves lobby the Congress and have significant interests before the Congress. The people that are paying their salaries have interests in matters here, and many media outlets have lobbyists or hire lobbyists that come before the Congress. So to focus simply on this issue of honoraria given to Members of the press by people who lobby, by registered lobbyists, I do not think addresses the issue that even the gentleman would purport to address.

However, if it did address it, I would still have the concerns that I expressed about the implications that this has for first amendment rights. Again, I understand the gentleman's motivation. I believe that he is motivated with pure motives, but I do not believe that this is the sort of step we should take.

Furthermore, I will guarantee you that this is the sort of amendment that would have a great potential for derailing this bill. I believe that it is the sort

of baggage that would virtually guarantee an extended battle over this in a conference committee, and also provoke a Presidential veto of the bill.

This is not an amendment that we need on this bill. I think that if there is any need to look at this issue, it should be looked at in the committee process, and as the chairman of the Subcommittee on the Constitution, with responsibility for issues related to the first amendment, I would be happy to work with the gentleman and look at his concerns, but I believe we need to reject this amendment.

I believe that if we adopted the amendment, we would not only act to impede our progress on this critical issue of lobbying disclosure reform, but we would start moving down a road that could lead to some serious infringements of first amendment rights in this country.

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

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the chairman of the subcommittee has done a very good job of pointing out the substantive problems with this amendment. Let me just add a little bit to his analysis.

Mr. Chairman, we do regulate the relationship lobbyists have to us. In the Senate, they are seeking to regulate the relationship that journalists have to the Senate through getting a credential. This, unfortunately, goes, I think, a step too far in regulation, because it regulates the relationships of two wholly private entities to each other. That is, the gentleman said, should there not be as much accountability on the press as on us? No, not as much because they are private. I would like to be able to make changes there, and I reject those in the press who argue that there should not be any scrutiny of them, et cetera. But there cannot be an equivalent in the way we deal with them officially.

Yes, we have a right to require lobbyists to report on what they do with us. The Senate has a right, I believe, to require some disclosure on their journalists who get credentials, although you may agree or disagree with the substance. However, this amendment is one in which lobbyists and the press are being regulated. Let us be very explicit, that compulsory disclosure is, of course, a form of regulation. We had the Burton amendment today. It did not pass but it got a lot of votes. What the gentleman from Indiana said was the best way to regulate this is to require disclosure.

We do not have as a Government entity the right, in my judgment, to go to two purely private entities and say, ''You must tell us what you are paying that one.'' I would say, particularly to my friends on the other side who are advocates of more limited government, this would be a very significant expansion of Government regulatory power, to say that we will require the public disclosure of what A pays to B, when neither one of them is in that transaction directly affecting the Government.

Would I like to know it? Sure. I think it would be embarrassing to many journalists if we got that information, and embarrassing journalists is one of my favorite things to do. I like to embarrass journalists. But I do think that we have to abide by the Constitution, and having a Federal regulatory scheme imposed on the relationships of lobbyists who are in the private sector and journalists in the private sector and their private interrelationship does, in my judgment, transgress the first amendment. Therefore, I think this would be a mistake, in addition to the other reasons.

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

Mr. WELLER. Mr. Chairman, I yield myself such time as I might consume.

Mr. Chairman, my colleagues make reference to the first amendment rights of members of the media. This amendment respects those rights.

To the contrary, this amendment provides to those Members of the media that do not accept honoraria, and of course, an endorsement of the fact that there be an objective in their not receiving fees.

The fact is this amendment places the burden of disclosure not on the reporter but on the lobbying community, not the press. The public has a right to know if a reporter is receiving a $30,000 fee, speaking fee, from a lobbying organization, a registered lobbyist, and then does a story, reporting on that very issue important to special interest that the lobbyist represents, the public has the right to know.

☐ 2320

This is simply disclosure. No one is stopping that reporter from collecting that speaking fee.

Mr. Chairman, I would like to ask how much time remains?

The CHAIRMAN. The gentleman from Illinois has 8 minutes remaining.

Mr. WELLER. Mr. Chairman, I yield 3 minutes to the gentleman from South Carolina, Mr. GRAHAM.

Mr. GRAHAM. Mr. Chairman, the gentleman from Massachusetts has a very keen mind and I think raises a good point. I am a lawyer, and I do not claim to be a constitutional scholar, but I do believe that the purpose of the amendment fits well within what we are trying to do here in Congress.

Mr. Chairman, we are trying to open up the political process so that people can understand how it works, who is involved, and exactly where everyone is coming from. I do believe that it is lawful to regulate lobbying activities in regard to how this body operates. I believe it is an appropriate thing to have lobbyists disclose many facets of their business enterprise, because their efforts are to affect public policy. They have registered. They have set themselves apart as their business, and as their business affects the Nation's business, I think we need to know.

Now, we have come to a time to where the media has taken a very, I think, clear and appropriate role in our society in the political process, but I do not believe that their outside activities, who they associate with in terms of lobbying groups, is beyond disclosing as far as the lobbyists themselves.

If journalists are going to cover the political process and are going to become a quasi-public figures, I know at least many of these people are, they probably do not meet the legal definition of a public figure, I think people in this country would appreciate as much knowledge they could gain about how laws are made and about how the political process is reported.

Unfortunately, every American does not have the ability to hire a lobbyist to come up here and represent their interest in Washington. Many times, the only way to judge the political process and who is telling the truth and who is not and how effective it is is by picking up a newspaper and turning on the television and listening to the media.

Mr. Chairman, I do not believe it is violating anyone's first amendment rights for a lobbyist, whose only role is to affect the political process, to tell us exactly who they are paying and where their money goes in terms of the public policy debate. Certainly, part of the public policy debate is the information we receive through the media, whether it be in print or the airwaves, and that helps the American public better understand the political process and who is involved and what bias may or may not exist.

That is the role of the lobbyist, to come up and affect the legislation and if at the same time they are giving away money to groups that cover the political process, they do not tell the groups what to say or how to say it, but it does give the public information that I think is very vital to judge how effective the process is and exactly who to believe and who not to believe. No one is hurt here. No one is being affected by doing their job effectively. All we want to know is where money goes in the public policy debate.

Mr. WELLER. Mr. Chairman, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman from South Carolina has helped clarify this issue. There are people in this society, obnoxious, irresponsible, biased people, who have a right to tell us, ''None of your business.''

No, we do not have a right legally to compel two purely private actors to tell us how much money is changing hands between them when no statute is being violated and it is not a question of fraud or bribery. I am surprised that the gentleman does not see that distinction.

Would the public like to know? Of course they would. The public would

like to know a lot. Some of what the public would like to know is very important. Some of what the public would like to know bothers me, and I think BILL BENNETT was right to talk about some of the trash TV.

But the fact that people would like to know what other people have a right to keep private does not justify legislating it. The gentleman from South Carolina said, one of the gentlemen said, this is going to protect the first amendment rights, maybe it was the gentleman from Illinois, of those reporters who do not take honoraria because it will show how they are being objective.

Mr. Chairman, it is not the business of the government of the United States to stamp approved or disapproved on people. To say objective or not objective. Verbally, can we say that as Members? Of course we can. But to enact a statute into law that reaches out to the purely private relationships of two people, organization A, that happens to be a lobbyist and, journalist B, and says, ''You know, we would love to know how much money you people are paying each other,'' and compel its disclosures makes a mockery of the notion of limited government and of privacy rights.

The fact is, having a Constitution, having limited government, means exactly that we do not find out things we would like to know. We do not need a Constitution to protect information that nobody cares about. We do not need a Constitution to protect the privacy of people in whom no one is interested. We need a Constitution to limit government, and the notion, the argument, ''Well, the media has gotten too big for its britches and is biased,'' yes, I will stipulate, the media is a pain in the place I should not say here, but that is absolutely irrelevant to whether or not we, by law, say, ''You must tell us these things.''

It is not simply a first amendment right not to be thrown in prison or beaten or have your property confiscated. There is a right to say to the government, ''None of your business. I do not want to tell you. You do not have a right to know. You do not have a right to use the law to find out this information.''

So, on this amendment, I hope we will vote it down, not simply because it is going to weight down this bill, but because it really is yielding to a temptation that we should not yield to. The gentleman talked about Sisyphus. Let me talk about Tantalus. Let us remember Tantalus was tied to the table and he could not reach the goodies.

Constitution ties us down. We are Tantalus. The goodies is all this dirt on the press we would love to have, but the Constitution is what ties us down and I do not think we want to try to loosen those bonds.

Mr. WELLER. Mr. Chairman, I yield 1½ minutes to the gentleman from Pennsylvania, Mr. FOX.

Mr. FOX of Pennsylvania. Mr. Chairman, the disclosure bill before us tonight is a great reform. And to the gentleman from Florida [Mr. CANADY] and to the gentleman from Massachusetts [Mr. FRANK] and those who are here tonight working to move this reform forward, the colleagues on both sides of the aisle are joining together to make sure this bill does pass.

The gentleman from Illinois [Mr. WELLER] has brought forward an amendment he believes will be an additional reform, and I have to tell my colleagues that the gentleman has been someone that as a freshman has been a reformer. He has supported the gift ban. He has worked to make sure the congressional staffs have been reduced and the cost of this institution has been reduced by $150 million.

Mr. Chairman, this is part and parcel of that entire effort, that is making sure we reform Congress. Here we are talking about an amendment which is common sense. It talks about the public's right to know when journalists are receiving honoraria from special interest groups and what effect that has on the objectivity of their position and what they print.

The journalist's acceptance of honoraria could influence the type of information he or she may include in their report, or exclude. We only have to look at the Senate where they have made their intentions clear. The Weller amendment is consistent with the sense-of-the-Senate resolution, which in fact would call for the annual reporting and disclosing of the member's primary employer and any additional sources of income.

Mr. Chairman, I believe what has been said before must be underscored. This amendment only places the burden of disclosure on the lobbying community and not on the press. I ask for support of the Weller amendment.

Mr. WELLER. Mr. Chairman, I reserve the balance of my time.

□ 2330

Mr. FRANK of Massachusetts. Mr. Chairman, I yield my remaining time to the gentleman from Florida [Mr. CANADY].

The CHAIRMAN. The gentleman from Florida [Mr. CANADY] has 4 minutes remaining and has the right to close.

Mr. CANADY of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut [Mr. SHAYS].

Mr. SHAYS. Mr. Chairman, I first would like to start by thanking you for your fine delegation of responsibilities here. You have been an outstanding acting chairman.

To weigh in on this issue, I consider this a very mischievous amendment because candidly I do not think it will accomplish what the gentleman wants, but I think if it were to be adopted, it would put in serious jeopardy passage of this lobby disclosure bill.

Again, I want to point out to the Members here and for the record that the last time we had any lobby disclosure bill was in 1946. In the early 1950's, the Supreme Court basically gutted that. There was report language brought forward by the committee that points out that those who are listed in the Washington representatives listings of the 13,500 individuals and organizations, 10,000 of them did not register as lobbyists.

The individual who is offering this amendment, I know, is doing it in good faith. I am fed up with hearing Sam Donaldson go after honoraria when we know he accepts so much of it. And if he thinks it affects Members of Congress, of course, it does not affect him. I mean, the same logic should apply to him. I think of him and others, I would love to know how much they are paid.

But it says in this amendment only lobbyists have to disclose. Well, that is a simple wrap to beat. You just simply have someone other than a lobbyist paid that honoraria.

If the gentleman from Illinois [Mr. WELLER] was aware of how hard we have worked to get this on the floor and maybe was aware of how hard it has been to even get our own Republican leadership to schedule debate on this bill and if the gentleman were aware of the attempts to find any amendment to this bill so that it would, in fact, be sent back to the Senate, he might be more sympathetic to why we are finding it so difficult to accept this kind of amendment.

It is true, and I have to agree with the gentleman, 435 Members ultimately have to decide whether this bill gets amended and ultimately killed in the Senate. But I just would try to encourage Members and particularly Mr. WELLER, on this amendment, that this deserves a hearing. This deserves to have the kind of report language that the bill we have before us has, that documents the need and shows how it would in fact be effective or not effective, that documents that it would be, in fact, constitutional, that documents that it would achieve the results that the gentleman desires.

On the basis of the motion, I, too, would like to know what media is paid what, but I do not think this amendment does it. I think it places in serious jeopardy passage of this bill in the Senate.

The CHAIRMAN. The gentleman from Illinois [Mr. WELLER] has 3½ half minutes remaining.

Mr. WELLER. Mr. Chairman, I yield 1 minute and 45 seconds to the gentleman from Tennessee [Mr. DUNCAN].

Mr. DUNCAN. Mr. Chairman, I will be very brief because I know the hour is late. I simply want to rise and commend the gentleman from Illinois, my good friend, Mr. WELLER. I think he has shown great courage and leadership in bringing this amendment to the attention of his colleagues and to the attention of the American people.

With all due respect to Mr. WELLER, I doubt that this amendment can be passed, but that does not mean that it is a bad thing or it is not something that we should discuss. I think it is very limited in scope.

I personally do not think that it violates freedom of press or the first amendment to the slightest degree. It does not regulate in any manner what someone can write or say, but I would approach this from a little different angle. I would say tonight that any respectable, any ethical journalist would voluntarily comply with this amendment. But so many journalists are quick to criticize but very slow to lead by example.

The best example I know of this was a few years ago, some of us may remember, the Capitol Hill Press Club, their officers voted to require their membership to follow the same disclosure requirements that we as Members of Congress were required to follow. Their membership rose up in arms and by an 80 percent margin voted to impeach their leadership.

There is a real double standard around here, and it is really time for it to end. Efforts like those of the gentleman from Illinois [Mr. WELLER] will help bring that to an end.

Mr. WELLER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, in response to the comments of my good friend, the gentleman from Connecticut [Mr. SHAYS], there were a number of us that worked very hard to make sure that this bill came to law. I think a lot of us certainly voiced our concern and priority for bringing these bills to a vote quickly so that the Congress could address them.

A lot of good ideas are being discussed and a lot of good Members have worked hard on lobbying reform. This proposal actually improves the bill. Frankly, it is pretty much a common sense question, Mr. Chairman. Does anyone believe that the public does not have the right to know who is on the payroll of special interests, particularly a registered lobbyist? I believe they do, Mr. Chairman.

This amendment respects the first amendment. Reporters can still be on the speaking circuit. Reporters can still collect speaking fees, some small, some as large as $30,000 or $40,000. And under this amendment, they are not required to disclose that publicly.

The burden is registered lobbyists who disclose the honoraria they pay to members of the media. I think that if a reporter receives a speaker fee and then writes a story or does a story and covers an issue impacting the very issue that is so important to that particular lobbyist, the public has a right to know. This amendment improves the bill.

I ask for bipartisan support.

Mr. CANADY of Florida. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I have the greatest respect for my colleague from Illinois. I understand that he is doing something that he believes is important and is the right thing to do. But I think this is a bad amendment. I think this is an amendment that targets the press in a way that is unacceptable.

Again, I do not approve of everything the press does. I think there is obvious bias there. But I think we are going down a road here that is not a road we want to get on. It is a road that is inconsistent with the values that we hold under the first amendment, and I would urge all the Members of the House to reject this amendment, as well as other amendments, which are going to interfere with passing this legislation and reforming lobbyist disclosure after 40 years of gridlock.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. WELLER].

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. WELLER. Mr. Chairman, I demand a recorded vote and, pending that, I make a point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the order of the House of today, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

The point of order is considered withdrawn.

Mr. CANADY of Florida. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. FOX of Pennsylvania) having assumed the chair, Mr. KOLBE, 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. 2564) to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes, had come to no resolution thereon.

LEGISLATION PROVIDING FOR CLEAN EXTENSION OF CONTINUING RESOLUTION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations and the Committee on Government Reform and Oversight and ordered to be printed.

To the Congress of the United States:

In declaring my intention to disapprove House Joint Resolution 122, the further continuing resolution for fiscal year 1996, I stated my desire to approve promptly a clean extension of the continuing resolution that expired on November 13. Accordingly, I am forward the enclosed legislation that would provide for such an extension. This legislation also provides that all Federal employees furloughed during the Government shutdown through no fault of their own will be compensated at their ordinary rate for the period of the furlough.

I urge the Congress to act on this legislation promptly and to return it to me for signing.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *November 16, 1995.*

THE REAL DEFAULT

(Mr. SCARBOROUGH asked and was given permission to address the House for 1 minute and to revise and extend his remarks and to include therein extraneous material.)

Mr. SCARBOROUGH. Well, well, well, there they go again. But if we want to talk about something that has gotten out into the public, it is the fact that the Democrats have shamelessly been demagoguing on Medicare to try to scare senior citizens.

Read the Washington Post this morning. It tell you what the real deficit is. It says, it is a deficit in leadership on the President's part and on the House Democrats' part. The Post says, the Democrats, led by the President, choose instead to present themselves as Medicare's great protectors. They have shamelessly used the issue, demagogued on it, because they think that is where the votes are, and that is what the President is still doing this week.

If the Democrats play the Medicare card and win, they will have set back for years, for the worst of political reasons, the very cause of rational government in behalf of which they profess to be behaving. This has finally come out in the open. They know the President's plan does the same thing as our plan. It is indefensible, and the American people, and even the Washington Post, has caught on.

By the way, read the front page. Robert Rubin is now raiding the Federal retirees' trust fund to get out of this crisis. That is the real shame.

[From the Washington Post, Nov. 16, 1995]

THE REAL DEFAULT

The budget deficit is the central problem of the federal government and one from which many of the country's other, most difficult problems flow. The deficit is largely driven in turn by the cost of the great entitlements that go not to small special classes of rich or poor but across the board to almost all Americans in time. The most important of these are the principal social insurance programs for the elderly, Social Security and Medicare. In fiscal terms, Medicare is currently the greatest threat and chief offender.

Bill Clinton and the congressional Democrats were handed an unusual chance this year to deal constructively with the effect of Medicare on the deficit, and they blew it. The chance came in the form of the congressional Republican plan to balance the budget over seven years. Some other aspects of that plan deserved to be resisted, but the Republican proposal to get at the deficit partly by confronting the cost of Medicare deserved support. The Democrats, led by the president, chose instead to present themselves as Medicare's great protectors. They have shamelessly used the issue, demagogued on it, because they think that's where the votes are and the way to derail the Republican proposals generally. The president was still doing it this week; a Republican proposal to

increase Medicare premiums was one of the reasons he alleged for the veto that has shut down the government—and never mind that he himself, in his own budget, would countenance a similar increase.

We've said some of this before; it gets more serious. If the Democrats play the Medicare card and win, they will have set back for years, for the worst of political reasons, the very cause of rational government in behalf of which they profess to be behaving. Politically, they will have helped to lock in place the enormous financial pressure that they themselves are first to deplore on so many other federal programs, not least the programs for the poor. That's the real default that could occur this year. In the end, the Treasury will meet its financial obligations. You can be pretty sure of that. The question is whether the president and the Democrats will meet or flee their obligations of a different kind. On the strength of the record so far, you'd have to be on flight.

You'll hear the argument from some that this is a phony issue; they contend that the deficit isn't that great a problem. The people who make this argument are whistling past a graveyard that they themselves most likely helped to dig. The national debt in 1980 was less than $1 trillion. That was the sum of all the deficits the government had previously incurred—the whole two centuries' worth. The debt now, a fun-filled 15 years later, is five times that and rising at a rate approaching $1 trillion a presidential term. Interest costs are a seventh of the budget, by themselves now a quarter of a trillion dollars a year and rising; we are paying not just for the government we have but for the government we had and didn't pay for earlier.

The blamesters, or some of them, will tell you Ronald Reagan did it, and his low-tax, credit-card philosophy of government surely played its part. The Democratic Congresses that ratified his budgets and often went him one better on tax cuts and spending increases played their part as well. Various sections of the budget are also favorite punching bags, depending who is doing the punching. You will hear it said that someone's taxes ought to be higher (generally someone else's), or that defense should be cut, or welfare, or farm price supports or the cost of the bureaucracy. But even Draconian cuts in any or all of these areas would be insufficient to the problem and, because dwelling on them is a way of pretending the real deficit-generating costs don't exist, beside the point as well.

What you don't hear said in all this talk of which programs should take the hit, since the subject is so much harder politically to confront, is that the principal business of the federal government has become elder-care. Aid to the elderly, principally through Social Security and Medicare, is now a third of all spending and half of all for other than interest on the debt and defense. That aid is one of the major social accomplishments of the past 30 years; the poverty rate for the elderly is now, famously, well below the rate for the society as a whole. It is also an enormous and perhaps unsustainable cost that can only become more so as the baby-boomers shortly begin to retire. How does the society deal with it?

The Republicans stepped up to this as part of their proposal to balance the budget. About a fourth of their spending cuts would come from Medicare. It took guts to propose that. You may remember the time, not that many months ago, when the village wisdom was that, whatever else they proposed, they'd never take on Medicare this way. There were too many votes at stake. We don't mean to suggest by this that their proposal with regard to Medicare is perfect—it most emphatically is not, as we ourselves have said as much at some length is this space. So they ought to be argued with, and ways should be found to take the good of their ideas while rejecting the bad.

But that's not what the president and congressional Democrats have done. They've trashed the whole proposal as destructive, taken to the air waves with a slick scare program about it, championing themselves as noble defenders of those about to be victimized. They—the Republicans—want to take away your Medicare; that's the insistent PR message that Democrats have been drumming into the elderly and the children of the elderly all year. The Democrats used to complain that the Republicans used wedge issues; this is the super wedge. And it's wrong. In the long run, if it succeeds, the tactic will make it harder to achieve not just the right fiscal result but the right social result. The lesson to future politicians will be that you reach out to restructure Medicare at your peril. The result will be to crowd out of the budget other programs for less popular or powerful constituencies—we have in mind the poor—that the Democrats claim they are committed to protect.

There's a way to get the deficit down without doing enormous social harm. It isn't rocket science. You spread the burden as widely as possible. Among much else, that means including the broad and, in some respects, inflated middle-class entitlements in the cuts. That's the direction in which the president ought to be leading and the congressional Democrats following. To do otherwise is to hide, to lull the public and to perpetuate the budget problem they profess to be trying to solve. Let us say it again: If that's what happens, it will be the real default.

□ 2340

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. FOX of Pennsylvania). Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. SCARBOROUGH] is recognized for 5 minutes.

[Mr. SCARBOROUGH addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

[Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

A TURNING POINT IN THE NATION'S HISTORY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee [Mr. DUNCAN] is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, I do not believe I will take the full 5 minutes, but I want to rise tonight to say that I believe that most people across this country realize that we are at a real turning point in the history of this Nation. I believe that most people realize that, if we do not bring Federal spending under control and put our fiscal house in order now, that we are going to face very severe economic problems in the near future. If we do not do this now, we will never do it unless probably it is too later to make any real difference.

Mr. Speaker, in that regard we often hear speakers say that we are doing this for our children and grandchildren and certainly that is true, but I think it is also accurate to say that we are doing it for the people who are in the prime of their lives right now because we are going to have extremely difficult economic problems and financial problems in the next 6, or 8, or 10 years, if not sooner, if we do not act now.

Mr. Speaker, already the President's own Medicare trustees have said that Medicare will be broke in about 6 years if we do not make major changes now., so that is why we passed a bill a few weeks ago allowing or giving huge increases in Medicare spending but which does slow the growth of Medicare to about twice the rate of inflation, instead of three or four times the rate, in which it does more to fight waste, fraud, and abuse. Even President Clinton said in his meeting with Speaker GINGRICH in New Hampshire, one of the first things he said was that we have to slow the rate of growth in Medicare.

One of the most fascinating things though, Mr. Speaker, that I saw, and I wanted to call this to the attention of my colleagues tonight, appeared in the Washington Post today. Now all of us know that the Washington Post at times acts or seems to act as the house organ for the Democratic Party, and so that is what made it so, I think, amazing, even that they wrote the lead editorial that they had today, and in that editorial the Washington Post said this. The budget deficit is the central problem of the Federal Government and one from which many of the country's other most difficult problems flow, and then the Post went on to say this:

> Bill Clinton and the congressional Democrats were handed an unusual chance this year to deal constructively with the effect of Medicare on the deficit, and they blew it. The chance came in the form of the congressional Republican plan to balance the budget over seven years. Some other aspects of that plan deserved to be resisted, but the Republican proposal to get at the deficit partly by confronting the cost of Medicare deserved support. The Democrats, led by the president, chose instead to present themselves as Medicare's great protectors. They have shamelessly used the issue, demagogued on it, because they think that's where the votes are and the way to derail the Republican proposals generally. The president was still doing it this week.

In addition I have a couple of other things I would like to call some attention to that also appeared today. Dan Thomasson, who is the vice president for Scripps-Howard, an editor of the Scripps-Howard news service, wrote

this, and I think this is very accurate, and once again Mr. Thomasson is not known as any conservative or Republican columnist. In fact he is considered, I think, very moderate, and he said that, and in fact he frequently says things that criticize both the Republicans and the Democrats, and he said this. He said:

''The so-called Republican revolution is being undermined by a political ineptness hard to match in modern history. The result could be a derailing of the best opportunity in three decades to win control over runaway entitlements and to put some sense back in the congressional spending process.''

But he goes on to say this, Mr. Speaker, and I think these words are so important for many people to hear. He said:

''For 30 of the 40 years Democrats controlled Congress before last year's GOP takeover, the majority displayed a constitutional inability to deal with the building budgetary crisis. Any effort to stabilize Social Security, Medicare, Medicaid, pensions and welfare was not only rebuffed; it was labeled as mean-spirited and used to defeat its proponents.

So politically volatile were these issues that few members of Congress from either party would dare to whisper publicly what everyone knew: that unless something was done to control the costs of these huge programs, our economic future was in grave jeopardy.''

Mr. Speaker, I think those words are so very important as we consider the debate that we are going through at this time.

Mr. Speaker, I will have more to say about this later on. I see that my time has expired.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina [Mr. CLYBURN] is recognized for 5 minutes.

[Mr. CLYBURN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. KIM] is recognized for 5 minutes.

[Mr. KIM addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi [Mr. THOMPSON] is recognized for 5 minutes.

[Mr. THOMPSON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

EXPLANATION OF PRESIDENT'S DECISION TO FURLOUGH NONESSENTIAL FEDERAL EMPLOYEES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine [Mr. LONGLEY] is recognized for 5 minutes.

Mr. LONGLEY. Mr. Speaker, today is day 3 of the President's decision to furlough nonessential Federal employees, and I know that there has got to be a great deal of concern across the country as to exactly what is happening, and I think that we, as Members of Congress, owe it to the public to explain to them in our view what precisely is happening, and I would like to explain the furlough in these terms.

Yesterday was a defining day. It was a defining day in the debate about the role of the Federal Government and the interests of the respective parties in dealing with the problems of Government spending. It was a defining day for the President because he came out and made it clear once and for all that he is opposed to balancing the Federal budget, despite the fact that in his campaign in 1993 he claimed that he could balance, and would balance, the Federal budget in 5 years, despite the fact that in various times he has come out for either a 7-year balanced budget, a 10-year balanced budget, an 8-year balanced budget, or a 9-year balanced budget, or the fact that in January of this year he submitted to this Congress a budget that will never balance, that shows $200 billion a year in deficits as far as the eye can see.

The President, Mr. Speaker, made himself clear last night. He indicated that he is opposed to balancing the budget in 7 years.

□ 2350

It was also a defining day for the Congress. Last night we voted a continuing resolution wherein 277 Members of this body went on record in support of a clean continuing resolution, and when I say clean, I mean a resolution that had as its only condition that the President agree to work with the Congress to balance the Federal budget over the next 7 years, no other condition; no conditions about Medicare, no conditions about tax cuts, no conditions about spending adjustments, nothing, other than one simple agreement and understanding, that we will work together to balance this country's budget over the next 7 years.

Needless to say, that passed by 277 votes, nearly a veto-proof majority. But I also need to chide this House, and bring to its attention the fact that in January of this year we had 300 Members who went in support of a balanced budget amendment that would have required and would require that we balance the Federal budget over 7 years. Of the 300 votes in support of that, we received the votes of 72 Democrats.

I should note that since January, four of those Democrats have crossed the aisle to join the Republican party, precisely because of their commitment and support for the objective of balancing the Federal budget. Nevertheless, of those 68 remaining Democrats who voted for the balanced budget amendment, only 48 last evening voted to actually balance the budget in 7 years, per the terms of the continuing resolution.

Despite all the sweet talk and promises and posturing that the public has witnessed, the fact remains that we must get on a track to balancing the Federal budget, that we need a commitment from the Members of this Congress, a commitment to meet their word and to fulfill the promises that they made in their campaigns. We must get this country on the track to a balanced Federal budget.

This is about whether the Federal Government is going to, once and for all, recognize that there is a limit to what it can spend, a limit to what it can tax, and a limit to what it can regulate. Again, I hope that the President sees the light and is willing to fulfill the commitment that he made in his campaign.

REPUBLICANS IN CONGRESS ARE DETERMINED TO BALANCE THE FEDERAL BUDGET

The SPEAKER pro tempore (Mr. Fox of Pennsylvania). Under a previous order of the House, the gentleman from Connecticut [Mr. SHAYS] is recognized for 5 minutes.

Mr. SHAYS. Mr. Speaker, I was elected to the State House in 1974, and began to serve office in 1975. At that time the national debt was about $375 billion. I periodically would pay attention to the spending habits of Congress and note that it would spend more than it raised in revenues.

In the State House, I wondered how Congress could do this, because in the State legislatures, we of course have to balance our budgets. Obviously, a Congress, when times are difficult, during times of war and so on, during times of recession, it is logical that Congress would want to generate economic activity and help bring the economy out of its recession, but Congresses and Presidents collectively, Republicans and Democrats, allowed for deficit spending.

The national debt since that time has grown to $4,900 billion, or $4.9 trillion. When I was elected to Congress in 1987, I joined with a group of Republicans, primarily, and a few Democrats who wanted to end this. At the time our group was about 35 Members. Each year it kept growing, with each election it kept growing more and more and larger and larger, until last year our number was about 160.

Finally, with the election of 1994, we got a bulk of Members, Republicans and Democrats, who voted for the balanced budget amendment, as the gentleman from Maine [Mr. LONGLEY] pointed out, 72 Members on the other side, and every Republican except 1, I think, or 2 in the House. What are we trying to do? The first thing we are trying to do is get our financial House in order and balance our budget.

The second thing we are trying to do is save our trust funds, particularly Medicare, from bankruptcy. The third

thing, and it is equally as important, we are trying to transform the social and corporate welfare state into an opportunity society.

This is not easy; if it was easy, it would have been done a long time ago. It is not popular, or it would have been done a long time ago. We are determined to balance our Federal budget, but we are doing it, in many cases, by slowing the growth of spending. We are still allowing programs to grow.

The earned income tax credit, which some of my colleagues on the other side accuse us of wanting to cut, we are going to have it grow from $19.8 billion to $27.5 billion. The school lunch program we are going to have grow from $6.3 billion to over $8 billion. The student loan program is going to grow from $24.5 billion to $36 billion, a 50-percent increase in the student loan. Students are going to grow in the next 5 years from 6.7 million students to 8.4 million. It is a growing program. Medicaid is going to grow from $89.2 billion to $124.3 billion, and Medicare is going to grow from $178 billion to $273 billion. Only in this Chamber and in Washington, when you spend so much more money, do people call it a cut. We are spending more money.

I really appreciate and I really want to thank the Washington Post. It is nice to have a paper that has been pretty hard on us recognizing that the real default is not in this Chamber, it is by the White House, in failing to want to participate in this effort.

When Leon Panetta was a Member of this Chamber, he said, ''The only way you are going to control the spending in Congress and our Federal budget is to control the growth of entitlements.'' We are taking on entitlements. It is not an easy thing to do. No complaints. I am proud of it. I am happy to go to my constituents and explain what we are doing. For instance, with Medicare, we have no copayment increase, no deduction increase. We are allowing the premium to stay at 31.5 percent. The taxpayers will continue to pay 68.5 percent.

We are allowing individuals to stay in their private fee-for-service system that has gone from the 1960's on up, this Blue Cross-Blue Shield program. We are allowing them to stay there, but we are also going to give them a Medi-Plus program. They can get better service if they get into private care. If they leave and get private care and it turns out they do not like it, they have the opportunity every month for the next 24 months to get back into the traditional Medicare program. My point is, I am so proud of what this Republican majority is doing when it comes to dealing with the budget.

Now, would I like the President to weigh in? Yes. I want him to agree to a 7-year balanced budget. But I am not saying he has to agree to our priorities. If he wants to put more money in urban areas, frankly, I hope he does. I would like to join him in that effort. If he thinks that our tax cut should be slightly different, then I hope he does. I would be happy to assist him in that effort.

The bottom line, Mr. Speaker, is that we are going to get our financial house in order, with or without the President's help, but it would be a lot easier with his help.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. PALLONE] is recognized for 5 minutes.

[Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. RIGGS] is recognized for 5 minutes.

[Mr. RIGGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida [Mrs. THURMAN] is recognized for 5 minutes.

[Mrs. THURMAN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. FRANK of Massachusetts) to revise and extend their remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes, today.
Mr. CLYBURN, for 5 minutes, today.
Mr. THOMPSON, for 5 minutes, today.
Mr. PALLONE, for 5 minutes, today.
Mrs. THURMAN, for 5 minutes, today.

(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous material:)

Mr. KIM, for 5 minutes, today.
Mr. LONGLEY, for 5 minutes, today.
Mr. RIGGS, for 5 minutes, today.
Mr. ROYCE, for 5 minutes, on November 17.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. SHAYS, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. FRANK of Massachusetts) and to include extraneous matter:)

Miss COLLINS of Michigan.
Mr. LANTOS.
Mr. HOYER.
Mrs. MALONEY.
Mr. LIPINSKI.
Mr. TRAFICANT.
Mr. KENNEDY of Massachusetts.
Mr. GEJDENSON.
Mrs. COLLINS of Illinois.
Mr. SANDERS.
Mr. PALLONE.

(The following Members (at the request of Mr. DUNCAN) and to include extraneous matter:)

Mr. DAVIS.
Mr. SHAW.
Mr. FUNDERBURK.
Mr. PACKARD.
Mr. CRANE.
Mr. FIELDS of Texas.
Mr. SCHAEFER.
Mr. RAMSTAD.
Mr. HORN.

(The following Members (at the request of Mr. SHARP) and to include extraneous matter:)

Mr. HEINEMAN.
Mr. PAYNE of Virginia.
Mr. CUNNINGHAM.
Mr. CAMP.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 11 o'clock and 59 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, November 17, 1995, at 9:30 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1690. A letter from the Director, Defense Security Assistance Agency, transmitting notification concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance [LOA] to the United Arab Emerites for defense articles and services (Transmittal No. 96–13), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

1691. A letter from the Director, Defense Security Assistance Agency, transmitting a report stating that on November 13, 1995, the deaths of five Americans were caused by a major explosion which occurred in the parking lot of the headquarters, Office of the Program Management-Saudi Arabian National Guard Modernization Program [OPM–SANG], pursuant to 22 U.S.C. 2761(c)(2); to the Committee on International Relations.

1692. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 11–147, ''Safe Streets Anti-Prostitution Temporary Amendment Act of 1995'' pursuant to D.C. Code, section 1–233(c)(1); to the Committee on Government Reform and Oversight.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. DREIER: Committee on Rules. House Resolution 272. Resolution authorizing a specified correction in the form of the conference report to accompany the bill (H.R.

2491) to provide for reconciliation pursuant to section 105 of the concurrent resolution on the budget for fiscal year 1996, and waiving points of order against the corrected conference report (Rept. 104–348). Referred to the House Calendar.

Mr. SOLOMON: Committee on Rules. House Resolution 273. Resolution providing for consideration of the bill (H.R. 2606) to prohibit the use of funds appropriated to the Department of Defense from being used for the deployment on the ground of United States Armed Forces in the Republic of Bosnia and Herzegovina as part of any peacekeeping operation, or as any implementation force, unless funds for such deployment are specifically appropriated by law (Rept. 104–349). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SHAW (for himself and Mr. GILCHREST):

H.R. 2646. A bill to amend the sugar price support program in the Agricultural Act of 1949 to provide for additional assessment with respect to raw can sugar produced in the Everglades agricultural area in the State of Florida to finance land acquisition projects for the restoration of the Florida Everglades; to the Committee on Agriculture.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. MONTGOMERY, Mr. MILLER of Florida, and Mr. ZIMMER):

H.R. 2647. A bill to amend the Internal Revenue Code of 1986 to terminate the tax subsidies for large producers of ethanol used as a fuel; to the Committee on Ways and Means.

By Mr. FUNDERBURK:

H.R. 2648. A bill to amend the Federal Water Pollution Control Act to require that an application to the Federal Energy Regulatory Commission for a license, license amendment, or permit for an activity that will result in a withdrawal by a State or political subdivision of a State of water from a lake that is situated in two States shall not be granted unless the Governor of the State in which more than 50 percent of the lake, reservoir, or other body of water is situated certifies that the withdrawal will not have an adverse effect on the environment in or economy of that State, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GALLEGLY (for himself and Mr. WELDON of Pennsylvania):

H.R. 2649. A bill to amend title 5, United States Code, to provide that the mandatory separation age for Federal firefighters be made the same as the age that applies with respect to Federal law enforcement officers; to the Committee on Government Reform and Oversight.

By Mr. HEINEMAN (for himself, Mr. COBLE, Mr. BRYANT of Tennessee, Mr. CHABOT, and Mr. HOKE):

H.R. 2650. A bill to amend title 18, United States Code, to eliminate certain sentencing inequities for drug offenders; to the Committee on the Judiciary.

By Ms. KAPTUR (for herself, Mr. HUNTER, Mr. DEFAZIO, Mrs. CHENOWETH, Mr. SANDERS, Mr. TRAFICANT, Mr. LIPINSKI, Mr. OBEY, Mr. PALLONE, Ms. VELAZQUEZ, Mr. BROWN of Ohio, Mr. EVANS, Mr. DELLUMS, Mr. FUNDERBURK, Mr. KLINK, Mr. BARCIA of Michigan, Ms. MCKINNEY, Mr. HINCHEY, Mr. STOKES, Mr. BARR, Mr. WAMP, Mrs. MINK of Hawaii, and Mr. CONYERS):

H.R. 2651. A bill to assess the impact of the NAFTA, to require further negotiation of certain provisions of the NAFTA, and to provide for the withdrawal from the NAFTA unless certain conditions are met; to the Committee on Ways and Means.

By Mr. KENNEDY of Massachusetts (for himself, Mr. MEEHAN, Mr. FRANK of Massachusetts, Mr. OBERSTAR, Mr. STARK, Mr. ABERCROMBIE, Mr. BROWN of California, Mr. GONZALEZ, Ms. LOFGREN, Mr. GENE GREEN of Texas, Mr. BROWN of Ohio, Ms. RIVERS, Mr. FROST, Mr. VENTO, Mr. DEFAZIO, Mr. CONYERS, Mr. RANGEL, Mr. BARRETT of Wisconsin, Mr. ACKERMAN, Mr. MORAN, Ms. ESHOO, Mrs. MINK of Hawaii, Mr. FARR, Mr. MCDERMOTT, Mr. MOAKLEY, Mr. MARKEY, Mr. MILLER of California, Mrs. MALONEY, Mr. BOUCHER, Mr. KLUG, Mr. SERRANO, Mr. STUPAK, Mr. GEJDENSON, Mr. JACOBS, Ms. VELAZQUEZ, Mr. TORKILDSEN, Mr. JOHNSTON of Florida, Mr. OLVER, and Ms. MCKINNEY):

H.R. 2652. A bill to close the U.S. Army School of the Americas and establish a U.S. Academy for Democracy and Civil-Military Relations; to the Committee on International Relations, and in addition to the Committee on National Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSE:

H.R. 2653. A bill to amend the Agricultural Adjustment Act of 1938 and the Agricultural Act of 1949 to improve the operation of the Government flue-cured and burley tobacco programs; to the Committee on Agriculture.

By Mr. SANDERS (for himself, Mrs. MORELLA, Mr. WYDEN, and Mr. DEFAZIO):

H.R. 2654. A bill to prevent discrimination against victims of abuse in all lines of insurance; to the Committee on Commerce, and in addition to the Committee on Economic and Educational Opportunities, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAXTON:

H.R. 2655. A bill to amend the Atlantic Striped Bass Conservation Act to authorize the Mid-Atlantic Fishery Management Council to prepare a fishery management plan for Atlantic striped bass under the Magnuson Fishery Conservation and Management Act; to the Committee on Resources.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

Mr. HALL of Texas introduced a bill (H.R. 2656) for the relief of Norman M. Werner; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 125: Mr. HINCHEY and Mr. BROWDER.
H.R. 359: Mr. TAYLOR of Mississippi.
H.R. 497: Mr. CAMP, Mr. BEREUTER, Mr. HANCOCK, Mr. DUNCAN, and Mr. GRAHAM.
H.R. 528: Mr. DICKS, Mr. BARTLETT of Maryland, Mr. DEUTSCH, Mr. WARD, Mr. PETRI, Mr. ROMERO-BARCELO, Mr. LEWIS of Kentucky, and Mr. BARRETT of Wisconsin.
H.R. 733: Mrs. VUCANOVICH.
H.R. 784: Mr. RIGGS.
H.R. 911: Mr. BLILEY, Mr. INGLIS of South Carolina, Mr. SPENCE, Mr. CHRYSLER, and Mr. DICKEY.
H.R. 997: Mr. LEWIS of Kentucky and Mr. MORAN.
H.R. 1000: Mr. KLECZKA.
H.R. 1226: Mr. MCINTOSH and Mr. CHRYSLER.
H.R. 1274: Mr. BROWN of California.
H.R. 1363: Mr. COX.
H.R. 1386: Mr. SHADEGG.
H.R. 1448: Mr. EHLERS and Mr. WOLF.
H.R. 1684: Mr. BALLENGER and Mr. CRAPO.
H.R. 1733: Mr. MINGE.
H.R. 1972: Mr. SAXTON, Mr. MANZULLO, Mr. HOBSON, Mr. CHABOT, Mr. BURTON of Indiana, Mr. BOEHLERT, Mr. COLLINS of Georgia, Mr. SISISKY, and Mr. FAWELL.
H.R. 2240: Mr. MILLER of California.
H.R. 2281: Mrs. MALONEY, Mr. CRAMER, Mr. DINGELL, Ms. KAPTUR, Mr. DAVIS, Mr. PETERSON of Minnesota, Mr. GUTIERREZ, and Mr. PETE GEREN of Texas.
H.R. 2326: Mr. STOCKMAN.
H.R. 2327: Mr. PETRI.
H.R. 2341: Mr. LEWIS of Kentucky.
H.R. 2357: Mr. BEREUTER.
H.R. 2458: Mr. METCALF, Mr. EVANS, Mr. BRYANT of Texas, and Mr. SAXTON.
H.R. 2461: Mr. HINCHEY.
H.R. 2481: Mr. MARTINI.
H.R. 2548: Ms. LOFGREN, Mr. EWING, Mr. RADANOVICH, Mr. JOHNSTON of Florida, and Mr. SISISKY.
H.R. 2562: Mr. MANTON and Mr. SOLOMON.
H.R. 2566: Mrs. SCHROEDER.
H.R. 2606: Mr. BARTLETT of Maryland.
H.R. 2618: Mr. STUDDS.
H.R. 2622: Mr. FROST.
H.J. Res. 117: Ms. DANNER.
H. Con. Res. 5: Mr. BEVILL.
H. Con. Res. 47: Mr. DOYLE.
H. Con. Res. 50: Mr. TORRES.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H. Res. 264: Mr. DIXON and Mr. BERMAN.