The Institution is planning a number of events beginning in January 1996 to celebrate 150 years of providing education, research, and exhibitions to the American public and the world. The proceeds generated from this coin program will help finance a travelling exhibition, which will take many of our national treasures ''off the mall'' and display them in cities across the country. Many Americans who are unable to come to Washington will be able to enjoy a blockbuster exhibition of 350 treasured Smithsonian artifacts including the Apollo 14 space capsule, a hat belonging to Abraham Lincoln, and a Wright Brothers biplane.

This coin bill will also devote 15 percent of the proceeds to the numismatic collection at the National Museum of American History helping coin collectors invest in their own history. This provision will insure that the Smithsonian coin will have the support of the coin collecting community.

I am pleased that the interested members were able to compromise on the number of coins to be minted under this bill. While I am disappointed that we are not authorizing the full 800,000 coins as supported by the Citizens Advisory Committee, I am glad that we could compromise on the 650,000 level. The marketing opportunities provided through Smithsonian's magazine and catalogue coupled with the support of the coin collecting community, will ensure that the Secretary of Treasury will quickly sell the authorized level of coins.

This coin bill complies with H.R. 2614, the Commemorative Coin Authorization and Reform Act of 1995, which passed the House on December 5, 1995. The Smithsonian will audit all proceeds from the coin and the Comptroller General will have the right to review the audit. The Smithsonian will not receive any funding until the Treasury has recovered all costs associated with minting the coin. This bill has the support of the U.S. Mint and the congressionally established Citizens Commemorative Coin Advisory Committee, and the numismatic community.

I urge my colleagues to support H.R. 2627, and I yield back the balance of my time.

Mr. FLAKE. Mr. Speaker, I yield back the balance of my time.

Mr. CASTLE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BUNN of Oregon). The question is on the motion offered by the gentleman from Delaware [Mr. CASTLE] that the House suspend the rules and pass the bill, H.R. 2627, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2203 and 2627, the bill just considered, and that I may include extraneous materials for the RECORD.

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

There was no objection.

PROVIDING FOR PROVISIONAL APPROVAL OF REGULATIONS APPLICABLE TO HOUSE AND ITS EMPLOYEES

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 311) to provide for the provisional approval of regulations applicable to the House of Representatives and employees of the House of Representatives and to be issued by the Office of Compliance before January 23, 1996.

The Clerk read as follows:

H. RES. 311

Resolved,

SECTION 1. APPROVAL OF REGULATIONS.

The regulations applicable to the House of Representatives and the employees of the House of Representatives which are to be issued by the Office of Compliance before January 23, 1996, are hereby approved on a provisional basis until such time as such regulations are approved in accordance with section 304(c) of the Congressional Accountability Act of 1995 (2 U.S.C. 1384(c)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California [Mr. THOMAS] will be recognized for 20 minutes, and the gentleman from Connecticut [Mr. GEJDENSON] will be recognized for 20 minutes.

The Chair recognizes the gentleman from California [Mr. THOMAS].

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

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. GOODLING], chairman of the Committee on Education and Economic Opportunities, for a colloquy.

Mr. GOODLING. Mr. Speaker, I rise in support of the resolution before us today and would like to engage in a colloquy with the distinguished gentleman from California [Mr. THOMAS], the chairman of the Committee on House Oversight, regarding the jurisdiction of these resolutions.

Mr. Speaker, while this matter is within the jurisdiction of the Committee on House Oversight and the Committee on Economic and Educational Opportunities, we do not intend to delay the progress in considering this matter and support suspending the rules and passing without consideration in committee these two resolutions.

I also join the gentleman from California in his assurances that we will work to have the final regulations promptly considered by the House once we reconvene in January.

Mr. THOMAS. Mr. Speaker, I concur with the gentleman's conclusions and obviously we share jurisdiction. The Committee on House Oversight, primary jurisdiction; the Committee on Economic and Educational Opportunities, sequential jurisdiction. Neither one of us want to delay putting these into effect. I will support the gentleman's jurisdiction.

Mr. Speaker, the Congressional Accountability Act, which was passed on the first day of this Congress, created an Office of Compliance. It is to become effective January 23, 1996. The board of directors of the Office of Compliance have issued notice of proposed rulemaking and is in the process of reviewing those comments on the proposed regulations.

Mr. Speaker, the problem is that the board is scheduled to make final those regulations on January 8, 1996. It is our fervent belief that we are going to adjourn sine die prior to that time and not reconvene for the second session of the 104th Congress until January 23.

Therefore, this resolution provisionally adopts the anticipated regulations that are applicable to the House and at the next regularly scheduled meeting, which will be as soon as possible upon reconvening, we will review the final regulations and make a recommendation as to their final approval to the House.

Obviously, in that interim period between January 8 and January 23, we do believe it is appropriate to offer provisional approval, whatever those regulations may be. That is the intent and purpose of House Resolution 311.

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

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

Mr. Speaker, this is clearly needed legislation and it needs to be implemented, not just in the technical sense, but in the spirit of the law. Some of the treatment of employees in this House over the last year, I believe, has been reprehensible. The long-time employees of this institution have been treated badly.

Mr. Speaker, I am hopeful that this new legislation will improve their lot. We ought to be an example for the Nation, not just of following the letter of the law, but the spirit of the law in dealing with our employees.

Frankly, leaving all Federal employees in a lurch over the failure to pass a continuing resolution is another example of some of the hypocrisy here, but I do commend the spirit of this bill.

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

Mr. HOYER. Mr. Speaker, I rise in support of this resolution. I am pleased that the process that was started in the 103d Congress is finally nearing implementation. Very frankly, we had a political discussion, in the 102d and 103d, about merit hiring and about doing away with patronage; doing away with the politicization of the ministerial duties of the House of Representatives.

Mr. Speaker, I was for that. I thought we were moving in the right direction.

In fact, we adopted in the last Congress a rule which would have said that employees could not be removed for purely political reasons. That, in fact, they would be treated as merit employees if they were performing administerial functions.

One of the first acts of this Republican leadership was, frankly, to delete that rule from the rules of the House of Representatives, while at the same time projecting legislation, which had been killed by Republicans in the Senate, as their legislation, which had been previously passed in the 103d Congress, and providing for the covering of the House of Representatives under the laws that we had passed vis-a-vis employees' rights and working conditions to the private sector, that they be applied to the Congress.

That legislation was supported by over 400 Members of this body, and as some of my colleagues may recall, I was the floor leader on this side of the aisle for that legislation.

Mr. Speaker, notwithstanding my support of that policy and this resolution, my colleagues should not be fooled that the passage of this resolution will ensure that the employees of this House will be treated fairly, equitability, and nonpolitically. I want to call to the attention of every Member of this House the recent actions that have been taking place by the Clerk.

I want to say something at the outset. I have a great deal of respect and affection for the Clerk of this House. I think she has operated in what I perceive to be an open and fair fashion over the last few months of her tenure. I appreciated that. It was, frankly, in juxtaposition to some other leaders dealing with personnel in this House, and so it was doubly appreciated.

As many of my colleagues may have read in recent press reports, however, 10 employees have recently been dismissed by the Clerk, contrary to the management plan submitted to and approved by the Committee on House Oversight; contrary to the rules of the 103d Congress, which stated that employees cannot be dismissed without cause and cannot be dismissed for reasons other than their nonperformance or malfeasance in office.

Mr. Speaker, the rules of the 104th Congress, did not include the referenced language of the 103d Congress.

Some may think that these dismissals were part of the transition, which would have been understandable, I suppose, except for the fact that the gentleman from Kansas [Mr. ROBERTS], a member of the Committee on House Oversight, the gentleman from Virginia [Mr. WOLF], the chairman of the Subcommittee on Transportation and then the ranking member of the Subcommittee on Treasury, Postal Service, and General Government, properly expressed outrage on this floor when members of the travel office in the White House were removed, notwithstanding they served at the will of the President.

Mr. Speaker, there was an expression of outrage and, in fact, the Treasury-Postal bill was held up by the gentleman from Virginia because of that concern. I think that concern was appropriate, and I said so on the floor of this House then when it was the Clinton White House acting.

Some may think, as I said, that these were part of the transition. In fact, each of these employees were kept on through the transition, and each was in receipt of a letter from the Clerk in May offering them continued employment.

Each employee was informed that they were specifically being dismissed in December, just a few days ago, without cause.

□ 1200

I was surprised to learn these employees had all been offered continued employment prior to their dismissals. I was shocked to learn that one of the employees had, as recently as July, been given a promotion. I was shocked that one employee had been asked to make suggestions for his replacement. I do not know what that does to the morale of the employees who remain. I was appalled, Mr. Speaker, that a Vietnam veteran with 23 years' experience, who had started his employment with the House by filling out a Standard 171 Form, not a political employee, a ministerial employee, not fired for cause, a Vietnam veteran, 23 years of seniority, and just a few short weeks before that, maybe a few months, a noncitizen had been hired in this office at a comparable salary with comparable responsibilities.

Shame, shame, shame that we would treat employees so cavalierly and then stand on this floor and say how we want to protect the rights of veterans in America whom we sent overseas to defend this country and then a few days before Christmas say, ''Guess what, we have a noncitizen whom we have hired who probably can do your job.'' That was not said specifically. I want to make that clear. But the inference is very clear. The inference is very clear. ''We have got somebody else to do the job.'' Twenty-three years of experience.

I was further troubled, Mr. Speaker, to learn that in spite of repeated representations by many in the majority that a ''nonpartisan, professional work force'' was being employed, several recent hires in the Clerk's office come from the Republican National Committee. There is nothing wrong with that. Clearly, the same happened from the Democratic National Committee under Democratic leadership of this House. But it is wrong to tell the employees or to imply to the public that this is going to be merit hiring, nonpolitical, and then pursue that practice.

Earlier this year, we learned a number of senior managers in the office of the chief administrative officer are also either former staff of the Republican National Committee, the Republican National Campaign Committee, or former political appointees of the Reagan or Bush administrations. That is not wrong. I do not allege it to be wrong. What I do allege is, if you say you are going to hire on merit and retain on merit and performance, then do not replace folks with political appointees and expect your personnel to believe, in fact, they work in a merit-based system.

It is becoming increasingly apparent hiring is being done on the basis of political affiliation. What is so troubling, Mr. Speaker, about these recent firings is that each of these employees had been given the impression, as I have said, that they had been performing their jobs in a professional, competent manner. In fact, they were told they were not, I underline not, removed for cause. Each of these employees had made it through the transition period.

Let me reiterate that. They had made it through the transition period. I was told by the Clerk herself that the transition was over in the summer. I talked to her just a few days ago, and she reiterated that.

Let me make it clear, I do not question the ability of this Clerk or her attitude or fairness. But this instance is one that I think does not comport with my experience for that practice. Suddenly, after further recent partisan hirings, these employees have been dismissed. Despite repeated inquiries on my behalf, no reasonable business purpose for these terminations has yet been stated to me, and I suggest has not been submitted to the committee.

The Clerk's office has an employee manual. I have got that employee manual right here, issued by this Clerk, not a prior Clerk, in this Congress. It lays out clear steps for dismissal. Each employee was given this manual when they received their offers of continued employment, presumably so they knew the rules of the road as employees. Yet this manual and its process was ignored.

Now, very frankly, the Clerk says, ''Oh, no, the employees serve at the will of the Clerk.'' Let me read the language: ''Two steps, notice of action. Suspensions, terminations, and,'' conjunctive, in addition to, and counsel, I am sure, understands that interpretation, ''and all performance-based actions requiring the following two-step approach''; in other words, in other words, not only do performance-based terminations require these two steps, it is an ''and'', but suspensions and terminations also, according to this manual, require those steps. They were not taken, period.

This was clearly a termination. They are terminated. Many Members of the House took to this well when President Clinton dismissed members of the travel office. As I said previously, they were outraged that employees were fired for seemingly partisan purposes. I was outraged because a number of them were my constituents. I think

what was done was wrong, and as chairman of the Treasury, Postal Committee, I assured that everyone but one received offers of employment in the executive department, and those who wanted it got it at comparable levels.

So let there be no mistake, when the White House did it, I thought it was wrong. When the Clerk does it, I think it is wrong.

My colleagues, I would ask that that outrage that was expressed on the Republican side of the aisle at those firings to be at least evidenced today and now.

There have been no allegations of mismanagement or poor performance by these employees. I understand that the Compliance Act relates to discrimination. That act goes into effect, of course, on January 22 of this coming year or January 23. However, each of these employees is being terminated in such a way that even if they wanted to explore their rights under that act, I believe they are precluded.

It can be argued that some of them, perhaps all, will be on the payroll technically and, therefore, may be included. We will see.

I have repeatedly raised my concerns that a goal which I strongly supported, ending patronage in the House of Representatives for ministerial employees and assuring a professional work force for the administrative functions of the House, is being seriously undermined beneath the rhetoric of professionalism.

A number of these employees have expressed concerns over their treatment in the media. It has been brought to my attention that the word has been spread that these employees better watch out. Let no one in this House be mistaken, I and my colleagues, I hope on both sides of the aisle, will not stand for any reprisals being taken against any employee for exercising their rights of free speech.

The new Republican majority may feel at will to enforce a gag rule on this House from time to time. But we ought not to, and it would be wrong to, enforce a gag rule on our employees or former employees by threats of recrimination.

Mr. Speaker, I believe these dismissals were wrong. They superficially, at least, appear to be based on partisanship. But whether they are or not, they were wrong, and they have left the staff of the House of Representatives, in my opinion, demoralized and feeling insecure.

If dismissals are not based on job performance, for those who are not involved in policy making, and clearly those employees in policy making are subject to the will of the policy maker; that is the way it must be and should be. But for those people that we ask day to day to come to this House, to come to this Capitol and perform duties for us in a professional manner, unrelated to formulation or promulgation of policy, they ought to know that if they perform, for Republicans or Democrats, in a fashion that brings credit on this institution and facilitates the work of this House, that they will be continued in their employment.

Mr. Speaker, again, I rise in support of this resolution. I supported it as a Member of the Committee on House Oversight. The gentleman from California [Mr. THOMAS], the chairman of the Committee on House Oversight, has rightfully said that this moves the process forward. I agree with him. I am pleased that we are moving. I will vote for this legislation.

But I would hope that all of the leadership of this House would review this matter, not just for concern with these ten but concern for every person who works for this institution, people of whom we are proud, people of whom we are very appreciative for the work they do for us and for the American people, and people whom we ought to treat with respect and the dignity they deserve.

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

Although the argument of the gentleman from Maryland is not on the measure in front of us, I think, based upon the innuendo, the qualifiers, the rumor and gossip, the straw man argument that he constructed needs to be responded to.

Frankly, his statements are inaccurate, factually as well as in the innuendo, suggestions, and qualifiers. There were 9 individuals involved, not 10. They were employed by the Clerk in a number of activities. The Clerk continues to rethink the structure under her auspices, and, as in any business, there are restructurings that take place from time to time. This is one of those restructurings.

I find it interesting that the gentleman from Maryland indicated that he was the floor leader in the passage of the legislation that the resolution actually deals with. I am pleased to say he was the floor leader on the minority side. His party had 40 years to pass this kind of legislation. They never did. They talked a lot about it. They made innuendos at that time that it was a fair system. In fact, it was a plantation run totally by patronage.

What we did was say that that was to stop. What we are doing is restructuring this House, as we have from day 1. We continue to restructure it. We probably will not get it all done by the end of the 104th Congress, and we will probably continue as the majority in the 105th to continue to restructure.

The gentleman used a number of phrases and then couched them that that is not really what he meant, but there were rumors and gossip, and according to the media that certain things were going on.

I will tell the gentleman that he ought to rely on something other than unnamed sources in the media.

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

Mr. THOMAS. I am not going to yield at this time.

Mr. HOYER. I do not think I used any of those phrases. None.

Mr. THOMAS. I believe the gentleman, if he checks the RECORD, will find out that several times he referred to stories in the media. I believe the RECORD will show that. We will find out about it after the fact.

But I would ask unanimous consent to place in the RECORD a letter that I received from the Clerk of the House, Robin Carle——

The SPEAKER pro tempore. Without objection.

There was no objection.

Mr. THOMAS. Reviewing some of the statements that have been made.

The letter referred to is as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 18, 1995.

Hon. BILL THOMAS,
Chairman, Committee on House Oversight, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: In light of inaccurate media reports that suggested various personnel actions of recent weeks have jeopardized or impacted the performance of the House floor, I am writing to clarify the current situation. I hope you find this information of assistance.

First, contrary to media reports by an ''unnamed source'', let me clearly state that at no time in the last week has the integrity of the House floor or the quality of work produced by the Offices of the Clerk suffered. Between November 30 and December 7, nine individuals in the various offices of the Clerk were informed that their services were no longer needed and that from the day forward they would be placed on Administrative Leave until January 16, 1996 and in addition provided payment for their accrued annual leave for up to 30 calendar days. While these individuals were relieved of service and their responsibilities assigned to other current personnel, at no time have these actions influenced or threatened the work of the floor or the internal administrative activities associated with the legislative process. In fact, only three of the nine individuals were employed in the Office of Legislative Operations and only one of them worked directly on the House floor.

I, obviously, evaluated the workload of my offices prior to taking these personnel actions and I was confident we would be able to maintain the timeliness and quality of Clerk operations. Although inaccurate press accounts and hallway gossip would suggest otherwise, I believe it is clearly evident that the House's ability to function did not rest solely on the shoulders of these nine individuals. The Clerk employees have and will continue to provide the high quality of service needed to support the House's legislative functions.

Over the last week, all systems and procedures of the Office of Legislative Operations have performed successfully. No irregular delays in the handling of legislative papers and no errors in the final recording of votes have occurred. Further, while a printing error on the part of the Government Print Office was discovered prior to consideration of a House Resolution, the Office of Legislative Operations was able to assist interested parties to ensure that no disruption occurred in the House's legislative schedule.

Let me stress, it is a regular occurrence, particularly during the closing days of a legislative session, for the administrative procedures related to the legislative process to play ''catch up'' in light of the multiple legislative actions that are occurring in a compressed period on both the House and Senate

floors. The legislative schedule of last week, despite our preparations for increased activity, was relatively calm and routine. The Clerk's offices have performed well during this busy session, but can certainly handle even more activity.

In particular, during this time of budget negotiations, individuals have raised concerns about the enrolling of appropriations measures. I am aware it has been suggested that the enrolling of the FY97 Interior and VA–HUD Appropriations Bills were somehow delayed in my offices and could not be forwarded to the President on Friday. In fact, the VA–HUD bill was completed and forwarded to the Speaker's Office for signature on Friday evening. That same evening the Office of Legislative Operations completed its work on the Interior Appropriations Bill and forwarded it back to the Committee for final actions. The Committee completed its work on the morning of Saturday, December 16, and I understand that both bills were delivered to the President at that time.

I stand ready to discuss any of these issues with you in more detail if you would find it useful.

With warm regards,

ROBIN H. CARLE.

Mr. THOMAS. The Clerk says in her letter, ''First, contrary to media reports by an 'unnamed source', let me clearly state that at no time in the last week has the integrity of the House floor or the quality of the work produced by the Offices of the Clerk suffered.''

The Clerk goes on to say that, ''I, obviously, evaluated the work load of my offices prior to taking these personnel actions and I was confident that we would be able to maintain the timeliness and quality of Clerk operations. Although inaccurate press accounts and hallway gossip would suggest otherwise,'' she says, ''I believe it is clearly evident that the House's ability to function did not rest solely on the shoulders of these nine individuals.'' I agree with her completely. As a matter of fact, very few of them were directly involved in the legislative process.

The letter goes on to analyze arguments that have been made about the inability to get the job done around here. Interestingly enough, one of the problems was a printing error on the part of the Government Printing Office. It was, of course, discovered prior to consideration of a House resolution, and it was corrected.

□ 1215

We are in the latter days of the first session, and there is always a crunch-time involved and decisions hastily made, notwithstanding the number of employees that have to be reviewed periodically.

Mr. HOYER. Mr. Speaker, I reserve the right to object. Before the gentleman finished what he wanted to include in the RECORD, the Speaker said ''without objection.'' But the fact of the matter is, he had not finished his request.

Mr. THOMAS. Mr. Speaker, I had concluded, I heard ''without objection,'' and, therefore, I read from the letter.

The SPEAKER pro tempore. The Chair said ''without objection.'' The gentleman did not respond with an objection.

Mr. HOYER. The Chair, I believe, and I will not press it further, I said ''without objection,'' before the gentleman finished his sentence.

Mr. THOMAS. Mr. Speaker, I asked for unanimous consent, I received it, and, without objection, it was given. I then proceeded to supply for the RECORD portions of that letter that I thought were pertinent to the statement that I want to make.

Mr. Speaker, I am sure it is difficult for the gentleman from Maryland to understand that people who are employed are not guaranteed lifetime employment; that, as a matter of fact, somebody can be dismissed through no fault of their own. It happens all the time in the private sector based upon business decisions, business cycles, decisions to merge or eliminate businesses, and what will go on around here will be business decisions.

We have responsibility for running this place, and we are going to run it in a professional manner. The gentleman can from time to time come to the floor, as he has done now, and criticize those decisions. He has every right to criticize the decision. But he has to understand that people are dismissed in this world when there is no cause for their dismissal, other than the fact that there is a restructuring going on, and heaven knows, this place continues to need restructuring.

No one is guaranteed lifetime employment under this majority. Based upon his assertions, apparently that was the case under the old regime, with patronage and plantation as the model.

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

Mr. THOMAS. That is not the model that we are using in organizing this place.

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

Mr. THOMAS. I will tell the gentleman that he well knows, conjunction or not, that for business decisions, you can, without cause, dismiss people.

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

Mr. THOMAS. No, I will not yield, and the gentleman can continue to say that and I will not yield.

Mr. Speaker, based upon the CRS request that we have some modicum of decorum on the floor, can I continue my statement without the harassing yielding requests from the gentleman from Maryland?

The SPEAKER pro tempore. The gentleman from California controls the time.

Mr. THOMAS. Mr. Speaker, we currently have a discrimination procedure available to us under the Office of Fair Employment Practices. If it was for discrimination, title VII of the Civil Rights Act applies. I do not believe anyone is arguing that there was discrimination.

I cannot believe the gentleman's argument about a Vietnam vet and someone who has permanent residence who is seeking United States citizenship deserves to even be responded to. It is that kind of pejorative placement, of course, not on his own hands, but on others and through the media, that is exactly the kind of argument that the American people are fed up with.

As the new majority, we intend to run this place in as lean a fashion as possible. There will be additional dismissals, I will tell you that right now. They will be because we are restructuring this place. It is not because someone is not doing the job that they used to have here as well as they could do it; it is that probably that job does not need to be done.

There are a number of people, I have to tell you, that are still employed here who are doing jobs that should not be done, and they will be dismissed and the job will be ended. That was the commitment the American people said they wanted out of this new majority, and we are doing it.

It seems to me that if the gentleman from Maryland has any facts based upon all of the innuendo about politics in terms of evidence to indicate that someone was not professionally prepared to do the job, notwithstanding the fact that they may happen to be a Republican. Since the old test under their majority was whether they were a Democrat or not, not whether or not they could do the job, it seems to me that if he has any evidence whatsoever, we would certainly like to take a look at it, that people were hired for partisan reasons, rather than for their professional competency, I say notwithstanding the fact that they were Republicans.

So, Mr. Speaker, what we have in front of us, once again, is a resolution that was passed by the committee for the interim approval of regulations which we believe will go into effect while we are in adjournment, and I would ask that we move on to the next resolution.

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

Mr. GEJDENSON. Mr. Speaker, I yield 1½ minutes to the gentleman from Maryland [Mr. HOYER].

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

Mr. Speaker, the chairman rose and responded and talked about the media. I did not say anything about the media. He talked about hallway allegations. I did not say anything about that. I think where he got that was from the letter from Ms. Carle. I was not going to object to the submission of this letter. I disagree with some aspects of it, but it is fine to have in the RECORD and we will discuss its pertinent parts.

I thought there were 10, I still think there are 10, maybe there are 9. Whether it is 9 or 10, the fact remains that a few days before Christmas, for no cause, they were told, some after 23 years of service, some after 20, some

after 19, some after 15, that their services were no longer going to be utilized by the House of Representatives. They effectively were fired before Christmas. They are still on the payroll; they will still be paid. They have comp time coming to them, they have certain leave coming to them. But the fact of the matter is we took that action.

The issue here is that in July of 1995, in reorganization, this manual was published and given to the employees, and it said if they were going to be removed, they would have certain rights. This was not complied with. Period. That is not a newspaper report, that is not hallway talk. That is STENY HOYER standing on this floor reading this very simple sentence and saying the Clerk's own rules were not complied with in this action. That was wrong, unfair, and ought to be reversed.

Mr. GEJDENSON. Mr. Speaker, I yield the balance of my time to the gentleman from Ohio [Mr. TRAFICANT].

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 2 minutes.

Mr. TRAFICANT. Mr. Speaker, I have never disagreed with the American people's votes. The Republicans are in charge and run the place, and I support that.

One of these fellows that was let go was a Vietnam vet, did not come here under patronage, filled out a general application, and was instructed as of July that he would be free and clear and ended up purchasing property, an individual that fought hard to get the gentleman from Florida, BILL YOUNG, a voting booth in the back.

One of these new hires is a noncitizen with a green card. I think that is the problem with the country here. I think it starts in the Congress of the United States. I think this is a damn shame. And from what I am hearing now, there will be more dismissals.

Take this staff. They start at 10 in the morning. If some long-winded politicians should have special orders until 2 o'clock the following morning, they are here. Now, they are looking over their shoulder worrying if they are going to have a job.

We passed an accountability act, an accountability act that would in fact make Congress sensitive to the laws of the land. My God, we have uprooted families. In July we were supposed to have been beyond this.

This is wrong. The Congress of the United States should stand for more than this. And when an individual comes in here without patronage, without a sponsor, and is fair to everybody on both sides of the aisle, a Vietnam vet, it is a week before Christmas, set loose, 1 day, 1 week before the January 23 deadline, officially, look, everybody is saying they do not question the Clerk. I question the Clerk, and the Clerk is not the boss around here. She is not in charge. The Republican majority is in charge, and I think you should do what is right on this and put to rest this dismissal business. We have good quality people. We should be keeping them and reinforcing them, not scaring the hell out of them.

Mr. THOMAS. Mr. Speaker, I ask unanimous consent to place in the RECORD a letter to the gentleman from Maryland [Mr. HOYER] from the Clerk.

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

Mr. HOYER. Reserving the right to object, Mr. Speaker, and I do not intend to object, first of all, let me ask, is this the letter of December 13?

Mr. THOMAS. I will tell the gentleman, this is the letter of December 18.

Mr. HOYER. Mr. Speaker, I have that copy as well. I will not object, but simply reiterate that I want to make it clear, because she says that I question her abilities or her abilities have been questioned, I do not question that. There are some other things in the letter with which I disagree. But I think she has set forth her case, and I think it is appropriate that it be in the RECORD at this time.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The letters referred to follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 13, 1995.

Hon. ROBIN CARLE,
Clerk of the House, U.S. House of Representatives, Washington, DC.

DEAR ROBIN, As a follow-up to our meeting yesterday, I am writing to again express my grave concerns over the personnel actions you have taken over the last two weeks. I am fearful that the ability of the Office of the Clerk to perform the administrative functions of the House has been compromised. I am specifically concerned about the ability of the enrolling and tally clerks to perform their functions to their usual high standard in light of the severe staff reductions you have undertaken.

Furthermore, I and other members of the Committee on House Oversight were under the impression that your reorganization was complete. Yet these employees, who had all received and accepted offers of continued employment, have now been summarily dismissed without cause. In our recent conversation you also implied that some of these positions would be filled, some changed and some would not be filled. As you know, this is contrary to the plan you submitted to the Committee on House Oversight.

I have also been troubled to learn that contrary to my understanding from our recent conversation that you had not made any recent hires, that in fact, there are several new employees in Legislative Operations.

Since our conversation, I have had the opportunity to speak personally with a number of individuals that you or your representatives dismissed. I am shocked at the way these dismissals were handled. These dismissals all seem contrary to the policies you lay out in the Policies and Procedures manual of your office. Furthermore, many of these employees had been recently promoted and were, by your or our staff's own admission, quality employees. Again, I am very concerned that employees are now being dismissed without cause after the end of the transition period. That was not my understanding of the protections the new majority was seeking for House employees and is contrary to all public statements made by the Majority. It is also clearly inconsistent with conversations you and I have had in the past.

In light of these recent events, I would like to see the staffing levels in each of your offices as of the following dates: November 1, 1994, January 5, 1995, July 1, 1995 and today. In addition, I now make the request to you that I have made to other officers of the House for the resumes of your senior staff, including office chiefs and of the personnel you have hired since February and the positions they occupy.

I can find no readily apparent logical or appropriate reasonable business purpose for these actions. I urge you to revisit these decisions to ensure the proper function and integrity of the Office of the Clerk, I look forward to receiving your materials and to further discussing these matters with you.

Sincerely yours,

STENY H. HOYER.

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 18, 1995.

Hon. STENY HOYER,
Longworth House Office Building, Washington, DC.

DEAR CONGRESSMAN HOYER: This letter is a follow up to our conversation of Tuesday, December 12, and your letter dated December 13. I appreciate knowing of your interest in the internal management and personnel actions of my office and your concern with my personal management abilities.

First, I would like to address your questions regarding the current integrity of the Office of Legislative Operations, the Office of Legislative Computer Systems, LEGIS, the House Document Room and the overall functioning of the House floor in light of these personnel actions. It is my position, that while nine individuals were relieved of service and their responsibilities assigned to other current personnel, at no time has the integrity or quality of work produced by the Clerk's operations suffered, as evidenced by our successful performance during last week's legislative schedule. I was confident this would be the case at the time these actions were taken. Although inaccurate press accounts and hallway gossip would suggest otherwise, I believe it is now even more clearly evident to you and others that the House's ability to function did not rest solely on the shoulders of these nine individuals.

Several other rumors and issues have been circulating in light, I believe, of our earlier conversation and your subsequent conversations with other parties. Issues have been raised regarding the demographic makeup of the group of individuals hired in the last eight months, their gender and other questions regarding employees of foreign origin. In general, I have been criticized for hiring women, minorities and individuals of foreign background. I have been hiring and firing people for 20 years. It is and has always been my personal objective to hire people competent to carry out the missions required of individual positions, separate of race, gender and religious background. Not only would discrimination based upon these characteristics be in violation of House Rules and federal law, it would be against my personal beliefs and character. I am proud of my hiring record since February, which includes the appointment of 35 individuals, of whom 19 are women (54.3%), eight are minorities

(22.9%) including two individuals who hold permanent work visas and who prior to employment with my office, applied for U.S. citizenship, and two military reservists.

In addition, let me assure you that I am the employing authority for the Offices of the Clerk. I personally determine the hiring and other personnel actions that are taken in my offices. All references that either the Committee on House Oversight, Leadership Offices or others determine my personnel decisions are untrue and I find personally insulting. I made these and other personnel decisions and will not hide behind someone's political agenda to suggest otherwise. Further, I believe it is a stretch to be criticized for ''wholesale'' termination of individuals employed prior to the 104th Congress. After these nine actions, 168 professionals are employed by the Clerk, in addition to 66 House Page positions. Of these 168 employees, 133 are holdovers from the Democrat-controlled 103rd Congress. Therefore, 80 percent of the Clerk's current employees are holdovers from the 103rd Congress.

Also, as I explained to you earlier, in the reorganization of the Clerk's offices as I proposed to the Committee on House Oversight and as it was approved, all positions were abolished effective June 30, 1995, and new standardized positions created effective July 1, 1995. All employees who were retained within the Clerk's organization were re-assigned to these new standardized positions and this re-assignment may have resulted in increases or decreases in pay. While these nine employees were retained at that time, none of the employees received merit raises or promotions.

Between November 30 and December 7, all nine employees were informed that they were going to be placed on administrative leave from their notification date forward until January 16–22 days after Christmas and more than five weeks advance notice before their removal from the Clerk's payroll. This voluntary action was also accompanied by my further commitment to provide lump sum payments for accrued annual leave for all of these employees for up to 30 calendar days and other help in their efforts to find alternative employment. No employee was terminated during the Christmas Holiday week as stated throughout various media reports.

Other media reports have contained statements that the released employees were ''locked out'' of computers prior to their notification. This statement is completely inaccurate. While changes in computer user IDs and passwords have now occurred, it came after notification of individuals of their future employment status. In fact, all employees were asked during their exit interview with the Immediate Office to complete a checkout process with my office prior to close of business Monday, December 11. This process is routine and requires the return of office keys, House equipment, parking stickers and House IDs prior to the finalization of payroll actions. A number of these released individuals have failed to meet this deadline and could jeopardize timely processing of their lump sum payments during this compressed administrative period. Any personal assistance you could provide in the retrieval of these items would be of great help.

I'd like to again state that while all these positions were contained within my reorganization proposal adopted by the Committee on House Oversight and implemented on July 1, 1995, I have yet to determine whether to fill these positions with new candidates, hold them as vacant positions or forward a proposal to CHO for their elimination.

You also raise questions regarding the personnel manual I have provided my staff on the operation of the Offices of the Clerk. The manual clearly outlines procedures and guidelines for disciplinary actions and dismissals for cause. In no way does the manual prohibit dismissal without cause or end the category of at-will employment. In fact, contrary to various media reports, the enactment and implementation of the Congressional Accountability Act will not end at-will employment in these offices.

I know and respect your interest in the institutional aspects of Capitol Hill. Like you, I have a deep sense of obligation and responsibility to ensure the success of the House and in particular the Clerk's organization. Consequently, I have never had any interest in taking internal administrative actions that would threaten the abilities of the House. I would like to personally discuss with you again any questions or concerns you have regarding these actions and my management abilities.

Finally, I share your belief that these individuals have and could continue, in different capacities, to make positive contributions to the House. While I do not wish to further their employment with the Clerk's organization, I am not the only employing authority on Capitol Hill. I would happily recommend them for employment with you or any other Member interested in offering them new opportunities.

If you have any further inquiries, I would welcome them.

With warm regards,

ROBIN H. CARLE.

Mr. THOMAS. Mr. Speaker, I would like to emphasize briefly in the letter to Mr. HOYER the Clerk indicated, ''These positions were contained within my reorganization proposal adopted by the Committee on House Oversight and implemented on July 1, 1995.'' The Clerk says, ''I have yet to determine whether to fill these positions with new candidates, hold them as vacant positions, or forward a proposal to the Committee on House Oversight for their elimination.''

Again, this is a business reorganization decision on the part of the Clerk.

She goes on to say, ''You have also raised questions regarding the personnel manual I have provided my staff on the operation of the offices of the Clerk.'' The letter states, ''The manual clearly outlines procedures and guidelines for disciplinary actions and dismissals for cause. In no way does the manual prohibit dismissal without cause or in the category of at-will employment. In fact, contrary to various media reports, the enactment and implementation of the Congressional Accountability Act will not end at-will employment in these offices.''

Mr. Speaker, I would to on to tell you that it will not end the reorganization of this institution, and that there will be individuals who will no longer have jobs, through no fault of their own, other than the fact that this place was padded with scores of people who should never have been on the payroll in the first place, and who had jobs which did not make a lot of sense. We will continue to restructure this place until it makes sense. We will do it with as much reasonableness as we can, but we will do it.

Mr. Speaker, I yield back the balance of my time.

Mr. HOYER. Mr. Speaker, I ask unanimous consent that the letter directed to Ms. Carle dated December 13, 1995, appear immediately preceding her response, so that the record is clear.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. THOMAS] that the House suspend the rules and agree to the resolution, House Resolution 311.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 122, REVISED BUDGET RESOLUTION REFLECTING THE PRESIDENT'S MOST RECENT PROPOSAL

Mr. SOLOMON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 309 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 309

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 concurrent resolution (H. Con. Res. 122) setting forth a revised congressional budget for the United States Government for the fiscal years 1996, 1997, 1998, 1999, 2000, 2001, and 2002. The concurrent resolution shall be debatable for two hours equally divided and controlled by the chairman and ranking minority member of the Committee on the Budget. The previous question shall be considered as ordered on the concurrent resolution to final adoption without intervening motion or demand for division of the question.

The SPEAKER pro tempore. The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for the purposes of debate only, I yield 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], 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 and was given permission to revise and extend his remarks and include extraneous material.)

Mr. SOLOMON. Mr. Speaker, House Resolution 309 is a closed rule providing for consideration in the House of House Concurrent Resolution 122, a revised budget resolution for fiscal years 1996 through 2002. The resolution is based on the Congressional Budget Office scoring of the most recent budget proposal of the President as laid before the Congress last Friday, December 15. The rule provides for 2 hours of general debate, equally divided between the chairman and ranking minority member of the Committee on the Budget.