

Unfortunately, the language of this concurrent resolution was unavailable to the Rules Committee, and the committee was unable to accommodate consideration of the concurrent resolution in this rule.

Mr. Speaker, funding for the ICC expires at the beginning of next year, and if we do not pass this conference report, the important functions of this agency that are being transferred to the Department of Transportation will fall by the wayside. This bill provides for an orderly termination and transfer of the vital functions of the ICC.

This is an important part of our efforts to downsize the Federal Government, and I urge adoption of the rule and the conference report.

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

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume and I thank my colleague from Tennessee for yielding me the customary half hour.

Mr. Speaker, although this is a standard conference report rule, I am very much opposed to this bill.

Despite promises to the contrary, despite the House-passed compromise on November 14—this bill contains some serious antiworker provisions.

This bill takes away class 2 and class 3 railroad workers' right to collective bargaining. It will hurt thousands of hard working Americans and it is unfair.

Mr. Speaker, nearly every other American worker has the right to collective bargaining, including class 1 railroad workers, class 2 and class 3 railroad workers should have the same worker protection as everyone else.

But, Mr. Speaker, once again, my Republican colleagues are choosing employers over employees.

They are saying that hard-working railroad workers do not deserve the most basic worker protections. They are saying that rail carrier mergers are more important than people.

Thankfully, President Clinton has said he will veto this bill, and I think he should. My colleagues should have kept their word and rail workers should be able to keep their jobs.

Mr. Speaker, I urge my colleagues to oppose this rule. American workers deserve every protection we can give them.

Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. OBERSTAR], ranking member of the committee.

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

Mr. Speaker, when the Committee on Rules met last night and our side testified at the meeting of the Committee on Rules, we asked for very few things. We asked that if points of order are going to be waived in this rule, that they be specified, that there be a specific reference to which points of order are to be waived in the interests of fairness and openness, and we asked that issues such as scope, germaneness,

Budget Act problems, 3-day layover of conference reports issue be specified if there are going to be waivers of points of order.

The rule comes out with no specificity whatever. It just waives all points of order.

We also made a very modest request that if the Senate acted on a Senate concurrent resolution to restore the Whitfield amendment as a substitute for the language in the conference report dealing with labor protective provisions, that it be made in order for us to take up that Senate concurrent resolution. The Senate has not yet acted. It may not act on that concurrent resolution. But there is no provision in this rule as we requested. It was a modest request. I thought it was favorably received by the chairman of the Committee on Rules. But it is not included here as a mere courtesy to the Democrats.

This conference report is not a simple matter. This is 164 pages of very technical language dealing with a complex subject in the sunset of the oldest regulatory body in the Federal Government structure dealing with a mode of transportation that, in the 19th century, was the life line of America and all the way up through until the end of World War II was the cornerstone of our national economy, the railroad industry.

We are going to wipe it away. We have a bill with 164 pages of technical language. Points of order are simply waived. They do not say which ones. They do not give us the opportunity to bring up, should it be enacted, should it be passed by the Senate, the Senate concurrent resolution.

I find this very, very curious. I find it unpalatable. I find it inappropriate.

Nonetheless, I recognize that the other side has the votes. We will save our fight for the conference report.

Mr. MOAKLEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

Mr. Speaker, I urge adoption of the rule and the conference report when it is brought before the House.

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.

#### PROVIDING FOR CONSIDERATION OF H.R. 558, TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL COMPACT CONSENT ACT

Mr. MCINNIS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 313 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 313

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pur-

suant 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. 558) to grant the consent of the Congress to the Texas Low-Level Radioactive Waste Disposal Compact. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. Each section shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill 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 one motion to recommit with or without instructions.

□ 1315

The SPEAKER pro tempore. 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 California, [Mr. BEILENSEN], 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.

Mr. Speaker, House Resolution 313 is a very simple resolution. The proposed rule is an open rule providing for 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Commerce. After general debate, the bill shall be considered as read for amendment under the 5 minute rule. The resolution allows the Chair to accord priority recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. Finally, Mr. Speaker, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, the chairman of the Committee on Commerce, Mr. BLILEY, requested an open rule for this legislation. This open rule was reported out of the Committee on Rules by unanimous voice vote.

Mr. Speaker, earlier this year, I voted against this legislation under the suspension of the rules because I felt that this legislation should be thoroughly debated. Under the proposed rule, each Member has an opportunity to have their concerns addressed, debated, and ultimately voted up or down by this body. I urge my colleagues to support this rule, as well as the underlying legislation.

Mr. Speaker, I include the following data for the RECORD.

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

[As of December 19, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open <sup>2</sup>	46	44	58	65
Modified Closed <sup>3</sup>	49	47	20	23
Closed <sup>4</sup>	9	9	11	12
Total	104	100	89	100

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

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

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

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

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of December 19, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350-71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255-172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229-100; A: 227-127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230-191; A: 229-188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282-144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252-175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253-165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271-151 (3/2/95).
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	
H. Res. 105 (3/6/95)	MO			A: voice vote (3/6/95).
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: 257-155 (3/7/95).
H. Res. 109 (3/8/95)	MC			A: voice vote (3/8/95).
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps	PQ: 234-191 A: 247-181 (3/9/95).
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: 242-190 (3/15/95).
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/28/95).
H. Res. 119 (3/21/95)	MC			A: voice vote (3/21/95).
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 217-211 (3/22/95).
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: 423-1 (4/4/95).
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: voice vote (4/6/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 228-204 (4/5/95).
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: 253-172 (4/6/95).
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/2/95).
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: voice vote (5/9/95).
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: 414-4 (5/10/95).
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95).
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95).
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252-170 A: 255-168 (5/17/95).
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233-176 (5/23/95).
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225-191 A: 233-183 (6/13/95).
H. Res. 167 (6/15/95)	O	H.R. 1817	MilCon Appropriations FY 1996	PQ: 223-180 A: 245-155 (6/16/95).
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232-196 A: 236-191 (6/20/95).
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221-178 A: 217-175 (6/22/95).
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95).
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258-170 A: 271-152 (6/28/95).
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps	PQ: 236-194 A: 234-192 (6/29/95).
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235-193 D: 192-238 (7/12/95).
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230-194 A: 229-195 (7/13/95).
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PQ: 242-185 A: voice vote (7/18/95).
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PQ: 232-192 A: voice vote (7/18/95).
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95).
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PQ: 217-202 (7/21/95).
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95).
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95).
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230-189 (7/25/95).
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95).
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409-1 (7/31/95).
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	A: 255-156 (8/2/95).
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 323-104 (8/2/95).
H. Res. 215 (9/7/95)	O	H.R. 1594	Economically Targeted Investments	A: voice vote (9/12/95).
H. Res. 216 (9/7/95)	MO	H.R. 1655	Intelligence Authorization FY 1996	A: voice vote (9/12/95).
H. Res. 218 (9/12/95)	O	H.R. 1162	Deficit Reduction Lockbox	A: voice vote (9/13/95).
H. Res. 219 (9/12/95)	O	H.R. 1670	Federal Acquisition Reform Act	A: 414-0 (9/13/95).
H. Res. 222 (9/18/95)	O	H.R. 1617	CAREERS Act	A: 388-2 (9/19/95).
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	PQ: 241-173 A: 375-39-1 (9/20/95).
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	A: 304-118 (9/20/95).
H. Res. 226 (9/21/95)	O	H.R. 743	Team Act	A: 344-66-1 (9/27/95).
H. Res. 227 (9/21/95)	O	H.R. 1170	3-Judge Court	A: voice vote (9/28/95).
H. Res. 228 (9/21/95)	O	H.R. 1601	Internatl. Space Station	A: voice vote (9/27/95).
H. Res. 230 (9/27/95)	C	H.J. Res. 108	Continuing Resolution FY 1996	A: voice vote (9/28/95).
H. Res. 234 (9/29/95)	O	H.R. 2405	Omnibus Science Auth	A: voice vote (10/11/95).
H. Res. 237 (10/17/95)	MC	H.R. 2259	Disapprove Sentencing Guidelines	A: voice vote (10/18/95).
H. Res. 238 (10/18/95)	MC	H.R. 2425	Medicare Preservation Act	PQ: 231-194 A: 227-192 (10/19/95).
H. Res. 239 (10/19/95)	C	H.R. 2492	Leg. Branch Approps	PQ: 235-184 A: voice vote (10/31/95).
H. Res. 245 (10/25/95)	MC	H. Con. Res. 109	Social Security Earnings Reform	PQ: 228-191 A: 235-185 (10/26/95).
		H.R. 2491	Seven-Year Balanced Budget	
H. Res. 251 (10/31/95)	C	H.R. 1833	Partial Birth Abortion Ban	A: 237-190 (11/1/95).
H. Res. 252 (10/31/95)	MO	H.R. 2546	D.C. Approps.	A: 241-181 (11/1/95).
H. Res. 257 (11/7/95)	C	H.J. Res. 115	Cont. Res. FY 1996	A: 216-210 (11/8/95).
H. Res. 258 (11/8/95)	MC	H.R. 2586	Debt Limit	A: 220-200 (11/10/95).
H. Res. 259 (11/9/95)	O	H.R. 2539	ICC Termination Act	A: voice vote (11/14/95).
H. Res. 261 (11/9/95)	C	H.J. Res. 115	Cont. Resolution	A: 223-182 (11/10/95).
H. Res. 262 (11/9/95)	C	H.R. 2586	Increase Debt Limit	A: 220-185 (11/10/95).
H. Res. 269 (11/15/95)	O	H.R. 2564	Lobbying Reform	A: voice vote (11/16/95).
H. Res. 270 (11/15/95)	C	H.J. Res. 122	Further Cont. Resolution	A: 229-176 (11/15/95).
H. Res. 273 (11/16/95)	MC	H.R. 2606	Prohibition on Funds for Bosnia	A: 239-181 (11/17/95).

## SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS—Continued

[As of December 19, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 284 (11/29/95)	O	H.R. 1788	Amtrak Reform	A: voice vote (11/30/95).
H. Res. 287 (11/30/95)	O	H.R. 1350	Maritime Security Act	A: voice vote (12/6/95).
H. Res. 293 (12/7/95)	C	H.R. 2621	Protect Federal Trust Funds	PQ: 223-183 A: 228-184 (12/14/95).
H. Res. 303 (12/13/95)	O	H.R. 1745	Utah Public Lands	
H. Res. 309 (12/18/95)	C	H. Con. Res. 122	Budget Res. W/President	PQ: 230-188 A: 229-189 (12/19/95).
H. Res. 313 (12/19/95)	O	H.R. 558	Texas Low-Level Radioactive.	

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

Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. BONILLA].

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

Mr. Speaker, I rise in opposition to the Texas Low-Level Radioactive Waste Disposal Compact Consent Act and the rule for the bill. As you all know this bill was considered by the House back in September. The House overwhelmingly defeated this bill by a vote on 243 to 176 under suspension of the rules.

I commend the Rules Committee for a job well done in developing this rule. It is an open and very fair rule, however I believe this bill should not be coming to the floor for another vote. This rule would have been appropriate had the bill been considered in regular order back in September when it was first voted upon.

The House already made its statement loud and clear by rejecting this bill. This bill is not in order today and I urge my colleagues to oppose the bill and the rule.

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

Mr. Speaker, I thank the gentleman from Colorado [Mr. MCINNIS] for yielding the customary 30 minutes of debate time to me.

Mr. Speaker, we support this open rule for H.R. 558, the Texas Low-Level Radioactive Waste Disposal Compact Consent Act. The bill was defeated overwhelmingly by a vote of 176 to 243 in September when it was taken up on the suspension calendar, and the bill itself remains quite controversial.

In fact, we were surprised to see it placed on the schedule for today with such little notice. Members of the Committee on Rules were not notified until yesterday afternoon that it would be taken up by committee at 5:15 yesterday evening. We questioned the wisdom of considering this bill again, even under an open rule, at this time in the session. It is not at all clear that the most open procedure can solve the problems that the bill seems to have. The fact that the Texas delegation itself is split evenly on the bill, 15 Members voted for it and 15 against it when it was before us in September, should have been a sign to the leadership that the strong vote against the bill should, for the moment at least, be allowed to stand.

Nevertheless, we are here today considering this legislation when we should be putting all of our efforts and energy into passing the long-overdue annual appropriations bills that are crucial to returning Government services to the American people.

Again, Mr. Speaker, we support this rule. It is an open rule, but we remain disturbed that it is being taken up at all for legislation that has already been defeated by the House, as the gentleman from Texas just said, when we should be considering the spending legislation that is critical to ensuring that our citizens receive the Government services they deserve.

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

Mr. MCINNIS. Mr. Speaker, I yield three minutes to the gentleman from Colorado [Mr. SCHAEFER] who is also chairman of the subcommittee.

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

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

Mr. Speaker, I rise in support of House Resolution 313, the rule which accompanies H.R. 558, the Texas Low-Level Radioactive Waste Compact Consent Act. This bill, introduced by our colleague, JACK FIELDS, will allow the States of Texas, Maine, and Vermont to join the other 42 States which have already entered into low-level radioactive waste disposal agreements.

The Open rule, providing that debate on and possible amendments to H.R. 558 will allow for a broad range of issues to be discussed, is a welcome step. The measure had strong bipartisan support during the Commerce Committee's consideration of it, and I am hopeful that once Members have listened to this debate at the full House level, the bill will enjoy similar wide support on final passage.

Low-level wastes emit a low intensity of radioactivity. In fact, the vast majority of low-level wastes—97 percent—do not require any special shielding to protect workers or the surrounding community. Examples of these wastes range from the coverall uniforms used at nuclear power sites to the radioactive elements of a hospital x-ray machine.

Currently, 42 States are already involved in nine compact arrangements for the disposal of low-level waste. H.R. 558 would finally allow the States of Texas, Maine, and Vermont to begin their efforts to fully comply with the Low-Level Radioactive Waste Policy Act of 1980 and to join the other States which have already entered into such compacts.

One of the important and controversial matters raised during the House's first consideration of this bill revolved around the siting of the low-level waste facility. H.R. 558, like the other nine

compacts before it, does not specify a site. It was the intent of Congress that siting, like the other responsibilities outlined in the Low-Level Radioactive Waste Act, would remain a State issue. Regardless of the site, the States of Texas, Maine, and Vermont need the congressional consent of this compact. And regardless of the compact, these States will have a need for low-level radioactive waste disposal capability. The facts are very clear.

An open rule will provide a good forum to debate these points. The rule is a good one and I urge the House's adoption.

Mr. BEILENSEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Maine [Mr. BALDACCI].

Mr. BALDACCI. Mr. Speaker, I rise today in support of the rule on H.R. 558, the bill to give congressional consent to the Texas low-level radioactive waste disposal compact.

Many of my colleagues had opposed this bill when it came up under the Suspension Calendar, and I have talked to some of them about their vote. One of the reasons that they most frequently gave for their opposition was the lack of an opportunity to fully debate this question.

The Committee on Rules has recommended an open rule allowing for 1 hour of general debate. I fully expect a vigorous discussion on the compact. I look forward to that debate and to answering any questions that may arise.

The compact is important for Texas. It is important for Vermont, and it is important for Maine. This would be the 10th compact that Congress has ratified since 1985, when Congress enacted the low-level radioactive waste disposal policy amendments.

This was one of those unfunded mandates that Congress gave the States to develop methods of managing low-level nuclear waste. The three States have diligently complied with that mandate.

The Governors and the legislatures of Vermont and Texas have approved the compact. The Governor and legislature and people of Maine have approved the compact.

Mr. Speaker, I urge support of the rule.

Mr. Speaker, since my good friend has allowed me such time as I may consume, I thought it was probably important to utilize this opportunity to discuss the low-level radioactive waste compact.

The measure before us today would give congressional approval to the compact between Maine, Vermont, and Texas for the disposal of low-level radioactive waste produced in those States.

Experience has probably taught all of us just how difficult waste management issues can become. And none is more difficult than those involving radioactive materials.

In 1985, after considerable debate, Congress enacted the low-level radioactive waste disposal policy amendments act. Congress gave responsibility to the States for the management of low-level radioactive waste. These materials are byproducts of nuclear medicine, nuclear research, industrial processes as well as nuclear power generation.

Congress clearly gave the States a mandate, without funding I might add, to develop responsible methods for managing this waste. H.R. 558 would simply ratify the compact negotiated between Maine, Vermont, and Texas. It represents the last step in the process. These three States have diligently complied with the congressional mandate. H.R. 558 deserves our overwhelming support.

Congress, in dictating to the States and requiring the States to come up with these compacts, this is the 10th compact that Congress has approved since 1985—9 others involving 42 States have received speedy consent. It would be very irresponsible and also unfair if we were to reject the compact now before us. It would be a complete reversal of the policy established by Congress.

Opponents of the legislation have objected to the proposed site of the low-level waste disposal facility in Texas. These objections are not relevant to the compact. The compact presented in H.R. 558 is site neutral. In fact, the siting process conducted by the State of Texas and the compact between the States of Maine, Vermont, and Texas, are separate and independent. As I understand it, Texas initiated the siting process long before it began negotiations with Maine and Vermont. In fact, the proposed site still requires approval of the Texas Natural Resources Conservation Commission.

So the commission has just now started what will be a lengthy public proceeding to consider all the issues associated with the proposed site. So for those reasons, and many others, I would support the rule and also support the passage of this legislation.

The Texas commission has just now started what will be a lengthy public proceeding to consider all of the issues associated with the proposed site. If the proposed site is found to be deficient, then the license will not be granted and another site will have to be selected. Nonetheless, the siting issues such as water quality impacts, seismology matters, and related concerns are simply not germane to our consideration of our H.R. 558. Neither the compact nor H.R. 558 specify any particular site in Texas. This decision is solely the responsibility of the Government of the State of Texas. The siting decision is the right of the State of Texas. We in Washington should not interfere in that process.

Finally, it is also important to understand that the compact under consideration contains real and significant advantages for all three States. With the compact, Texas will be able

to limit the amount of low-level radioactive waste coming into its facility from out-of-State sources.

Maine and Vermont together produce a fraction of what is generated in Texas. For Maine and Vermont, the compact relieves either State from the need to develop its own facility. Given the relatively small volume of waste produced in Maine, developing such a facility would be disproportionately expensive.

These benefits are among the reasons that the compact received overwhelming support from the Governors and legislatures in all three States.

We should act now to approve H.R. 558 without amendments. It represents the States' best efforts to comply with a Federal mandate. It is not directly linked to the development of any specific site in Texas. It contains major benefits for all three States. I urge you to support H.R. 558.

Mr. MCINNIS. Mr. Speaker, I yield 15 minutes to the fine gentleman from the State of Texas [Mr. BARTON].

Mr. BARTON of Texas. Mr. Speaker, I will not use 15 minutes, I assure the Chair and the other Members of the body. I do want to speak for more than 1 or 2 minutes.

Mr. Speaker, when I was elected in 1984, I came to the Congress in January 1985, I had the honor to be placed on what was then called the Interior Committee, chaired by the distinguished gentleman from Arizona, Mr. Mo Udall. One of the pieces of legislation that that committee moved that year was the Low-Level Waste Policy Act Amendments of 1985, in which it gave States the authority to create interstate compacts with other States for the disposal of low-level nuclear waste.

At that time, the State of Texas chose to create a compact simply within its State boundaries and not to create an interstate compact with other States. Since that time, the State of Texas has been in negotiations with the State of Vermont and the State of Maine and has decided to take advantage of the 1985 act and create an interstate compact. Nine other interstate compacts have been approved by this Congress since the Low-Level Waste Policy Act Amendments of 1985.

When this bill first came to the floor earlier this year, it was defeated, and it was defeated primarily because many Members felt like that since one or two Members in the State of Texas on the Republican side were opposed to this legislation, that the State of Texas itself and the Republican delegation in general was opposed.

Nothing could be further from the truth. The Governor of the State of Texas, the Honorable George Bush, strongly supports the passage of this act. The former Governor, the Honorable Ann Richards, formerly when she was Governor supported this act. So both our Democrat former Governor and Republican Governor support the passage of H.R. 558.

When it comes to a vote later this week, my guess is that almost, not every Texan, but almost every Texas Member will support this act. On the Republican side, all but one or two will support it.

This bill does not site the low-level waste depository within the State of Texas. It simply gives the State the authority to contract with Vermont and Maine for their low-level waste. It will be a State decision within Texas where to put the depository.

The Members from our State delegation that oppose this legislation apparently oppose it because they oppose where the State has so far decided to locate the depository. But this act in and of itself is not site specific. It simply gives the State of Texas and the State of Vermont and the State of Maine the right to enter into a compact as this Congress or other previous Congresses have given nine other compacts.

So I want to strongly support the rule. I hope we pass the rule, and then I would hope that all Members would vote positively on the underlying bill, H.R. 558. It is simply giving these three States, Texas, Vermont, and Maine, the right, as other States have, to enter into an interstate compact for the transmission and disposal of low-level nuclear waste.

□ 1330

Mr. BEILENSON. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. GENE GREEN].

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of the rule and the bill, H.R. 558, the Texas low-level radioactive waste disposal compact.

Low-level waste is a by-product of many industrial and medical activities that contribute to our economy in Texas and also enhance our lives. For example, it is not in my district but it serves my community, our hospitals in the city of Houston and around the State are national leaders in health care and medical research, and we have this low-level waste now literally on the property of the hospitals because they have to have someplace to put it. We have an agreement now with two other States, and that is why H.R. 558 is so important.

Responsible management of this waste that the hospitals produce include clothing, the laboratory supplies, and paper requiring permanent disposal in a site specifically designed for that purpose.

The States of Texas, Maine, and Vermont have all agreed to proceed with this compact which, by law, Congress must approve; however, the implementation and site selection is a State matter. And I believe the States who sign this compact should be allowed to proceed with it.

I know in Texas, Mr. Speaker, we have done that. Governor McKernan of Maine signed the compact in 1993 and the Maine voters approved it by referendum later that year. Governor

Dean in Vermont in April 1994. In Texas, both the previous Governor, Governor Anne Richards, and current Governor Bush also strongly supported this compact. In fact, in 1991, as the State senator representing part of the Harris County area in Houston, I supported the compact as a State senator.

This law allows us to maintain control over this issue for the States and just simply allows the process to go forward.

We cannot continue to stick our head in the sand and say we do not have a place for this. By allowing this compact it would allow the State of Texas, a large geographic State with a great deal of urban area that produces this low-level waste, a place to store it other than the urban areas that is close to all of our homes.

Again, Mr. Speaker, we need this because our hospitals and our medical centers are contributing to it and they need to have someplace that is the least affected environment for it. That is why, Mr. Speaker, I rise in support of the rule and also in support of H.R. 558.

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

Mr. GENE GREEN of Texas. I yield to the gentleman from Texas, who, frankly, he and I served in the State legislature together, but not in the 1990's, because he was in Congress then.

Mr. COLEMAN. Mr. Speaker, I guess my question for the gentleman is, since he was for this legislation when he was in the State Senate in the State of Texas, I guess my question is, would he agree to an amendment, if we were to offer an amendment, and under this rule we would be allowed to offer an amendment, that would restrict this compact to only these three States?

Mr. GENE GREEN of Texas. Mr. Speaker, I would say to the gentleman that that was the intent when we voted for it in the State of Texas in the legislature; and as a Member of Congress, I would agree to that.

I am glad my colleague brought this up. If that would get my colleague from El Paso on board, I would be more than happy to support that amendment that would limit it to only those three States.

Mr. COLEMAN. Well, Mr. Speaker, maybe I should ask this question.

Mr. GENE GREEN of Texas. I gave the gentleman the right answer, did I not?

Mr. COLEMAN. It was a good answer.

As I understand the compact, however, I wonder whether or not this Congress would be willing to restrict those commissioners in any vote they might subsequently take to allow other States to join the compact? Can we do that in this legislation; is that the gentleman's understanding?

Mr. GENE GREEN of Texas. Again, I do not know. I would think the rule would allow that amendment to be considered, but the State legislature and the State of Texas would be the one that would actually vote on that. Again, I do not have any fear about the

State legislature dealing with this issue because I worked on it then.

Mr. COLEMAN. So then the gentleman understands, if Connecticut, for example, which already has made some approaches to this compact, or proposed-compact States, if Connecticut wanted to join the compact, then, of course, the gentleman's statement is that we cannot prohibit that here in the Congress; that that would be up to the commissioners only who serve on the commission; is that right?

Mr. GENE GREEN of Texas. It is not my bill, but I would support limiting it to the waste of the three States.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. COLEMAN].

Mr. BARTON of Texas. Mr. Speaker, will the gentleman yield for an answer to the question?

Mr. COLEMAN. I am happy to yield to the gentleman from Texas.

Mr. BARTON of Texas. Mr. Speaker, I would say to the gentleman that I was one of the authors of the amendments in 1985, and it is the intent of the legislation to give the States the right to negotiate between themselves for these compacts. It would, in my opinion, be outside the scope of this particular bill to try to limit any of the legislatures in what they could do.

I would oppose the gentleman's amendment if he were to offer such an amendment. I personally do not have a problem limiting the States, but the underlying legislation gives the States the right to negotiate these compacts, and the Congress' role is simply to ratify or to not ratify the compact.

Mr. COLEMAN. Mr. Speaker, reclaiming my time, I would say to my colleagues in the Congress that this is exactly the issue. The issue here is simply one we call back home greed. Texas decided they would get a whole bunch of money from a couple of States if they would take their waste and dump it. And, of course, everybody says, well, these will just be these three States.

The minute I suggest we make sure it is only these three States, everybody goes, oh no. We just heard my colleague from Texas a minute ago, just now, say, oh, no, we sure would not want to do that. After all, Texas could get more money for this.

So what if it is out in west Texas, in a poor little old town called Sierra Blanca; right? It is not in his backyard. Not in my colleague's backyard, Mr. GENE GREEN's backyard, in Houston, TX, or up near Dallas. No, it is just out in west Texas. So who cares, other than those 900 people that live in that county. Who cares?

Well, I will tell my colleagues what. Putting it in an unsafe place, which they are doing, they are putting it near the epicenter of an earthquake that occurred just last April, 5.6 on the Richter scale, and everybody says we do not care. Heck, I am in Dallas, or I am in Houston. We do not care, it is out in west Texas. Who cares.

The point is, we are finally going to get to the truth of the matter, and the

last gentleman who addressed this House told us what the truth of the matter is. What they do not care about is the consequences. If there is an earthquake or an accident that occurs in the next 300 or 400 years, they do not care. They do not care if they are on record because they will not be here. If it occurs in the next 5 or 10 years, my colleagues may care.

It may not look too good that they were willing to put this dump site where it should not be in the first place; and, second, that they are willing to take a nuclear reactor from Connecticut, because that is the next thing that is coming. I hope everybody understands that.

All of my colleagues in Texas that think this is smart better start thinking ahead just a little bit. This is not about Maine and Vermont and Texas only. Once they open this site, these commissioners will elect to put radioactive nuclear waste from every State, if they want to, because only they will be doing it.

We are told it is outside the scope for this Congress to act for the health care and welfare of the American people, and that is flat wrong.

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

I would remind my colleagues that the issue we are talking about right now is the rule, and we have an open rule. It came out of the Committee on Rules on a unanimous voice vote. I do not want everyone's attention being diverted away from the fact that the debate on this issue will take place when the bill comes up. Right now the issue is the rule.

I respect the gentleman's arguments, but I would point out, let us focus back on the rule. It is an open rule. There is no reason anyone in here should object to the rule because it will allow the kind of healthy debate we have just seen.

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

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

Mr. COLEMAN. Mr. Speaker, I thank the gentleman for highlighting that. In fact, it was my intention to come here and only to speak on behalf of the rule.

I think the rule is fair and it gives us an opportunity to offer the very amendments that I was speaking about. But I came up here and all of a sudden I heard one of my colleagues from Maine tell us what a great bill this was.

Maybe we can make it a good bill, if we are allowed to amend it and we get the support we had last time of a majority of this Congress to permit us to do that. I thank the gentleman for pointing it out and giving me the opportunity to say I, too, am in support of the rule.

Mr. MCINNIS. Mr. Speaker, reclaiming my time, the gentleman will have that opportunity to amend, and I certainly appreciate where the gentleman

comes from and his purpose in affording that debate, but I do want to remind all of us that we will have a lot more time for debate, so I think we should try to wrap this rule up.

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

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman very much and I rise to make several brief points because I support both the rule and the bill.

I think it is important to focus our attention where it should be focused, and that is, one, this is an environmentally driven bill. This is a question of what to do with low-level radioactive waste, something that raises enough question for many of us. Whenever we hear of nuclear reactors or radioactive waste we are concerned.

I am concerned about the research and the medical services done at the Texas Medical Center and the inability of that facility, that brings about good health and saves lives, to be able to find a safe and environmentally protected area to eliminate low-level radioactive waste.

The other point is that this is a bipartisan effort. The Governor of Texas, Anne Richards, supported this, as well as the present Governor.

Lastly, let me say that this is not a matter that is a question of sites, or one site that has already been selected. I think there should be reasonable discussion and a fair discussion that no poor area, no poor neighborhood should be biasly selected as the site for this. The commissioners should take into consideration the very safest of locations being driven by the environmental aspects of what we are trying to do here.

I think it is particularly important to instruct the States to work these arrangements with the requirement that safety and the environment be crucial issues to be addressed. In fact, no State, I hope, would want to jeopardize communities with a site that would not be environmentally safe, focusing on the question that there is low-level radioactive waste, we must do something with it, but it must be safely done.

H.R. 558 provides an open rule. I think that is extremely positive. I hope we can draw on more bipartisan discussion to make this the best bill, because this is something that should not have the tensions of disagreement when we all realize that this is a national problem that is impacting our States across the country. If there is a question of other States being involved, I think hard questions should be asked, but this particular Texas, Maine, Vermont low-level radioactive waste compact has reasonably been reviewed by the respective Governors, as I said, both Democratic and Republican alike.

The compact limits Vermont and Maine to 20 percent of the total volume. It is a question of medical radioactive waste that is a prime concern for all of us in the State of Texas, and particularly, as I said earlier, the question dealing with the site selection should be carefully reviewed. I think it is important that we realize that there will be no site selection in Texas without full public hearings. In that instance, all of those communities that may ultimately be impacted will have the complete access to those public hearings. The commissioners should be sensitive to this.

I would ask my colleagues to make this truly a bipartisan piece of legislation, for it is for the safety of all of us, and it certainly is for the safety of those of us who are concerned about how we eliminate, and safely and environmentally secure low-level radioactive waste.

Mr. SPEAKER, I rise today in support of H.R. 558, the Texas-Maine-Vermont low-level radioactive waste compact. This bill has received considerable attention since it concerns the issue of States' rights, the issue of protecting the environment and the rights of citizens to determine the quality of life in their communities.

Since the 1985 amendments to the Low-Level Radioactive Waste Policy Act, the 50 States have been responsible for managing their low-level radioactive waste program because the Federal Government recognized that States are better suited to implement such policies due to their close attention to local concerns.

There are already nine State compacts in existence representing agreements among 42 States. Congress passed the bills approving those compacts under the Suspension Calendar. The House Commerce Subcommittee on Energy and Power unanimously passed H.R. 558. The full committee passed the bill by a vote of 41 to 2.

The Governors of Texas, Maine, and Vermont strongly support this legislation. The State Legislatures in Texas, Maine, and Vermont have approved the compact. The majority of the Texas congressional delegation supports this bill.

Contrary to popular belief, a specific disposal site has not yet been designated. The appropriate agencies in Texas have been considering various sites. It will be located in Texas, however, since Texas would have the vast majority of the low-level radioactive waste. The compact limits Vermont and Maine to 20 percent of the total volume. The Texas medical center is without available alternative.

No site will be selected without public hearings that give concerned citizens the opportunity to express their views on the location of the facility. Environmental agencies will conduct the appropriate review and resolve environmental concerns in accordance with current law and regulations. No radioactive waste from States other than Texas, Maine, and Vermont would be stored at the facility. The future facility must meet Federal regulatory standards developed by the Nuclear Regulatory Commission relating to safety in the construction and operation of the facility.

I urge my colleagues to support this bill, which approves this compact among Texas, Maine, and Vermont and permits those states

to manage their low-level radioactive waste in compliance with Federal environmental law and regulations.

□ 1345

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume 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, first with regard to those Members from Texas and those who are concerned about this issue from Texas, in the dialog with the gentleman from Texas [Mr. BARTON] a moment ago I think for the first time we saw what really is going to happen if this thing passes. And maybe nobody else should care, but if Members are from Texas, they ought to care.

Mr. Speaker, what it means is that this commission is going to be able to accept nuclear waste from every State of the Union. It is, in my view, very regrettable.

We are going to offer an amendment to say that it is limited to the two States involved, Vermont and Maine. I see no way to justify doing otherwise. The bill has been lobbied to Members of Congress from my region to say that it just involved the two States. The fact of the matter is that it does not. If it did, I think no one would mind if we offered an amendment that said this would be a compact between the three States.

Mr. BARTON of Texas. Mr. Speaker, will the gentleman yield?

Mr. BRYANT of Texas. I yield to the gentleman from Texas.

Mr. BARTON of Texas. Mr. Speaker, I appreciate my good friend for yielding to me.

Mr. Speaker, I want to point out that there are 9 compacts that cover 41 States. My understanding of the Federal law is that if 1 of those 41 States want to get out of their existing compact and come into this compact which has not yet been approved, that that would take congressional approval. I could be proven wrong on that, but it is a fact that there are 41 States that are in these types of compacts.

Mr. Speaker, I have not received any information in my office from the Governor's office, or anybody in the Texas Legislature, that they are trying to enlarge the compact.

Mr. BRYANT of Texas. Mr. Speaker, reclaiming my time, if that is the case, then surely the gentleman will support us in our amendment that will say this compact will be limited to Texas, Maine, and Vermont. Would the gentleman support us in that amendment?

Mr. BARTON of Texas. Mr. Speaker, if the gentleman would continue to yield, on a personal level I do not have a problem with that.

Mr. BRYANT of Texas. Mr. Speaker, I mean on the big board when we vote.

Mr. BARTON of Texas. Mr. Speaker, if the gentleman would continue to

yield, my problem with that particular amendment, if offered by the gentleman from Dallas, TX [Mr. BRYANT] and the gentleman from El Paso, TX [Mr. COLEMAN], is that the underlying law that gives the Congress the right to approve or disapprove the compact, gives the States the right to negotiate the compact, and we would be stepping into the State area.

Mr. BRYANT of Texas. Mr. Speaker, reclaiming my time, it is just a plain and simple concept. If the gentleman wants the entire United States to be able to dump nuclear waste in our State under approval from this commission, then he would vote against our amendment. If the gentleman believes we ought to limit it to just the two States, and I cannot imagine why he would not want to do that, why would the gentleman not vote for the amendment and let us make this thing do what everybody has promised that it would do?

Mr. BARTON of Texas. Mr. Speaker, if the gentleman would continue to yield, does the gentleman have information that leads him to believe that these other 41 States are going to get out of their existing compacts and want to come into this particular compact?

Mr. BRYANT of Texas. Mr. Speaker, again reclaiming my time, in the first place there are 50 States, so there are 9 unaccounted for that would obviously be interested, No. 1.

First, I cannot predict the future, but I do know this, no matter what the situation might be, I do not want them to come and dump their nuclear waste in Texas. So the amendment will simply say that, and I would hope to have the gentleman's support of that amendment.

Second, I would call the Members of the House to look at this from a national perspective. We do not wish to avoid responsibility under the law to deal with this problem of siting a nuclear waste depository. But from the standpoint of the national interest, this is not a small matter.

The site that has been chosen is one that is on an international border, very close to the Rio Grande River in an area that is a volatile earthquake zone. This area experienced an earthquake scoring 5.6 on the Richter scale on April 13 of this year. The epicenter was less than 100 miles away and the quake was felt by individuals several hundreds of miles away.

Mr. Speaker, numerous earthquakes have occurred in this area. The largest was 6.4 in 1931, with its epicenter only 40 miles from the site, and the U.S. Geological Survey has concluded that quakes of 7.5 in magnitude could occur at any time along 14 faults in the immediate vicinity.

Mr. Speaker, it is not in the national interest to ratify this knowing that the State of Texas plans to locate this in this place. If it were to pollute the Rio Grande River, we would have an enormous problem with Mexico; a problem

not only for the people of Texas, but all the people of the United States who would have to help pay this liability.

Mr. Speaker, the fact that we have it in an earthquake zone is preposterous. In effect, the legislature and other parts of the Texas State Government decided to put it in a place that has no political power, hardly any people, rather than putting it in a place that has people and political power, and they did so regardless of the illogical nature of their decision.

Mr. Speaker, we will oppose it and will offer an amendment to provide that if this is approved, that this cannot be located in a seismically active area and an amendment that it will be limited to the three States mentioned, Texas, Maine, and Vermont. Mr. Speaker, I hope when we do, Members will support us on those amendments.

The SPEAKER pro tempore. The gentleman from California [Mr. BEILEN-SON] has 6 minutes remaining.

Mr. BEILEN-SON. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I also rise in support of the rule. I wanted to really point out that this legislation did come out of our Subcommittee on Energy and Power on a bipartisan basis. I do support it as the ranking member.

Obviously, this is an open rule, as has been mentioned, and there is no reason why Members cannot bring up any substantive amendment that they would like. Obviously, some of the amendments will be brought up.

Mr. Speaker, I just wanted to mention, as I think has been brought out, that this is the 10th compact to receive congressional approval. Basically, the compact system envisions that low-level radioactive waste policy is developed with the strong support of the National Governors' Association, and under the law the task of selecting the disposal sites is the States' responsibilities. So, the subcommittee, in reporting out the bill, was cognizant of the fact that the States involved in the compact do support it.

Traditionally, Congress' responsibility is to simply act quickly on the compacts' request by the respective States and if all is in order, to approve it promptly.

Mr. Speaker, I do not really relish getting involved in a Texas battle here. I guess I learned a long time ago not to do that, and I think I am about to be. One of the Texas Members already suggested to me that perhaps they could bring up an amendment moving the site to New Jersey. I hope that does not happen.

Mr. BRYANT of Texas. Mr. Speaker, will the gentleman yield?

Mr. PALLONE. I yield to the gentleman from Texas.

Mr. BRYANT of Texas. Mr. Speaker, I am not going to propose that. I think the gentleman from New Jersey has been constructive in his effort to deal with this issue. But I would point out

to the gentleman that it is not possible to imagine that it does not bother this Member, or any ranking member somewhat, that the decision has been made to locate this in a seismically active zone.

Now, recognizing that, and the national implications of that since it is on the Rio Grande River, an international border with Mexico, would not the gentleman agree that we ought to at least amend the bill to say that it cannot be put in an obviously irresponsible place just so that local legislators can avoid the inconvenience of making the tough decision?

Would the gentleman not see the logic in at least saying this is unique with regard to this compact. We are not going to let you locate it there, but you will have to locate it some place else?

Mr. PALLONE. Mr. Speaker, reclaiming my time, as the gentleman knows, I did not support any amendments like that in the subcommittee and I would not support it on the floor. Again, because my understanding is that this has been looked into and that those on the State level that looked into it took that into consideration.

That is not to in any way to prejudice the gentleman from Texas [Mr. BRYANT], obviously, from bringing that up and arguing it. But my position is that the States and the legislatures that looked at this looked into those problems and, therefore, made that decision to support it.

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

Mr. PALLONE. I yield to the gentleman from Texas.

Mr. COLEMAN. Mr. Speaker, I think the reason the gentleman from Texas asked the question is simply because it will be taxpayers in New Jersey and Kansas and California and New York that will be participating in the clean-up of an accident when it occurs. It is not going to just be Texas, Maine, or Vermont.

I hope that the gentleman and my colleagues understand that, that it will be the responsibility of all of us, because it is an international river and an international boundary that belongs to the United States as well as to Mexico.

Mr. PALLONE. Mr. Speaker, reclaiming my time, I would just say that I see no reason why that should not be brought up on the floor and discussed, but again I would say that these issues were brought up in the subcommittee and our opinion was that they were decided on the State level and that we should respect that.

Mr. MCINNIS. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. FIELDS].

(Mr. FIELDS of Texas asked and was given permission to revise and extend his remarks.)

Mr. FIELDS of Texas. Mr. Speaker, first of all, let me apologize to my colleagues. We were trying to wrap up our telecommunications conference, and so

I could not get here as quickly as I would have liked.

Mr. Speaker, this is an extremely important piece of legislation for the State of Texas and the other two States involved. It is important because it involves the issue of waste and there has been a decision by three State legislatures on what to do in this particular compact, as the States are allowed in the underlying Federal statute. The process has been pristine in terms of meeting what is allowed under the statute.

Mr. Speaker, I think it is very important for my colleagues to understand that the site that has been chosen by the State of Texas will be used as a waste site regardless of what the House of Representatives does. That decision has been made. That is where waste generated in the State of Texas will be disposed.

Mr. Speaker, the advantage of our State entering into a compact with other States is basically we put a lock on what waste our State at any point in the future would have to accept. That is why it is so important that the State has made the decision, entered into the compact and made the ironclad decision that that site is going to be used, whether this compact passes or not.

Mr. Speaker, I would just ask my friends and my colleagues to look at this not only in terms of process, process that has been met both in the State legislatures and in regard to the Federal statute, but also in terms of this being a final decision. The only thing the House would do, if they overturned this particular decision, is set a very bad precedent for other States wishing to enter into similar compacts. If this decision by the three States is overturned, it is the first time that States having made a decision will have that decision contradicted by an action of the House, and I think that is tragic.

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

Mr. FIELDS of Texas. I yield to the gentleman from Texas.

Mr. COLEMAN. Mr. Speaker, I would only hope that the gentleman understands that there is a distinction with a difference. Just because the Texas House and the Texas Senate made a decision to place a dumpsite near an international boundary, I do not happen to think should obligate taxpayers from the rest of the country to have to be involved in the cleanup. I see that as a huge difference.

Mr. FIELDS of Texas. Mr. Speaker, reclaiming my time, when we get into the debate on this particular issue, we will talk about the specifics of what the State of Texas has done in constructing this particular facility. The safeguards that have been built in to meet any possible contingency are more than adequate.

The State has gone far beyond what science and engineering would necessarily dictate. To think that there is going to be some sort of disaster that is going to burden the rest of the country I think goes beyond reason.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, the concern in many parts of Texas about this bill is that after it passes, it will not just be poor old Rudolf whose nose is all aglow. There are many Texans who are not eager to have our State change its name from the Lone Star State to the Lone Dump State.

It has become very apparent in the course of the debate thus far that that is exactly what is going to happen, because the sponsors of this measure are unwilling to limit it to the three States of Texas, Vermont and Maine. They envision a vehicle here where an unelected commission will be able to expand this compact to include an unlimited number of States.

Mr. Speaker, I think that there is some question as to why we are here today debating this rule in the first place. It has only been about 3 months since this House overwhelmingly rejected this compact and all the problems that it poses. The only thing that has changed between the time that this House rejected this compact and now is that we have had more lobbyists swarming around this Capitol than we will find gnats on the banks of the Colorado River on a June morning. They have been working overtime to set up a compact that can be expanded to make Texas the Lone Dump State.

There have also been developments since that time in our neighboring partner with reference to environmental issues throughout the Southwest, and that is the country of Mexico. It was earlier in 1995 that the Governor of the neighboring State of where this site will be located wrote to the Governor of the State of Texas to express his great concern over the news that there would be the construction of what the Governor quite properly referred to as a nuclear cemetery in Sierra Blanca, TX.

Mr. Speaker, he went on to say the confinement of radioactive material in that place endangers the health of the population due to the possible emissions of radioactivity into the air, soil, and water.

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Of course, that letter was sent a couple of earthquakes ago with reference to this site. Just within the past few days, the Commission on Ecology and Environment of the Mexican House of Delegates has also expressed its concern saying, and I quote, that this low level waste contains dangerous concentrations of radioactivity that are contaminated with plutonium, a material that has a radioactive life of 240,000 years. The latent danger for our population is represented by the fact that the land indicated by the State of Texas for the project is over a geological fault known as the Apache Fault, the largest one in the State of Texas. There have been movements there that have registered an intensity of 5.3 on the Richter scale which, if they occur

again, cause fissures in the storage sites and consequently contaminate the underground deposits of water that feed the sister cities of El Paso and Juarez.

This is not a matter for short-term decision. It will affect generations and generations to come.

The SPEAKER pro tempore (Mr. UPTON). The gentleman from Colorado [Mr. MCINNIS] has 15 minutes remaining.

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

What is the rule doing down here? I would once again remind my colleagues it is down here because we passed it by unanimous consent on a voice vote. It is an open rule. We should not have this kind of debate on this rule, which is what everybody has an opportunity to amend.

Let me go back just a second. I would ask the gentleman from Texas to respond to a question, and I will yield to the gentleman for that response, and it is, does he support the open rule? That is, I think, the crux of what we are arguing here.

Mr. Speaker, I yield to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, I supported the rejection of this whole measure by the House last time, and I guess we will have another opportunity to do the same thing. I think the open rule is a good one, if we are going to consider this, but it should not be here at all.

Mr. MCINNIS. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. FIELDS].

Mr. FIELDS of Texas. Mr. Speaker, I want to emphasize one point, that with the approval of this compact, there will be 10 compacts covering 45 States. It was the decision of our State legislature to enter a compact with Maine and Vermont. In my view and obviously the view of the legislature and our State leadership, it is much preferred if Texas is already designated a site. Again I want people to understand the site is going to be where the legislature has decided, whether this House acts or not.

Is it better for us to have a partner like Maine and Vermont or should we be subject to anyone's waste? Should we be subject to the waste of California or New York or Illinois or some other larger State? We have had a concerted effort to obfuscate what is the real issue here. The real issue is whether we are going to stand with the decision made by three legislatures on a decision that solely should be within the province of those State legislatures, as long as it meets the Federal statute, which they have.

Mr. BEILENSON. Mr. Speaker, I yield the balance of my time to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Speaker, let me just first of all say that I am in strong

agreement with the rule. It is an open rule and will allow for a substantive debate.

Let me recapitulate some of the main points that are involved in this legislation. No. 1, we hear a lot of discussion on the floor of this House about local control and respecting the rights of the people back home. This legislation was discussed intensively in three different State legislatures. The people of Texas through their legislature approved this compact. The people of Maine did the same. The people of Vermont also approved this compact.

I should point out the Governor of Texas is a Republican; the Governor of Vermont is a Democrat and, as it happens, the Governor of Maine is an Independent.

Second, as has already been stated, there are nine compacts that have already been approved by the Congress, impacting 42 States. This will be the 10th compact. I think from a precedent point of view, it is important for this Congress to pass this compact.

Third, what has also, I think, not been made clear is this Congress is not designating a specific disposal site. That is not what we are doing. Presumably, the people of Texas have a process to determine what is in the best interest of their own people. Frankly, I would hope and expect that the people of Texas would not do anything that is environmentally dangerous to the people of their region. We in Congress are not making that decision. The people of Texas are making that decision, and I hope that we could respect that process.

I would simply suggest that from a precedent point of view, from respect for local control, we should support this rule and we should eventually support the bill.

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

Mr. SANDERS. I yield to the gentleman from Texas.

Mr. COLEMAN. Mr. Speaker, since the gentleman is a member from Vermont, maybe he could give us some idea. I heard my colleague from Houston, TX a minute ago suggest that it has been reviewed by three different State legislatures. Did the legislature of Vermont get to hold hearings on the sitting of the facility in west Texas?

Mr. SANDERS. Mr. Speaker, I believe that is left to the people of Texas.

Mr. COLEMAN. Mr. Speaker, if the gentleman will continue to yield, so it

was really only one legislature, not three; we cannot speak for Maine, but obviously just one.

Mr. SANDERS. Reclaiming my time, Mr. Speaker, there is no secret that the depository is going to be in Texas. That is a decision for the people of Texas.

Mr. McINNIS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. FIELDS].

Mr. FIELDS of Texas. Mr. Speaker, just to amplify on what my good friend just said, and he may want to retake the mike. Under the compact, Texas has full control of the site, the development, the operation and management and the closure of the low-level waste disposal facility. It really would not matter for his State to come and review where Texans decided to put a particular site, whether the House passes this or not. We will dispose of our waste at that particular site. If we do not pass this compact, we are going to be subject to the entire country's waste coming to that particular site.

Also the gentleman raised a question about the procedure in Texas. Let me just point out, our house of representatives passed the site decision and the compact by a voice vote, voice vote in the Texas House of Representatives. The Texas Senate passed this by a vote of 26 to 2. The legislature wants this particular compact as does our Governor. It is important, if one is concerned about the environment and they are a Texan, they should want this particular compact.

I thank the gentleman for yielding time to me.

Mr. McINNIS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. HALL].

(Mr. HALL of Texas asked and was given permission to revise and extend his remark.)

Mr. HALL of Texas. Mr. Speaker, I would like to point out that a lot of statements that have been made here have very little to do actually with H.R. 558. These statements I think go toward and should go toward the proposed low level site and will be the subject of a lengthy and detailed permit review process that the Texas Natural Resources and Conservation Commission is to conduct in Texas this coming year. It is there I think that the statements that have been made here regarding the site should be expressed and probably not on the floor of this House.

H.R. 558 is a compact between Texas, Maine and Vermont. That has been said over and over again. It was the subject of many legislative hearings, how many I really do not know, floor debate, negotiations by the Governors of these States, including the State-wide referendum. All of these actions were taken because we here in Congress directed the States to do this by legislation action passed in 1980 and 1985.

The States have complied with their directive, and I think we ought to honor there good-faith efforts by vote to go ratify this compact. I urge Members to vote for H.R. 558.

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

Mr. HALL of Texas. I yield to the gentleman from Texas.

Mr. COLEMAN. Mr. Speaker, I guess the only thing that question about what the gentleman says that we are going to have hearings next year. That is after the site has already been selected. So it does not do us a lot of good out there.

I will say I am proud of those two Senators since the country that is concerned here, called Hudspeth County, TX does not have a State Senator from that county. The one Senator that represents that area may or may not have voted no, and certainly we only had one representative, again not from that county. So I am not surprised by the vote in Texas. It is that county does not have a lot of population, and it is out in the desert, and I understand the gentleman's saying that, well, Texas has made the decision. All I would hope is that we try to not feel that we have to rubber-stamp an act that was a mistake. I do not think the Congress ought to be called on to do that.

Mr. McINNIS. Mr. Speaker, I yield 30 seconds to the gentleman from California [Mr. BEILENSEN] from the Committee on Rules.

Mr. BEILENSEN. Mr. Speaker, I ask unanimous consent to insert extraneous material at this point in the RECORD.

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

There was no objection.

The material referred to is as follows:

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

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1*	Compliance	H. Res. 6	Closed	None.
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed; contained a closed rule on H.R. 1 within the closed rule	None.
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive; Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A.
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive; only certain substitutes	2R: 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (0)	Restrictive; considered in House no amendments	N/A.
H.R. 2*	Line Item Veto	H. Res. 55	Open; Pre-printing gets preference	N/A.
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open; Pre-printing gets preference	N/A.
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open; Pre-printing gets preference	N/A.
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open; Pre-printing gets preference; Contains self-executing provision	N/A.
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 729*	Death Penalty/Habeas	N/A	Restrictive; brought up under UC with a 6 hr. time cap on amendments	N/A.
S. 2	Senate Compliance	N/A	Closed; Put on Suspension Calendar over Democratic objection	None.

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

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive: makes in order only the Gibbons amendment; Waives all points of order; Contains self-executing provision.	1D.
H.R. 830*	The Paperwork Reduction Act	H. Res. 91	Open	N/A.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive: makes in order only the Obey substitute	1D.
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive: 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 1022*	Risk Assessment	H. Res. 96	Restrictive: 10 hr. Time Cap on amendments	N/A.
H.R. 926*	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925*	Private Property Protection Act	H. Res. 101	Restrictive: 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	1D.
H.R. 1058*	Securities Litigation Reform Act	H. Res. 105	Restrictive: 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it.	1D.
H.R. 988*	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive: 7 hr. time cap on amendments; Pre-printing gets preference	N/A.
H.R. 956*	Product Liability and Legal Reform Act	H. Res. 109	Restrictive: makes in order only 15 germane amendments and denies 64 germane amendments from being considered.	8D; 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive: Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) of rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A.
H.J. Res. 73*	Term Limits	H. Res. 116	Restrictive: Makes in order only 4 amendments considered under a "Queen of the Hill" procedure and denies 21 germane amendments from being considered.	1D; 3R
H.R. 4*	Welfare Reform	H. Res. 119	Restrictive: Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a "Queen of the Hill" procedure; All points of order are waived against the amendments.	5D; 26R.
H.R. 1271*	Family Privacy Act	H. Res. 125	Open	N/A.
H.R. 660*	Housing for Older Persons Act	H. Res. 126	Open	N/A.
H.R. 1215*	The Contract With America Tax Relief Act of 1995	H. Res. 129	Restrictive: Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute.	1D.
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive: waives cl 2(1)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time.	1D.
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A.
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open; waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XXI against the committee substitute.	N/A.
H.R. 961	Clean Water Act	H. Res. 140	Open; pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business.	N/A.
H.R. 535	Corning National Fish Hatchery Conveyance Act	H. Res. 144	Open	N/A.
H.R. 584	Conveyance of the Fairport National Fish Hatchery to the State of Iowa.	H. Res. 145	Open	N/A.
H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility.	H. Res. 146	Open	N/A.
H. Con. Res. 67	Budget Resolution	H. Res. 149	Restrictive: Makes in order 4 substitutes under regular order; Gephardt, Neumann/Solomon, Payne/Owens, President's Budget if printed in Record on 5/17/95; waives all points of order against substitutes and concurrent resolution; suspends application of Rule XLIX with respect to the resolution; self-executes Agriculture language.	3D; 1R.
H.R. 1561	American Overseas Interests Act of 1995	H. Res. 155	Restrictive: Requires amendments to be printed in the Record prior to their consideration; 10 hr. time cap; waives cl 2(1)(6) of rule XI against the bill's consideration; Also waives sections 302(f), 303(a), 308(a) and 402(a) against the bill's consideration and the committee amendment in order as original text; waives cl 5(a) of rule XXI against the amendment; amendment consideration is closed at 2:30 p.m. on May 25, 1995. Self-executes provision which removes section 2210 from the bill. This was done at the request of the Budget Committee.	N/A.
H.R. 1530	National Defense Authorization Act FY 1996	H. Res. 164	Restrictive: Makes in order only the amendments printed in the report; waives all points of order against the bill, substitute and amendments printed in the report. Gives the Chairman en bloc authority. Self-executes a provision which strikes section 807 of the bill; provides for an additional 30 min. of debate on Nunn-Lugar section; Allows Mr. Clinger to offer a modification of his amendment with the concurrence of Ms. Collins.	36R; 18D; 2 Bipartisan.
H.R. 1817	Military Construction Appropriations; FY 1996	H. Res. 167	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; 1 hr. general debate; Uses House passed budget numbers as threshold for spending amounts pending passage of Budget.	N/A.
H.R. 1854	Legislative Branch Appropriations	H. Res. 169	Restrictive: Makes in order only 11 amendments; waives sections 302(f) and 308(a) of the Budget Act against the bill and cl. 2 and cl. 6 of rule XXI against the bill. All points of order are waived against the amendments.	5R; 4D; 2 Bipartisan.
H.R. 1868	Foreign Operations Appropriations	H. Res. 170	Open; waives cl. 2, cl. 5(b), and cl. 6 of rule XXI against the bill; makes in order the Gilman amendments as first order of business; waives all points of order against the amendments; if adopted they will be considered as original text; waives cl. 2 of rule XXI against the amendments printed in the report. Pre-printing gets priority (Hall) (Menendez) (Goss) (Smith, NJ).	N/A.
H.R. 1905	Energy & Water Appropriations	H. Res. 171	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; makes in order the Shuster amendment as the first order of business; waives all points of order against the amendment; if adopted it will be considered as original text. Pre-printing gets priority.	N/A.
H.J. Res. 79	Constitutional Amendment to Permit Congress and States to Prohibit the Physical Desecration of the American Flag.	H. Res. 173	Closed; provides one hour of general debate and one motion to recommit with or without instructions; if there are instructions, the MO is debatable for 1 hr.	N/A.
H.R. 1944	Rescissions Bill	H. Res. 175	Restrictive: Provides for consideration of the bill in the House; Permits the Chairman of the Appropriations Committee to offer one amendment which is unamendable; waives all points of order against the amendment.	N/A.
H.R. 1868 (2nd rule)	Foreign Operations Appropriations	H. Res. 177	Restrictive: Provides for further consideration of the bill; makes in order only the four amendments printed in the rules report (20 min. each). Waives all points of order against the amendments; Prohibits intervening motions in the Committee of the Whole; Provides for an automatic rise and report following the disposition of the amendments.	N/A.
H.R. 1977 *Rule Defeated*	Interior Appropriations	H. Res. 185	Open; waives sections 302(f) and 308(a) of the Budget Act and cl 2 and cl 6 of rule XXI; provides that the bill be read by title; waives all points of order against the Taizin amendment; self-executes Budget Committee amendment; waives cl 2(e) of rule XXI against amendments to the bill; Pre-printing gets priority.	N/A.
H.R. 1977	Interior Appropriations	H. Res. 187	Open; waives sections 302(f), 306 and 308(a) of the Budget Act; waives clauses 2 and 6 of rule XXI against provisions in the bill; waives all points of order against the Taizin amendment; provides that the bill be read by title; self-executes Budget Committee amendment and makes NEA funding subject to House passed authorization; waives cl 2(e) of rule XXI against the amendments to the bill; Pre-printing gets priority.	N/A.
H.R. 1976	Agriculture Appropriations	H. Res. 188	Open; waives clauses 2 and 6 of rule XXI against provisions in the bill; provides that the bill be read by title; Makes Skeen amendment first order of business, if adopted the amendment will be considered as base text (10 min.); Pre-printing gets priority.	N/A.
H.R. 1977 (3rd rule)	Interior Appropriations	H. Res. 189	Restrictive: provides for the further consideration of the bill; allows only amendments pre-printed before July 14th to be considered; limits motions to rise.	N/A.
H.R. 2020	Treasury Postal Appropriations	H. Res. 190	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; provides the bill be read by title; Pre-printing gets priority.	N/A.
H.J. Res. 96	Disapproving MFN for China	H. Res. 193	Restrictive: provides for consideration in the House of H.R. 2058 (90 min.) And H.J. Res. 96 (1 hr). Waives certain provisions of the Trade Act.	N/A.
H.R. 2002	Transportation Appropriations	H. Res. 194	Open; waives cl. 3 of rule XIII and section 401 (a) of the CBA against consideration of the bill; waives cl. 6 and cl. 2 of rule XXI against provisions in the bill; Makes in order the Clinger/Solomon amendment waives all points of order against the amendment (Line Item Veto); provides the bill be read by title; Pre-printing gets priority. *RULE AMENDED*.	N/A.
H.R. 70	Exports of Alaskan North Slope Oil	H. Res. 197	Open; Makes in order the Resources Committee amendment in the nature of a substitute as original text; Pre-printing gets priority; Provides a Senate hook-up with S. 395.	N/A.

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

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 2076	Commerce, Justice Appropriations	H. Res. 198	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Pre-printing gets priority; provides the bill be read by title.	N/A.
H.R. 2099	VA/HUD Appropriations	H. Res. 201	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Provides that the amendment in part 1 of the report is the first business, if adopted it will be considered as base text (30 min.); waives all points of order against the Klug and Davis amendments; Pre-printing gets priority; Provides that the bill be read by title.	N/A.
S. 21	Termination of U.S. Arms Embargo on Bosnia	H. Res. 204	Restrictive; 3 hours of general debate; Makes in order an amendment to be offered by the Minority Leader or a designee (1 hr); If motion to recommit has instructions it can only be offered by the Minority Leader or a designee.	ID.
H.R. 2126	Defense Appropriations	H. Res. 205	Open; waives cl. 2(j)(6) of rule XI and section 306 of the Congressional Budget Act against consideration of the bill; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; self-executes a strike of sections 8021 and 8024 of the bill as requested by the Budget Committee; Pre-printing gets priority; Provides the bill be read by title.	N/A.
H.R. 1555	Communications Act of 1995	H. Res. 207	Restrictive; waives sec. 302(f) of the Budget Act against consideration of the bill; Makes in order the Commerce Committee amendment as original text and waives sec. 302(f) of the Budget Act and cl. 5(a) of rule XXI against the amendment; Makes in order the Bliely amendment (30 min.) as the first order of business, if adopted it will be original text; makes in order only the amendments printed in the report and waives all points of order against the amendments; provides a Senate hook-up with S. 652.	2R/3D/3 Bi-partisan.
H.R. 2127	Labor/HHS Appropriations Act	H. Res. 208	Open; Provides that the first order of business will be the managers amendments (10 min.), if adopted they will be considered as base text; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; waives all points of order against certain amendments printed in the report; Pre-printing gets priority; Provides the bill be read by title.	N/A.
H.R. 1594	Economically Targeted Investments	H. Res. 215	Open; 2 hr of gen. debate, makes in order the committee substitute as original text	N/A.
H.R. 1655	Intelligence Authorization	H. Res. 216	Restrictive; waives sections 302(f), 308(a) and 401(b) of the Budget Act. Makes in order the committee substitute as modified by Govt. Reform amend (striking sec. 505) and an amendment striking title VII, Cl 7 of rule XVI and cl 5(a) of rule XXI are waived against the substitute. Sections 302(f) and 401(b) of the CBA are also waived against the substitute. Amendments must also be pre-printed in the Congressional record.	N/A.
H.R. 1162	Deficit Reduction Lock Box	H. Res. 218	Open; waives cl 7 of rule XVI against the committee substitute made in order as original text; Pre-printing gets priority.	N/A.
H.R. 1670	Federal Acquisition Reform Act of 1995	H. Res. 219	Open; waives sections 302(f) and 308(a) of the Budget Act against consideration of the bill; bill will be read by title; waives cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Pre-printing gets priority.	N/A.
H.R. 1617	To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS).	H. Res. 222	Open; waives section 302(f) and 401(b) of the Budget Act against the substitute made in order as original text (H.R. 2332), cl. 5(a) of rule XXI is also waived against the substitute, provides for consideration of the managers amendment (10 min.) If adopted, it is considered as base text.	N/A.
H.R. 2274	National Highway System Designation Act of 1995	H. Res. 224	Open; waives section 302(f) of the Budget Act against consideration of the bill; Makes H.R. 2349 in order as original text; waives section 302(f) of the Budget Act against the substitute; provides for the consideration of a managers amendment (10 min.) If adopted, it is considered as base text; Pre-printing gets priority.	N/A.
H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995	H. Res. 225	Restrictive; waives cl 2(L)(2)(B) of rule XI against consideration of the bill; makes in order H.R. 2347 as base text; waives cl 7 of rule XVI against the substitute; Makes Hamilton amendment the first amendment to be considered (1 hr). Makes in order only amendments printed in the report.	2R/2D.
H.R. 743	The Teamwork for Employees and managers Act of 1995	H. Res. 226	Open; waives cl 2(j)(2)(b) of rule XI against consideration of the bill; makes in order the committee amendment as original text; Pre-printing gets priority.	N/A.
H.R. 1170	3-Judge Court for Certain Injunctions	H. Res. 227	Open; makes in order a committee amendment as original text; Pre-printing gets priority	N/A.
H.R. 1601	International Space Station Authorization Act of 1995	H. Res. 228	Open; makes in order a committee amendment as original text; pre-printing gets priority	N/A.
H.J. Res. 108	Making Continuing Appropriations for FY 1996	H. Res. 230	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	.
H.R. 2405	Omnibus Civilian Science Authorization Act of 1995	H. Res. 234	Open; self-executes a provision striking section 304(b)(3) of the bill (Commerce Committee request); Pre-printing gets priority.	N/A.
H.R. 2259	To Disapprove Certain Sentencing Guideline Amendments	H. Res. 237	Restrictive; waives cl 2(j)(2)(B) of rule XI against the bill's consideration; makes in order the text of the Senate bill S. 1254 as original text; Makes in order only a Conyers substitute; provides a senate hook-up after adoption.	1D.
H.R. 2425	Medicare Preservation Act	H. Res. 238	Restrictive; waives all points of order against the bill's consideration; makes in order the text of H.R. 2485 as original text; waives all points of order against H.R. 2485; makes in order only an amendment offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5⊙ of rule XXI (½ requirement on votes raising taxes).	1D.
H.R. 2492	Legislative Branch Appropriations Bill	H. Res. 239	Restrictive; provides for consideration of the bill in the House	N/A.
H.R. 2491	7 Year Balanced Budget Reconciliation Social Security Earnings Test Reform.	H. Res. 245	Restrictive; makes in order H.R. 2517 as original text; waives all pints of order against the bill; Makes in order only H.R. 2530 as an amendment only if offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5⊙ of rule XXI (½ requirement on votes raising taxes).	1D.
H.R. 1833	Partial Birth Abortion Ban Act of 1995	H. Res. 251	Closed	N/A.
H.R. 2546	D.C. Appropriations FY 1996	H. Res. 252	Restrictive; waives all points of order against the bill's consideration; Makes in order the Walsh amendment as the first order of business (10 min.); if adopted it is considered as base text; waives cl 2 and 6 of rule XXI against the bill; makes in order the Bonilla, Gunderson and Hostettler amendments (30 min.); waives all points of order against the amendments; debate on any further amendments is limited to 30 min. each.	N/A.
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 257	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	N/A.
H.R. 2586	Temporary Increase in the Statutory Debt Limit	H. Res. 258	Restrictive; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee; self-executes 4 amendments in the rule: Solomon, Medicare Coverage of Certain Anti-Cancer Drug Treatments, Habeas Corpus Reform, Chrysler (MI); makes in order the Walker amend (40 min.) on regulatory reform.	5R.
H.R. 2539	ICC Termination	H. Res. 259	Open; waives section 302(f) and section 308(a)	N/A.
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 261	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A.
H.R. 2586	Temporary Increase in the Statutory Limit on the Public Debt	H. Res. 262	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A.
H. Res. 250	House Gift Rule Reform	H. Res. 268	Closed; provides for consideration of the bill in the House; 30 min. of debate; makes in order the Burton amendment and the Gingrich en bloc amendment (30 min. each); waives all points of order against the amendments; Gingrich is only in order if Burton fails or is not offered.	2R.
H.R. 2564	Lobbying Disclosure Act of 1995	H. Res. 269	Open; waives cl. 2(j)(6) of rule XI against the bill's consideration; waives all points of order against the Istook and McIntosh amendments.	N/A.
H.R. 2606	Prohibition on Funds for Bosnia Deployment	H. Res. 273	Restrictive; waives all points of order against the bill's consideration; provides one motion to amend if offered by the Minority Leader or designee (1 hr non-amendable); motion to recommit which may have instructions only if offered by Minority Leader or his designee; if Minority Leader motion is not offered debate time will be extended by 1 hr.	N/A.
H.R. 1788	Amtrak Reform and Privatization Act of 1995	H. Res. 289	Open; waives all points of order against the bill's consideration; makes in order the Transportation substitute modified by the amend in the report; Bill read by title; waives all points of order against the substitute; makes in order a managers amend as the first order of business, if adopted it is considered base text (10 min.); waives all points of order against the amendment; Pre-printing gets priority.	N/A.
H.R. 1350	Maritime Security Act of 1995	H. Res. 287	Open; makes in order the committee substitute as original text; makes in order a managers amendment which if adopted is considered as original text (20 min.) unamendable; pre-printing gets priority.	N/A.
H.R. 2621	To Protect Federal Trust Funds	H. Res.	Closed; provides for the adoption of the Ways & Means amendment printed in the report. 1 hr. of general debate.	N/A.
H.R. 1745	Utah Public Lands Management Act of 1995	H.Res. 303	Open; waives cl 2(j)(6) of rule XI and sections 302(f) and 311(a) of the Budget Act against the bill's consideration. Makes in order the Resources substitute as base text and waives cl 7 of rule XVI and sections 302(f) and 308(a) of the Budget Act; makes in order a managers' amend as the first order of business, if adopted it is considered base text (10 min.)..	N/A.

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

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.Res. 304	Providing for Debate and Consideration of Three Measures Relating to U.S. Troop Deployments in Bosnia.	N/A	Closed: makes in order three resolutions; H.R. 2770 (Dorman), H.Res. 302 (Buyer), and H.Res. 306 (Gephardt); 1 hour of debate on each.	1D; 2R.
H.Res. 309	Revised Budget Resolution	H.Res. 309	Closed: provides 2 hours of general debate in the House.	N/A.
H.R. 558	Texas Low-Level Radioactive Waste Disposal Compact Consent Act	H.Res. 313	Open: pre-printing gets priority	N/A.

\* Contract Bills, 67% restrictive; 33% open. \*\* All legislation, 55% restrictive; 45% open. \*\*\* Restrictive rules are those which limit the number of amendments which can be offered, and include so called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103rd Congress. \*\*\*\* Not included in this chart are three bills which should have been placed on the Suspension Calendar. H.R. 101, H.R. 400, H.R. 440.

Mr. MCINNIS. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. FIELDS].

Mr. FIELDS of Texas. Mr. Speaker, I was not able to yield just a moment ago to my friend. If he wants me to yield, I will, after I make the one statement. Not only is Governor Bush, our current Governor, endorsing this, but former Governor Ann Richards endorses not only the process but the site that was selected.

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

Mr. FIELDS of Texas. I yield to the gentleman from Texas.

Mr. COLEMAN. Mr. Speaker, I want to thank the gentleman. I understand the politics of doing what they did. What I have to tell the gentleman is, however, it is something I hope that we will have during the course of the debate. I hope to be able to show this House the geological findings concerning not just this site but others that were far more suitable. But politically, both the Governors the gentleman just cited, and politically the legislature would refuse to site it where it was the safest. I understand that.

Mr. FIELDS of Texas. Reclaiming my time, Mr. Speaker, let me ask the gentleman, is he glad this is an open rule?

Mr. COLEMAN. Mr. Speaker, absolutely. As I told my colleagues on the Committee on Rules, I intend to support this rule and hope it passes.

Mr. FIELDS of Texas. Mr. Speaker, I appreciate the gentleman's comment.

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

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

Mr. LONGLEY. Mr. Speaker, this process that we are debating today stems from a 1985 Low Level Radioactive Waste Disposal Policy Amendment Act. In full compliance with the procedures established under that statute, the States of Maine, Vermont, and Texas entered into negotiations that were approved by citizens groups and by legislative bodies and by executives in each of the three States.

This is a win/win situation for all three States. In particular, the State of Texas is going to benefit to the extent of \$50 million that will be contributed by the States of Maine and Vermont. I think it is a positive for all three parties involved.

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

Mr. Speaker, as we wrap up the debate here, I would just want to remind my colleagues that the issue in front of us is the rule. The rule came out of the

Committee on Rules on a unanimous vote. It is an open rule.

Today we have heard some very good debate. We have heard healthy debate. There is going to be an opportunity if this rule passes, which I fully expect it to do on voice vote here on the House floor, then all of this debate can be presented again at the proper time.

With that, Mr. Speaker, I thank my colleague from the State of California, my colleague on the Committee on Rules, and would urge a "yes" vote on the rule.

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.

□ 1415

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. UPTON). The Chair will begin special orders without prejudice to further legislative business.

SPECIAL ORDERS

The SPEAKER pro tempore. 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.

PARTIAL LIST OF MOST RECENT CASES OF INTIMIDATION AND ARRESTS BY THE CUBAN REGIME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. DIAZ-BALART] is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Speaker, the Cuban dictator just returned from a trip to Asia. He was disappointed. The Japanese gave him a credit of \$100,000. I think he wanted a little bit more than that.

He is in poor health. Things do not seem to be going right for him. But nevertheless that does not keep him from engaging in his traditional repression.

Castro has initiated a new campaign of terror and aggression against all of his internal opposition and his henchmen have been attacking the members of a new group that has formed that has brought together over 130 of the opposition groups within the island. It is Concilio Cubano, Cuban Council. So

Castro is paranoid, and he is cracking down on them, and in, for him traditional, but nevertheless unacceptable manner.

Dissidents of all ideological tendencies have joined together in this Cuban Council. So I think Castro has reason to be worried.

In the last few weeks, Jose Martinez Puig, executive secretary of the Proconstitutional Democracy Association has been detained numerous times by Castro's henchmen.

Castro's henchmen have also harassed Felix Fleites Posada, president of the Proconstitutional Democracy Association.

Agents of the dictatorship have invaded the home of the well-known opposition leader Elizardo Sanchez Santa Cruz, obviously seeking to intimidate him.

Amado Gonzalez Paz and Lazaro Garcia Torres have both been arrested and their families' physical safety has been threatened if they remained in Cuban Council.

Recently, Nerys Goristoza Campo Alegre and Marta Ramirez Jerez, both members of the Popular Democratic Alliance, were also arrested. Another member of the Popular Democratic Alliance, Maria de la Caridad Salazar Ramirez was thrown in a prison cell with 14 common criminals.

Radamaes Alfaro Garcia was arrested and told that he had to convince his mother, Beatriz Garcia Alvarez, and brother, Rinaldo Alfaro Garcia, to resign from the Cuban Council.

Lazaro Miguel Rivero de Quesada was arrested along with his mother, Dulce Maria de Quesada. This is within recent weeks, Mr. Speaker.

Sergio Aguiara Cruz was sentenced to 4 years in prison under the charge of predelinquent dangerousness. Aguiara is the president of the Union of Cubans for Liberty.

In Camaguey Province, well-known dissident Antonio Femenias Echemendia, has been continuously harassed by Castro's state security for the last 5 weeks.

Also, in Camaguey, Alberto Hernandez Frometa, from the group Man's Human Rights, was arrested.

The regime has consistently sought to intimidate Marcelino Soto, Jose Nieves Arrieta and Bernardo Fuentes Cambior on a regular basis for their activities on behalf of human rights.

The list goes on, Mr. Speaker. This is just the tip of the iceberg. Some dissidents issued a statement in support of the conference that was held in Beijing, the World Conference on