

environment and more recycled old bad legislative proposals, when it comes to the simple matter of doing something about all the trees that get chopped down for the tons of paper that come through these halls, just simply seeing they do not end up in a landfill, that they get recycled, that very simple thing that so many American families are able to do, this family, this House, has not done, is not doing, is not going to do until there is a total change of attitude and some emphasis on and direction from the House Republican leadership to get the job done.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair will remind all persons in the gallery that they are here as guests of the House, and that any manifestation of approval or disapproval of proceedings is a violation of the House rules.

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

Mr. Speaker, just so we can all be clear about this rule and about the statements made by the gentleman from Texas regarding the lack of leadership, the gentleman from Texas (Mr. DOGGETT) did not even come to the Committee on Rules yesterday to testify and ask that his amendment be made in order. His amendment does go to the issue of recycling. But this rule does make in order an amendment to be offered by the gentleman from California (Mr. FARR) which will allow us to vote to put more money into the recycling program. This issue will receive fair debate under this rule.

Mr. Speaker, I yield two minutes to the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Speaker, I really am amazed that this recycling could become a partisan issue. It is bizarre. There is a clear commitment, there was on the part of the Democrats when they controlled the House of Representatives, and there is on the part of the Republicans, to recycle our waste. This should not be a partisan issue. This is something that all Americans agree with and support.

I know just from personal experience when I became Chair of this committee, one of the things that we set about to do was to make sure that everyone understood what the rules were. So we sent a memo around to all the Members' offices. We also made sure that all trash cans were labeled, "mixed paper," "wet waste," "fine paper." What it comes down to is the Members. The Members have to provide the leadership in their own offices to recycle this waste.

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I do not understand why this is partisan. This is something we should all be unified in. Besides, there is the fact that the amendment that the gen-

tleman spoke about was accepted. We accepted the amendment offered by the gentleman from California (Mr. FARR). We thought it was a positive development.

The fact is that it is the Members, Republican and Democrat, that have to show the leadership in their own office to use their wastebaskets in a proper way. The Members need to provide the leadership in their offices, whether they are Democrats or Republicans or Independents; we have an Independent in the House. We all need to make sure that we put the trash in the right place.

The cloakrooms are going to follow suit. We need to organize a little bit better. The Architect's office is committed to this. We have called them in on the carpet and said we want to get a concerted effort and focus from the Architect's office on it. So clearly, Mr. Speaker, there is a real commitment here. This is not a partisan issue. We need to recycle our waste. It makes sense. It makes money. It saves us money. I think we should put this to rest right now.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. With regard to the comments from the gentlewoman from Ohio, Mr. Speaker, the Committee on Rules was so enthusiastic about addressing this problem that they have allowed us an entire 5 minutes to discuss the amendment offered by the gentleman from California (Mr. FARR). It is the same kind of priority we have had in 3 of the last 3½ years with no recycling coordinator.

With regard to the comments of the gentleman from New York, that the problem was the Members, I am surprised that any Member recycles. The rules that are given out are confusing. They were sometimes in direct error with regard to recycling practices. Furthermore, the level of commitment is such that a few months ago the custodial workers had had to bring their own plastic liners in order to do recycling.

Member compliance, as was noted in this secretive report, is a problem because many Members are not even convinced there is a recycling program. It is true that all, but I think, 11 Republican Members of this House, who have said they were willing to participate in voluntary recycling, but they are not given the guidelines, nor are their staffs, to ensure that this program works.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Mr. Speaker, it must be an interesting debate for many who are listening to determine what we might be debating on, but I think it is important because this is a very valuable appropriations process; that is, for the legislative branch appropriations.

What that really means to our constituents is the services that we provide in our offices, and in particular, in our district offices. So this is important, that we have caseworkers that deal with Social Security and veterans' benefits, Medicare issues, that we help with immigration issues. In my office we are very busy. Now that the summer has come, there are passport issues.

Frankly, we rise to discuss this because it has value. Among those values, of course, is to ensure that we do the right thing, which includes, as my colleague has just spoken about, recycling and showing the right example.

I am disappointed in this rule for several reasons. One, my good friend, the gentleman from Oregon (Mr. BLUMENAUER) was concerned about not only the environment, but respecting the options that our employees might have in traveling to work; that is, in compliance with keeping the environment safe and clean, giving them the opportunity to leave their cars at home and to take bus passes, as opposed to driving.

Companies throughout this country encourage carpooling and using the buses, but yet, an amendment that might have done that that was agreed to by the Committee on Appropriations now may suffer a point of order because it was not seen fit in the Committee on Rules to give it a waiver, so we could in fact provide this option to our very dutiful employees who come every day, and who themselves may want to use the kind of transportation services that would give them the option.

I would additionally say, since I think the greatest focus of the legislative branch appropriations should in fact be the constituency services that help you in America get the job done, I am disappointed, and this document, I think, that I have before me is about 51 pages that show the politically motivated investigations that we have in this Congress. At this point in time they are still going on.

We have the Burton committee, that has spent already \$6 million. None of that is translated into any constituency services. It is still going on, and buried down in this appropriations bill is more money for a committee that leaked information out into the public on one of the witnesses that should not have ever been leaked.

We have a Teamsters investigation of working men and women going on, now \$2,530,000. That is buried deeply in this legislation. More money will be expended on that. Who knows what we will get out of it.

My concern, Mr. Speaker, is that I wish we could have been similar to the Internal Revenue Service Restructuring and Reform Act rule, which I support, which gives comfort to Americans by providing an oversight so that taxpayers are protected. That is the kind of business we should be doing on

the floor of the House. That is to ensure that we do the kind of work that translates to our constituents.

I think there are 51 pages of politically motivated investigatory activities. They have already spent \$8 million, and now in the appropriations bill we do not know how much more, and neither of the committees have brought about any results.

I would think we would do well to pass this amendment dealing with the recycling, to pass the amendment dealing with the issue of the bus passes, and spend more of our dollars enhancing the constituency services of our offices.

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

Mr. Speaker, I urge a no vote on the previous question. If the previous question is defeated, I will offer an amendment to the rule which would prohibit use of funds from the reserve fund after October 1, 1998. The amendment would allow, however, the payment of obligations legitimately incurred before the October 1 deadline.

The effect of the amendment would be a return to paying for unexpected costs through an expense resolution approved by a vote of the House, as we have in past Congresses.

Mr. Speaker, I include for the RECORD the text of the amendment.

The text of the amendment is as follows:

At the end of the resolution, add the following new sections:

“SEC. 2. Notwithstanding any other provision of this resolution, it shall be in order to consider the amendment specified in Section 3 of this resolution. The amendment may be offered only by Representative Hoyer of Maryland or his designee, shall not be subject to amendment, and shall be debatable for 30 minutes.

SEC. 3. The amendment described in Section 2 is as follows:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 311. None of the funds made available in this Act may be used for payments from the reserve fund for unanticipated expenses of committees pursuant to clause 5(a) of rule XI of the Rules of the House of Representatives, or to pay the salary of any officer or employee of the House of Representatives who certifies, approves, or processes any disbursement of funds from any such fund pursuant to an allocation approved by the Committee on House Oversight on or after October 1, 1998.”

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives*, (VI, 308-311) describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the

opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

Because the vote today may look bad for the Republican majority they will say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership *Manual on the Legislative Process in the United States House of Representatives*, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

The vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Mr. Speaker, as I have said, I urge that the previous question be defeated, and that we have the opportunity to offer the Hoyer amendment as part of this rule.

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

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

Mr. Speaker, I would just remind my colleagues that while this rule is structured, the amendments it makes in order are Democratic amendments.

I would also like to remind my colleagues that funding for the legislative branch has been pared down significantly over 4 years, resulting in a 15 percent downsizing. The underlying legislation is bipartisan, and we should congratulate this subcommittee for

their hard work by adopting this rule and moving on to debate the bill.

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

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

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

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

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

The point of no quorum is considered withdrawn.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, the Chair will now put the question on the resolutions on which further proceedings were postponed earlier today.

Votes will be taken in the following order: House Resolution 491, House Resolution 485, ordering the previous question on House Resolution 489, and adoption of House Resolution 489.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

PROVIDING FOR CONSIDERATION OF A CONCURRENT RESOLUTION PROVIDING FOR ADJOURNMENT OF THE HOUSE AND SENATE FOR INDEPENDENCE DAY STRICT WORK PERIOD

The SPEAKER pro tempore. The pending business is the question de novo of agreeing to the resolution, House Resolution 491, on which further proceedings were postponed.

The Clerk read the title of the resolution.

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

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 225, nays 188, not voting 20, as follows:

[Roll No. 267]
YEAS—225

Aderholt	Ballenger	Bass
Archer	Barr	Bateman
Armey	Barrett (NE)	Bereuter
Bachus	Bartlett	Bilbray
Baker	Barton	Bilirakis