

On this vote:

Mr. Ramstad for, with Mr. Shelton against.

Messrs. METCALF, DE LA GARZA, EVERETT, and GOODLATTE changed their vote from "yea" to "nay."

Ms. BROWN of Florida and Mr. BUNN of Oregon changed their vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. MCINNIS). The question is on the conference report.

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

Mr. YOUNG of Alaska. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 289, nays 134, not voting 9, as follows:

[Roll No. 772]

YEAS—289

| | | |
|--------------|---------------|----------------|
| Allard | Cremeans | Heineman |
| Andrews | Cubin | Hilleary |
| Archer | Cunningham | Hilliard |
| Armey | Danner | Hobson |
| Bachus | Davis | Hoekstra |
| Baker (CA) | de la Garza | Hoke |
| Baker (LA) | Deal | Holden |
| Baldacci | DeLay | Horn |
| Ballenger | Diaz-Balart | Hostettler |
| Barcia | Dickey | Houghton |
| Barr | Dicks | Hoyer |
| Barrett (NE) | Doggett | Hunter |
| Bartlett | Doolley | Hutchinson |
| Barton | Doolittle | Hyde |
| Bass | Dornan | Inglis |
| Bateman | Doyle | Istook |
| Bentsen | Dreier | Jackson-Lee |
| Bereuter | Duncan | Jefferson |
| Bilbray | Edwards | Johnson, E. B. |
| Bilirakis | Ehlers | Johnson, Sam |
| Bishop | Ehrlich | Jones |
| Bliley | Emerson | Kasich |
| Blute | English | Kelly |
| Boehlert | Ensign | Kennedy (RI) |
| Boehner | Everett | Kim |
| Bonilla | Ewing | King |
| Bono | Fawell | Kingston |
| Borski | Fazio | Klink |
| Boucher | Fields (TX) | Klug |
| Brewster | Flake | Knollenberg |
| Browder | Flanagan | Kolbe |
| Brown (OH) | Foley | LaFalce |
| Brownback | Forbes | LaHood |
| Bryant (TN) | Fowler | Largent |
| Bryant (TX) | Fox | Latham |
| Bunn | Franks (CT) | LaTourrette |
| Bunning | Franks (NJ) | Laughlin |
| Burr | Frelinghuysen | Lazio |
| Burton | Frisa | Lewis (CA) |
| Buyer | Frost | Lewis (KY) |
| Callahan | Funderburk | Lightfoot |
| Calvert | Gallegly | Lincoln |
| Camp | Ganske | Linder |
| Canady | Gekas | Lipinski |
| Cardin | Geren | Livingston |
| Castle | Gilchrest | LoBiondo |
| Chabot | Gillmor | Longley |
| Chambliss | Gilman | Lucas |
| Chapman | Gonzalez | Manton |
| Chenoweth | Goodlatte | Manzullo |
| Christensen | Goodling | Martinez |
| Chrysler | Goss | Martini |
| Clinger | Graham | Mascara |
| Clyburn | Green | McCollum |
| Coble | Greenwood | McCreery |
| Coburn | Gunderson | McDade |
| Coleman | Hall (TX) | McHugh |
| Collins (GA) | Hamilton | McInnis |
| Combust | Hancock | McIntosh |
| Condit | Hansen | McKeon |
| Cooley | Hastert | McNulty |
| Cox | Hastings (WA) | Meyers |
| Cramer | Hayes | Mica |
| Crane | Hayworth | Miller (FL) |
| Crapo | Hefley | Molinari |

| | |
|------------|--------------|
| Mollohan | Roberts |
| Montgomery | Roemer |
| Moorhead | Rogers |
| Moran | Rohrabacher |
| Morella | Ros-Lehtinen |
| Murtha | Rose |
| Myers | Roukema |
| Myrick | Royce |
| Nethercutt | Salmon |
| Ney | Sanford |
| Norwood | Sawyer |
| Nussle | Saxton |
| Oberstar | Schaefer |
| Ortiz | Schiff |
| Orton | Seastrand |
| Oxley | Shadegg |
| Packard | Shaw |
| Parker | Shuster |
| Paxon | Sisisky |
| Payne (VA) | Skeen |
| Pickett | Skelton |
| Pombo | Smith (MI) |
| Pomeroy | Smith (NJ) |
| Porter | Smith (TX) |
| Portman | Solomon |
| Poshard | Souder |
| Pryce | Spence |
| Quillen | Spratt |
| Quinn | Stearns |
| Radanovich | Stenholm |
| Regula | Stockman |
| Richardson | Studds |

NAYS—134

| | | |
|--------------|---------------|---------------|
| Abercrombie | Hastings (FL) | Payne (NJ) |
| Ackerman | Hefner | Pelosi |
| Baesler | Herger | Peterson (MN) |
| Barrett (WI) | Hinchey | Petri |
| Becerra | Jacobs | Rahall |
| Beilenson | Johnson (CT) | Rangel |
| Berman | Johnson (SD) | Reed |
| Bevill | Johnston | Rivers |
| Bonior | Kanjorski | Roth |
| Brown (CA) | Kaptur | Roybal-Allard |
| Brown (FL) | Kennedy (MA) | Rush |
| Clay | Kennelly | Sabo |
| Clayton | Kildee | Sanders |
| Clement | Klecza | Scarborough |
| Lantos | Leach | Schroeder |
| Leahy | Levin | Schumer |
| Conyers | Lewis (GA) | Scott |
| Costello | Lofgren | Sensenbrenner |
| Coyne | Lowey | Serrano |
| DeFazio | Luther | Shays |
| DeLauro | Maloney | Skaggs |
| Dellums | Markey | Slaughter |
| Deutsch | Matsui | Smith (WA) |
| Dingell | McCarthy | Stark |
| Dixon | McDermott | Stokes |
| Dunn | McHale | Stupak |
| Durbin | McKinney | Tate |
| Engel | Meehan | Thurman |
| Eshoo | Meek | Torres |
| Evans | Menendez | Torrice |
| Farr | Metcalfe | Velazquez |
| Fattah | Mfume | Vento |
| Filner | Miller (CA) | Ward |
| Foglietta | Minge | Waters |
| Ford | Mink | Watt (NC) |
| Frank (MA) | Moakley | Waxman |
| Furse | Nadler | White |
| Gejdenson | Neal | Whitfield |
| Gephardt | Neumann | Williams |
| Gibbons | Obey | Wise |
| Gordon | Olver | Woolsey |
| Gutierrez | Owens | Wyden |
| Gutknecht | Pallone | Wynn |
| Hall (OH) | Pastor | Yates |
| Harman | | |

NOT VOTING—9

| | | |
|---------------|----------|-------------|
| Fields (LA) | Riggs | Volkmer |
| Peterson (FL) | Thornton | Waldholtz |
| Ramstad | Tucker | Weldon (PA) |

□ 1645

The Clerk announced the following pair:

On this vote:

Mrs. Waldholtz for, with Mr. Ramstad against.

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

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report to accompany S. 395.

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

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

PERSONAL EXPLANATION

Miss COLLINS of Michigan. Mr. Speaker, during rollcall votes numbers 765, 766, 767, and 768 taken on November 7, 1995, and relating to House Joint Resolution 69, House Joint Resolution 110, House Joint Resolution 111, and House Joint Resolution 112, I was unavoidably detained due to the cancellation of my scheduled air flight.

Had I been present, I would have voted "aye" on each of the said votes.

FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1996

Mr. DREIER. Mr. Speaker, by the direction of the Committee on Rules, I call up House Joint Resolution 257, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 257

Resolved, That immediately upon the adoption of this resolution the House shall without intervention of any point of order consider in the House the joint resolution (H.J. Res. 115) making further continuing appropriations for the fiscal year 1996, and for other purposes. The previous question shall be considered as ordered on the joint resolution and any amendment thereto to final passage without intervening motion except (1) one hour of debate on the joint resolution, which shall be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit, which may include instructions only if offered by the minority leader or his designee.

Mr. DREIER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to my good friend, the gentleman from Woodland Hills, CA, Mr. BEILENSON, pending which I yield myself such time as I may consume.

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

Mr. DREIER. Mr. Speaker, this rule provides for consideration of House Joint Resolution 115, a continuing resolution making appropriations for fiscal year 1996 through December 1, 1995.

This modified closed rule provides for consideration of the joint resolution in the House, any rule of the House to the contrary notwithstanding, with 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations.

Finally, the rule provides for one motion to recommit with or without instructions. The motion to recommit may include instructions only if offered by the minority leader or his designee.

Mr. Speaker, it is clear that we do not need a poll or a focus group to know what the American people want from the Federal Government. As General Powell said just a few minutes ago, the American people want a government that lives within its means. Instead, just talk to people in any shopping mall or grocery store. They want the Government to balance the books and to stop burdening their children with debt.

Only the most out-of-touch Washington liberals do not agree that chronic deficit spending must come to an end.

Mr. Speaker, the American people should take heart in two facts. First, despite what the defenders of big Government claim, it is possible to spend \$1.5 trillion in a manner that meets our national priorities while reaching a balanced budget in 7 years. It can be done without reducing spending on important programs.

Second, this Congress is dedicated to following through with its promises. Mr. Speaker, we promised to balance the budget. We promised to reform the welfare system. We promised tax relief

to families with children. We promised to cut the capital gains tax rate to encourage job creation and increase wages. We promised to save Medicare for a generation of retirees.

Mr. Speaker, as you well know, this Congress will keep those promises. While we know what we have to do, the process does take time. Restoring fiscal sanity to Government is the most significant change in American politics in decades. We are dedicated to looking at every program to make improvements and reduce wasteful spending. We are listening to people throughout the country to learn different approaches that we need to meet the needs within the constraints of a balanced budget. This all does take time.

Mr. Speaker, I would note that one reason balancing the budget is taking so much time is that the Government bureaucracy is actively fighting the efforts of their boss, the American people, to balance the books.

The greatest example that I saw was in yesterday's Washington Times and other press reports which have indicated that the Secretary of the Department of Veterans Affairs is sending partisan, self-serving, big-government propaganda to VA civil servants using Department resources.

The most shocking example was that the Secretary has been taking the propaganda put together by the President's political hacks and printing it on VA employee's pay stubs. Does anyone wonder why the Department of Veterans Affairs did not print on the pay stubs that without the 7-year balanced budget plan passed by Congress, we will mortgage the future of American children with an additional \$1.2 trillion in debt? This is a gross example of the pervasive practice of Government agencies lobbying to maintain the debt-ridden budget process.

The appropriations process is caught up in this historic budget confrontation. Two appropriations bills have been signed by the President. The remainder are at various stages in the legislative process, including some under a threat of veto. In September, the Congress passed a responsible continuing resolution to keep the discretionary operations of the Federal Government from shutting down at the start of the fiscal year. It is again our intention to keep things going as we work all of the spending bills through the full process.

Mr. Speaker, the American people can rest assured that this continuing resolution is fiscally responsible. Funding is at a lower level than the current continuing resolution and below fiscal year 1995 amounts. However, we are not replacing the regular appropriations process. It is still critical to pass those bills and reorder the priorities of the Federal Government away from outdated bureaucracies and in favor of working families.

Mr. Speaker, as we work to make all of the changes that need to be accomplished to make the Federal Government serve people rather than the other way around, we do not need unnecessary Government shutdown to complicate our task. Therefore, I urge my colleagues to support this rule and support the joint resolution.

Mr. Speaker, the sooner we get through this, the sooner we can get back to the critical work of balancing the Federal budget, saving the Medicare system from bankruptcy, ending welfare as we know it, and implementing a growth-oriented tax cut that will create more jobs and increase the take-home pay of American workers.

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

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

[As of November 7, 1995]

| Rule type | 103d Congress | | 104th Congress | |
|---------------------------------------|-----------------|------------------|-----------------|------------------|
| | Number of rules | Percent of total | Number of rules | Percent of total |
| Open/Modified-open ² | 46 | 44 | 52 | 68 |
| Modified Closed ³ | 49 | 47 | 18 | 24 |
| Closed ⁴ | 9 | 9 | 6 | 8 |
| Total | 104 | 100 | 76 | 100 |

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

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

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

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

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of November 7, 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). |

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

[As of November 7, 1995]

| H. Res. No. (Date rept.) | Rule type | Bill No. | Subject | Disposition of rule |
|--------------------------|-----------|------------------|--|---------------------------------------|
| 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 | A: voice vote (3/6/95). |
| H. Res. 105 (3/6/95) | MO | | | A: 257-155 (3/7/95). |
| H. Res. 108 (3/7/95) | Debate | H.R. 956 | Product Liability Reform | A: voice vote (3/8/95). |
| H. Res. 109 (3/8/95) | MC | | | PQ: 234-191 A: 247-181 (3/9/95). |
| H. Res. 115 (3/14/95) | MO | H.R. 1159 | Making Emergency Supp. Approps | A: 242-190 (3/15/95). |
| H. Res. 116 (3/15/95) | MC | H.J. Res. 73 | Term Limits Const. Amdt | A: voice vote (3/28/95). |
| H. Res. 117 (3/16/95) | Debate | H.R. 4 | Personal Responsibility Act of 1995 | A: voice vote (3/21/95). |
| H. Res. 119 (3/21/95) | MC | | | A: 217-211 (3/22/95). |
| H. Res. 125 (4/3/95) | O | H.R. 1271 | Family Privacy Protection Act | A: 423-1 (4/4/95). |
| H. Res. 126 (4/3/95) | O | H.R. 660 | Older Persons Housing Act | A: voice vote (4/6/95). |
| H. Res. 128 (4/4/95) | MC | H.R. 1215 | Contract With America Tax Relief Act of 1995 | A: 228-204 (4/5/95). |
| H. Res. 130 (4/5/95) | MC | H.R. 483 | Medicare Select Expansion | A: 253-172 (4/6/95). |
| H. Res. 136 (5/1/95) | O | H.R. 655 | Hydrogen Future Act of 1995 | A: voice vote (5/2/95). |
| H. Res. 139 (5/3/95) | O | H.R. 1361 | Coast Guard Auth. FY 1996 | A: voice vote (5/9/95). |
| H. Res. 140 (5/9/95) | O | H.R. 961 | Clean Water Amendments | A: 414-4 (5/10/95). |
| H. Res. 144 (5/11/95) | O | H.R. 535 | Fish Hatchery—Arkansas | A: voice vote (5/15/95). |
| 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 (7/1/95) | 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. Res. 251 (10/31/95) | C | H.R. 2491 | Seven-Year Balanced Budget | A: 237-190 (11/1/95). |
| H. Res. 252 (10/31/95) | MO | H.R. 1833 | Partial Birth Abortion Ban | A: 241-181 (11/1/95). |
| H. Res. 257 (11/7/95) | C | H.J. Res. 115 | D.C. Approps. | |
| | | | Cont. Res. FY 1996 | |

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.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON APPROPRIATIONS,
Washington, DC, October 12, 1995.

Hon. NEWT GINGRICH,
The Speaker, House of Representatives, Wash-
ington, DC.

DEAR MR. SPEAKER: From 1977 to 1987, it was common practice to include entire appropriations bills in full-year continuing resolutions. Listed below (by calendar and fiscal years) are those bills carried in continuing resolutions for the full year:

Calendar year 1977 for fiscal year 1978—1 bill—Labor-HEW.

Calendar year 1978 for fiscal year 1979—1 bill—Energy and Water.

Calendar year 1979 for fiscal year 1980—3 bills—Foreign Operations; Labor-HHS; and Legislative.

Calendar year 1980 for fiscal year 1981—4 bills—Labor-HHS; Legislative; Commerce-Justice; and Treasury-Postal.

Calendar year 1981 for fiscal year 1982—4 bills—Commerce-Justice; Labor-HHS; Legis-
lative; and Treasury-Postal.

Calendar year 1982 for fiscal year 1983—6 bills—Commerce-Justice; Energy and Water; Foreign Operations; Labor-HHS; Legislative; and Treasury-Postal.

Calendar year 1983 for fiscal year 1984—3 bills—Agriculture; Foreign Operations; and Treasury-Postal.

Calendar year 1984 for fiscal year 1985—8 bills—Agriculture; Defense; District of Columbia; Foreign Operations; Interior, Military Construction; Transportation; and Treasury-Postal.

Calendar year 1985 for fiscal year 1986—7 bills—Agriculture; Defense; District of Columbia; Foreign Operations; Interior; Transportation; and Treasury-Postal.

Calendar year 1986 for fiscal year 1987—all 13 bills.

Calendar year 1987 for fiscal year 1988—all 13 bills.

Since 1988, bills have not been carried for a full year in a continuing resolution except for the Foreign Operations bill in fiscal year 1992. In addition to the above, in calendar year 1950, 10 bills were included in the "General Appropriations Act, 1951. The only general bill not included was the District of Columbia bill.

Sincerely,

BOB LIVINGSTON, *Chairman.*

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

Mr. BEILENSON. Mr. Speaker, I thank my colleague from California

[Mr. DREIER] for yielding the customary half-hour debate time to me.

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

Mr. Speaker, we strongly oppose this closed rule and the resolution it seeks to make in order. Let me begin by reminding my colleagues that we are debating this rule today for one reason and one reason only, and that is that Congress has not done its job.

Even though we are already 1 month into the new fiscal year, only 5 of the 13 appropriations bills have been passed by this Congress and sent to the President. Two have been signed into law. Two more await the President's signature, but the other nine bills are still being worked on in the Senate or in conference, and most have been delayed by the nongermane, extraneous, irrelevant legislative provisions that the majority has allowed to be included in appropriations bills despite the fact that they had to waive our rules to do so, and that now are causing intractable disagreements between Republican

Members of the other House and Republican Members of this House.

Mr. Speaker, what we ought to be doing today is voting on a continuing appropriations measure that is a clean, straightforward extension of funding for the Government until the remaining 11 regular appropriations bills are passed and signed into law.

Unfortunately, we will not have that opportunity if this rule is adopted. When the distinguished gentleman from Louisiana [Mr. LIVINGSTON], chairman of the Committee on Appropriations, appeared before the Committee on Rules last night, he said, quite correctly, that passage of a continuing resolution is necessary in order to expedite the business of the House. But the gentleman came to us burdened by his leadership with the so-called Istook provision that prohibits any recipient of a Federal grant from spending any Federal funds on political advocacy, and that limits the amount of private funds that Federal grantees may use for political advocacy.

The Istook proposal may or may not be something that this Congress should pass; a great many of us believe it is not. But that is not the point. The point is that this language, which is strongly opposed by many in both Houses of Congress, has no business being included in this continuing appropriations resolution. It should be voted on separately, in the normal course of legislative business, like any other legislative proposal.

Its inclusion here by the Republican leadership, in order to pacify some of its newly elected, is an unworthy and mischievous act, and one that is calculated to prevent either passage of this bill by the Senate or its signing into law by the President.

Mr. Speaker, I say to my Republican friends that this action of theirs does not make much political sense either. The public does not understand this kind of game playing. We Democrats learned that the hard way and my Republican colleagues would be well-advised to take note and learn from our mistakes.

All the public sees, and will see, is a Republican-controlled Congress that is incapable of doing Congress most basic work: Passing appropriations bills. My colleagues are failing in their responsibility of governing, because they are bowing to ideological pressures within their own caucus that are going to make it very, very difficult, if not impossible, for them to govern effectively.

We know the other body will not accept the Istook language. They made it clear that they will not agree to this language on a separate appropriations bill. Indeed, many of our colleagues in the majority in this body oppose the Istook amendment. They will oppose this rule because it does not allow a separate vote to strip the language out of this measure. They state, quite correctly, that Congress has no business restricting the ability of businesses,

private universities, and charitable organizations to participate in national and community affairs.

Mr. Speaker, some of our colleagues may hope that, by including the Istook language in this critical funding bill, they will force the President to accept this proposal or else shut down the Government services and programs that Americans depend on. But we believe this bill will not even get to the President's desk and that all we are doing is unduly extending a process that can, and should, be expedited.

We also should not be including the provision affecting the Medicare part B premium increases in this bill. That is a matter that is being addressed in the budget reconciliation bill, and that is where this provision making permanent changes in the law belongs.

Mr. Speaker, we ought not be playing these political games while holding the entire Government hostage. If the majority is seriously interested in preventing a costly shutdown of the Government, and doing that in the most expeditious manner possible, it will reconsider its decision to bring this legislation to the floor under this closed rule.

What we should be doing today, as I said earlier, is voting on a clean, unencumbered continuing resolution. If one were before us, it would pass easily. Democrats would vote for it, as would a great many Republicans.

It would give our colleagues, the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Wisconsin [Mr. OBEY], and their colleagues on the Committee on Appropriations, time to resolve, with the President and with the Senate, most if not all of the remaining differences they have on the remaining appropriations bills.

Mr. Speaker, in the recent past, when Democrats were in charge around here, we usually did the right thing on these appropriations matters, at least. We did not attach partisan items to continuing resolutions. The House, as a matter of fact, passed 8 continuing resolutions in the last two Congresses, all of which were clean. Most did not even need a rule. They were considered under unanimous consent requests.

That is what we should be doing today if the majority really wants to get down to tending to the Nation's business. The country is obviously waiting for leadership, and for us to end these types of political games.

Mr. Speaker, I urge Members to turn down this rule and to turn, instead, to carrying out in a serious and responsible manner our duty to govern this great Nation.

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

□ 1700

Mr. DREIER. Mr. Speaker, I yield such time as he may consume to my good friend, the gentleman from Glens Falls, NY [Mr. SOLOMON], the distinguished chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman from Claremont, CA, for yielding time to me.

Mr. Speaker, I rise in support of this rule. The existing continuing resolution runs out at midnight next Monday, November 13. The President has actually signed only 2 of the 13 general appropriation bills. That is the military construction and the agriculture bill, I believe. Congress has completed action on three additional bills, energy and water, the legislative branch, and the transportation bill. The remaining eight are in earlier stages of the legislative process, thanks to perhaps a lack of rules over in the Senate. Therefore it is absolutely clear that the additional time will be needed to complete the remaining bills.

This rule provides for consideration of the continuing resolution which will provide that additional time. This joint resolution extends funding for those Government agencies which are not covered by an enacted appropriation bill until midnight on Friday, December 1. That is shortly after we get back from the Thanksgiving break.

In addition to providing time, this continuing resolution includes several other very important issues. Of special significance is the Simpson-Istook-McIntosh provision which is designed to restrict a particularly outrageous waste of taxpayers' dollars.

Mr. Speaker, there are a large number of organizations which apply for Federal Government grants and receive taxpayer dollars. Then those same organizations turn around and they spend large sums of money lobbying the Federal Government to support their particular interest and, even worse, to lobby for more money. More, more, more, and more, that is all we ever hear around here. That is how we got into this fiscal mess we are in today.

In some cases, those interests are not bad things. But it seems to me that each organization should have to make a decision. Either it is going to take Government grants to perform functions that the Government needs or it is going to be a lobbying organization, in which case it should be funded with private money and not taxpayer dollars.

Mr. Speaker, nobody's freedom of speech is being denied. Any citizen can express himself or herself. However, if an organization is going to pay money for lobbying, then it should not at the same time be deriving a large portion of its funds from the Federal taxpayers' dollars, some of which may be vehemently opposed to that particular agenda. Why should the taxpayers have to pay for somebody's point of view that they do not support?

Mr. Speaker, this rule before us today provides a fair procedure for consideration of the continuing resolution. To those who would argue that other amendments should be made in order on this bill, I would note that in the last Congress, controlled by the other

party, there were two rules on continuing resolutions and they were both closed rules.

In the previous Congress, also controlled by the other party, there was one rule on a continuing resolution and that was a closed rule as well. It is certainly true that we have in this Congress had more open rules than in previous Congresses, way more, almost double, but it seems to me that this one situation where a motion to recommend with instructions in sufficient to protect the rights of the minority.

For all those reasons, Mr. Speaker, I would ask my colleagues to support this rule and then come out here and vote for this continuing resolution.

Mr. BEILENSEN. Mr. Speaker, I yield 3 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, I must say, every day I think I cannot hear anything more ridiculous but here we are. I am hearing things more ridiculous. Let me tell my colleagues what is happening. Imagine when you were in school showing up when your homework was 39 days late and asking for extra bennies. When the homework was due, only 2 out of 13 bills were done. Thirty-nine days later, you only have 5 of the 13 done, and I guess it is 4, I am corrected. We did not quite get to 5. So 4 out of 13 have been finished. It is only about 12 percent of the budget. And so the Gingrich Republicans have the chutzpah to say, just to continue Government going, we would like a few things put in here as like a bonus for not having done their homework.

No. 1, they would like the people who are on Medicare to pay about \$11 more a month on their Medicare part B premiums. So Medicare part B goes up \$11 a month because we did not get our homework done. That is nice. Then they would like to continue on the Istook gag-aroma event, which says we have got to gag everyone in America. Heaven forbid people should be able to come here and petition their Government like the Constitution says. These people that wrote the Constitution must have gotten it wrong. We cannot let people in here.

If this Istook amendment goes through, it is going to be very serious. Let us talk about just Colorado. One little group, Project Safeguard, I worked very hard with them to find out what was going on in domestic violence issues and how well Government was out and enforcing different orders for battered women. They are not going to be able to come and talk anymore because they are going to be gagged.

Everybody is going to be gagged. I guess that will give us more time to sit around here and vote on things like who is going to be on the board of directors of the Smithsonian and avoid real homework.

This is unbelievable. Here we are, 39 days after we were supposed to have this done, we are nowhere close to done. Government is hanging by its fin-

gnails and they want all these special things that they cannot get in the front doorway through the back door.

Please wake up. Please vote no against this rule. Bring up a clean continuing. I think we deserve a much better Government than that, and I think our young people deserve a much better example than that. Try and get your kids to do your homework, if you do not, Congress.

This is outrageous.

Mr. DREIER. Mr. Speaker, I yield 4 minutes to the gentleman from Oklahoma City, OK [Mr. ISTOOK], a member of the Committee on Appropriations.

Mr. ISTOOK. Mr. Speaker, I rise in support of the rule and of the underlying legislation.

Mr. Speaker, I am pleased that we have within this legislation what is now being referred to as the Simpson-Istook amendment. Trying to correct the difficulty that we have with some \$39 to \$40 billion each year in taxpayers' money that is being used for taxpayer-subsidized grants to groups that unfortunately too often use that to help them come to Congress and ask for more money lobbying at the expense of the public.

I am sorry that the gentlewoman from Colorado has fallen prey to misrepresentations that many people have made. For example, someone who has the audacity to call this a gag rule because you see, they do not want to have to use their own money without Federal subsidies. They want the freedom to dip into the taxpayer's pocket and extract money from the taxpayer to promote their activity, to promote their political agenda, to help them with lobbying political advocacy.

I say, Mr. Speaker, that is something that they should expect to do without expecting a subsidy from the taxpayer.

We have, for example, one group, the National Council of Senior Citizens. Mr. Speaker, they get \$73 million each year from Uncle Sam, from the taxpayers of the United States. That is 96 percent of their budget. Yet it is this very same group that is currently bragging to its members saying, we are engaging in a multimillion-dollar TV campaign trying to affect what is going on in Congress, saying that we are getting hundreds of thousands of people to contact Congress and contact the White House and promote the political agenda of the National Council of Senior Citizens.

Mr. Speaker, this is a group that gets 96 percent of its budget from the taxpayers. And yet they are a major lobbying group in Washington, DC. This legislation does not prohibit anybody from petitioning the Government for redress of grievances or from carrying on a political agenda. But it says, if they expect to receive taxpayer subsidies, which they have chosen to ask for, which they have chosen to accept, then they should limit the scope of their political activity.

We have applied an existing Internal Revenue Service formula that has been

used for nonprofits called the 501(h) rule that gives them a \$1 million cap. I ask, Mr. Speaker, what group that is dependent upon the taxpayers thinks that they need to spend more than \$1 million a year in lobbying?

In addition, Mr. Speaker, for groups that are heavily dependent upon the taxpayers that receive more than a third of their budget from the taxpayers, we have a lower cap.

I realize there are groups which are dependent upon taxpayers' money that have been trying to whip into a frenzy charities across America. But, Mr. Speaker, we have an exemption in this bill that exempts 96 percent of the charities in this country from any limitation. That is the provision which states that only if they expend more than \$25,000 in political advocacy do they come within any of these percentage limitations whatsoever. Ninety-six percent of the 501(c)(3)'s in the United States, according to their submissions to the IRS, do not spend that much. It is a smaller number that has been abusive, and we are trying to target that abuse.

Mr. Speaker, I hope that no one will believe the ridiculous lies and accusations that have surrounded this issue because so many groups are so desperate to retain their hold on the taxpayers' wallet. I, therefore, urge Members to support the rule and, of course, to support the underlying resolution.

Mr. BEILENSEN. Mr. President, I yield 3 minutes to the gentleman from Florida [Mr. GIBBONS], the distinguished ranking member on the Committee on Ways and Means.

Mr. GIBBONS. Mr. Speaker, we are here tonight to transact business because the Republican Gingrich party has proven that it just cannot run this place. We are doing tonight what should have been done in July and August. One appropriation bill has become law. There are 12 floating around out there someplace that will, I hope, eventually become law. Maybe they will not. But we are doing more than just patching up that hole. We are out to, the GOP is out to get the old people again. The GOP is out to get the old people again.

The GOP is increasing their Medicare payments by \$151 that they have got to pay every year or, for a small couple of Medicare beneficiaries, by over \$300 per year in this resolution tonight. And all that really does is just reduce the Social Security benefit by that much money, because this money is automatically deducted before the Social Security payments go out from the Social Security beneficiaries. And to think that there are 8 million women, widows or single, that live on Social Security that get less than \$8000 a year. But they are going to charge those 8 million women \$151 a year more to get the same or less Medicare benefits than they get today.

The good old party is at it again, the get the old people party is at it again. I cannot believe that they have talked

all this time about trying to gag the Girl Scouts over there and have not even mentioned all of the 40 million people who are on Medicare who are getting stuck at least \$151 a year in additional payments that they have got to make.

It is time to put an end to this stuff. I hope that the voters will go to the polls, Mr. Speaker, and throw you out of that chair. You cannot run this place. You have got no heart, and you have got no program that makes any human sense.

Mr. DREIER. Mr. Speaker, I yield 5 minutes to my friend, the gentleman from Bakersfield, CA [Mr. THOMAS], one of our GOP leaders, the chairman of the Subcommittee on Health.

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

Mr. THOMAS. Mr. Speaker, I thank my friend from California for yielding time to me.

I had not planned to talk during the rule debate. I will talk on the continuing resolution. But I do have to say that the continued outbursts from the gentleman from Florida have to be answered. What he did not mention, of course, in this continuing resolution was the fact that we discovered that Medicare does not pay for orally ingested drugs for certain types of breast cancer. If you inject it, it can be paid for. If it is taken orally, it does not. Why should we wait for a provision that fits it in a more general structure to move a decision and tell Medicare to provide those oral drugs for certain types of breast cancer? First, it will save lives. Second, it actually saves \$157 million over 7 years. I will confess, that is on this CR. We thought it made sense.

□ 1715

In addition to that, for men who suffer from prostate cancer, and in fact it is incurable, there is a procedure, a medical procedure, which significantly eases the pain and prolongs life. It is a combination of injectable hormone drugs and orally taken hormone drugs. Medicare similarly will not pay for the orally taken drugs. Why? Because it is an old-fashioned system that needs to be updated.

Again we could wait for the updated procedure and have some people needlessly die. What we have done is included it on this CR so that we will tell the doctor that, if the program is a combination of injectable and orally taken hormone drugs to assist in easing the pain and prolonging someone's life who is suffering from prostate cancer, let us not wait around, let us move it on the first available product. That is in this CR.

In addition to that, we have said that it makes no sense whatsoever to blindly let law go forward, reduce the premiums to seniors, and then increase them later when we have to pay the piper. The argument that somehow Republicans are heartless because we

have a program to save Medicare and part of the solution is asking seniors to stay with the current premium payment on part B; the seniors' groups themselves have said it is not an issue. As a matter of fact, in September in front of the subcommittee in many, many of the hearings, more than a dozen and a half that we had, the President of the AARP, Mr. Eugene Lerman, said:

The House leadership proposal indicates that Medicare's part B premium would be set at 13.5 percent of the program costs. That's the current rate. Maintain the current rate. And the new affluence test premium would be imposed on higher income beneficiaries, meaning those people who can pay who are wealthy. This is a volunteer program, ought not to continue to be subsidized by young people who are paying taxes into the general fund, that if these people are wealthy enough to pay for this voluntary premium, they ought to pay for it.

He goes on to say—

The outline goes on to say there would be no change in Medicare copayments and deductibles. We held the line. Just keep them at the current premium. That would be the fair-share responsibility of seniors in solving the bankruptcy question under Medicare.

What they said was, "AARP is pleased that the proposal would limit these direct increases in beneficiary out-of-pocket costs."

Now what the Democrats want to do is be irresponsible, and demagog the issue, and get people to believe that they can in their old-fashioned way tell seniors they can pay less and they can keep the program. The program is going bankrupt. We have got to change the way we do business. The way they did business has bankrupted the program. We have to change the way we do business. It makes no sense whatsoever to sit blindly by waiting for the right vehicle to lock in the current rate that the seniors themselves have said is an acceptable rate. Instead it will blindly go down, and no one believes that we can reduce the premium to seniors and save the program.

What we have said is it is a fair-share responsibility structure, no copayments, no increase in the deductibles, but hold the line. Even the seniors say this is reasonable, but the Democrats, looking for arguments, looking for issues, say this is unfair. What is unfair is the irresponsible way Democrats continue to pander to seniors thinking that somehow will put them back in the driver's seat. Do my colleagues not understand they wrecked the car when they were in the driver's seat?

Mr. Speaker, what we have got is a solution to the program, and the seniors are agreeing it is a fair-share responsibility.

Mr. BEILENSEN. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. STARK].

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

Mr. STARK. Mr. Speaker, the gentleman who preceded me in the well

began to sell the preposterous issue that they voted to protect seniors or they will in this bill. It is wrong. That gentleman that was in the well and all Democrats, save one, voted to cut out an increase in prostate cancer screening to the level required by the National Cancer—because they want the extra \$3 billion to give to the doctors in a late-night payoff that Speaker GINGRICH was making to the AMA. They vote against giving women annual mammograms, as required, because they did not have the money, and they come here and tell us that in this CR they are going to help the seniors. Nonsense.

Pay the piper? They are paying off the rich Republicans in tax cuts. That is why they need to increase \$300 a year in the part B premium to the average senior in this country, and it will happen on January 1, 1996. None of that increase goes to save the Medicare trust fund. It all goes to pay tax cuts for the rich. None of the part B premium increase goes into the trust fund.

Let us get it straight. This is a sneaky way to increase the part B premium to the seniors. It kicks up their premium to \$104.30 a month. It is more than even in the House-passed Republican reconciliation bill. They did not have enough money at the last minute.

Mr. Speaker, they cannot add straight, they cannot get to 20 with their shoes and socks on, they cannot run the Government, and they do not understand Medicare, so when they fail, they stick it to the seniors once again, and they stick it to the poorest of the seniors unfairly. They cut out their cancer screening so they could pay off the doctors big time. They increase the amount that poor seniors will have to pay so they can give tax cuts to the rich. It has got to stop. We cannot let them get away with this in the dead of night, trying to sneak these increases through on a continuing resolution.

Vote down the rule. Make them run this place the right way. make them tell the seniors how they are gouging them up front, how they are cutting back on their cancer screening, and how they are raising this money for tax cuts for the rich, and let us see if they dare vote up front to raise the part B premium for tax cuts for the rich. They do not have the nerve to vote for that.

Vote down the rule.

Mr. DREIER. Mr. Speaker, I yield 3 minutes to the gentleman from Florida [Mr. GOSS], my friend from Sanibel who is chairman of the Subcommittee on Legislative and Budget Process.

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

Mr. GOSS. Mr. Speaker, I thank my friend from greater San Dimas for yielding me this time. Mr. Speaker, as the Chairman of the Rules Subcommittee on the Legislation and Budget Process, I understand the concerns raised about coming to the floor with a second continuing resolution.

I know many people are confused about these procedures—perhaps even some of our Members. Our subcommittee is currently engaged in an examination of the entire budget process. There have been several helpful proposals on ways to improve and clarify the process, including the Barton-Stenholm-Cox package introduced today that would provide for an automatic mechanism to keep the Government running in these situations. But here and now, the fact is that we are facing two problems: first, spending for most agencies has not been given final approval. A stop-gap measure, a continuing resolution is needed to prevent a partial Government shutdown. Second, the Treasury is rapidly approaching the debt ceiling—a type of credit limit established by law. Unless this limit is extended, the Federal Government's ability to make payments on everything from Treasury bill interest to Social Security benefits will be limited.

The House is scheduled to address the debt limit tomorrow. It is our promise that in 7 short years we will no longer have to worry about increasing the Government's borrowing authority, because our budget will be balanced and the cash coming in will be equal to what is paid out.

But the important point to remember today is that unlike past years, Congress is considering a continuing resolution that is consistent with a balanced budget, not an ever-growing multibillion-dollar deficit.

But Mr. Speaker, this continuing resolution is certainly not a new phenomenon—indeed since the 1974 Budget Act became law we have seen many continuing resolutions. The last time Congress passed a reconciliation bill, in 1993, a total of four continuing resolutions were needed before the appropriations process was completed. In other years, entire appropriations measures have been funded simply through continuing resolutions. I commend Chairman Livingston and the Appropriations Committee members for the tremendous work that they have done in passing all 13 appropriations bills in the House, and in crafting this particular continuing resolution to meet the legitimate needs of the Federal Government, while taking steps to ensure that spending in this resolution stays well within the parameters to meet our balanced budget target in 2002.

Mr. Speaker, Congress faces a simple choice: pass this limited extension of the continuing resolution, or allow a partial and unnecessary shutdown of the Federal Government. The clear and responsible path is to approve this measure and get on with our pressing business. I urge my colleagues to support this rule. It fairly and timely brings this vital bill to the floor.

Mr. BEILENSON. Mr. Speaker, I yield 1 minute to the gentleman from Indiana [Mr. VISCLOSKY].

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

Mr. VISCLOSKY. Mr. Speaker, I rise in strong opposition to this rule. We are now 39 days into the new fiscal year, yet only 2 of 13 spending bills have been signed into law. Today, instead of moving the process along, we will again dawdle over unrelated issues such as the Istook amendment that has nothing to do with the budget and is unconstitutional and un-American. Because they can never get this legislation enacted because of its own demerits, the gentleman from Oklahoma [Mr. ISTOOK] and his supporters are willing to shut this Government down in order to shut the American people up.

But I do not want to be unfair. The Istook language says it is OK to speak if we follow generally accepted accounting principles, subject ourselves to a Federal audit, assume the presumption of guilt, and hold ourselves out to harassing lawsuits by individuals acting as private attorney generals. Then it is OK to speak.

I urge my colleagues strongly to vote against this rule. It represents everything bad in a closed and autocratic system.

Mr. BEILENSON. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida [Mrs. THURMAN].

Mrs. THURMAN. Mr. Speaker, I rise today to oppose both the Medicare premium increase and the Istook provision that were attached to the continuing resolution late last night. It is astounding that the Republicans believe they can double senior citizens' Medicare premiums in a must-pass bill. The Medicare increase has not even been signed into law, but the Republicans claim they need to force the President to approve it in order to get computers updated. This is outrageous. Are we going to force our seniors to pay for the tax break for the wealthy under the guise of updating computers?

Seniors know what is going on, but the Republicans are afraid of well-informed citizens. As if the Medicare provision was not bad enough, the continuing resolution also contains the so-called "revised" Istook amendment. Istook will sever a vital link between the people and their Government. Seniors and their advocates will have no opportunity to speak out on those matters that directly impact their lives. This is a clearly unconstitutional attempt to gag the voices of citizens who want to exercise the most basic American guarantee; the right to petition their Government. For our seniors and to preserve our basic rights as Americans, vote against the resolution.

□ 1730

Mr. BEILENSON. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, yesterday, as millions of Americans across this country were sending a message to this Republican Congress to reject the

Medicare cut plan, the Committee on Rules was meeting here in the Capitol to approve this rule, to call up a bill to raise premiums for Medicare recipients in January of this coming year. Will one dime of that raise in premiums go into the Medicare trust fund? No, it will not. It will go to pay for tax breaks for those at the top of the economic ladder.

The Republicans simply do not want to hear the complaints of the American people who say, "You broke your promise when you said you would not cut Medicare and Social Security. You are cutting it, you are raising our premiums. We will have to pay more and get less for health care."

Of course, they have been accomplishing all of this through their secret task forces. Now they are meeting in secret here in the Capitol. We even had bloodhounds out this afternoon trying to sniff out their secret meetings, because they do not want to do it in the bright light of day.

There is a direct connection with this so-called Istook amendment. Which lobby groups in America did they go after? The loophole lawyers? The people who put all the pork barrel in these appropriations bills? No, they are after the Girl Scouts and the Red Cross, those very dangerous groups like the Girl Scouts; and in this case, the National Council of Senior Citizens, because they had the courage to speak out against these Medicare cuts, and they just happened to administer a program with Federal money to help provide jobs for our seniors, the same people that are going to need these jobs after these Medicare cuts go into effect.

Mr. BEILENSON. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from California [Mr. WAXMAN].

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

Mr. WAXMAN. Mr. Speaker, I take this time to comment on the incompetent management of this House by the Republican leadership. We have had bills pushed through without hearings, without an opportunity for debate, without a chance to offer amendments.

Today we have before us a continuing resolution, because the regular appropriations bills have not been passed in the regular order of the process in the Congress. Attached to this continuing resolution are two very offensive amendments. One is the Istook amendment, which would deny the opportunity for groups to lobby their own Government with their own funds. The second is the Medicare premium increase. This is an increase of premiums from \$46.10 a month to \$55, an increase of almost 20 percent of monthly payments by the elderly. Why this increase? It is certainly not to reform Medicare, it is not to protect the solvency of the hospital trust fund. It is, pure and simple, a way to take more

money out of the pockets of the Medicare beneficiaries.

Mr. Speaker, I find this whole way of conducting business unprecedented. The Istook amendment is tremendously offensive. We will have no opportunity to offer amendments to this intrusion into the first amendment rights of American citizens. I urge opposition to the rule, I urge opposition to the underlying continuing resolution, and I would hope the Republican leadership would try to get their act together, get the bills on the floor, give people a chance to debate them, and move through a regular, normal process.

Mr. BEILENSEN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Speaker, I rise in strong opposition to the rule and in particular to the provisions in the continuing resolution which would enact one of the largest Federal regulatory structures in our history. I am disappointed that the Istook amendment was included in this resolution. The Silence America amendment is the most excessive, intrusive government regulation ever proposed. Republicans ran on a platform of less government, and now they want to impose a regulation that would affect more than just nonprofits, it goes so far as to regulate individuals and organizations which get something directly or indirectly from the Federal Government.

Mr. Speaker, this provision will prevent charities and organizations like Mothers Against Drunk Driving, and the YMCA from conducting their charitable mission. The Istook amendment is government overregulation at its worst.

And while this continuing resolution would allow government to interfere with the work of worthy charities and nonprofits, it tells millions of working families that government will barely lift a finger to help pay for heating.

Winter is fast approaching in my part of the country, but by cutting LIHEAP, the low-income heating program, we would force families to choose between paying for heat and paying for basic necessities.

Mr. Speaker, this continuing resolution does not represent basic fairness, and it certainly does not show good commonsense. I urge my colleagues to oppose this resolution and oppose this rule.

Mr. DREIER. Mr. Speaker, we have been listening to some pretty vitriolic attacks which have really obfuscated the issue.

To clarify it, I am happy to yield 2½ minutes to the gentleman from Metairie, LA [Mr. LIVINGSTON], chairman of the Committee on Appropriations.

Mr. LIVINGSTON. Mr. Speaker, I thank my friend, the gentleman from California, for yielding time to me.

Mr. Speaker, I love to hear the other side talking about how the process is

not working. My goodness, you would think that they had never heard of a continuing resolution. When you look at the historical record of appropriations activities and find out that between 1977 and 1987, for example, when they controlled the House of Representatives, the Government operated on something like about 35 to 40 continuing resolutions. In some years, 1987 and 1988, the total appropriations process operated under continuing resolution for both entire years. It is ironic that we would hear some of these arguments.

For the folks on my side, I would have to say that if Members listen to them, they can find reason why they might not like this continuing resolution. But remember, it is only for 2 weeks, for crying out loud. The world is not going to come to an end if this continuing resolution passes. In fact, quite the contrary. This keeps Government business going. This continuing resolution is important to keep Government business going, and if the Members on our side vote against this rule, they give the other side ammunition for the argument that we cannot govern.

We are governing. The President, for some unforeseen and unknown reason, vetoed one of our bills. We decided we are not going to give him any more cheap vetoes. We have all of our bills working through the process, and within a very short period of time, perhaps within the next 2 to 3 weeks, we will have all the bills to him and he can sign them or he can exercise his right to veto them. But the process is moving. If this rule does not pass and if this continuing resolution does not pass, then the process stops, and then there will be a break in our work, but that is what the other side wants.

We have to show that we are governing. We need a little bit more time. We need another continuing resolution, and in order to get that continuing resolution we need this rule to pass.

Mr. Speaker, I just want to tell my friends, stop looking for every piece of legislation to be perfect. There is no such thing as perfect legislation. With a little bit of give on either side, we will get 90 percent of what we want. We will govern, we will balance the budget, we will stay on the glide path toward putting America back toward fiscal responsibility that the other side abdicated for 40 years, but we need to pass this rule. We need to pass this continuing resolution. We need to govern.

Mr. BEILENSEN. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Wisconsin [Mr. OBEY], the ranking member on the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, this bill has been described as a bill to continue the Government. In fact, it is just the opposite. It is a bill to bring the Government to a halt. If indeed this bill was intended to continue the Government, it would not come before us slashing education, cutting veterans' benefits,

tying up every charity in the country, virtually, in red ink, jacking up Medicare premiums, and increasing the differences between the parties. It would, instead, be trying to bridge those differences.

Eighty-nine percent of the appropriations, which are supposed to be passed before the beginning of the year, have not yet become law. We have only 11 percent of the appropriations which have passed so far. That is not the fault of the President. This bill ratchets up the pressure on the President because he has not signed bills that Congress has not sent him yet. That is a legislatively impossible act, yet that is what they are asking him to do.

There are only four bills which have passed the finish line and gotten to the White House. Two have been signed, two more will be signed. This gap for every other major appropriation bill, representing 89 percent of the total appropriated items, is the fault of the Congress, not the President, because you have had fights between the Republicans in the Senate and Republicans in the House over abortion language, over environmental language, over the Istook language. That is what is holding us up.

This bill ought to be a simple continuing resolution for 1 month, rather than having all of these bells and whistles which will just cause problems.

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

Mr. Speaker, I would simply ask of the gentleman in the well, I would ask what percentage of the appropriations bills has the President indicated he will veto, having not participated in this process at all?

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

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

Mr. OBEY. The President has the right to review every bill, once he gets it.

Mr. LIVINGSTON. Has he threatened to veto every appropriation bill so far?

Mr. OBEY. You are trying to blame the President for not signing bills you have not been able to send him yet.

Mr. LIVINGSTON. He certainly has not given any indication whatsoever that he wants to participate in this process.

Mr. OBEY. How can the President decide ahead of time what he is going to sign?

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. MCINTOSH].

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

Mr. MCINTOSH. Mr. Speaker, let me say, I rise in favor of the rule and in favor of the underlying legislation, and address one of the particularly important aspects of this legislation. That is the amendment that will be offered by the gentleman from Oklahoma, Mr. ISTOOK, Mr. SIMPSON in the Senate, the

gentleman from Maryland, BOB EHR-
LICH, and myself to end welfare for lob-
byists.

First, let me say this is real lobbying reform. For once we are going to say we are going to cut off the taxpayer dollars going to the big lobbying groups here in Washington. We are going to end the money laundering scheme that lets them take that money and come back and lobby us to spend more money.

Second, this reform is absolutely critical for us to reach the balanced budget. It is unbelievable, at a time when we are working to balance the budget, that people are saying we should allow \$39 billion, billion with a B, in grants to go to groups who then turn around and hire lobbyists here in Washington to ask us to spend more money.

I think this proposal will allow us to balance the budget and will end the conflict of interest that has prevented Congress from doing that for 40 years. This proposal also is a reasonable compromise with Senator SIMPSON. It says we are going to screen out real charities who are doing real work and not have them be covered by these limitations, because they are already covered by the limitations in the IRS Code. But the lobbying groups back here in Washington, they will not like it, because they are going to be limited, and they are going to have a limit on using taxpayer funds to fund their lobbying operations.

Ultimately, what we need to do is to make it very, very clear that if you want to lobby, you need to do it on your own time, and with your own dime, rather than go to the taxpayer and say, "We want grants to subsidize our lobbyists in Washington, D.C."

Mr. BEILENSEN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida [Mrs. MEEK].

(Mrs. MEEK of Florida asked and was given permission to revise and extend her remarks.)

Mrs. MEEK of Florida. Mr. Speaker, I rise in strong opposition to this particular rule, which defies seniors and defies the nonprofits back home.

Mr. Speaker, I rise in strong opposition to the Istook provision.

One of the major supporters of this provision, Mr. MCINTOSH, said at a recent subcommittee hearing that his constituents are, and I quote, "shocked and outraged" when he tells them how, in his words, "tax dollars are being used to subsidize special interest's lobbying activities."

My constituents, Mr. Speaker, are not shocked by the activities of groups like the Red Cross, the YMCA, and Mothers Against Drunk Driving. They don't consider them a special interest. But the Red Cross, the YMCA, and MADD all oppose the Istook provision because it would force them to spend time filling out Government forms instead of helping people. It would force them to defend against harassing lawsuits by people who don't like what they're doing.

Mr. Speaker, I represent a lot of farmers. My farmers may receive crop insurance pay-

ments from the Federal Government. But the Istook provision would prevent farmers from getting these grants unless they could prove that during the previous 5 years they had spent less than 20 percent of their own funds on political advocacy.

Let me tell you, Mr. Speaker, what my constituents are telling me about this provision.

One of my constituents is a trustee of the Miami Museum of Science. I have here a letter he recently wrote to me opposing the Istook provision because it would make it more difficult for the museum to obtain funds from local governments. Why are we making it harder for local charities to get funding from local governments?

Another of my constituents is chairman of the Florida Association of Nonprofit Organizations. He wrote to me that the Istook provision would require 13,000 charities in Florida to maintain detailed records on how they spend their own money—not Federal money—their own money.

But let me tell you, Mr. Speaker, what really shocks my constituents. Hurricanes! Yes, hurricanes. Under the Istook provision my constituents—such as hospitals and private schools—might not be able to get emergency grants from the Federal Emergency Management Agency to repair their facilities after they're destroyed by a hurricane. Why? Because they spend their own funds on political advocacy with State and local governments. Even if they do get the FEMA grant, they'll have to keep detailed records on how much of their own funds they spend on political advocacy.

In conclusion, Mr. Speaker, I urge those Members who come from areas which have farmers, or local charities, or natural disasters—such as floods, hurricanes, or earthquakes—to join me in opposing this shocking and outrageous provision.

Mr. BEILENSEN. Mr. Speaker, I yield 4 minutes to the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Speaker, I oppose this rule and this bill. As Members know, the rule includes the so-called Istook provision, an extremist idea to restrict the ability of all types of organizations to use their own funds to participate in community and national affairs. It would restrict the Red Cross, Mothers Against Drunk Driving, the YMCA, the Heart Association, and hundreds of other charities in carrying out their mission of helping folks across this Nation.

The rule denies the House the chance to strike this ugly and un-American provision from the continuing resolution. Its 22 pages are stunningly irrelevant to any continuing resolution.

It is already, illegal to use Federal funds to lobby. What this provision is really about is regulating and restricting the way charities and other groups use their own private money to speak to their elected officials about what their communities need.

□ 1745

There are many reasons to oppose it: The massive redtape and bureaucracy forced on all of the tens of thousands of affected organizations as they have to file their annual political activity re-

ports with the Federal Government. The audits that can be imposed on all grantees, individuals, small and large charities, businesses of all sizes. This provision's incredibly broad definition of political advocacy which goes way beyond traditional lobbying to include every conceivable kind of contact with any level of government, trying to inform the public about legislation, and, if you can believe this, a definition that even attributes to one organization the political advocacy activities of another with which it does business, if the other organization exceeds these silly limits on free speech.

The bounty hunter lawsuits that this provision encourages against all of those affected: individuals, businesses, churches that are swept up by this net. And the unreasonable shifting of the burden of proof to all of those individuals, churches, charities, businesses, to prove their innocence, to prove their compliance, not by the usual burden of proof of preponderance of the evidence, but by a very much higher standard, clear and convincing.

Finally, the broad definition of "grant," including not just funds, but anything of value that anyone receives from the Federal Government, again affecting literally millions of Americans.

At a time when we are asking more of charities in America, why in the world do we want to force the American Red Cross to limit its ability to work with local governments in emergency preparedness and making sure the blood supply is safe? Why in the world do we want to restrict the ability of Mothers Against Drunk Driving to work with State legislatures for safer highways? Why in the world do we want to gag the YMCA in its efforts in our local communities to improve daycare facilities and to fight the gang problem? Why, indeed?

Mr. Speaker, for these and many, many other reasons, we should defeat this closed rule, force a clear and separate vote on this misguided proposal. It is certainly the most egregious attack on the basic values of this democracy that we have seen in a long, long time.

Mr. DREIER. Mr. Speaker, I yield 30 seconds to a hardworking new colleague, the gentleman from Langley, WA, Mr. METCALF.

(Mr. METCALF asked and was given permission to speak out of order.)

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT ON H.R. 2126, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1996

Mr. METCALF. Mr. Speaker, pursuant to the provisions of rule XXVIII, clause 1(c), I am announcing tomorrow that I will offer a motion to instruct the House conferees on the bill H.R. 2126, to insist on sections 8102 and 8111 of the House-passed bill.

Mr. BEILENSEN. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. FARR].

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

Mr. Speaker, I rise in opposition to the rule and particularly to the so-

called Istook language that is in this bill. The reputation of an excellent nonprofit company in California has been sullied because of the inflammatory and the inaccurate information being circulated by proponents of the Istook amendment. There is an organization called HANDSNET which operates in California, which was supported heavily by Governor Deukmejian and operates a national on-line electronic communication network of 5,000 human service organizations. It is entirely supported by member fees and foundation and corporate grants. They recently received a \$200,000 competitive grant from the Department of Commerce on the national infrastructure issues to support the training of national human service organizations to become more computer literate. The grant was matched by \$200,000 additional foundation and corporate grants.

What is being lost in this rhetoric is that HANDSNET is a carrier, a conduit vehicle, for distribution of information, not a publisher. Do not shoot the messenger; in this case, HANDSNET, just because they are delivering a message that you do not like. I ask for defeat of the rule.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to our hardworking, thoughtful new Member, the gentleman from Timonium, MD, Mr. EHRLICH.

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

Mr. Speaker, they say timing is everything in life, and certainly that applies to what I have to say today. I rise in support of the rule.

HANDSNET receives Department of Commerce grant, Mr. Speaker, \$100,000. HANDSNET in turn funds calls to action. I happen to bring these calls to action to the floor today because they are the essential element of this initiative. HANDSNET receives NTIA grant, Mr. Speaker, and then we get to the calls to action. Urgent: Save child nutrition programs, block Republican block grants. Oppose dismantling affordable housing, Mr. Speaker. Victory over Istook gag rule, Mr. Speaker. Slaughter resolution recording false document, Mr. Speaker. Stop English-only proposals in Congress, Mr. Speaker. Budget bill bad for family farms, Mr. Speaker. Istook amendment status update, stop budget reconciliation bill. Istook amendment, call your representatives. Efforts to kill Istook amendment are paying off.

Folks, these are your tax dollars used by one organization. It is exactly why this element is on the floor today; it is exactly why the majority feels as it does. Mr. Speaker, this is all about taxpayer-funded lobbying, it is all about writing this dirty little secret in this town. Mr. Speaker, it is all about accountability, and Mr. Speaker, at a bottom line, it is all about restoring the sense of mission that true charities, not this one, Mr. Speaker, but true charities who are truly interested in helping those in need in our society today.

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

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

Mr. Speaker, it is clear from some of the speeches today on the Istook amendment, including the previous speaker, that many new Members of Congress simply do not understand that lobbying with taxpayers' funds is now illegal in the United States. When citizens come to Washington and they walk around these buildings that house their Member of Congress, they are struck by the fact that the doors to the office of Members of Congress are all wide open, all wide open. In the Rayburn Building, in the Cannon Building, in the Longworth Building, you walk down the halls and your Congressman's door is open. It is a long tradition in this Congress, and it is in keeping with the unblemished access that this Congress has assured for the citizens to reach their elected officials. America has a 200-plus-year tradition of unhindered right of the citizen to petition their government.

Republicans ran for office saying they wanted Government off of our back. It turns out they want the citizens out of their offices. That is what the Istook amendment is all about.

Now, who are there groups, these awful, terrible groups that they would silence, and whose membership they would silence? American Red Cross, the YMCA, the American Heart Association, the Girl Scouts of America, the League of Women Voters, the American Lung Association. Are those groups so terrible that if they receive a pittance of public funding from the taxpayer that their right to petition the Government on behalf of their Members should be stricken for the first time in American history? It is outrageous. People should be allowed to reach us unhindered. That is why all of those congressional doors have been opened. Do not close them today with the Istook amendment.

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

Mr. Speaker, almost 3 years ago, General Powell made the announcement that he was not going to run for the President of the United States. But he said he is a Republican because he is convinced that the Republicans have the energy and ideas to move us towards a balanced budget. The real tragedy is that if we look over the last 40 years, unfortunately, the Democrats have driven us to this point of a horrendous, nearly \$5 trillion national debt. We have the responsibility to govern. It is obvious that what is today the minority party will not, because they have not been able to. We have a responsibility to balance the budget; they have not been able to do it, and we are stepping up to the plate now and doing that. And, most important, we have a responsibility to be honest with senior citizens.

The Government is going to be paying 68.5 percent of part B premiums. There is a sense that we are somehow pulling the rug out from under senior citizens. Everyone recognizes that the system is headed toward bankruptcy. On April 3 of this year, three members of the President's Cabinet joined in recognizing that fact. We now are dealing responsibly with that issue.

This continuing resolution is very important, it is for a short period of time; the Democrats have used them for years and years and years, and sometimes the CR has governed for the entire year. Let us go with this very short period of time; let us responsibly deal with this. We are doing it as the majority party. I urge my colleagues to support this resolution to support the continuing resolution when it comes forward.

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

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

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

Mr. YATES. Mr. Speaker, I oppose the rule and I oppose the bill. I want to associate myself with the remarks of the gentleman from Colorado [Mr. SKAGGS] and the gentleman from Montana [Mr. WILLIAMS] especially in opposition to the rule and the bill.

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. GOODLATTE). The question is on the resolution.

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

Mr. DREIER. 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 216, nays 210, not voting 7, as follows:

[Roll No. 773]

YEAS—216

| | | |
|--------------|-------------|--------------|
| Allard | Bonilla | Coble |
| Archer | Bono | Coburn |
| Armey | Brownback | Collins (GA) |
| Bachus | Bryant (TN) | Combest |
| Baker (CA) | Bunn | Cooley |
| Baker (LA) | Bunning | Cox |
| Ballenger | Burr | Crane |
| Barr | Burton | Crapo |
| Barrett (NE) | Buyer | Creameans |
| Bartlett | Callahan | Cubin |
| Barton | Calvert | Cunningham |
| Bass | Camp | Davis |
| Bateman | Canady | Deal |
| Bereuter | Chabot | DeLay |
| Bilbray | Chambliss | Diaz-Balart |
| Bilirakis | Chenoweth | Dickey |
| Bliley | Christensen | Doolittle |
| Blute | Chrysler | Dorman |
| Boehner | Clinger | Dreier |

| | | | | | |
|---------------|-------------|---------------|---------------|---------------|-------------|
| Duncan | Kim | Radanovich | Mink | Reed | Stupak |
| Dunn | King | Regula | Moakley | Richardson | Tanner |
| Ehlers | Kingston | Riggs | Mollohan | Rivers | Taylor (MS) |
| Ehrlich | Klug | Roberts | Montgomery | Roemer | Tejeda |
| Emerson | Knollenberg | Rogers | Moran | Rose | Thompson |
| English | Kolbe | Rohrabacher | Morella | Roukema | Thurman |
| Ensign | LaHood | Ros-Lehtinen | Murtha | Roybal-Allard | Torkildsen |
| Everett | Largent | Roth | Nadler | Rush | Torres |
| Ewing | Latham | Royce | Neal | Sabo | Torricelli |
| Fawell | LaTourette | Salmon | Oberstar | Sanders | Traficant |
| Fields (TX) | Laughlin | Sanford | Obey | Sawyer | Upton |
| Flanagan | Lazio | Saxton | Oliver | Schiff | Velazquez |
| Foley | Lewis (CA) | Scarborough | Ortiz | Schroeder | Vento |
| Forbes | Lewis (KY) | Schaefer | Orton | Schumer | Visclosky |
| Fowler | Lightfoot | Seastrand | Owens | Scott | Volkmer |
| Fox | Linder | Sensenbrenner | Pallone | Serrano | Ward |
| Franks (CT) | Livingston | Shadegg | Pastor | Shays | Waters |
| Franks (NJ) | LoBiondo | Shaw | Payne (NJ) | Sisisky | Watt (NC) |
| Frelinghuysen | Longley | Shuster | Payne (VA) | Skaggs | Waxman |
| Frisa | Lucas | Skene | Pelosi | Skelton | Williams |
| Funderburk | Manzullo | Smith (MI) | Peterson (MN) | Slaughter | Wilson |
| Galleghy | Martini | Smith (NJ) | Pickett | Spratt | Wise |
| Ganske | McColum | Smith (TX) | Pomeroy | Stark | Woolsey |
| Gilchrest | McCreery | Smith (WA) | Poshard | Stenholm | Wyden |
| Gillmor | McDade | Solomon | Rahall | Stokes | Wynn |
| Gingrich | McHugh | Souder | Rangel | Studds | Yates |
| Goodlatte | McInnis | Spence | | | |
| Goodling | McIntosh | Stearns | | | |
| Goss | McKeon | Stockman | Fields (LA) | Thornton | Weldon (PA) |
| Graham | Metcalf | Stump | Peterson (FL) | Towns | |
| Gutknecht | Meyers | Talent | Ramstad | Tucker | |
| Hancock | Mica | Tate | | | |
| Hansen | Miller (FL) | Tauzin | | | |
| Hastert | Molinar | Taylor (NC) | | | |
| Hastings (WA) | Moorhead | Thomas | | | |
| Hayes | Myers | Thornberry | | | |
| Hayworth | Myrick | Tiahrt | | | |
| Hefley | Nethercutt | Vucanovich | | | |
| Heineman | Neumann | Waldholtz | | | |
| Herger | Ney | Walker | | | |
| Hilleary | Norwood | Walsh | | | |
| Hobson | Nussle | Wamp | | | |
| Hoekstra | Oxley | Watts (OK) | | | |
| Hoke | Packard | Weldon (FL) | | | |
| Hostettler | Parker | Weller | | | |
| Hunter | Paxon | White | | | |
| Hutchinson | Petri | Whitfield | | | |
| Hyde | Pombo | Wicker | | | |
| Inglis | Porter | Wolf | | | |
| Istook | Portman | Young (AK) | | | |
| Johnson, Sam | Pryce | Young (FL) | | | |
| Jones | Quillen | Zeliff | | | |
| Kasich | Quinn | Zimmer | | | |

NOT VOTING—7

□ 1818

Mr. HALL of Texas changed his vote from "yea" to "nay."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. LIVINGSTON. Mr. Speaker, pursuant to House Resolution 257, I call up the joint resolution (H.J. Res. 115), making further continuing appropriations for the fiscal year 1996, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mr. DREIER). Pursuant to the rule, the House will now immediately consider the joint resolution.

The text of House Joint Resolution 115 is as follows:

H.J. RES. 115

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

TITLE I

CONTINUING APPROPRIATIONS

SEC. 101. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1995 and for which appropriations, funds, or other authority would be available in the following appropriations Acts:

The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996, notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 701 of the United States Information and Educational Exchange Act of 1948, and section 53 of the Arms Control and Disarmament Act;

The Department of Defense Appropriations Act, 1996, notwithstanding section 504(a)(1) of the National Security Act of 1947;

The District of Columbia Appropriations Act, 1996;

The Energy and Water Development Appropriations Act, 1996;

The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996, notwithstanding section 10 of Public Law 91-672 and section 15(a) of the State Department Basic Authorities Act of 1956;

The Department of the Interior and Related Agencies Appropriations Act, 1996;

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996;

The Legislative Branch Appropriations Act, 1996, H.R. 2492;

The Department of Transportation Appropriations Act, 1996;

The Treasury, Postal Service, and General Government Appropriations Act, 1996;

The Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996;

Provided, That whenever the amount which would be made available or the authority which would be granted in these Acts is greater than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this section as passed by the House as of the date of enactment of this joint resolution, is different from that which would be available or granted under such Act as passed by the Senate as of the date of enactment of this joint resolution, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lower, under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided,* That where an item is not included in either version or where an item is included in only one version of the Act as passed by both Houses as of the date of enactment of this joint resolution, the pertinent project or activity shall not be continued except as provided for in section 111 or 112 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

(c) Whenever an Act listed in this section has been passed by only the House or only the Senate as of the date of enactment of this joint resolution, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower, and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided,* That where an item is funded in the applicable appropriations Act for the fiscal year 1995 and not included in the version passed by the one House as of the date of enactment of this joint resolution, the pertinent project or activity shall not be continued except as provided for in section 111 or 112 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

NAYS—210

| | | |
|--------------|---------------|----------------|
| Abercrombie | Dicks | Hoyer |
| Ackerman | Dingell | Jackson-Lee |
| Andrews | Dixon | Jacobs |
| Baesler | Doggett | Jefferson |
| Baldacci | Dooley | Johnson (CT) |
| Barcia | Doyle | Johnson (SD) |
| Barrett (WI) | Durbin | Johnson, E. B. |
| Becerra | Edwards | Johnston |
| Bellenson | Engel | Kanjorski |
| Bentsen | Eshoo | Kaptur |
| Berman | Evans | Kelly |
| Bevill | Farr | Kennedy (MA) |
| Bishop | Fattah | Kennedy (RI) |
| Boehlert | Fazio | Kennelly |
| Bonior | Filner | Kildee |
| Borski | Flake | Kleczyka |
| Boucher | Foglietta | Klink |
| Brewster | Ford | LaFalce |
| Browder | Frank (MA) | Lantos |
| Brown (CA) | Frost | Leach |
| Brown (FL) | Furse | Levin |
| Brown (OH) | Gejdenson | Lewis (GA) |
| Bryant (TX) | Gekas | Lincoln |
| Cardin | Gephardt | Lipinski |
| Castle | Geren | Lofgren |
| Chapman | Gibbons | Lowe |
| Clay | Gilman | Luther |
| Clayton | Gonzalez | Maloney |
| Clement | Gordon | Manton |
| Clyburn | Green | Markey |
| Coleman | Greenwood | Martinez |
| Collins (IL) | Gunderson | Mascara |
| Collins (MI) | Gutierrez | Matsui |
| Condit | Hall (OH) | McCarthy |
| Conyers | Hall (TX) | McDermott |
| Costello | Hamilton | McHale |
| Coyne | Harman | McKinney |
| Cramer | Hastings (FL) | McNulty |
| Danner | Hefner | Meehan |
| de la Garza | Hilliard | Meek |
| DeFazio | Hinche | Menendez |
| DeLauro | Holden | Mfume |
| Dellums | Horn | Miller (CA) |
| Deutsch | Houghton | Minge |

SEC. 102. No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for new production of items not funded for production in fiscal year 1995 or prior years, for the increase in production rates above those sustained with fiscal year 1995 funds, or to initiate, resume, or continue any project, activity, operation, or organization which are defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element and for investment items are further defined as a P-1 line item in a budget activity within an appropriation account and an R-1 line item which includes a program element and subprogram element within an appropriation account, for which appropriations, funds, or other authority were not available during the fiscal year 1995: *Provided*, That no appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 104. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 105. No provision which is included in an appropriations Act enumerated in section 101 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this joint resolution.

SEC. 106. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) December 1, 1995, whichever first occurs.

SEC. 107. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 108. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 109. No provision in the appropriations Act for the fiscal year 1996 referred to in section 101 of this joint resolution that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 106(c) of this joint resolution.

SEC. 110. Appropriations and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 111. Notwithstanding any other provision of this joint resolution, except section 106, whenever an Act listed in section 101 as passed by both the House and Senate as of the date of enactment of this joint resolution, does not include funding for an ongoing project or activity for which there is a budget request, or whenever an Act listed in section 101 has been passed by only the House or only the Senate as of the date of enactment of this joint resolution, and an item funded in fiscal year 1995 is not included in the version passed by the one House, or whenever the rate for operations for an ongoing project or activity provided by section 101 for which there is a budget request would result in the project or activity being significantly reduced, the pertinent project or activity may be continued under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 by increasing the rate for operations provided by section 101 to a rate for operations not to exceed one that provides the minimal level that would enable existing activities to continue. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366. For the purposes of the Act, the minimal level means a rate for operations that is reduced from the current rate by 40 percent.

SEC. 112. Notwithstanding any other provision of this joint resolution, except section 106, whenever the rate for operations for any continuing project or activity provided by section 101 or section 111 for which there is a budget request would result in a furlough of Government employees, that rate for operations may be increased to the minimum level that would enable the furlough to be avoided. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366.

SEC. 113. Notwithstanding any other provision of this joint resolution, except sections 106, 111, and 112, for those programs that had high initial rates of operation or complete distribution of funding at the beginning of the fiscal year in fiscal year 1995 because of distributions of funding to States, foreign countries, grantees, or others, similar distributions of funds for fiscal year 1996 shall not be made and no grants shall be awarded for such programs funded by this resolution that would impinge on final funding prerogatives.

SEC. 114. This joint resolution shall be implemented so that only the most limited funding action of that permitted in the resolution shall be taken in order to provide for continuation of projects and activities.

SEC. 115. The provisions of section 132 of the District of Columbia Appropriations Act, 1988, Public Law 100-202, shall not apply for this joint resolution.

SEC. 116. Notwithstanding any other provision of this joint resolution, except section 106, the authority and conditions for the application of appropriations for the Office of Technology Assessment as contained in the Conference Report on the Legislative Branch Appropriations Act, 1996, House Report 104-212, shall be followed when applying the funding made available by this joint resolution.

SEC. 117. Notwithstanding any other provision of this joint resolution, except section 106, any distribution of funding under the Rehabilitation Services and Disability Research account in the Department of Education may be made up to an amount that bears the same ratio to the rate for operation for this account provided by this joint

resolution as the number of days covered by this resolution bears to 366.

SEC. 118. Notwithstanding any other provision of this joint resolution, except section 106, the authorities provided under subsection (a) of section 140 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236) shall remain in effect during the period of this joint resolution, notwithstanding paragraph (3) of said subsection.

SEC. 119. Notwithstanding any other provision of this joint resolution, except section 106, the amount made available to the Securities and Exchange Commission, under the heading Salaries and Expenses, shall include, in addition to direct appropriations, the amount it collects under the fee rate and offsetting collection authority contained in Public Law 103-352, which fee rate and offsetting collection authority shall remain in effect during the period of this joint resolution.

SEC. 120. Until enactment of legislation providing funding for the entire fiscal year ending September 30, 1996, for the Department of the Interior and Related Agencies, funds available for necessary expenses of the Bureau of Mines are for continuing limited health and safety and related research, materials partnerships, and minerals information activities; for mineral assessments in Alaska; and for terminating all other activities of the Bureau of Mines.

SEC. 121. Notwithstanding any other provision of this joint resolution, except section 106, funds for the Environmental Protection Agency shall be made available in the appropriation accounts which are provided in H.R. 2099 as reported on September 13, 1995.

SEC. 122. Notwithstanding any other provision of this joint resolution, except section 106, the rate for operations for projects and activities that would be funded under the heading "International Organizations and Conferences, Contributions to International Organizations" in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996, shall be the amount provided by the provisions of sections 101, 111, and 112 multiplied by the ratio of the number of days covered by this resolution to 366 and multiplied further by 1.27.

SEC. 123. Notwithstanding any other provision of this joint resolution, except section 106, the rate for operations of the following projects or activities shall be only the minimum necessary to accomplish orderly termination:

Administrative Conference of the United States;

Advisory Commission on Intergovernmental Relations (except that activities to carry out the provisions of Public Law 104-4 may continue);

Interstate Commerce Commission; Pennsylvania Avenue Development Corporation;

Land and Water Conservation Fund, State Assistance; and

Office of Surface Mining Reclamation and Enforcement, Rural Abandoned Mine Program.

TITLE II

SEC. 201. WAIVER OF REQUIREMENT FOR PARCHMENT PRINTING.

(a) WAIVER.—The provisions of sections 106 and 107 of title 1, United States Code, are waived with respect to the printing (on parchment or otherwise) of the enrollment of any of the following measures of the first session of the One Hundred Fourth Congress presented to the President after the enactment of this joint resolution:

(1) A continuing resolution.

(2) A debt limit extension measure.

(3) A reconciliation bill.

(b) CERTIFICATION BY COMMITTEE ON HOUSE OVERSIGHT.—The enrollment of a measure to which subsection (a) applies shall be in such form as the Committee on House Oversight of the House of Representatives certifies to be a true enrollment.

SEC. 202. DEFINITIONS.

As used in this joint resolution:

(1) CONTINUING RESOLUTION.—The term “continuing resolution” means a bill or joint resolution that includes provisions making further continuing appropriations for fiscal year 1996.

(2) DEBT LIMIT EXTENSION MEASURE.—The term “debt limit extension measure” means a bill or joint resolution that includes provisions increasing or waiving (for a temporary period or otherwise) the public debt limit under section 3101(b) of title 31, United States Code.

(3) RECONCILIATION BILL.—The term “reconciliation bill” means a bill that is a reconciliation bill within the meaning of section 310 of the Congressional Budget Act of 1974.

TITLE III

TAXPAYER SUBSIDIZED POLITICAL ADVOCACY

PROHIBITION ON SUBSIDIZING POLITICAL ADVOCACY WITH TAXPAYER FUNDS

SEC. 301. (a) LIMITATIONS.—Notwithstanding any other provision of law, the following limitations shall apply to any taxpayer subsidized grant that is made from funds appropriated under this or any other Act or controlled under any congressional authorization, until the enactment of specific exceptions in subsequent Acts:

(1) No taxpayer subsidized grantee may use funds from any taxpayer subsidized grant to engage in political advocacy.

(2) No person or organization may transfer funds from any taxpayer subsidized grant, in whole or in part, in the form of a taxpayer subsidized grant, to any person or organization that under this subsection would not be eligible to receive such funds directly from the Federal Government.

(3) No taxpayer subsidized grantee may use funds from any taxpayer subsidized grant for any purpose (including but not limited to extending subsequent taxpayer subsidized grants to any other individual or organization) other than to purchase or secure goods or services, except as permitted by Congress in the law authorizing the taxpayer subsidized grant.

(4) No restrictions are placed upon the use of an individual's non-Federal funds by this title.

(5) An organization described in section 501(c)(4) of the Internal Revenue Code of 1986 that engaged in lobbying activities during the organization's previous taxable year shall not be eligible for the receipt of Federal funds constituting a taxpayer subsidized grant. This paragraph shall not apply to organizations described in such section 501(c)(4) with gross annual revenues of less than \$3,000,000 in such previous taxable year, including the amounts of Federal funds received as a taxpayer subsidized grant.

(6) An organization shall not be eligible for the receipt of Federal funds constituting a taxpayer subsidized grant if, in the previous Federal fiscal year, such organization—

(A) received more than one-third of its annual revenue in the form of taxpayer subsidized grants; and

(B) expended on lobbying activities an amount equal to or exceeding whichever of the following amounts is less:

(i) \$100,000; or

(ii) the amount determined by the formula set forth in paragraph (7)(B).

(7) No taxpayer subsidized grant applicant or taxpayer subsidized grantee, except an individual person, may receive any taxpayer subsidized grant if its expenditures for political advocacy for any one of the previous five Federal fiscal years exceeded its substantial political advocacy threshold. For purposes of the application of this paragraph in the five-year period following the date of the enactment of this Act, only the previous Federal fiscal years beginning after September 30, 1995, shall be considered. For purposes of this title, the substantial political advocacy threshold for a given Federal fiscal year shall be whichever of the following amounts is less:

(A) \$1,000,000.

(B) The amount determined by the following formula:

(i) Calculate the difference between the taxpayer subsidized grant applicant's total expenditures made in a given Federal fiscal year and the total taxpayer subsidized grants it received in that Federal fiscal year.

(ii) For the first \$500,000 of the amount calculated under clause (i), multiply by 0.20.

(iii) For the portion of the amount calculated under clause (i) that is more than \$500,000, but not more than \$1,000,000, multiply by 0.15.

(iv) For the portion of the amount calculated under clause (i) that is more than \$1,000,000, but not more than \$1,500,000, multiply by 0.10.

(v) For the portion of the amount calculated under clause (i) that is more than \$1,500,000, but not more than \$17,000,000, multiply by 0.05.

(vi) Calculate the sum of the products described in clauses (ii) through (v).

(8) During any one Federal fiscal year in which a taxpayer subsidized grantee, except an individual person, has possession, custody or control of taxpayer subsidized grant funds, such taxpayer subsidized grantee shall not use any funds (whether derived from taxpayer subsidized grants or otherwise) to engage in political advocacy in excess of its substantial political advocacy threshold for the prior Federal fiscal year.

(9) No taxpayer subsidized grantee may use funds from any taxpayer subsidized grant to purchase or secure any goods or services (including dues and membership fees) from any other organization whose expenditures for political advocacy for the previous Federal fiscal year exceeded whichever of the following amounts is greater:

(A) \$25,000.

(B) 15 percent of such other organization's total expenditures for such previous Federal fiscal year.

(10) The limitations imposed by paragraphs (5), (7), and (8) shall not apply to any taxpayer subsidized grant applicant or taxpayer subsidized grantee for any Federal fiscal year if, during the preceding Federal fiscal year, its total expenditures for political advocacy were less than \$25,000.

(11) For purposes of applying the limitations imposed by this subsection (other than paragraph (4)), the members of an affiliated group of organizations (other than any member that does not receive a taxpayer subsidized grant) shall be treated as one organization.

(b) ENFORCEMENT OF TAXPAYER PROTECTIONS.—The following enforcement provisions apply with respect to the limitations imposed under subsection (a):

(1) Each taxpayer subsidized grantee shall be subject to audit from time to time as follows:

(A) Audits may be requested and conducted by the General Accounting Office or other auditing entity authorized by Congress, including the Inspector General of the Federal

entity awarding or administering the taxpayer subsidized grant.

(B) Taxpayer subsidized grantees shall follow generally accepted accounting principles in keeping books and records relating to each taxpayer subsidized grant and no Federal entity may impose more burdensome accounting requirements for purposes of enforcing this title.

(C) A taxpayer subsidized grantee that engages in political advocacy shall have the burden of proving, by clear and convincing evidence, that it is in compliance with the limitations of this title.

(D) Audits pursuant to this subsection shall be limited to the utilization, transfer, and expenditure of Federal funds and the utilization, transfer, and expenditure of any funds for political advocacy.

(2) Violations by a taxpayer subsidized grantee of the limitations contained in subsection (a) may be enforced and the taxpayer subsidized grant may be recovered in the same manner and to the same extent as a false or fraudulent claim for payment or approval made to the Federal Government pursuant to sections 3729 through 3812 of title 31, United States Code.

(3) Any officer or employee of the Federal Government who awards or administers funds from any taxpayer subsidized grant to a taxpayer subsidized grantee who is not in compliance with this section shall—

(A) for knowing or negligent noncompliance with this section, be subjected to appropriate administrative discipline, including, when circumstances warrant, suspension from duty without pay or removal from office; and

(B) for knowing noncompliance with this section, pay a civil penalty of not more than \$5,000 for each improper disbursement of funds.

(c) DUTIES OF TAXPAYER SUBSIDIZED GRANTEES.—Any individual or organization that awards or administers a taxpayer subsidized grant shall take reasonable steps to ensure that the taxpayer subsidized grantee complies with the requirements of this title. Reasonable steps to ensure compliance shall include written notice to a taxpayer subsidized grantee that it is receiving a taxpayer subsidized grant, and that the provisions of this title apply to the taxpayer subsidized grantee.

(d) DEFINITIONS.—For purposes of this title:

(1) AFFILIATED ORGANIZATIONS.—Any two organizations shall be considered to be members of an affiliated group of organizations if the organizations meet any one or more of the following criteria:

(A) The governing instrument of one such organization requires it to be bound by decisions of the other organization on legislative issues.

(B) The governing board of one such organization includes persons who—

(i) are specifically designated representatives of the other such organization or are members of the governing board, officers, or paid executive staff members of such other organization; and

(ii) by aggregating their votes, have sufficient voting power to cause or prevent action on political advocacy issues by the other such organization.

(C) The organizations—

(i) either use the same name or trademark, or represent themselves as being affiliated; and

(ii) coordinate their lobbying activities or political advocacy.

(2) AGENCY ACTION.—The term “agency action” includes the definition contained in section 551 of title 5, United States Code, and

includes action by State, local, or tribal government agencies. Such term does not include any agency's action that grants an approval, license, permit, registration, or similar authority, or that grants or recognizes an exemption or relieves a restriction, on a case-by-case basis.

(3) AGENCY PROCEEDING.—The term "agency proceeding" includes the definition contained in section 551 of title 5, United States Code, and includes proceedings by State, local, or tribal government agencies.

(4) INFLUENCE LEGISLATION OR AGENCY ACTION.—

(A) GENERAL RULE.—Except as otherwise provided in subparagraph (B), the term "influence legislation or agency action" includes—

(i) any attempt to influence any legislation or agency action through an attempt to affect the opinions of the general public or any segment thereof; and

(ii) any attempt to influence any legislation or agency action through communication with any member or employee of a legislative body or agency, or with any government official or employee who may participate in the formulation of the legislation or agency action.

(B) EXCEPTIONS.—The term "influence legislation or agency action" does not include—

(i) making available the results of non-partisan analysis, study, research, or debate;

(ii) providing technical advice or assistance (where such advice would otherwise constitute the influencing of legislation or agency action) to a governmental body or to a committee or other subdivision thereof in response to a request by such body or subdivision, as the case may be;

(iii) communications between the taxpayer subsidized grantee and its bona fide members with respect to legislation, proposed legislation, agency action, or proposed agency action of direct interest to the taxpayer subsidized grantee and such members, other than communications described in subparagraph (C);

(iv) any communication with a governmental official or employee, including any such communication required to apply for, administer, or execute a taxpayer subsidized grant; or other than—

(I) a communication with a member or employee of a legislative body or agency (where such communication would otherwise constitute the influencing of legislation or agency action); or

(II) a communication the principal purpose of which is to influence legislation or agency action;

(v) official communications by employees of State, local, or tribal governments, or by organizations whose membership consists exclusively of State, local, or tribal governments; and

(vi) participating in a particular activity that is specifically and explicitly directed and sanctioned by an Act of Congress, and is specifically and explicitly approved in the contract or other agreement under which the taxpayer subsidized grant is made, except that such exception shall not apply to any such contract or other agreement that is first entered into after the date of the enactment of this Act, is renewed after such date, or is terminable or amendable after such date at the option of the government entity awarding or administering such grant, unless such activity is specifically and explicitly directed and sanctioned by an Act of Congress enacted after January 1, 1995.

(C) COMMUNICATIONS WITH MEMBERS.—

(i) A communication between a taxpayer subsidized grantee and any bona fide member of such organization to directly encourage such member to communicate as provided in subparagraph (A)(ii) shall be treated as a

subparagraph (A)(ii) communication by the taxpayer subsidized grantee itself.

(ii) A communication between a taxpayer subsidized grantee and any bona fide member of such organization to directly encourage such member to urge persons other than members to communicate as provided in either clause (i) or (ii) of subparagraph (A) shall be treated as a communication described in subparagraph (A)(i).

(5) LEGISLATION.—The term "legislation" includes the introduction, amendment, enactment, passage, defeat, ratification, or repeal of Acts, bills, resolutions, treaties, declarations, confirmations, articles of impeachment, or similar items by the Congress, any State legislature, any local or tribal council or similar governing body, or by the public in a referendum, initiative, constitutional amendment, recall, confirmation, or similar procedure.

(6) LOBBYING ACTIVITIES.—The term "lobbying activities" means political advocacy (as defined in paragraph (8)), other than political advocacy relating to any judicial litigation or agency proceeding described in subparagraph (C) of such paragraph.

(7) ORGANIZATION.—The term "organization" means a legal entity, other than a government, established or organized for any purpose, and includes a corporation, company, association, firm, partnership, joint stock company, foundation, institution, society, union, or any other association of persons that operates in or the activities of which affect interstate or foreign commerce.

(8) POLITICAL ADVOCACY.—Except as otherwise provided in paragraph (4)(B), the term "political advocacy" includes—

(A) carrying on propaganda, or otherwise attempting to influence legislation or agency action, including, but not limited to, monetary or in-kind contributions, preparation and planning activities, research and other background work, endorsements, publicity, coordination with such activities of others, and similar activities;

(B) participating or intervening in (including the publishing or distributing of statements) any political campaign on behalf of (or in opposition to) any candidate for public office, including, but not limited to, monetary or in-kind contributions, preparation and planning activities, research and other background work, endorsements, publicity, coordination with such activities of others, and similar activities;

(C) participating in any judicial litigation or agency proceeding (including as an amicus curiae) in which agents or instrumentalities of Federal, State, local, or tribal governments are parties, other than litigation in which the taxpayer subsidized grantee or taxpayer subsidized grant applicant is a defendant appearing in its own behalf; is defending its tax-exempt status; or is challenging a government decision or action directed specifically at the powers, rights, or duties of that taxpayer subsidized grantee or taxpayer subsidized grant applicant; and

(D) allocating, disbursing, or contributing any monetary or in-kind support to any organization whose expenditures for political advocacy for the previous Federal fiscal year exceeded 15 percent of its total expenditures for that Federal fiscal year.

(9) TAXPAYER SUBSIDIZED GRANT.—The term "taxpayer subsidized grant" includes the provision of any Federal funds, appropriated under this or any other Act, or other thing of value to carry out a public purpose of the United States, except the following: the provision of funds for acquisition (by purchase, lease or barter) of property or services for the direct benefit or use of the United States; the payments of loans, debts, or entitlements; the provision of funds to or distribution of funds by an Article I or III

court; nonmonetary assistance provided by the Department of Veterans Affairs to organizations approved or recognized under section 5902 of title 38, United States Code; and the provision of grant and scholarship funds to students for educational purposes.

(10) TAXPAYER SUBSIDIZED GRANTEE.—The term "taxpayer subsidized grantee" includes any recipient of any taxpayer subsidized grant. The term shall not include any State, local, or tribal government, but shall include any recipient receiving a taxpayer subsidized grant from a State, local, or tribal government.

DISCLOSURE REQUIREMENTS

SEC. 302. (a) IN GENERAL.—Not later than December 31 of each year, each taxpayer subsidized grantee, except an individual person, shall provide (via either electronic or paper medium) to each Federal entity that awarded or administered its taxpayer subsidized grant an annual report for the prior Federal fiscal year, certified by the taxpayer subsidized grantee's chief executive officer or equivalent person of authority, and setting forth—

(1) the taxpayer subsidized grantee's name and grantee identification number;

(2) a statement that the taxpayer subsidized grantee agrees that it is, and shall continue to be, contractually bound by the terms of this title as a condition of the continued receipt and use of Federal funds; and

(3) either—

(A) a statement that the taxpayer subsidized grantee did not engage in political advocacy; or

(B) a statement that the taxpayer subsidized grantee did engage in political advocacy, and setting forth for each taxpayer subsidized grant—

(i) the taxpayer subsidized grant identification number;

(ii) the amount or value of the taxpayer subsidized grant (including all administrative and overhead costs awarded);

(iii) a brief description of the purpose or purposes for which the taxpayer subsidized grant was awarded;

(iv) the identity of each Federal, State, local, and tribal government entity awarding or administering the taxpayer subsidized grant, and program thereunder;

(v) the name and taxpayer subsidized grantee identification number of each individual or organization to which the taxpayer subsidized grantee made a taxpayer subsidized grant;

(vi) a brief description of the taxpayer subsidized grantee's political advocacy, and a good faith estimate of the taxpayer subsidized grantee's expenditures on political advocacy; and

(vii) a good faith estimate of the taxpayer subsidized grantee's substantial political advocacy threshold.

(b) OMB COORDINATION.—The Office of Management and Budget shall develop by regulation one standardized form for the annual report that shall be accepted by every Federal entity, and a uniform procedure by which each taxpayer subsidized grantee is assigned one permanent and unique taxpayer subsidized grantee identification number.

FEDERAL ENTITY REPORT

SEC. 303. Not later than May 1 of each calendar year, each Federal entity awarding or administering a taxpayer subsidized grant shall submit to the Bureau of the Census a report (standardized by the Office of Management and Budget) setting forth the information provided to such Federal entity by each taxpayer subsidized grantee during the preceding Federal fiscal year, and the name and taxpayer subsidized grantee identification number of each taxpayer subsidized grantee to which it provided written notice under

section 301(c). The Bureau of the Census shall make this database available to the public through the Internet.

PUBLIC ACCOUNTABILITY

SEC. 304. (a) PUBLIC AVAILABILITY OF TAXPAYER SUBSIDIZED GRANT DOCUMENTS.—Any Federal entity awarding a taxpayer subsidized grant shall make publicly available any taxpayer subsidized grant application, audit of a taxpayer subsidized grantee, list of taxpayer subsidized grantees to which notice was provided under section 301(c), annual report of a taxpayer subsidized grantee, and that Federal entity's annual report to the Bureau of the Census.

(b) **ACCESSIBILITY TO PUBLIC.**—The public's access to the documents identified in subsection (a) shall be facilitated by placement of such documents in the Federal entity's public document reading room and also by expediting any requests under section 552 of title 5, United States Code, the Freedom of Information Act as amended, ahead of any requests for other information pending at such Federal entity.

(c) **WITHHOLDING PROHIBITED.**—Records described in subsection (a) shall not be subject to withholding, except under the exemption set forth in subsection (b)(7)(A) of section 552 of title 5, United States Code.

(d) **FEES PROHIBITED.**—No fees for searching for or copying such documents shall be charged to the public.

SEVERABILITY

SEC. 305. If any provision of this title or the application thereof to any person or circumstance is held invalid, the remainder of this title and the application of such provision to other persons and circumstances shall not be affected thereby.

FIRST AMENDMENT RIGHTS PRESERVED

SEC. 306. Nothing in this title shall be deemed to abridge any rights guaranteed under the First Amendment of the United States Constitution, including freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

EXPEDITED CONSIDERATION AND APPEAL OF CERTAIN ACTIONS

SEC. 307. (a) DISTRICT COURT CONSIDERATION.—Any action challenging the constitutionality of this title shall be heard and determined by a panel of three judges in accordance with section 2284 of title 28, United States Code. The United States District Court for the District of Columbia shall have exclusive jurisdiction over such action, without regard to the sum or value of the matter in controversy. It shall be the duty of the district court to advance on the docket, and to expedite the disposition of, any action brought under this subsection.

(b) **APPEAL TO SUPREME COURT.**—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory or final judgment, decree, or order entered in any action brought under subsection (a). Any such appeal shall be taken by a notice of appeal filed within 20 days after such judgment, decree, or order is entered. The Supreme Court shall, if it has not previously ruled on the question presented by such appeal, accept jurisdiction over the appeal, advance the appeal on the docket, and expedite the appeal.

CONSTRUCTION AND EFFECT

SEC. 308. Nothing in this title shall be construed to affect the application of the internal revenue laws of the United States.

TITLE IV—MEDICARE

SEC. 401. DETERMINATION OF MEDICARE PART B PREMIUM.

(a) Any percentage reference in subsection (e)(1)(A) of section 1839 of the Social Security Act for months in 1996 is deemed a reference to the amount described in subsection (e)(1)(B)(v) of such section, expressed as a percentage of the monthly actuarial rate under subsection (a)(1) of such section for months in 1995.

SEC. 402. MEDICARE COVERAGE OF CERTAIN ANTI-CANCER DRUG TREATMENTS.

(a) **COVERAGE OF CERTAIN SELF-ADMINISTERED ANTICANCER DRUGS.**—Section 1861(s)(2)(Q) of the Social Security Act (42 U.S.C. 1395x(s)(2)(Q)) is amended—

(1) by striking "(Q)" and inserting "(Q)(i)"; and

(2) by striking the semicolon at the end and inserting ", and"; and

(3) by adding at the end the following:

"(ii) an oral drug (which is approved by the Federal Food and Drug Administration) prescribed for use as an anticancer nonsteroidal antiestrogen or nonsteroidal antiandrogen agent for a given indication;"

(b) **UNIFORM COVERAGE OF ANTICANCER DRUGS IN ALL SETTINGS.**—Section 1861(t)(2)(A) of such Act (42 U.S.C. 1395x(t)(2)(A)) is amended by adding (including a nonsteroidal antiestrogen or nonsteroidal antiandrogen regimen)" after "regimen".

(c) **CONFORMING AMENDMENT.**—Section 1834(j)(5)(F)(iv) of such Act (42 U.S.C. 1395m(j)(5)(F)(iv)) is amended by striking "prescribed for use" and all that follows through "1861 (s)(2)(Q))" and inserting "described in section 1861(s)(2)(Q)".

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to drugs furnished on or after the date of the enactment of this Act

The **SPEAKER** pro tempore. Under the rule, the gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 30 minutes, and the gentleman from Wisconsin [Mr. OBEY] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON].

GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which, to revise and extend their remarks on House Joint Resolution 115, and that I may include tabular and extraneous material.

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

There was no objection.

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

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

Mr. LIVINGSTON. Mr. Speaker, I am very pleased to bring to the House this joint resolution that would provide authority for most of the government to continue operations beyond November 13, the date the current continuing resolution expires.

The House and Senate Committees on Appropriations are continuing to work on the remaining regular funding bills in a manner that will allow us to present them to the President for his signature in the coming days. However, it is clear that many of the budget decisions will extend past November 13. Therefore, we need to continue to provide spending authority for those por-

tions of the Government which are not covered by signed bills.

The following are key elements of the resolution before us: The resolution continues Government funding through December 1 or whenever a regular bill is enacted into law, whichever is sooner. The resolution provides temporary funding for the programs covered under 11 bills. Since two bills have been signed into law, military construction and agriculture, they have been omitted from this resolution.

All the projects and activities in the remaining 11 bills operate under a restrictive formula that provides rates that do not exceed the lower of the House-passed bill, the Senate-passed bill, or the fiscal year 1995 current level. The resolution provides that for programs that are proposed for termination in either the House or Senate version of the regular bill or are significantly reduced in these bills, they may continue, but at a minimum level not to exceed 60 percent of the current rate of operations. This is down from the 90 percent level provided for in the first continuing resolution.

All programs continued will be under the fiscal year 1995 terms and conditions.

This resolution contains the "no furlough" language that was contained in the first resolution. Early year distributions for programs that have historical high initial fund distributions are prohibited. This resolution contains the Simpson-Istook-McIntosh language regarding political advocacy, and no new initiatives can be started under the terms of this bill.

Section 123 of the resolution provides for the orderly termination of six specific Federal programs, which include the Administrative Conference of the United States, the Advisory Commission on Intergovernmental Relations, the Interstate Commerce Commission, the Pennsylvania Avenue Development Corporation, the State Assistance Grants from the Land and Water Conservation Fund, and the Rural Abandoned Mine Program. These are in addition to the elimination of the Office of Technology Assessment as well as the downsizing of the Bureau of Mines, which were contained in the first CR and included in this version as well.

There are two additional items that are in this resolution that are under the jurisdiction of the Committee on Ways and Means, and we heard them discussed during the debate on the rule. They deal with Medicare part B and funding for breast cancer treatment.

Mr. Speaker, this second continuing resolution maintains the 4 principles that we have used when we developed the first continuing resolution. In fact, this resolution provides funding at levels that are below the section 602 allocation provided for in the budget resolution. This is our part of the glide path to get us to a balanced budget by the year 2002. It prevents costly government furloughs and inappropriate

program terminations, and it does not prejudice funding decisions for the remainder of the appropriations bills except for a limited number of program terminations that are agreed to by the President.

Finally, it provides a climate that is an incentive for all involved to conclude action on the regular appropriations bills. This is because as we move appropriations conference agreements and as the appropriations bills are signed into law by the President, all of the programs and agencies and departments contained within the jurisdiction of those appropriations bills are taken off the table and they are no longer subject to the terms and conditions of this restrictive continuing resolution.

Mr. Speaker, this second continuing resolution is necessary to keep a large part of the government operating for a very short period of time. It is restrictive, and it will keep the necessary pressure on both the Congress and the President to work out our differences on the remaining regular bills and get them enacted into law, and I urge the adoption of the resolution.

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

Mr. OBEY. Mr. Speaker, I yield myself 8 minutes.

Mr. Speaker, about 5 weeks ago when we had neared the end of the fiscal year, the gentleman from Louisiana [Mr. LIVINGSTON] and I brought to the House a bipartisan proposal which had been worked out with the leadership of both parties in both houses, as well as the White House, which extended the business of the Government so that the Congress could complete its work. That was made necessary because, for the first hundred days of this session, the majority party proceeded with its so-called contract, and that meant that, in contrast to the previous year when we had finished all 13 of our appropriation bills before the end of the fiscal year, the Congress was left with an immense amount of work yet to be done, and we worked out a bipartisan way to keep the Government going so that innocent people would not be hurt.

□ 1830

Now we are in need of a new extension, and the majority is proposing that we extend this conference report to the December 1. I think this is a big mistake, because this resolution, instead of building bridges and trying to overcome differences, it exacerbates the differences, it widens them and it puts everyone further apart, because it is a much more confrontational document. It is as though it were designed to fail.

It provides a 30-percent clobbering of programs such as low-income heating assistance, veterans benefits, some education items. It contains the controversial Istook language which would tie up every major charity in the country in red tape. It appears designed to ratchet up pressure on the President,

because people are unhappy that the President has not signed bills which have not yet been sent to him.

We are now 11 percent into the fiscal year, and we have exactly 11 percent of this year's fiscal budget passed. We have two bills here, military construction and agriculture, which have crossed the finish line, represented by this red line, and they have been signed into law. Two others have crossed the legislative finish line. They are awaiting the President's signature at the White House, and it is my understanding they are going to be signed.

The leaves us with nine remaining horses that have yet to cross the finish line in the appropriations process. Now, those are not lagging behind because the President would not sign the bills. They are lagging behind because the Congress did not get its work done.

For instance, we have the Treasury-Post Office bill here, hung up by the same Istook language which is being placed in the continuing resolution. It is the Republican majority in the Senate which is refusing to accept the Republican majority language in the House on the Istook amendment. It is not the President.

The Interior Department, that appropriation bill is stuck in the Congress because we still do not have agreement between the two houses on extraneous legislative language that has nothing whatsoever to do with dollars in the bill.

The foreign operations bill went through both houses of Congress, but it is hung up because there is a difference between the Republicans in the House and the Republicans in the Senate on the issue of abortion and the Mexico City language. The VA-HUD and Commerce conferences have yet to meet.

The Defense conference has not met in some 3 weeks since its original product was voted down on the floor of this House. The President did not beat that bill. This House did.

The Labor-HEW appropriation bill, passed by the House, was so extreme that the Republican-controlled Senate will not even take the bill up.

So that is why 89 percent of our appropriations work is still not completed, far short of the finish line. Yet, instead of trying to recognize that this is a congressional failure, instead we have an effort to ratchet up the heat on the President because people are frustrated by the fact that the Congress itself has not been able to do its work. That makes no sense whatsoever.

In addition, we have another problem. This continuing resolution would extend the Government's ability to function for the remainder of November, down to December 1. It will have taken us from November 6 through about November 13 to get this done.

Now, you would think this would give us enough time to get our work done. But there is a little problem. That little problem is that Congress is scheduled to be out during these days, so the

congressional recess cuts a huge hole in the extension provided under the continuing resolution.

There will be only 6 days in which the Congress can complete action on nine of the appropriation bills, if you take the 3 days before we go out next week and the 3 days afterward.

Does anybody really believe that the majority party is going to make enough progress in resolving the fights within their own caucus to complete action on these appropriation bills during that period of time? I do not know anyone that really believes that is going to happen.

So, we are going to be forced to be back here with yet another resolution. That makes no sense. We ought to be able to focus our energies on passing the appropriation bills that have not yet passed, rather than having to work 5 or 6 days to simply pass another continuing resolution because this one is so short it does not really mean anything.

I would simply suggest that we do not have to raise Medicare premiums in order to deal with this problem. You do not have to add the inflammatory Istook language, which we know the Republican majority in the Senate will not swallow. You do not need to widen the differences between people in this building.

We ought to be trying to bridge those differences and close those gaps in opinions. We ought to be trying to sit down and work out another simple extension.

That is why in my motion to recommit I will offer that. I will offer a simple 1-month extension without any additional bells and whistles, without any ideological gimmicks, just a simple, straight, neutral extension for 1 month so that we do have a realistic timeframe during which the majority party can resolve its intra-party differences, and we can also, in the process, send more of these bills down to the President so that we have a chance of closing out the appropriations cycle before we deal with the reconciliation matter, which is still likely to tie up the Government for a good long time.

I urge you to accept that recommit motion and not to go down this road.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the gentlewoman from Nevada [Mrs. VUCANOVICH], a very distinguished member of the Committee on Appropriations and the chairman of the Subcommittee on Military Construction.

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

Mr. Speaker, I rise in support of House Resolution 115 because it is the right thing to do. We have all heard the pleas from men and women who have said keep our Government alive and well.

Beyond keeping our Government alive, it will help keep our Nation's men and women alive. Under this resolution we are expanding Medicare coverage to include oral hormonal drugs

for treating breast and prostate cancer. For too long, Medicare has not paid for drugs like Tamoxifen, which are effective in treating breast cancer and are cost efficient. In fact, preliminary estimates show that oral cancer treatments for breast cancer could save up to \$156 million over the next 7 years.

This is a win-win situation for the men and women in our country and a win-win situation for the American taxpayer. It is time to respect the men and women of our Nation and vote for this continuing resolution. American lives depend on it.

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

Mr. Speaker, I hope we do not fall for the smokescreen which suggests that we have to pass this continuing resolution in order to take care of the breast cancer problems and the prostate cancer problems cited in the debate today. In my view, those are simply here in order to cover the tracks of people who are intending at the same moment to raise Medicare premiums by \$9 or more a month.

If you want to deal with the prostate cancer and breast cancer problems that are dealt with in the continuing resolution, it is very simple. You can put this bill, which I will introduce today, on the suspension calendar. You can pass it in 20 minutes and send it to the other body, and you can resolve those problems without going this charade, which in my view is designed to cover the fact that those who vote for this resolution today are really simply trying to raise Medicare premiums by \$9 or more per month.

I invite anyone in the House who would like to cosponsor this measure with me to put their names on the bill before I introduce it this afternoon.

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

Mr. LIVINGSTON. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Oklahoma [Mr. ISTOOK].

Mr. ISTOOK. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this continuing resolution, of course, is important to enable the Government to remain in business with the things that means to many people, but I am glad to say it does not mean business as usual; that the language in the legislation that is compromise language between proponents in the House and the Senate is in the bill to try to stop the problem of those who have an iron grip on what they believe is their vested right to take the taxpayers' money and use it for their own political lobbying activities.

The provisions in this bill have been much talked about; and, frankly, most of the things that I have heard from those opposing it are outlandish and outrageous and simply not true.

No one, and the U.S. Supreme Court has made this explicit, no one has a vested right to get gifts and handouts and subsidies from the taxpayers so that they can use that to assist them

in lobbying activities. In fact, in a case in 1983, the U.S. Supreme Court said, "Congress is not required by the first amendment to subsidize lobbying." It is that simple, Mr. Speaker.

Groups that choose, that make a voluntary decision to come to Washington with their hands out asking for millions and millions and millions of dollars in grants from the Federal Government should expect that they should not have their money either directly or indirectly applied to lobbying or political advocacy activities.

Ninety percent of the charities in this country, Mr. Speaker, 90 percent of them, are exempted from this provision because they are not engaged in heavy-duty lobbying activity. But for those which are, still this does not prevent them from speaking out. It does not prevent them from voicing their concerns. It merely says if they want taxpayer subsidies, then there is a limitation on the amount that they can spend for lobbying activities.

That is it. That is all. It is straightforward. It is direct. It is what the U.S. Supreme Court has said. Congress is not required by the first amendment to subsidize lobbying. If groups want to operate without taxpayer money, there is no restriction on them whatsoever. But the moment that they come asking for a grant, for a handout from the Federal Government, then we merely ask them to comply with some commonsense limitations on what they do with it.

I certainly encourage support for this bill.

Mr. OBEY. Mr. Speaker, I yield 4½ minutes to the gentleman from Maryland [Mr. HOYER].

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

Mr. HOYER. Mr. Speaker, I thank the distinguished ranking member for yielding me this time.

Mr. Speaker, there was a discussion about keeping our government alive by the gentlewoman from Nevada who chairs one of our subcommittees. The gentlewoman is right. That is what this is intended to do.

At the beginning of this Congress and throughout the course of this Congress, we have had a discussion about the Contract With America. Two of the first three items in the contract talk about responsibility, fiscal responsibility and personal responsibility. I suggest that every Member of this House ought to reject this continuing resolution, because I suggest to you it is fiscally irresponsible and personally irresponsible.

Now, why do I say that? Historically, both sides of the aisle have agreed that when the Congress could not accomplish its work in a timely fashion that it then should keep the Government running, because no one in this Congress or in this country intends to shut down all of government. They may not want all of it, but they do not intend to shut it down. Therefore, as a result of

us not doing our work, we pass a continuing resolution which says we want the government to continue.

Usually, we agree that it ought to be a clean CR. What does that mean? That means that there should not be extraneous, non-appropriation, additional matters added to that continuing resolution. Why? Because all we are saying is we have not done our work. Government, you stay in operation at a certain level, 90 percent below what you did last year or some figure as that, while we continue in the democratic political process to debate the issues, to contend with one another as to our priorities, to level the funding and to matters that ought to be included in those bills.

□ 1845

Now, the fact of the matter is the gentleman from Oklahoma [Mr. ISTOOK], who just spoke about his amendment, speaks of it as an amendment that, gee, just ought to be done because we are giving taxpayers' money to lobbyists. That is not true, of course. That is a crime if they use money that the Federal Government gives them to lobby the government.

The chairman, the distinguished chairman, the gentleman from Louisiana [Mr. LIVINGSTON] is a former prosecutor. I suggested that he bring to the attention of the appropriate U.S. Attorney any instances that he knew of where that was occurring. To my knowledge that has not yet been done.

Mr. Speaker, the chairman of this committee, the same gentleman from Louisiana [Mr. LIVINGSTON], said some months ago we ought not to put extraneous legislative matters on appropriation bills. We ought not to put these on. Why did he say that? Because he thought that would impede the legislative process, and, indeed, it has.

There is only one Republican on the conference committee that agrees with the Istook-Ehrlich amendment. Forget about the Democrats. They do not have a majority of their own party in the Senate on this amendment. And the Republican leadership knows that the President has said he will veto this bill if this is attached.

This is a blatant irresponsible attempt to bulldoze the President of the United States into signing something that he vigorously disagrees with, and he will not do it, but that does not seem to matter. The Treasury-Postal bill has been pending, ladies and gentlemen, for 50-plus days, and the President says he will sign it, but the Republicans cannot agree on the Istook amendment so it has not been added.

As a result, Mr. Speaker, the Treasury-Postal bill sits stuck in the mud of political partisanship. That is unfortunate. I do not think my chairman wants that to happen. I will not ask him to comment on that. If we want to be fiscally responsible and personally responsible, we will adopt the Obey legislation, which says pending our getting our work done in the Congress of

the United States we will pass a clean continuing resolution to make sure the government continues to operate. I urge my colleagues to follow that responsible path.

Mr. LIVINGSTON. Mr. Speaker, I yield myself 30 seconds so that I might point out to the gentleman that if this bill passes, and it passes the Senate, the gentleman will get his Treasury-Postal bill right away because the Istook amendment will no longer be a problem.

Mr. HOYER. A small advantage, but not enough.

Mr. LIVINGSTON. Mr. Speaker, I yield 3 minutes to the gentlewoman from Wyoming [Mrs. CUBIN].

Mrs. CUBIN. Mr. Speaker, I stand in support of the continuing resolution, and I admit I am a freshman, but I cannot help but be amazed at what I am hearing here tonight. I am hearing that the Republicans are being irresponsible because we do not have these bills to the President already, while I have heard that there are two separate years while the other side was in control that we operated on a continuing resolution for an entire year, and that happened twice.

I do not understand why they are so worried that we are not going to get our work done. We are certain we are going to get our work done. We are offering this continuing resolution because we want the Government to stay in business. We do not want the lives of the employees, the Federal employees, to be turned upside down, not to mention that of the recipients.

Mr. Speaker, another thing I have heard tonight, and I really just cannot believe I heard it right, is that we have to dismiss the issue of breast cancer and we have to dismiss the issue of prostate cancer as smoking mirrors; that it is not important. Well, I want to tell my colleagues something, Mr. Speaker. It is important to me. My aunt died of breast cancer. I have five friends who have died of breast cancer. And in this continuing resolution we are offering Tamoxifen, an oral anti-cancer drug, for women to be able to take. It works in about 50 percent of the breast cancer cases.

Again, I am absolutely appalled that we cannot consider this issue any time. It has already been told to us tonight that it will save \$156 million. It will save lives. There is a statistic I would like to point out to Members, Mr. Speaker, and I think it is very startling and it will open everyone's eyes. In the 12 years of the Vietnam war about 58,000 Americans died. During those same 12 years 426,000 women died of breast cancer and nobody noticed. 426,000.

I do not care what bill we offer this cancer drug on. I am going to support it. It is important. We are not trying to twist the President's arm. Karen Curtis, Trudy Wilson, Freda McCoy, Barbara Clare, and Chris Linn, my friends who are dead from breast cancer and their families, would all want us to

support this so that we can offer this life saving drug to patients of breast cancer that are now on Medicare.

Mr. Speaker, I urge everyone to support this continuing resolution.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, this continuing resolution is but the latest manifestation of the Republican Congress' all-out assault on Medicare. It will raise Medicare part B premiums on America's seniors by over \$150 in 1996. Some politicians may not think that is a whole lot of money. Let me tell you, to people living on fixed incomes, that is a lot of money. For some older Americans, these cuts may mean choosing between medicine and food. I think that's wrong.

But I am not the only one alarmed by the radical agenda the Republican majority is ramming through this House. As Republican David Gergen observed in this week's U.S. News & World Report, "Congress now seems intent on imposing new burdens upon the poor, the elderly and vulnerable children while, incredibly, delivering a windfall for the wealthy." This extreme agenda goes too far, and the American people know it.

Mr. Speaker, I call on my colleagues to reject this latest raid on Medicare to finance tax breaks for the wealthy. Vote against this radical agenda. Vote against this continuing resolution.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. THOMAS], a distinguished member of the Committee on Ways and Means.

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

Mr. THOMAS. Mr. Speaker, I take the well only to try to keep some semblance of factualness to the discussion that we have here. That is the second or third Member of the minority party that has taken the well and said that we will increase the cost on seniors on the part B premium in the continuing resolution. Somebody has to get a calculator.

First of all, at a 25-percent premium under the President's program, the cost in 1995, \$46. Current program, under our program, \$46. What this does is increase it to \$53.

Now, during the rule I went into the explanation that the seniors have agreed that keeping the premium where it is is a reasonable share of the seniors' responsibility in trying to fix Medicare. AARP testified in front of my subcommittee, the Subcommittee on Health of the Committee on Ways and Means, that that was a reasonable compromise. They are not opposed to what we are doing.

If we take a look at what the President proposed at a 25-percent premium, that 1996 figure, President Clinton's fiscal year 1996 budget submission on page 108 would make the difference \$9. I do not care how many times you mul-

tiply 12 times 9, it does not come out \$150.

The gentlewoman from Connecticut [Ms. DELAURO] is wrong. Those who have used that figure before are wrong. It is not my inclination to come to this well every time they misstate or try to create the impression different than what is in this bill. If that were the case, unfortunately, I would be on the floor every other speaker.

Mr. OBEY. Mr. Speaker, I yield 30 seconds to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, under current law the part B premium would drop from \$46 to \$24.50. That is an increase of \$11 per month under current law. If we multiply that by 12 months, it is a \$132 increase that seniors will be faced with come January. It is a New Year's present for the seniors in this country.

Mr. OBEY. Mr. Speaker, may I inquire how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] has 15 minutes remaining, and the gentleman from Louisiana [Mr. LIVINGSTON] has 16 minutes remaining.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I have in my hand all the continuing resolutions when the Republicans were in the minority and I would like to submit it for the RECORD. CR, after CR, after CR involved a tactic of spinning their will, and I want to submit this for the RECORD.

The information referred to follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES, COM-
MITTEE ON APPROPRIATIONS,

Washington, DC, October 12, 1995.

Hon. NEWT GINGRICH,
*The Speaker, House of Representatives, Wash-
ington, DC.*

DEAR MR. SPEAKER: From 1977 to 1987, it was common practice to include entire appropriations bills in full-year continuing resolutions. Listed below (by calendar and fiscal years) are those bills carried in continuing resolutions for the full year:

Calendar year 1977 for fiscal year 1978—1 bill—Labor-HEW.

Calendar year 1978 for fiscal year 1979—1 bill—Energy and Water.

Calendar year 1979 for fiscal year 1980—3 bills—Foreign Operations; Labor-HHS; and Legislative.

Calendar year 1980 for fiscal year 1981—4 bills—Labor-HHS; Legislative, Commerce-Justice; and Treasury-Postal.

Calendar year 1981 for fiscal year 1982—4 bills—Commerce-Justice; Labor-HHS; Legislative; and Treasury-Postal.

Calendar year 1982 for fiscal year 1983—6 bills—Commerce-Justice; Energy and Water; Foreign Operations; Labor-HHS; Legislative; and Treasury-Postal.

Calendar year 1983 for fiscal year 1984—3 bills—Agriculture; Foreign Operations; and Treasury-Postal.

Calendar year 1984 for fiscal year 1985—8 bills—Agriculture; Defense; District of Columbia; Foreign Operations; Interior, Military Construction; Transportation; and Treasury-Postal.

Calendar year 1985 for fiscal year 1986—7 bills—Agriculture; Defense; District of Columbia; Foreign Operations, Interior; Transportation; and Treasury-Postal.

Calendar year 1986 for fiscal year 1987—all 13 bills.

Calendar year 1987 for fiscal year 1988—all 13 bills.

Since 1988, bills have not been carried for a full year in a continuing resolution except for the Foreign Operations bill in fiscal year 1992. In addition to the above, in calendar year 1950, 10 bills were included in the "General Appropriations Act," 1951. The only general bill not included was the District of Columbia bill.

Sincerely,

BOB LIVINGSTON,
Chairman.

Mr. Speaker, I would truly like to work in a bipartisan way, but when we talk about the real smokescreens before us, the minority has fought tooth, hook, and nail to delay, to gridlock every single appropriations bill we had. They fought against every one and they want to spend and increase in every one except one, and, of course, that is national security and defense, in which the Constitution specifically says we are \$200 billion below the bottom-up review, which is the bare bones minimum to fight two conflicts. And, of course, the liberal left wants to attack that even more.

The real smokescreen is we want to balance the budget and have welfare reform, but not a single Republican or Democrat voted for the President's package. If we want to take a look at the real meaning of Medicare, we want to positively come out and seek help, but yet it is Medicare because of the 1996 elections. If we want to see a smokescreen, we should take a look at the President, who said I raised taxes too much. But the liberal left said, oh, do not say that. Please do not say we raised taxes too much, because they increased the rate on the middle class with the tax rate when they said they were going to give a tax break for the middle class.

They increased the tax on Social Security. They cut out the COLA of the military and they did everything opposite from what they promised that they would do. Now, we are quite on the opposite side. We are going to balance the budget, we are going to resolve Medicare and save it and preserve it. We are going to have a welfare reform package that helps America get off and out of slavery instead of this cruel system and we are going to give a tax package back to the people because their own President said we tax too much.

□ 1900

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, I thank the gentleman from Wisconsin [Mr. OBEY] for yielding time, and also for his leadership in putting together this motion to recommit, as well as his leadership on many other issues in this Congress.

Mr. Speaker, there are many, many reasons to vote against this continuing

resolution and to support the sensible motion to recommit. But I tell my colleagues it takes my breath away to think that our colleagues on the Republican side of the aisle as they vote for the continuing resolution today will be voting to increase the Medicare part B premium that senior citizens will have to pay for Medicare starting January 1.

By the admission of our colleague from California, Mr. THOMAS, the premium will be increased at least over \$100 a year. Further to that, this continuing resolution makes a \$13-per month increase in the premium. How can we do that to our seniors who are living on the margins? How can we give a tax break to the wealthiest Americans at the same time as we are increasing the premiums over \$100 per year starting January 1 for our senior citizens?

In addition to the increase in Medicare, there is the famous redtape Istook amendment which places onerous regulatory burdens on Americans striving to exercise their right of freedom of speech to petition their Government. Others have spoken eloquently to that point. I point out that it is still present in its un-American form in this bill.

In addition to that, it is important for our colleagues to know what else is cut very seriously in this legislation: Low-Income Home Energy Assistance Program, Goals 2000 school reform programs, the President's AmeriCorps National Service program, Community Development Bank Initiative, National Biological Survey, Advanced Technology Program, drug courts and crime prevention block grants.

In addition to all of that, we are faced with this decision because the Republicans have not done their work. I commend our colleague for offering this motion to recommit as well as his anticancer-drug legislation.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GEKAS], a veteran of foreign wars and domestic, as I breathlessly take in some of the misstatements that were just made.

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

Mr. GEKAS. Mr. Speaker, I rise to speak in favor of the continuing resolution which is before us, but I must say I do so more in sorrow than I do in enthusiasm.

Mr. Speaker, first of all, I voted against the rule because it did not provide for an opportunity for my pet project, an instant replay proposition that would end continuing resolutions and the train-wreck possibilities for all time. I will try again; every time the Committee on Rules meets on a continuing resolution, I will try to convince them that we ought to have an automatic resurgence of the previous continuing resolution until the negotiators come up with a final budget, so that we will never have that lapse, that

gap that comes too often in these negotiations.

Mr. Speaker, I also rise in sorrow because as a proponent of increased funding for NIH, just for example, the continuing resolution causes gaps where everybody might agree on increased appropriations, it causes gaps of reduced funding because of the formulas that are being applied to keep the lowest common denominator of funding viable through the temporary periods. Thus, if it is 6 weeks or 8 weeks, the increases that we all agree should go to NIH are not forthcoming, thereby slowing down vital research in new remedies and preventive medicine for our populace, and thus creating an unintended danger to the fulfillment of our biomedical research and NIH capacities.

This is why I will, of course, have to support the continuing resolution, because if we do not, we have that very same train wreck which I am trying to avoid by my type of legislation. So, let us go on with it. Let us pass this continuing resolution. I, for one, will continue to work for a no-train-wreck-possibility instant replay.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. LEVIN].

Mr. LEVIN. Mr. Speaker, the majority is very touchy when we raise the Medicare part B issue, and for good reason.

Mr. Speaker, I would like the facts to be clear. They do not need to be embellished. The premium is now \$46.10. There is no reference in the law now to 31.5 percent. It works out that the \$46.10 comes out at 31.5 percent, because the costs of health care were less than expected.

Under current law, the premium next year would go down to \$42.50, because 25 percent is written into the law. There is no 31.5 percent. My Republican colleagues change current law and write into the bill 31.5 percent. That will raise the premium to \$55.10, under their language in the continuing resolution; under the reconciliation bill, \$53.40. Those are the facts.

What this is is the first step toward embodying what is in the Republican reconciliation bill, in the bill that has previously passed here, that would practically double the part B premium by the year 2002. The estimate is \$88. It is now 46.10. Those are the figures.

Mr. Speaker, my colleagues on the other side are sensitive to it, they throw up all kinds of smoke screens, but those are the facts. They say, by the way, AARP supported 31.5 percent. I challenge them to find that anywhere. They have not done that.

Mr. LIVINGSTON. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana [Mr. MCCREERY].

Mr. MCCREERY. Mr. Speaker, I thank the gentleman for coming back to the well. We are talking about the part B premium. Is the gentleman aware that part B Medicare costs are escalating at a very high rate; 10, 12 percent per year?

Mr. LEVIN. Mr. Speaker, if the gentleman will yield, it depends what year we take. And the gentleman from Louisiana [Mr. MCCRERY] can argue whether or not they are increasing. They are. But the gentleman should not deny that what the gentleman and his colleagues are doing is raising the part B premium. They are doing that.

Mr. MCCRERY. Mr. Speaker, reclaiming my time, I appreciate the gentleman wanting to obfuscate the issue, but the fact is that part B costs of Medicare are escalating at an unsustainable rate. The President's own trustees say that in their trustees report this year.

Mr. Speaker, what the gentleman is suggesting is that in the face of escalating costs that are unsustainable, we drop, we reduce the premium. That is the very type of thinking that has gotten this Nation in the trouble that it is in. And so, yes, we are trying to stay at 31.5 percent of program costs.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. MCINTOSH].

Mr. MCINTOSH. Mr. Speaker, I wanted to further address the issue of ending welfare for lobbyists, which I think is a critical part of this bill.

Mr. Speaker, first let me say that I think the gentleman from Louisiana [Mr. LIVINGSTON] has done an excellent job of crafting a temporary continuation of the current spending levels at the lowest levels, which will create an incentive for us to get our job done and for the President to step to the table and sign these bills so that we can go back to the American people and say that we have delivered a balanced budget.

Mr. Speaker, I think the provision on ending welfare for lobbyists is absolutely critical to reaching that balanced budget. My very first weekend in office, I went back home to my district in Indiana and went around and held town meetings in six of the towns there. People were elated. This new Congress was going to keep its promises and deliver on the Contract With America and balance the budget.

In the midst of that, several people came up to me and said, "When you balance the budget, do everything you can to everybody's program, but keep my special spending program intact." And, unfortunately, when we add that one after another, it makes it impossible to make the spending reductions necessary to balance the budget.

Mr. Speaker, as a result of that type of lobbying by groups who are benefited from the \$50 million of grants that we give out each year, it becomes increasingly impossible to actually deliver on our promise to balance the budget.

Mr. Speaker, our bill is very simple. It says if person or group benefits from taxpayer subsidies, then we are going to ask that they restrict their lobbying activities to what any charity does, and limit the amount of money that they spend on hiring lobbyists in Wash-

ington, on trying to influence Congress to spend more money on their program. If those individuals or groups do not accept any money from the taxpayers, there is no gag rule, there is no limit. They can come and petition Congress. They can hire lobbyists. They can do whatever they want to further their position.

Mr. Speaker, I urge my colleagues to vote for this bill. Vote to end welfare for lobbyists.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Speaker, it is clear that the Republican majority is intent on continuing its crusade to lock out those without assets, without money, from the political process. Once again, the Istook amendment takes direct aim at the poorest, those with the least power in society, to make sure that their voices cannot be heard.

It seems to me, from the very first day, they have made a mockery of their "openness in government" arguments. They came here arguing that we did not have enough open rules on the floor, and the first thing they did was virtually shut out all amendments. They came here complaining that there was not enough opportunity for hearings. They have moved major pieces of legislation without hearings and, in reality, they cannot even agree with their own majority in the other body to bring these bills to the President in the normal fashion.

Mr. Speaker, worst of all, today in this bill that is ostensibly set up to keep the Government running, they want to sneak in the last ax to make sure that seniors and the poor are unable to speak on their own behalf. Yes, earlier in the day we protected oil companies to make sure they get an extra half billion dollars, and tonight we are squelching seniors from speaking.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. THOMAS], because there have been so many misstatements about the Medicare inclusion in this bill.

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

Mr. THOMAS. Mr. Speaker, I guess we really do have to go back and take a look at history, because frankly it is irresponsible to pander to seniors, as the minority seems to need to do, without a truth-in-packaging.

Mr. Speaker, it is true, this year it is a \$46.10 amount. That is because in 1990, Democrats said over the next 5 years there would be a fixed-dollar amount. The program, beginning in 1965, was a 50-50 split. In 1974, my colleagues on the other side would not do what they should do, and that was begin to reform the program to reflect the commitment of equal share.

Mr. Speaker, they let it slide at the Social Security inflation rate down to a 25 percent contribution, versus a 75

percent contribution of government money by young people who are also paying taxes. Now, what they are doing is after this agreement which produces the 31.5 percent figure, which is the \$46.10, when everybody knows the program in Part A is going bankrupt and the program in Part B is going sky high, they honestly think they can take the floor continuing to pander to seniors and say the way to solve the problem is to have the premium go down next year.

Mr. Speaker, that is absurd. I will tell my colleagues, and I will repeat, all of the senior groups that came before us said: We are not opposed to holding the line on premiums. It makes no sense, at a time when we need to begin solving the problems, to go back to the old way my Democrat colleagues tried to maintain their majority. That is, pandering to seniors. That is why we are in the problem we are in today.

Mr. Speaker, it is minimally responsible to say to the seniors we are going to hold the line on the premium that is their fair share of responsibility as we reform the program. My colleagues on the other side do not seem to get it. People are not buying the idea that we will charge them less and they can keep the program. That is why it is going bankrupt.

Mr. Speaker, we are honest. We say, "Hold the line on premiums. That is your fair share responsibility." We will restructure the rest of the program to let the market forces that are reducing the cost of health care in the private sector into the government-run program.

□ 1915

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. FATTAH].

Mr. FATTAH. Mr. Speaker, I rise in opposition to the continuing resolution and in support of the motion of the gentleman from Wisconsin [Mr. OBEY]. I think that all of us, particularly the new majority in the Congress, should try to think about our responsibility to this nation.

First of all, this continuing resolution is not a continuing resolution. It is not going to become the law of the land. The President has said he is going to veto it, especially with the Istook amendment. It is not going to become the law. So we are going through motions again.

The appropriation bills that we were blamed for by one of the previous speakers, that the liberal left were holding up, the truth is, the facts are that the Republicans have the majority. They should pass those bills, in that there is not a conference committee that is in the majority of Democrats' hands.

You can move those bills over to the President so that we can move this process along. If you really want a continuing resolution, a clean one would in fact see the light of day and would be signed into law. Then the negotiations could move forward. I think that

we are going through these motions but it should be clear to all of us, I think it is clear to people around this country, at least the ones who went to the polls yesterday, that they are not buying this story. I would hope that we would soon—and very soon—get to the point at hand.

Mr. LIVINGSTON. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore (Mr. DREIER). The gentleman from Louisiana [Mr. LIVINGSTON] has 7 minutes remaining, and the gentleman from Wisconsin [Mr. OBEY] has 9 minutes remaining.

Mr. OBEY. Mr. Speaker, I yield myself 3 minutes. Mr. Speaker, we have had a lot of side debates on a lot of issues that do not belong here today, but the main question facing us today is whether or not we are going to be able to pass a new continuing resolution which keeps the Government going because the majority party in this Congress has been unable to pass 89 percent of the appropriated portion of the budget.

They do not make that more likely by putting extraneous legislation in this proposal, which they know will be vetoed, which puts us on the path to virtually doubling Medicare premiums. What they are trying to do is to use this device to get this House to again endorse the majority party decision to virtually double Medicare premiums. We are not going to do that and neither is the President of the United States.

Second, they do not make it easier to pass a continuing resolution when they add the Istook redtape amendment to it, which would tie up virtually every charity in this country in massive redtape, language which has already tied up one appropriation bill for 51 days. That is not the way you solve an immediate crisis.

Now, the Istook amendment is masqueraded by its sponsor as being aimed at lobbyists. Baloney. What the Istook amendment would say to the Farmers Union, who we have asked to run the National Green Thumb senior jobs program so that we do not have to build up a bureaucracy in the Federal Government, what that would say to the Farmers Union is, "Because you are performing that service to the taxpayers, you cannot open your mouth to comment on what you think farm policy ought to be."

It also says to the National Council of Senior Citizens, who are being asked to run the senior aides program so we do not have to establish another Federal bureaucracy, they are being told: "Sorry, if you are going to perform that public service, then you cannot lobby and tell the Congress how you feel about Medicare." That is authoritarian and it is wrong and that is why the President opposes it and why we oppose it.

What we ought to be doing is very simply meeting the task before us, which is to find some way to bridge the differences between the Senate and the

House and pass an extension of the budget so that we can continue to have some time to do our work. That is what we ought to do.

Instead we are being asked to add a bunch of ideological bells and whistles which are most assuredly going to bring this package down. They know the Senate will not accept the Istook amendment. Their own party will not accept the Istook amendment. And they know that the President will not accept doubling the Medicare premium.

This is not an effort to solve a problem; this is an effort to exacerbate it.

We ought to reverse course before it is too late and it hurts innocent people.

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

Mr. Speaker, the debate is coming to a close, and I think that the Members should understand this is a very simply bill. It is simply a continuing resolution to keep Government operating for up to 2 weeks between November 13 and December 1.

It provides for the lowest level of funding in any particular program between the House, or the Senate, or fiscal year 1995 levels. For those programs that have been terminated or significantly reduced in either bill, it provides that levels can be raised to 60 percent of the amount that was appropriated last year. Yes, it has the Simpson-Istook-McIntosh language, which simply says that one cannot take tax dollars and come back to the Congress and lobby for more tax dollars. It is a very simple and straightforward amendment.

We have heard the gentleman from California [Mr. THOMAS] discuss the Medicare part B provision. All of the hysteria on the other side is just a smokescreen to keep from understanding that this body is trying to work its way toward a balanced budget and also provide for those who really are in need and keep the programs that we have available to senior citizens not only today but in the future.

It provides for Medicare payment for another medicine for breast cancer treatment and prostate cancer treatment. It is a good bill. It has been endorsed by the Citizens Against Government Waste. Mr. Tom Schatz has given us a letter, which I would like to make a part of the RECORD, that says, on behalf of their 600,000 members they endorse the continuing resolution for fiscal year 1996. We should be applauded, they say, for meeting the targets set by the budget resolution saving taxpayers \$24 billion in this fiscal year. And they also support the inclusion of the Simpson-Istook-McIntosh compromise in this resolution.

They say the reforms in this proposal would end welfare for lobbyists, preventing tax dollars from being used by nonprofit groups to push a political agenda.

This is a good bill, and I urge its adoption.

Mr. Speaker, I include for the RECORD the following correspondence:

COUNCIL FOR CITIZENS AGAINST
GOVERNMENT WASTE,

November 8, 1995.

Hon. ROBERT LIVINGSTON,
Chairman of the Committee on Appropriations,
U.S. House of Representatives, Washington,
DC.

DEAR MR. CHAIRMAN: On behalf of the 600,000 members of the Council for Citizens Against Government Waste (CCAGW), I endorse the Continuing Resolution for FY 1996 (H.J. Res. 115). This resolution is crucial to put federal spending on a seven-year glide path toward a balanced budget.

Mr. Chairman, you and the other members of the committee should be applauded for meeting the targets set by the budget resolution, saving taxpayers \$24 billion in FY 1996, and for crafting this legislation.

H.J. Res. 115 will set spending limits at levels approved in the budget resolution and in the appropriations bills passed by the House for FY 1996. More importantly, this resolution allows the process of shutting down unnecessary programs and departments targeted for elimination to go forward.

We also support the inclusion of the Simpson-Istook compromise in this resolution. The reforms in this proposal would end "welfare for lobbyists," preventing tax dollars from being used by non-profit groups to push a political agenda. Lobbying should be voluntary, not coerced. CCAGW opposes any attempt to strip this language from the bill.

We urge all members of the House to support this legislation and keep the promise that Congress made to taxpayers.

Sincerely,

THOMAS A. SCHATZ,
President.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute and 30 seconds.

Let me simply say, I think that the gentleman from Louisiana misspoke. This proposal does not make it illegal for lobbyists to use taxpayers' money to lobby. That is already in the law. That is a red herring. It is a phoney argument.

No group who receives Federal money under a grant from the Government of the United States can use one dime of that money to lobby and the gentleman knows it and ought not to imply otherwise.

Let me simply say that my motion to recommit will do what the committee ought to have done today. It will simply bring a simple 1-month extension to the floor of this House, stripped of any ideological bells and whistles on either side of the philosophical aisle. It will simply provide for a 1-month extension so that we do not hurt innocent people because the Congress has not been able to fulfill its work.

The President has not prevented these bills from becoming law. This Congress' own mismanagement has prevented these bills from becoming law.

Mr. Speaker, I yield the balance of my time to the distinguished gentleman from Michigan [Mr. BONIOR], the minority whip.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. BONIOR] is recognized for 4½ minutes.

Mr. BONIOR. Mr. Speaker, my friend from Louisiana spoke just a second ago, and he said, in a modulated voice,

that this was just basically a very simple bill.

Well, it is not a simple bill, if you are a struggling senior citizen and you are worried about the increases in part B of your Medicare. I would remind my friend from Louisiana that 60 percent of the seniors in this country have incomes of \$10,000 a year or less, 60 percent. This bill is the first step on the way, as the gentleman from Wisconsin [Mr. OBEY] has indicated, to doubling those premiums over a period of years.

Now, all across the country, Mr. Speaker, yesterday in some of the most conservative areas of the country, the American people rejected Republican cuts to Medicare. They rejected Republican cuts to student loans. They rejected these tax breaks the Republicans are putting forward for the wealthy in our country. Yet here we are on the floor today, 24 hours after the polls have closed out in the East, considering a bill that raises the Medicare premiums for every senior citizen in America.

Under this bill, as of January 1, Medicare premiums for every senior citizen in America will go up. They just could not wait, they had to pull their Medicare premium increases out of their Medicare bill so they could make sure that on New Year's Day every senior citizen in America will get a surprise from Speaker GINGRICH, an increase in their Medicare premium. What a New Year's present. Of course, we were not told that this bill raises Medicare premiums. Senior citizens were not told. The American people were not told.

But last night, late in the evening, when most Americans had gone to sleep, I had been watching the TV looking at the election results and watching Democrats win all over this country, I happened to flip on to C-SPAN and I saw the Committee on Rules put in this increase for our seniors.

Did you really think that you would get away with this? Did you really think that nobody would notice?

Mr. Speaker, why are Gingrich Republicans so addicted to secrecy? It has been 2 weeks now since Republicans in the House and the Senate voted to cut Medicare in order to pay for tax breaks for the wealthy. In the House, Gingrich Republicans voted to double premiums and abolish nursing home protections. And over in the Senate where the Republicans control, they voted to double Medicare deductibles. Now it is time for both Houses to work out the details, but instead of holding public hearings, instead of holding public meetings, instead of letting the public see what you are up to, no one can even find your closed door meetings.

Now we see the evidence of your work on the floor this evening. Well, you can hide all you want to, and you can try to put one over on the American people. But you are not going to get away with it. Yesterday's election proved the American people know the truth.

I urge my colleagues to support the Obey motion to recommit. Vote against this bill and say no to cutting Medicare.

Mr. LIVINGSTON. Mr. Speaker, I yield the balance of my time to the distinguished gentleman from Texas [Mr. ARMEY], the majority leader.

The SPEAKER pro tempore. The gentleman from Texas [Mr. ARMEY] is recognized for 5 minutes.

Mr. ARMEY. Mr. Speaker, just a couple of program notes. First, we should be reminded that seniors in poverty have their Medicare premiums paid by the government. Second, I would ask my colleague from Michigan, the gentleman from Michigan, the distinguished whip, if in fact the actions to which he referred to as such secret actions were so secret, how is it he was in his home watching them on television?

Those points being made, Mr. Speaker, let me remind ourselves, and if I may, addressing my colleagues on the Republican side of the aisle with this reminder that it was just a year ago, on November 8, 1994, the American people turned to us and said, we would choose you to be the majority in the House of Representatives. We would choose you to take this nation in a new direction. We would choose that we would have a smaller, less intrusive government, a government that had the decency to know the goodness of the American people and the discipline to respect that. And they set us on a course of change.

Change is a difficult business. And change, quite frankly, is an unnerving business. In those first heady days of this session of Congress, when things always seemed to go so swimmingly well, I think we became convinced that perhaps we could do everything without much difficulty.

□ 1930

I might take a moment to just mention, Mr. Speaker, that just a week or so ago I was musing with my wife about how difficult it has become to make this change, and I said, "Well, honey," I address my wife that way, "Honey" I said, "Do we think that the forces of opposition, the defenders of the status quo, the proponents of big government, would not fight back?" Yes, they are fighting back, and unhappily they are fighting back, it seems, without a great deal of regard for the accuracy of what the characterizations of their statements are, and, yes, change is an unnerving business. The process of change is scary because as we even leave those things which we know are failed policies and turn in a new direction, we must be concerned about what will be the outcome of this new direction, but when we know for sure things have not worked well in our lives, it is time to make that change, and we worked hard, and I have to tell my colleagues we have not gotten much help in the effort.

Mr. Speaker, we have had more hours in session in this Congress than any

session I have ever seen. We have had more votes, and we have had more dilatorious procedural votes designed to do nothing other but throw sand in the gears of change of the American people's Congress in the process of making law to give change to the American people. No other purpose whatsoever except to stall, delay, obstruct, and obscure; so, yes, we are doing it, and we are unhappily, my colleagues, doing it on our own. And not only that, we do it each day with a gun to our head.

The President of the United States, who has disdained any invitation we have had to join the effort, to involve himself in the process, has sat comfortably in the White House or on the campaign trail and said, "Whatever you send me I will veto," and the last time we sent him a bill, and he vetoed it, he gave us not even a reason for his veto, and so, yes, we continue to work, and we are working hard, and we are staying on course toward a balanced budget.

Now we have had one continuing resolution, and it was a continuing resolution that was very stable, and still the President and his team did not involve themselves, and now we are at a point where we are offering another continuing resolution so we continue the work, and this continuing resolution is a continuing resolution that is designed to get the President's attention and have the President and his party respond to the continuing resolution. Come join the effort. Let's get this job done. Let's get a mark on the budget this year that moves us towards that balanced budget in 7 years. Let's make the reforms, let's make the revisions, let's change the programs, let's improve the programs, and in some dire cases of distress let's save the programs. Benign neglect is not good enough for those programs precious to our seniors, and those programs that are failing our children are no longer programs that we ought to be continuing, so it is time for change.

Mr. Speaker, tonight we are asking our Members to step up to the plate and to take this bill, this bill that makes a downpayment on our trip to the balanced budget and provides the invitation to the President to once again get involved, Mr. President, with the making of public policy. The Presidency of the United States is too important to just sit on the outside and not being involved, and then when we get to this point we will ask ourselves when we are asked to make this vote, "Will you vote to leave our children with the American dream or to leave our children with the American debt?" I will tell my colleagues on both sides of the aisle that I vote for the American dream, and I ask my colleagues to do the same. I ask my colleagues to vote "yes" and move this process forward, get everybody with responsibilities involved in this process. Let us give the American people the kind of government, the kind of programs, the

kind of assistance that mixes understanding with compassion and knows, and understands, and responds to who they really are and what are their real needs.

I say, "Let's do it tonight, and, Mr. President, if you happen to be home watching us do this in secret, again I would address you and your administration. Get involved. It is time to get involved. Respond to the American people, exercise your responsibilities." I say vote "yes."

The SPEAKER pro tempore (Mr. DREIER). All time has expired.

Pursuant to House Resolution 257, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

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

The SPEAKER pro tempore. Is the gentleman opposed to the joint resolution?

Mr. OBEY. I think that is safe to say, Mr. Speaker.

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

The Clerk read as follows:

Mr. OBEY moves that the joint resolution H.J. Res. 115 be recommitted to the Committee on Appropriations with instructions to report the joint resolution back to the House forthwith with the following amendment:

Strike all after the resolving clause and insert the following:

"That section 106(c) of Public Law 104-31 (109 Stat. 280) is amended by striking "November 13, 1995" and inserting "December 13, 1995"."

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] is recognized for 5 minutes in support of his motion to recommit.

Mr. OBEY. Mr. Speaker, what this motion tries to do is to simply recognize we have a serious problem on our hands. It recognizes that the Congress has been unable to finish 89 percent of its appropriations work, and so what it attempts to do is to simply continue funding for the Government for another 30 days without any extraneous legislative riders whatsoever. It attempts not to raise new arguments or open new wounds so that we have a chance of getting the Senate to pass the same language that is passed by the House and, therefore, so that we have a chance to send something to the President which he will sign.

Mr. Speaker, it is our view simply that by adding the language of the Istook amendment, which has already tied down one bill for over 50 days, that we go in the opposite direction of the direction that we have to proceed in if we want to solve this immediate problem. We certainly do not believe that this is an appropriate vehicle to begin the process by which we double or virtually double Medicare premiums, and so that item is also stripped out of the motion to recommit.

This is an effort to bridge differences rather than create new ones. It simply continues the same language that the gentleman from Louisiana [Mr. LIVINGSTON] and the majority party brought to this House about 5 weeks ago. This is what we ought to do if we want to avoid innocent people being hurt with the Government shut down, and I would urge Members to adopt it.

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

The SPEAKER pro tempore. Under the rule, the gentleman must consume the entire 5 minutes.

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON] for 5 minutes.

Mr. LIVINGSTON. Mr. Speaker, I doubt I will use all of my time, either. I appreciate the tenor of the gentleman's argument. I just happen to disagree with him, and I certainly urge the defeat of his motion to recommit, and I urge passage of this continuing resolution.

This is a continuing resolution that keeps Government working for 2 weeks. Two weeks. Nothing more than that. It keeps government going. It does include other issues, the Istook language and the Medicare part B language and the breast cancer and prostate cancer treatment language which is nothing more than spending money on cancer drugs to keep people alive. It would send those, because they are important, over to the Senate and asks them to take a look at these issues and to deal with them. But otherwise this bill simply provides a formula to keep government operating for 2 weeks.

Yes, it is more restrictive than the last continuing resolution because the idea is to encourage both the Members of this body, the Members of the other body, to pay attention to the appropriations bills that have already passed the House of Representatives and to also encourage the President to pay attention to those bills when they come to him and not frivolously veto them like he did the legislative branch bill.

Mr. VOLKMER. Mr. Speaker, I demand that the gentleman's words be taken down.

The SPEAKER pro tempore. The gentleman from Missouri has demanded that words be taken down.

□ 1945

The Clerk will report the words.

The Clerk read as follows:

... Yes, it is more restrictive than the last continuing resolution because the idea is to encourage both the Members of this body, the Members of the other body, to pay attention to the appropriation bills that have already passed the House of Representatives, and to also encourage the President to pay attention to those bills when they come to him and not frivolously veto them like he did the legislative branch bill.

The SPEAKER pro tempore. Does the gentleman from Missouri [Mr. VOLKMER] withdraw his demand?

Mr. VOLKMER. Of course not.

The SPEAKER pro tempore. Does the gentleman insist on his demand?

Mr. VOLKMER. I insist on my demand, because by using the word "frivolous" he has characterized the motive of the President in vetoing the legislation.

The SPEAKER pro tempore. In the opinion of the Chair, the words were not a personal affront to the President, and are not considered inappropriate.

The gentleman from Louisiana [Mr. LIVINGSTON] will proceed.

Mr. LIVINGSTON. Mr. Speaker, if I might continue where I was before I was so frivolously interrupted, the fact is that this House is completing its action on the glidepath toward a balanced budget. All of the appropriations bills that we have passed this year, plus the rescissions bills that preceded them in the spring of this year, have reaped the American taxpayer some \$44 billion in savings. That is not frivolous. Those are real savings, savings under what would have been appropriated by the other side, had they acted as they did under their plans for some 40 years of frivolous misrule.

Mr. Speaker, we are trying to be logical, realistic, nonfrivolous here. We are about real things. We are about real things. We are about keeping the Government going. For the next 2 or 3 weeks we need to keep the Government operating. That is why we need this continuing resolution.

If we can keep the continuing resolution on track, if we pass it tonight, if the Senate passes it, if we can send it to the President, we can keep the Government operating and we can stay on that glidepath toward a balanced budget.

If we get that balanced budget, by even the chairman of the Federal Reserve, Mr. Greenspan's accounts, we will lower interest rates, we will increase productivity, we will create incredible opportunity for growth and jobs and wealth for ourselves, for our children, and our grandchildren.

We are getting this country back on the track of nonfrivolous economic sanity, and this bill is just one step in the process. I urge my colleagues, don't be frivolous, don't vote "no." Vote "aye" on the continuing resolution, send it to the Senate, and let us send it to the President so he cannot be frivolous, and sign the bill.

Mr. VISCLOSKEY. Mr. Speaker, I rise in strong opposition to this rule and the irresponsible way the Republican leadership has decided to deal with our Nation's finances. The Constitution gives Congress the power of the purse. This is one of our most fundamental and basic responsibilities. It is essential that we meet it. We are now 39 days into the new fiscal year, yet only 2 of 13 spending bills have been signed into law.

Today, instead of moving the process along, we will again dawdle over unrelated issues such as the Istook gag amendment, which has nothing to do with the budget, and is unconstitutional and un-American.

Since they cannot get this legislation enacted because of its demerits, Mr. ISTOOK and

his supporters are willing to shut this government down in order to shut the American people up.

The Istook language says it's okay to speak if you follow "generally accepted accounting principles," subject yourself to a Federal audit, assume the presumption of guilt and hold yourself out to harassing lawsuits by individuals acting as private attorney generals.

I urge my colleagues to vote against the rule. I represents everything bad in a closed and autocratic system.

Mr. MCINTOSH. Mr. Speaker, I would like to clarify a concern raised in the past by some Members about the scope of the exclusion for loans in the Istook-McIntosh-Ehrlich provision to end welfare for lobbyists. As you know loans made by the government are expressly excluded from the definition of grant in the bill. Some Members of Congress have expressed concern about whether this exclusion touches on those who service or administer such loans. The sponsors of the bill intended this exclusion for loans to include compensation paid to those who provide services related to the making and administering of loans. I hope that this clarifies any confusion and resolves those concerns.

Ms. DUNN of Washington. Thank you, Mr. Speaker, I rise today to express my support of House Joint Resolution 115. Mr. Speaker, with House Joint Resolution 115 we are saying "No more excuses. No more Washington gimmicks. It's time to do the right thing for America's future." With our actions, today, we are making a downpayment on our promise to balance the budget in 7 years and build a brighter future for our Nation.

I also want to take this opportunity to express my strong support of a provision in this measure that is a down-payment on the lives of over 40,000 women annually. A provision that not only will save millions of lives but millions of dollars at the same time. Specifically, this bill includes a provision to expand Medicare coverage for oral hormonal cancer drugs for breast and prostate cancer victims. While Medicare currently provides coverage for some oral cancer drugs, it does not cover oral hormonal therapies which are used in the post-surgical treatment of approximately 50 percent of all breast cancer patients, as well as the thousands of men whose cancer has spread beyond the prostate.

Mr. Speaker, breast cancer strikes approximately one in eight women in their lifetime and is the second leading cause of deaths among women. In 1995 alone, an estimated 182,000 new cases of breast cancer are expected to be diagnosed, with almost 60 percent of those cases diagnosed in women over the age of 65. Medicare coverage of post-surgical treatment of estrogen receptive positive tumors is the next logical step in fighting both breast cancer and prostate cancer. The only drug to treat these breast cancers post-surgically is a chemostatic drug that deprives the tumor of the estrogen it needs to grow. Due to a technicality in the law, such drugs are not covered by Medicare because it was never previously available in intravenous or injectable form. It simply does not make sense that millions of lives should be left hanging in the balance because of a technicality in the law.

I commend all of my female colleagues, particularly Congresswoman NANCY JOHNSON and Congresswoman BARBARA VUCANOVICH, with whom I have worked to ensure an end to this

discrimination. Mr. Speaker, when a nation prepares for war it sends in its most powerful armaments into battle. I would think every Member of this body would agree that breast cancer and prostate cancer patients deserve nothing less.

Mr. HASTERT. Mr. Speaker, the American people have spoken. A strong majority of Americans do not believe that special interest groups who receive funding from the Federal Government should, in turn, be using these funds, either directly or indirectly, to lobby the government.

During the week of September 26-30, the Luntz Research Companies conducted a national study of 1,000 adults on a variety of important national issues. Included among these questions were two questions relating to the issue of public funding of special interest groups who lobby the government.

By a margin of 70 percent to 26 percent, Americans agree that tax dollars shouldn't be used to fund groups to lobby government. In addition, the data clearly demonstrates that opposition to special interest group funding for lobbying knows virtually no party, ideological, gender, age, or attitudinal boundaries.

However, Mr. Speaker, I have saved the best for last. Over half of the people polled, 56 percent, would be less likely to support a Member of Congress for reelection if he or she opposed measures to stop such uses of taxpayers' funds.

Mr. Speaker, the message of the American people is clear: End taxpayer subsidized lobbying. I urge my colleagues to support the McIntosh-Istook-Ehrlich reforms.

The SPEAKER pro tempore. All time has expired.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 198, nays 227, not voting 7, as follows:

[Roll No. 774]

YEAS—198

| | | |
|--------------|--------------|---------------|
| Abercrombie | Clement | Evans |
| Ackerman | Clyburn | Fattah |
| Andrews | Coleman | Fazio |
| Baesler | Collins (IL) | Filner |
| Baldacci | Collins (MI) | Flake |
| Barcia | Condit | Foglietta |
| Barrett (WI) | Conyers | Ford |
| Becerra | Costello | Frank (MA) |
| Beilenson | Coyne | Frost |
| Bentsen | Cramer | Furse |
| Berman | Danner | Gejdenson |
| Bevill | Davis | Gephardt |
| Bishop | de la Garza | Gibbons |
| Boehlert | DeFazio | Gilman |
| Bonior | DeLauro | Gonzalez |
| Borski | Dellums | Gordon |
| Boucher | Deutsch | Green |
| Brewster | Dicks | Gutierrez |
| Browder | Dingell | Hall (OH) |
| Brown (CA) | Dixon | Hall (TX) |
| Brown (FL) | Doggett | Hamilton |
| Brown (OH) | Dooley | Harman |
| Bryant (TX) | Doyle | Hastings (FL) |
| Cardin | Durbin | Hefner |
| Chapman | Edwards | Hilliard |
| Clay | Engel | Hinchey |
| Clayton | Eshoo | Holden |

| | | |
|----------------|---------------|-------------|
| Houghton | Menendez | Schroeder |
| Hoyer | Mfume | Schumer |
| Jackson-Lee | Miller (CA) | Scott |
| Jacobs | Minge | Serrano |
| Jefferson | Mink | Sisisky |
| Johnson (SD) | Moakley | Skaggs |
| Johnson, E. B. | Mollohan | Skelton |
| Johnston | Montgomery | Slaughter |
| Kanjorski | Moran | Spratt |
| Kaptur | Morella | Stark |
| Kennedy (MA) | Murtha | Stenholm |
| Kennedy (RI) | Nadler | Stokes |
| Kennelly | Neal | Studds |
| Kildee | Oberstar | Stupak |
| Kleczka | Obey | Tanner |
| Klink | Olver | Taylor (MS) |
| LaFalce | Ortiz | Tejeda |
| Lantos | Orton | Thompson |
| Leach | Owens | Thurman |
| Levin | Pallone | Torkildsen |
| Lewis (GA) | Pastor | Torres |
| Lincoln | Payne (NJ) | Torricelli |
| Lipinski | Payne (VA) | Towns |
| Lofgren | Pelosi | Traficant |
| Lowey | Peterson (MN) | Velazquez |
| Luther | Pomeroy | Vento |
| Maloney | Poshard | Visclosky |
| Manton | Rahall | Volkmer |
| Markey | Rangel | Ward |
| Martinez | Reed | Waters |
| Mascara | Richardson | Watt (NC) |
| Matsui | Rivers | Waxman |
| McCarthy | Roemer | Williams |
| McDermott | Rose | Wilson |
| McHale | Roybal-Allard | Wise |
| McKinney | Rush | Woolsey |
| McNulty | Sabo | Wyden |
| Meehan | Sanders | Wynn |
| Meek | Sawyer | Yates |

NAYS—227

| | | |
|--------------|---------------|-------------|
| Allard | Dunn | Kim |
| Archer | Ehlers | King |
| Armey | Ehrlich | Kingston |
| Bachus | Emerson | Klug |
| Baker (CA) | English | Knollenberg |
| Baker (LA) | Ensign | Kolbe |
| Ballenger | Everett | LaHood |
| Barr | Ewing | Largent |
| Barrett (NE) | Fawell | Latham |
| Bartlett | Fields (TX) | LaTourette |
| Barton | Flanagan | Laughlin |
| Bass | Foley | Lazio |
| Bateman | Forbes | Lewis (CA) |
| Bereuter | Fowler | Lewis (KY) |
| Bilbray | Fox | Lightfoot |
| Bilirakis | Franks (CT) | Linder |
| Bliley | Franks (NJ) | Livingston |
| Blute | Frelinghuysen | LoBiondo |
| Boehner | Frisa | Longley |
| Bonilla | Funderburk | Lucas |
| Bono | Galleghy | Manzullo |
| Brownback | Ganske | Martini |
| Bryant (TN) | Gekas | McCollum |
| Bunn | Geren | McCreery |
| Bunning | Gilchrist | McDade |
| Burr | Gillmor | McHugh |
| Burton | Goodlatte | McInnis |
| Buyer | Goodling | McIntosh |
| Callahan | Goss | McKeon |
| Calvert | Graham | Metcalf |
| Camp | Greenwood | Meyers |
| Canady | Gunderson | Mica |
| Castle | Gutknecht | Miller (FL) |
| Chabot | Hancock | Molinaro |
| Chambliss | Hansen | Moorhead |
| Chenoweth | Hastert | Myers |
| Christensen | Hastings (WA) | Myrick |
| Chrysler | Hayes | Nethercutt |
| Clinger | Hayworth | Neumann |
| Coble | Hefley | Ney |
| Coburn | Heineman | Norwood |
| Collins (GA) | Herger | Nussle |
| Combest | Hilleary | Oxley |
| Cooley | Hobson | Packard |
| Cox | Hoekstra | Parker |
| Crane | Hoke | Paxon |
| Crapo | Horn | Petri |
| Creameans | Hostettler | Pickett |
| Cubin | Hunter | Pombo |
| Cunningham | Hutchinson | Porter |
| Deal | Hyde | Portman |
| DeLay | Inglis | Pryce |
| Diaz-Balart | Istook | Quillen |
| Dickey | Johnson (CT) | Quinn |
| Doolittle | Johnson, Sam | Radanovich |
| Dornan | Jones | Regula |
| Dreier | Kasich | Riggs |
| Duncan | Kelly | Roberts |

Rogers Skeen Upton
 Rohrabacher Smith (MI) Vucanovich
 Ros-Lehtinen Smith (NJ) Waldholtz
 Roth Smith (TX) Walker
 Roukema Smith (WA) Walsh
 Royce Solomon Wamp
 Salmon Souder Watts (OK)
 Sanford Spence Weldon (FL)
 Saxton Stearns Weller
 Scarborough Stockman White
 Schaefer Stump Whitfield
 Schiff Talent Wicker
 Seastrand Tate Wolf
 Sensenbrenner Tauzin Young (AK)
 Shadegg Taylor (NC) Young (FL)
 Shaw Thomas Zeliff
 Shays Thornberry
 Shuster Tiahrt Zimmer

NOT VOTING—7

Farr Ramstad Weldon (PA)
 Fields (LA) Thornton
 Peterson (FL) Tucker

□ 2008

Mr. YOUNG of Florida changed his vote from "yea" to "nay."
 Messrs. HOYER, KENNEDY of Massachusetts, and DAVIS, and Mrs. MORELLA changed their vote from "nay" to "yea."
 So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. BILBRAY). The question is on passage of the joint resolution.

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

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote. A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 230, noes 197, not voting 6, as follows:

[Roll No. 775]
 AYES—230

Allard Coburn Gekas
 Archer Collins (GA) Geren
 Arney Combest Gilchrist
 Bachus Cooley Gillmor
 Baker (CA) Cox Gingrich
 Baker (LA) Crane Goodlatte
 Ballenger Crapo Goodling
 Barr Cremeans Goss
 Barrett (NE) Cubin Graham
 Bartlett Cunningham Greenwood
 Barton Davis Gunderson
 Bass Deal Gutknecht
 Bateman DeLay Hall (TX)
 Bereuter Diaz-Balart Hancock
 Bilbray Dickey Hansen
 Bilirakis Doolittle Hastert
 Bliley Dornan Hastings (WA)
 Blute Dreier Hayes
 Boehner Duncan Hayworth
 Bonilla Dunn Hefley
 Bono Ehlers Heineman
 Brewster Ehrlich Herger
 Brownback Emerson Hilleary
 Bryant (TN) English Hobson
 Bunn Ensign Hoekstra
 Bunning Everett Hoke
 Burr Ewing Horn
 Burton Fawell Hostettler
 Buyer Fields (TX) Hunter
 Callahan Flanagan Hutchinson
 Calvert Foley Hyde
 Camp Forbes Inglis
 Canady Fowler Istook
 Castle Fox Johnson, Sam
 Chabot Franks (CT) Jones
 Chambliss Franks (NJ) Kasich
 Chenoweth Frelinghuysen Kelly
 Christensen Frisa Kim
 Chrysler Funderburk King
 Clinger Gallegly Kingston
 Coble Ganske Klug

Knollenberg Neumann Shuster
 Kolbe Ney Skeen
 LaHood Norwood Smith (MI)
 Largent Nussle Smith (TX)
 Latham Oxley Smith (WA)
 LaTourette Packard Solomon
 Laughlin Parker Souder
 Lazio Paxon Spence
 Leach Petri Stearns
 Lewis (CA) Pombro Stockman
 Lewis (KY) Porter Stump
 Lightfoot Portman Talent
 Linder Pryce Tate
 Livingston Quillen Tauzin
 LoBiondo Quinn Taylor (NC)
 Longley Radanovich Thomas
 Lucas Regula Thornberry
 Manzullo Riggs Tiahrt
 Martini Roberts Upton
 McCollum Rogers Vucanovich
 McCreery Rohrabacher Waldholtz
 McDade Ros-Lehtinen Walker
 McHugh Roth Walsh
 McInnis Roukema Wamp
 McIntosh Royce Watts (OK)
 McKeon Salmon Weldon (FL)
 Metcalf Sanford Weller
 Meyers Saxton White
 Mica Scarborough Whitfield
 Miller (FL) Schaefer Wicker
 Molinari Schiff Wolf
 Moorhead Seastrand Young (AK)
 Morella Sensenbrenner Young (FL)
 Myers Shadegg Zeliff
 Myrick Shaw
 Nethercutt Shays Zimmer

NOES—197

Abercrombie Frost Mink
 Ackerman Furse Moakley
 Andrews Gejdenson Mollohan
 Baesler Gephardt Montgomery
 Baldacci Gibbons Moran
 Barcia Gilman Murtha
 Barrett (WI) Gonzalez Nadler
 Becerra Gordon Neal
 Beilenson Green Oberstar
 Bentsen Gutierrez Obey
 Berman Hall (OH) Olver
 Bevill Hamilton Ortiz
 Bishop Harman Orton
 Boehlert Hastings (FL) Owens
 Bonior Hefner Pallone
 Borski Hilliard Pastor
 Boucher Hinchey Payne (NJ)
 Browder Holden Payne (VA)
 Brown (CA) Houghton Pelosi
 Brown (FL) Hoyer Peterson (MN)
 Brown (OH) Jackson-Lee Pickett
 Bryant (TX) Jacobs Pomeroy
 Cardin Jefferson Poshard
 Chapman Johnson (CT) Rahall
 Clay Johnson (SD) Rangel
 Clayton Johnson, E. B. Reed
 Clement Johnston Richardson
 Clyburn Kanjorski Rivers
 Coleman Kaptur Roemer
 Collins (IL) Kennedy (MA) Rose
 Collins (MI) Kennedy (RI) Roybal-Allard
 Condit Kennelly Rush
 Conyers Sabo
 Costello Kleczka Sanders
 Coyne Klink Sawyer
 Cramer LaFalce Schroeder
 Danner Lantos Schumer
 de la Garza Levin Scott
 DeFazio Lewis (GA) Serrano
 DeLauro Lincoln Sisisky
 Dellums Lipinski Skaggs
 Deutsch Lofgren Skelton
 Dicks Lowey Slaughter
 Dingell Luther Smith (NJ)
 Dixon Maloney Spratt
 Manton Manteo Stark
 Markey Stenholm
 Martinez Stokes
 Mascara Studds
 Matsui Stupak
 McCarthy McDermott Tanner
 Eshoo Taylor (MS)
 Evans McHale Tejeda
 Farr McKinney Thompson
 Fattah McNulty Thurman
 Fazio Meehan Torkildsen
 Filner Meek Torres
 Flake Menendez Torricelli
 Foglietta Mfume Towns
 Ford Miller (CA) Traficant
 Frank (MA) Minge Velazquez

Vento Watt (NC) Woolsey
 Visclosky Waxman Wyden
 Volkmer Williams Wynn
 Ward Wilson Yates
 Waters Wise

NOT VOTING—6

Fields (LA) Ramstad Tucker
 Peterson (FL) Thornton Weldon (PA)

□ 2025

So the joint resolution was passed.
 The result of the vote was announced as above recorded.
 A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 359

Miss COLLINS of Michigan. Mr. Speaker, I ask unanimous consent to have my name removed from the list of cosponsors of H.R. 359.

The SPEAKER pro tempore (Mr. BILBRAY). Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unable to be present last night because my plane was late for the four rollcall votes taken on November 7, 1995.

Had I been present, I would have voted "yea" on rollcall votes 765, 766, 767, and 768.

PERSONAL EXPLANATION

Mr. HOKE. Mr. Speaker, last night I was unavoidably detained by a late plane for three of the first four rollcall votes.

Had I been present, I would have voted "yea" on rollcall votes 765, 766, and 767.

CONTINUATION OF NATIONAL EMERGENCY REGARDING PROLIFERATION OF WEAPONS OF MASS DESTRUCTION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 104-131)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed.

To the Congress of the United States:

On November 14, 1994, in light of the dangers of the proliferation of nuclear, biological, and chemical weapons ("weapons of mass destruction") and of the means of delivering such weapons, I issued Executive Order No. 12938, and declared a national emergency under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.). Under section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), the national emergency terminates on the anniversary date of its