

[Roll No. 869]

NAYS—412

Abercrombie	Dingell	Jacobs
Ackerman	Dixon	Jefferson
Allard	Doggett	Johnson (CT)
Andrews	Doolley	Johnson (SD)
Archer	Doolittle	Johnson, E. B.
Armey	Dornan	Johnson, Sam
Bachus	Doyle	Johnston
Baesler	Dreier	Jones
Baker (CA)	Duncan	Kanjorski
Baker (LA)	Dunn	Kasich
Baldacci	Durbin	Kelly
Ballenger	Ehlers	Kennedy (MA)
Barcia	Ehrlich	Kennedy (RI)
Barr	Emerson	Kennelly
Barrett (NE)	English	Kildee
Barrett (WI)	Ensign	Kim
Bartlett	Eshoo	King
Barton	Evans	Kingston
Bass	Everett	Klecza
Bateman	Ewing	Klink
Becerra	Farr	Klug
Beilenson	Fattah	Knollenberg
Bentsen	Fawell	Kolbe
Bereuter	Fazio	LaFalce
Bevill	Fields (LA)	LaHood
Bilbray	Fields (TX)	Largent
Bilirakis	Flake	Latham
Bishop	Flanagan	LaTourette
Bliley	Foglietta	Laughlin
Blute	Foley	Lazio
Boehler	Forbes	Leach
Boehner	Ford	Levin
Bonilla	Fowler	Lewis (CA)
Bonior	Fox	Lewis (GA)
Bono	Frank (MA)	Lewis (KY)
Borski	Franks (CT)	Lightfoot
Boucher	Franks (NJ)	Lincoln
Brewster	Frelinghuysen	Linder
Browder	Frisa	Lipinski
Brown (CA)	Frost	Livingston
Brown (FL)	Funderburk	LoBiondo
Brown (OH)	Furse	Lofgren
Brownback	Gallegly	Longley
Bryant (TN)	Ganske	Lowe
Bryant (TX)	Gejdenson	Lucas
Bunn	Gekas	Luther
Bunning	Geren	Maloney
Burr	Gibbons	Manton
Burton	Gilchrest	Manzullo
Buyer	Gillmor	Markey
Callahan	Gilman	Martinez
Calvert	Gonzalez	Martini
Camp	Goodlatte	Mascara
Campbell	Goodling	Matsui
Canady	Gordon	McCarthy
Cardin	Goss	McCollum
Castle	Graham	McCreery
Chabot	Green	McDade
Chambliss	Greenwood	McDermott
Chenoweth	Gunderson	McHale
Christensen	Gutierrez	McHugh
Chrysler	Gutknecht	McInnis
Clay	Hall (OH)	McIntosh
Clayton	Hall (TX)	McKeon
Clement	Hamilton	McKinney
Clinger	Hancock	McNulty
Coble	Hansen	Meehan
Coburn	Harman	Meek
Collins (GA)	Hastert	Menendez
Collins (IL)	Hastings (FL)	Menendez
Collins (MI)	Hastings (WA)	Meyers
Combust	Hayes	Mfume
Condit	Hayworth	Mica
Conyers	Hefley	Miller (CA)
Cooley	Hefner	Miller (FL)
Costello	Heineman	Minge
Cox	Hergert	Moakley
Coyne	Hilleary	Molinari
Cramer	Hilliard	Mollohan
Crane	Hinche	Montgomery
Crapo	Hobson	Moorhead
Cremeans	Hoekstra	Moran
Cubin	Hoke	Morella
Cunningham	Holden	Myers
Danner	Horn	Myrick
Davis	Hostettler	Nadler
de la Garza	Houghton	Neal
Deal	Hoyer	Nethercutt
DeFazio	Hunter	Neumann
DeLauro	Hutchinson	Ney
DeLay	Hyde	Norwood
Dellums	Inglis	Nussle
Deutsch	Istook	Oberstar
Diaz-Balart	Jackson (IL)	Obey
Dickey	Jackson-Lee	Olver
Dicks	(TX)	Ortiz

Orton	Sanford	Tejeda
Owens	Sawyer	Thomas
Oxley	Saxton	Thompson
Packard	Schaefer	Thornberry
Pallone	Schiff	Thornton
Parker	Schroeder	Thurman
Pastor	Schumer	Tiahrt
Paxon	Scott	Torkildsen
Payne (NJ)	Seastrand	Torres
Payne (VA)	Sensenbrenner	Torricelli
Pelosi	Serrano	Towns
Peterson (FL)	Shadegg	Traficant
Peterson (MN)	Shaw	Upton
Petri	Shays	Velazquez
Pickett	Shuster	Vento
Pombo	Sisisky	Visclosky
Pomeroy	Skaggs	Volkmer
Porter	Skeen	Vucanovich
Portman	Skelton	Waldholtz
Poshard	Slaughter	Walker
Quillen	Smith (MI)	Walsh
Quinn	Smith (NJ)	Wamp
Radanovich	Smith (TX)	Ward
Rahall	Smith (WA)	Waters
Ramstad	Solomon	Watt (NC)
Rangel	Souder	Watts (OK)
Reed	Spence	Waxman
Regula	Spratt	Weldon (FL)
Richardson	Stark	Weldon (PA)
Riggs	Stearns	Weller
Rivers	Stenholm	Whitfield
Roberts	Stockman	Wicker
Roemer	Stokes	Wilson
Rogers	Studds	Wise
Rohrabacher	Stump	Wolf
Roth	Stupak	Woolsey
Roukema	Talent	Wyden
Roybal-Allard	Tanner	Wynn
Royce	Tate	Young (FL)
Sabo	Tauzin	Zeliff
Salmon	Taylor (MS)	Zimmer
Sanders	Taylor (NC)	

Tejeda	Thomas	Thompson	Thornberry	Thornton	Thurman	Tiahrt	Torkildsen	Torres	Torricelli	Towns	Traficant	Upton	Velazquez	Vento	Visclosky	Volkmer	Vucanovich	Waldholtz	Walker	Walsh	Wamp	Ward	Waters	Watt (NC)	Watts (OK)	Waxman	Weldon (FL)	Weldon (PA)	Weller	Whitfield	Wicker	Wilson	Wise	Wolf	Woolsey	Wyden	Wynn	Young (FL)	Zeliff	Zimmer
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ings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken tomorrow.

□ 1715

PROVIDING FOR PROVISIONAL APPROVAL OF REGULATIONS ISSUED BY OFFICE OF COMPLIANCE

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 123), to provide for the provisional approval of regulations applicable to certain covered employing offices and covered employees and to be issued by the Office of Compliance before January 23, 1996.

The Clerk read as follows:

H. CON. RES. 123

Resolved,

SECTION 1. APPROVAL OF REGULATIONS.

The regulations applicable to employing offices which are not the House of Representatives or the Senate and covered employees who are not the employees of the House of Representatives or the Senate which are to be issued by the Office of Compliance before January 23, 1996, are hereby approved on a provisional basis until such time as such regulations are approved in accordance with section 304(c) of the Congressional Accountability Act of 1995 (2 U.S.C. 1384(c)).

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Pursuant to the rule, the gentleman from California [Mr. THOMAS] will be recognized for 20 minutes, and the gentleman from California [Mr. FAZIO] will be recognized for 20 minutes.

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

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

Mr. Speaker, House Concurrent Resolution 123 is a companion resolution to House Resolution 311 that we looked at earlier in the day and accepted. House Resolution 311 applied to the House of Representatives, and the House Concurrent Resolution 123 applies to covered employee offices and others, such as the Architect, and so forth.

Mr. Speaker, recall the situation in which probably a provision of rules will be passed on January 8. We probably will not be here. We will accept these provisionally. When we come back on January 23, we will examine and then approve the final orders.

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

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

Mr. Speaker, I support this resolution. It has been a very cooperative effort on the part of the majority and the minority to develop standards and guidelines that we can all benefit from as we live with the new law that applies all of the laws that this Congress has passed to ourselves at some point during the next calendar year. I believe

ANSWERED "PRESENT"—5

Clyburn	Filner	Williams
Engel	Mink	

NOT VOTING—16

Berman	Lantos	Scarborough
Chapman	Murtha	White
Coleman	Pryce	Yates
Edwards	Ros-Lehtinen	Young (AK)
Gephardt	Rose	
Kaptur	Rush	

□ 1711

Messrs. HILLIARD, DURBIN, BE-REUTER, RIGGS, and Mrs. CHENOWETH changed their vote from "yea" to "nay."

So the concurrent resolution was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. ROS-LEHTINEN. Mr. Speaker, due to my mother-in-law's death, I was unable to be present for the vote on House Concurrent Resolution 122 and, had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. WHITE. Mr. Speaker, I was unavoidably caught in traffic during the vote on rollcall vote 869. If I had been here, I would have voted "no."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. EMERSON). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceed-

that the step that we are taking today is appropriate.

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

Mr. HOYER. Mr. Speaker, I thank the gentleman from California [Mr. FAZIO] for yielding me this time.

As I did earlier today, I rise in support of this resolution, which I think is an appropriate resolution. I congratulate the chairman of the Committee on House Oversight for bringing it to the floor and for moving this process forward.

However, as I did this morning, I take this opportunity to rise to consider legislation and resolutions which move the process forward of extending to employees protections to which I think they are entitled and which will enhance morale and the quality of our work force. I rise because I think that we have taken action in recent weeks to undermine both of those objectives.

I will not repeat the facts as I know them to be with reference to the nine employees who were removed by the Clerk just a few days ago, shortly before the Christmas holidays, some of whom have spent more than two decades as employees of this body. Suffice it to say that none of them were removed for cause.

The reason I rise is because the distinguished chairman of the Committee on House Oversight made some observations at the end of that debate which I want to comment on. The gentleman observed that the majority had not indicated that it would not take further actions after reorganization had been completed to eliminate redundant positions, to eliminate, in effect, featherbedding which might have been created, he did not use that term, but that was the implication, that had been created under the patronage-plagued system that the gentleman alleged existed under the Democrats. Not getting into that argument, let me say that the unfortunate implication was that any of these positions fall in that category.

None of them do, Mr. Speaker. Let me repeat, none of the nine fall into a category of being eliminated because they were described as was characterized by the chairman. I do not say that the gentleman from California [Mr. THOMAS] was characterizing these positions. I do not know that the gentleman was doing that at all. However, the implication could have been drawn that in fact that was the rationale for this action.

In my opinion, it was not. That opinion is drawn after personal conversations with the Clerk, Ms. Carle, and after correspondence from her.

I rise once again to discuss this issue simply because we are moving a process forward which in a bipartisan way we agree will accomplish an objective of depoliticizing and professionalizing the ministerial staff that serves this institution. When I refer to ministerial staff, I simply mean that staff which is not involved in the formulation or pro-

mulgation of policy, but simply involved in making sure that the day-to-day operations of the House of Representatives are as efficient and honest as they possibly can be.

That is, of course, the objective we want to both accomplish. When I say both, both the majority party and the minority party.

Mr. Speaker, I would hope that as we go through this season, as we adopt, probably unanimously, perhaps without a vote, this resolution and the previous resolution, that the majority party will look once again at the actions that have been taken with respect to these nine individuals, and see if that might be reconsidered: see if very loyal, very hard-working, very effective employees might be reinstated to the duties that I think they have done so well.

Furthermore, within the course of that review, ensure that other employees equally talented, equally essential are not subjected to the same precipitous, and that is my word, not anybody else's termination of their services, not because of lack of performance, but simply because a decision is made that their services are no longer needed.

Mr. Speaker, in closing, I would reiterate that a manual has been distributed to the employees of the Office of the Clerk which sets forth that terminations will be done in a manner that will provide employees with an opportunity to be heard.

It does not imply, nor do I interpret it to mean, that termination at will has been changed. In fact, I believe that House employees should be in the status of being terminated at will. But in that context of professionalizing our staff, they ought to have a sense that it will not be an arbitrary or political determination that leads to that action. Rather, it should be based upon their professional performance on the job.

As I said, Mr. Speaker, I do not intend to oppose this resolution; indeed, I support this resolution, and I support the chairman and our committee's efforts to move this process forward.

I appreciate the gentleman from California [Mr. FAZIO] giving me this opportunity to again call to the attention of the House a matter that I think is important not from a political standpoint, but from the standpoint of professionalizing this House. That is the stated intent of the majority. I congratulate and applaud them for that effort. It is an effort in which I and many, I think all, of my colleagues join.

It is an effort, however, that needs to be more than rhetoric. It needs to be reality for each and every one of our employees. I hope we will accomplish that objective, and I thank the gentleman from California for yielding me the time.

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

If anyone has watched the House of Commons, one of the things that goes on there is something that we might

adopt; and I will see if we can work it today. I will refer the gentleman to comments the chairman made a few hours ago in response to his statement, but I will also say that the gentleman from Maryland [Mr. HOYER] is certainly entitled to his opinions.

The Clerk has indicated that the reorganization was not based upon arbitrary or political reasons, and I am not going to replace the Clerk's judgment with the opinions of the gentleman from Maryland.

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

Mr. FAZIO of California. Mr. Speaker, I have no further speakers on this side, so I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. THOMAS] that the House suspend the rules and agree to the concurrent resolution, 123.

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

A motion to reconsider was laid on the table.

POSTPONING CONSIDERATION OF VETO MESSAGE ON H.R. 2076, DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1996, UNTIL WEDNESDAY, DECEMBER 20, 1995

Mr. ROGERS. Mr. Speaker, I ask unanimous consent if the Chair lays before the House a veto message from the President on the bill, H.R. 2076 today, that the objections of the President be spread at large upon the Journal and that the message and bill be ordered printed as a House document; and that consideration of the veto message be postponed until tomorrow, December 20, 1995.

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

There was no objection.

□ 1730

POSTPONING CONSIDERATION OF VETO MESSAGE ON H.R. 1058, SECURITIES LITIGATION REFORM ACT UNTIL WEDNESDAY, DECEMBER 20, 1995

Mr. THOMAS. Mr. Speaker, I ask unanimous consent, if the Chair lays before the House a veto message from the President on the bill, H.R. 1058 today, that the objections of the President be spread at large upon the Journal and that the message and bill be ordered printed as a House document; and that consideration of the veto message be postponed until tomorrow, December 20, 1995.