

Massachusetts, Mr. KENNEDY of Massachusetts, Mr. FLAKE, Mr. MFUME, Ms. WATERS, Ms. ROYBAL-ALLARD, Mr. BARRETT of Wisconsin, and Mr. HINCHEY):

H.R. 561. A bill to amend the Fair Credit Reporting Act, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. HAYWORTH:

H.R. 562. A bill to modify the boundaries of Walnut Canyon National Monument in the State of Arizona; to the Committee on Resources.

By Mr. HERGER:

H.R. 563. A bill to amend the National Historic Preservation Act to prohibit the inclusion of certain sites on the National Register of Historic Places, and for other purposes; to the Committee on Resources.

By Mr. KIM (for himself and Mr. SHUSTER):

H.R. 564. A bill to provide that receipts and disbursements of the Highway Trust Fund, the Airport and Airway Trust Fund, the Inland Waterways Trust Fund, and the Harbor Maintenance Trust Fund shall not be included in the totals of the budget of the U.S. Government as submitted by the President or the congressional budget; to the Committee on Government Reform and Oversight, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MOAKLEY:

H.R. 565. A bill to amend the Internal Revenue Code of 1986 to retroactively restore and make permanent the exclusion for amounts received under group legal services plans; to the Committee on Ways and Means.

By Mr. KLECZKA (for himself, Ms. FURSE, and Mr. DEUTSCH):

H.J. Res. 55. Joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

¶7.17 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 4: Mr. DREIER, Mr. GALLEGLY, Mr. MCKEON, and Mr. ROBERTS.

H.R. 5: Mr. ENGLISH of Pennsylvania, Mr. HEFLEY, Mr. HUTCHINSON, Mr. TORKILDSEN, Mr. STEARNS, Mr. NEUMANN, Mr. MCCRERY, Mr. KOLBE, Mr. BUYER, Ms. MOLINARI, Mr. REGULA, Mr. FRISA, Mr. WHITE, Mr. LATHAM, Mrs. CHENOWETH, Mr. WICKER, Mr. GRAHAM, Mr. ROBERTS, Mr. EHRLICH, Mr. TIAHRT, Mrs. SEASTRAND, Mr. UPTON, Mr. HALL of Texas, Mr. PETRI, and Ms. MCCARTHY.

H.R. 66: Mr. SPRATT and Mr. BARRETT of Nebraska.

H.R. 70: Mr. LAUGHLIN.

H.R. 76: Mr. WICKER and Mr. PETRI.

H.R. 77: Mr. QUINN, Ms. DANNER, and Mr. POSHARD.

H.R. 97: Mr. RANGEL, Mr. ENGLISH of Pennsylvania, Mr. FROST, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. FLAKE.

H.R. 139: Mr. WOLF, Mr. LIPINSKI, and Mr. FATTAH.

H.R. 142: Mr. FIELDS of Texas, Mr. KNOLLENBERG, and Mr. WALSH.

H.R. 158: Mr. NORWOOD.

H.R. 209: Mr. CONDIT, Mr. LINDER, Mrs. MYRICK, Mr. SAM JOHNSON, Mr. BARTLETT of Maryland, Mr. HUNTER, and Mr. STUMP.

H.R. 214: Mr. LINDER.

H.R. 217: Mr. PAXON.

H.R. 218: Mr. BAKER of California.

H.R. 221: Mr. RUSH, Mr. PORTER, Mr. FRANK of Massachusetts, Mr. LAFALCE, Ms. PELOSI, Mr. GONZALEZ, Mrs. KENNELLY, Mr. HASTINGS

of Florida, Mr. GIBBONS, Ms. FURSE, Mr. OWENS, Mr. MATSUI, Mr. TOWNS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FLAKE, Mr. MCDERMOTT, Mr. MILLER of California, Mr. MOAKLEY, Mr. SAWYER, Mr. YATES, Ms. WOOLSEY, Mr. FOGLIETTA, Mr. DELLUMS, Mr. CLAY, Mr. BONIOR, Mr. FILNER, Mr. RANGEL, Ms. BROWN of Florida, Mr. TORRICELLI, and Mr. ABERCROMBIE.

H.R. 304: Mr. POMBO and Mrs. SEASTRAND.

H.R. 384: Mr. MARTINEZ.

H.R. 388: Mr. RANGEL.

H.R. 450: Mr. PETERSON of Minnesota, Mr. BAKER of California, Mr. DAVIS, Mr. BLUTE, Mr. NETHERCUTT, Mr. LINDER, Mr. NEY, Mr. CANADY, Mr. COMBEST, and Mr. ROYCE.

H.R. 519: Mr. FUNDERBURK.

H.R. 520: Mr. HERGER.

H.J. Res. 53: Mr. CHAPMAN, Mr. JEFFERSON, Mr. METCALF, and Mr. MORAN.

H. Con. Res. 5: Mr. PETE GEREN of Texas, Mr. WICKER, and Mr. ROHRBACHER.

H. Res. 33: Mr. MCDERMOTT, Mr. HALL of Ohio, Mr. OBERSTAR, Mr. ACKERMAN, Mr. BROWN of Ohio, Mr. STARK, Mr. TORRES, Mr. DICKS, Mr. ENGEL, Mr. BECERRA, Ms. NORTON, Mr. LEVIN, Mr. CLAY, Mr. LAFALCE, Mr. BEIL-ENSON, and Mr. FRANK of Massachusetts.

THURSDAY, JANUARY 19, 1995 (8)

¶8.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. DREIER, who laid before the House the following communication:

WASHINGTON, DC,
January 19, 1995.

I hereby designate the Honorable DAVID DREIER to act as Speaker pro tempore on this day.

NEWT GINGRICH,

Speaker of the House of Representatives.

¶8.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. DREIER, announced he had examined and approved the Journal of the proceedings of Wednesday, January 18, 1995.

Mr. FRANK, pursuant to clause 1, rule I, objected to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. DREIER, announced that the yeas had it.

Mr. FRANK objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 218
Nays 187

¶8.3 [Roll No. 20] YEAS—218

Allard	Bateman	Bryant (TN)
Archer	Bereuter	Bunn
Armey	Berman	Bunning
Bachus	Billbray	Burr
Baker (CA)	Bilirakis	Burton
Baker (LA)	Bliley	Buyer
Balenger	Blute	Callahan
Barr	Boehlert	Calvert
Barrett (NE)	Boehner	Camp
Bartlett	Bonilla	Canady
Barton	Boucher	Castle
Bass	Brownback	Chabot

Chambliss	Hilleary	Oxley
Christensen	Hobson	Packard
Clement	Hoekstra	Parker
Clinger	Hoke	Paxon
Coburn	Horn	Petri
Collins (GA)	Hostettler	Portman
Combest	Houghton	Pryce
Cooley	Hutchinson	Quillen
Cox	Hyde	Quinn
Crapo	Inglis	Radanovich
Cubin	Istook	Ramstad
Cunningham	Johnson (CT)	Regula
Deal	Johnson, Sam	Riggs
DeLay	Jones	Roberts
Diaz-Balart	Kasich	Rogers
Dickey	Kelly	Rose
Doolittle	Kim	Roth
Dreier	King	Royce
Duncan	Kingston	Salmon
Dunn	Klug	Sanford
Ehlers	Knollenberg	Saxton
Ehrlich	Kolbe	Schiff
Emerson	LaHood	Seastrand
English	Largent	Sensenbrenner
Ensign	Latham	Shadegg
Everett	LaTourrette	Shaw
Ewing	Laughlin	Shays
Fawell	Lazio	Shuster
Fazio	Leach	Skeen
Fields (TX)	Lewis (CA)	Skelton
Flanagan	Lewis (KY)	Smith (MI)
Foley	Lightfoot	Smith (NJ)
Forbes	Linder	Smith (TX)
Ford	Livingston	Smith (WA)
Fowler	LoBiondo	Solomon
Fox	Longley	Stearns
Franks (CT)	Lucas	Stockman
Franks (NJ)	Manzullo	Talent
Frelinghuysen	Martinez	Tate
Frisa	Martini	Thomas
Funderburk	McCollum	Thornberry
Galleghy	McCrery	Thornton
Ganske	McDade	Tiahrt
Gilchrest	McHugh	Torkildsen
Gillmor	McInnis	Upton
Gilman	McIntosh	Vucanovich
Goodlatte	McKeon	Waldholtz
Goodling	Metcafe	Walker
Goss	Meyers	Walsh
Graham	Mica	Wamp
Greenwood	Miller (FL)	Watts (OK)
Gunderson	Molinaro	Weldon (FL)
Gutknecht	Moorhead	Weldon (PA)
Hall (TX)	Morella	Weller
Hamilton	Myers	White
Hancock	Myrick	Whitfield
Hansen	Nethercutt	Wicker
Hastert	Neumann	Young (FL)
Hastings (WA)	Ney	Zeliff
Heineman	Norwood	Zimmer
Herger	Nussle	

NAYS—187

Abercrombie	Deutsch	Jackson-Lee
Ackerman	Dicks	Jacobs
Andrews	Dingell	Jefferson
Baesler	Dixon	Johnson (SD)
Baldacci	Doggett	Johnson, E.B.
Barcia	Dooley	Johnston
Barrett (WI)	Doyle	Kanjorski
Becerra	Durbin	Kennedy (MA)
Beilenson	Edwards	Kennedy (RI)
Bentsen	Engel	Kennelly
Bevill	Eshoo	Kildee
Bishop	Evans	Klecza
Bonior	Farr	Klink
Borski	Fattah	LaFalce
Brewster	Fields (LA)	Lantos
Browder	Filner	Levin
Brown (CA)	Foglietta	Lewis (GA)
Brown (OH)	Frank (MA)	Lipinski
Bryant (TX)	Frost	Lowe
Cardin	Furse	Luther
Chenoweth	Gejdenson	Maloney
Clay	Gekas	Manton
Clayton	Gephardt	Markey
Clyburn	Geren	Mascara
Coble	Gonzalez	Matsui
Coleman	Gordon	McCarthy
Collins (IL)	Green	McDermott
Condit	Gutierrez	McHale
Costello	Hall (OH)	McKinney
Coyne	Harman	McNulty
Cramer	Hastings (FL)	Meek
Crane	Hefley	Menendez
Danner	Hilliard	Mfume
de la Garza	Hinchee	Miller (CA)
DeFazio	Holden	Mingeta
DeLauro	Hoyer	Mink
Dellums	Hunter	

Moakley	Richardson	Taylor (NC)
Mollohan	Rivers	Tejeda
Montgomery	Roemer	Thompson
Moran	Rohrabacher	Thurman
Murtha	Roukema	Torres
Nadler	Roybal-Allard	Torricelli
Neal	Rush	Towns
Oberstar	Sabo	Traficant
Obey	Sanders	Tucker
Olver	Sawyer	Velazquez
Ortiz	Schroeder	Vento
Owens	Schumer	Visclosky
Pallone	Scott	Volkmer
Pastor	Serrano	Ward
Payne (NJ)	Sisisky	Waters
Payne (VA)	Skaggs	Watt (NC)
Pelosi	Spence	Waxman
Peterson (FL)	Spratt	Williams
Peterson (MN)	Stark	Wilson
Pickett	Stenholm	Wise
Pombo	Studds	Wolf
Pomeroy	Stump	Woolsey
Poshard	Stupak	Wyden
Rahall	Tanner	Wynn
Rangel	Tauzin	
Reed	Taylor (MS)	

NOT VOTING—29

Bono	Gibbons	Reynolds
Brown (FL)	Hayes	Ros-Lehtinen
Chapman	Hayworth	Scarborough
Chrysler	Hefner	Schaefer
Collins (MI)	Kaptur	Slaughter
Conyers	Lincoln	Souder
Creameans	Lofgren	Stokes
Davis	Meehan	Yates
Dornan	Orton	Young (AK)
Flake	Porter	

So the Journal was approved.

8.4 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

185. A letter from the Adjutant General, the Veterans of Foreign Wars of the United States, transmitting proceedings of the 95th national convention of the Veterans of Foreign Wars of the United States, held in Las Vegas, NV, August 21-26, 1994, pursuant to 36 U.S.C. 118; 44 U.S.C. 1332 (H. Doc. No. 104-20); to the Committee on National Security and ordered to be printed.

186. A letter from the Assistant Secretary for Indian Affairs, Department of the Interior, transmitting a proposed plan for the settlement of the claims of the confederated tribes of the Colville Reservation Tribe concerning their contributions to the production of hydropower by the Grand Coulee Dam; to the Committee on Resources.

187. A letter from the Secretary of Labor, transmitting the third biennial report on internationally recognized worker rights, pursuant to 19 U.S.C. 2465(c); to the Committee on Ways and Means.

8.5 POINT OF ORDER

Mr. FRANK made a point of order against changes in the Congressional Record, and said:

"Mr. Speaker, at the beginning of this session, the House adopted a new rule which says the CONGRESSIONAL RECORD shall be a substantially verbatim account of remarks made during the proceedings of the House, subject only to technical, grammatical, and typographical corrections authorized by the Member making the remarks involved.

"In the CONGRESSIONAL RECORD that we received this morning, reflecting yesterday's proceedings, at page H301 in the transcript of the remarks of the Speaker pro tempore, the gentleman from Florida, there are two changes that were made between what he, in fact, said and what is in the RECORD.

"The first change is as follows:

He said yesterday with regard to the statements of the gentlewoman from Florida about the book of the Speaker, 'It is the Speaker's opinion that innuendo and personal references to the Speaker's conduct are not in order.'

"That has been altered and that does not appear verbatim in the CONGRESSIONAL RECORD. Instead, it says, 'It is the Speaker's opinion that innuendo and critical references to the Speaker's personal conduct are not in order.'

"Additionally, later on in response to a parliamentary inquiry from the gentleman from Missouri, the Speaker pro tempore said, as I recollect it, 'it has been the Chair's ruling, and the precedents of the House support this, a higher level of respect is due to the Speaker.'

"In the CONGRESSIONAL RECORD that has been changed to 'a proper level of respect.'

"Now, I do not believe that changing 'personal' to 'critical' and 'proper' to 'higher' is either technical, grammatical, or typographical. Both make quite substantive changes. Indeed, Mr. Speaker, it seems to me that by the standard that the Speaker yesterday uttered, the gentlewoman from Florida was judged, but if you take today's standard of revised, illegitimately revised version that is in the RECORD, there would be no objection to what the gentlewoman from Florida said."

The SPEAKER pro tempore, Mr. DREIER, overruled the point of order, and said:

"The Chair would recite from the manual that in accordance with existing accepted practices, the Speaker may make such technical or parliamentary insertions, or corrections in transcript as may be necessary to conform to rule, custom, or precedent. The Chair does not believe that any revision changed the meaning of the ruling."

8.6 RULES OF DECORUM IN DEBATE

The SPEAKER pro tempore, Mr. DREIER, in response to Members' parliamentary inquiries, made the following statement:

"The Chair must reiterate that the principles of decorum in debate relied on by the Chair yesterday with respect to words taken down are not new to the 104th Congress.

"First, clause 1 of rule XIV establishes an absolute rule against engaging in personality in debate where the subject of a Member's conduct is not the pending question.

"Second, it is the long and settled practice of the House over many Congresses to enforce that standard by demands from the floor that words be taken down under rule XIV. Although the rule enables the Chair to take initiative to address breaches of order, the Chair normally defers to demands that words be taken down in the case of references to Members of the House. On occasion, however, the Chair has announced general standards of proper

reference to Members, as was the case on June 15, 1988. There, in response to a series of 1-minute speeches and special order debates focusing on the conduct of the Speaker as the subject of an ethical complaint and on the motives of the Member who filed the complaint, the Chair stated as follows:

Thus, the Chair would caution all Members not to use the 1-minute period or special orders, as has already happened, to discuss the conduct of Members of the House in a way that inevitably engages in personalities.

"Third, longstanding precedents of the House provide that the stricture against personalities has been enforced collaterally with respect to criticism of the Speaker even when intervening debate has occurred. This separate treatment is recorded in volume 2 of Hinds' Precedents, at section 1248.

"Finally, a complaint against the conduct of the Speaker is presented directly for the action of the House and not by way of debate on other matters. As Speaker Thomas B. Reed of Maine explained in 1897, criticism of past conduct of the presiding officer is out of order not because he is above criticism but, instead, because of the tendency of piecemeal criticism to impair the good order of the House.

"Speaker Reed's rationale is recorded in volume 5 of Hinds' Precedents section 5188 from which the Chair now quotes as follows:

The Chair submits to the House that allusions or criticisms of what the Chair did at some past time is certainly not in order not because the Chair is above criticism or above attack but for two reasons; first, because the Speaker is the Speaker of the House, and such attacks are not conducive to the good order of the House; and, second, because the Speaker cannot reply to them except in a very fragmentary fashion, and it is not desirable that he should reply to them. For these reasons, such attacks ought not be made.

"Based on these precedents, the Chair was justified in concluding that the words challenged on yesterday were in their full context out of order as engaging in personalities."

8.7 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.

8.8 PROVIDING FOR THE CONSIDERATION OF H.R. 5

Mr. DREIER, by direction of the Committee on Rules, called up the following resolution (H. Res. 38):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5) to curb the practice of imposing unfunded Federal mandates on States and local governments, to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and to provide information on the cost of Federal mandates on the private sector, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be