

TUESDAY, FEBRUARY 7, 1995 (21)

H.R. 216: Mr. RIGGS.  
 H.R. 218: Mrs. MYRICK and Mr. FORBES.  
 H.R. 219: Mr. BEILENSON and Mr. GALLEGLY.  
 H.R. 230: Mr. STEARNS.  
 H.R. 259: Mr. ROYCE and Mr. DOOLITTLE.  
 H.R. 260: Mr. YOUNG of Alaska.  
 H.R. 325: Mr. BUNNING of Kentucky, Mr. GUTKNECHT, Mr. MILLER of Florida, Mr. REG-  
 ULA, Mr. WICKER, Mr. BROWNBACK, Mr. POMBO, Mr. BOEHNER, Mr. BARR, Mr. LAUGHLIN, and Mr. DUNCAN.  
 H.R. 328: Mr. LIVINGSTON and Mrs. SEA-  
 STRAND.  
 H.R. 343: Mr. FROST, Mr. PETE GEREN of  
 Texas, Mr. LEWIS of Georgia, and Mr. VENTO.  
 H.R. 353: Ms. RIVERS, Mr. WAXMAN, Mr.  
 MARKEY, Mr. HORN, and Mr. VENTO.  
 H.R. 354: Mr. SOLOMON and Ms. DANNER.  
 H.R. 363: Mr. RUSH, Mr. RANGEL, Mr.  
 OLVER, and Mr. WATT of North Carolina.  
 H.R. 399: Ms. NORTON and Mr. ACKERMAN.  
 H.R. 450: Mr. BREWSTER, Mr. WELDON of  
 Florida, Mr. ROBERTS, and Mr. BARRETT of  
 Nebraska.  
 H.R. 488: Mr. GILMAN.  
 H.R. 511: Mr. SHAYS.  
 H.R. 559: Mr. UNDERWOOD, Ms. PELOSI, and  
 Mr. VENTO.  
 H.R. 579: Mrs. CHENOWETH.  
 H.R. 585: Mr. GUTKNECHT, Mr. HALL of Ohio,  
 Mr. PETE GEREN of Texas, Mr. MONTGOMERY,  
 Mr. JOHNSTON of Florida, Ms. MOLINARI, and  
 Ms. FURSE.  
 H.R. 592: Ms. DANNER, Mr. EWING, Mr.  
 MCKEON, and Mr. DOOLITTLE.  
 H.R. 599: Mr. COOLEY.  
 H.R. 605: Mr. FOX, Mr. SHUSTER, Mr.  
 SAXTON, Mrs. CHENOWETH, and Mr. HANCOCK.  
 H.R. 612: Mr. ROHRBACHER.  
 H.R. 663: Mr. FORBES, Mr. HOLDEN, and Mrs.  
 LINCOLN.  
 H.R. 667: Mr. BRYANT of Tennessee, Mr.  
 BLILEY, and Mr. ENGLISH of Pennsylvania.  
 H.R. 668: Mr. KING, Mr. BLILEY, and Mr.  
 ENGLISH of Pennsylvania.  
 H.R. 682: Mr. BONO.  
 H.R. 697: Mr. CRAMER, Mr. McDADE, Mr.  
 BONO, Mr. GUNDERSON, Ms. DANNER, Mr.  
 JOHNSON of South Dakota, Mr. BALLENGER,  
 Mr. GALLEGLY, and Mr. NORWOOD.  
 H.R. 698: Mr. CRANE, Mrs. CHENOWETH, Mr.  
 GOODLATTE, Mr. HUTCHINSON, Mr. SCHAEFER,  
 Mr. BASS, Mr. NEY, Mr. EMERSON, Mr.  
 CUNNINGHAM, Mr. BUNN of Oregon, Mrs.  
 VUCANOVICH, Mr. MCCREERY, Mr. MYERS of In-  
 diana, Mr. FUNDERBURK, Mr. COBLE, Mr. NOR-  
 WOOD, Mr. WAMP, Mr. ROHRBACHER, Mr.  
 CANADY, Mr. SCARBOROUGH, Mr. SOLOMON,  
 and Mr. YOUNG of Alaska.  
 H.R. 703: Mr. JOHNSTON of Florida, Mr.  
 BROWN of Ohio, Mr. WYDEN, Mr. EVANS, Ms.  
 SLAUGHTER, and Mr. VENTO.  
 H.R. 728: Mr. BRYANT of Tennessee and Mr.  
 BLILEY.  
 H.R. 729: Mr. BRYANT of Tennessee, Mr.  
 BLILEY, and Mr. ENGLISH of Pennsylvania.  
 H.R. 752: Mr. BORSKI, Mr. HANCOCK, Mr.  
 ROHRBACHER, and Mrs. VUCANOVICH.  
 H.R. 759: Ms. PRYCE.  
 H.R. 789: Mr. NEUMANN, Mr. McHUGH, Mr.  
 ZELIFF, Mr. BARRETT of Nebraska, Mr. HORN,  
 Mr. WOLF, and Mr. SMITH of New Jersey.  
 H.R. 791: Mr. COOLEY, Ms. DANNER, Mr.  
 NORWOOD, Mr. MILLER of Florida, and Mr.  
 MCKEON.  
 H.R. 793: Mr. SENSENBRENNER and Mr.  
 HOLDEN.  
 H.R. 795: Mr. GIBBONS.  
 H.R. 810: Mr. MARKEY.  
 H.J. Res. 3: Mr. MINGE.  
 H.J. Res. 8: Mr. TALET.  
 H. Con. Res. 12: Mr. GEKAS, Mr. HORN, Mr.  
 BARTLETT of Maryland, and Mr. SCHAEFER.  
 H. Res. 15: Mr. BEILENSON and Mr. DEAL OF  
 GEORGIA.  
 H. Res. 40: Mr. MEEHAN, Mr. SPRATT, and  
 Mr. JACOBS.  
 H. Res. 57: Mr. BUNNING of Kentucky, Mrs.  
 CHENOWETH, Mr. BILIRAKIS, Mr. DELLUMS,  
 and Mr. LIPINSKI.

¶21.1 DESIGNATION OF SPEAKER PRO  
TEMPORE

The House was called to order by the  
 SPEAKER pro tempore, Mr. BURTON,  
 at 9:30 a.m., who laid before the House  
 the following communication:

WASHINGTON, DC,  
 February 7, 1995.

I hereby designate the Honorable DAN BUR-  
 TON to act as Speaker pro tempore on this  
 day.

NEWT GINGRICH,  
*Speaker of the House of Representatives.*

Whereupon, pursuant to the order of  
 the House of Wednesday, January 4,  
 1995, Members were recognized for  
 "morning hour" debates.

## ¶21.2 RECESS—10:26 A.M.

The SPEAKER pro tempore, Mr.  
 BURTON, pursuant to clause 12 of rule  
 I, declared the House in recess until  
 11:00 a.m.

## ¶21.3 AFTER RECESS—11:00 A.M.

The SPEAKER called the House to  
 order.

## ¶21.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had ex-  
 amined and approved the Journal of  
 the proceedings of Monday, February 6,  
 1995.

Pursuant to clause 1, rule I, the Jour-  
 nal was approved.

## ¶21.5 COMMUNICATIONS

Executive and other communica-  
 tions, pursuant to clause 2, rule XXIV,  
 were referred as follows:

309. A letter from the Federal Housing Finance Board, transmitting the Board's Annual Enforcement Report covering the period of January 1, 1994, through December 31, 1994, pursuant to 12 U.S.C. 1833; to the Committee on Banking and Financial Services.

310. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting a report entitled "Performance Profiles of Major Energy Producers 1993," pursuant to 42 U.S.C. 7267; to the Committee on Commerce.

311. A letter from the Chairman, U.S. Consumer Product Safety Commission, transmitting the Commission's annual report for fiscal year 1993, pursuant to 15 U.S.C. 2076(j); to the Committee on Commerce.

312. A communication from the President of the United States, transmitting the annual report on science, technology and American diplomacy for fiscal year 1994, pursuant to 22 U.S.C. 2656c(b); to the Committee on International Relations.

313. A letter from the Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting a report on the audit of the American Red Cross for the year ending June 30, 1994, pursuant to 36 U.S.C. 6; to the Committee on International Relations.

314. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that a reward has been paid pursuant to 22 U.S.C. 2708(h); to the Committee on International Relations.

315. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that a reward has been paid pursuant to 22 U.S.C. 2708(h); to the Committee on International Relations.

316. A letter from the Chairman, Council of the District of Columbia, transmitting a

copy of D.C. Act 10-381, "bilingual and Multi-cultural Government Personnel Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

317. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-392, "District of Columbia Nonviolent Offenses Mandatory-Minimum Sentences Amendment Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

318. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-393, "Recreation Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

319. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-394, "Health Occupation Revision Act of 1985 Amendment Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

320. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-395, "Closing of a Public Alley in Square 253, S.O. 88-107, Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

321. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-396, "Uniform Commercial Code—Negotiable Instruments Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

322. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-397, "D.C. Resident Tax Credit Temporary Amendment Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

323. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-398, "Solid Waste Facility Permit Temporary Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

324. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-399, "Commercial Piracy Protection Temporary Amendment Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

325. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-401, "Multiyear Budget Spending and Support Temporary Act of 1994," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

326. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 10-402, "Term Limits Initiative of 1995," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on Government Reform and Oversight.

327. A letter from the Potomac Electric Power Co., transmitting a copy of the balance sheet of Potomac Electric Power Co. as of December 31, 1994, pursuant to D.C. Code, section 43-513; to the Committee on Government Reform and Oversight.

328. A letter from the Director, Congressional Budget Office, transmitting a report on unauthorized appropriations and expiring authorizations by CBO as of January 15, 1995, pursuant to 2 U.S.C. 602(f)(3); to the Committee on Government Reform and Oversight.

329. A letter from the Acting Administrator, General Services Administration, transmitting notification of the determina-

tion that it is in the public interest to use other than competitive procedures to award a contract to the city of Manassas to establish a pilot telecommuting center in Manassas, VA, pursuant to 41 U.S.C. 253(c)(7); to the Committee on Government Reform and Oversight.

330. A letter from the Inspector General, General Services Administration, transmitting the semiannual report on activities of the inspector general for the period April 1, 1994, through September 30, 1994, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Reform and Oversight.

331. A letter from the Chief Administrator, Postal Rate Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

332. A letter from the Secretary, Postal Rate Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1994, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform and Oversight.

333. A letter from the Secretary of Labor, transmitting notification of the Department's intent to award a sole-source contract to the Management and Training Corp. for the operation of the Cleveland Job Corps Center in Cleveland, OH; to the Committee on Government Reform and Oversight.

334. A letter from the Director of Operations and Finance, The American Battle Monuments Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1994, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

335. A letter from the Special Assistant to the President for Management and Administration and Director of the Office of Administration, the White House, transmitting the Integrity Act reports for each of the Executive Office of the President agencies, as required by the Federal Manager's Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

336. A letter from the Administrator, General Services Administration, transmitting informational copies of various lease prospectuses, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

337. A letter from the Inspector General, Federal Emergency Management Agency, transmitting a copy of the Agency's administration of the permanent and temporary relocation components of the Superfund Program during fiscal year 1993, pursuant to 31 U.S.C. 7501 note; jointly, to the Committees on Commerce and Transportation and Infrastructure.

338. A letter from the Secretary of the Army, transmitting a report on the Washington Aqueduct, pursuant to Public Law 103-334, section 142(c); jointly, to the Committees on Transportation and Infrastructure and Appropriations.

#### ¶21.6 PRIVILEGES OF THE HOUSE

Mr. TAYLOR of Mississippi rose to a question of the privileges of the House and called up the following resolution (H. Res. 57):

Whereas rule IX of the Rules of the House of Representatives provides that questions of privilege shall arise whenever the rights of the House collectively are affected;

Whereas, under the precedents, customs, and traditions of the House pursuant to rule IX, a question of privilege has arisen in cases involving the constitutional prerogatives of the House;

Whereas section 8 of Article I of the Constitution vests in Congress the power to "coin money, regulate the value thereof, and of foreign coins";

Whereas section 9 of Article I of the Constitution provides that "no money shall be drawn from the Treasury, but in consequence of appropriations made by law";

Whereas the President has recently sought the enactment of legislation to authorize the President to undertake efforts to support economic stability in Mexico and strengthen the Mexican peso;

Whereas the President announced on January 31, 1995, that actions are being taken to achieve the same result without the enactment of legislation by the Congress;

Whereas the obligation or expenditure of funds by the President without consideration by the House of Representatives of legislation to make appropriated funds available for obligation or expenditure in the manner proposed by the President raises grave questions concerning the prerogatives of the House and the integrity of the proceedings of the House;

Whereas the exchange stabilization fund was created by statute to stabilize the exchange value of the dollar and is also required by statute to be used in accordance with the obligations of the United States under the Articles of Agreement of the International Monetary Fund; and

Whereas the commitment of \$20,000,000,000 of the resources of the exchange stabilization fund to Mexico by the President without congressional approval may jeopardize the ability of the fund to fulfill its statutory purposes: Now, therefore, be it

*Resolved*, That the Comptroller General of the United States shall prepare and transmit, within 7 days after the adoption of this resolution, a report to the House of Representatives containing the following:

(1) The opinion of the Comptroller General on whether any of the proposed actions of the President, as announced on January 31, 1995, to strengthen the Mexican peso and support economic stability in Mexico requires congressional authorization or appropriation.

(2) A detailed evaluation of the terms and conditions of the commitments and agreements entered into by the President, or any officer or employee of the United States acting on behalf of the President, in connection with providing such support, including the terms which provide for collateral or other methods of assuring repayment of any outlays by the United States.

(3) An analysis of the resources which the International Monetary Fund has agreed to make available to strengthen the Mexican peso and support economic stability in Mexico, including—

(A) an identification of the percentage of such resources which are attributable to capital contributions by the United States to such Fund; and

(B) an analysis of the extent to which the Fund's participation in such efforts will likely require additional contributions by member states, including the United States, to the Fund in the future.

(4) An evaluation of the role played by the Bank for International Settlements in international efforts to strengthen the Mexican peso and support economic stability in Mexico and the extent of the financial exposure of the United States, including the Board of Governors of the Federal Reserve System, with respect to the Bank's activities.

(5) A detailed analysis of the relationships between the Bank for International Settlements and the Board of Governors of the Federal Reserve System and between the Bank and the Secretary of the Treasury, and the extent to which such relationships involve a financial commitment to the Bank

or other members of the Bank, on the part of the United States, of public money or any other financial resources under the control of the Board of Governors of the Federal Reserve System.

(6) An accounting of fund flows, during the 24 months preceding the date of the adoption of this resolution, through the exchange stabilization fund established under section 5302 of title 31, United States Code, the manner in which amounts in the fund have been used domestically and internationally, and the extent to which the use of such amounts to strengthen the Mexican peso and support economic stability in Mexico represents a departure from the manner in which amounts in the fund have previously been used, including conventional uses such as short-term currency swaps to defend the dollar as compared to intermediate- and long-term loans and loan guarantees to foreign countries.

The SPEAKER ruled that the resolution submitted did not present a question of the privileges of the House under rule IX, and said:

"The Chair would first of all point out that the question before the House right now is not a matter of the wisdom of assistance to Mexico, nor is the question before the House right now a question of whether or not the Congress should act, nor is what is before the House a question of whether or not this would be an appropriate topic for committee hearings, for legislative markup, and bills to be reported.

"What is before the House at the moment is a very narrow question of whether or not the resolution offered by the gentleman from Mississippi [Mr. TAYLOR] is a question of privilege. On that the Chair is prepared to rule.

"The privileges of the House have been held to include questions relating to the constitutional prerogatives of the House with respect to revenue legislation, clause 1, section 1, article I of the Constitution, with respect to impeachment and matters incidental, and with respect to matters relating to the return of a bill to the House under a Presidential veto.

"Questions of the privileges of the House must meet the standards of rule IX. Those standards address privileges of the House as a House, not those of Congress as a legislative branch.

"As to whether a question of the privileges of the House may be raised simply by invoking one of the legislative powers enumerated in section 8 of article I of the Constitution or the general legislative 'power of the purse' in the seventh original clause of section 9 of that article, the Chair finds helpful guidance in the landmark precedent of May 6, 1921, which is recorded in Cannon's Precedents at volume 6, section 48. On that occasion, the Speaker was required to decide whether a resolution purportedly submitted in compliance with a mandatory provision of the Constitution, section 2 of the 14th amendment, relating to apportionment, constituted a question of the privileges of the House.

"Speaker Gillett held that the resolution did not involve a question of privilege. His rationale bears quoting. And I quote: