

several years. And by paying a premium of several thousand dollars for mortgage insurance, buyers can often secure a home with a small down payment.

The apparent uptick in activity is too recent to have shown up in national figures on home sales, which still appeared to be falling in January. According to preliminary figures from the National Association of Realtors, owners sold 2.91 million houses in January, down from 3 million plus in December and the 3.47 million sold in January 1990.

Statistics on newly built houses which usually trail the sale of older homes especially when the economy is coming out of a slump, also showed a decline. In January 408,000 new homes were sold, down 12 percent from 465,000 in December, and down 35 percent from 627,000 in January 1990.

SIGNS OF RECOVERY

But Leland C. Brendsel, the chairman of the Federal Home Loan Mortgage Corporation, said last week that he thought the recession in the housing market had bottomed out and that it should show clear signs of recovery by midyear.

Another encouraging sign for the housing industry is the increase in traffic at new subdivision sites. Many subdivisions consist of lower-priced homes aimed at new buyers. According to a monthly survey by the National Association of Homebuilders, 42 percent of the 300 builders surveyed reported that traffic was in the high to average range in February, up from 24 percent in January. Both months are generally the worst time of the year for home sales.

PHH Homeequity Inc., a Wilton Conn., firm that handles relocation of employees for corporate clients, is also seeing improvement in some housing markets, including Fairfield County, Conn.; northern New Jersey, Washington, DC, and in San Francisco, Los Angeles and San Jose, Calif. It said its offers for homes are now being outbid by other potential buyers.

The relocation firm, which deals with homes in the upper-middle-income segment of the residential market, said it saw a 7 percent increase seasonally adjusted, in its housing market indicator, which tracks the rate of sold and unsold inventory and the rate at which sellers accept first bids. It maintains a data base of 10,000 houses across the country.

"A SIGNIFICANT IMPROVEMENT"

"Although a month does not a trend make, in January we saw a significant improvement after seeing a decline for the previous six months," said Stephen Fragapane, president of PHH.

While Mr. Fragapane and others are encouraged, they caution that the revival is a far cry from a fully recovered market. The January figures underlined how weak the market has been, with existing homes selling at their lowest rate in seven years and sales of new homes at their lowest in nearly nine years.

Nevertheless, the real estate industry is optimistic that the recent surge signals the start of a turnaround.

The median sales prices of existing homes in most regions of the nation are down significantly from their 1989 highs. In the Northeast, for example, which still has the highest median sales prices of any section of the country, the median is now \$141,200 down from \$148,800 in 1989, according to the National Association of Realtors.

People shopping for houses are also finding themselves in heated competitive bidding situations.

"MULTIPLE OFFERS"

"A couple of our managers are talking about multiple offers again, and our inventory is decreasing," said Gail Carriero, a marketing representative in the San Francisco office of the Coldwell Banker Residential Group.

Similar reports are coming from brokers in the Los Angeles area, Dallas, Phoenix and in southern Florida, as well as in Boston, Vermont and elsewhere in upper New England.

The Midwest is a different story. The drop in prices and consumer demand did not hit that region as hard last year as it did other sections of the country, and now brokers say they have not seen a sharp increase in sales since January. In Ohio, Michigan, Wisconsin, Illinois and Indiana, brokers did not see the precipitous fall in sales and consumer demand last year that buffeted their colleagues in other regions. They have been experiencing a slow decline in sales and demand but that has not been interrupted by a sharp rise in the last few weeks.

"I don't think there's been an increase," said Steven Pew, head of Max Brooch Realtors in Bloomfield Hills, Mich., and regional vice president of the National Association of Realtors. "There has been a slight downturn over the past few months, but it has been in the single digits," said Mr. Pew, who said the situation might worsen quickly if car sales did not improve soon.

IMPROVEMENT IN CALIFORNIA

In California, where the weakening of the housing market was not as severe as on the East Coast, brokers from San Diego to San Francisco are reporting improved activity at the lower end of the market.

Brad and Kifa Nantz, a young professional couple in the San Francisco Bay area, are among those who did not think they would soon see the confluence of low prices and low rates again. Although they had been looking for more than a year, the couple stepped up their search in January and put their condominium on the market. A few weeks ago they sold their one-bedroom condo for \$193,500 (they bought it in 1989 for \$157,000) and bought a three-bedroom, three-bath house on a golf course in San Ramon, Calif., for \$310,000. In San Ramon, such prices put the young couple at the lower-middle end of the market.

The Nantzes got a 30-year mortgage that is fixed at 8½ percent for the first three years and then becomes adjustable.

"We had our open house the day the war started," said the 29-year-old Mr. Nantz, who said that at first he and his wife thought the timing was a disaster. But their condo sold within weeks. The Nantzes got a mortgage for \$191,000 on their new house.

"We felt that this was a good time and the rates had a lot to do with it," Mrs. Nantz said.

COMMITTEE BUDGET ESTIMATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. SOLOMON] is recognized for 5 minutes.

Mr. SOLOMON. Mr. Speaker, some time ago it was called to my attention that several House committees do not formally approve the budget estimates they are required to submit to the Budget Committee. Instead, the estimates are devised by staff and then unilaterally transmitted to the Budget Committee in a letter from the chairman. And this is usually

done without the prior knowledge of or consultation with the full committee, let alone its formal approval.

While I am sure many Members would just as soon not be bothered by such seemingly routine housekeeping matters so early in the session, and probably would have no problem delegating this authority to their chairmen, the fact remains that these budget views and estimates constitute an important source of information for the Budget Committee in developing a budget resolution.

The Budget Committee, the budget resolution and the overall budget process are all convenient scapegoats for authorizing committees which do not get all they want out of the process. And yet ironically, many committees are apparently forfeiting their right and obligation to have early and formal input into the process.

Mr. Speaker, the original 1974 Budget Act, at section 301(c), required that, "On or before March 15 of each year, each standing committee of the House of Representatives shall submit to the Budget Committee of the House * * * its views and estimates" with respect to matters within its jurisdiction which are to be included in the budget resolution, including the total amounts of new budget authority or outlays to be provided or authorized in the upcoming fiscal year.

In 1985, in the debt limit Gramm-Rudman-Hollings law, that provision became section 301(d), the date for submission was changed to February 25 due to a new accelerated budget timetable, and the references to the specific contents of the reports was dropped in favor of the following language: " * * * its views and estimates—as determined by the committee making such submission—with respect to all matters set forth in subsections (a) and (b) which relate to matters within the jurisdiction or functions of such committee."

The joint explanatory statement of the conferees on the Budget Act changes made by that bill made clear that the language was based on the reforms recommended by the Task Force on the Budget Process of the House Rules Committee, the so-called Beilenson Task Force—see House report 98-1152, part I. The cited report of the Rules Committee which accompanied the task force's bill (H.R. 5247), said the following of the new section 301(d) at page 90 of the report:

This subsection is similar to section 301(c) of the Act. The date for submission of views and estimates is changed from March 15 (in the Act) to February 25 (in H.R. 5247). Since the President's budget will also be submitted earlier, it should not be difficult to meet this deadline. In addition, the required content of the views and estimates is simplified and left in large part to the determination of the committees submitting the views and estimates. [Emphasis added.]

Importantly, though, the inclusion of the parenthetical phrase, "(as determined by the committee making such submission)," helps to underscore the intent that committee submissions are to be just that, the product of committee action, and not just the chairman's views and estimates.

In last fall's budget summit agreement, and the reconciliation bill which codified that agreement, section 301(d)'s submission date was again changed, this time to "within 6 weeks

after the President submits a budget. * * * But the remainder of the subsection language remains unchanged.

The important parliamentary principle involved here is eloquently stated in "Jefferson's Manual" as follows:

A committee * * * can only act when together, and not by separate consultation and consent—nothing being the report of the committee but what has been agreed to in a committee actually assembled.

Mr. Speaker, given the confusion, misunderstanding and different practices of various House committees on the matter of the submission of views and estimates to the Budget Committee, I wrote to the House Parliamentarian seeking a clarification that might guide our committees in the future. The conclusion of the Parliamentarian reads as follows: "a committee 'determination' requires committee action."

At this point in the RECORD, Mr. Speaker, I include this exchange of correspondence with the Parliamentarian. The letters follow:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 20, 1991.

HON. WILLIAM HOLMES BROWN,
Parliamentarian, Speaker's Office, House of
Representatives, Washington, DC

DEAR BILL: I am writing to request clarification on section 301(d) of the Congressional Budget Act of 1974, as amended, which requires that within six weeks of the submission of the President's budget, "each committee of the House of Representatives having legislative jurisdiction shall submit to the Committee on the Budget of the House . . . its views and estimates (as determined by the committee making such submission) with respect to all matters set forth in subsections (a) and (b) which relate to matters within the jurisdiction of functions of such committee."

It has always been my understanding that this provision requires the formal action by committees on such views and estimates prior to their submission to the Budget Committee. This is based on the principle enunciated in sec. XXVI of Jefferson's Manual: "A committee . . . can only act when together, and not by separate consultation and consent—nothing being the report of the committee but what has been agreed to in committee actually assembled."

This principle is reflected in House Rule XI, clause 2(1)(2)(A): "No measure or recommendation shall be reported from any committee unless a majority of the committee was actually present."

While the budget views and estimates are not filed as a committee report to the House, they nevertheless are represented as the views and estimates of each committee based on determination of ("as determined by") the committee. This language is nearly identical to that contained in section 310 relating to committee recommendations pursuant to reconciliation directives: "each such committee shall promptly make such determination and recommendations and submit such recommendations to the Committee on the Budget of its House. . . ." It is my understanding that there is no question that such reconciliation recommendations must be approved by formal committee action.

I raise this question for clarification because I have been informed that there are still a few committees which do not formally approve the budget views and estimates submitted to the Budget Committee and that these are instead simply submitted by the

chairman without even consulting with the full committee membership.

I would appreciate a response at your earliest convenience so that we might inform the House of the proper procedure to be followed.

Sincerely yours,

GERALD B. SOLOMON,
Member of Congress.

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 20, 1991.

HON. GERALD B. SOLOMON,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE SOLOMON: In your letter of this date, you ask for clarification of the committee action required under section 301(d) of the Congressional Budget Act. That section specifies that within six weeks of the submission of the President's budget, each committee of the House having legislative jurisdiction "shall submit to the Committee on the Budget * * * its views and estimates (as determined by the committee making such submission) with respect to all matters set forth in subsections (a) and (b) which related to matters within the jurisdiction or functions of such committee." You suggest that this provision requires some formal action by committees on such views and estimates prior to their submission to the Budget Committee.

I note that the language of the statute [Sec. 301(d) of the Budget Act] differs from that of the House rule [Rule XI, clause 4(g)]. The rule does not contain the parenthetical phrase "as determined by the committee making such submission." However, I do think that the admonition in Jefferson's Manual, that a committee can act only when together, and not by separate consultation and consent, identifies a necessary prerequisite for committee action. While I do not believe a formal report is required by Sec. 301(d), or the rule, I think that the basic tenet of Jefferson's Manual does require some collegial action by the committee.

Having reviewed the submissions sent to the Budget Committee in the last Congress, I note that several committees do formally meet and approve their submissions under 301(d). Others have followed a less formal approach and have circulated and submitted letters from both the Chairman and the Ranking Member. Some submissions have included minority or separate views.

In conclusion, I think your point is well taken: a committee "determination" requires committee action. I have suggested that the Budget Committee include such a suggestion when it writes the committees to solicit reports under Section 301(d).

I appreciate your calling the discrepancy in the procedures followed by committees to our attention.

Sincerely yours,

BILL BROWN.

CHICAGO MURDER TOLL UNDER- SCORES NEED FOR BRADY BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO], is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, once again, I feel I must add my voice to the growing chorus of Americans who are appalled by the mounting death toll from handgun violence that is occurring daily across our Nation.

In recent weeks even former President Reagan, who is hardly an advocate of gun control, has come to grips with this problem and endorsed H.R. 7, the Brady Handgun Violence Prevention Act. As most Americans are aware, the Brady bill is named after Mr. Reagan's Press Secretary Jim Brady, who was seriously injured during a 1981 assassination attempt on President Reagan. The Brady bill calls for a nationwide, 7-day waiting period for handgun purchases. This bill will not force law-abiding gun owners to give up their constitutional right to own firearms.

However, if enacted, the Brady bill will give police officers a chance to attack the gun-related crimes perpetrated daily by robbers, hit men, drug dealers, and other thugs against innocent Americans.

A waiting period for handgun purchases is already in force in Illinois and several other States. In 1989, Illinois' 3-day waiting period led to the rejection of nearly 3,000 handgun sales after checks with police turned up records of felonies or mental illness on the part of the potential buyers. Officials in other States, including California and New Jersey, have reported similar results since they began requiring waiting periods for handgun sales.

The Brady bill would extend this life-saving law to all 50 States. Most Americans are aware that the Brady bill died at the end of the last Congress and was recently reintroduced. The bill was approved today by a 9 to 4 vote by the Subcommittee on Crime and Criminal Justice, and is now awaiting action before the Judiciary Committee.

Regrettably, while Congress debates this bill, the list of handgun victims keeps growing. For example, in the city of Chicago, police last month reported the highest number of March homicides in nearly a decade. Several of last month's 67 victims were killed by criminals armed with handguns. The increased violence seems to be continuing in April. Just last weekend, a warm-weather shooting spree in the Windy City left another eight people dead from gunshot wounds in separate incidents.

For the year to date, Chicago police have reported a total of 220 homicides. The pace of this year's killing is now 20 victims ahead of last year's rate, and the 1991 death toll is threatening to surpass the city's 1981 record of 877 homicides. Ironically, Chicago's last record-setting year for murders was the same one in which Jim Brady was struck down by a bullet from a handgun. Clearly, this is not a problem that will go away anytime soon.

I am encouraged, therefore, that the Brady bill at last has passed the Subcommittee on Crime and Criminal Justice. I hope it also is approved by the Judiciary Committee and the full House. It is vital that we act as soon as