

our rules to offer even one amendment, even one amendment through the motion to recommit, you have rendered us helpless and you have rendered the value of any rules in this House absolutely meaningless.

"Now, Mr. Speaker, you are the Speaker of this House, you represent the majority, and as you should because you are a Member of that party, but you also have an obligation, a constitutional obligation, to represent the minority as well, and I strongly urge you to take a courageous step, Mr. Speaker—we have great respect for you—and to rule in our favor under this point of order. It means a lot to the American people, and it certainly means a lot to minority interests around this country."

Mr. DERRICK was recognized to speak to the point of order, and said:

"Mr. Speaker, the gentleman from New York makes the point of order that the rule limits the motion to recommit and, therefore, according to the minority, the rule violates clause 4(b) of rule XI.

"Mr. Speaker, I respectfully disagree. Rule XI prohibits the Rules Committee from reporting a rule that: 'Would prevent the motion to recommit from being made as provided in clause 4 of rule XVI.'

"Clause 4 of rule XVI addresses the simple motion to recommit a bill or joint resolution and requires the Speaker to give preference in recognition to a Member of the minority who is opposed to the measure. Nowhere are instructions mentioned.

"The Rules Committee, therefore, may report a rule that limits but does not prohibit the motion to recommit—without violating clause 4(b) of rule XI.

"Mr. Speaker, so long as a simple motion to recommit can be offered, a rule does not 'prevent the motion to recommit from being made as provided in clause 4 of rule XVI.' This is a well-established parliamentary point since Speaker Rainey's decision in 1934.

"In fact, Mr. Speaker, the parliamentary point was reaffirmed by recent rulings of the Chair on October 16, 1990, on June 4, 1991, on November 25, 1991, and on February 26, 1992. On those occasions certain Members sought to appeal the ruling of the Chair. The House then voted, on each occasion, to sustain the ruling by tabling the appeal. The House thereby strengthened the precedents in this interpretation of the rule.

"Without an intervening change in the rule, there can be no question of the interpretation. Mr. Speaker, the precedents are clear and unequivocal. Moreover, the House has spoken on several recent occasions to reaffirm this position. I urge the point of order be overruled."

The SPEAKER overruled the point of order, and said:

"The Chair is ready to rule.

"The Chair notes that the gentleman from New York has pointed out that there have been repeated objections to

rules which have not contained, as a matter of right, a motion to recommit with instructions, that the matter has been undertaken for review by the Committee on Rules, that a hearing has been held but a final study or report from the Committee on Rules has not yet been concluded.

"Because of the pendency of such a review, but because of the lack of any other conclusion thereon which might recommend against the existing line of precedents, the Chair is constrained to rule, as he has ruled before, that under the precedents of October 16, 1990, and February 26, 1992, both of which the gentleman correctly points out stem from a precedent of January 11, 1934, by Speaker Rainey, the Chair is constrained to overrule the point of order."

Mr. SOLOMON appealed the ruling of the Chair.

Mr. DERRICK moved to lay the appeal on the table.

The question being put, viva voce, Will the House lay on the table the appeal of the ruling of the Chair?

The SPEAKER announced that the yeas had it.

Mr. SOLOMON 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 253
Nays 161

¶50.8

[Roll No. 109]

YEAS—253

| | | |
|---------------|--------------|---------------|
| Abercrombie | Darden | Hayes (IL) |
| Ackerman | de la Garza | Hayes (LA) |
| Alexander | DeFazio | Hefner |
| Anderson | DeLauro | Hertel |
| Andrews (ME) | Dellums | Hoagland |
| Andrews (NJ) | Derrick | Hochbrueckner |
| Andrews (TX) | Dicks | Horn |
| Annunzio | Dingell | Hoyer |
| Anthony | Dixon | Hubbard |
| Applegate | Donnelly | Huckaby |
| Aspin | Dooley | Hughes |
| Atkins | Dorgan (ND) | Hutto |
| Bacchus | Downey | Jacobs |
| Barnard | Durbin | Jefferson |
| Beilenson | Dwyer | Jenkins |
| Bennett | Dymally | Johnson (SD) |
| Berman | Early | Johnston |
| Bevill | Eckart | Jones (GA) |
| Bilbray | Edwards (CA) | Jones (NC) |
| Blackwell | Edwards (TX) | Jontz |
| Bonior | Engel | Kanjorski |
| Borski | English | Kaptur |
| Boucher | Erdreich | Kennedy |
| Brewster | Espy | Kennelly |
| Brooks | Evans | Kildee |
| Browder | Fascell | Kleczka |
| Brown | Fazio | Kopetski |
| Bruce | Foglietta | Kostmayer |
| Bryant | Ford (MI) | LaFalce |
| Bustamante | Ford (TN) | Lancaster |
| Campbell (CO) | Frank (MA) | Lantos |
| Cardin | Frost | LaRocco |
| Carper | Gaydos | Laughlin |
| Carr | Gejdenson | Lehman (CA) |
| Chapman | Gephardt | Levin (MI) |
| Clay | Geren | Lewis (GA) |
| Clement | Gibbons | Lipinski |
| Coleman (TX) | Glickman | Lloyd |
| Collins (MI) | Gonzalez | Long |
| Condit | Gordon | Lowey (NY) |
| Conyers | Guarini | Luken |
| Cooper | Hall (OH) | Manton |
| Costello | Hall (TX) | Markey |
| Cox (IL) | Hamilton | Martinez |
| Coyne | Harris | Matsui |
| Cramer | Hatcher | Mavroules |

| | | |
|---------------|---------------|-------------|
| Mazzoli | Pelosi | Solarz |
| McCloskey | Penny | Spratt |
| McCurdy | Perkins | Staggers |
| McDermott | Peterson (FL) | Stallings |
| McHugh | Peterson (MN) | Stark |
| McMillen (MD) | Pickett | Stenholm |
| McNulty | Pickle | Stokes |
| Mfume | Poshard | Studds |
| Miller (CA) | Price | Sweet |
| Mineta | Rahall | Swift |
| Mink | Rangel | Synar |
| Mollohan | Ray | Tallon |
| Montgomery | Reed | Tanner |
| Moody | Richardson | Tauzin |
| Moran | Roe | Taylor (MS) |
| Mrazek | Roemer | Thomas (GA) |
| Murphy | Rose | Thornton |
| Murtha | Rostenkowski | Torres |
| Nagle | Rowland | Torricelli |
| Natcher | Roybal | Towns |
| Neal (MA) | Sabo | Trafficant |
| Neal (NC) | Sanders | Traxler |
| Nowak | Sangmeister | Unsoeld |
| Oakar | Sarpalius | Vento |
| Oberstar | Savage | Visclosky |
| Obey | Sawyer | Volkmer |
| Olin | Scheuer | Washington |
| Olver | Schroeder | Waxman |
| Ortiz | Schumer | Weiss |
| Orton | Serrano | Wheat |
| Owens (NY) | Sharp | Whitten |
| Owens (UT) | Sikorski | Williams |
| Pallone | Sisisky | Wilson |
| Panetta | Skaggs | Wise |
| Parker | Skelton | Wolpe |
| Patterson | Slattery | Wyden |
| Payne (NJ) | Slaughter | Yates |
| Payne (VA) | Smith (FL) | |
| Pease | Smith (IA) | |

NAYS—161

| | | |
|--------------|---------------|---------------|
| Allard | Green | Paxon |
| Allen | Gunderson | Petri |
| Archer | Hammerschmidt | Porter |
| Army | Hancock | Pursell |
| Baker | Hansen | Quillen |
| Ballenger | Hastert | Ramstad |
| Barrett | Hefley | Ravenel |
| Barton | Henry | Regula |
| Bateman | Herger | Rhodes |
| Bentley | Hobson | Ridge |
| Bereuter | Hopkins | Riggs |
| Bilirakis | Horton | Rinaldo |
| Bliley | Houghton | Ritter |
| Boehlert | Hunter | Roberts |
| Boehner | Hyde | Rogers |
| Broomfield | Inhofe | Rohrabacher |
| Bunning | Ireland | Ros-Lehtinen |
| Burton | James | Roth |
| Callahan | Johnson (CT) | Roukema |
| Camp | Johnson (TX) | Santorum |
| Chandler | Kasich | Saxton |
| Clinger | Klug | Schaefer |
| Coble | Kolbe | Schiff |
| Coleman (MO) | Kyl | Schulze |
| Combest | Lagomarsino | Sensenbrenner |
| Coughlin | Leach | Shaw |
| Cox (CA) | Lent | Shays |
| Crane | Lewis (CA) | Shuster |
| Cunningham | Lewis (FL) | Skeen |
| Davis | Lightfoot | Smith (NJ) |
| DeLay | Livingston | Smith (OR) |
| Dickinson | Lowery (CA) | Smith (TX) |
| Doolittle | Machtley | Snowe |
| Dornan (CA) | Marlenee | Solomon |
| Dreier | Martin | Spence |
| Duncan | McCandless | Stearns |
| Edwards (OK) | McCollum | Stump |
| Emerson | McCrery | Sundquist |
| Ewing | McDade | Taylor (NC) |
| Fawell | McEwen | Thomas (CA) |
| Fields | McGrath | Thomas (WY) |
| Fish | McMillan (NC) | Upton |
| Franks (CT) | Meyers | Vander Jagt |
| Galleghy | Michel | Vucanovich |
| Gallo | Miller (OH) | Walker |
| Gekas | Molinar | Walsh |
| Gilchrist | Moorhead | Weldon |
| Gillmor | Morella | Wolf |
| Gilman | Morrison | Wylie |
| Gingrich | Myers | Young (AK) |
| Goodling | Nichols | Young (FL) |
| Goss | Nussle | Zeliff |
| Gradison | Oxley | Zimmer |
| Grandy | Packard | |

NOT VOTING—20

| | | |
|--------|---------------|----------|
| AuCoin | Campbell (CA) | Feighan |
| Boxer | Collins (IL) | Flake |
| Byron | Dannemeyer | Holloway |

Kolter
Lehman (FL)
Levine (CA)
Miller (WA)
Moakley
Pastor
Russo
Valentine
Waters
Weber
Yatron

So the motion to lay the appeal on the table was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

When said resolution was considered.

After debate, Mr. DERRICK moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce, Will the House now order the previous question?

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

Mr. SOLOMON 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 257 Nays 160

150.9 [Roll No. 110] YEAS—257

Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Atkins
Bacchus
Barnard
Beilenson
Bennett
Berman
Bevill
Bilbray
Blackwell
Bonior
Borski
Boucher
Brewster
Browder
Brown
Bruce
Bryant
Bustamante
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clay
Clement
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Cox (IL)
Coyne
Cramer
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbini
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Glickman
Gonzalez
Gordon
Guarini
Hall (OH)
Hall (TX)
Hamilton
Harris
Hatcher
Hayes (IL)
Hayes (LA)
Hefner
Hertel
Hoagland
Hochbrueckner
Horn
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Jefferson
Jenkins
Johnson (SD)
Johnson (CT)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Klecicka
Kopetski
Kostmayer
LaFalce
Lancaster
Lantoso
LaRocco
Laughlin
Lehman (CA)
Levin (MI)
Lewis (GA)
Lipinski
Lloyd
Long
Lowe (NY)
Luken
Machtley
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Mink
Mollohan
Montgomery
Moody
Moran
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Olin
Oliver
Ortiz
Orton
Owens (NY)
Owens (UT)
Pallone

Panetta
Parker
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Poshard
Price
Rahall
Rangel
Ray
Reed
Richardson
Roe
Roemer
Rose
Rostenkowski
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Sarpalius
Savage
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sharp
Sikorski
Sisisky
Skaggs
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Solarz
Spratt
Stallings
Stark
Stenholm
Stokes
Studds
Swett
Swift
Synar

NAYS—160

Allard
Allen
Archer
Army
Baker
Ballenger
Barrett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Billey
Boehlert
Boehner
Broomfield
Bunning
Burton
Callahan
Camp
Chandler
Clinger
Coble
Coleman (MO)
Combust
Coughlin
Cox (CA)
Crane
Cunningham
Davis
DeLay
Dickinson
Doolittle
Dornan (CA)
Dreier
Duncan
Edwards (OK)
Emerson
Ewing
Fawell
Fields
Fish
Gallegly
Gallo
Gekas
Gillchrest
Gillmor
Gilman
Gingrich
Goodling
Goss
Gradison
Grandy
Green
Gunderson
Hammerschmidt
Hancock
Hansen
Hastert
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Horton
Houghton
Hunter
Hyde
Inhofe
Ireland
Jacobs
James
Johnson (TX)
Kasich
Saxton
Klug
Kolbe
Kyl
Lagomarsino
Leach
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Livingston
Lowery (CA)
Marlenee
Martin
McCandless
McCollum
McCrery
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Molinaro
Moorhead
Morella
Morrison
Myers
Nichols
Nussle
Oxley
Packard

NOT VOTING—17

AuCoin
Boxer
Brooks
Byron
Campbell (CA)
Dannemeyer
Flake
Kolter
Lehman (FL)
Levine (CA)
Moakley
Pastor
Staggers
Valentine
Waters
Weber
Yatron

So the previous question on the resolution was ordered.

The question being put, viva voce, Will the House agree to said resolution?

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

Mr. SOLOMON demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative Yeas 240 Nays 178

150.10 [Roll No. 111] AYES—240

Abercrombie
Ackerman
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Aspin
Bacchus
Beilenson
Bennett
Berman
Bevill
Bilbray
Blackwell
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown
Bruce
Bryant
Bustamante
Campbell (CO)
Cardin
Carr
Chapman
Clay
Clement
Coleman (TX)
Collins (IL)
Collins (MI)
Conyers
Cooper
Costello
Cox (IL)
Coyne
Cramer
Darden
de la Garza
DeFazio
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Espy
Evans
Fascell
Fazio
Feighan
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Franks (CT)
Frost
Gaydos
Gejdenson
Gephardt
Geren
Gibbons
Glickman
Gonzalez
Gordon
Green
Guarini
Hall (OH)
Hamilton
Hatch
Hayes (IL)
Hayes (LA)
Hefner
Hertel
Hoagland
Hochbrueckner
Horn
Horton
Hoyer
Hughes
Jefferson
Jenkins
Johnson (CT)
Johnson (SD)
Johnston
Jones (GA)
Jones (NC)
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Klecicka
Kopetski
Kostmayer
LaFalce
Lancaster
Lantoso
LaRocco
Laughlin
Lehman (CA)
Lent
Levin (MI)
Lewis (GA)
Lipinski
Lloyd
Long
Lowe (NY)
Luken
Machtley
Manton
Markey
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Mink
Mollohan
Montgomery
Moody
Moran
Mrazek
Murphy
Murtha
Nagle
Natcher
Neal (MA)
Neal (NC)
Nowak
Oakar
Oberstar
Obey
Oliver
Ortiz
Orton
Owens (NY)
Owens (UT)
Pallone
Olver
Ortiz
Owens (NY)
Owens (UT)
Pallone
Parker
Panetta
Parker
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi
Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Poshard
Price
Rahall
Rangel
Ray
Reed
Richardson
Roe
Roemer
Rose
Rostenkowski
Roybal
Russo
Sabo
Sanders
Sangmeister
Sarpalius
Savage
Sawyer
Scheuer
Schroeder
Schumer
Serrano
Sikorski
Skaggs
Skeen
Skelton
Slattery
Slaughter
Smith (FL)
Smith (IA)
Solarz
Spratt
Stallings
Stark
Stenholm
Stokes
Studds
Swett
Swift
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (GA)
Thornton
Torres
Torricelli
Towns
Traficant
Traxler
Unsoeld
Vento
Visclosky
Volkmer
Walsh
Washington
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Yates