

706. A letter from the President and CEO, Resolution Trust Corporation, transmitting the status report for the month of December 1992 (The 1988-89 FSLIC Assistance Agreements), pursuant to 12 U.S.C. 1441a note; jointly, to the Committees on Appropriations and Banking, Finance and Urban Affairs.

707. A letter from the Comptroller of the Department of Defense, transmitting the quarterly report on program activities for facilitation of weapons destruction and non-proliferation in the former Soviet Union; jointly, to the Committees on Appropriations and Foreign Affairs.

708. A letter from the Administrator, Federal Aviation Administration, transmitting the report of progress on developing and certifying the Traffic Alert and Collision Avoidance System (TCAS) for the third and fourth quarters of 1992, pursuant to Public Law 100-223, section 203(b) (101 Stat. 1518); jointly, to the Committees on Public Works and Transportation and Science, Space, and Technology.

709. A letter from the Secretary of Labor, transmitting the annual report on employment and training programs for veterans during program year 1990 (July 1, 1990 through June 30, 1991) and fiscal year 1991 (October 1, 1990 through September 30, 1991), pursuant to 38 U.S.C. 4107(c) and 4212(c); jointly, to the Committees on Veterans' Affairs and Education and Labor.

¶9.3 PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER, pursuant to the provisions of clause 1 of rule XLVIII and clause 6(f) of rule X, appointed as members of the Permanent Select Committee on Intelligence, the following Members: Messrs. GLICKMAN, RICHARDSON, DICKS, DIXON, TORRICELLI, COLEMAN, SKAGGS, BILBRAY, Ms. PELOSI, Messrs. LAUGHLIN, CRAMER, REED, COMBEST, BEREUTER, DORNAN, YOUNG of Florida, GEKAS, HANSEN, and LEWIS of California.

¶9.4 PROVIDING FOR THE CONSIDERATION OF H.R. 1

Mr. GORDON, by direction of the Committee on Rules, called up the following resolution (H. Res. 58):

*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. 1) to grant family and temporary medical leave under certain circumstances. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill for failure to comply with clause 2(l)(6) of rule XI are waived. General debate shall be confined to the bill and shall not exceed three hours and twenty minutes, with ninety minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, ninety minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, and twenty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in part 1 of the report of the Committee on Rules accom-

panying this resolution, modified by the amendment printed in section 2 of this resolution. The amendment in the nature of a substitute, as modified, shall be considered as read. No amendment to the amendment in the nature of a substitute, as modified, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed, may be offered only by the named proponent or a designee, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At the end of section 101 add the following:

“(14) SPOUSE.—The term spouse means a husband or wife under the law of any State.”.

When said resolution was considered. After debate,

Mr. GORDON 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 nays had it.

Mr. GORDON 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 ..... 246  
Nays ..... 176

¶9.5 [Roll No. 12] YEAS—246

Abercrombie	Byrne	Dicks
Ackerman	Cantwell	Dingell
Andrews (ME)	Cardin	Dixon
Andrews (NJ)	Carr	Dooley
Andrews (TX)	Chapman	Durbin
Applegate	Clay	Edwards (CA)
Bacchus (FL)	Clayton	Edwards (TX)
Baessler	Clement	Engel
Barcia	Clyburn	English (AZ)
Barlow	Coleman	English (OK)
Barrett (WI)	Collins (IL)	Eshoo
Becerra	Collins (MI)	Evans
Beilenson	Condit	Fazio
Berman	Conyers	Fields (LA)
Bevill	Cooper	Filner
Bilbray	Coppersmith	Fingerhut
Bishop	Costello	Flake
Blackwell	Coyne	Foglietta
Bonior	Cramer	Ford (MI)
Borski	Danner	Frank (MA)
Boucher	Darden	Frost
Brewster	de la Garza	Furse
Brooks	Deal	Gejdenson
Browder	DeFazio	Gephardt
Brown (CA)	DeLauro	Geran
Brown (FL)	Dellums	Gibbons
Brown (OH)	Derrick	Glickman
Bryant	Deutsch	Gonzalez

Gordon	Matsui	Sabo
Green	Mazzoli	Sanders
Gutierrez	McCluskey	Sangmeister
Hall (OH)	McCurry	Sarpalius
Hall (TX)	McDermott	Sawyer
Hamburg	McHale	Schenk
Hamilton	McKinney	Schroeder
Harman	McNulty	Schumer
Hastings	Meehan	Scott
Hayes	Meek	Serrano
Hefner	Menendez	Shepherd
Hilliard	Mfume	Sisisky
Hinchey	Miller (CA)	Skaggs
Hoagland	Mineta	Skelton
Hochbrueckner	Minge	Slattery
Holden	Mink	Slougher
Hoyer	Moakley	Smith (IA)
Hughes	Mollohan	Spratt
Hutto	Montgomery	Stark
Inslee	Moran	Stenholm
Jefferson	Murphy	Stokes
Johnson (GA)	Murtha	Strickland
Johnson (SD)	Nadler	Studds
Johnson, E.B.	Natcher	Stupak
Johnston	Neal (MA)	Swett
Kanjorski	Neal (NC)	Swift
Kaptur	Oberstar	Synar
Kennedy	Obey	Tanner
Kennelly	Olver	Tauzin
Kildee	Ortiz	Tejeda
Kleczka	Owens	Thornton
Klein	Pallone	Thurman
Klink	Parker	Torres
Kopetski	Pastor	Torricelli
Kreidler	Payne (VA)	Towns
LaFalce	Pelosi	Trafcant
Lambert	Penny	Tucker
Lancaster	Peterson (FL)	Unsoeld
Lantos	Peterson (MN)	Valentine
LaRocco	Pickett	Velazquez
Laughlin	Pickle	Vento
Lehman	Pomeroy	Visclosky
Levin	Poshard	Volkmer
Lewis (GA)	Price (NC)	Waters
Lipinski	Rahall	Watt
Lloyd	Rangel	Waxman
Long	Reed	Wheat
Lowey	Reynolds	Williams
Maloney	Richardson	Wise
Mann	Roemer	Woolsey
Manton	Rose	Wyden
Margolies-Mezvinsky	Rostenkowski	Wynn
Markey	Rowland	Yates
Martinez	Roybal-Allard	
	Rush	

NAYS—176

Allard	Everett	Kim
Archer	Ewing	King
Armey	Fawell	Kingston
Bachus (AL)	Fields (TX)	Klug
Baker (CA)	Fish	Knollenberg
Baker (LA)	Fowler	Kolbe
Ballenger	Franks (CT)	Kyl
Barrett (NE)	Franks (NJ)	Lazio
Bartlett	Galleghy	Leach
Barton	Gallo	Levy
Bentley	Gekas	Lewis (CA)
Bereuter	Gilchrest	Lewis (FL)
Bilirakis	Gillmor	Lightfoot
Bliley	Gilman	Linder
Blute	Gingrich	Livingston
Boehlert	Goodlatte	Machtley
Boehner	Goodling	Manzullo
Bonilla	Goss	McCandless
Bunning	Grams	McCollum
Burton	Grandy	McCrum
Buyer	Greenwood	McDade
Callahan	Gunderson	McHugh
Calvert	Hancock	McInnis
Camp	Hansen	McKeon
Canady	Hastert	McMillan
Castle	Hefley	Meyers
Clinger	Heger	Mica
Coble	Hobson	Michel
Collins (GA)	Hoekstra	Miller (FL)
Combest	Hoke	Molinari
Cox	Horn	Moorhead
Crane	Houghton	Morella
Crapo	Huffington	Myers
Cunningham	Hunter	Nussle
DeLay	Hutchinson	Orton
Diaz-Balart	Hyde	Oxley
Dickey	Inglis	Packard
Doolittle	Inhofe	Paxon
Dornan	Istook	Petri
Dreier	Jacobs	Pombo
Duncan	Johnson (CT)	Porter
Dunn	Johnson, Sam	Pryce (OH)
Emerson	Kasich	Quillen

Quinn	Sensenbrenner	Taylor (MS)
Ramstad	Shaw	Taylor (NC)
Ravenel	Shays	Thomas (CA)
Regula	Shuster	Thomas (WY)
Ridge	Skeen	Torkildsen
Roberts	Smith (MI)	Upton
Rogers	Smith (NJ)	Vucanovich
Rohrabacher	Smith (OR)	Walker
Ros-Lehtinen	Smith (TX)	Walsh
Roth	Snowe	Weldon
Roukema	Solomon	Wolf
Royce	Spence	Young (AK)
Santorum	Stearns	Young (FL)
Saxton	Stump	Zeliff
Schaefer	Sundquist	Zimmer
Schiff	Talent	

NOT VOTING—8

Bateman	Payne (NJ)	Whitten
Ford (TN)	Sharp	Wilson
Henry	Washington	

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 that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative .....	} Yeas ..... 259
.....	

19.6 [Roll No. 13] YEAS—259

Abercrombie	Derrick	Jacobs
Ackerman	Deutsch	Jefferson
Andrews (ME)	Diaz-Balart	Johnson (GA)
Andrews (NJ)	Dicks	Johnson (SD)
Andrews (TX)	Dingell	Johnson, E. B.
Applegate	Dixon	Johnston
Bacchus (FL)	Dooley	Kanjorski
Baesler	Durbin	Kaptur
Barcia	Edwards (CA)	Kennedy
Barlow	Edwards (TX)	Kennelly
Becerra	Engel	Kildee
Beilenson	English (AZ)	Klecicka
Berman	English (OK)	Klein
Bevill	Eshoo	Klink
Bilbray	Evans	Kopetski
Bishop	Fazio	Kreidler
Blackwell	Fields (LA)	LaFalce
Boehlert	Filner	Lambert
Bonior	Fingerhut	Lancaster
Borski	Flake	Lantos
Boucher	Foglietta	LaRocco
Brewster	Ford (MI)	Laughlin
Brooks	Frank (MA)	Lehman
Browder	Franks (NJ)	Levin
Brown (CA)	Frost	Lewis (GA)
Brown (FL)	Furse	Lipinski
Brown (OH)	Gejdenson	Long
Bryant	Gephardt	Lowey
Byrne	Geren	Machtley
Cantwell	Gibbons	Maloney
Cardin	Gilman	Mann
Chapman	Glickman	Manton
Clay	Gonzalez	Margolies-
Clayton	Gordon	Mezvinsky
Clement	Green	Markey
Clyburn	Gunderson	Martinez
Coleman	Gutierrez	Matsui
Collins (IL)	Hall (OH)	Mazzoli
Collins (MI)	Hall (TX)	McCloskey
Condit	Hamilton	McCurdy
Conyers	Harman	McDermott
Cooper	Hastings	McHale
Coppersmith	Hayes	McKinney
Costello	Hefner	McNulty
Coyne	Hilliard	Meehan
Cramer	Hinchey	Meek
Danner	Hoagland	Menendez
Darden	Hochbrueckner	Mfume
de la Garza	Holden	Miller (CA)
Deal	Hoyer	Mineta
DeFazio	Hughes	Minge
DeLauro	Hutto	Mink
Dellums	Inslee	Moakley

Mollohan	Roemer	Stupak
Montgomery	Rose	Swett
Moran	Rostenkowski	Swift
Morella	Roukema	Synar
Murphy	Rowland	Tanner
Murtha	Roybal-Allard	Tauzin
Nadler	Rush	Taylor (MS)
Natcher	Sabo	Tejeda
Neal (MA)	Sanders	Thornton
Neal (NC)	Sangmeister	Thurman
Oberstar	Sarpalius	Torres
Obey	Sawyer	Torrice
Olver	Saxton	Towns
Ortiz	Schen	Traficant
Owens	Schroeder	Tucker
Pallone	Schumer	Unsoeld
Parker	Scott	Valentine
Pastor	Serrano	Velazquez
Payne (NJ)	Shays	Vento
Payne (VA)	Shepherd	Visclosky
Peterson (FL)	Sisisky	Volkmer
Peterson (MN)	Skaggs	Walsh
Pickett	Skelton	Waters
Pickle	Slattery	Watt
Pomeroy	Slaughter	Wheat
Poshard	Smith (IA)	Whitten
Price (NC)	Smith (NJ)	Williams
Quinn	Snowe	Wise
Rahall	Spratt	Woolsey
Ramstad	Stark	Wyden
Rangel	Stenholm	Wynn
Reed	Stokes	Yates
Reynolds	Strickland	Young (AK)
Richardson	Studds	

NAYS—164

Allard	Gingrich	Miller (FL)
Archer	Goodlatte	Molinari
Army	Goodling	Moorhead
Bachus (AL)	Goss	Myers
Baker (CA)	Grams	Nussle
Baker (LA)	Grandy	Orton
Ballenger	Greenwood	Oxley
Barrett (NE)	Hancock	Packard
Bartlett	Hansen	Paxon
Barton	Hastert	Pelosi
Bateman	Hefley	Penny
Bentley	Heger	Petri
Bereuter	Hobson	Pombo
Bilirakis	Hoekstra	Porter
Bilely	Hoke	Pryce (OH)
Blute	Horn	Quillen
Boehner	Houghton	Ravenel
Bonilla	Huffington	Regula
Bunning	Hunter	Ridge
Burton	Hutchinson	Roberts
Buyer	Hyde	Rogers
Callahan	Inglis	Rohrabacher
Calvert	Inhofe	Ros-Lehtinen
Camp	Istook	Roth
Canady	Johnson (CT)	Royce
Carr	Johnson, Sam	Santorum
Castle	Kasich	Schaefer
Clinger	Kim	Schiff
Coble	King	Sensenbrenner
Collins (CA)	Kingston	Shaw
Combust	Klug	Shuster
Cox	Knollenberg	Skeen
Crane	Kolbe	Smith (MI)
Crapo	Kyl	Smith (OR)
Cunningham	Lazio	Smith (TX)
DeLay	Leach	Solomon
Dickey	Levy	Spence
Doolittle	Lewis (CA)	Stearns
Dornan	Lewis (FL)	Stump
Dreier	Lightfoot	Sundquist
Duncan	Linder	Talent
Dunn	Livingston	Taylor (NC)
Emerson	Lloyd	Thomas (CA)
Everett	Manzullo	Thomas (WY)
Ewing	McCandless	Torkildsen
Fawell	McCollum	Upton
Fields (TX)	McCrery	Vucanovich
Fish	McDade	Walker
Fowler	McHugh	Waxman
Franks (CT)	McInnis	Weldon
Gallegly	McKeon	Wolf
Gallo	McMillan	Young (FL)
Gekas	Meyers	Zeliff
Gilchrist	Mica	Zimmer
Gillmor	Michel	

NOT VOTING—7

Barrett (WI)	Henry	Wilson
Ford (TN)	Sharp	
Hamburg	Washington	

So the resolution was agreed to.  
A motion to reconsider the vote whereby said resolution was agreed to

was, by unanimous consent, laid on the table.

19.7 PRIVILEGES OF THE HOUSE

Mr. SOLOMON submitted the following resolution:

Whereas Article I, section 1, of the Constitution provides that, "All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives;" and

Whereas Article I, section 2, of the Constitution provides that, "The House of Representatives shall be composed of Members chosen every second year by the people of the several States;" and

Whereas the Committee of the Whole is a device used by the House under which all House members act together to debate and amend bills raising revenues or directly or indirectly appropriating money; and

Whereas the Committee of the Whole is an integral part of the legislative process and the means by which the House of Representatives exercises its legislative powers and prerogatives under the Constitution; and

Whereas on January 5, 1993, the House, in the resolution adopting the Rules of the House for the 103rd Congress (H. Res. 5), included provisions authorizing the Resident Commissioner from Puerto Rico and the delegates from the District of Columbia, Guam, American Samoa and the Virgin Islands to vote in and preside over the Committee of the Whole; and

Whereas attempts to refer the proposal to a select committee to study its constitutionality and to separately vote on such proposal were prevented by procedural votes, and the House was thereby precluded from making a separate determination as to whether such provisions are in conformance with constitutional requirements and Members' sworn duty to uphold the Constitution; and

Whereas such proposal affects the representational rights of duly elected Members of the House under the Constitution and could result in a derogation or denial of such rights; and

Whereas such proposal affects the constitutional lawmaking prerogatives of the House and its Members and the integrity of the process by which bills are considered, and thus raises a question of the privileges of the House; and

Whereas the House has just adopted a resolution making it in order for the Speaker to declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of legislation, and this represents the first instance in the 103rd Congress in which the House is resolving into the Committee of the Whole under the provisions of the new rule allowing non-Members of the House to vote in and Chair the Committee of the Whole; and

Whereas the inability and failure of the House to make a separate determination as to the constitutionality of the proposal prior to this first use of the new rule presents the House with an "extraordinary question" under the Constitution requiring a separate determination and thus raises a question of the privileges of the House; Now, therefore, be it

*Resolved*, That, as a matter of the constitutional privileges of the House to make all laws and to preserve the integrity of its proceedings and the representational rights of its Members, the implementation of those provisions of House Rules as adopted on January 5, 1993, authorizing the Resident Commissioner from Puerto Rico and the Delegates from the District of Columbia, American Samoa, the Virgin Islands and Guam to vote in and preside over the Committee of