H. Res. 53: Mr. KOLBE.

H. Res. 83: Mr. STEARNS, Mr. GENE GREEN of Texas, and Mr. GILMAN.

WEDNESDAY, FEBRUARY 24, 1993 (16)

The House was called to order by the SPEAKER.

¶16.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, February 23, 1993.

Pursuant to clause 1, rule I, the Journal was approved.

¶16.2 COMMUNICATIONS

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

772. A letter from the Secretary of Education, transmitting a copy of final regulations for the Library Services and Construction Act State-Administered Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

773. A letter from the Secretary of Education, transmitting a copy of final regulations for the Endowment Challenge Grant Program, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

774. A letter from the Acting Assistant General Counsel, Department of Energy, transmitting a notice of meeting related to the International Energy Program to be held in Hamburg, Germany; to the Committee on Energy and Commerce.

775. A letter from Director, National Institutes of Health, transmitting the report and plan for medical rehabilitation research, pursuant to Public Law 101–613, section 3(a); to the Committee on Energy and Commerce.

776. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the fiscal year 1992 report on implementation of the support for East European Democracy Act [SEED] Program, pursuant to Public Law 101–179, section 704(c) (103 Stat. 1322); to the Committee on Foreign Affairs.

777. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the 15th annual report on Americans Incarcerated Aboard, pursuant to 42 U.S.C. 2151n–1; to the Committee on Foreign Affairs.

778. A letter from Acting Administrator for Legislative Affairs, Agency for International Development, transmitting a report on economic conditions prevailing in Turkey that may affect its ability to meet its international debt obligations and to stabilize its economy, pursuant to 22 U.S.C. 2346 note; to the Committee on Foreign Affairs.

779. A letter from Secretary, Postal Rate Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1992, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

780. A letter from the Chairman, Securities and Exchange Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1992, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

781. A letter from the Chairman, U.S. Merit Systems Protection Board, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act during the calendar year 1992, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

782. A letter from the Deputy Associate Director for Collection and Disbursement, Department of the Interior, transmitting notification of proposed refunds of excess royalty payments in OCS areas, pursuant to 43 U.S.C. 1339(b); to the Committee on Natural Resources.

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787. A letter from the Executive Director, Non-Commissioned Officers Association, transmitting the financial report for 1991 and 1992, pursuant to Public Law 100–281, section 13 (100 Stat. 75); to the Committee on the Judiciary.

788. A letter from the Acting Director, Office of Personnel Management, transmitting the report on the Senior Executive Service, pursuant to 5 U.S.C. 3135(a), 4314(d); to the Committee on Post Office and Civil Service.

789. A letter from the Postmaster General, transmitting the annual report for 1992, pursuant to 39 U.S.C. 2401(g); to the Committee on Post Office and Civil Service.

790. A letter from the Secretary, Department of Transportation, transmitting a report relating to revocation and suspension of drivers' licenses for drug-related convictions, pursuant to Public Law 102–240, section 1094(b) (105 Stat. 2025); to the Committee on Public Works and Transportation.

791. A letter from the Secretary, Department of Commerce, transmitting the 1992 annual report of the Visiting Committee on Advanced Technology of the National Institute of Standards and Technology; pursuant to Public Law 100–418, section 5131(b) (102 Stat. 1443); to the Committee on Science, Space, and Technology.

792. A letter from the Acting Administrator, Agency for International Development, transmitting the annual report on activities under the Denton Amendment Program, pursuant to 10 U.S.C. 402; jointly, to the Committees on Armed Services and Foreign Affairs.

793. A letter from the Chairman, Railroad Retirement Board, transmitting a correspondence regarding the Railroad Retirement Board; jointly, to the Committees on Energy and Commerce and Ways and Means.

¶16.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1. An Act to amend the Public Health Service Act to revise and extend the programs of the National Institutes of Health, and for other purposes.

¶16.4 PROVIDING FOR THE CONSIDERATION OF H.R. 920

Mr. BONIOR, by direction of the Committee on Rules, called up the following resolution (H. Res. 103):

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 920) to extend the emergency unemployment compensation program, and for other purposes. The amendment recommended by the Committee on Ways and Means printed in the bill and the amendment printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. All points of order against the bill, as amended, and against its consideration are waived. Debate on the bill shall not exceed two hours equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except one motion to recommit.

Pending consideration of said resolution,

¶16.5 POINT OF ORDER

Mr. WALKER made a point of order against the resolution, and said:

''Mr. Speaker, I make a point of order against House Resolution 103 on the ground that two amendments self-executed by the resolution are in violation of two different House rules, and I ask to be heard on my point of order.

''Mr. Speaker, first, House Resolution 103 is in violation of clause 5(a) of rule XXI because it proposes to adopt the Ways and Means Committee amendment printed as section 4 in H.R. 920 as reported. That section deals with financing provisions and in effect reappropriates advance account funds to make payments to the States to provide these additional benefits. Clause 5(a) of rule XXI prohibits appropriations provisions in a bill not reported by the appropriations committee.

''Second, Mr. Speaker, House Resolution 103 attempts to adopt an amendment contained in the report to accompany the resolution extending coverage of the bill to railroad employees. That amendment is in violation of clause 7 of rule XVI which prohibits the consideration of germane amendments. The amendment contained in the Rules Committee report is under the jurisdiction of the Energy and Commerce Committee and is therefore not germane to this bill from the Ways and Means Committee.

''Mr. Speaker, since both of those amendments will be considered to be adopted when this rule is adopted, they are currently before us and must be subject to points of order. It is clear from the rule that once the rule is adopted, the bill as amended by them is not subject to points of order. But, prior to the adoption of this resolution, those two amendments are obviously a part of this resolution and subject to the two points of order I have raised.''.

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

''The Chair is prepared to rule.