

tion violates section 308(a) of the Budget Act requiring a cost estimate.

"Section 308(a) of the Budget Act, which requires the CBO cost estimate in the report on any committee bill, resolution or amendment, contains no exemption for the report of the Committee on Rules.

"I quote from the section 308(a) of the Congressional Budget Act:

Whenever a committee of either house reports to its house a bill or resolution or committee amendment thereto providing new budget authority, new spending authority described in section 402(c)(2) or new credit authority, the report accompanying that bill or resolution shall contain a statement or the committee shall make available such a statement prepared after consultation with the director of the Congressional Budget Office.

"Mr. Speaker, earlier in the debate on this particular resolution, the gentleman who purports to be the author of the railroad worker amendment admitted costs are involved in his amendment. The quote that I have just read means that the committee then has an obligation to provide to the House a congressional budget statement.

"Section 308(a) clearly applies to the committee amendment, and the amendment contained in the Rules Committee or report is a Rules Committee amendment. It was not reported by the Ways and Means Committee, it was not reported by the Energy and Commerce Committee and so therefore is exclusively in the jurisdiction of the Rules Committee.

"The amendment contained in the Rules Committee report on this resolution will be considered to have been adopted when this resolution is adopted. So there is no question who should provide the CBO cost estimate. It is the Rules Committee. They are not above the rules.

"Mr. Speaker, I ask that my point of order be sustained."

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

"We had this argument a little over an hour ago and it is again timely, as the gentleman from Pennsylvania [Mr. WALKER] has indicated.

"He refers to section 308. Section 308 applies to measures providing new budget authority. The resolution before us does not provide for new budget authority.

"The rule makes in order a bill as amended. The bill as amended provides for the new spending.

"House Resolution 103 waives all points of order against the bill as amended and against its consideration. It waives all points of order against the bill and against its consideration.

"Mr. Speaker, I ask the Chair to rule that the point of order is not in order."

Mr. WALKER was recognized to speak further, and said:

"It is true the Rules Committee has waived all points of order against the bill that would be considered pursuant to this rule. That is the reason why this point of order is timely now.

"When it comes to a question in the bill itself, the point of order with regard to the Budget Act will not be in order because that point of order has been waived. The only time we can get at this particular item is in the self-enacting amendment which is a part of the rule.

"The gentleman [Mr BONIOR] has not referred to the self-enacting amendment. That is the question to which this particular point of order pertains and it is up to the Chair, I think, to sustain the point of order based upon the fact that the self-enacting amendment within this rule does in fact add costs. It is new budget authority and is therefore in violation of the Congressional Budget Act."

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

"Mr. Speaker, it does seem to me that my colleagues are correct in wanting to be informed with regard to the cost effect of that provision which is executed by this rule. That provision has been handled this way three times by previous Congresses. The provision includes, this is what we are executing here, it includes coverage, extended unemployment coverage for America's railroad workers who have their own unemployment fund and therefore would not be covered unless there was a separate amendment or unless we do it this way. Previous Congresses have chosen to do it this way.

"The cost, Mr. Speaker, is estimated by both the Congressional Budget Office as well as the Railroad Retirement Trust Fund System, to be \$2½ million for the coming year, and the coverage would be extended to 1,200 railroad workers.

"I do think my colleagues are correct in asking for that information, and they now have it."

Mr. WALKER was recognized to speak further, and said:

"Mr. Speaker, the gentleman from Montana [Mr. WILLIAMS] has just made the case. While he has informed the House of his estimate of what this costs, the fact is that the rules of the House require that the statement be a Congressional Budget Office statement contained within the report. That is what the House does not have. That is what the House requires.

"The gentleman from Montana has also made the point that his amendment is included in this rule, that it is new budget authority, that it does extend to new people and it does cost at least \$2½ million. That is information that should be contained in the committee report. It is not. It is therefore a violation of the rules of the House. It is a violation of the Budget Act, and my point of order should be sustained."

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

"The Chair is prepared to rule.

"The amendment printed in the bill and the amendment printed in House

Report 103-18 will be considered as adopted by the operation of House Resolution 103, which is the special order now pending before the House.

"After adoption of this special order, House Resolution 103, the bill is called up for consideration as so amended.

"A point of order under section 308 of the Budget Act against consideration of the bill in that form could properly come at that point when the bill is called up for consideration.

"As the Chair indicated previously, the new budget authority at issue would be provided not by the resolution reported by the Committee on Rules, but rather by the bill as amended.

"At this point, the point of order does not lie. That all points of order against the bill as amended will be waived by House Resolution 103, if adopted, does not cause such points of order to lie at some earlier stage.

"The rules of the House authorize the Committee on Rules to report a resolution providing a special order of business, and a point of order under Section 308 of the Budget Act does not lie against such a resolution on the ground that its adoption would have the effect of abrogating clause 2(l)(3) of rule XI, which incorporates the requirement of section 308 in the standing rules.

"Accordingly, the point of order is overruled."

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

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

Mr. DREIER 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 237 Nays 178

¶16.9 [Roll No. 39] YEAS—237

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

Hefner
Hilliard
Hinchee
Hoagland
Hochbrueckner
Holden
Hoyer
Hughes
Hutto
Inslee
Jacobs
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kennelly
Kildee
Klecza
Klein
Klink
Kopetski
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lehman
Levin
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Maloney
Mann
Manton
Margolies-
Mezvinsky
Markey
Martinez
Matsui
Mazzoli
McCloskey
McDermott
McHale
McKinney
McNulty

Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moran
Murphy
Murtha
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reed
Reynolds
Richardson
Roemer
Rose
Rostenkowski
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister
Sarpalius

Sawyer
Schenk
Schroeder
Schumer
Scott
Serrano
Sharp
Shepherd
Skaggs
Skelton
Slattery
Slaughter
Smith (IA)
Spratt
Stark
Stokes
Strickland
Studds
Stupak
Swett
Swift
Synar
Tanner
Tauzin
Tejeda
Thornton
Thurman
Torres
Torrucelli
Towns
Traficant
Tucker
Unsoeld
Valentine
Velazquez
Vento
Visclosky
Volkmer
Washington
Waters
Watt
Waxman
Wheat
Williams
Wilson
Wise
Woolsey
Wyden
Wynn

Royce
Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)

NOT VOTING—15

Abercrombie
Ackerman
Beilenson
Chapman
Cooper

Smith (OR)
Smith (TX)
Snow
Spence
Stearns
Stenholm
Stump
Sundquist
Talent
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)

McDade
Nussle
Solomon
Whitten
Yates

When there appeared { Yeas 186
Nays 229

¶16.11 [Roll No. 40]
YEAS—186

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Clinger
Coble
Collins (GA)
Combust
Condit
Cox
Crane
Crapo
Cunningham
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
English (OK)
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Geren
Gilchrist
Gilman
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson (SD)
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl
Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Machtley
Manzullo
McCandless
McCollum
McCrery
McCurdy
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Minge
Molinar
Moorhead
Morella

NAYS—229

Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Barcia
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bevill
Bilbray
Bishop
Blackwell
Bonior
Borski
Boucher
Brewster
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Byrne
Cantwell
Cardin
Carr

Myers
Nussle
Orton
Packard
Parker
Paxon
Penny
Petri
Pombo
Porter
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Santorum
Saxton
Schaefer
Schiff
Sensenbrenner
Shaw
Shays
Shuster
Sisisky
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Spence
Stearns
Stenholm
Stump
Sundquist
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Valentine
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Clinger
Coble
Collins (GA)
Combust
Cox
Crane
Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Emerson
English (OK)
Everett
Ewing

NAYS—178

Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Gilchrist
Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Grams
Grandy
Greenwood
Gunderson
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hoekstra
Hoke
Horn
Houghton
Huffington
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kolbe
Kyl

Lazio
Leach
Levy
Lewis (CA)
Lewis (FL)
Lightfoot
Linder
Livingston
Machtley
Manzullo
McCandless
McCollum
McCrery
McCurdy
McHugh
McInnis
McKeon
McMillan
Meyers
Mica
Michel
Miller (FL)
Minge
Molinar
Moorhead
Morella
Myers
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema

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.

¶16.10 EMERGENCY UNEMPLOYMENT COMPENSATION EXTENSION

On motion of Mr. ROSTENKOWSKI, pursuant to House Resolution 103, the Committee of the Whole House on the state of the Union was discharged from further consideration of the bill (H.R. 920) to extend the emergency unemployment compensation program, and for other purposes.

When said bill was considered and read twice.

Pursuant to House Resolution 103, the amendment recommended by the Committee on Ways and Means printed in the bill and the amendment printed in the report (Rept. No. 103-18) of the Committee on Rules accompanying said resolution were considered as adopted.

After debate,
The previous question having been ordered by said resolution.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. ARCHER moved to recommit the bill to the Committee on Ways and Means with instructions to report the bill back to the House forthwith without section 6 (designating the spending provided and authorized as emergency requirements under the Balanced Budget and Emergency Deficit Control Act of 1985), and with an extension of the emergency unemployment compensation benefits through October 1993 which is offset in a manner consistent with the current budget rules and which does not increase the deficit for fiscal years 1993 and 1994.

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,
Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. LAROCCO, announced that the nays had it.

Mr. ARCHER 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.