

Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, 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. All points of order against the amendments printed in the report are waived. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. 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 committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

Pending consideration of said resolution,

55.9 POINT OF ORDER

Mr. NADLER made a point of order, pursuant to section 426 of the Congressional Budget and Impoundment Control Act of 1974, as amended by the Unfunded Mandates Reform Act of 1995, and said:

"Mr. Speaker, I make a point of order against consideration of House Resolution 462. Section 425 of that same Act, added by the Unfunded Mandates Reform Act of 1995, states that a point of order lies against legislation which (1) imposes an unfunded mandate in excess of \$50 million annually against state or local governments, and (2) does not publish prior to floor consideration, a Congressional Budget Office estimate of any unfunded mandates in excess of \$50 million annually for state and local entities or in excess of \$100 million annually for the private sector. Section 426 of the Budget Act specifically states that the Rules Committee may not waive this point of order. On page 2, lines 13 through 15 of House Resolution 462, all points of order are waived against the committee amendment in the nature of a substitute. Therefore, I make a point of order that this rules may not be considered pursuant to section 426, as added by the Unfunded Mandates Reform Act of 1995."

The SPEAKER pro tempore, Mr. DUNCAN, responded to the point of order, and said:

"The gentleman from New York makes a point of order against the resolution under section 425(a) of the Congressional Budget Act of 1974. In accordance with section 426(b)(2) of the Act, the gentleman from New York (Mr. NADLER) has met the threshold

burden to identify specific waiver language in the resolution for the point of order.

"Under section 426(b)(2) of the Act, the gentleman from New York, Mr. NADLER and a Member opposed each will control 10 minutes of debate on the question of consideration. Pursuant to section 426(b)(3) of the Act, after debate the Chair will put the question of consideration, to wit: Will the House now consider the resolution?"

After debate,  
The question being put, viva voce,  
Will the House now consider the resolution?

The Speaker pro tempore, Mr. DUNCAN, announced that the nays had it.

55.10 POINT OF ORDER

Mr. MCINNIS rose and said:  
"Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to—"

The SPEAKER pro tempore, Mr. DUNCAN, spoke and said:

"Does the gentleman from Colorado, Mr. MCINNIS, recognize that the noes prevailed on the pending vote?"

Mr. MCINNIS was recognized to speak and said:

"Mr. Speaker, I am a little confused as to the order."

Mr. NADLER spoke and said:  
"Mr. Speaker, we continued. The vote is over."

Mr. MCINNIS spoke and said:  
"I have the Floor, Mr. Speaker, and I make a point of order to that point."

The SPEAKER pro tempore, Mr. DUNCAN, spoke and said:

"The gentleman from Colorado, Mr. MCINNIS has the floor.

"Does the gentleman from Colorado object to the vote?"

Mr. MCINNIS spoke and said:  
"Yes, I do, Mr. Speaker."

The SPEAKER pro tempore, Mr. DUNCAN, announced:

"The gentleman from Colorado, Mr. MCINNIS, objects to the vote on the ground that a quorum is not present and makes the point of order that a quorum is not present.

"A quorum is not present. Under the rule, the yeas and nays are ordered. Those in favor will vote aye—"

Mr. NADLER spoke and said:

"Mr. Speaker, business intervened. Speech intervened. He did not ask for the vote or object to the quorum until the Chair asked about it. I object to this. He has gone on, all right."

The SPEAKER pro tempore, Mr. DUNCAN, said:

"The gentleman from Colorado, Mr. MCINNIS, objected to the vote. The gentleman from Colorado, Mr. MCINNIS, objected to the vote."

Mr. NADLER spoke and said:

"Mr. Speaker, business intervened. Before he objected to the vote, he started saying he asked 30 minutes for speaking time, et cetera. We had already progressed. He did not object to the vote."

The SPEAKER pro tempore, Mr. DUNCAN, said:

"There was not business that intervened. The gentleman from Colorado,

Mr. MCINNIS, did not have the floor for debate since the pending voice vote was against consideration.

"The gentleman from Colorado, Mr. MCINNIS did not have the floor for debate. The gentleman from Colorado objected to the vote."

Mr. MCINNIS spoke and said:  
"That is correct, Mr. Speaker. I had the floor. I was on my feet and had the floor."

The SPEAKER pro tempore, Mr. DUNCAN, said:

"The Chair will repeat, the gentleman from Colorado, Mr. MCINNIS, has objected to the vote on the ground that a quorum is not present."

Mr. NADLER spoke and said:  
"Mr. Speaker, I appeal the ruling of the Chair."

The SPEAKER pro tempore, Mr. DUNCAN, said:

"The gentleman makes the point of order that a quorum is not present."

Mr. NADLER spoke and said:

"Mr. Speaker, I object on the ground that the RECORD will show, if the Clerk will read the RECORD, that the gentleman had gone on to another subject, had already started talking about something else, and did not, did not object on the ground that a quorum is not present until the Speaker asked him, do you not want to object that a quorum was not present?"

"The vote was already over and cannot be continued at this point. I make a point of order."

The SPEAKER pro tempore, Mr. DUNCAN, said:

"The gentleman from Colorado, Mr. MCINNIS, had not been recognized to debate the resolution since the House had not voted to consider the resolution, therefore, no intervening business had been transacted."

"Does the gentleman from New York, Mr. NADLER, insist on appealing the ruling of the Chair?"

Mr. NADLER spoke and said:  
"Mr. Speaker, no, I do not."

The SPEAKER pro tempore, Mr. DUNCAN, said:

"The gentleman from New York, Mr. NADLER, has withdrawn his appeal of the ruling of the Chair.

"The gentleman from Colorado, Mr. MCINNIS, has objected to the vote. That objection was made on the grounds that a quorum was not present, and the gentleman has made a point of order that a quorum is not present.

"Evidently a quorum is not present. The Sergeant at Arms will notify absent members."

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 248  
Nays ..... 166

55.11 [Roll No. 216]  
YEAS—248

Aderholt	Baker	Barton
Archer	Ballenger	Bass
Armey	Barr	Bateman
Bachus	Barrett (NE)	Bereuter
Baesler	Bartlett	Bilbray

Bilirakis  
Bliley  
Blunt  
Boehkert  
Boehner  
Bonilla  
Bono  
Boswell  
Boucher  
Boyd  
Brady (TX)  
Bryant  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Cannon  
Cardin  
Castle  
Chabot  
Chambliss  
Chenoweth  
Christensen  
Coble  
Coburn  
Collins  
Combest  
Cooksey  
Cox  
Cramer  
Crane  
Crapo  
Cubin  
Cunningham  
Davis (FL)  
Davis (VA)  
Deal  
DeLay  
Deutsch  
Diaz-Balart  
Dickey  
Dingell  
Dooley  
Doolittle  
Dreier  
Duncan  
Dunn  
Ehlers  
Ehrlich  
Emerson  
English  
Everett  
Ewing  
Fawell  
Foley  
Forbes  
Fossella  
Fowler  
Fox  
Frank (MA)  
Franks (NJ)  
Frelinghuysen  
Frost  
Gallegly  
Ganske  
Gekas  
Gibbons  
Gilchrist  
Gillmor  
Goode  
Goodlatte  
Goodling  
Gordon

Goss  
Graham  
Granger  
Greenwood  
Gutknecht  
Hall (TX)  
Hansen  
Hastert  
Hastings (WA)  
Hayworth  
Hefley  
Herger  
Hill  
Hilleary  
Hobson  
Hoekstra  
Holden  
Horn  
Hostettler  
Hulshof  
Hunter  
Hutchinson  
Hyde  
Istook  
Jenkins  
Johnson (CT)  
Johnson, Sam  
Jones  
Kasich  
Kelly  
Kennedy (RI)  
Kim  
King (NY)  
Kingston  
Klecza  
Knollenberg  
Kolbe  
LaHood  
Largent  
Latham  
LaTourette  
Lazio  
Lewis (CA)  
Lewis (KY)  
Livingston  
LoBiondo  
Lucas  
Maloney (CT)  
Manzullo  
McCollum  
McCrery  
McDade  
McHugh  
McInnis  
McIntosh  
McKeon  
Metcalf  
Mica  
Miller (FL)  
Moran (KS)  
Moran (VA)  
Morella  
Myrick  
Nethercutt  
Neumann  
Ney  
Northup  
Norwood  
Nussle  
Packard  
Pappas  
Parker  
Paul  
Paxon  
Pease  
Peterson (MN)  
Peterson (PA)  
Petri

NAYS—166

Abercrombie  
Ackerman  
Allen  
Andrews  
Baldacci  
Barcia  
Barrett (WI)  
Becerra  
Bentsen  
Berman  
Berry  
Bishop  
Blagojevich  
Blumenauer  
Bonior  
Brady (PA)  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Capps

Carson  
Clay  
Clayton  
Clement  
Clyburn  
Condit  
Costello  
Coyne  
Cummings  
Danner  
Davis (IL)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dicks  
Dixon  
Doggett  
Doyle  
Edwards

Pickering  
Pitts  
Pombo  
Porter  
Portman  
Pryce (OH)  
Quinn  
Radanovich  
Ramstad  
Redmond  
Regula  
Riggs  
Riley  
Roemer  
Rogan  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rothman  
Roukema  
Royce  
Ryun  
Salmon  
Sanford  
Sawyer  
Saxton  
Scarborough  
Schaefer, Dan  
Schaffer, Bob  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Shimkus  
Shuster  
Sisisky  
Skaggs  
Skeen  
Smith (MI)  
Smith (NJ)  
Smith (OR)  
Smith (TX)  
Smith, Adam  
Smith, Linda  
Snowbarger  
Snyder  
Solomon  
Souder  
Spence  
Stearns  
Stump  
Sununu  
Talent  
Tauscher  
Tauzin  
Taylor (NC)  
Thomas  
Thornberry  
Thune  
Tiahrt  
Traficant  
Turner  
Upton  
Walsh  
Wamp  
Watkins  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
Weygand  
White  
Whitfield  
Wicker  
Wolf  
Young (AK)

Hinojosa  
Hooley  
Hoyer  
Jackson (IL)  
Jackson-Lee  
Jefferson  
John  
Johnson (WI)  
Johnson, E. B.  
Kanjorski  
Kaptur  
Kennedy (MA)  
Kennelly  
Kildee  
Kilpatrick  
Kind (WI)  
Klink  
Kucinich  
LaFalce  
Lampson  
Lantos  
Lee  
Levin  
Lewis (GA)  
Lipinski  
Lowe  
Luther  
Maloney (NY)  
Manton  
Markey  
Martinez  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
Borski  
Conyers  
Cook  
Farr  
Gilman  
Gonzalez  
Harman

NOT VOTING—19

Houghton  
Inglis  
Klug  
Leach  
Linder  
Lofgren  
McDermott

So it was the decision of the House to consider said resolution.

After debate, Mr. MCINNIS 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. DUNCAN, announced that the yeas had it.

Ms. SLAUGHTER 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 ..... 236  
Nays ..... 183

55.12 [Roll No. 217] YEAS—236

Aderholt  
Archer  
Army  
Baesler  
Baker  
Ballenger  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bass  
Bateman  
Bereuter  
Berry  
Billbray  
Bilirakis  
Bliley  
Blunt  
Boehkert  
Boehner  
Bonilla  
Bono  
Boswell  
Boucher

McGovern  
McHale  
McIntyre  
McKinney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Millender-  
McDonald  
Miller (CA)  
Minge  
Mink  
Mollohan  
Murtha  
Nadler  
Neal  
Oberstar  
Obey  
Olver  
Ortiz  
Owens  
Pallone  
Pascrell  
Pastor  
Payne  
Pelosi  
Pomeroy  
Poshard  
Price (NC)  
Rahall  
Rangel  
Reyes  
Rivers  
Rodriguez  
Roybal-Allard  
Rush  
Sabo  
Sanchez  
Sanders  
Sandlin  
Schumer  
Scott  
Serrano  
Skelton  
Slaughter  
Spratt  
Stabenow  
Stark  
Stenholm  
Stokes  
Strickland  
Stupak  
Tanner  
Taylor (MS)  
Thompson  
Thurman  
Tierney  
Torres  
Towns  
Velazquez  
Vento  
Visclosky  
Waters  
Watt (NC)  
Waxman  
Wexler  
Wise  
Woolsey  
Wynn  
Yates  
Moakley  
Oxley  
Pickett  
Sensenbrenner  
Young (FL)

Fossella  
Fowler  
Fox  
Franks (NJ)  
Frelinghuysen  
Gallegly  
Ganske  
Gekas  
Gibbons  
Gilchrist  
Gillmor  
Gilman  
Goode  
Goodlatte  
Goss  
Graham  
Granger  
Greenwood  
Gutknecht  
Hansen  
Hastert  
Hastings (WA)  
Hayworth  
Hefley  
Herger  
Hill  
Hilleary  
Hobson  
Hoekstra  
Horn  
Hostettler  
Hulshof  
Hunter  
Hutchinson  
Hyde  
Istook  
Jenkins  
Johnson (CT)  
Johnson, Sam  
Jones  
Kasich  
Kelly  
Kim  
Kind (WI)  
King (NY)  
Kingston  
Klecza  
Knollenberg  
Kolbe  
LaHood  
Largent  
Latham  
LaTourette  
Lazio  
Leach  
Abercrombie  
Ackerman  
Allen  
Andrews  
Baldacci  
Barcia  
Barrett (WI)  
Becerra  
Bentsen  
Bishop  
Blagojevich  
Blumenauer  
Bonior  
Borski  
Brady (PA)  
Brown (FL)  
Brown (OH)  
Capps  
Cardin  
Carson  
Clay  
Clayton  
Clement  
Clyburn  
Condit  
Conyers  
Costello  
Coyne  
Cummings  
Danner  
Davis (FL)  
Davis (IL)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
Dicks  
Dingell  
Dixon  
Doggett  
Doyle  
Edwards

NAYS—183

Engel  
Eshoo  
Etheridge  
Evans  
Fattah  
Fazio  
Filner  
Ford  
Frank (MA)  
Frost  
Furse  
Gejdenson  
Gephardt  
Gordon  
Green  
Gutierrez  
Hall (OH)  
Hall (TX)  
Hamilton  
Harman  
Hastings (FL)  
Hefner  
Hilliard  
Hinchee  
Hinojosa  
Holden  
Hooley  
Hoyer  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
John  
Johnson (WI)  
Johnson, E. B.  
Kanjorski  
Kaptur  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kilpatrick  
Klink  
Kucinich  
LaFalce  
Lampson  
Lantos  
Lee  
Levin  
Lewis (GA)  
Lipinski  
Lofgren  
Lowe  
Luther  
Maloney (NY)  
Manton  
Markey  
Martinez  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McGovern  
McHale  
McIntyre  
McKinney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Millender-  
McDonald  
Miller (CA)  
Minge  
Mink  
Moakley  
Mollohan  
Murtha  
Nadler  
Neal  
Oberstar  
Obey  
Ortiz  
Owens