

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

"It is my understanding that when the amendment to H.R. 3750 was presented to the House, the gentleman from North Carolina, the author of the amendment, indicated in an explanation of the measure that "the requirement that no taxpayer dollars may be used to finance congressional campaigns" was a portion of a substitute amendment.

"In addition, on the floor during debate in the CONGRESSIONAL RECORD, page H11128, the gentlewoman from Ohio [Ms. OAKAR] said, 'No taxpayers' dollars are involved.'

"During the same debate on page 11162 the gentleman from Connecticut said, 'We do not have public financing in this bill.'

The gentleman from North Carolina [Mr. ROSE] on page 11164 said:

Taxpayers are used to making tax contributions to pay for elections in this country, but they did not want their tax dollars at this time going to candidates for Congress.

"What this motion to instruct says is that no taxpayer dollars should be used to finance congressional campaigns. There are three examples of areas that financing should not be allowed, based upon the provisions that were in the bill.

"For example, first, no payments to reimburse the Postal Service for postage discounts; second, no payments to congressional campaigns, either in a matching fund or some other way, they should not go directly to congressional campaigns; or third, that there should not be any other expenditure or obligation to offset revenue losses created by, for example, tax credits in any conference agreement.

"Therefore, Mr. Speaker, based upon all the allegations that were presented during the presentation of this bill, it seems to me that the scope of the conference certainly would find acceptable an explanation which simply delineates more specifically where no taxpayer dollars are to be allowed."

The SPEAKER sustained the point of order, and said:

"The Chair is prepared to rule, if there are no further arguments.

"Neither the House nor the Senate version contains the provision which the second part of the instruction directs the House conferees to include in their report.

"The gentleman from California [Mr. THOMAS] is quoting statements on the floor made by Members supporting the bill, but neither the House nor the Senate version contains such provisions.

"For this reason, the motion exceeds the scope of the matters formally committed to conference and the Chair sustains the point of order."

¶34.9 MOTION TO INSTRUCT CONFEREES—
S. 3

Mr. THOMAS of California moved that the managers on the part of the

House at the conference on the disagreeing votes of the two Houses on the amendments of the House to S. 3 be instructed to include provisions in the conference report that would limit the total cost of the bill to the total savings to be derived from the recommended offsets in the Senate bill and House amendments, and specify the account given such costs and offsets under the terms of section 301, Requirement of Budget Neutrality.

After debate,

By unanimous consent, the previous question on the motion to instruct was ordered.

The question being put, viva voce,

Will the House agree to said motion?

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

So the motion to instruct was agreed to.

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

¶34.10 PROVIDING FOR THE
CONSIDERATION OF H.R. 3553

Mr. GORDON, by direction of the Committee on Rules, called up the following resolution (H. Res. 403):

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 the consideration of the bill (H.R. 3553) to amend and extend the Higher Education Act of 1965, and the first reading of the bill shall be dispensed with. All points of order against consideration of the bill are hereby waived. After general debate, which shall be confined to the bill and the amendments made in order by this resolution and which shall not exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment now printed in the bill, it shall be in order to consider an amendment in the nature of a substitute consisting of the text of H.R. 4471, as modified by the amendment printed in the report of the Committee on Rules accompanying this resolution, as an original bill for the purpose of amendment under the five-minute rule. Said substitute, as modified, shall be considered for amendment by title and each title shall be considered as having been read, and all points of order against said substitute, as modified, are hereby waived. No amendment to said substitute, as modified, shall be in order except: (1) pro forma amendments for purposes of debate and (2) those amendments printed in the "Amendments" portion of the Congressional Record prior to the consideration of the bill. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House, and 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 by this resolution. 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. After passage of H.R. 3553, it shall be in order to take from the Speaker's table

the bill S. 1150 and consider said bill in the House. It shall then be in order to move to strike out all after the enacting clause of said Senate bill and to insert in lieu thereof the provisions of H.R. 3553 as passed by the House. All points of order against the motion are hereby waived. It shall then be in order to move to insist on the House amendment to S. 1150 and request a conference with the Senate.

When said resolution was considered.

After debate,

On motion of Mr. GORDON, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, 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.

¶34.11 HIGHER EDUCATION AID

The SPEAKER pro tempore, Mr. MURTHA, pursuant to House Resolution 403 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3553) to amend and extend the Higher Education Act of 1965.

The SPEAKER pro tempore, Mr. MURTHA, by unanimous consent, designated Mr. PEASE as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mrs. LOWEY, assumed the Chair.

When Mr. PEASE, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶34.12 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2398. An Act to clarify the provisions relating to the construction of additional court space in Brooklyn, New York, and to make a technical correction.

¶34.13 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. COSTELLO, for today.

And then,

¶34.14 ADJOURNMENT

On motion of Mr. NICHOLS, at 8 o'clock and 2 minutes p.m., the House adjourned.

¶34.15 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN (for himself, Mr. SCHEUER, and Mrs. LLOYD):

H.R. 4559. A bill to enhance U.S. energy security, provide for environmental improvement, and encourage U.S. industrial competitiveness, through enhanced research and development, and for other purposes; jointly, to the Committees on Science, Space, and Technology; Interior and Insular Affairs; and Energy and Commerce.

By Mr. ALEXANDER (for himself and Mr. GILMAN):