

Menendez	Roberts	Stump
Metcalf	Roemer	Talent
Meyers	Rogers	Tanner
Mica	Rohrabacher	Tate
Miller (FL)	Ros-Lehtinen	Tauzin
Molinari	Roth	Taylor (MS)
Montgomery	Roukema	Taylor (NC)
Moorhead	Royce	Thomas
Morella	Salmon	Thornberry
Myers	Sanford	Tiahrt
Myrick	Saxton	Torkildsen
Nethercutt	Scarborough	Torricelli
Neumann	Schaefer	Traficant
Norwood	Schiff	Upton
Nussle	Seastrand	Vucanovich
Packard	Sensenbrenner	Walker
Parker	Shadegg	Walsh
Paxon	Shaw	Wamp
Petri	Shays	Watts (OK)
Pombo	Shuster	Weldon (FL)
Portman	Skeen	Weldon (PA)
Pryce	Smith (MI)	Weller
Quillen	Smith (NJ)	White
Quinn	Smith (TX)	Whitfield
Radanovich	Solomon	Wicker
Rahall	Souder	Wolf
Ramstad	Spence	Young (FL)
Regula	Stearns	Zeliff
Riggs	Stockman	Zimmer

NOT VOTING—30

Callahan	Kennedy (MA)	Porter
Chapman	Martinez	Reynolds
Clayton	Meek	Sisisky
Collins (IL)	Mfume	Smith (WA)
DeFazio	Moakley	Stokes
Diaz-Balart	Moran	Thompson
Dornan	Murtha	Tucker
Fattah	Owens	Waldholtz
Fields (TX)	Oxley	Williams
Jefferson	Payne (NJ)	Young (AK)

So the motion to adjourn was not agreed to.

¶118.5 COMMITTEES AND SUBCOMMITTEES TO SIT

Mr. ARMEY, pursuant to clause 2(i) of rule XI, moved that all committees and subcommittees be permitted to sit during the 5-minute rule today.

After debate,

On motion of Mr. ARMEY, the previous question was ordered.

The question being put, viva voce,

Will the House agree to said motion?

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

Mr. ARMEY 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 243
Nays 175

¶118.6 [Roll No. 673] YEAS—243

Allard	Bono	Collins (GA)
Archer	Brownback	Combest
Armey	Bryant (TN)	Cooley
Bachus	Bunn	Cox
Baker (CA)	Bunning	Crane
Baker (LA)	Burr	Crapo
Ballenger	Burton	Cremeans
Barr	Buyer	Cubin
Barrett (NE)	Callahan	Cunningham
Bartlett	Calvert	Davis
Barton	Camp	Deal
Bass	Canady	DeLay
Bateman	Castle	Diaz-Balart
Bereuter	Chabot	Dickey
Bilbray	Chambliss	Dooley
Bilirakis	Chenoweth	Doolittle
Bliley	Christensen	Dornan
Blute	Chrysler	Dreier
Boehkert	Clinger	Duncan
Boehner	Coble	Dunn
Bonilla	Coburn	Ehlers

Ehrlich	King	Roberts	Murtha	Rivers	Tejeda
Emerson	Kingston	Rogers	Nadler	Roemer	Thornton
English	Klug	Rohrabacher	Neal	Royal-Allard	Thurman
Ensign	Knollenberg	Ros-Lehtinen	Oberstar	Rush	Torres
Eversett	Kolbe	Rose	Obey	Sabo	Towns
Ewing	LaHood	Roth	Olver	Sanders	Velazquez
Fawell	Largent	Roukema	Ortiz	Sawyer	Vento
Flanagan	Latham	Royce	Orton	Schroeder	Visclosky
Foley	LaTourette	Salmon	Owens	Schumer	Volkmer
Forbes	Laughlin	Sanford	Pallone	Scott	Ward
Fowler	Lazio	Saxton	Pastor	Serrano	Watt (NC)
Fox	Leach	Scarborough	Payne (VA)	Skaggs	Waxman
Franks (CT)	Lewis (CA)	Schaefer	Pelosi	Slaughter	Williams
Franks (NJ)	Lewis (KY)	Schiff	Peterson (FL)	Spratt	Wilson
Frelinghuysen	Lightfoot	Seastrand	Peterson (MN)	Stark	Wise
Frisa	Linder	Sensenbrenner	Pickett	Stenholm	Woolsey
Funderburk	Livingston	Shadegg	Pomeroy	Stokes	Wyden
Galleghy	LoBiondo	Shaw	Poshard	Studds	Wynn
Ganske	Longley	Shays	Rangel	Stupak	Yates
Gekas	Lucas	Shuster	Reed	Tanner	
Gilchrest	Manzullo	Skeen	Richardson	Taylor (MS)	
Gillmor	Martini	Skelton			
Gilman	McCollum	Smith (MI)			
Goodlatte	McCrery	Smith (NJ)	Chapman	Kennedy (MA)	Sisisky
Gooding	McDade	Smith (TX)	Clayton	Meek	Thompson
Gordon	McHugh	Smith (WA)	Clement	Mfume	Tucker
Goss	McInnis	Solomon	Fields (TX)	Moakley	Waters
Graham	McIntosh	Souder	Flake	Payne (NJ)	
Greenwood	McKeon	Spence	Jefferson	Reynolds	
Gunderson	Metcalf	Stearns			
Gutknecht	Meyers	Stockman			
Hall (TX)	Mica	Stump			
Hamilton	Miller (FL)	Talent			
Hancock	Molinari	Tate			
Hansen	Montgomery	Tauzin			
Hastert	Moorhead	Taylor (NC)			
Hastings (WA)	Morella	Thomas			
Hayworth	Myers	Thornberry			
Hefley	Myrick	Tiahrt			
Heineman	Nethercutt	Torkildsen			
Herger	Neumann	Torricelli			
Hilleary	Ney	Traficant			
Hobson	Norwood	Upton			
Hoekstra	Nussle	Vucanovich			
Hoke	Oxley	Waldholtz			
Horn	Packard	Walker			
Hostettler	Parker	Walsh			
Houghton	Paxon	Wamp			
Hunter	Petri	Watts (OK)			
Hutchinson	Pombo	Weldon (FL)			
Hyde	Porter	Weldon (PA)			
Inglis	Portman	Weller			
Istook	Pryce	White			
Jacobs	Quillen	Whitfield			
Johnson (CT)	Quinn	Wicker			
Johnson, Sam	Radanovich	Wolf			
Jones	Rahall	Young (AK)			
Kasich	Ramstad	Young (FL)			
Kelly	Regula	Zeliff			
Kim	Riggs	Zimmer			

NAYS—175

Abercrombie	Deutsch	Johnson (SD)
Ackerman	Dicks	Johnson, E. B.
Andrews	Dingell	Johnston
Baesler	Dixon	Kanjorski
Baldacci	Doggett	Kaptur
Barcia	Doyle	Kennedy (RI)
Barrett (WI)	Durbin	Kennelly
Becerra	Edwards	Kildee
Beilenson	Engel	Kleczka
Bentsen	Eshoo	Klink
Berman	Evans	LaFalce
Bevill	Farr	Lantos
Bishop	Fattah	Levin
Bonior	Fazio	Lewis (GA)
Borski	Fields (LA)	Lincoln
Boucher	Filner	Lipinski
Brewster	Foglietta	Lofgren
Browder	Ford	Lowe
Brown (CA)	Frank (MA)	Luther
Brown (FL)	Frost	Maloney
Brown (OH)	Furse	Manton
Bryant (TX)	Gejdenson	Markey
Cardin	Gephardt	Martinez
Clay	Geren	Mascara
Clyburn	Gibbons	Matsui
Coleman	Gonzalez	McCarthy
Collins (IL)	Green	McDermott
Collins (MI)	Gutierrez	McHale
Condit	Hall (OH)	McKinney
Conyers	Harman	McNulty
Costello	Hastings (FL)	Meehan
Coyne	Hayes	Menendez
Cramer	Hefner	Miller (CA)
Danner	Hilliard	Mineta
de la Garza	Hinche	Minge
DeFazio	Holden	Mink
DeLauro	Hoyer	Mollohan
Dellums	Jackson-Lee	Moran

NOT VOTING—16

Chapman	Kennedy (MA)	Sisisky
Clayton	Meek	Thompson
Clement	Mfume	Tucker
Fields (TX)	Moakley	Waters
Flake	Payne (NJ)	
Jefferson	Reynolds	

So the motion was agreed to.

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

¶118.7 PROVIDING FOR THE

CONSIDERATION OF H.R. 2274

Mr. QUILLEN, by direction of the Committee on Rules, called up the following resolution (H. Res. 224):

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. 2274) to amend title 23, United States Code, to designate the National Highway System, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 302(f) of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment recommended by the Committee on Transportation and Infrastructure now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of H.R. 2349. That amendment in the nature of a substitute shall be considered by title rather than by section. The first two sections and each title shall be considered as read. Points of order against that amendment in the nature of a substitute for failure to comply with clause 1(q)(10) of rule X, clause 5(a) of rule XXI, or section 302(f) of the congressional Budget Act of 1974 are waived. Before consideration of any other amendment it shall be in order to consider the amendment printed in the report of the Committee on Rules accompanying this resolution, if offered by Representative Shuster of Pennsylvania or his designee. That amendment shall be considered as read, may amend portions of the bill not yet read for amendment, shall be debatable for ten minutes 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 that

amendment are waived. After disposition of that amendment, the provisions of the bill as then perfected shall be considered as original text. During further consideration of the bill for amendment, the Chairman of the Committee of the whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. 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.

When said resolution was considered. After debate,

¶118.8 POINT OF ORDER

Mr. QUILLEN made a point of order during the remarks of the gentlemen from Texas [Mr. DOGGETT], and said:

"Mr. Speaker, I make a point of order that the gentleman from Texas [Mr. DOGGETT] is in violation of House rule XIV that requires Members to confine themselves to the question under consideration.

"Mr. Speaker, the question under consideration is House Resolution 224, the rule for the highway bill, and has nothing to do with Medicare."

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

"Mr. Speaker, the gentleman from Tennessee [Mr. QUILLEN] objects to the gentleman from Texas [Mr. DOGGETT] speaking about the resolution of the gentleman from Michigan [Mr. DINGELL], when the matter before the House is the rule on H.R. 2274.

"The Speaker has ruled on this issue several times in recent years. Probably the clearest guidelines about relevant speech during consideration of a rule come from the Speaker's ruling of September 27, 1990, and I quote:

In the Chair's opinion discussing the priority of business is within the confines of the resolution . . . the Chair has ruled that it is certainly within the debate rules of this House to debate whether or not this rule ought to be adopted or another procedure ought to be adopted by the House . . . but when debate ranges into the merits of the relative bills not yet before the House, the Chair would admonish the Members that that goes beyond the resolution . . .

"Mr. Speaker, the gentleman from Texas [Mr. DOGGETT] has not discussed the merits of Medicare legislation. He has not discussed the details of it or engaged in anything like a debate on that important measure. Mr. Speaker, the gentleman from Texas has confined himself to the priority of business argument, that the House ought to be debating the resolution of the gentleman from Michigan [Mr. DINGELL] providing for hearings, providing for additional hearings, on Medicare before it gets to

this important matter dealing with transportation. The gentleman from Texas has confined himself to the question of whether to adopt the rule before us or a different rule making in order the gentleman from Michigan's resolution that provides for hearings on Medicare.

"Mr. Speaker, I believe the speech of the gentleman from Texas [Mr. DOGGETT] is relevant."

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

"Mr. Speaker, as my colleague from Texas has just pointed out, the focus of my remarks from the outset is the priority of legislative business. If a rule is not an appropriate time to discuss the priority of legislative business, I know not when one could discuss the priority, and of course my reason for raising this issue of priority is that I made a parliamentary inquiry only about an hour ago to the Speaker to find out how is it possible to get before the House a resolution signed by 201 Members of this House asking for more complete and fair hearings on Medicare, and I was told there was no way to do that without the approval of Speaker GINGRICH. So it seemed to me this was an appropriate way to discuss priorities because I would be denied, as has every other Member of this House, any other way of getting the issue before the House.

"So, Mr. Speaker, this is a discussion of priorities which I plan, in the brief minute I have remaining, to intermingle with the highway bill under consideration because the two are very related."

The SPEAKER pro tempore, Mr. DICKEY, sustained the point of order, and said:

"Debate on a special order providing for the consideration of a bill may range to the merits of the bill to be made in order since the question of consideration of the bill is involved, but should not range to the merits of a measure not to be considered under that special order.

"The gentleman from Tennessee [Mr. QUILLEN] has made the point of order that the gentleman from Texas [Mr. DOGGETT] is engaging in irrelevant debate. Because the gentleman's remarks have in some respects extended to the merits of other measures, the Chair finds that the point of order is well taken."

After further debate,

Mr. QUILLEN 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. DICKEY, announced that the yeas had it.

Mr. FROST 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 241
Nays 173

¶118.9

[Roll No. 674]

YEAS—241

Allard	Funderburk	Morella
Archer	Galleghy	Murtha
Armev	Ganske	Myers
Bachus	Gekas	Myrick
Baker (CA)	Gilchrist	Nethercutt
Baker (LA)	Gillmor	Neumann
Ballenger	Gilman	Ney
Barr	Goodlatte	Norwood
Barrett (NE)	Goodling	Nussle
Bartlett	Goss	Oxley
Barton	Graham	Packard
Bass	Greenwood	Parker
Bateman	Gunderson	Paxon
Bereuter	Gutknecht	Petri
Bilbray	Hall (TX)	Pombo
Bilirakis	Hamilton	Porter
Bliley	Hancock	Portman
Blute	Hansen	Pryce
Boehlert	Hastert	Quillen
Boehner	Hastings (WA)	Radanovich
Bonilla	Hayes	Rahall
Bono	Hayworth	Ramstad
Brownback	Hefley	Regula
Bryant (TN)	Heineman	Riggs
Bunn	Herger	Roberts
Bunning	Hilleary	Rogers
Burr	Hobson	Rohrabacher
Burton	Hoekstra	Ros-Lehtinen
Buyer	Hoke	Rose
Callahan	Horn	Roth
Calvert	Hostettler	Roukema
Camp	Houghton	Royce
Canady	Hunter	Salmon
Castle	Hutchinson	Sanford
Chabot	Hyde	Saxton
Chambliss	Inglis	Scarborough
Chenoweth	Istook	Schaefer
Christensen	Johnson (CT)	Seastrand
Chrysler	Johnson, Sam	Sensenbrenner
Clinger	Jones	Shadegg
Coble	Kanjorski	Shaw
Coburn	Kasich	Shays
Collins (GA)	Kelly	Shuster
Combest	Kim	Smith (MI)
Condit	King	Smith (NJ)
Cooley	Kingston	Smith (TX)
Cox	Klink	Smith (WA)
Crane	Klug	Solomon
Crapo	Knollenberg	Souder
Cremeans	Kolbe	Spence
Cubin	LaHood	Stearns
Cunningham	Largent	Stockman
Davis	Latham	Stump
Deal	LaTourette	Talent
DeLay	Laughlin	Tate
Diaz-Balart	Lazio	Tauzin
Dickey	Leach	Taylor (MS)
Doolittle	Lewis (CA)	Taylor (NC)
Dornan	Lewis (KY)	Thomas
Doyle	Lightfoot	Thornberry
Dreier	Linder	Tiahrt
Duncan	Livingston	Torkildsen
Dunn	LoBiondo	Upton
Ehlers	Longley	Vucanovich
Ehrlich	Lucas	Waldholtz
Emerson	Manzullo	Walker
English	Martini	Walsh
Ensign	McCollum	Wamp
Everett	McCrery	Weldon (FL)
Ewing	McDade	Weldon (PA)
Fawell	McHugh	Weller
Fields (TX)	McInnis	White
Flanagan	McIntosh	Whitfield
Foley	McKeon	Wicker
Forbes	Metcaif	Wolf
Fowler	Meyers	Young (AK)
Fox	Mica	Young (FL)
Franks (CT)	Miller (FL)	Zeliff
Franks (NJ)	Molinari	Zimmer
Frelinghuysen	Montgomery	
Frisa	Moorhead	

NAYS—173

Abercrombie	Bevill	Chapman
Ackerman	Bishop	Clay
Andrews	Bonior	Clayton
Baesler	Borski	Clement
Baldacci	Boucher	Clyburn
Barcia	Brewster	Coleman
Barrett (WI)	Browder	Collins (MI)
Becerra	Brown (CA)	Costello
Beilenson	Brown (OH)	Coyne
Bentsen	Bryant (TX)	Cramer
Berman	Cardin	Danner