

have been told by the Parliamentarian, and I want to make sure that the Members know this as well, that a change in the Treasury, Postal bill will not be germane because the only germane amendment to change the bill will be to the legislative bill because that is the underlying bill. Am I correct on that?

The SPEAKER pro tempore. That question cannot be prejudged at this point in time.

Mr. HOYER. Why not? There is not an answer that exists to that, Mr. Speaker? It is not a theoretical question.

The SPEAKER pro tempore. At this point, the question is hypothetical.

Mr. HOYER. Mr. Speaker, let me suggest that it may not be hypothetical at all as it relates to how Members feel they can vote on this particular rule, because they will know if they vote on this rule that they may or may not be precluded from taking such action under the rules that they may want to take.

That is why I believe that it is a relevant question at this time, prior to the vote on the rule.

The SPEAKER pro tempore. That is a fair question on which to engage in debate but not for advisory opinion from the Chair. It is still hypothetical.

Mr. FROST. Mr. Speaker, I yield the balance of my time to the gentleman from Wisconsin (Mr. OBEY), the ranking member on the Committee on Appropriations.

The SPEAKER pro tempore. The gentleman from Wisconsin (Mr. OBEY) is recognized for 1½ minutes.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding me this time.

I would once again want to try to correct some of the misstatements made by the distinguished majority whip. He indicated that those of us on the Democratic sides of the aisle had insisted that all 13 appropriation bills have a higher spending level than those produced by the majority. I would point out I wrote dissenting views to the Department of Defense bill that the majority brought to this House. That bill is \$19 billion over last year and it is \$5.1 billion above the President's request. Not with my vote, but with his.

The Labor HHS bill, at this point, the document being worked on in conference, is \$2.5 billion over the President's request.

The point we are trying to make is very simple. The majority party indicated earlier in this year that it was going to insist on its budget resolution. We made the point at that time that it was not realistic; that the Congress would wind up spending much more money than that, and that they ought to fess up earlier rather than later. Now what has happened is that on bill after bill the majority party is throwing away the budget limitations, but we have no idea what limitations are replacing them.

In other words, we are now acting in Congress the way the Congress acted

before 1974 with the passage of the Budget Act. For all practical purposes, whatever the Committee on the Budget has proposed is considered as being irrelevant. There are no rules except the rules designed on an ad hoc basis, anonymously, by the gentleman from Texas and his other fellow leaders, and that is no way to run a railroad much less run a legislative representative body.

1400

Mr. LINDER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, a couple of days ago I was talking with a gentleman from the other side of the Capitol about the appropriation process, and he said that he was deeply involved in the Foreign Ops appropriations bill and that the Members on both sides had agreed on all the differences from the House to the Senate on Foreign Ops.

However, he could not get any Members on the minority party or the White House to meet with them. They refused to meet, including the White House. Because they have this strategy to drag it out, stretch it out, do not agree to anything, complain about everything; and then one day, as the Majority Whip said, we will be here in October with a huge appropriations bill that will take in several of these 13 appropriations bills and they will get to spend more money. We heard that throughout this process on 13 bills that we are not spending enough.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. LINDER. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I understand the proposition of the gentleman. The Majority Whip made that, as well.

If that is the case, why does not the majority, which controls both Houses, send the bills as they think they ought to be to the White House and let them veto them and let the American public see what is going on?

Mr. LINDER. Mr. Speaker, reclaiming my time, we would very much like to do that. But if 41 of the Democrats on the other side of the Capitol determine to filibuster, they can stop anything from happening.

As the gentleman knows, they have to have 60 votes in that body. They are determined not to let anything move at all, not even to let them bring it up without all kinds of amendments that are not germane to the process, which, in a body that has only two rules, unanimous consent and exhaustion, they can put anything on a bill. So they are slowing it down.

The fact of the matter is that this House has voted to pass all three of these provisions before. These provisions are before us again today. We are trying to get these passed and out of these bodies so that the President can veto them, because we expect that he will. Then we will be back in September dealing with the differences.

It would be easier if they would engage us today and help us with these

differences today and move forward with the process.

So I would say to my colleagues that this rule, while cumbersome, not pretty, is a rule that gets the process moving. It is not new to us. We remember when Speaker Wright did this some years ago. But it does get the process moving.

Let us get to the debate on the bills, the substance of the bills. Let us move this process. And let us get out of town for our district work period knowing that we passed, if not all of them, all but maybe one of them, hopefully all of them, before August, something that has not been done in modern times.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The Chair again must remind Members to avoid improper references to the Senate, including characterizations of their actions.

The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. LINDER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on the resolution are postponed.

The point of no quorum is considered withdrawn.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). Pursuant to clause 8 of rule XX, the Chair will now put the question on those resolutions on which further proceedings were postponed earlier today.

Votes will be taken in the following order: House Resolution 564, and House Resolution 565.

PROVIDING FOR CONSIDERATION OF H.R. 4865, SOCIAL SECURITY BENEFITS TAX RELIEF ACT OF 2000

The SPEAKER pro tempore. The pending business is the vote de novo on House Resolution 564.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FROST. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.