

question of personal privilege, questions of privilege, in the absence of a quorum, et cetera.

"But fundamentally and elementally what is before the Chair is as follows: The question of privilege shall be first those affecting the rights of the House collectively, its safety, dignity, integrity of its proceedings.

"I do not think that is necessarily an issue here. Probably a rather abstract argument or intellectual argument could be made it is.

"But I rest my case to the Chair on the second part, those affecting the rights, reputation, and conduct of Members individually in their representative capacity only.

"Mr. Speaker, we have in the Pacific, aside from the representation with the capacity to vote on this floor existing in Hawaii, Members from Guam and American Samoa. In addition, we have certain jurisdiction over island groupings in the Pacific under the Department of the Interior.

"Mr. Speaker, I maintain to the Chair and to the Members that the rights and reputation and conduct of Members individually in their representative capacity is seriously impaired if they cannot succeed in being able to make an argument to the floor Members assembled as to whether or not Mr. Chirac should be able to appear.

"I do believe it is well within the boundaries, because those Members cannot vote on this floor. Their representative capacity is solely on the basis of being able to persuade us on behalf of the peoples of the Pacific that there are matters which require our attention. This privileged resolution is directed exactly at that issue. Questions about radioactivity, and so forth, would be discussed under that privileged resolution as to why an affirmative vote is sought.

"So, Mr. Speaker, I most sincerely request your favorable ruling with respect to the question of privilege, and ask that it be allowed to be voted on, because this is the only way that the peoples of the Pacific, through their representatives, particularly from Guam and American Samoa, who do not have the right to vote on this floor, will be able to make a representation that they are otherwise obligated and required to do so by virtue of their presence here on the floor.

"It is clear, it seems to me, given the massive implications of radioactive leakage in the Pacific with the numerous explosions that have taken place in these tests, that other than through this representation through the privileged motion, the desirability or undesirability of having Mr. Chirac speak will not be able to be adequately addressed, and it seems to me a very powerful argument can be made for that, should we be allowed to proceed.

The SPEAKER pro tempore, Mr. HASTINGS of Washington, ruled that the resolution submitted did not present a question of the privileges of the House under rule IX, and said:

"The Speaker has been authorized to declare a recess by order of the House to accommodate the joint meeting with the Senate in order to receive President Chirac. This standing order was established by unanimous consent on Friday, January 26, 1996. No objection was heard, and the Speaker was authorized to declare a recess to receive President Chirac.

"If there had been objection by any Member to the appearance of President Chirac before a joint meeting of Congress, a resolution reported from the Committee on Rules and adopted by the House might have been required to establish the order for the joint meeting. As is customary for all joint meetings to receive foreign dignitaries and heads of state, the letter of invitation to President Chirac was not transmitted until both Houses had agreed to receive the invitee.

"Procedures exist within the rules of the House to permit the House to vote on the authorization of joint meetings where objection is made to that arrangement. The Chair does not believe it proper to collaterally challenge such standing order of the House under the guise of a question of privilege.

"As recorded on page 362 of the House Rules and Manual, on February 3, 1993, Speaker Foley ruled that a question of privilege could not be used to collaterally challenge the validity or fairness of an adopted rule of the House by delaying its implementation. In addition, as recorded on page 361 in the House Rules and Manual, a question of the privileges of the House may not be invoked to effect a change in the Rules of the House.

"The gentlewoman's resolution would, in effect, constitute a new rule of the House restricting the issuance of invitations to future joint meetings, and, therefore, does not constitute a question of the privileges of the House.

"Also, no question of personal privilege of individual Members under rule IX is involved at this time."

Mrs. MINK appealed the ruling of the Chair.

The question being put, viva voce, Will the decision of the Chair stand as the judgement of the House?

Ms. PRYCE moved to lay the appeal on the table.

The question being put, viva voce, Will the House lay on the table the appeal of the ruling of the Chair?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that the yeas had it.

So the motion to lay the appeal of the ruling of the Chair on the table was agreed to.

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

¶10.12 H. RES. 349 —UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HASTINGS of Washington, pursuant to clause 5, rule I, announced the unfinished business to be the motion to sus-

pend the rules and agree to the resolution (H. Res. 349) providing for the consideration of the bill of the Senate (S. 534) to amend the Solid Waste Disposal Act to provide authority for States to limit the interstate transportation of municipal solid waste, and for other purposes.

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that two-thirds of those present had voted in the affirmative.

Mr. BOUCHER 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 150
Nays 271

¶10.13 [Roll No. 20] YEAS—150

Abercrombie	Gilman	Myrick
Ackerman	Goodling	Nethercutt
Andrews	Goss	Norwood
Baker (LA)	Gunderson	Oberstar
Baldacci	Gutknecht	Oxley
Ballenger	Hansen	Packard
Bevill	Hastings (FL)	Pallone
Bilbray	Hayes	Pastor
Bilirakis	Herger	Paxon
Bliley	Hobson	Payne (NJ)
Boehrlert	Hoekstra	Peterson (FL)
Bono	Houghton	Peterson (MN)
Brewster	Hunter	Quinn
Browder	Hyde	Ramstad
Bunn	Jacobs	Rangel
Calvert	Johnson (CT)	Reed
Canady	Johnston	Riggs
Cardin	Kelly	Rogers
Chambliss	Kennedy (RI)	Ros-Lehtinen
Clement	Kennelly	Roukema
Coble	Kim	Sabo
Collins (GA)	King	Sawyer
Cramer	Klecicka	Saxton
Cunningham	Klug	Schaefer
Davis	Lazio	Schumer
Deal	Lewis (KY)	Shaw
DeFazio	Lightfoot	Shays
DeLauro	Linder	Smith (MI)
Deutsch	Lipinski	Smith (NJ)
Diaz-Balart	Livingston	Solomon
Doolittle	LoBiondo	Stearns
Dunn	Longley	Tauzin
Edwards	Lowe	Taylor (NC)
Ehlers	Luther	Thomas
Engel	Manton	Thurman
Fields (TX)	Martini	Torricelli
Foley	McCarthy	Upton
Forbes	McCollum	Vento
Fowler	McCrery	Waldholtz
Fox	McDade	Walker
Franks (CT)	McHugh	Walsh
Franks (NJ)	McKeon	Weldon (FL)
Frelinghuysen	McNulty	Weldon (PA)
Frisa	Menendez	White
Furse	Metcalf	Whitfield
Galleghy	Mica	Wilson
Ganske	Miller (FL)	Wolf
Gejdenson	Minge	Wynn
Gilchrest	Molinari	Young (AK)
Gillmor	Moran	Zimmer

NAYS—271

Allard	Bateman	Brown (CA)
Archer	Becerra	Brown (FL)
Armey	Beilenson	Brown (OH)
Bachus	Bentsen	Brownback
Baesler	Bereuter	Bryant (TN)
Baker (CA)	Berman	Bunning
Barcia	Bishop	Burr
Barr	Blute	Burton
Barrett (NE)	Boehner	Buyer
Barrett (WI)	Bonilla	Callahan
Bartlett	Bonior	Camp
Barton	Borski	Campbell
Bass	Boucher	Castle