

a draft of proposed legislation entitled the "Federal Employees Health Benefits Children's Equity Act of 1997"; to the Committee on Government Reform and Oversight.

7027. A letter from the Secretary of Energy, transmitting the FY 1997 annual report under the Federal Managers' Financial Integrity Act (FMFIA) of 1982, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform and Oversight.

7028. A letter from the Chairman, Securities and Exchange Commission, transmitting a report of activities under the Freedom of Information Act for 1997, pursuant to 5 U.S.C. 552; to the Committee on Government Reform and Oversight.

7029. A letter from the the Administrative Assistant, the Disabled American Veterans, transmitting the report of the proceedings of the organization's 76th National Convention, including their annual audit report of receipts and expenditures as of December 31, 1996, pursuant to 36 U.S.C. 901 and 44 U.S.C. 1332; (H. Doc. No. 105-208); to the Committee on Veterans' Affairs and ordered to be printed.

7030. A communication from the President of the United States, transmitting an updated report concerning the emigration laws and policies of Albania, pursuant to 19 U.S.C. 2432(b); (H. Doc. No. 105-210); to the Committee on Ways and Means and ordered to be printed.

7031. A letter from the Chairman, International Trade Commission, transmitting a draft of proposed legislation to provide authorization of appropriations for the United States International Trade Commission for fiscal year 2000; to the Committee on Ways and Means.

7032. A letter from the Executive Director, Office of Compliance, transmitting supplementary notice of proposed rulemaking for publication in the Congressional RECORD, pursuant to Public Law 104-1, section 303(b) (109 Stat. 28); jointly to the Committees on House Oversight and Education and the Workforce.

¶5.4 PROVIDING FOR THE CONSIDERATION OF H.R. 2846

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 348):

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. 2846) to prohibit spending Federal education funds on national testing without explicit and specific legislation. The first reading of the bill shall be dispensed with. 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 Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. During 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. 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 fifteen 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 recommit with or without instructions.

When said resolution was considered.

After debate,

Mr. LINDER 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, Mrs. EMERSON, 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 220
Nays 185

¶5.5 [Roll No.8] YEAS—220

Aderholt	Cubin	Hastings (WA)
Archer	Cunningham	Hayworth
Armey	Davis (VA)	Hefley
Bachus	Deal	Hill
Baker	DeLay	Hilleary
Ballenger	Diaz-Balart	Hobson
Barr	Dickey	Hoekstra
Barrett (NE)	Doolittle	Horn
Bartlett	Dreier	Hostettler
Barton	Duncan	Houghton
Bass	Dunn	Hulshof
Bateman	Ehlers	Hunter
Bereuter	Ehrlich	Hutchinson
Billbray	Emerson	Hyde
Bilirakis	English	Inglis
Billey	Ensign	Istook
Blunt	Everett	Jenkins
Boehlert	Ewing	Johnson (CT)
Boehner	Fawell	Jones
Bonilla	Foley	Kasich
Brady	Forbes	Kelly
Bryant	Fossella	Kim
Bunning	Fowler	Kingston
Burr	Fox	Klug
Buyer	Franks (NJ)	Knollenberg
Callahan	Frelinghuysen	Kolbe
Calvert	Gallely	LaHood
Camp	Ganske	Latham
Campbell	Gekas	LaTourette
Canady	Gibbons	Lazio
Cannon	Gilchrest	Leach
Castle	Gillmor	Lewis (CA)
Chabot	Gilman	Lewis (KY)
Chambliss	Goode	Linder
Christensen	Goodlatte	Livingston
Coble	Goodling	LoBiondo
Coburn	Goss	Lucas
Collins	Graham	Manzullo
Combest	Granger	McCollum
Cook	Greenwood	McCrery
Cooksey	Gutknecht	McDade
Cox	Hall (TX)	McHugh
Crane	Hansen	McInnis
Crapo	Hastert	McIntosh

Metcalf	Regula	Solomon
Mica	Riley	Souder
Miller (FL)	Rogers	Spence
Moran (KS)	Rohrabacher	Stearns
Morella	Ros-Lehtinen	Stump
Myrick	Roukema	Sununu
Nethercutt	Royce	Talent
Neumann	Ryun	Tauzin
Ney	Sabo	Thomas
Northup	Salmon	Thornberry
Norwood	Sanford	Thune
Nussle	Saxton	Tiahrt
Oxley	Scarborough	Trafficant
Packard	Schaefer, Dan	Turner
Pappas	Schaffer, Bob	Upton
Parker	Sensenbrenner	Walsh
Paul	Sessions	Wamp
Paxon	Shadegg	Watkins
Pease	Shaw	Watts (OK)
Peterson (PA)	Shays	Weldon (FL)
Petri	Shimkus	Weldon (PA)
Pickering	Shuster	Weller
Pitts	Skeen	White
Pombo	Skelton	Whitfield
Porter	Smith (MI)	Wicker
Portman	Smith (NJ)	Wolf
Pryce (OH)	Smith (OR)	Young (AK)
Quinn	Smith (TX)	Young (FL)
Ramstad	Smith, Linda	
Redmond	Snowbarger	

NAYS—185

Abercrombie	Hamilton	Oberstar
Ackerman	Harman	Obey
Allen	Hastings (FL)	Olver
Andrews	Hefner	Ortiz
Baesler	Hilliard	Owens
Baldacci	Hinchee	Pallone
Barcia	Hinojosa	Pascrell
Barrett (WI)	Holden	Pastor
Bentsen	Hooley	Payne
Berman	Hoyer	Pelosi
Berry	Jackson (IL)	Peterson (MN)
Bishop	Jackson-Lee	Pickett
Blagojevich	(TX)	Poshard
Bonior	Jefferson	Price (NC)
Borski	John	Rahall
Boswell	Johnson (WI)	Rangel
Boucher	Johnson, E. B.	Reyes
Boyd	Kanjorski	Rivers
Brown (CA)	Kaptur	Rodriguez
Brown (FL)	Kennedy (MA)	Roemer
Brown (OH)	Kennedy (RI)	Rothman
Cardin	Kennelly	Roybal-Allard
Carson	Kildee	Rush
Clay	Kilpatrick	Sanchez
Clayton	Kind (WI)	Sanders
Clement	Kleccka	Sandlin
Clyburn	Kucinich	Sawyer
Condit	LaFalce	Schumer
Conyers	Lampson	Scott
Costello	Lantos	Serrano
Coyne	Levin	Sherman
Cramer	Lewis (GA)	Sisisky
Cummings	Lipinski	Skaggs
Danner	Lofgren	Slaughter
Davis (FL)	Lowe	Smith, Adam
Davis (IL)	Luther	Snyder
DeFazio	Maloney (CT)	Spratt
DeGette	Maloney (NY)	Stabenow
DeLauro	Manton	Stark
Dellums	Martinez	Stenholm
Deutsch	Mascara	Stokes
Dicks	Matsui	Strickland
Dingell	McCarthy (MO)	Tanner
Dixon	McCarthy (NY)	Tauscher
Dooley	McDermott	Taylor (MS)
Doyle	McGovern	Thompson
Edwards	McHale	Thurman
Etheridge	McIntyre	Tierney
Evans	McKinney	Torres
Farr	McNulty	Towns
Fattah	Meehan	Velazquez
Fazio	Meek (FL)	Vento
Filner	Menendez	Waters
Ford	Millender	Watt (NC)
Frank (MA)	McDonald	Waxman
Frost	Miller (CA)	Wexler
Furse	Minge	Weygand
Gejdenson	Mink	Wise
Gephardt	Moakley	Woolsey
Gordon	Mollohan	Wynn
Green	Moran (VA)	Yates
Gutierrez	Murtha	
	Nadler	

NOT VOTING—25

Becerra	Chenoweth	Eshoo
Blumenauer	Doggett	Gonzalez
Burton	Engel	Hall (OH)