

Mr. ABERCROMBIE. Mr. Speaker, further parliamentary inquiry then. Again, I hold the Speaker in the highest respect in this regard, but my information is that if it is a pro forma session, I receive a piece of paper which says that no business is to be conducted. If no business is to be conducted, I hardly think it is fair for the Chair to then state that I should be or any other Member should be expected to make objection, if that is our intent with respect to this particular issue. If I receive information that no business is to be conducted, I do not see how I could come to the floor then demanding that business be conducted.

The SPEAKER pro tempore. It has been customary in the past for these sorts of requests to be made and these unanimous consent requests are done even on days when there are pro forma sessions. It has been customary in the past that those requests generally are taken up when the schedule is announced, generally in a colloquy with the minority leader or his designee and the majority leader, which was done on Thursday. These are things that have happened in the past on pro forma days.

Mr. ABERCROMBIE. Mr. Speaker, further parliamentary inquiry. Then it is also in order under the rules to bring a privileged resolution to the floor. Now, if we were not in session, even if I take your word for it, and I will for purposes of our discussion, I would hope you would grant me my good intentions as well. If I could have or someone else could have come to this floor and made such a representation as you indicate, I will accept that.

However, the rules also allow us to bring a privileged resolution to the floor at any time with the proper notice and to have it considered. One of the reasons or the principal reason that the Chair stated for turning down this privileged resolution offered by the gentlewoman from Hawaii [Mrs. MINK] is that it was not presented on January 26. From what the Chair just told me, it does not matter that it was not presented on January 26. It could have been presented on January 26, but it was not imperative that it be presented on January 26. So if that is the only reason, why can it not be presented today?

The SPEAKER pro tempore. The Chair regrets that the request was made on January 26, custom has done that in the past. This has been done, as has been customary in the House for many years.

Mr. ABERCROMBIE. Mr. Speaker, because it is customary does not mean it is within the rules. I made a parliamentary inquiry based upon the rules. It may have been customary, it may have been desirable, but it is not against the rules to present the privileged resolution today. You have not offered a reason then. Simply because it was customary does not mean it is against the rules. There is nothing substantive that you have offered that

prevents this privileged resolution from being before us. I believe I am correct.

Mr. SOLOMON. Mr. Speaker, we are going to have to pursue regular order.

Mr. ABERCROMBIE. With all due respect, Mr. SOLOMON, I am doing my level best to maintain regular order.

The SPEAKER pro tempore. The gentleman will suspend. At this point, it is not in order to collaterally challenge the unanimous consent order that has been entered the previous week, even though it was done on a pro forma day. Again, that was because of custom.

Mr. ABERCROMBIE. Our only recourse is to appeal?

The SPEAKER pro tempore. That has been done. The appeal has been laid on the table.

Mr. ABERCROMBIE. I thank the Speaker very much for replying to me. I find this line of response very, very unfortunate in terms of what the House should be about in terms of its business.

Ms. SLAUGHTER. Mr. Speaker, I rise today to join with my colleagues who have already expressed their concern and distress about France's nuclear testing, and President Chirac's visit to the United States.

With the end of the cold war and the recent ratification of START II, we have high hopes and have made great steps forward in stopping the proliferation of nuclear weapons. And, just when we were making real progress toward a permanent moratorium on nuclear testing, France embarked on a series of nuclear tests in the South Pacific. These tests not only damage the strides we are making to stop nuclear testing, but they have once again endangered the health and safety of Pacific islanders.

As the threat of nuclear proliferation continues, it does not make sense for the leaders of the world to engage in such reckless activities. The free world must lead by example. The example set by France is deplorable, and the United States should not directly, or indirectly, condone such actions.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5 of rule I, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed on Tuesday, January 30, 1996, in the order in which the motion was entertained.

Votes will be taken in the following order:

- House Resolution 349, de novo; and
- H.R. 2036, de novo.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

INTERSTATE TRANSPORTATION OF MUNICIPAL SOLID WASTE ACT OF 1995

The SPEAKER pro tempore. The unfinished business is on the question de novo of suspending the rules and agreeing to the resolution, House Resolution 349.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia [Mr. BILLEY], that the House suspend the rules and agree to the resolution, House Resolution 349.

The question was taken.

Mr. BOUCHER. 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.

The vote was taken by electronic device, and there were—yeas 150, nays 271, not voting 12, as follows:

[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)
Boehlert	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	Kleczka	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	McCrary	Waldholtz
Fox	McDade	Walker
Franks (CT)	McHugh	Walsh
Franks (NJ)	McKeon	Weldon (FL)
Frelinghuysen	McNulty	Weldon (PA)
Frisa	Menendez	White
Furse	Metcalf	Whitfield
Gallegly	Mica	Wilson
Ganske	Miller (FL)	Wolf
Gejdenson	Minge	Wynn
Gilchrest	Molinari	Young (AK)
Gillmor	Moran	Zimmer

NAYS—271

Allard	Bereuter	Buyer
Archer	Berman	Callahan
Armey	Bishop	Camp
Bachus	Blute	Campbell
Baessler	Boehner	Castle
Baker (CA)	Bonilla	Chabot
Barcia	Bonior	Chenoweth
Barr	Borski	Christensen
Barrett (NE)	Boucher	Chrysler
Barrett (WI)	Brown (CA)	Clay
Bartlett	Brown (FL)	Clayton
Barton	Brown (OH)	Clinger
Bass	Brownback	Clyburn
Bateman	Bryant (TN)	Coburn
Becerra	Bunning	Coleman
Beilenson	Burr	Collins (IL)
Bentsen	Burton	Collins (MI)