

the bill (H.R. 2159) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998, and for other purposes, was vacated.

Accordingly, said amendment prevailed by voice vote.

93.37 LEGISLATIVE BRANCH
APPROPRIATIONS

On motion of Mr. WALSH, by unanimous consent, the bill (H.R. 2209) making appropriations for the Legislative Branch for the fiscal year ending September 30, 1998, and for other purposes; together with the amendments of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. WALSH, it was,

Resolved, That the House disagree to the amendments of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

93.38 MOTION TO INSTRUCT
CONFEREES—H.R. 2209

Mr. SERRANO moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on H.R. 2209, be instructed to agree to the position in Senate amendment numbered 1 with respect to the account "Joint Committee on Taxation" providing not more than a 4.64 percent increase for the Joint Committee on Taxation compared to an 8 percent increase in the House bill.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, *viva voce*,

Will the House agree to said motion? The SPEAKER pro tempore, Mr. SNOWBARGER, announced that the nays had it.

Mr. SERRANO 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 202
Nays 208

93.39 [Roll No. 352]
YEAS—202

Abercrombie	Boyd	Cummings
Ackerman	Brown (CA)	Danner
Allen	Brown (FL)	Davis (FL)
Andrews	Brown (OH)	Davis (IL)
Baesler	Cardin	DeFazio
Baldacci	Carson	DeGette
Barcia	Chabot	Delahunt
Barrett (WI)	Chenoweth	DeLauro
Becerra	Clay	Dellums
Bentsen	Clayton	Deutsch
Berry	Clement	Dicks
Bishop	Clyburn	Dingell
Blagojevich	Coburn	Doggett
Blumenauer	Condit	Dooley
Bonior	Conyers	Doyle
Borski	Costello	Edwards
Boswell	Coyne	Eshoo
Boucher	Cramer	Etheridge

Evans	Lipinski	Rivers
Farr	Lofgren	Rodriguez
Fattah	Lowey	Roemer
Fazio	Luther	Rothman
Filner	Maloney (CT)	Roybal-Allard
Flake	Maloney (NY)	Sabo
Foglietta	Manton	Sanchez
Ford	Markey	Sanders
Frank (MA)	Martinez	Sandlin
Frost	Mascara	Sawyer
Gejdenson	Matsui	Schumer
Gephardt	McCarthy (MO)	Scott
Goode	McCarthy (NY)	Serrano
Gordon	McDermott	Sherman
Green	McGovern	Sisisky
Gutierrez	McHale	Skaggs
Hall (TX)	McIntyre	Skelton
Hamilton	McKinney	Slaughter
Harman	McNulty	Smith (MI)
Hastings (FL)	Meehan	Smith, Adam
Hefner	Meek	Snyder
Hilliard	Menendez	Spratt
Hinojosa	Millender-	Stabenow
Holden	McDonald	Stark
Hooley	Miller (CA)	Stearns
Hoyer	Minge	Stenholm
Hulshof	Mink	Stokes
Jackson (IL)	Moakley	Strickland
Jackson-Lee	Mollohan	Stupak
(TX)	Moran (VA)	Tauscher
Jefferson	Murtha	Taylor (MS)
John	Nadler	Taylor (NC)
Johnson (WI)	Neal	Thompson
Johnson, E.B.	Neumann	Thurman
Kanjorski	Oberstar	Tierney
Kaptur	Obey	Torres
Kennedy (MA)	Olver	Trafficant
Kennedy (RI)	Ortiz	Turner
Kennelly	Owens	Upton
Kildee	Pallone	Velazquez
Kilpatrick	Pascrell	Vento
Kind (WI)	Pastor	Visclosky
Klink	Pelosi	Waters
Klug	Pickett	Watt (NC)
Kucinich	Pomeroy	Waxman
LaFalce	Poshard	Wexler
Lampson	Price (NC)	Weygand
Largent	Rahall	Woolsey
Levin	Rangel	Wynn
Lewis (GA)	Reyes	Yates

NAYS—208

Aderholt	DeLay	Hyde
Archer	Diaz-Balart	Inglis
Armye	Dickey	Jenkins
Bachus	Doolittle	Johnson (CT)
Baker	Dreier	Johnson, Sam
Balleger	Duncan	Jones
Barr	Dunn	Kasich
Barrett (NE)	Ehlers	Kelly
Bartlett	Ehrlich	Kim
Barton	Emerson	King (NY)
Bass	English	Kingston
Bateman	Everett	Klecza
Bereuter	Ewing	Knollenberg
Bilbray	Fawell	Kolbe
Bilirakis	Foley	LaHood
Bliley	Forbes	Latham
Blunt	Fowler	LaTourette
Boehert	Fox	Lazio
Boehner	Franks (NJ)	Leach
Bonilla	Frelinghuysen	Lewis (CA)
Bono	Ganske	Lewis (KY)
Brady	Gekas	Linder
Bryant	Gibbons	Livingston
Bunning	Gilchrest	LoBiondo
Burr	Gillmor	Lucas
Burton	Gilman	Manzullo
Buyer	Goodlatte	McCrery
Callahan	Goodling	McDade
Calvert	Goss	McHugh
Camp	Graham	McIntosh
Campbell	Granger	McKeon
Canady	Greenwood	Metcalf
Cannon	Gutknecht	Mica
Castle	Hansen	Miller (FL)
Chambliss	Hastert	Moran (KS)
Christensen	Hastings (WA)	Morella
Coble	Hayworth	Myrick
Collins	Hefley	Nethercutt
Combest	Herger	Ney
Cook	Hill	Northup
Cooksey	Hilleary	Norwood
Cox	Hobson	Nussle
Crane	Hoekstra	Oxley
Crapo	Horn	Packard
Cubin	Hostettler	Pappas
Cunningham	Houghton	Parker
Davine	Hunter	Paul
Davis (VA)	Hutchinson	Paxon
Deal		

Pease	Salmon	Sununu
Peterson (MN)	Sanford	Talent
Peterson (PA)	Saxton	Tauzin
Petri	Scarborough	Thomas
Pickering	Schaefer, Dan	Thornberry
Pitts	Schaffer, Bob	Thune
Pombo	Sensenbrenner	Tiahrt
Porter	Sessions	Walsh
Portman	Shadegg	Wamp
Pryce (OH)	Shaw	Watkins
Quinn	Shays	Watts (OK)
Radanovich	Shimkus	Weldon (FL)
Ramstad	Shuster	Weldon (PA)
Redmond	Skeen	Weller
Regula	Smith (NJ)	White
Riggs	Smith (OR)	Whitfield
Riley	Smith (TX)	Wicker
Rogan	Snowbarger	Wolf
Rogers	Solomon	Young (AK)
Ros-Lehtinen	Souder	Young (FL)
Royce	Spence	
Ryun	Stump	

NOT VOTING—23

Berman	Hall (OH)	Roukema
Capps	Hinchey	Rush
Dixon	Istook	Schiff
Engel	Lantos	Smith, Linda
Ensign	McCollum	Tanner
Furse	McInnis	Towns
Gallegly	Payne	Wise
Gonzalez	Rohrabacher	

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

93.40 APPOINTMENT OF CONFEREES—
H.R. 2209

Thereupon, the SPEAKER pro tempore, Mr. SNOWBARGER, by unanimous consent, appointed Messrs. WALSH, YOUNG of Florida, CUNNINGHAM, WAMP, LATHAM, LIVINGSTON, SERRANO, FAZIO, Ms. KAPTUR, and Mr. OBEY, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

93.41 AGRICULTURE APPROPRIATIONS

On motion of Mr. SKEEN, by unanimous consent, the bill (H.R. 2160) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1998, and for other purposes; together with the amendments of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. SKEEN, it was,

Resolved, That the House disagree to the amendments of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

93.42 MOTION TO INSTRUCT
CONFEREES—H.R. 2160

Ms. KAPTUR moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on H.R. 2160, be instructed to recede to the Senate regarding funding levels provided under the Food and Drug Administration for the program to prevent the use of tobacco products by minors.

After debate,
By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, *viva voce*,
Will the House agree to said motion?
The SPEAKER pro tempore, Mr. SNOWBARGER, announced that the nays had it.

Ms. KAPTUR 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 299
Nays 125

¶93.43 [Roll No. 353]
YEAS—299

Abercrombie	English	Kilpatrick
Ackerman	Ensign	Kind (WI)
Allen	Eshoo	King (NY)
Andrews	Evans	Kleccka
Bachus	Ewing	Klink
Baldacci	Farr	Klug
Barcia	Fattah	Kolbe
Barrett (NE)	Fawell	Kucinich
Barrett (WI)	Fazio	LaFalce
Barton	Filner	LaHood
Bass	Flake	Lampson
Becerra	Foglietta	LaTourette
Bentsen	Foley	Lazio
Bereuter	Forbes	Leach
Berman	Ford	Levin
Berry	Fowler	Lewis (GA)
Bilirakis	Fox	Linder
Bishop	Frank (MA)	Lipinski
Blagojevich	Franks (NJ)	LoBiondo
Blumenauer	Frelinghuysen	Lofgren
Boehlert	Frost	Lowe
Bonior	Furse	Luther
Borski	Ganske	Maloney (CT)
Boswell	Gejdenson	Maloney (NY)
Brown (CA)	Gephardt	Manton
Brown (FL)	Gibbons	Manzullo
Brown (OH)	Gilchrest	Markey
Bryant	Gilman	Martinez
Calvert	Goodling	Mascara
Camp	Gordon	Matsui
Campbell	Goss	McCarthy (MO)
Canady	Green	McCarthy (NY)
Cannon	Greenwood	McDade
Capps	Gutierrez	McDermott
Cardin	Gutknecht	McGovern
Carson	Hall (TX)	McHale
Castle	Hamilton	McHugh
Chabot	Hansen	McKinney
Christensen	Harman	McNulty
Clayton	Hastert	Meehan
Clement	Hastings (FL)	Meek
Clyburn	Hayworth	Menendez
Condit	Hill	Metcalf
Conyers	Hilliard	Millender-
Cook	Hinche	McDonald
Costello	Hinojosa	Miller (CA)
Coyne	Hobson	Miller (FL)
Cramer	Hoekstra	Minge
Crapo	Holden	Mink
Cummings	Hooley	Moakley
Danner	Horn	Mollohan
Davis (FL)	Houghton	Moran (KS)
Davis (IL)	Hoyer	Moran (VA)
Davis (VA)	Hulshof	Morella
DeFazio	Hutchinson	Murtha
DeGette	Istook	Nadler
Delahunt	Jackson (IL)	Neal
DeLauro	Jackson-Lee	Neumann
Dellums	(TX)	Ney
Deutsch	Jefferson	Nussle
Diaz-Balart	John	Oberstar
Dicks	Johnson (CT)	Obey
Dingell	Johnson (WI)	Olver
Doggett	Johnson, E. B.	Ortiz
Dooley	Kanjorski	Owens
Doyle	Kaptur	Oxley
Duncan	Kasich	Pallone
Edwards	Kelly	Pappas
Ehlers	Kennedy (MA)	Pascrell
Ehrlich	Kennedy (RI)	Pastor
Emerson	Kennelly	Payne
Engel	Kildee	Pelosi

Peterson (MN)	Sawyer	Tauscher
Peterson (PA)	Saxton	Tauzin
Petri	Schumer	Taylor (MS)
Pickett	Scott	Thompson
Pomeroy	Sensenbrenner	Thune
Porter	Serrano	Thurman
Portman	Shaw	Tiahrt
Poshard	Shays	Tierney
Pryce (OH)	Sherman	Torres
Quinn	Shimkus	Trafficant
Rahall	Sisisky	Turner
Ramstad	Skaggs	Upton
Rangel	Skelton	Velazquez
Regula	Slaughter	Vento
Reyes	Smith (MI)	Visclosky
Riggs	Smith (NJ)	Wamp
Rivers	Smith (TX)	Waters
Rodriguez	Smith, Adam	Watt (NC)
Roemer	Snyder	Waxman
Ros-Lehtinen	Spratt	Weldon (PA)
Rothman	Stabenow	Wexler
Roukema	Stark	Weygand
Roybal-Allard	Stenholm	Wise
Royce	Stokes	Woolsey
Sabo	Strickland	Wynn
Salmon	Stupak	Yates
Sanchez	Sununu	Young (FL)
Sanders	Talent	
Sandlin	Tanner	

NAYS—125

Aderholt	Gallegly	Pease
Archer	Gekas	Pickering
Armey	Gillmor	Pitts
Baesler	Goode	Pombo
Baker	Goodlatte	Price (NC)
Ballenger	Graham	Radanovich
Barr	Granger	Redmond
Bartlett	Hastings (WA)	Riley
Bateman	Hefley	Rogan
Bilbray	Hefner	Rogers
Bliley	Herger	Rohrabacher
Blunt	Hilleary	Ryun
Boehner	Hostettler	Sanford
Bonilla	Hunter	Scarborough
Bono	Hyde	Schaefer, Dan
Boucher	Inglis	Schaffer, Bob
Boyd	Jenkins	Sessions
Brady	Johnson, Sam	Shadegg
Bunning	Jones	Shuster
Burr	Kim	Skeen
Burton	Kingston	Smith (OR)
Buyer	Knollenberg	Smith, Linda
Callahan	Largent	Snowbarger
Chambliss	Latham	Solomon
Chenoweth	Lewis (CA)	Souder
Coble	Lewis (KY)	Spence
Coburn	Livingston	Stearns
Collins	Lucas	Stump
Combest	McCrery	Taylor (NC)
Cooksey	McInnis	Thomas
Cox	McIntosh	Thornberry
Crane	McIntyre	Walsh
Cubin	McKeon	Watkins
Cunningham	Mica	Watts (OK)
Deal	Myrick	Weldon (FL)
DeLay	Nethercutt	Weller
Dickey	Northup	White
Doolittle	Norwood	Whitfield
Dreier	Packard	Wicker
Dunn	Parker	Wolf
Etheridge	Paul	Young (AK)
Everett	Paxon	

NOT VOTING—9

Clay	Hall (OH)	Rush
Dixon	Lantos	Schiff
Gonzalez	McCollum	Towns

So the motion to instruct the managers on the part of the House was agreed to.

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

¶93.44 APPOINTMENT OF CONFEREES—
H.R. 2160

Thereupon, the SPEAKER pro tempore, Mr. SNOWBARGER, by unanimous consent, appointed Messrs. SKEEN, WALSH, DICKEY, KINGSTON, NETHERCUTT, BONILLA, LATHAM, LIVINGSTON, Ms. KAPTUR, Mr. FAZIO, Mr. SERRANO, Ms. DELAURO, and Mr. OBEY,

as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶93.45 DOD APPROPRIATIONS

On motion of Mr. YOUNG of Florida, by unanimous consent, the bill (H.R. 2266) making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes; together with the amendments of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. YOUNG of Florida, it was,

Resolved, That the House disagree to the amendments of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶93.46 MOTION TO INSTRUCT
CONFEREES—H.R. 2266

Ms. OBEY moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on H.R. 2266, be instructed to insist on the House position prohibiting the use of funds to approve or license the sale of the F-22 advanced tactical fighter to any foreign government.

After debate,
By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, *viva voce*,
Will the House agree to said motion?
The SPEAKER pro tempore, Mr. SNOWBARGER, announced that the yeas had it.

So the motion to instruct the managers on the part of the House was agreed to.

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

¶93.47 APPOINTMENT OF CONFEREES—
H.R. 2266

Thereupon, the SPEAKER pro tempore, Mr. SNOWBARGER, by unanimous consent, appointed Messrs. YOUNG of Florida, MCDADE, LEWIS of California, SKEEN, HOBSON, BONILLA, NETHERCUTT, ISTOOK, CUNNINGHAM, LIVINGSTON, MURTHA, DICKS, HEFNER, SABO, DIXON, VISCLOSEY, and OBEY, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶93.48 PROVIDING FOR A CLOSED
CONFERENCE—H.R. 2266

Mr. YOUNG of Florida moved, pursuant to clause 6(a) of rule XXVIII, that the conference committee meetings between the House and the Senate on the bill (H.R. 2266) making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes; be closed to the public at such times as classified na-