

erans for smoking-related illnesses be included in the conference report on H.R. 2400 to offset spending for highway or transit programs.

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. GIBBONS, announced that the yeas had it.

Mr. OBEY 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 422
Nays 0

¶48.24 [Roll No. 174]
YEAS—422

Abercrombie	Combest	Gekas
Ackerman	Condit	Gephardt
Aderholt	Conyers	Gibbons
Allen	Cook	Gilchrest
Andrews	Cooksey	Gillmor
Archer	Costello	Gilman
Armey	Cox	Goode
Bachus	Coyne	Goodlatte
Baessler	Cramer	Goodling
Baker	Crane	Gordon
Baldacci	Crapo	Goss
Balenger	Cubin	Graham
Barcia	Cummings	Granger
Barr	Cunningham	Green
Barrett (NE)	Danner	Greenwood
Barrett (WI)	Davis (FL)	Gutierrez
Bartlett	Davis (IL)	Gutknecht
Barton	Davis (VA)	Hall (OH)
Bass	Deal	Hall (TX)
Becerra	DeFazio	Hamilton
Bentsen	DeGette	Hansen
Bereuter	Delahunt	Hastert
Berman	DeLauro	Hastings (FL)
Berry	DeLay	Hastings (WA)
Bilbray	Deutsch	Hayworth
Bilirakis	Diaz-Balart	Hefley
Bishop	Dickey	Hefner
Blagojevich	Dicks	Hergert
Bliley	Dingell	Hill
Blumenauer	Dixon	Hilleary
Blunt	Doggett	Hilliard
Boehlert	Dooley	Hinches
Boehner	Doolittle	Hinojosa
Bonilla	Doyle	Hobson
Bonior	Dreier	Hoekstra
Bono	Duncan	Holden
Borski	Dunn	Hooley
Boswell	Edwards	Horn
Boucher	Ehlers	Hostettler
Boyd	Ehrlich	Houghton
Brady	Emerson	Hoyer
Brown (CA)	Engel	Hulshof
Brown (FL)	English	Hunter
Brown (OH)	Ensign	Hutchinson
Bryant	Eshoo	Hyde
Bunning	Etheridge	Inglis
Burr	Evans	Istook
Burton	Everett	Jackson (IL)
Buyer	Ewing	Jackson-Lee
Callahan	Farr	(TX)
Calvert	Fattah	Jefferson
Camp	Fawell	Jenkins
Campbell	Fazio	John
Canady	Filner	Johnson (CT)
Cannon	Foley	Johnson (WI)
Capps	Forbes	Johnson, E. B.
Cardin	Ford	Johnson, Sam
Castle	Fossella	Jones
Chabot	Fowler	Kanjorski
Chambliss	Fox	Kaptur
Chenoweth	Frank (MA)	Kasich
Christensen	Franks (NJ)	Kelly
Clayton	Frelinghuysen	Kennedy (MA)
Clement	Frost	Kennedy (RI)
Clyburn	Furse	Kennelly
Coble	Gallegly	Kildee
Coburn	Ganske	Kilpatrick
Collins	Gejdenson	Kim

Kind (WI)	Nethercutt	Shays
King (NY)	Neumann	Sherman
Kingston	Ney	Shimkus
Klecza	Northup	Shuster
Klink	Norwood	Sisisky
Klug	Nussle	Skaggs
Knollenberg	Oberstar	Skeen
Kolbe	Obey	Skelton
Kucinich	Olver	Slaughter
LaFalce	Ortiz	Smith (MI)
LaHood	Owens	Smith (NJ)
Lampson	Oxley	Smith (OR)
Lantos	Packard	Smith (TX)
Largent	Pallone	Smith, Adam
Latham	Pappas	Smith, Linda
LaTourette	Parker	Snowbarger
Lazio	Pascrell	Snyder
Leach	Pastor	Solomon
Lee	Paul	Souder
Levin	Paxon	Spence
Lewis (CA)	Payne	Spratt
Lewis (GA)	Pease	Stark
Lewis (KY)	Peterson (MN)	Stearns
Linder	Peterson (PA)	Stenholm
Lipinski	Petri	Stokes
Livingston	Pickering	Strickland
LoBiondo	Pickett	Stump
Lofgren	Pitts	Stupak
Lowe	Pombo	Sununu
Lucas	Pomeroy	Talent
Luther	Porter	Tanner
Maloney (CT)	Portman	Tauscher
Maloney (NY)	Poshard	Tauzin
Manton	Price (NC)	Taylor (MS)
Manzullo	Quinn	Taylor (NC)
Markey	Radanovich	Thomas
Martinez	Rahall	Thompson
Mascara	Ramstad	Thornberry
Matsui	Rangel	Thune
McCarthy (MO)	Redmond	Thurman
McCarthy (NY)	Regula	Tiahrt
McCollum	Reyes	Tierney
McCrery	Riggs	Torres
McDade	Riley	Towns
McDermott	Rivers	Trafigant
McGovern	Rodriguez	Turner
McHale	Roemer	Upton
McHugh	Rogan	Velazquez
McInnis	Rogers	Vento
McIntosh	Rohrabacher	Visclosky
McIntyre	Ros-Lehtinen	Walsh
Deal	Rothman	Wamp
McKeon	Roukema	Waters
McKinney	Roybal-Allard	Watkins
McNulty	Royce	Watt (NC)
Meehan	Rush	Watts (OK)
Meek (FL)	Ryun	Waxman
Menendez	Sabo	Weldon (FL)
Metcalfe	Salmon	Weldon (PA)
Mica	Sanchez	Weller
Millender-	Sanders	Wexler
McDonald	Sandlin	Weygand
Miller (CA)	Sanford	White
Miller (FL)	Sawyer	Whitfield
Minge	Saxton	Wicker
Mink	Scarborough	Wise
Moakley	Schaefer, Dan	Wolf
Mollohan	Schaffer, Bob	Woolsey
Moran (KS)	Scott	Wynn
Moran (VA)	Sensenbrenner	Yates
Morella	Serrano	Young (AK)
Murtha	Sessions	Young (FL)
Murphy	Shadegg	
Myrick	Shaw	
Nadler		
Neal		

NOT VOTING—10

Bateman	Harman	Schumer
Carson	Meeks (NY)	Stabenow
Clay	Pelosi	
Gonzalez	Pryce (OH)	

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.

¶48.25 NOTICE—MOTION TO INSTRUCT
CONFEREES—H.R. 2400

Mr. MINGE, pursuant to clause 1(c) of rule XXVIII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill

(H.R. 2400) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, to ensure that spending for highways and transit programs authorized in the conference agreement on the bill (H.R. 2400) is fully paid for using estimates of the Congressional Budget Office, to reject the use of estimates from any other source, to reject any method of budgeting that departs from the budget enforcement principles currently in effect, or the use of the budget surplus to pay for spending on highways or transit programs.

¶48.26 NOTICE—MOTION TO INSTRUCT
CONFEREES—H.R. 2400

Mr. OBEY, pursuant to clause 1(c) of rule XXVIII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 2400) to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes, to limit the aggregate number of earmarked highway demonstration projects earmarked during the 42 years since the enactment of the Highway Trust Fund in 1956.

¶48.27 SUBPOENA RESPONSE

The SPEAKER pro tempore, Mr. GIBBONS, laid before the House the following communication from Mr. Cory B. Alexander, office of Mr. HOYER:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 19, 1998.

Hon. NEWT GINGRICH,
Speaker of the House, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that I have been served with a subpoena ad testificandum issued by the Superior Court of the District of Columbia, in the case of *Pointe Properties, Inc., et al. v. Michael J. Bevenour, et al.*, Case No. 96-CA-009720.

After consultation with the Office of General Counsel, I have determined that the subpoena relates to my official duties, and that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

CORY B. ALEXANDER.

¶48.28 PROVIDING FOR THE
CONSIDERATION OF H.J. RES. 119 AND
H.R. 2183

Mr. SOLOMON, by direction of the Committee on Rules, reported (Rept. No. 105-545) the resolution (H. Res. 442) providing for consideration of the joint resolution (H. J. Res. 119) proposing an amendment to the Constitution of the United States to limit campaign spending, and for consideration of the bill (H. R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.