

Swift	Traficant	Wheat
Synar	Traxler	Williams
Tallon	Unsold	Wilson
Tanner	Valentine	Wise
Tauzin	Vento	Wolpe
Taylor (MS)	Visclosky	Wyden
Thornton	Volkmer	Yates
Torres	Washington	Yatron
Torrice	Waxman	
Towns	Weiss	

NOES—161

Allard	Gradison	Packard
Allen	Grandy	Paxon
Archer	Green	Petri
Armey	Gunderson	Porter
Baker	Hammerschmidt	Quillen
Ballenger	Hancock	Ramstad
Barrett	Hansen	Ravenel
Barton	Hastert	Regula
Bateman	Hefley	Rhodes
Bennett	Henry	Ridge
Bentley	Herger	Riggs
Bereuter	Hobson	Rinaldo
Bilirakis	Holloway	Ritter
Bliley	Hopkins	Roberts
Boehlert	Horton	Rogers
Boehner	Houghton	Rohrabacher
Broomfield	Hunter	Ros-Lehtinen
Bunning	Hyde	Roth
Burton	Inhofe	Roukema
Callahan	Ireland	Santorum
Camp	James	Saxton
Campbell (CA)	Johnson (CT)	Schaefer
Chandler	Kasich	Schiff
Clinger	Klug	Schulze
Coble	Kolbe	Sensenbrenner
Coleman (MO)	Kyl	Shaw
Combust	Lagomarsino	Shays
Coughlin	Leach	Shuster
Cox (CA)	Lent	Skeen
Crane	Lewis (CA)	Smith (NJ)
Cunningham	Lewis (FL)	Smith (OR)
Davis	Livingston	Smith (TX)
DeLay	Lowery (CA)	Snowe
Dickinson	Machtley	Solomon
Doolittle	Marlenee	Spence
Dornan (CA)	Martin	Stearns
Dreier	McCandless	Stump
Duncan	McCollum	Sundquist
Edwards (OK)	McCrery	Taylor (NC)
Emerson	McDade	Thomas (WY)
Ewing	McEwen	Upton
Fawell	McGrath	Vander Jagt
Fields	McMillan (NC)	Vucanovich
Fish	Meyers	Walker
Franks (CT)	Michel	Walsh
Gallegly	Miller (OH)	Weber
Gallo	Miller (WA)	Weldon
Gekas	Molinari	Wolf
Gilchrist	Moorhead	Wylie
Gillmor	Morella	Young (AK)
Gilman	Myers	Young (FL)
Gingrich	Nichols	Zeliff
Goodling	Nussle	Zimmer
Goss	Oxley	

NOT VOTING—23

Carr	Hutto	Morrison
Clay	Johnson (TX)	Mrazek
Coleman (TX)	Kolter	Pursell
Dannemeyer	Lantos	Thomas (CA)
Dymally	Levine (CA)	Thomas (GA)
Edwards (CA)	Lightfoot	Waters
Ford (MI)	Markey	Whitten
Gaydos	Mineta	

So the motion to lay the resolution 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.

19.10 PRIVILEGES OF THE HOUSE

Mr. MCEWEN rose to a question of the privileges of the House and submitted the following resolution (H. Res. 342):

Whereas on January 10, 1992, the chief counsel of the House Committee on Foreign Affairs wrote to the U.S. District Court for the Eastern District of New York requesting leniency in the sentencing of Mr. Dirk Stoffberg, a convicted arms dealer, on grounds that he had provided the committee

with evidence regarding the so-called "October Surprise;"

Whereas the chief counsel's letter was sent on committee letterhead purporting to be on behalf of the "House Committee on Foreign Affairs . . . in an ongoing investigation;"

Whereas the U.S. District Court consequently granted the request for a reduced sentence on grounds that, "Comity between independent branches of government suggests the desirability of assisting Congress in its important work where there is no strong conflict with a court's other sentencing responsibilities;"

Whereas the Federal District judge further indicated in his sentencing "Memorandum and Order" that, "were it not for the intervention of Congress," the defendant would have been sentenced to a longer term of imprisonment "because he threatened violence during the course of his criminal activity;"

Whereas neither the House, the Committee on Foreign Affairs nor any subcommittee thereof has ever authorized an investigation into the "October Surprise" allegations;

Whereas the House Bipartisan Legal Advisory Group has not authorized any intervention in the sentencing proceeding on behalf of the House or any of its committees;

Whereas at the time the chief counsel's letter was submitted to the U.S. District Court a resolution authorizing a special task force investigation into the "October Surprise" allegations was still pending in the House and had not yet been acted upon;

Whereas the misrepresentations of the position of the House and its committees in a judicial proceeding by an employee affects the rights of the House collectively, its dignity, and the integrity of its proceedings, and thereby raised a question of the privileges of the House under Rule IX: Now, therefore, be it

*Resolved*, That the House Bipartisan Legal Advisory Group (consisting of the Speaker, the majority and minority leaders, and the majority and minority whips) is hereby authorized and directed to inquire fully into the facts and circumstances surrounding the intervention by the chief counsel of the House Committee on Foreign Affairs in the sentencing of Mr. Dirk Stoffberg by the U.S. District Court for the Eastern District of New York and to submit to the House at the earliest practicable date, but not later than 45 legislative days after the adoption of this resolution, its findings thereon together with any actions taken or recommendations made in response to such incident or to prevent the recurrence of such unauthorized interventions in judicial proceedings by House Members, officers, or employees.

When said resolution was considered. During debate,

19.11 WORDS TAKEN DOWN

Mr. LIVINGSTON addressed the House and, during the course of his remarks,

Mr. FASCELL demanded that certain words be taken down.

The Clerk read the words taken down as follows:

The criminal justice of this country is in danger when elected officials can tamper with the judicial system. And in this case, that is exactly what happened.

The SPEAKER pro tempore, Mr. MURTHA, held the words taken down were in order, and said:

"The Chair will rule that since the gentleman from Louisiana is generically speaking and not specifically alleging improper conduct by any individual Member, the words are in order, in the context of this resolution."

Mr. LIVINGSTON was permitted to proceed in order.

Mr. LIVINGSTON, by unanimous consent, requested that the word "elected" be stricken from the Congressional Record.

After further debate,

Mr. GEPHARDT moved to lay the resolution on the table.

The question being put, viva voce,

Will the House lay the resolution on the table?

The SPEAKER pro tempore, Mr. MURTHA, announced that the yeas had it.

On a division demanded by Mr. WALKER, there appeared, yeas—13, nays—8.

Mr. WALKER 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 ..... 249  
Nays ..... 160

19.12 [Roll No. 8]  
YEAS—249

Abercrombie	Edwards (TX)	Lipinski
Ackerman	Engel	Lloyd
Alexander	English	Long
Anderson	Erdreich	Lowey (NY)
Andrews (ME)	Espy	Luken
Andrews (TX)	Evans	Manton
Annunzio	Fascell	Martinez
Anthony	Fazio	Matsui
Applegate	Feighan	Mavroules
Aspin	Flake	Mazzoli
Atkins	Foghtetta	McCloskey
AuCoin	Ford (MI)	McDermott
Bacchus	Ford (TN)	McHugh
Barnard	Frank (MA)	McMillen (MD)
Beilenson	Frost	McNulty
Bennett	Gejdenson	Mfume
Berman	Gephardt	Miller (CA)
Bevill	Geren	Mineta
Bilbray	Gibbons	Mink
Blackwell	Glickman	Moakley
Bonior	Gonzalez	Mollohan
Borski	Gordon	Montgomery
Boucher	Guarini	Moody
Boxer	Hall (OH)	Moran
Brewster	Hall (TX)	Murphy
Brooks	Hamilton	Murtha
Browder	Harris	Nagle
Brown	Hatcher	Natcher
Bruce	Hayes (IL)	Neal (MA)
Bryant	Hefner	Neal (NC)
Bustamante	Hertel	Nowak
Byron	Hoagland	Oakar
Campbell (CO)	Hochbrueckner	Oberstar
Cardin	Horn	Obey
Carper	Hoyer	Olin
Carr	Hubbard	Olver
Chapman	Huckaby	Ortiz
Clement	Hughes	Orton
Collins (IL)	Jacobs	Owens (NY)
Collins (MI)	Jefferson	Owens (UT)
Condit	Jenkins	Pallone
Conyers	Johnson (SD)	Panetta
Cooper	Johnston	Parker
Costello	Jones (GA)	Pastor
Cox (IL)	Jones (NC)	Patterson
Coyne	Jontz	Payne (NJ)
Cramer	Kanjorski	Payne (VA)
Darden	Kaptur	Pease
de la Garza	Kennedy	Pelosi
DeLauro	Kennelly	Penny
Dellums	Kildee	Perkins
Derrick	Kleczka	Peterson (FL)
Dicks	Kopetski	Peterson (MN)
Dingell	Kostmayer	Pickett
Dixon	LaFalce	Pickle
Donnelly	Lancaster	Poshhard
Dooley	LaRocco	Price
Dorgan (ND)	Laughlin	Rahall
Downey	Lehman (CA)	Rangel
Durbin	Lehman (FL)	Ray
Dwyer	Levin (MI)	Reed
Early	Lewis (GA)	Richardson