

Swett	Visclosky	Wyden	Olin	Rostenkowski	Schulze
Synar	Waters	Wyllie	Pickett	Savage	Smith (FL)
Unsoeld	Weiss	Yates			
Upton	Williams	Yatron			
Vento	Wolpe	Zimmer			

NOES—254

Allen	Geren	Nowak
Anderson	Gibbons	Nussle
Andrews (NJ)	Gilchrest	Oakar
Andrews (TX)	Gilman	Ortiz
Applegate	Gingrich	Oxley
Archer	Gonzalez	Packard
Army	Goodling	Parker
Bacchus	Goss	Paxon
Baker	Gradison	Perkins
Ballenger	Gunderson	Peterson (FL)
Barrett	Hall (OH)	Petri
Barton	Hall (TX)	Pickle
Bateman	Hammerschmidt	Quillen
Bentley	Hancock	Rahall
Berman	Hansen	Rangel
Bevill	Harris	Ravenel
Bilbray	Hayes (LA)	Regula
Bilirakis	Hobson	Rhodes
Bliley	Hochbrueckner	Richardson
Boehlert	Holloway	Ridge
Boehner	Hopkins	Riggs
Boucher	Horn	Rinaldo
Boxer	Horton	Ritter
Brewster	Hoyer	Roberts
Brooks	Hubbard	Roe
Broomfield	Huckaby	Rogers
Browder	Hunter	Rohrabacher
Brown	Hutto	Ros-Lehtinen
Bryant	Hyde	Roth
Bunning	Inhofe	Roybal
Burton	James	Santorum
Bustamante	Jefferson	Sarpaluis
Byron	Jenkins	Saxton
Campbell (CA)	Johnson (CT)	Scheuer
Cardin	Johnson (TX)	Schiff
Carper	Jones (NC)	Sensenbrenner
Carr	Kaptur	Shaw
Chandler	Kennedy	Shuster
Chapman	Kennelly	Sisisky
Clay	Klug	Skeen
Clement	Kopetski	Slattery
Clinger	Kyl	Smith (NJ)
Coleman (TX)	Lagomarsino	Smith (OR)
Combest	Laughlin	Smith (TX)
Cooper	Lehman (CA)	Snowe
Coughlin	Lehman (FL)	Spence
Cox (CA)	Lent	Stallings
Cramer	Lewis (CA)	Stearns
Crane	Lewis (FL)	Stenholm
Cunningham	Lightfoot	Stokes
Darden	Livingston	Stump
Davis	Lloyd	Sundquist
de la Garza	Lowery (CA)	Swift
DeFazio	Machtley	Tallon
DeLauro	Manton	Tanner
DeLay	Martin	Tauzin
Dickinson	Martinez	Taylor (MS)
Dicks	Matsui	Taylor (NC)
Dingell	McCandless	Thomas (CA)
Dixon	McCollum	Thomas (GA)
Doolittle	McCrery	Thomas (WY)
Dornan (CA)	McCurdy	Thornton
Downey	McDermott	Torres
Dreier	McGrath	Torricelli
Dymally	McHugh	Towns
Edwards (CA)	McMillan (NC)	Trafficant
Edwards (TX)	McMillen (MD)	Traxler
Emerson	Meyers	Valentine
Engel	Michel	Vander Jagt
English	Miller (WA)	Volkmer
Erdreich	Mineta	Vucanovich
Fawell	Mollohan	Walker
Fazio	Montgomery	Walsh
Feighan	Moody	Washington
Fields	Moorhead	Waxman
Fish	Moorhead	Weber
Ford (TN)	Moran	Weldon
Franks (CT)	Morella	Wheat
Frost	Morrison	Whitten
Gallegly	Mrazek	Wilson
Gallo	Murtha	Wise
Gaydos	Myers	Wolf
Gejdenson	Nagle	Young (AK)
Gekas	Neal (MA)	Young (FL)
Gephardt	Nichols	Zeliff

NOT VOTING—21

Alexander	Dannemeyer	Marlenee
Annunzio	Fascell	McDade
AuCoin	Gillmor	Murphy
Barnard	Ireland	
Callahan	Kolter	
Coleman (MO)	Levine (CA)	

So the amendment was not agreed to. After some further time, The SPEAKER resumed the Chair.

When Mr. HARRIS, Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

45.10 ORDER OF BUSINESS—
CONSIDERATION OF H. RES. 440 AND H. RES. 441

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That it may be in order without the intervention of any motion to consider a resolution to be offered by the Majority Leader, or his designee, as a question of the privileges of the House; that debate on the resolution continue not to exceed one hour, to be equally divided and controlled by the Majority Leader and the Minority Leader, or their designees; that the previous question be considered as ordered on the resolution to final adoption without intervening motion; and that the resolution on final adoption not be subject to a demand for a division of the question; and

Ordered further, That immediately upon disposition of the aforesaid resolution it shall be in order without the intervention of any motion to consider a resolution to be offered by the Minority Leader, or his designee, as a question of the privileges of the House; that debate on the resolution continue not to exceed one hour, to be equally divided and controlled by the Minority Leader and the Majority Leader, or their designees; that the previous question be considered as ordered on the resolution to final adoption without intervening motion; and that the resolution on final adoption not be subject to a demand for a division of the question.

45.11 PRIVILEGES OF THE HOUSE

Mr. GEPHARDT rose to a question of the privileges of the House and pursuant to the foregoing special order submitted the following privileged resolution (H. Res. 440):

Directing the release of certain materials relating to the inquiry of the operation of the bank of the Sergeant at Arms pursuant to House Resolution 236 in a manner consistent with enforcement of criminal law and procedure, respect for the constitutional structure of government and the individual rights assured to all citizens, and the expectation of the public that the legal process will be impartial and fair.

Whereas, on March 27, 1992, Attorney General William Barr, appointed former federal Judge Malcolm A. Wilkey as Special Counsel to the Attorney General to conduct a preliminary inquiry into possible violations of the criminal law arising out of the operations of the former House bank; and

Whereas, shortly thereafter, employees of the former House bank were made available for interviews in accordance with Judge Wilkey's request and in the spirit of cooperation by the House of Representatives with the preliminary inquiry; and,

Whereas, on April 20, 1992, the Speaker of the House, on behalf of himself and the Republican leader, forwarded to Judge Wilkey a letter informing him that it would be incon-

sistent with the Rules of the House of Representatives to provide copies of the records sought by Judge Wilkey without the matter being fully considered by the entire House upon its reconvening the following week; and,

Whereas, on April 21, 1992, while the House remained in recess, Judge Wilkey caused to be issued subpoenas to the Acting Chairman of the Committee on Standards of Official Conduct and to the Sergeant at Arms of the House of Representatives calling for production by April 28, 1992, of all records of the former House bank which include all transactions of every person who used the former House bank during a 39-month period, such as Members without overdrafts, Member's spouses, employees, members of the press, and the members of the public, as well as deposit slips and monthly statements of all Members: Now, therefore, be it

Resolved, That the House of Representatives shall comply with the subpoenas issued in connection with the preliminary inquiry of the Special Counsel, in a manner consistent with (1) enforcement of criminal law and procedure; (2) respect for the constitutional structure of government and the individual rights assured to all citizens; and (3) the expectation of the public that the legal process will be impartial and fair: Be it further

Resolved, That microfilm rolls shall be collected by the Sergeant at Arms and he shall promptly undertake to expeditiously have reproduced in documentary form, using the best available modern technology, the forty-one rolls of microfilm sought by the subpoena: Be it further

Resolved, The Sergeant at Arms shall obtain from the United States District Court a determination of the enforceability of the subpoena including its materiality and relevance and shall upon receipt of such determination notify the House of the Court's determination: Be it further

Resolved, The Sergeant at Arms, after providing notification to the House, is authorized and directed to comply with the subpoena consistent with the Court's determination: Be it further

Resolved, That the House relies upon the assurances of the Special Counsel that he will take such steps as are necessary to provide full protection for the confidentiality of the records provided: Be it further

Resolved, Consistent with this resolution that it is the will of the House to maintain such communication and cooperation with the Special Counsel as will promote the ends of justice consistent with the privileges and rights of the House and its Members.

After debate,

Pursuant to the foregoing special order of the House heretofore agreed to, the previous question was considered as ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

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

Mr. HANSEN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the	Yeas 131 Nays 284 Answered present 1
negative	

