

Lucas	Paul	Skelton
Luther	Paxon	Smith (MI)
Maloney (CT)	Payne	Smith (NJ)
Maloney (NY)	Pease	Smith (OR)
Manton	Pelosi	Smith (TX)
Manzullo	Peterson (MN)	Smith, Adam
Markey	Peterson (PA)	Smith, Linda
Mascara	Petri	Snowbarger
Matsui	Pickering	Snyder
McCarthy (MO)	Pickett	Solomon
McCarthy (NY)	Pitts	Souder
McCollum	Pomeroy	Spence
McCrery	Porter	Spratt
McGovern	Portman	Stabenow
McHale	Poshard	Stokes
McHugh	Price (NC)	Strickland
McInnis	Pryce (OH)	Stump
McIntosh	Rahall	Stupak
McIntyre	Ramstad	Sununu
McKeon	Rangel	Tanner
McKinney	Redmond	Tauscher
Meehan	Regula	Tauzin
Meek (FL)	Riley	Taylor (MS)
Menendez	Rivers	Taylor (NC)
Metcalf	Rodriguez	Thomas
Mica	Roemer	Thompson
Millender-McDonald	Rogan	Thornberry
Miller (CA)	Rogers	Thune
Miller (FL)	Rohrabacher	Thurman
Minge	Ros-Lehtinen	Tiahrt
Mink	Roukema	Tierney
Moakley	Roybal-Allard	Towns
Mollohan	Royce	Turner
Moran (KS)	Rush	Upton
Moran (VA)	Ryun	Velazquez
Morella	Salmon	Vento
Murtha	Sanchez	Visclosky
Nadler	Sanders	Walsh
Neal	Sandlin	Wamp
Nethercutt	Sanford	Waters
Neumann	Sawyer	Watkins
Ney	Saxton	Watt (NC)
Northup	Scarborough	Watts (OK)
Nussle	Schaefer, Dan	Waxman
Oberstar	Schaffer, Bob	Weldon (FL)
Obey	Schumer	Weller
Olver	Scott	Wexler
Ortiz	Sensenbrenner	Weygand
Owens	Sessions	White
Oxley	Shadegg	Whitfield
Packard	Shaw	Wicker
Pallone	Shays	Wise
Pappas	Sherman	Wolf
Parker	Shimkus	Woolsey
Pascrell	Shuster	Wynn
Pastor	Sisisky	Yates
	Skeen	Young (FL)

ANSWERED "PRESENT"—1

DeFazio

NOT VOTING—37

Barton	Harman	Riggs
Bateman	Hefner	Rothman
Becerra	Jones	Skaggs
Bryant	Kaptur	Stark
Christensen	Kolbe	Stearns
Davis (FL)	McDade	Stenholm
Dixon	Meeks (NY)	Talent
Engel	Myrick	Torres
Fattah	Norwood	Trafficant
Fowler	Pombo	Weldon (PA)
Gonzalez	Quinn	Young (AK)
Goodling	Radanovich	
Greenwood	Reyes	

So the motion to adjourn was not agreed to.

45.7 QUESTION OF PRIVILEGES OF THE HOUSE

Mr. GEPHARDT rose to a question of the privileges of the House and submitted the following resolution (H. Res. 431):

Whereas the Supreme Court of the United States has noted that, although the power to conduct investigations is inherent in the legislative process, that power is not unlimited, may be exercised only in aid of the legislative function, and cannot be used to expose for the sake of exposure alone;

Whereas the Supreme Court of the United States has further noted that the investigative power of Congress contains "no general authority to expose the private affairs of in-

dividuals without justification in terms of the functions of Congress";

Whereas Representative Burton is the only member in the history of the House of Representatives who has had the power to unilaterally issue subpoenas and the power to disclose information obtained therefrom, and has abused these powers;

Whereas the Committee on Standards of Official Conduct has determined that it is improper to alter a House document if such alteration changes the meaning or extensively modifies the document;

Whereas the Speaker of the House of Representatives has correctly and steadfastly called for adherence to the Rule of Law and emphasized that no man is above the law;

Whereas those upon whom the House of Representatives has bestowed its Constitutional power to investigate must abide by the Rule of Law, and must exercise the investigative power fairly and judiciously and in a manner that will preserve the dignity of the House and reflect credit thereon.

Whereas the Rules of the House of Representatives provide that documents and other materials obtained pursuant to a Committee subpoena are records of the Committee that may not be publicly disclosed by a chairman without authorization by the Committee;

Whereas the Committee on Government Reform and Oversight has adopted procedures governing the public disclosure of documents and other materials obtained pursuant to a Committee subpoena;

Whereas pursuant to a Committee subpoena, Representative Burton obtained from the Department of Justice tape recordings of the telephone conversations engaged in by Webster Hubbell while in prison;

Whereas the Department of Justice advised Representative Burton of his responsibility to pay special regard to the sensitive nature of the tape recordings, which recordings the Department of Justice could not lawfully disclose to the public;

Whereas Representative Burton intentionally violated the Rules of the House of Representatives and the procedures of the Committee on Government Reform and Oversight and displayed an utter disregard for both the privacy rights of those involved and the ability of the Bureau of Prisons to perform its functions effectively by publicly disclosing the tape recordings and transcripts of telephone conversations between Webster Hubbell and his wife, other family members, friends, and attorneys;

Whereas the transcripts publicly disclosed by Representative Burton in violation of the Rules of the House of Representatives and the procedures of the Committee had been altered and selectively edited so as to mislead Members of the House of Representatives and the public, distort the public record; impair the ability of the House of Representatives to perform its legislative and oversight functions, and violate the integrity of Committee proceedings.

Whereas the materials publicly disclosed by Representative Burton in violation of the Rules of the House of Representative and the procedures of the Committee contained conversations between a husband and wife pertaining to family, personal, medical, and marital problems;

Whereas, through these actions, his failure to abide by the Rule of Law, and his consistent abuse of the investigative powers of the House of Representatives, Representative Burton has brought discredit upon the House of Representatives: Now, therefore, be it

Resolved, That the House of Representatives disapproves of the manner in which Representative Burton has conducted the Committee on Government Reform and Oversight's investigation of political fund-

raising improprieties and possible violations of law.

The SPEAKER pro tempore, Mr. NEY, ruled that the resolution submitted did present a question of the privileges of the House under rule IX.

Mr. ARMEY 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. NEY, announced that the yeas had it.

Mr. GEPHARDT demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 223
affirmative } Nays 196

45.8 [Roll No. 153] AYES—223

Aderholt	Fox	McIntosh
Archer	Franks (NJ)	McKeon
Armey	Frelinghuysen	Metcalf
Bachus	Gallegly	Mica
Baker	Ganske	Miller (FL)
Ballenger	Gekas	Moran (KS)
Barr	Gibbons	Morella
Barrett (NE)	Gilchrest	Myrick
Bartlett	Gillmor	Nethercutt
Barton	Gilman	Neumann
Bass	Goode	Ney
Bereuter	Goodlatte	Northup
Bilbray	Goodling	Norwood
Bilirakis	Goss	Nussle
Bliley	Graham	Oxley
Blunt	Granger	Packard
Boehlert	Greenwood	Pappas
Boehner	Gutknecht	Parker
Bonilla	Hall (TX)	Paul
Bono	Hansen	Paxon
Brady	Hastert	Pease
Bryant	Hastings (WA)	Peterson (PA)
Bunning	Hayworth	Petri
Burr	Hefley	Pickering
Burton	Herger	Pitts
Buyer	Hill	Porter
Callahan	Hillleary	Portman
Calvert	Hobson	Pryce (OH)
Camp	Hoekstra	Ramstad
Campbell	Horn	Redmond
Canady	Hostettler	Regula
Cannon	Houghton	Riley
Castle	Hulshof	Rogan
Chabot	Hunter	Rogers
Chambliss	Hutchinson	Rohrabacher
Chenoweth	Hyde	Ros-Lehtinen
Christensen	Inglis	Roukema
Coble	Istook	Royce
Coburn	Jenkins	Ryun
Collins	Johnson (CT)	Salmon
Combest	Johnson, Sam	Sanford
Cook	Jones	Saxton
Cooksey	Kasich	Scarborough
Cox	Kelly	Schaefer, Dan
Crane	Kim	Schaffer, Bob
Crapo	King (NY)	Sensenbrenner
Cubin	Kingston	Sessions
Cunningham	Klug	Shadegg
Davis (VA)	Knollenberg	Shaw
Deal	Kolbe	Shays
DeLay	LaHood	Shimkus
Diaz-Balart	Largent	Shuster
Dickey	Latham	Skeen
Doolittle	LaTourrette	Smith (MI)
Dreier	Lazio	Smith (NJ)
Duncan	Leach	Smith (OR)
Dunn	Lewis (CA)	Smith (TX)
Ehlers	Lewis (KY)	Smith, Linda
Ehrlich	Linder	Snowbarger
Emerson	Livingston	Solomon
English	LoBiondo	Souder
Ensign	Lucas	Spence
Everett	Manzullo	Stearns
Ewing	McCollum	Stump
Fawell	McCrery	Sununu
Foley	McDade	Talent
Forbes	McHugh	Tauzin
Fossella	McInnis	Taylor (MS)