Everett
Ewing
Farr
Fattah
Fawell
Foley
Forbes
Ford
Fossella
Fowler
Frank (MA)
Franks (NJ)
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Greenwood
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (WA)
Hayworth
Hefner
Herger
Hill
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Linder
Lipinski
Livingston
Lofgren
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Metcalf
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Olver
Ortiz
Oxley
Packard
Pappas
Parker
Pascrell
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Towns
Traficant
Upton
Walsh
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weygand
White
Wise
Wolf
Woolsey
Wynn
Yates
Young (FL)

NAYS—58

Aderholt
Baldacci
Becerra
Bonior
Borski
Brown (CA)
Clay
Costello
DeFazio
English
Ensign
Fazio
Filner
Fox
Gephardt
Gibbons
Green
Gutierrez
Gutknecht
Hastings (FL)
Hefley
Hilleary
Hilliard
Hinchey
Johnson, E. B.
Kucinich
Lewis (GA)
LoBiondo
Lowey
Markey
McDermott
Menendez
Moran (KS)
Nussle
Oberstar
Obey
Pallone
Pastor
Pickett
Poshard
Ramstad
Sabo
Schaffer, Bob
Scott
Slaughter
Stupak
Taylor (MS)
Thompson
Thurman
Velazquez
Vento
Visclosky
Wamp
Waters
Weller
Wexler
Whitfield
Wicker

ANSWERED ''PRESENT''—2

Carson
Goodling

NOT VOTING—33

Baker
Barr
Barton
Bass
Bateman
Bono
Burr
Buyer
Chambliss
Cox
Crane
Crapo
Dixon
Frelinghuysen
Gonzalez
Granger
Hall (OH)
Harman
Hyde
Johnson (WI)
Johnson, Sam
Kolbe
Lewis (KY)
McCollum
Meeks (NY)
Owens
Pomeroy
Schumer
Skaggs
Tierney
Torres
Turner
Young (AK)

So the Journal was approved.

¶49.4 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

9213. A letter from the Deputy Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Chicago Board of Trade Futures Contracts in Corn and Soybeans; Order to Designate Contract Markets and Amending Order of November 7, 1997, as Applied to Such Contracts— received May 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9214. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Department's final rule—Bacillus Thuringiensis Subspecies tolworthi Cry9C Protein and the Genetic Material Necessary for its Production in Corn; Exemption from the Requirement of a Tolerance [OPP–300659; FRL–5790–3] (RIN–2070–AB78) received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9215. A letter from the Director, Office of Regulatory Management Agency, Environmental Protection Agency, transmitting the Agency's final rule-Hydroxyethylidine Diphosphonic Acid; Exemption From the Requirement of a Tolerance [OPP–300658; FRL–5790–1] (RIN: 2070–AB78) received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9216. A letter from the General Counsel, Department of Housing and Urban Development, transmitting the Department's final rule—Section 8 Rental Voucher and Certificate Programs; Restrictions on Leasing to Relatives [Docket No. FR–4149–F–02] (RIN: 2577–AB73) received May 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

9217. A letter from the Managing Director, Federal Housing Finance Board, transmitting the Board's final rule—Amendment of Affordable Housing Program Regulation [Docket No. 98–18] (RIN: 3069–AA73) received May 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

9218. A letter from the Acting Assistant Secretary, Department of Labor, transmitting the Department's final rule—Prevailing Wage Policy for Researchers Employed by Colleges and Universities, College and University Operated Federally Funded Research and Development Centers, and Certain Federal Agencies—received May 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

9219. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Metric Conversion of Tire Standards [Docket No. NHTSA–98–3837, Notice 1] (RIN: 2127–AH07) received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9220. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Metric Conversion [NHTSA–98–3836] (RIN: 2127–AG55) received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9221. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Control of Emissions of Air Pollution from New CI Marine Engines at or above 37 Kilowatts [FRL–6014–4] (RIN: 2060–AH65) received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9222. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—OMB Approval Number Under The Paperwork Reduction Act [FRL–6013–2] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9223. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Tolerance Processing Fees [Opp-30114; FRL–5775–4] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9224. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—a revision of the Enforcement Policy (NUREG–1600, Rev. 1) received May 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

9225. A letter from the General Counsel, Arms Control and Disarmament Agency, transmitting copies of the English and Russian texts of the three joint statements negotiated by the Joint Compliance and Inspection Commission and concluded during JCIC-XVII; to the Committee on International Relations.

9226. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report, determination and certification on a chemical weapons proliferation sanctions matter, pursuant to section 81(b)(3) of the Arms Export Control Act, as amended, and section 11C(b)(3) of the Export Administration Act of 1979, as amended; to the Committee on International Relations.

9227. A letter from the Service Federal Register Liaison Officer, Fish and Wildlife Service, transmitting the Service's final rule—Endangered and Threatened Wildlife and Plants; Emergency Rule to Establish and Additional Manatee Sanctuary in Kings Bay, Crystal River, Florida (RIN: 1018–AE47) received May 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9228. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Wrightstown, NJ [Airspace Docket No. 98–AEA–01] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9229. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Downingtown, PA [Airspace Docket No. 98–AEA–04] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9230. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Approaches to Annapolis Harbor, Spa Creek, and Severn River, Annapolis, Maryland [CGD 05–98–031]

(RIN: 2115–AE46) received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9231. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Martin, SD [Airspace Docket No. 97–AGL–62] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9232. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Casey, IL [Airspace Docket No. 98–AGL–10] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9233. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; New Rochelle Harbor, New York [CGD1–95–002] (RIN: 2115–AE47) received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9234. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Nauvoo, IL [Airspace Docket No. 98–AGL–12] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9235. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone; San Juan, Puerto Rico [COTP SAN JUAN 97–045] (RIN: 2115–AA97) received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9236. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Lakeview, MI [Airspace Docket No. 98–AGL–14] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9237. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone; FLEET WEEK Air/Sea Demonstrations, Hudson River, New York [CGD01–98–041] (RIN: 2121–AA97) received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9238. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Milwaukee, WI [Airspace Docket NO. 98–AGL–5] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9239. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Eastland Municipal, TX [98–ASW–20] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9240. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Gallup, NM [Airspace Docket No. 98–ASW–19] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9241. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Cleveland, OK [Airspace Docket No. 97–ASW–29] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9242. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Pawnee, OK [Airspace Docket No. 98–ASW–02] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9243. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Wagoner, OK [Airspace Docket No. 98–ASW–031] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9244. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Coalgate, OK [Airspace Docket No.98–ASW–01] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9245. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Bristow, OK [Airspace Docket No. 98–ASW–04] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9246. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Claremore, OK [Airspace Docket No. 98–ASW–05] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9247. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Shawnee, OK [Airspace Docket No. 98–ASW–06] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9248. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Wautoma, WI [Airspace Docket No. 98–AGL–7] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9249. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Muskogee, OK [Airspace Docket No. 98–ASW–12] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9250. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Portland, IN [Airspace Docket No. 98–AGL–8] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9251. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Poteau, OK [Airspace Docket No. 98–ASW–13] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9252. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Pryor, OK [Airspace Docket No. 98–ASW–14] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9253. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Stillwater, OK [Airspace Docket No. 98–ASW–15] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9254. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Millersburg, OH [Airspace Docket No. 98–AGL–9] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9255. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Tahlequah, OK [Airspace Docket No. 98–ASW–16] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9256. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Grove, OK [Airspace Docket No. 98–ASW–07] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9257. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Chicago, IL [Airspace Docket No. 98–AGL–11] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9258. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Henryetta, OK [Airspace Docket No. 98–ASW–08] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9259. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Watford City, ND, and modification of Class E Airspace; Williston, ND [Airspace Docket No. 98–AGL–15] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9260. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Idabel, OK [Airspace Docket No. 98–ASW–09] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9261. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; McAlester, OK [Airspace Docket No. 98–ASW–10] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9262. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Miami, OK [Airspace Docket No. 98–ASW–11] received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9263. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Models B200, B200C, and B200T Airplanes [Docket No. 97–CE–72–AD; Amendment 39–10516; AD 98–10–05] (RIN: 2120–AA64) received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9264. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; CFM International CFM56–3, -3B, -3C, -5, -5B, and -5C Series Turbofan Engines [Docket No. 97–ANE–54–AD; Amendment 39–10523, AD 98–10–11] (RIN: 2120–AA64) received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9265. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; REVO, Incorporated Models Colonial C–2, Lake LA–4, Lake LA–4A, Lake LA–4P, and Lake LA–4–200 Airplanes [Docket No. 98–CE–48–AD; Amendment 39–10524; AD 98–10–12] (RIN: 2120–AA64) received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9266. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Lockheed Model L–1011–385 Series Airplanes [Docket No. 96–NM–257–AD; Amendment 39–10526; AD 98–10–14] (RIN: 2120–AA64) received May 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9267. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property [Revenue Ruling 98–28] received May 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9268. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—the domestic asset/liability and investment yield percentages of taxable years beginning after December 31, 1996, for foreign companies conducting insurance businesses in the United States [Revenue Procedure 98–31] received May 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9269. A letter from the Executive Director, Office of Compliance, transmitting notice of decision to terminate rulemaking for publication in the Congressional RECORD, pursuant to Public Law 104—1, section 303(b) (109 Stat. 28); jointly to the Committees on House Oversight and Education and the Workforce.

¶49.5 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate insists upon its amendments to the bill (H.R. 3130) ''An Act to provide for an alternative penalty procedure for States that fail to meet Federal child support data processing requirements, to reform Federal incentive payments for effective child support performance, to provide for a more flexible penalty procedure for States that violate interjurisdictional adoption requirements, to amend the Immigration and Nationality Act to make certain aliens determined to be delinquent in the payment of child support inadmissible and ineligible for naturalization, and for other purposes,'' disagreed to by the House and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints from the Committee on Finance: Mr. ROTH, Mr. CHAFEE, Mr. GRASSLEY, Mr. MOYNIHAN, and Mr. BAUCUS; and from the Committee on Labor and Human Resources: Mr. JEFFORDS, Mr. COATS, and Mr. KENNEDY, to be the conferees on the part of the Senate.

¶49.6 COMMUNICATION FROM THE CLERK—CERTIFICATE OF ELECTION

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, May 20, 1998.

Hon. NEWT GINGRICH,
The Speaker, U.S. House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: I have the honor to transmit herewith a copy of the unofficial results received from Dick Filling, Commissioner, Bureau of Commissions, Elections and Legislation, Commonwealth of Pennsylvania, indicating that, according to the unofficial returns of the Special Election held on May 19, 1998, the Honorable Robert A. Brady was elected to the Office of Representative in Congress, from the First Congressional District, Commonwealth of Pennsylvania.

With warm regards,

ROBIN H. CARLE,
Clerk.

¶49.7 ORDER OF BUSINESS—SWEARING IN OF MEMBER-ELECT

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That, notwithstanding the fact that the certificate of election of Mr. Robert A. Brady, 1st District of the State of Pennsylvania, has not been received by the Clerk of the House of Representatives, Mr. BRADY be permitted to take the oath of office as prescribed by law, there being no contest and no question with regard to his election.

Mr. BRADY then presented himself at the bar of the House and took the oath of office prescribed by law.

¶49.8 PROVIDING FOR THE CONSIDERATION OF H. RES. 432 AND H. RES. 433

Mr. SOLOMON, by direction of the Committee on Rules, called up the following resolution (H. Res. 436):

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the resolution (H. Res. 432) expressing the sense of the House of Representatives concerning the President's assertions of executive privilege. The resolution shall be considered as read for amendment. The resolution shall be debatable for one hour equally divided and controlled by the Majority Leader or his designee and a Member opposed to the resolution. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion.

SEC. 2. After disposition of or postponement of further proceedings on House Resolution 432, it shall be in order to consider in the House the resolution (H. Res. 433) calling upon the President of the United States to urge full cooperation by his former political appointees and friends and their associates with congressional investigations. The resolution shall be considered as read for amendment. The resolution shall be debatable for one hour equally divided and controlled by the Majority Leader or his designee and a Member opposed to the resolution. The previous question shall be considered as ordered on the resolution to final adoption without intervening motion.

When said resolution was considered.

After debate,

On motion of Mr. SOLOMON, the previous question was ordered on the resolution to its adoption or rejection and under the operation thereof, the resolution was agreed to.

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

¶49.9 EXECUTIVE PRIVILEGE

Mr. ARMEY, pursuant to House Resolution 436, called up the following resolution (H. Res. 432):

Whereas a unanimous Supreme Court held in United States v. Nixon that ''[a]bsent a claim of need to protect military, diplomatic, or sensitive national security secrets, we find it difficult to accept the argument that even the very important interest in confidentiality of Presidential communications is significantly diminished by production of such material'' that is essential to the enforcement of criminal statutes (418 U.S. 683, 706 (1974));

Whereas during the Watergate investigation, the Supreme Court unanimously held in United States v. Nixon that the judicial need for the tapes of President Nixon ''shown by a demonstrated, specific need for evidence in a pending criminal trial'' outweighed the President's ''generalized interest in confidentiality. . .'' (418 U.S. 683, 713 (1974));

Whereas the Supreme Court further held in United States v. Nixon that ''neither the doctrine of separation of powers, nor the need for confidentiality of high-level communications, without more, can sustain an absolute, unqualified Presidential privilege of immunity from judicial process under all circumstances'' (418 U.S. 683, 706 (1974));

Whereas executive privilege is qualified, not absolute, and should ''never serve as a means of shielding information regarding governmental operations that do not call ultimately for direct decisionmaking by the President'' (In re Sealed Case, 116 F.3d 550 (D.C. Cir. 1997), reissued in unredacted form, 121 F.3d 729, 752 (D.C. Cir. 1997));

Whereas on September 28, 1994, Special Counsel to the President Lloyd N. Cutler, in a memorandum to the general counsels of all executive departments and agencies, wrote, ''[i]n circumstances involving communications relating to investigations of personal wrongdoing by Government officials, it is our practice not to assert executive privilege, either in judicial proceedings or in congressional investigations and hearings'';

Whereas President Clinton is the first President since President Nixon (and the second in the history of the United States) to withhold information, under claims of executive privilege, from a grand jury investigating allegations of personal wrongdoing and possible crimes in the White House;

Whereas the President's assertions of executive privilege have recently been denied by a United States district court;

Whereas in January 1998, President Clinton said that the ''American people have a right to get answers'' regarding certain matters being investigated by the Office of the Independent Counsel;

Whereas President Clinton has promised to give ''as many answers as we can, as soon as we can, at the appropriate time, consistent with our obligation to also cooperate with the investigations''; and

Whereas the people of the United States and their duly elected representatives have a right to judge for themselves the merits or demerits of the President's claim of executive privilege: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that, in the interests of