

# QUESTIONS OF ORDER

DECIDED IN THE HOUSE OF REPRESENTATIVES AT THE FIRST SESSION, ONE HUNDRED SIXTH CONGRESS

HON. J. DENNIS HASTERT OF ILLINOIS, SPEAKER  
JEFF TRANDAHL OF VIRGINIA, CLERK

## QUESTIONS OF ORDER

### PRIVILEGES OF THE HOUSE

(¶1.27)

A RESOLUTION OFFERED FROM THE FLOOR BY THE CHAIRMAN OF THE COMMITTEE ON THE JUDICIARY AS INCIDENTAL TO IMPEACHMENT CONSTITUTES A QUESTION OF THE PRIVILEGES OF THE HOUSE UNDER RULE IX.

THE HOUSE CONSIDERED AND ADOPTED AS A QUESTION OF THE PRIVILEGES OF THE HOUSE INCIDENTAL TO IMPEACHMENT AN OMNIBUS RESOLUTION IN CONTINUATION OF AUTHORITIES ORIGINALLY CONVEYED BY THE PREDECESSOR-HOUSE FOR THE CONDUCT OF A TRIAL IN THE SENATE OF THE IMPEACHMENT OF PRESIDENT CLINTON, INCLUDING THE APPOINTMENT OF MANAGERS ON THE PART OF THE HOUSE FOR THE TRIAL IN THE SENATE, THE NOTIFICATION TO THE SENATE THEREOF, AND THE GRANTING TO THE MANAGERS OF RESOURCES AND AUTHORITIES TO EXHIBIT THE ARTICLES AND TRY THE CASE.

On January 6, 1999, Mr. HYDE, pursuant to clause 2(a)(1) of rule IX, rose to a question of the privileges of the House and submitted the following resolution (H. Res. 10):

H. RES. 10

*Resolved*, That in continuance of the authority conferred in House Resolution 614 of the One Hundred Fifth Congress adopted by the House of Representatives and delivered to the Senate on December 19, 1998, Mr. Hyde of Illinois, Mr. Sensenbrenner of Wisconsin, Mr. McCollum of Florida, Mr. Gekas of Pennsylvania, Mr. Canady of Florida, Mr. Buyer of Indiana, Mr. Bryant of Tennessee, Mr. Chabot of Ohio, Mr. Barr of Georgia, Mr. Hutchinson of Arkansas, Mr. Cannon of Utah, Mr. Rogan of California, and Mr. Graham of South Carolina are appointed managers to conduct the impeachment trial against William Jefferson Clinton, President of the United States, that a message be sent to the Senate to inform the Senate of these appointments, and that the managers so appointed may, in connection with the preparation and the conduct of the trial, exhibit the articles of impeachment to the Senate and take all other actions necessary, which may include the following:

(1) Employing legal, clerical, and other necessary assistants and incurring such other expenses as may be necessary, to be paid from amounts available to the Committee on the Judiciary under applicable expense resolutions or from the applicable accounts of the House of Representatives.

(2) Sending for persons and papers, and filing with the Secretary of the Senate, on the part of the House of Representatives, any pleadings, in conjunction with or subsequent to, the exhibition of the articles of impeachment that the managers consider necessary.

The SPEAKER pro tempore, Mr. LAHOOD, ruled that the resolution

submitted did present a question of the privileges of the House under rule IX, and recognized Mr. HYDE and Mr. SCOTT for 30 minutes each.

After debate,

By unanimous consent, the previous question was 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. LAHOOD, announced that the yeas had it.

Mr. CONYERS 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 ..... 223  
affirmative ..... } Nays ..... 198

¶1.28 [Roll No. 6]

So 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.

### PRIVILEGES OF THE HOUSE

(¶78.23)

A RESOLUTION ASSERTING THAT A SENATE BILL CONTAINED PROVISIONS IN DEROGATION OF THE CONSTITUTIONAL PREROGATIVE OF THE HOUSE TO ORIGINATE REVENUE LEGISLATION GIVES RISE TO A QUESTION OF THE PRIVILEGES OF THE HOUSE UNDER RULE IX. THE HOUSE RETURNED TO THE SENATE A BILL PROPOSING TO AMEND THE FEDERAL CRIMINAL CODE TO PROSCRIBE THE IMPORTATION OF LARGE-CAPACITY AMMUNITION-FEEDING DEVICES, ITEMS WHICH WERE DUTIABLE UNDER SEPARATE TARIFF LAW AND THE BAN ON IMPORTATION OF WHICH WOULD RESULT IN REVENUE LOSS.

On July 15, 1999, Mr. PORTMAN rose to a question of the privileges of the House and submitted the following resolution (H. Res. 249):

H. RES. 249

*Resolved*, That the bill of the Senate (S. 254) entitled the "Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act of 1999", in the opinion of this House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House and that such bill be respectively returned to the Senate with a message communicating this resolution.

The SPEAKER pro tempore, Mr. PEASE, ruled that the resolution sub-

mitted did present a question of the privileges of the House under rule IX, and recognized Mr. PORTMAN and Mr. RANGEL, each for thirty minutes.

After debate,

## FRIDAY, JULY 16 (LEGISLATIVE DAY OF THURSDAY, JULY 15), 1999

On motion of Mr. PORTMAN, the previous question was 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. PEASE, announced that the yeas had it.

So 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.

*Ordered*, That the Clerk notify the Senate thereof.

### POINT OF ORDER

(¶89.28)

UNDER CLAUSE 1(C) OF RULE XV, HALF OF THE 40 MINUTES FOR DEBATE ON A MOTION TO SUSPEND THE RULES IS RESERVED FOR OPPOSITION.

THE CHAIR DOES NOT ASSESS THE DEGREE OF A MEMBER'S OPPOSITION TO A MOTION TO SUSPEND THE RULES, BUT ONLY WHETHER THE MEMBER QUALIFIES AT THE OUTSET TO CONTROL THE TIME RESERVED FOR OPPOSITION (WHERE THAT CHALLENGE IS PRESENTED).

On August 3, 1999, Mr. ROHR-ABACHER, made a point of order pending consideration of the bill H.R. 1907, and said:

Mr. RHORABACHER made a point of order against the division of time, and said:

"With all fairness here, claiming opposition is not what the question is. If the gentlewoman from Ohio is indeed opposed to the bill, she deserves to have this time as compared to someone who is unwilling to say that they are opposed to the bill."

Ms. LOFGREN was recognized to speak to the point of order and said:

"Mr. Speaker, if I may, I have reservations about the changes made today. I hope that I can be convinced that they are adequately made by the time the debate is over."

The SPEAKER pro tempore, Mr. MILLER of Florida, overruled the point of order, and said:

"At this point, the Chair does not question the motives of the Member.

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The Member has stated she is in opposition to the bill."

## PRIVILEGES OF THE HOUSE

(¶126.15)

A RESOLUTION ALLEGING AN UNACCEPTABLE IMBALANCE IN CERTAIN INTERNATIONAL TRADE, AND CALLING ON THE PRESIDENT TO RESPOND TO IT IN SPECIFIED WAYS, DOES NOT GIVE RISE TO A QUESTION OF THE PRIVILEGES OF THE HOUSE UNDER RULE IX.

A RESOLUTION EXPRESSING CONGRESSIONAL SENTIMENT THAT THE PRESIDENT TAKE SPECIFIED ACTION TO ACHIEVE A DESIRED PUBLIC POLICY, EVEN THOUGH INVOLVING EXECUTIVE ACTION UNDER A REVENUE LAW THAT HAD BEEN THE PREROGATIVE OF THE HOUSE TO ORIGINATE, DOES NOT PRESENT A QUESTION OF THE PRIVILEGES OF THE HOUSE BUT, RATHER, IS A LEGISLATIVE MATTER TO BE CONSIDERED UNDER ORDINARY RULES RELATING TO PRIORITY OF BUSINESS.

On November 4, 1999, Mr. VISCLOSKY rose to a question of the privileges of the House and submitted the following resolution:

RESOLUTION CALLING ON THE PRESIDENT TO ABSTAIN FROM RENEGOTIATING INTERNATIONAL AGREEMENTS GOVERNING ANTIDUMPING AND COUNTERVAILING MEASURES

Whereas under Art. I, Section 8 of the Constitution, the Congress has power and responsibility with regard to foreign commerce and the conduct of international trade negotiations;

Whereas the House of Representatives is deeply concerned that, in connection with the World Trade Organization ("WTO") Ministerial meeting to be held in Seattle, Washington, and the multilateral trade negotiations expected to follow, a few countries are seeking to circumvent the agreed list of negotiation topics and reopen debate over the WTO's antidumping and antisubsidy rules;

Whereas strong antidumping and antisubsidy rules are a cornerstone of the liberal trade policy of the United States and are essential to the health of the manufacturing and farm sectors in the United States;

Whereas it has long been and remains the policy of the United States to support its antidumping and antisubsidy laws and to defend those laws in international negotiations;

Whereas the current absence of official negotiating objectives on the statute books must not be allowed to undermine the Congress' constitutional role in charting the direction of United States trade policy;

Whereas, under present circumstances, launching a negotiation that includes antidumping and antisubsidy issues would affect the rights of the House and the integrity of its proceedings;

Whereas opening these rules to renegotiation could only lead to weakening them, which would in turn lead to even greater abuse of the world's open markets, particularly that of the United States;

Whereas, conversely, avoiding another divisive fight over these rules is the best way to promote progress on the other, far more important, issues facing WTO members; and

Whereas it is therefore essential that negotiations on these antidumping and antisubsidy matters not be reopened under the auspices of the WTO or otherwise: Now, therefore, be it

Resolved, That the House of Representatives calls upon the President—

(1) not to participate in any international negotiation in which antidumping or antisubsidy rules are part of the negotiating agenda;

(2) to refrain from submitting for congressional approval agreements that require changes to the current antidumping and countervailing duty laws and enforcement policies of the United States; and

(3) to enforce the antidumping and countervailing duty laws vigorously in all pending and future cases.

The SPEAKER pro tempore, Mr. HANSEN, spoke and said:

"The Chair will entertain argument as to whether the resolution constitutes a question of privilege.

Mr. VISCLOSKY was recognized and said:

"Mr. Speaker, I appreciate the opportunity and would point out, as was stated in the resolution, we have a responsibility under Article I, Section 8, as far as the conduct of trade policy. In the 103rd Congress, the United States Congress did act and the President signed into law what the agenda of the WTO Seattle round of negotiations should be.

"It is clear that our trading partners now want to usurp the position we have taken in statutory language in the United States of America by debating whether or not we are to eliminate or weaken our anti-dumping and anti-subsidy duties. That is contrary to the announced policy and statutory policy of the United States of America.

"This is not a trivial matter. In 1947, under the Bretton Woods negotiations, the GATT condemned anti-dumping and anti-subsidy activities.

"I am very concerned that if a resolution is not brought forth to a vote on this floor, our constitutional prerogatives will be usurped, and I would ask that the Chair rule in my favor.

The SPEAKER pro tempore, Mr. HANSEN, ruled that the resolution submitted did not present a question of the privileges of the House under rule IX, and said:

"The resolution offered by the gentleman from Indiana (Mr. VISCLOSKY) calls upon the President to address a trade imbalance in the area of steel imports. Specifically, the resolution calls upon the President to refrain from participation in certain international negotiations, to refrain from submitting certain agreements to the Congress and to vigorously enforce the trade laws.

"As the Chair ruled on October 10, 1998, a similar resolution expressing the legislative sentiment that the President should take specified action to achieve a desired public policy on trade does not present a question affecting the rights of the House, collectively, its safety, dignity or the integrity of its proceedings within the meaning of rule IX. In the opinion of the Chair, the resolution offered by the gentleman from Indiana (Mr. VISCLOSKY) is purely a legislative proposition properly initiated by introduction through the hopper under clause 7 of rule XII.

"Accordingly, the resolution offered by the gentleman from Indiana (Mr. VISCLOSKY) does not constitute a question of the privileges of the House under rule IX and may not be considered at this time."

Mr. VISCLOSKY appealed the ruling of the Chair.

The question being put, viva voce, Will the decision of the Chair stand as the judgement of the House?

Mr. LAHOOD moved to lay the appeal on the table.

The question being put, viva voce,

Will the House lay on the table the appeal of the ruling of the Chair?

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

Mr. VISCLOSKY 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 6, rule XX, and the call was taken by electronic device.

When there appeared	{	Yeas .....	218
		Nays .....	204

¶126.16 [Roll No. 566]

So the motion to lay the appeal 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.

## PRIVILEGES OF THE HOUSE

(¶126.17)

A RESOLUTION ALLEGING AN UNACCEPTABLE IMBALANCE IN CERTAIN INTERNATIONAL TRADE, AND CALLING ON THE PRESIDENT TO RESPOND TO IT IN SPECIFIED WAYS, DOES NOT GIVE RISE TO A QUESTION OF THE PRIVILEGES OF THE HOUSE UNDER RULE IX.

On November 4, 1999, Mr. WISE rose to a question of the privileges of the House and submitted the following resolution:

RESOLUTION CALLING ON THE PRESIDENT TO ABSTAIN FROM RENEGOTIATING INTERNATIONAL AGREEMENTS GOVERNING ANTIDUMPING AND COUNTERVAILING MEASURES

Whereas under Art. I, Section 8 of the Constitution, the Congress has power and responsibility with regard to foreign commerce and the conduct of international trade negotiations;

Whereas the House of Representatives is deeply concerned that, in connection with the World Trade Organization ("WTO") Ministerial meeting to be held in Seattle, Washington, and the multilateral trade negotiations expected to follow, a few countries are seeking to circumvent the agreed list of negotiation topics and reopen debate over the WTO's antidumping and antisubsidy rules;

Whereas the Congress has not approved new negotiations on antidumping or antisubsidy rules and has clearly, but so far informally, signaled its opposition to such negotiations;

Whereas strong antidumping and antisubsidy rules are a cornerstone of the liberal trade policy of the United States and are essential to the health of the manufacturing and farm sectors in the United States;

Whereas it has long been and remains the policy of the United States to support its

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antidumping and antisubsidy laws and to defend those laws in international negotiations;

Whereas, under present circumstances, launching a negotiation that includes antidumping and antisubsidy issues would affect the rights of the House and the integrity of its proceedings;

Whereas the WTO antidumping and antisubsidy rules concluded in the Uruguay Round have scarcely been tested since they entered into effect and certainly have not proved defective;

Whereas opening these rules to renegotiation could only lead to weakening them, which would in turn lead to even greater abuse of the world's open markets, particularly that of the United States;

Whereas conversely, avoiding another divisive fight over these rules is the best way to promote progress on the other, far more important, issues facing WTO members; and

Whereas it is therefore essential that negotiations on these antidumping and antisubsidy matters not be reopened under the auspices of the WTO or otherwise: Now, therefore, be it

*Resolved*, That the House of Representatives calls upon the President—

(1) not to participate in any international negotiation in which antidumping or antisubsidy rules are part of the negotiating agenda;

(2) to refrain from submitting for congressional approval agreements that require changes to the current antidumping and countervailing duty laws and enforcement policies of the United States; and

(3) to enforce the antidumping and countervailing duty laws vigorously in all pending and future cases.

The SPEAKER pro tempore, Mr. HANSEN, spoke and said:

"The Chair will entertain brief argument as to whether the resolution constitutes a question of privilege."

Mr. WISE was recognized and said:

"Mr. Speaker, this resolution I attempt to bring up calls on the President to abstain from renegotiating international agreements governing antidumping and countervailing measures.

"The arguments I make are very simple. According to article I, section 8 of the Constitution, the Congress has the power and the responsibility relating to foreign commerce and the conduct of international trade negotiations. An important part of Congress' participation in the formulation of trade policy is the enactment of official negotiating objectives against which completed agreements can be measured when presented for ratification.

"This Congress, in 1994, ratified an agenda for the Seattle World Trade Organization Ministerial Conference that is about to take place, and that agenda included only agricultural trade services, trade, and intellectual property protection. The agenda, specifically enacted into Federal law as Public Law 103-465, did not include antidumping or antisubsidy rules.

"What Congress is concerned about here is that a few countries are seeking to circumvent the agreed list of negotiating topics and open debate over the WTO's antidumping and antisubsidy rules, most notably applied to steel in the past few months. The Congress has not approved new negotiations on these—"

Mr. KOLBE was recognized and said: "Parliamentary inquiry, Mr. Speaker. Is it in order for the gentleman to speak beyond the matter of whether or not this is a matter of personal privilege?"

Mr. WISE was further recognized and said:

"The Chair asked for arguments, and I am responding to the Chair."

The SPEAKER pro tempore, Mr. HANSEN spoke and said:

"The debate should be confined to whether or not this constitutes a question of privilege under rule IX."

Mr. WISE was further recognized and said:

"Then I will happily deal directly with the gentleman's response. Incidentally, the 10,000 steelworkers who have been laid off in this country would like to have this matter brought up, but I will deal with the narrow approach that the gentleman requests.

"Section 702 of House rule IX, entitled "General Principles," concludes that certain matters of business arising under the Constitution, mandatory in nature, have been held to have a privilege which supersedes the rules establishing the order of business. And, Mr. Speaker, before I was interrupted, I was making those points about those rules which cannot be superseded.

"This is a question of the House's constitutional authority and is, therefore, privileged in nature. The WTO antidumping and antisubsidy rules concluded in the Uruguay Round have scarcely been tested since they have been entered into effect and have certainly not been proven effective. Opening these rules to negotiation only leads to weakening them, which in turn leads to even greater abuse of the world's markets.

"There is precedent for bringing H. Res. 298 out of committee and to the House floor immediately. For instance, H. Con. Res. 190 was brought to the floor on October 26 under suspension of the rules because it concerned the upcoming Seattle Round, and this measure only had 13 cosponsors, while our comeasure has 228 cosponsors. The majority of this House should be heard.

"And, as I point out, thousands of steelworkers from Weirton to Wheeling to Follensbee, who have been laid off during the course of these antidumping and antisubsidy rules not being effectively applied, are saying now to the President, please do not step back and please do not weaken them any further. Stand up for workers in this country. That is the grounds upon which I assert the privilege."

The SPEAKER pro tempore, Mr. HANSEN, ruled that the resolution submitted did not present a question of the privileges of the House under rule IX, and said:

"The resolution offered by the gentleman from West Virginia calls upon the President to address a trade imbalance in the area of imports. Specifically, the resolution calls upon the President to refrain from participation in certain international negotiations,

to refrain from submitting certain agreements to the Congress, and to vigorously enforce the trade laws.

"As the Chair stated on October 10, 1998, and earlier today, a resolution expressing the legislative sentiment that the President should take specific action to achieve a desired public policy end does not present a question affecting the rights of the House, collectively, its safety, dignity, or the integrity of its proceeding within the meanings of rule IX. In the opinion of the Chair, the resolution offered by the gentleman from West Virginia is purely a legislative proposition properly initiated by introduction through the hopper under clause 7, rule XII, to be subsequently considered under the normal rules of the House.

"Accordingly, the resolution offered by the gentleman from West Virginia does not constitute a question of the privileges of the House under rule IX, and may not be considered at this time."

Mr. WISE appealed the ruling of the Chair.

The question being put, *viva voce*, Will the decision of the Chair stand as the judgement of the House?

Mr. KOLBE moved to lay the appeal on the table.

The question being put, *viva voce*, Will the House lay on the table the appeal of the ruling of the Chair?

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

Mr. WISE 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 .....	216
affirmative .....	}	Nays .....	201

¶126.18 [Roll No. 567]

So the motion to lay the appeal 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.

## PRIVILEGES OF THE HOUSE

(¶126.19)

A RESOLUTION ALLEGING AN UNACCEPTABLE IMBALANCE IN CERTAIN INTERNATIONAL TRADE, AND CALLING ON THE PRESIDENT TO RESPOND TO IT IN SPECIFIED WAYS, DOES NOT GIVE RISE TO A QUESTION OF THE PRIVILEGES OF THE HOUSE UNDER RULE IX.

On November 4, 1999, Mr. KUCINICH rose to a question of the privileges of the House and submitted the following resolution:

RESOLUTION CALLING ON THE PRESIDENT TO ABSTAIN FROM RENEGOTIATING INTERNATIONAL AGREEMENTS GOVERNING ANTI-DUMPING AND COUNTERVAILING MEASURES

Whereas under Art. I, Section 8 of the Constitution, the Congress has power and responsibility with regard to foreign commerce

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and the conduct of international trade negotiations;

Whereas the House of Representatives is deeply concerned that, in connection with the World Trade Organization, ("WTO") Ministerial meeting to be held in Seattle, Washington, and the multilateral trade negotiations expected to follow, a few countries are seeking to circumvent the agreed list of negotiation topics and reopen debate over the WTO's antidumping and antisubsidy rules;

Whereas the built-in agenda for future WTO negotiations, which was set out in the Uruguay Round package ratified by Congress in 1994, includes agriculture trade, services trade, and intellectual property protection but does not include antidumping or antisubsidy rules;

Whereas the Congress has not approved new negotiations or antidumping or antisubsidy rules and has clearly, but so far informally, signaled its opposition to such negotiations;

Whereas strong antidumping and antisubsidy rules are a cornerstone of the liberal trade policy of the United States and are essential to the health of the manufacturing and farm sectors in the United States;

Whereas it has long been and remains the policy of the United States to support its antidumping and antisubsidy laws and to defend those laws in international negotiations;

Whereas an important part of Congress' participation in the formulation of trade policy is the enactment of official negotiating objectives against which completed agreements can be measured when presented for ratification;

Whereas the current absence of official negotiating objectives on the statute books must not be allowed to undermine the Congress' constitutional role in charting the direction of United States trade policy.

Whereas the WTO antidumping and antisubsidy rules concluded in the Uruguay Round have scarcely been tested since they entered into effect and certainly have not proved defective;

Whereas opening these rules to renegotiation could only lead to weakening them, which would in turn lead to even greater abuse of the world's open markets, particularly that of the United States;

Whereas conversely, avoiding another divisive fight over these rules is the best way to promote progress on the other, far more important, issues facing WTO members; and

Whereas it is therefore essential that renegotiations on these antidumping and antisubsidy matters not be reopened under the auspices of the WTO or otherwise: Now, therefore, be it

*Resolved*, That the House of Representatives calls upon the President—

(1) not to participate in any international negotiation in which antidumping or antisubsidy rules are part of the negotiating agenda;

(2) to refrain from submitting for congressional approval agreements that require changes to the current antidumping and countervailing duty laws and enforcement policies of the United States; and

(3) to enforce the antidumping and countervailing duty laws vigorously in all pending and future cases.

The SPEAKER pro tempore, Mr. HANSEN, spoke and said:

"The Chair will entertain a brief argument as to whether the resolution constitutes a question of privilege. Let me caution the Members, debate should be limited to the question of order, and may not go to the merits of the proposition being considered."

Mr. KUCINICH was recognized and said:

"Mr. Speaker, this resolution has privilege because only the House has the authority to alter existing revenue provisions. Allowing the administration to negotiate antidumping and countervailing duty laws would further diminish the loss of the constitutional power the House has suffered over time. Under article 1, section 7 of the Constitution, the House of Representatives has the authority to originate revenue provisions, not the Senate, the administration or the U.S. trade representative. By not giving the administration the clear message that Congress has antidumping and countervailing duty laws, that those laws are not to be placed on the table for negotiations, we are essentially allowing the administration to act on authority it does not have.

Furthermore, section 702 of House rule IX entitled General Principles concludes that certain matters of business arising under the Constitution, mandatory in nature, have been held to have a privilege which superseded the rules establishing the order of business. This is a question of the House's constitutional authority and is therefore privileged in nature. The WTO antidumping and antisubsidy rules concluded in the Uruguay Round have scarcely been tested since they entered into effect and certainly have not proved effective. Opening these rules to renegotiation could only lead to weakening them which in turn leads to even greater abuse of the world's open markets, particularly that of the United States.

"There is a precedent, Mr. Speaker, for bringing H. Res. 298 out of committee and onto the House floor immediately. For instance, H. Con. Res. 190 was brought to the floor on October 26 under suspension of the rules because it concerned the upcoming Seattle Round. This measure had only 13 cosponsors, while H. Res. 298 has 228 cosponsors. The majority of the House should be heard."

Mr. TRAFICANT was recognized and said:

"Mr. Speaker, I, too, have a privileged motion. I will not be offering mine nor asking for a vote. But I want to take 30 seconds with the Congress. The Congress is allowing trade practices to endanger America. Illegal trade cannot be tolerated, and the purpose of these exercises is to make sure the administration and Congress looks at those."

Ms. KAPTUR was recognized and said:

"Mr. Speaker, I would like to rise in support of the resolution and to say that I would merely beg the leadership to allow this vote to occur, because over 228 of our Members have asked for it. I think to bottle this up and not allow a vote is truly not in the best spirit of this House when in fact the Constitution provides that trade-making authority rests in the House, in the Congress, and all revenue measures begin here in the House. With what is going to happen at the end of the

month in Seattle and the beginning of December, we want to send a strong message to our trade negotiators, we do not want them opening up the antidumping and countervailing duty provisions of our trade laws.

"No industry in this country has suffered more than the steel industry and been forced to restructure. It has the most modern production in the world. Yet we continue to lose thousands and thousands of jobs, even over this last year. It is absolutely essential that our negotiators hear this, and it is not the executive branch's responsibility, it is our responsibility to enforce the laws that we pass. And so we ask and beg of the leadership of this institution, please allow us to bring up this resolution which allows us to instruct our negotiators as the Constitution intended. There are 228 Members of this institution that want to be allowed to be given voice and this resolution brought to the floor. I rise in strong support of the resolution."

Mr. DOYLE was recognized and said:

"Mr. Speaker, I also have a privileged resolution which I will not offer and will not ask for a vote on, but I do want to speak in support of the resolution.

"Mr. Speaker, denying a vote on this resolution denies the will of the majority of this House. A majority of Members on both side of the aisle, 228, are cosponsors of this legislation. This resolution is intended to respond to a negotiating ploy by Japan and a few other countries. These countries are trying to jump-start negotiations on the antidumping and countervailing duty laws mostly as a negotiating tactic.

"Japan would like the world to forget about their closed telecommunications, financial services and agricultural markets by raising false issues about unfair trade remedies. Failing to pass this resolution supports the trade objectives of Japan and not the trade objectives of the United States.

"Mr. Speaker, I am in strong support of this privileged resolution, and ask that we be allowed to have a vote on it."

Mr. KLINK was recognized and said:

"Mr. Speaker, I also have a privileged resolution, which I will not insist on calling up, instead speaking on behalf of this resolution instead.

"Mr. Speaker, I would recommend to the Members the rules of the House of Representatives, which says the privileges of the House as distinguished from that of the individual Member include questions relating to its constitutional prerogatives in respect to revenue legislation and appropriations, and it goes on to other sorts of things.

"Furthermore, in Section 664 of rule IX, entitled "General Principles," as to the precedent of question of privilege, it states

'as the business of the House began to increase, it was found necessary to give certain important matters a precedent by rule. Such matters were called privileged questions.'

"Section 664 goes on saying,

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'certain matters of business arising under the constitutional mandatory in nature have been held to have privilege, which has superseded the rules established in the regular order of business.'

"I would say, Mr. Speaker, if you read the Constitution, under article I, section 7, all bills for raising revenues shall originate in the House of Representatives, but the Senate may propose or concur with amendments as on other bills.

"Clearly what we are talking about with this trade and the countervailing duties and the antidumping is that there are tariffs that are levied. That is the raising of revenue. That is the privilege of the House of Representatives, not of the Senate, not of the administration, not of the trade ambassador; but it is the privilege of this House of Representatives.

"When these dump products are levied, a tariff is put on them, those tariffs are revenue raisers, they are paid directly to the U.S. Treasury; and by us allowing negotiations to be weakened and our trade laws weakened to let in more dump product, the House would be turning over the power to the executive branch given exclusively to us under the Constitution.

"Now, this resolution has privilege because only the House has the authority to alter existing revenue provisions. Allowing the administration to negotiate these issues is the House giving that constitutional duty up.

"In addition, I would recommend as great reading to the Members article I, section 8 of the Constitution.

'The Congress shall have power to lay and collect taxes, duties, imposts and excises to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the Nation. The Congress also shall regulate commerce with foreign nations and among the several states and with the Indian tribes.'

"What we are talking about here is not only the revenue that is taken, but it is trade policy. An important part of Congress' participation in the formulation of trade policy is the enactment of official negotiating objectives against which completed agreements can then be measured for their ratification.

"Congress exercised that power back in 1994 when we ratified the agenda for the Seattle WTO Ministerial, which included agricultural trade; it included services trade and intellectual property protection. The agenda, specifically enacted into Federal law as Public Law 103-465, did not include antidumping or antisubsidy rules.

"Congress is concerned that a few countries are seeking to circumvent the agreed list of negotiated topics and reopen debate over the WTO's antidumping and antisubsidy rules. The current absence of official negotiating objectives on the statute books must not be allowed to undermine what is the House of Representatives' constitutional role, and it is, under the rules of this House, our extraordinary power to step in and make sure that is not taken

away from us by the administration, by the trade representatives, or by anyone else.

"Mr. Speaker, if that is not a point of privilege of this House, then none exists."

The SPEAKER pro tempore, Mr. HANSEN, ruled that the resolution submitted did not present a question of the privileges of the House under rule IX, and said:

"Because the arguments raised here were addressed in the Chair's ruling of October 10, 1998, for the reasons stated in the Chair's previous rulings, the resolution offered by the gentleman from Ohio (Mr. KUCINICH) does not constitute a question of the privileges of the House under rule IX and may not be considered at this time."

Mr. KUCINICH appealed the ruling of the Chair.

The question being put, viva voce,

Will the decision of the Chair stand as the judgement of the House?

Mr. KOLBE moved to lay the appeal on the table.

The question being put, viva voce,

Will the House lay on the table the appeal of the ruling of the Chair?

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

Mr. KUCINICH 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 ..... 214  
affirmative ..... Nays ..... 204

¶126.20 [Roll No. 568]

So the motion to lay the appeal 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.

## PRIVILEGES OF THE HOUSE—RETURN OF SENATE BILL

(¶135.34)

A RESOLUTION ASSERTING THAT A SENATE BILL CONTAINED PROVISIONS IN DEROGATION OF THE CONSTITUTIONAL PREROGATIVE OF THE HOUSE TO ORIGINATE REVENUE LEGISLATION GIVES RISE TO A QUESTION OF THE PRIVILEGES OF THE HOUSE UNDER RULE IX. THE HOUSE RETURNED TO THE SENATE A BILL THAT EFFECTIVELY AMENDED THE INTERNAL REVENUE LAWS CONCERNING THE TAX TREATMENT OF CERTAIN MILITARY COMPENSATION.

On November 18, 1999, Mr. WELLER rose to a question of the privileges of the House and submitted the following resolution (H. Res. 393):

H. RES. 393

*Resolved*, That the bill of the Senate (S. 4) entitled the "Soldiers', Sailors', Airmen's, and Marines' Bill of Rights Act of 1999", in the opinion of this House, contravenes the first clause of the seventh section of the first article of the Constitution of the United

States and is an infringement of the privileges of this House and that such bill be respectfully returned to the Senate with a message communicating this resolution.

When said resolution was considered.

After debate,

By unanimous consent, 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 the resolution was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

## PRIVILEGES OF THE HOUSE—RETURN OF SENATE BILL

(¶135.36)

A RESOLUTION ASSERTING THAT A SENATE BILL CONTAINED PROVISIONS IN DEROGATION OF THE CONSTITUTIONAL PREROGATIVE OF THE HOUSE TO ORIGINATE REVENUE LEGISLATION GIVES RISE TO A QUESTION OF THE PRIVILEGES OF THE HOUSE UNDER RULE IX. THE HOUSE RETURNED TO THE SENATE A BILL THAT, IN PERTINENT PART, PRESCRIBED THE TAX TREATMENT OF CERTAIN PUBLIC-SECTOR RETIREMENT PLANS.

On November 18, 1999, Mr. WELLER rose to a question of the privileges of the House and submitted the following resolution (H. Res. 394):

H. RES. 394

*Resolved*, That the bill of the Senate (S. 1232) entitled the "Federal Erroneous Retirement Coverage Corrections Act", in the opinion of this House, contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House and that such bill be respectfully returned to the Senate with a message communicating this resolution.

When said resolution was considered.

After debate,

By unanimous consent, 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 the resolution was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

## SUBPOENAS RECEIVED PURSUANT TO RULE L

On February 3, 1999, the SPEAKER pro tempore, Mr. SHIMKUS, laid before the House a communication, which was read as follows:

CONGRESS OF THE UNITED STATES,

HOUSE OF REPRESENTATIVES,

Washington, DC, January 27, 1999.

Hon. J. DENNIS HASTERT,

Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules

## QUESTIONS OF ORDER

of the House that I received a grand jury subpoena for documents issued by the U.S. District Court for the Western District of Louisiana.

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

Sincerely,

SALLY ASSEFF.

On February 23, 1999, the SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

U.S. CONGRESS,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 27, 1999.

Hon. J. DENNIS HASTERT,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I received a subpoena for documents and testimony issued by the Superior Court of the District of Columbia.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

BILL MCCOLLUM,  
Member of Congress.

On March 1, 1999, the SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,  
Washington, DC, February 18, 1999.

Hon. J. DENNIS HASTERT,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the House that I received a subpoena for documents and testimony issued by the Superior Court of the District of Columbia.

After consultation with the Office of General Counsel, I have determined to comply with the subpoena to the extent that it is consistent with Rule VIII.

Sincerely,

BILL MCCOLLUM,

On March 22, 1999, the SPEAKER laid before the House a communication, which was read as follows:

MARCH 19, 1999.

Hon. J. DENNIS HASTERT,  
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII (8) of the Rules of the House that I received a subpoena for a deposition duces tecum issued by the U.S. District Court for the District of Columbia in the case of *Jordan v. Sabretech, Inc.*

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

Sincerely,

KATHIE EASTMAN.

On April 12, 1999, the SPEAKER laid before the House a communication, which was read as follows:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, March 30, 1999.

Hon. J. DENNIS HASTERT,  
Speaker of the House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House, that I received a subpoena for documents and testimony issued by the Superior Court of the District of Columbia.

After consultation with the Office of General Counsel, I have determined to comply with the subpoena to the extent that it is consistent with Rule VIII.

Sincerely,

DAVID M. DELQUADRO,  
Assistant Director, Administration  
and Information Division.

On April 13, 1999, the SPEAKER pro tempore, Mr. SWEENEY, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,  
Washington, DC, April 8, 1999.

Hon. J. DENNIS HASTERT,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I received a subpoena for documents and testimony issued by the Circuit Court of the Twelfth Judicial Circuit of Florida In and For Manatee County, Florida.

After consultation with the Office of General Counsel, I have determined to comply with the subpoena to the extent that it is consistent with Rule VIII.

Sincerely,

LAURA GRIFFIN,  
Case Manager.

On April 14, 1999, the SPEAKER pro tempore, Mr. MORAN of Kansas, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,  
Washington, DC, April 7, 1999.

Hon. J. Dennis Hastert,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII (8) of the Rules of the House that I received a subpoena (duces tecum) issued by the Superior Court of Bulloch County, Georgia, in the case of *Griffin v. Zimnavoda*.

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

Sincerely,

JACK KINGSTON,  
Member of Congress.

On May 3, 1999, the SPEAKER pro tempore, Mrs. BIGGERT, laid before the House a communication, which was read as follows:

HOUSE REPUBLICAN CONFERENCE,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, April 30, 1999.

Hon. J. DENNIS HASTERT,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: I write to notify you pursuant to L. Deschler, 3 Deschler's Precedents of the United States House of Representatives ch. 11, §14.8 (1963), that I have been served with an administrative agency subpoena (in my capacity as Chairman of the House Republican Conference) issued by the Federal Election Commission. The subpoena

seeks information and documents relating to Conference activity from 1996.

Sincerely,

J.C. WATTS, Jr.,  
Chairman.

On May 3, 1999, the SPEAKER pro tempore, Mrs. BIGGERT, laid before the House a communication, which was read as follows:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
April 30, 1999.

Hon. J. DENNIS HASTERT,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you pursuant to L. Deschler, 3 Deschler's Precedents of the United States House of Representatives ch. 11 §14.8 (1963), that I have been served with an administrative agency subpoena issued by the Federal Election Commission.

Sincerely,

JOHN A. BOEHRER.

On May 3, 1999, the SPEAKER pro tempore, Mrs. BIGGERT, laid before the House a communication, which was read as follows:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
April 30, 1999.

Hon. J. DENNIS HASTERT,  
Speaker, U.S. House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify you pursuant to L. Deschler, 3 Deschler's Precedents of the United States House of Representatives ch. 11, §14.8 (1963), that I have been served with an administrative agency subpoena issued by the Federal Election Commission.

Sincerely,

BARRY JACKSON,  
Chief of Staff.

On May 13, 1999, the SPEAKER pro tempore, Mrs. BONO, laid before the House a communication, which was read as follows:

Washington, DC, May 13, 1999.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena ad testificandum issued by the United States District Court for the District of Columbia.

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

Sincerely,

ALANA CHRISTENSEN,  
Deputy District Director.

On June 24, 1999, the SPEAKER pro tempore, Mr. HEFLEY, laid before the House a communication, which was read as follows:

Washington, DC, June 18, 1999.

Hon. DENNIS J. HASTERT,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a trial subpoena (for testimony) issued by the Circuit Court for Houston County, Alabama in the case of *Floyd v. Floyd*, No. DR-1998-000040.

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

Sincerely,

JOE WILLIAMS,  
*District Aide.*

On June 29, 1999, the SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,  
*Washington, DC, June 29, 1999,*

Hon. J. DENNIS HASTERT,  
*Speaker of the House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I received a subpoena for documents issued by the United States District Court for the Northern District of California.

After consultation with the Office of General Counsel, I have determined to comply with the subpoena to the extent that it is consistent with Rule VIII.

Sincerely,

ANNA G. ESHOO.

On July 12, 1999, the SPEAKER pro tempore, Mr. GOODLATTE, laid before the House a communication, which was read as follows:

WASHINGTON, DC,  
*July 8, 1999.*

Hon. DENNIS J. HASTERT,  
*Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: This is to formally notify you, pursuant to rule VIII of the Rules of the House of Representatives, that I have been served with a trial subpoena (for testimony) issued by the Circuit Court for Broward County, Florida in the case of State v. Bush, No. 96006912GF10A.

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

Sincerely,

REVA BRITAN,  
*Congressional Aide.*

On July 12, 1999, the SPEAKER pro tempore, Mr. GOODLATTE, laid before the House a communication, which was read as follows:

WASHINGTON, DC,  
*July 8, 1999.*

Hon. DENNIS J. HASTERT,  
*Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a trial subpoena (for testimony) issued by the Circuit Court for Broward County, Florida in the case of State v. Bush, No. 96006912GF10A.

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

Sincerely,

SUSAN B. LEWIS-RUDDY,  
*Director of Constituent Services.*

On July 27, 1999, the SPEAKER pro tempore, Mr. HILL of Montana, laid before the House a communication, which was read as follows:

JULY 23, 1999.

Hon. J. DENNIS HASTERT,  
*Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I received a subpoena for documents and testimony issued by the United States District Court for the Eastern District of New York.

After consultation with the Office of General Counsel, I have determined to comply with the subpoena to the extent that it is consistent with Rule VIII.

Sincerely,

GARY L. ACKERMAN,  
*Member of Congress.*

On July 29, 1999, the SPEAKER pro tempore, Mr. NUSSLE, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,  
*Washington, DC, July 27, 1999.*

Hon. DENNIS HASTERT,  
*Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House and I received a subpoena for documents and testimony issued by the superior Court of the District of Columbia.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

PETER T. KING.

On September 8, 1999, the SPEAKER laid before the House the following communication from Jack Katz, Office of Payroll of the Office of the Chief Administrative Officer:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, U.S. HOUSE OF REPRESENTATIVES,

*Washington, DC, August 24, 1999.*

Hon. J. DENNIS HASTERT,  
*Speaker, U.S. House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I received a subpoena for documents issued by the United States District Court for the Northern District of Florida.

After consultation with the Office of General Counsel, I have determined to comply with the subpoena.

Sincerely,

JACK KATZ,  
*Office of Payroll.*

On September 15, 1999, the SPEAKER pro tempore, Mr. PEASE, laid before the House a communication, which was read as follows:

U.S. HOUSE OF REPRESENTATIVES,  
*September 13, 1999.*

Hon. J. DENNIS HASTERT,  
*Speaker, U.S. House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that my office has received a subpoena for documents issued by the Circuit Court for Baltimore City, State of Maryland.

After consultation with the Office of General Counsel, I have determined to comply with the subpoena.

Sincerely,

ROSCOE G. BARTLETT,  
*Member of Congress.*

On September 23, 1999, the SPEAKER pro tempore, Mr. TANCREDO, laid before the House a communication, which was read as follows:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, September 21, 1999.*

Hon. J. DENNIS HASTERT,  
*Speaker, U.S. House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that my office has received a subpoena for documents issued by the United States District Court for the Western District of Pennsylvania.

After consultation with the Office of General Counsel, I have determined to comply with the subpoena.

Sincerely,

PHIL ENGLISH  
*Member of Congress.*

On November 1, 1999, the SPEAKER pro tempore, Mr. PETRI, laid before the House a communication, which was read as follows:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,

*Washington, DC, October 27, 1999.*

Hon. J. DENNIS HASTERT,  
*Speaker, House of Representatives, Washington, DC 20515.*

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I have received a subpoena for documents issued by the United States District Court for the District of Columbia.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

JAMES M. EAGEN III,  
*Chief Administrative Officer.*

On November 1, 1999, the SPEAKER pro tempore, Mr. PETRI, laid before the House a communication, which was read as follows:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,

*Washington, DC, October 26, 1999.*

Hon. J. DENNIS HASTERT,  
*Speaker, House of Representatives, Washington, DC 20515.*

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that the Custodian of Records, House Recording Studio has received a subpoena for documents issued by the United States District Court for the District of Columbia.

After consultation with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

JOHN M. ALLEN,  
*Director, Office of Communications Media.*

On November 9, 1999, the SPEAKER pro tempore, Mr. WALDEN, laid before the House a communication, which was read as follows:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
*Washington, DC, November 2, 1999.*

Hon. DENNIS J. HASTERT,  
*Speaker, U.S. House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: This is to formally notify you, pursuant to rule VIII of the Rules

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of the House of Representatives, that I have been served with a trial subpoena issued by the United States District Court for the Eastern District of Michigan in the case of *U.S. v. Fayzakov*, No. 99-CR-50015.

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

Sincerely,

LUCRETIA PRESNALL,  
*Staff Assistant.*

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On November 10, 1999, the SPEAKER pro tempore, Mr. LAHOOD, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,  
*Washington, DC, November 2, 1999.*

Hon. J. DENNIS HASTERT,  
*Speaker, House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have

been served with a trial subpoena issued by the United States District Court for the Eastern District of Michigan in the case of *U.S. v. Fayzakov*, No. 99-CR-50015.

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

Sincerely,

BARBARA DONNELLY,  
*Assistant District Director.*