

Smith, Adam	Tanner	Vento
Snyder	Tauscher	Viscosky
Spratt	Thompson	Waters
Stabenow	Thurman	Watt (NC)
Stark	Tierney	Wexler
Stenholm	Torres	Weygand
Stokes	Towns	Wise
Strickland	Turner	Woolsey
Stupak	Velazquez	Wynn

ANSWERED "PRESENT"—4

Coburn	Taylor (MS)
Shadegg	Wamp

NOT VOTING—26

Armey	Martinez	Sanchez
Barrett (NE)	McInnis	Schiff
Crapo	McIntosh	Schumer
Cubin	Menendez	Souder
Dooley	Moakley	Waxman
Foglietta	Moran (VA)	Weldon (FL)
Foley	Owens	Weldon (PA)
Gonzalez	Payne	Yates
Manton	Rangel	

□ 1858

Mrs. MALONEY of New York changed her vote from "aye" to "no."

Mr. REGULA changed his vote from "no" to "aye."

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

PRIVILEGES OF THE HOUSE—DISMISSAL OF CONTEST IN 46TH DISTRICT OF CALIFORNIA UPON EXPIRATION OF OCTOBER 31, 1997

Mr. BECERRA. Mr. Speaker, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution (H. Res. 294) pursuant to clause 2 of rule IX and ask for its immediate consideration.

The SPEAKER pro tempore [Mr. HEFLEY]. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 294

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California by the Secretary of State of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that dupli-

cate voting was by different individuals and those accused of underage voting were of age; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgments concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, that unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of October 31, 1997.

The SPEAKER pro tempore. The resolution presents a question of the privileges of the House.

MOTION TO TABLE OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Speaker, for the fifth time, I move to table the resolution.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from New York [Mr. SOLOMON].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BECERRA. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 217, noes 193, answered "present" 4, not voting 18, as follows:

[Roll No. 562]

AYES—217

Aderholt	Barr	Bilbray
Archer	Bartlett	Bilirakis
Armey	Barton	Bliley
Bachus	Bass	Blunt
Baker	Bateman	Boehler
Ballenger	Bereuter	Boehner

Bonilla	Hayworth	Petri
Bono	Hefley	Pickering
Brady	Herger	Pitts
Bryant	Hill	Pombo
Bunning	Hilleary	Porter
Burr	Hobson	Portman
Burton	Hoekstra	Pryce (OH)
Buyer	Horn	Quinn
Callahan	Hostettler	Radanovich
Calvert	Houghton	Ramstad
Camp	Hulshof	Redmond
Campbell	Hunter	Regula
Canady	Hutchinson	Riggs
Cannon	Hyde	Riley
Castle	Inglis	Rogan
Chabot	Istook	Rogers
Chambliss	Jenkins	Rohrabacher
Chenoweth	Johnson (CT)	Ros-Lehtinen
Christensen	Johnson, Sam	Roukema
Coble	Jones	Royce
Collins	Kasich	Ryun
Combest	Kelly	Salmon
Cook	Kim	Sanford
Cooksey	King (NY)	Saxton
Cox	Kingston	Scarborough
Crane	Klug	Schaefer, Dan
Crapo	Knollenberg	Schaffer, Bob
Cunningham	Kolbe	Sensenbrenner
Davis (VA)	LaHood	Sessions
Deal	Largent	Shaw
DeLay	Latham	Shays
Diaz-Balart	LaTourette	Shimkus
Dickey	Leach	Shuster
Doolittle	Lewis (CA)	Skeen
Dreier	Lewis (KY)	Smith (MI)
Duncan	Linder	Smith (NJ)
Dunn	Livingston	Smith (OR)
Ehlers	LoBiondo	Smith (TX)
Ehrlich	Lucas	Smith, Linda
Emerson	Manzullo	Snowbarger
English	McCollum	Solomon
Ensign	McCrery	Spence
Everett	McDade	Stearns
Ewing	McHugh	Stump
Fawell	McInnis	Sununu
Foley	McIntosh	Talent
Fowler	McKeon	Tauzin
Fox	Metcalf	Taylor (MS)
Franks (NJ)	Mica	Taylor (NC)
Frelinghuysen	Miller (FL)	Thomas
Gallegly	Moran (KS)	Thornberry
Ganske	Morella	Thune
Gekas	Myrick	Tiahrt
Gibbons	Nethercutt	Traficant
Gilchrest	Neumann	Upton
Gillmor	Ney	Walsh
Gilman	Northup	Watkins
Goodlatte	Norwood	Watts (OK)
Goodling	Nussle	Weller
Goss	Oxley	White
Graham	Packard	Whitfield
Granger	Pappas	Wicker
Greenwood	Parker	Wolf
Gutknecht	Paul	Young (AK)
Hansen	Paxon	Young (FL)
Hastert	Pease	
Hastings (WA)	Peterson (PA)	

NOES—193

Abercrombie	Coyne	Frank (MA)
Ackerman	Cramer	Frost
Allen	Cummings	Furse
Andrews	Danner	Gejdenson
Baesler	Davis (FL)	Gephardt
Baldacci	Davis (IL)	Goode
Barcia	DeFazio	Gordon
Barrett (WI)	DeGette	Green
Becerra	Delahunt	Gutierrez
Bentsen	DeLauro	Hall (OH)
Berman	Dellums	Hall (TX)
Berry	Deutsch	Hamilton
Blagojevich	Dicks	Harman
Blumenuauer	Dingell	Hastings (FL)
Bonior	Dixon	Hefner
Borski	Doggett	Hilliard
Boswell	Dooley	Hinchee
Boucher	Doyle	Hinojosa
Boyd	Edwards	Holden
Brown (CA)	Engel	Hooley
Brown (FL)	Eshoo	Hoyer
Brown (OH)	Etheridge	Jackson (IL)
Cardin	Evans	Jackson-Lee
Carson	Farr	(TX)
Clay	Fattah	Jefferson
Clayton	Fazio	John
Clement	Filner	Johnson (WI)
Clyburn	Flake	Johnson, E.B.
Condit	Forbes	Kanjorski
Costello	Ford	Kaptur

Kennedy (MA)	Millender-	Schumer
Kennedy (RI)	McDonald	Scott
Kennelly	Miller (CA)	Serrano
Kildee	Minge	Sherman
Kilpatrick	Mink	Sisisky
Kind (WI)	Mollohan	Skaggs
Kleczka	Moran (VA)	Skelton
Klink	Murtha	Slaughter
Kucinich	Nadler	Smith, Adam
LaFalce	Neal	Snyder
Lampson	Obey	Spratt
Lantos	Olver	Stabenow
Levin	Ortiz	Stark
Lewis (GA)	Owens	Stenholm
Lipinski	Pallone	Stokes
Lofgren	Pascrell	Strickland
Lowey	Pastor	Stupak
Luther	Pelosi	Tanner
Maloney (CT)	Peterson (MN)	Tauscher
Maloney (NY)	Pickett	Thompson
Markey	Pomeroy	Thurman
Martinez	Poshard	Tierney
Mascara	Price (NC)	Torres
Matsui	Rahall	Towns
McCarthy (MO)	Rangel	Turner
McCarthy (NY)	Reyes	Velazquez
McDermott	Rivers	Vento
McGovern	Rodriguez	Visclosky
McHale	Roemer	Waters
McIntyre	Rothman	Watt (NC)
McKinney	Roybal-Allard	Wexler
McNulty	Rush	Weygand
Meehan	Sabo	Wise
Meek	Sandlin	Woolsey
Menendez	Sawyer	Wynn

ANSWERED "PRESENT"—4

Coburn	Shadegg
Sanchez	Wamp

NOT VOTING—18

Barrett (NE)	Lazio	Schiff
Bishop	Manton	Souder
Conyers	Moakley	Waxman
Cubin	Oberstar	Weldon (FL)
Foglietta	Payne	Weldon (PA)
Gonzalez	Sanders	Yates

□ 1920

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRIVILEGES OF THE HOUSE—DISMISSAL OF CONTEST IN 46TH DISTRICT OF CALIFORNIA UPON EXPIRATION OF OCTOBER 31, 1997

Ms. HOOLEY of Oregon. Mr. Speaker, I rise to a question of the privileges of the House, and I offer a resolution (H. Res. 295) pursuant to clause 2 of rule IX.

The SPEAKER pro tempore [Mr. HEFLEY]. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 295

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California and was seated by the U.S. House of Representatives on January 7, 1997; and

Whereas A Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996; and

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997 in Washington, D.C. on April 19, 1997 in Orange County, California, and October 24, 1997 in Washington, D.C.; and

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of indi-

viduals voting from the same address. It was found that voting from the same address included a Marines barracks and the domicile of nuns, that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo, that duplicate voting was by different individuals and those accused of underage voting were of age; and

Whereas, the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas some Members of the House Oversight Committee are now seeking a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas, the Committee on House Oversight should complete its review of this matter and bring this contest to an end and now therefore be it;

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of October 31, 1997.

The SPEAKER pro tempore. The resolution presents a question of the privileges of the House.

MOTION TO TABLE OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Speaker, I move to table the resolution.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from New York [Mr. SOLOMON].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. HOOLEY of Oregon. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 212, noes 197, answered "present" 5, not voting 18, as follows:

[Roll No. 563]

AYES—212

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

NOES—197

Abercrombie	Cardin	Dixon
Ackerman	Carson	Doggett
Allen	Clay	Dooley
Andrews	Clayton	Doyle
Baesler	Clement	Edwards
Baldacci	Clyburn	Engel
Barcia	Condit	Eshoo
Barrett (WI)	Conyers	Etheridge
Becerra	Costello	Evans
Bentsen	Coyne	Farr
Berman	Cramer	Fattah
Berry	Cummings	Fazio
Bishop	Danner	Filner
Blagojevich	Davis (FL)	Flake
Blumenauer	Davis (IL)	Forbes
Bonior	DeFazio	Ford
Borski	DeGette	Frank (MA)
Boswell	Delahunt	Furse
Boucher	DeLauro	Gejdenson
Boyd	Dellums	Gephardt
Brown (CA)	Deutsch	Goode
Brown (FL)	Dicks	Gordon
Brown (OH)	Dingell	Green