

Waxman	White	Wolf
Weldon (FL)	Whitfield	Woolsey
Weldon (PA)	Wicker	Young (AK)
Weller	Wilson	Young (FL)
Weygand	Wise	

□ 1730

PRIVILEGES OF THE HOUSE—ORDERING IMMEDIATE PRINTING OF ENTIRE COMMUNICATION RECEIVED ON SEPTEMBER 9, 1998, FROM AN INDEPENDENT COUNSEL

Mr. CONDIT. Mr. Speaker, I offer a resolution (H. Res. 546) and ask for its immediate consideration.

The SPEAKER pro tempore (Mr. HANSEN). The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 546

Whereas the entire communication of the Office of the Independent Counsel received by the House of Representatives on September 9, 1998, includes information of fundamental constitutional importance;

Whereas the American people have a right to receive and review this communication in its entirety;

Whereas the House Committee on the Judiciary has failed to make the entire communication available to the American people; and

Whereas failure to make the entire communication available to the American people raises a question of privilege affecting the dignity and integrity of the proceedings of the House under rule IX of the Rules of the House of Representatives: Now, therefore, be it

Resolved, That the entire communication received, including all appendices and related materials, on September 9, 1998, from an independent counsel, pursuant to section 595(c) of title 28, United States Code, shall be printed immediately as a document of the House of Representatives.

The SPEAKER pro tempore. Does any Member wish to be heard on the question of whether the resolution constitutes a question of privilege?

Mr. SOLOMON. Mr. Speaker, I wish to be heard on the question of whether the resolution offered by the gentleman from California constitutes a question of privilege.

The SPEAKER pro tempore. The gentleman from New York (Mr. SOLOMON) is recognized.

Mr. SOLOMON. Mr. Speaker, questions of privilege under rule IX are those affecting the rights of the House collectively, its safety, its dignity, and the integrity of its proceedings, and the rights, reputation, and the conduct of Members. A question of privilege, Mr. Speaker, may not be raised to effect a change in House rules.

Mr. Speaker, House Rule 525, which was adopted by the House on September 11 by a vote of 363 to 63, delegated the authority to review and release Independent Counsel Starr's report from the House to the Committee on the Judiciary.

The House delegated this authority to the Committee on the Judiciary as an exercise in its rule-making power. Mr. Speaker, the resolution offered by the gentleman from California (Mr. CONDIT) seeks to change the rule of the House as established in House Resolution 525. Therefore, Mr. Speaker, the gentleman's resolution does not con-

stitute a legitimate question of privilege.

Mr. Speaker, let me just cite line 15 of the resolution that passed the House. It says, "The balance of such material shall be deemed to have been received in executive session, but shall be released from the status on September 28, 1998, except as otherwise determined by the committee."

That is the rule of the House. Therefore, Mr. Speaker, the gentleman's resolution does not constitute a legitimate question of privilege in that change of House rule, and a privilege clearly is not in order.

The SPEAKER pro tempore. Are there other Members who want to be heard on this question?

Mr. DEUTSCH. Mr. Speaker, I wish to be heard.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. DEUTSCH).

Mr. DEUTSCH. Mr. Speaker, I appreciate the comments of the distinguished chairman of the Committee on Rules regarding the standard of what privilege is. I would agree with him completely, that is the standard of what privilege is.

I would also say, though, that I believe this resolution clearly meets that standard, because what is going on right now in the Committee on the Judiciary with the selective release of information is clearly a disservice on this House, and is clearly putting this House in disrepute, which is exactly what the rules of the House in terms of our privileged resolution are set up to deal with.

I would say to the gentleman and to the Speaker that this resolution is clearly exactly why we have privileged resolutions in the House. What is happening right now in terms of the procedures of the Committee on the Judiciary, in terms of what has happened with the release of information, in the partisanship that has occurred within that committee, is absolutely putting this House into the type of situation, the type of disrespect that privileged resolutions are exactly in purpose for using.

I would urge the Speaker to rule this in order, and I urge its adoption.

Mr. CONDIT. Mr. Speaker, I want to speak to the resolution.

The SPEAKER pro tempore. The gentleman from California (Mr. CONDIT) is recognized.

Mr. CONDIT. Mr. Speaker, I understand the point of the chairman of the Committee on Rules. This is an attempt to allow all the Members of this House to have access to the information. It is an attempt to speed the process along so we can bring it to closure. The American people want us to bring this issue to closure.

There is no reason why every Member of this House cannot have that information. We are not grade school kids. We understand it, and we know ultimately we need to make a decision. So my intent, Mr. Speaker, is simply

NAYS—71

Ackerman	Furse	Millender-
Andrews	Gephardt	McDonald
Blumenauer	Gordon	Mink
Bonior	Green	Nadler
Brady (PA)	Gutierrez	Oberstar
Brown (CA)	Hastings (FL)	Olver
Brown (FL)	Hefner	Owens
Brown (OH)	Hilliard	Pastor
Carson	Hinchev	Payne
Clay	Hinojosa	Pelosi
Clayton	Hooley	Rahall
Clyburn	Jackson (IL)	Rangel
Conyers	Jefferson	Rush
Cummings	Johnson, E.B.	Sabo
Davis (IL)	Kanjorski	Scott
DeFazio	Kennedy (RI)	Slaughter
Deutsch	Kilpatrick	Stokes
Dixon	Lee	Thompson
Engel	Lewis (GA)	Vento
Farr	Martinez	Waters
Fattah	McKinney	Watt (NC)
Filner	Meek (FL)	Wexler
Ford	Meeks (NY)	Wynn
Frost	Menendez	Yates

NOT VOTING—23

Burton	Kaptur	Sanders
Coburn	Kennelly	Schumer
Diaz-Balart	Lofgren	Shaw
Ensign	Maloney (NY)	Torres
Gonzalez	McDade	Towns
Goss	Poshard	Velazquez
Graham	Pryce (OH)	Watts (OK)
Hunter	Riggs	

□ 1724

Messrs. KIM, LINDER, BALDACCI, MCDERMOTT, LUTHER, SAWYER, ALLEN, COSTELLO and ROHR-ABACHER and Mrs. JOHNSON of Connecticut and Ms. SANCHEZ changed their vote from "nay" to "yea."

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.

PERSONAL EXPLANATION

Mr. ENSIGN. Mr. Speaker, on rollcall No. 453, I was detained due to mechanical difficulties on my flight back to Washington, D.C. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. GRAHAM. Mr. Speaker, on rollcall No. 453, I was in meetings with Members of Parliament from the U.K. and missed the vote. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Ms. LOFGREN. Mr. Speaker, I would like to note that on rollcall vote 453, I was absent because of the cancellation of the United flight from San Jose and the inability to rebook all the passengers.

Had I been present, I would have voted "aye."