

Walsh	Wylie	Zeliff
Whitten	Young (AK)	Zimmer

NOT VOTING—72

Allard	Dwyer	Martinez
Andrews (TX)	Dymally	Matsui
Anthony	Early	McNulty
Atkins	Edwards (OK)	Morrison
Bacchus	Feighan	Mrazek
Baker	Ford (TN)	Owens (UT)
Barnard	Frost	Peterson (FL)
Barton	Gaydos	Pickle
Boucher	Gephardt	Ray
Boxer	Gingrich	Riggs
Broomfield	Hammerschmidt	Schaefer
Brown	Hansen	Schroeder
Bryant	Hatcher	Skaggs
Bunning	Hayes (LA)	Smith (TX)
Callahan	Hefley	Sundquist
Campbell (CO)	Huckababy	Tallon
Chandler	Hyde	Tauzin
Clement	Ireland	Thomas (GA)
Coleman (MO)	Kolter	Thomas (WY)
Collins (MI)	Laughlin	Traficant
Conyers	Levine (CA)	Traxler
Coughlin	Livingston	Wilson
DeFazio	Lloyd	Wyden
Dicks	Martin	Yatron

So the bill was passed.

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

Ordered, That the Clerk request the concurrence of the Senate therein.

189.16 UNFINISHED BUSINESS—APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. HOYER, pursuant to clause 5, rule I, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Thursday, July 23, 1992.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

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

So the Journal was approved.

189.17 SUBPOENA

The SPEAKER pro tempore, Mr. HOYER, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES
Washington, DC, July 24, 1992.

Hon. THOMAS S. FOLEY,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to inform you pursuant to Rule L (50) of the Rules of the House that five current or former employees of the Office of the Sergeant at Arms have been served with subpoenas issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel to the Clerk of the House, it has been determined that compliance with these subpoenas would not be inconsistent with the privileges and precedents of the House.

Sincerely,

WERNER W. BRANDT,
Sergeant at Arms.

189.18 BUFFALO SOLDIERS DAY

On motion of Mr. SAWYER, by unanimous consent, the Committee on Post Office and Civil Service was discharged from further consideration of the joint resolution of the Senate (S.J. Res. 92) to designate July 28, 1992, as "Buffalo Soldiers Day".

When said joint resolution was considered, read twice, ordered to be read

a third time, was read a third time by title, and passed.

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

Ordered, That the Clerk notify the Senate thereof.

189.19 ADJOURNMENT OVER

On motion of Mr. BONIOR, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet on Monday, July 27, 1992.

189.20 HOUR OF MEETING

On motion of Mr. BONIOR, by unanimous consent,

Ordered, That when the House adjourns on Monday, July 27, 1992, it adjourn to meet at 10 o'clock a.m. on Tuesday, July 28, 1992.

189.21 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. BONIOR, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, July 29, 1992, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

189.22 HOUR OF MEETING

On motion of Mr. BONIOR, by unanimous consent,

Ordered, That when the House adjourns on Wednesday, July 29, 1992, it adjourn to meet at 9 o'clock a.m. on Thursday, July 30, 1992.

189.23 HOUR OF MEETING

On motion of Mr. BONIOR, by unanimous consent,

Ordered, That when the House adjourns on Thursday, September 10, 1992, it adjourn to meet at 12 o'clock noon on Friday, September 11, 1992.

189.24 SUBPOENA

The SPEAKER pro tempore, Mr. McMILLEN of Maryland, laid before the House a communication, which was read as follows:

PERMANENT SELECT COMMITTEE
ON INTELLIGENCE,
Washington, DC, July 24, 1992.

Hon. THOMAS S. FOLEY,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you pursuant to Rule L of the Rules of the House that the Permanent Select Committee on Intelligence has been served with a subpoena issued by the United States District Court for the District of Columbia in connection with a trial that is ongoing in that court.

After consultation with the General Counsel, I will notify you of my determination as required by the Rule.

Sincerely,

DAVE MCCURDY,
Chairman.

189.25 SUBPOENA

The SPEAKER pro tempore, Mr. McMILLEN of Maryland, laid before the House a communication together with accompanying correspondence, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 24, 1992.

Hon. THOMAS S. FOLEY,
Speaker of the House, Congress of the United States, Washington, DC.

DEAR MR. SPEAKER: On July 22, 1992, we received subpoenas issued by the United States Attorney for the District of Columbia. These subpoenas were issued on the day that the task force organized by the Committee House on Administration to investigate the House Post Office released its report finding no merit whatsoever to any allegations that we or anyone else abused the stamp procurement process of the House.

Pursuant to House Rule 50, we are advising you of our receipt of these subpoenas. We also are advising you that we do not expect to assert any legislative privilege with regard to the subpoenas. However, for the reasons stated in the accompanying letter, we will assert other constitutional privileges to stop this fishing expedition and political witch hunt once and for all.

It is amazing that the U.S. Attorney is continuing this investigation when the task force report so thoroughly resolves any of the issues within the proper scope of the investigation. Moreover, every report of every former employee of the House Post Office has refuted any notion that we engaged in any conduct that the U.S. Attorney could legitimately investigate. In order to check the U.S. Attorney's exercise of uncontrolled power to waste taxpayer money on an improper and groundless investigation and to preserve our constitutional right to be free from political harassment and persecutorial overreaching, we have written the accompanying letter we now make part of the record in this matter.

Sincerely,

JOE KOLTER.
AUSTIN MURPHY.
DAN ROSTENKOWSKI.

HOUSE OF REPRESENTATIVES,
Washington, DC, July 24, 1992

Re: Grand jury matter 913.
JAY B. STEPHENS, Esquire, U.S. Attorney,
District of Columbia, Washington, DC.

DEAR MR. STEPHENS: On July 22, 1992, each of us was served with subpoenas issued by John Campbell in your office. These subpoenas called for us to appear to testify less than a week later on July 28, 1992.

The day these subpoenas were served, a report was issued by the Committee on House Administration, pursuant to House Resolution 340 relating to an investigation of the House Post Office. The report was the result of a five-month study which addressed every conceivable issue arising out of the operation and management of the House Post Office, including all the topics in which your office could possibly be interested.

While containing some disagreements, the report is clear that there is no evidence whatsoever that any of us took part in any way in activities that would violate any federal law or rule. Nothing in the report would warrant further investigation by you or a grand jury.

According to statements made by representatives of your office, your investigation has been premised solely on newspaper accounts of one person, Jim Smith, a post office employee. It was reported that Mr. Smith alleged that Congressman Rostenkowski or his office had engaged in some transaction in which stamps were somehow exchanged for cash. Subsequently, Mr. Smith was quoted stating that any such allegation was both "crazy" and "wrong." Nevertheless, unsourced and unsubstantiated newspaper articles continued repeating the allegations. The task force report, however, includes Mr. Smith's interview in which he once again refutes the truth of that charge.