

transmitting the annual audit of the Association as of June 30, 1996, pursuant to 36 U.S.C. 1103; to the Committee on the Judiciary.

5292. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on NASA's intent to declare Parcels III, IV, V and VI of the NASA Industrial Plant [NIP] as excess to the needs of NASA, pursuant to 42 U.S.C. 2476a; to the Committee on Science.

5293. 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 96-49) received September 24, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5294. A letter from the Chief of Staff, Social Security Administration, transmitting the Administration's final rule—Income Exclusions in the Supplemental Security Income Program (RIN: 0960-AE22) received September 20, 1996, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### ¶113.8 POINT OF ORDER

Mr. VOLKMER during one minute speeches addressed the House and, during the course of his remarks.

Mr. LINDER made a point of order, and said:

"The gentleman in the well is referring to matters before the Committee on Standards of Official Conduct, which is explicitly against the rules of the House."

The SPEAKER pro tempore, Ms. GREENE, sustained the point of order, and said:

"The Chair sustains the point of order and directs the gentleman from Missouri [Mr. VOLKMER] to proceed in order."

#### ¶113.9 POINT OF ORDER

Mr. VOLKMER further addressed the House and, during the course of his remarks,

Mr. LINDER made a point of order, and said:

"Madam Speaker, it may be that the gentleman does not understand the English language, but I thought the Chair just sustained a point of order and instructed him not to refer to matters before the Committee on Standards of Official Conduct but to continue in order, and for his to continue referring to these matters is out of order."

The SPEAKER pro tempore, Ms. GREENE, sustained the point of order, and said:

"The Chair once again sustains the point of order of the gentleman from Georgia [Mr. LINDER]. The gentleman from Missouri [Mr. VOLKMER] is not speaking in order, and the Chair again directs the gentleman from Missouri to proceed in order in accordance with the rules of the House."

#### ¶113.10 POINT OF ORDER

Mr. VOLKMER further addressed the House and, during the course of his remarks,

Mr. LINDER made a point of order, and said:

"Madam Speaker, it does not seem like anyone should have to remind

someone three times in a 1-minute speech that he is abusing the rules of the House, but that is the point I am raising."

The SPEAKER pro tempore, Ms. GREENE, sustained the point of order, and said:

"The Chair will inform the gentleman from Missouri [Mr. VOLKER] that the Chair sustains the point of order of the gentleman from Georgia [Mr. LINDER]. The gentleman from Missouri is not, under the rules of the House, to make references to matters currently under review before the Committee on Standards of Official Conduct or to members of that committee, as the gentleman from Missouri well knows.

"The gentleman from Missouri [Mr. VOLKMER] has 20 seconds remaining."

#### ¶113.11 POINT OF ORDER

Mrs. SCHROEDER during one minute speeches addressed the House and, during the course of her remarks.

Mr. LINDER made a point of order, and said:

"Madam Speaker, it is my understanding last week that the Chair ruled that even if newspapers make references to matters before the Committee on Standards, it is inappropriate under House rules to bring those matters to the floor of the House. It is entirely acceptable for the gentleman from Colorado [Mrs. SCHROEDER] to speak on this issue as much as she wants outside the House of this Congress. But on this floor, it is against the rules."

The SPEAKER pro tempore, Ms. GREENE, sustained the point of order, and said:

"The Chair sustains the point of order of the gentleman from Georgia [Mr. LINDER], and directs the gentleman from Colorado [Mrs. SCHROEDER] to proceed in order in accordance with the rules of the House."

#### ¶113.12 POINT OF ORDER

Mr. WAXMAN during one minute speeches addressed the House and following his remarks,

Mr. LINDER made a point of order, and said:

"The gentleman's [Mr. WAXMAN] time has expired, but the point of order is the same one, that he is referring to matters against the rules of the House."

The SPEAKER pro tempore, Ms. GREENE, sustained the point of order, and said:

"The Chair will sustain the point of order, and requests that all Members show respect for and abide by the rules of the House."

The SPEAKER pro tempore, Ms. GREENE, responded to a parliamentary inquiry by the gentleman from California [Mr. WAXMAN] as to the precedents regarding the rulings of the Chair, and said:

"Prior rulings of the Speaker have sustained the point of order in this and prior Congresses that press accounts relating to matters currently before

the Standards of Official Conduct Committee are not a proper subject for debate on the floor. That is why the gentleman from Georgia's [Mr. LINDER] point of order was sustained. \* \* \*

"The duty of the Chair is to enforce the rules of the House as they are written and have been interpreted. The rules of the House, as the Chair has ruled in this and prior Congresses, make it out of order for any Member to refer to any subject currently before the Standards Committee, whether through the Members' own words, or through the recitation of words printed in any other medium outside the floor of this House, except when a question of privileges is pending.

"The Chair will continue to abide by and enforce the rules of the House."

#### ¶113.13 NOTICE REQUIREMENT— CONSIDERATION OF RESOLUTION— QUESTION OF PRIVILEGES

Mr. LINDER, pursuant to clause 2(a)(1) of rule IX, announced his intention to call up the following resolution, as a question of the privileges of the House:

Whereas, a complaint filed against Representative Gephardt alleges House Rules have been violated by Representative Gephardt's concealment of profits gained through a complex series of real estate tax exchanges and;

Whereas, the complaint also alleges possible violations of banking disclosure and campaign finance laws or regulations and;

Whereas, the Committee on Standards of Official Conduct has in other complex matters involving complaints hired outside counsel with expertise in tax laws and regulations and;

Whereas, the Committee on Standards of Official Conduct is responsible for determining whether Representative Gephardt's financial transactions violated standards of conduct or specific rules of the House of Representatives; and

Whereas, the complaint against Representative Gephardt has been pending before the committee for more than seven months and the integrity of the ethics process and the manner in which Members are disciplined is called into question; and

Whereas, on Friday, September 20, 1996 the ranking Democrat of the Ethics Committee, Representative James McDermott in a public statement suggested that cases pending before the committee in excess of 60 days be referred to an outside counsel; now be it

Resolved that the committee on Standards of Official Conduct is authorized and directed to hire a special counsel to assist in the investigation of the charges filed against the Democrat Leader Representative Richard Gephardt.

Resolved that all relevant material presented to, or developed by, the committee to date on the complaint be submitted to a special counsel, for review and recommendation to determine whether the committee should proceed to a preliminary inquiry.

The SPEAKER pro tempore, Ms. GREENE, responded to the foregoing notice, and said:

"Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time or place designated by the Chair in the legislative schedule