

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

NOT VOTING—6

Cubin	Houghton	Schiff
Gonzalez	McIntosh	Visclosky

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 in said bill.

¶119.14 SUBMISSION OF CONFERENCE REPORT—H.R. 1119

Mr. SPENCE submitted a conference report (Rept. No. 105-340) on the bill (H.R. 1119) to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998 and 1999, and for other purposes; together with a statement thereon, for printing in the Record under the rule.

¶119.15 PRIVILEGES OF THE HOUSE

Mr. GEPHARDT rose to a question of the privileges of the House and submitted the following resolution (H. Res. 276):

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 has not met since that time; 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 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 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 some Members of the House Oversight Committee are now seeking a duplicate and dilatory review of materials already in the Committee's 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 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 29, 1997.

The SPEAKER pro tempore, Mr. LAHOOD, ruled that the resolution submitted did present a question of the privileges of the House having immediate precedence under rule IX, and recognized Mr. GEPHARDT and Mr. THOMAS for thirty minutes each.

After debate,

On motion of Mr. GEPHARDT, 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 nays had it.

Mr. GEPHARDT 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 ..... 204 Nays ..... 222 Answered present 1
negative .....	

¶119.16 [Roll No. 525]

YEAS—204

Abercrombie	Goode	Murtha
Ackerman	Gordon	Nadler
Allen	Green	Neal
Andrews	Gutierrez	Oberstar
Baesler	Hall (OH)	Obey
Baldacci	Hall (TX)	Olver
Barcia	Hamilton	Ortiz
Barrett (WI)	Harman	Owens
Becerra	Hastings (FL)	Pallone
Bentsen	Hefner	Pascrell
Berman	Hilliard	Pastor
Berry	Hinchev	Payne
Bishop	Hinojosa	Pelosi
Blagojevich	Holden	Peterson (MN)
Blumenauer	Hooley	Pickett
Bonior	Hoyer	Pomeroy
Borski	Jackson (IL)	Poshard
Boswell	Jackson-Lee	Price (NC)
Boucher	(TX)	Rahall
Boyd	Jefferson	Rangel
Brown (CA)	John	Reyes
Brown (FL)	Johnson (WI)	Rivers
Brown (OH)	Johnson, E. B.	Rodriguez
Capps	Kanjorski	Roemer
Cardin	Kaptur	Rothman
Carson	Kennedy (MA)	Roybal-Allard
Clay	Kennedy (RI)	Rush
Clayton	Kennelly	Sabo
Clement	Kildee	Sanders
Clyburn	Kilpatrick	Sandlin
Condit	Kind (WI)	Sawyer
Conyers	Klecza	Schumer
Costello	Klink	Scott
Coyne	Kucinich	Serrano
Cramer	LaFalce	Sherman
Cummings	Lampson	Sisisky
Danner	Lantos	Skaggs
Davis (FL)	Levin	Skelton
Davis (IL)	Lewis (GA)	Slaughter
DeFazio	Lipinski	Smith, Adam
DeGette	Lofgren	Snyder
Delahunt	Lowe	Spratt
DeLauro	Luther	Stabenow
Dellums	Maloney (CT)	Stark
Deutsch	Maloney (NY)	Stenholm
Dicks	Manton	Stokes
Dingell	Markey	Strickland
Dixon	Martinez	Stupak
Doggett	Mascara	Tanner
Dooley	Matsui	Tauscher
Doyle	McCarthy (MO)	Taylor (MS)
Edwards	McCarthy (NY)	Thompson
Engel	McDermott	Thurman
Eshoo	McGovern	Tierney
Etheridge	McHale	Torres
Evans	McIntyre	Towns
Farr	McKinney	Turner
Fattah	McNulty	Velazquez
Fazio	McNulty	Vento
Filner	Meehan	Waters
Flake	Meek	Watt (NC)
Foglietta	Menendez	Waxman
Foglesong	Millender-	Wexler
Forbes	McDonald	Weygand
Ford	Miller (CA)	Wise
Frank (MA)	Minge	Woolsey
Frost	Mink	Wynn
Furse	Moakley	Yates
Gejdenson	Mollohan	
Gephardt	Moran (VA)	

NAYS—222

Aderholt	Bono	Collins
Archer	Brady	Combest
Armey	Bryant	Cook
Bachus	Bunning	Cooksey
Baker	Burr	Cox
Ballenger	Burton	Crane
Barr	Buyer	Crapo
Barrett (NE)	Callahan	Cunningham
Bartlett	Calvert	Davis (VA)
Barton	Camp	Deal
Bass	Campbell	DeLay
Bateman	Canady	Diaz-Balart
Bereuter	Cannon	Dickey
Bilbray	Castle	Doolittle
Bilirakis	Chabot	Dreier
Bliley	Chambliss	Duncan
Blunt	Chenoweth	Dunn
Boehlert	Christensen	Ehlers
Boehner	Coble	Ehrlich
Bonilla	Coburn	Emerson

English	Kolbe	Rogan
Ensign	LaHood	Rogers
Everett	Largent	Rohrabacher
Ewing	Latham	Ros-Lehtinen
Fawell	LaTourette	Roukema
Foley	Lazio	Royce
Fowler	Leach	Salmon
Fox	Lewis (CA)	Sanford
Franks (NJ)	Lewis (KY)	Saxton
Frelinghuysen	Linder	Scarborough
Gallegly	Livingston	Schaefer, Dan
Ganske	LoBiondo	Schaffer, Bob
Gekas	Lucas	Sensenbrenner
Gibbons	Manzullo	Sessions
Gilchrist	McCollum	Shadegg
Gillmor	McCrery	Shaw
Gilman	McDade	Shays
Gingrich	McHugh	Shimkus
Goodlatte	McInnis	Shuster
Goodling	McKeon	Skeen
Goss	Metcalf	Smith (MI)
Graham	Mica	Smith (NJ)
Granger	Miller (FL)	Smith (OR)
Greenwood	Moran (KS)	Smith (TX)
Gutknecht	Morella	Smith, Linda
Hansen	Myrick	Snowbarger
Hastert	Nethercutt	Solomon
Hastings (WA)	Neumann	Souder
Hayworth	Ney	Spence
Hefley	Northup	Stearns
Herger	Norwood	Stump
Hill	Nussle	Sununu
Hilleary	Oxley	Talent
Hobson	Packard	Tauzin
Hoekstra	Pappas	Taylor (NC)
Horn	Parker	Thomas
Hostettler	Paul	Thornberry
Hulshof	Paxon	Thune
Hunter	Pease	Tiahrt
Hutchinson	Peterson (PA)	Traficant
Hyde	Petri	Upton
Inglis	Pickering	Walsh
Istook	Pitts	Wamp
Jenkins	Pombo	Watkins
Johnson (CT)	Porter	Watts (OK)
Johnson, Sam	Portman	Weldon (FL)
Jones	Pryce (OH)	Weldon (PA)
Kasich	Quinn	Weller
Kelly	Radanovich	White
Kim	Ramstad	Whitfield
King (NY)	Redmond	Wicker
Kingston	Regula	Wolf
Klug	Riggs	Young (AK)
Knollenberg	Riley	Young (FL)

ANSWERED "PRESENT"—1

Sanchez

NOT VOTING—7

Cubin	McIntosh	Visclosky
Gonzalez	Ryun	
Houghton	Schiff	

So the resolution was not agreed to.

A motion to reconsider the vote whereby said resolution was not agreed to was, by unanimous consent, laid on the table.

#### ¶119.17 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 2107

Mr. SOLOMON, by direction of the Committee on Rules, reported (Rept. No. 105-342) the resolution (H. Res. 277) waiving points of order against the conference report to accompany the bill (H.R. 2107) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

#### ¶119.18 WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY H.R. 1119

Mr. SOLOMON, by direction of the Committee on Rules, reported (Rept. No. 105-343) the resolution (H. Res. 278) waiving points of order against consid-

eration of the conference report to accompany the bill (H.R. 1119) to authorize appropriations for fiscal years 1998 and 1999 for military activities for the Department of Defense, to prescribe personnel strengths for such fiscal years for the Armed Forces, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

#### ¶119.19 SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 56. Concurrent resolution authorizing the use of the rotunda of the Capitol for a ceremony honoring Leslie Townes (Bob) Hope by conferring upon him the status of an honorary veteran of the Armed Forces of the United States; to the Committee on House Oversight.

#### ¶119.20 ENROLLED JOINT RESOLUTION SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 97. Joint resolution making further continuing appropriations for the fiscal year 1998, and for other purposes.

#### ¶119.21 JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on this day present to the President, for his approval, a joint resolution of the House of the following title:

H.J. Res. 97. Joint resolution making further continuing appropriations for the fiscal year 1998, and for other purposes.

#### ¶119.22 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. RYUN, for today and tomorrow after 4 p.m.; and

To Mr. HOUGHTON, for today.

#### ¶119.23 ADJOURNMENT

On motion of Mr. SHADEGG, at 9 o'clock and 23 minutes p.m., the House adjourned.

#### ¶119.24 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 1493. A bill to require the Attorney General to establish a program in local prisons to identify, prior to arraignment, criminal aliens and aliens who are unlawfully present in the United States, and for other purposes; with an amendment (Rept. No. 105-338). Referred to the Committee of the Whole House on the State of the Union.

Mr. COBLE: Committee on the Judiciary. H.R. 2265. A bill to amend the provisions of titles 17 and 18, United States Code, to provide greater copyright protection by amend-

ing criminal copyright infringement provisions, and for other purposes; with an amendment (Rept. No. 105-339). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee of Conference. Conference report on H.R. 1119. A bill to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998 and 1999, and for other purposes (Rept. No. 105-340). Ordered to be printed.

Mr. ARCHER: Committee on Ways and Means. H.R. 2621. A bill to extend trade authorities procedures with respect to reciprocal trade agreements, and for other purposes; with an amendment (Rept. No. 105-341 Pt. 1). Ordered to be printed.

Mr. LINDER: Committee on Rules. House Resolution 277. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2107) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, and for other purposes (Rept. No. 105-342). Referred to the House Calendar.

Mr. SOLOMON: Committee on Rules. House Resolution 278. Resolution waiving points of order against the conference report to accompany the bill (H.R. 1119) to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes (Rept. No. 105-343). Referred to the House Calendar.

#### ¶119.25 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 5 of rule X, the following action was taken by the Speaker:

H.R. 2621. Referral to the Committee on Rules extended for a period ending not later than November 4, 1997.

#### ¶119.26 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. JEFFERSON (for himself, Mr. RANGEL, Mr. WYNN, Mr. CLYBURN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FATTAH, Mr. TOWNS, Mr. ENGLISH of Pennsylvania, Ms. CHRISTIAN-GREEN, Mr. WATT of North Carolina, Mr. FORD, Ms. WATERS, Mr. FROST, Mrs. CLAYTON, Mr. LEWIS of Georgia, Mr. DAVIS of Illinois, Ms. NORTON, Ms. JACKSON-LEE, Mr. HILLIARD, Mr. MCCRERY, Mr. FLAKE, Mr. THOMPSON, Mr. DELLUMS, Mr. SCOTT, Mr. CUMMINGS, Mr. PAYNE, Mrs. MEEK of Florida, Ms. KILPATRICK, Ms. CARSON, Mr. DIXON, Mr. STOKES, Mr. RUSH, Mr. CLAY, Mr. BISHOP, Ms. MILLENDER-MCDONALD, Mr. OWENS, Mr. JACKSON, Ms. MCKINNEY, Mr. CONYERS, Mr. HASTINGS of Florida, and Ms. BROWN of Florida):

H.R. 2707. A bill to amend the Internal Revenue Code of 1986 to permit tax-free reorganizations of specialized small business investment companies into partnerships and regulated investment companies, to expand the exclusion for gain from small business stock for such stock held by such companies, and for other purposes; to the Committee on Ways and Means.

By Mr. HAMILTON (for himself, Mr. CRANE, Mr. KOLBE, Mr. BEREUTER, Mr. EWING, Mr. MANZULLO, and Mr. BLUMENAUER):