

Mr. ENSIGN objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared	<table border="0"> <tr> <td>Yeas</td> <td>52</td> </tr> <tr> <td>Nays</td> <td>359</td> </tr> <tr> <td>Answered</td> <td></td> </tr> <tr> <td>present</td> <td>1</td> </tr> </table>	Yeas	52	Nays	359	Answered		present	1
		Yeas	52						
		Nays	359						
		Answered							
present	1								

¶121.14 [Roll No. 532]

YEAS—52

Allen	Hastings (FL)	Millender-
Carson	Hefner	McDonald
Conyers	Hinchee	Miller (CA)
Coyne	Hoyer	Mink
DeGette	Jackson (IL)	Obey
Dellums	Jefferson	Olver
Deutsch	Johnson (WI)	Owens
Doggett	Johnson, E. B.	Pallone
Ensign	Kaptur	Pastor
Eshoo	Kennedy (RI)	Pelosi
Fazio	LaFalce	Peterson (MN)
Filner	Lantos	Serrano
Ford	Lewis (GA)	Stark
Frank (MA)	Markey	Taylor (MS)
Frost	Martinez	Torres
Furse	McCarthy (NY)	Weygand
Gephardt	McDermott	Wise
Gibbons	McNulty	

NAYS—359

Abercrombie	Collins	Goss
Ackerman	Combest	Graham
Aderholt	Condit	Green
Archer	Cook	Greenwood
Army	Cooksey	Gutierrez
Bachus	Costello	Gutknecht
Baesler	Cox	Hall (OH)
Baker	Cramer	Hall (TX)
Baldacci	Crane	Hamilton
Ballenger	Crapo	Hansen
Barcia	Cummings	Harman
Barr	Cunningham	Hastert
Barrett (NE)	Danner	Hastings (WA)
Barrett (WI)	Davis (FL)	Hayworth
Bartlett	Davis (IL)	Hefley
Barton	Davis (VA)	Hill
Bass	Deal	Hilleary
Bateman	DeLauro	Hilliard
Becerra	DeLay	Hinojosa
Bentsen	Diaz-Balart	Hobson
Bereuter	Dickey	Hoekstra
Berman	Dicks	Holden
Berry	Dingell	Hooley
Bilbray	Dixon	Horn
Bilirakis	Dooley	Hosettler
Bishop	Doolittle	Houghton
Blagojevich	Doyle	Hulshof
Bliley	Dreier	Hutchinson
Blumenauer	Duncan	Hyde
Blunt	Dunn	Inglis
Boehlert	Edwards	Istook
Boehner	Ehlers	Jackson-Lee
Bonilla	Ehrlich	(TX)
Boswell	Emerson	Jenkins
Boucher	Engel	John
Boyd	English	Johnson (CT)
Brady	Etheridge	Johnson, Sam
Brown (FL)	Evans	Jones
Brown (OH)	Everett	Kasich
Bryant	Ewing	Kelly
Bunning	Farr	Kennelly
Burr	Fattah	Kildee
Burton	Fawell	Kilpatrick
Buyer	Flake	Kim
Callahan	Foley	Kind (WI)
Calvert	Forbes	King (NY)
Camp	Fowler	Kingston
Campbell	Fox	Kleczka
Canady	Franks (NJ)	Klink
Cannon	Frelinghuysen	Klug
Cardin	Gallely	Knollenberg
Castle	Ganske	Kolbe
Chabot	Gejdenson	Kucinich
Chambliss	Gekas	LaHood
Chenoweth	Gilchrist	Lampson
Christensen	Gillmor	Largent
Clay	Gilman	Latham
Clayton	Goode	LaTourette
Clement	Goodlatte	Lazio
Clyburn	Goodling	Leach
Coble	Gordon	Levin
Coburn		Lewis (CA)

Lewis (KY)	Petri	Smith (MI)
Linder	Pickering	Smith (NJ)
Lipinski	Pitts	Smith (OR)
Livingston	Pombo	Smith (TX)
LoBiondo	Pomeroy	Smith, Adam
Lofgren	Porter	Smith, Linda
Lowe	Portman	Snowbarger
Lucas	Poshard	Snyder
Luther	Price (NC)	Solomon
Maloney (CT)	Pryce (OH)	Souder
Maloney (NY)	Quinn	Spence
Manton	Radanovich	Spratt
Manzullo	Rahall	Stabenow
Mascara	Ramstad	Stearns
Matsui	Rangel	Stenholm
McCarthy (MO)	Redmond	Stokes
McCollum	Regula	Strickland
McCrary	Reyes	Stump
McDade	Riggs	Stupak
McGovern	Riley	Sununu
McHale	Rivers	Talent
McHugh	Rodriguez	Tanner
McInnis	Roemer	Tauscher
McIntyre	Rogan	Tauzin
McKeon	Rogers	Taylor (NC)
McKinney	Rohrabacher	Thomas
Meehan	Ros-Lehtinen	Thompson
Meek	Rothman	Thornberry
Menendez	Roukema	Thune
Metcalf	Roybal-Allard	Thurman
Mica	Royce	Tiahrt
Miller (FL)	Rush	Tierney
Minge	Ryun	Towns
Moakley	Sabo	Trafficant
Moran (KS)	Salmon	Turner
Moran (VA)	Sanchez	Upton
Morella	Sanders	Velazquez
Murtha	Sandlin	Vento
Myrick	Sanford	Visclosky
Nadler	Sawyer	Walsh
Neal	Saxton	Wamp
Nethercutt	Scarborough	Waters
Neumann	Schaefer, Dan	Watkins
Ney	Schaffer, Bob	Watt (NC)
Northup	Scott	Watts (OK)
Norwood	Sensenbrenner	Waxman
Nussle	Sessions	Weldon (FL)
Oberstar	Shadegg	Weller
Ortiz	Shaw	Wexler
Oxley	Shays	White
Packard	Sherman	Whitfield
Pappas	Shimkus	Wicker
Parker	Shuster	Wolf
Pascrell	Sisisky	Woolsey
Paul	Skaggs	Wynn
Paxon	Skeen	Yates
Pease	Skelton	Young (AK)
Peterson (PA)	Slaughter	Young (FL)

ANSWERED "PRESENT"—1

DeFazio

NOT VOTING—21

Andrews	Foglietta	McIntosh
Bonior	Gonzalez	Mollohan
Bono	Granger	Payne
Borski	Herger	Pickett
Brown (CA)	Hunter	Schiff
Capps	Kanjorski	Schumer
Cubin	Kennedy (MA)	Weldon (PA)

So the motion to adjourn was not agreed to.

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

Mr. SOLOMON, by direction of the Committee on Rules, called up the following resolution (H. Res. 278):

Resolved, That upon adoption of this resolution it shall be in order to consider 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. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

When said resolution was read.

Pending consideration of said resolution,

¶121.16 MOTION TO ADJOURN

Mr. ENSIGN moved that the House do now adjourn.

The question being put, viva voce,

Will the House now adjourn?

The SPEAKER pro tempore, Mr. SNOWBARGER, announced that the nays had it.

Mr. ENSIGN demanded that the vote be taken by the yeas and nays, which demand was not supported by one-fifth of the Members present, so the yeas and nays were refused.

So the motion to adjourn was not agreed to.

¶121.17 NOTICE—MOTION TO INSTRUCT CONFEREES—H.R. 2267

Mr. ROHRABACHER, pursuant to clause 1(c) of rule XXVIII, announced his intention to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 2267) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes, be instructed to insist on the disagreement of the House with section 111 of the Senate amendment, which provides for a permanent extension of section 245(i) of the Immigration and Nationality Act.

When House Resolution 278 was considered.

During debate on said resolution,

By unanimous consent, the time for the following Members to give notice of intention to offer resolutions as questions of the privileges of the House was not deducted from the thirty minutes yielded to Mr. Frost by Mr. Solomon for the purpose of debating House Resolution 278.

¶121.18 NOTICE—QUESTION OF PRIVILEGES OF THE HOUSE

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

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 allegations made by Mr. Robert Dornan have been found to be largely without merit, including his charges of improper voting from a business, rather than a residential address; underage voting; double voting; and charges of unusually large numbers of individuals voting from the same address. It was found that those accused of 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 that 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 privacy rights of United States citizens have been violated by the Committee's improper use of those INS records;

Whereas the INS itself has questioned the validity and accuracy of the Committee's use of INS documents;

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 the 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 have all the information they need regarding who voted in the 46th District and all the information they need to make a judgment concerning those votes; and

Whereas the Committee on House Oversight has after over 9 months of review and investigation failed to produce or present any credible evidence sufficient to change the outcome of the election of Congresswoman Sanchez and is now, in place of producing such credible evidence, pursuing never ending and unsubstantiated areas of review; and

Whereas, Contestant Robert Dornan has after nearly 1 year not shown or provided any credible evidence sufficient to demonstrate 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, Mr. SNOWBARGER, 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 within two legislative days after the resolution is properly noticed.

"Pending that designation, the form of the resolution noticed by the gentleman from New Jersey will appear in the Record at this point.

"The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at a time

designated for the consideration of the resolution."

¶121.19 NOTICE—QUESTION OF PRIVILEGES OF THE HOUSE

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

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 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 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: 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, Mr. SNOWBARGER, 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 designated by the Chair within two legislative days after the resolution is properly noticed.

"Pending that designation, the form of the resolution noticed by the gentleman from California will appear in the Record at this point.

"The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at a time designated for the consideration of the resolution."

¶121.20 NOTICE—QUESTION OF PRIVILEGES OF THE HOUSE

Ms. NORTON, pursuant to clause 2(a)(1) of rule IX, announced her intention to offer the following resolution, as a question of the privileges of the House:

Whereas, Loretta Sanchez has been duly elected to represent the 46th District of California; 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 only 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 going 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

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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