

the fiscal year ending September 30, 1998, and for other purposes.”.

¶122.4 THE LATE HONORABLE WALTER H. CAPPS

Mr. FAZIO, submitted the following privileged resolution (H. Res. 286):

Resolved, That the House has heard with profound sorrow of the death of the Honorable WALTER H. CAPPS, a Representative from the State of California.

Resolved, That a committee of such Members of the House as the Speaker may designate, together with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased.

When said resolution was considered and agreed to.

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

Ordered, That the Clerk notify the Senate thereof.

¶122.5 PROVIDING FOR THE CONSIDERATION OF H.R. 1270

Mr. HASTINGS of Washington, by direction of the Committee on Rules, called up the following resolution (H. Res. 283):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1270) to amend the Nuclear Waste Policy Act of 1982. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with section 306 of the Congressional Budget Act of 1974 are waived. General debate shall be confined to the bill and shall not exceed eighty minutes, with sixty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce and twenty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Points of order against the committee amendment in the nature of a substitute for failure to comply with clause 5(a) of rule XXI or section 306 of the Congressional Budget Act of 1974 are waived. Notwithstanding clause 5(c) of rule XXIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be offered only in the order printed in the report, may be offered only by a Member

designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. Points of order against the last amendment printed in the report of the Committee on Rules for failure to comply with clause 5(a) of rule XXI or section 306 of the Congressional Budget Act of 1974 are waived. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes. After a motion that the Committee rise has been rejected on a day, the Chairman may entertain another such motion on that day only if offered by the majority leader or his designee. After a motion to strike out the enacting words of the bill (as described in clause 7 of rule XXIII) has been rejected, the Chairman may not entertain another such motion during further consideration of the bill. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. After passage of H.R. 1270, it shall be in order to take from the Speaker's table the bill, S. 104, and to consider the Senate bill in the House. Points of order against consideration of the Senate bill for failure to comply with section 306 of the Congressional Budget Act of 1974 are waived. It shall be in order to move to strike all after the enacting clause of the Senate bill and to insert in lieu thereof the provisions of H.R. 1270 as passed by the House. If the motion is adopted and the Senate bill, as amended, is passed, then it shall be in order to move that the House insist on its amendment to S. 104 and request a conference with the Senate thereon.

When said resolution was read.

Pending consideration of said resolution,

¶122.6 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. LAHOOD, announced that the nays had it.

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 { Yeas 29
Nays 374

¶122.7

[Roll No. 535]

YEAS—29

Ackerman	Foglietta	Lewis (GA)
Andrews	Ford	Markey
DeFazio	Gephardt	McDermott
DeGette	Gibbons	McNulty
Delahunt	Gordon	Mink
Dellums	Hillery	Obey
Ensign	Jackson (IL)	Olver
Eshoo	Jefferson	Stark
Fattah	LaFalce	Torres
Filner	Lewis (CA)	

NAYS—374

Abercrombie	Deal	John
Aderholt	DeLauro	Johnson (CT)
Allen	DeLay	Johnson (WI)
Archer	Deutsch	Johnson, E.B.
Armey	Diaz-Balart	Jones
Bachus	Dicks	Kanjorski
Baesler	Dingell	Kaptur
Baker	Dixon	Kasich
Baldacci	Doggett	Kennedy (MA)
Ballenger	Dooley	Kennedy (RI)
Barcia	Doolittle	Kennelly
Barr	Doyle	Kildee
Barrett (NE)	Dreier	Kilpatrick
Barrett (WI)	Duncan	Kim
Bartlett	Dunn	Kind (WI)
Barton	Edwards	King (NY)
Bass	Ehlers	Kingston
Bateman	Ehrlich	Klecza
Becerra	Emerson	Klink
Bentsen	Engel	Klug
Bereuter	Etheridge	Knollenberg
Berman	Evans	Kolbe
Berry	Everett	Kucinich
Bilbray	Ewing	LaHood
Bilirakis	Farr	Lampson
Bishop	Fawell	Lantos
Blagojevich	Fazio	Largent
Bliley	Foley	Latham
Blumenauer	Forbes	LaTourrette
Blunt	Fowler	Lazio
Boehlert	Fox	Leach
Boehner	Frank (MA)	Levin
Bonilla	Franks (NJ)	Lewis (KY)
Bonior	Frelinghuysen	Linder
Borski	Frost	Lipinski
Boswell	Furse	Livingston
Boucher	Galleghy	LoBiondo
Boyd	Ganske	Lofgren
Brady	Gejdenson	Lowe
Brown (FL)	Gilchrest	Lucas
Brown (OH)	Gillmor	Luther
Bryant	Gilman	Maloney (CT)
Bunning	Goode	Maloney (NY)
Burr	Goodlatte	Manton
Burton	Goodling	Manzullo
Buyer	Goss	Mascara
Callahan	Graham	Matsui
Calvert	Green	McCarthy (MO)
Camp	Greenwood	McCarthy (NY)
Campbell	Gutierrez	McCollum
Canady	Gutknecht	McCrery
Cannon	Hall (OH)	McDade
Cardin	Hall (TX)	McGovern
Carson	Hamilton	McHale
Castle	Harman	McHugh
Chabot	Hastert	McInnis
Chambliss	Hastings (FL)	McIntyre
Chenoweth	Hastings (WA)	McKeon
Christensen	Hayworth	McKinney
Clay	Hefley	Meehan
Clayton	Hefner	Meek
Clement	Henger	Menendez
Clyburn	Hill	Metcalf
Coble	Hilliard	Mica
Coburn	Hinche	Millender-
Collins	Hinojosa	McDonald
Combest	Hobson	Miller (CA)
Condit	Hoekstra	Miller (FL)
Cook	Holden	Minge
Cooksey	Hooley	Moakley
Costello	Horn	Mollohan
Cox	Hostettler	Moran (KS)
Coyne	Hoyer	Moran (VA)
Cramer	Hulshof	Morella
Crane	Hunter	Murtha
Crapo	Hutchinson	Nadler
Cummings	Hyde	Neal
Cunningham	Inglis	Nethercutt
Danner	Istook	Neumann
Davis (FL)	Jackson-Lee	Ney
Davis (IL)	(TX)	Northup
Davis (VA)	Jenkins	Norwood

Nussle	Royce	Strickland	Boyd	Hamilton	Petri	Jackson-Lee	Menendez	Scott
Oberstar	Rush	Stump	Brady	Hastert	Pickering	(TX)	Millender-	Serrano
Ortiz	Ryun	Stupak	Bunning	Hastings (WA)	Pickett	Jefferson	McDonald	Sherman
Owens	Sabo	Sununu	Burr	Hayworth	Pitts	Johnson (WI)	Miller (CA)	Skaggs
Oxley	Salmon	Tanner	Burton	Hefley	Pomeroy	Kaptur	Minge	Slaughter
Packard	Sanchez	Tauscher	Buyer	Hefner	Porter	Kasich	Mink	Smith (NJ)
Pallone	Sanders	Tauzin	Callahan	Henger	Portman	Kennedy (MA)	Moakley	Smith (OR)
Pappas	Sandlin	Taylor (MS)	Calvert	Hill	Price (NC)	Kennedy (RI)	Moran (VA)	Smith, Adam
Parker	Sanford	Taylor (NC)	Camp	Hillery	Pryce (OH)	Kilpatrick	Murtha	Snyder
Pastor	Sawyer	Thomas	Campbell	Hinojosa	Quinn	Kind (WI)	Nadler	Souder
Paul	Saxton	Thompson	Canady	Hobson	Ramstad	Kingston	Neal	Stabenow
Paxon	Schaefer, Dan	Thornberry	Cannon	Hoekstra	Redmond	Klecza	Neumann	Stark
Pease	Schaffer, Bob	Thune	Castle	Horn	Regula	Kucinich	Oberstar	Talent
Peterson (MN)	Schumer	Thurman	Chabot	Hostettler	Riggs	LaFalce	Obey	Tauscher
Peterson (PA)	Scott	Tiahrt	Chambliss	Hulshof	Riley	Lantos	Olver	Taylor (NC)
Petri	Sensenbrenner	Tierney	Chenoweth	Hunter	Rogan	Largent	Ortiz	Thompson
Pickering	Serrano	Towns	Clayton	Hutchinson	Rogers	Lewis (GA)	Owens	Tierney
Pickett	Sessions	Traficant	Clement	Hyde	Rohrabacher	Lofgren	Pallone	Torres
Pitts	Shadegg	Turner	Clyburn	Inglis	Ros-Lehtinen	Lowey	Pascrell	Towns
Pombo	Shaw	Upton	Coble	Istook	Roukema	Lucas	Pombo	Velazquez
Pomeroy	Shays	Velazquez	Coburn	Jenkins	Royce	Luther	Poshard	Vento
Porter	Sherman	Vento	Collins	John	Rush	Maloney (CT)	Radanovich	Wamp
Portman	Shimkus	Visclosky	Combest	Johnson (CT)	Ryun	Maloney (NY)	Rahall	Waters
Poshard	Shuster	Walsh	Condit	Johnson, E. B.	Sabo	Markey	Rangel	Watts (OK)
Price (NC)	Sisisky	Wamp	Cook	Johnson, Sam	Salmon	Martinez	Reyes	Waxman
Price (OH)	Skaggs	Waters	Cooksey	Jones	Sanchez	Mascara	Rivers	Weygand
Quinn	Skeen	Watkins	Cox	Kanjorski	Sandlin	McCarthy (MO)	Rodriguez	Wise
Radanovich	Skelton	Watt (NC)	Cramer	Kennelly	Sanford	McDermott	Roemer	Woolsey
Rahall	Slaughter	Watts (OK)	Crane	Kildee	Saxton	McGovern	Rothman	Wynn
Ramstad	Smith (MI)	Waxman	Crapo	Kim	Schaefer, Dan	McHale	Roybal-Allard	Yates
Rangel	Smith (NJ)	Weldon (PA)	Danner	King (NY)	Schaffer, Bob	McKinney	Sanders	Young (AK)
Redmond	Smith (OR)	Weller	Davis (FL)	Klink	Sensenbrenner	McNulty	Sawyer	
Regula	Smith (TX)	Wexler	Davis (VA)	Klug	Sessions	Meehan	Schumer	
Reyes	Smith, Adam	Weygand	Deal	LaHood	Shadegg			
Riggs	Smith, Linda	White	DeLay	Lampson	Shaw			
Riley	Snowbarger	Whitfield	Deutsch	Latham	Shays	Brown (CA)	Knollenberg	Pelosi
Rivers	Snyder	Wicker	Diaz-Balart	LaTourrette	Shimkus	Cubin	Kolbe	Scarborough
Roemer	Solomon	Wise	Dicks	Lazio	Shuster	Gilchrest	Matsui	Schiff
Rogers	Souder	Wolf	Dingell	Leach	Sisisky	Gonzalez	McIntosh	Stokes
Rohrabacher	Spence	Woolsey	Dooley	Levin	Skeen	Houghton	Meek	Weldon (FL)
Ros-Lehtinen	Spratt	Wynn	Doolittle	Lewis (CA)	Skelton	Kelly	Payne	Wolf
Rothman	Stabenow	Young (FL)	Dreier	Lewis (KY)	Smith (MI)			
Roukema	Stearns		Duncan	Linder	Smith (TX)			
Roybal-Allard	Stenholm		Dunn	Lipinski	Smith, Linda			

NOT VOTING—18

NOT VOTING—29

Bono	Hansen	Rodriguez
Brown (CA)	Houghton	Rogan
Conyers	Johnson, Sam	Scarborough
Cubin	Kelly	Schiff
Dickey	Martinez	Stokes
English	McIntosh	Talent
Flake	Myrick	Weldon (FL)
Gekas	Pascrell	Yates
Gonzalez	Payne	Young (AK)
Granger	Pelosi	

So the motion to adjourn was not agreed to.

When House Resolution 283 was considered.

After debate,
On motion of Mr. HASTINGS of Washington, 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 yeas had it.

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 { Yeas 259
 Nays 155

¶122.8 [Roll No. 536]
YEAS—259

Aderholt	Bartlett	Bliley
Archer	Barton	Blunt
Armey	Bass	Boehmert
Bachus	Bateman	Boehner
Baker	Bentsen	Bonilla
Ballenger	Bereuter	Bonior
Barcia	Berry	Bono
Barr	Bilbray	Boswell
Barrett (NE)	Bilirakis	Boucher

Abercrombie	Conyers	Filner
Ackerman	Costello	Flake
Allen	Coyne	Foglietta
Andrews	Cummings	Ford
Baessler	Cunningham	Fox
Baldacci	Davis (IL)	Frank (MA)
Barrett (WI)	DeFazio	Furse
Becerra	DeGette	Gephardt
Berman	Delahunt	Gibbons
Bishop	DeLauro	Gutierrez
Blagojevich	Dellums	Hall (OH)
Blumenauer	Dickey	Hansen
Borski	Dixon	Harman
Brown (FL)	Doggett	Hastings (FL)
Brown (OH)	Doyle	Hilliard
Bryant	Engel	Hinchey
Cardin	English	Holden
Carson	Ensign	Hooley
Christensen	Evans	Hoyer
Clay	Fattah	Jackson (IL)

NAYS—155

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

¶122.9 PRIVILEGES OF THE HOUSE

Mr. GEPHARDT rose to a question of the privileges of the House and submitted the following resolution (H. Res. 287):

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