

Table with 3 columns of names: Ortiz, Owens, Pallone, Pascrell, Pastor, Pelosi, Peterson (MN), Pickett, Pomeroy, Poshard, Price (NC), Rahall, Rangel, Reyes, Rivers, Rodriguez, Roemer, Rothman, Roybal-Allard, Rush, Sabo; Sanders, Sandlin, Sawyer, Schumer, Scott, Serrano, Sherman, Sisisky, Skaggs, Skelton, Slaughter, Smith, Adam, Snyder, Spratt, Stabenow, Stark, Stenholm, Stokes, Strickland, Stupak, Tanner; Tauscher, Taylor (MS), Thompson, Thurman, Tierney, Torres, Towns, Turner, Velazquez, Vento, Visclosky, Waters, Watt (NC), Waxman, Wexler, Weygand, Wise, Woolsey, Wynn, Yates

ANSWERED "PRESENT"—3

Table with 3 columns: Coburn, Sanchez, Souder

NOT VOTING—19

Table with 3 columns of names: Barr, Cubin, DeLay, Doolittle, Foglietta, Gekas, Gonzalez; Houghton, Kleczka, Leach, Manton, McHale, Meek, Metcalf; Payne, Schiff, Weldon (FL), Weldon (PA), Young (AK)

So the motion to lay the resolution on the table was agreed to.

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

123.34 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

123.35 PRIVILEGES OF THE HOUSE

Ms. ROYBAL-ALLARD rose to a question of the privileges of the House and submitted the following resolution (H. Res. 291):

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 has 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 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 Commit-

tee'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 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 31, 1997.

The SPEAKER pro tempore, Mr. HEFLEY, ruled that the resolution submitted did present a question of the privileges of the House under rule IX.

Mr. SOLOMON moved to lay the resolution on the table.

The question being put, viva voce, Will the House lay the resolution on the table?

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

Ms. ROYBAL-ALLARD demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 216 Nays 200 Answered present 3

123.36 [Roll No. 559] AYES—216

Table with 3 columns of names: Aderholt, Archer, Army, Bachus, Baker, Ballenger, Barr, Barrett (NE), Bartlett, Barton, Bass, Bateman, Bereuter, Bilbray, Bilirakis, Bileyle, Blunt, Boehlert, Boehner, Bonilla, Brady, Bryant; Bunning, Burr, Burton, Buyer, Callahan, Calvert, Camp, Campbell, Canady, Cannon, Castle, Chabot, Chambliss, Chenoweth, Christensen, Coble, Collins, Combust, Cook, Cooksey, Crane, Crapo; Cunningham, Davis (VA), Deal, DeLay, Diaz-Balart, Dickey, Doolittle, Dreier, Duncan, Dunn, Ehlers, Ehrlich, Emerson, English, Ensign, Everett, Ewing, Fawell, Foley, Fowler, Fox, Franks (NJ)

Table with 3 columns of names: Frelinghuysen, Gallegly, Ganske, Gekas, Linder, Gibbons, Gilchrest, Gillmor, Gilman, Goodlatte, Goodling, Goss, Graham, Granger, Greenwood, Gutknecht, Hansen, Hastert, Hastings (WA), Hayworth, Hefley, Herger, Hill, Hilleary, Hobson, Hoekstra, Horn, Hostettler, Hulshof, Hunter, Hutchinson, Hyde, Inglis, Istook, Jenkins, Johnson (CT), Johnson, Sam, Jones, Kasich, Kelly, Kim, King (NY), Kingston, Klug, Knollenberg, Kolbe, LaHood, Largent, Latham, LaTourette, Lazio; Leach, Lewis (CA), Lewis (KY), Lucas, Manzullo, McCollum, McCrery, McDade, McHugh, McInnis, McIntosh, McKeon, Metcalf, Mica, Miller (FL), Moran (KS), Morella, Myrick, Nethercutt, Neumann, Ney, Northup, Norwood, Nussle, Oxley, Packard, Pappas, Parker, Paul, Paxon, Pease, Peterson (PA), Petri, Pickering, Pitts, Pombo, Porter, Portman, Pryce (OH), Quinn, Radanovich, Ramstad, Redmond, Regula, Riggs, Riley, Rogan; Rogers, Rohrabacher, Ros-Lehtinen, Roukema, Royce, Ryan, Salmon, Sanford, Saxton, Scarborough, Schaefer, Dan, Schaffer, Bob, Sensenbrenner, Sessions, Shaw, Shaus, Shimkus, Shuster, Skeen, Smith (MI), Smith (NJ), Smith (OR), Smith (TX), Smith, Linda, Snowbarger, Solomon, Spence, Stearns, Stump, Sununu, Talent, Tauzin, Taylor (NC), Thomas, Thornberry, Thune, Tiahrt, Traficant, Upton, Walsh, Wamp, Watkins, Watts (OK), Weller, White, Whitfield, Wicker, Wolf, Young (AK), Young (FL)

NOES—200

Table with 3 columns of names: Abercrombie, Ackerman, Allen, Andrews, Baesler, Baldacci, Barcia, Barrett (WI), Becerra, Bentsen, Berman, Berry, Bishop, Blagojevich, Blumenauer, Bonior, Bono, Borski, Boswell, Boucher, Boyd, Brown (CA), Brown (FL), Brown (OH), Cardin, Carson, Clay, Clayton, Clement, Clyburn, Condit, Conyers, Costello, Coyne, Cramer, Cummings, Danner, Davis (FL), Davis (IL), DeFazio, DeGette, Delahunt, DeLauro, Dellums, Deutsch, Dicks, Dingell, Dixon; Doggett, Dooley, Doyle, Edwards, Engel, Eshoo, Etheridge, Evans, Farr, Fattah, Fazio, Filner, Flake, Forbes, Ford, Frank (MA), Frost, Furse, Gejdenson, Gephardt, Goode, Gordon, Green, Gutierrez, Hall (OH), Hall (TX), Hamilton, Harman, Hastings (FL), Hefner, Hilliard, Hinchey, Hinojosa, Holden, Hooley, Hoyer, Jackson (IL), Jackson-Lee (TX), Jefferson, John, Johnson (WI), Johnson, E.B., Kanjorski, Kaptur, Kennedy (MA), Kennedy (RI), Kennelly; Kildee, Kilpatrick, Kind (WI), Kleczka, Klink, Kucinich, LaFalce, Lampson, Lantos, Levin, Lewis (GA), Lipinski, Lofgren, Lowey, Luther, Maloney (CT), Maloney (NY), Markey, Martinez, Mascara, Matsui, McCarthy (MO), McCarthy (NY), McDermott, McGovern, McHale, McIntyre, McKinney, McNulty, Meehan, Meek, Menendez, Millender-McDonald, Miller (CA), Minge, Mink, Mollohan, Moran (VA), Murtha, Nadler, Neal, Oberstar, Obey, Olver, Ortiz, Owens, Pallone