

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, 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 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.

Mr. BECERRA 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 217 Nays 193 Answered present 4

¶123.42

[Roll No. 562]

AYES—217

- Aderholt Gillmor Pappas Archer Gilman Parker Arney Goodlatte Paul Bachus Goodling Paxton Baker Goss Pease Ballenger Graham Peterson (PA) Barr Granger Petri Bartlett Greenwood Pickering Barton Gutknecht Pitts Bass Hansen Pombo Bateman Hastert Porter Bereuter Hastings (WA) Portman Bilbray Hayworth Pryce (OH) Bilirakis Hefley Quinn Biley Herger Radanovich Blunt Hill Ramstad Boehlert Hilleary Redmond Boehner Hobson Regula Bonilla Hoekstra Riggs Bono Horn Riley Brady Hostettler Rogan Bryant Houghton Rogers Bunning Hulshof Rohrabacher Burr Hunter Ros-Lehtinen Burton Hutchinson Roukema Buyer Hyde Royce Callahan Inglis Ryan Calvert Istook Salmon Camp Jenkins Sanford Campbell Johnson (CT) Saxton Canady Johnson, Sam Scarborough Cannon Jones Schaefer, Dan Castle Kasich Schaffer, Bob Chabot Kelly Sensenbrenner Chambliss Kim Sessions Chenoweth King (NY) Shaw Christensen Kingston Shays Coble Klug Shimkus Collins Knollenberg Shuster Combest Kolbe Skeener Cook LaHood Smith (MI) Cooksey Largent Smith (NJ) Cox Latham Smith (OR) Crane LaTourette Smith (TX) Crapo Leach Smith, Linda Cunningham Lewis (CA) Snowbarger Davis (VA) Lewis (KY) Solomon Deal Linder Spence DeLay Livingston Stearns Diaz-Balart LoBiondo Stump Dickey Lucas Sununu Doolittle Manzullo Talent Dreier McCollum Tauzin Duncan McCreery Taylor (MS) Dunn McDade Taylor (NC) Ehlers McHugh Thomas Ehrlich McInnis Thornberry Emerson McIntosh Thune English McKeon Tiahrt Ensign Metcalf Traficant Everett Mica Upton Ewing Miller (FL) Walsh Fawell Moran (KS) Watkins Foley Morella Watts (OK) Fowler Myrick Weller Fox Nethercutt White Neumann Whitfield Franks (NJ) Ney Wicker Frelinghuysen Northup Wolf Gallegly Norwood Young (AK) Ganske Gekas Nussle Young (FL) Gibbons Oxley Packard Gilchrist Packard

NOES—193

- Abercrombie Berman Brown (FL) Ackerman Berry Brown (OH) Allen Blagojevich Cardin Andrews Blumenauer Carson Baesler Bonior Clay Baldacci Borski Clayton Barcia Boswell Clement Barrett (WI) Boucher Clyburn Becerra Boyd Condit Bentsen Brown (CA) Costello

- Coyne Johnson Pascrell Cramer Johnson (WI) Pastor Cummings Johnson, E.B. Pelosi Danner Kanjorski Peterson (MN) Davis (FL) Kaptur Pickett Davis (IL) Kennedy (MA) Pomeroy DeFazio Kennedy (RI) Poshard DeGette Kennelly Price (NC) Delahunt Kildee Rahall DeLauro Kilpatrick Rangel Dellums Kind (WI) Reyes Deutsch Kleczka Rivers Dicks Klink Rodriguez Dingell Kucinich Roemer Dixon LaFalce Rothman Doggett Lampson Roybal-Allard Dooley Lantos Rush Doyle Levin Sabo Edwards Lewis (GA) Sandlin Engel Lipinski Sawyer Eshoo Lofgren Schumer Etheridge Lowey Scott Evans Luther Serrano Farr Maloney (CT) Sherman Fattah Maloney (NY) Sisisky Fazio Markey Skaggs Filner Martinez Skelton Flake Mascara Slaughter Forbes Matsui Smith, Adam Ford McCarthy (MO) Snyder Frank (MA) McCarthy (NY) Spratt Frost McDermott Stabenow Furse McGovern Stark Gejdenson McHale Stenholm Gephardt McIntyre Stokes Goode McKinney Strickland Gordon McNulty Stupak Green Meehan Tanner Gutierrez Meek Tauscher Hall (OH) Menendez Thompson Hall (TX) Millender Thurman Hamilton McDonald Tierney Harman Miller (CA) Torres Hastings (FL) Minge Towns Hefner Mink Turner Hilliard Molohan Velazquez Hinchey Moran (VA) Vento Hinojosa Murtha Visclosky Holden Nadler Waters Hooley Neal Watt (NC) Hoyer Obey Wexler Jackson (IL) Olver Weygand Jackson-Lee Ortiz Wise (TX) Owens Woolsey Jefferson Pallone Wynn

ANSWERED "PRESENT"—4

- Coburn Shadegg Sanchez Wamp

NOT VOTING—18

- Barrett (NE) Lazio Schiff Bishop Manton Souder Conyers Moakley Waxman Cuban Oberstar Weldon (FL) Foglietta Payne Weldon (PA) Gonzalez Sanders Yates

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.

¶123.43 PRIVILEGES OF THE HOUSE

Ms. HOOLEY rose to a question of the privileges of the House and submitted the following resolution (H. Res. 295):

Whereas, Loretta Sanchez was issued a certificate of election as the duly elected Member of Congress from the 46th District of California and was seated by the U.S. House of Representatives on January 7, 1997; and

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Whereas the allegations made by Mr. Robert Dornan have been largely found to be