

**SATURDAY, DECEMBER 19, 1998
(119)**

**¶119.1 DESIGNATION OF SPEAKER PRO
TEMPORE**

The House was called to order by the SPEAKER pro tempore, Mr. LAHOOD, who laid before the House the following communication:

WASHINGTON, DC,
December 19, 1998.

I hereby designate the Honorable RAY LAHOOD to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

¶119.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. LAHOOD, announced he had examined and approved the Journal of the proceedings of Friday, December 19, 1998.

The question being put, *viva voce*,

Will the House agree to the Chair's approval of said Journal?

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

Mr. MCNULTY 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 277
 Nays 125

**¶119.3 [Roll No. 541]
YEAS—277**

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|--------------|---------------|---------------|
| Aderholt | Coburn | Goss |
| Andrews | Collins | Graham |
| Archer | Combest | Granger |
| Army | Conyers | Greenwood |
| Bachus | Cook | Gutknecht |
| Baker | Cooksey | Hall (TX) |
| Ballenger | Cox | Hamilton |
| Barcia | Crapo | Hansen |
| Barr | Cubin | Hastert |
| Barrett (NE) | Cummings | Hastings (WA) |
| Barrett (WI) | Cunningham | Hayworth |
| Bartlett | Danner | Hefley |
| Bass | Davis (FL) | Hegger |
| Bateman | Deal | Hill |
| Bentsen | DeLay | Hilleary |
| Bereuter | Diaz-Balart | Hobson |
| Berman | Dingell | Hoekstra |
| Bilbray | Doggett | Horn |
| Bilirakis | Dooley | Hosettler |
| Blagojevich | Doolittle | Houghton |
| Biley | Dreier | Hoyer |
| Blumenauer | Duncan | Hulshof |
| Blunt | Dunn | Hunter |
| Boehkert | Edwards | Hutchinson |
| Boehner | Ehlers | Hyde |
| Bonilla | Ehrlich | Inglis |
| Bono | Emerson | Istook |
| Boswell | Evans | Jackson (IL) |
| Boucher | Everett | Jenkins |
| Boyd | Ewing | John |
| Brady (TX) | Farr | Johnson (CT) |
| Bryant | Fawell | Johnson (WI) |
| Bunning | Foley | Jones |
| Burr | Forbes | Kaptur |
| Buyer | Fowler | Kasich |
| Callahan | Fox | Kelly |
| Calvert | Franks (NJ) | Kennedy (MA) |
| Camp | Frelinghuysen | Kildee |
| Campbell | Gallely | Kim |
| Canady | Ganske | Kind (WI) |
| Cannon | Gekas | King (NY) |
| Capps | Gibbons | Kingston |
| Cardin | Gilchrest | Kleczka |
| Castle | Gillmor | Kolbe |
| Chabot | Gilman | LaHood |
| Chambliss | Goode | Lampson |
| Christensen | Goodlatte | Latham |
| Clement | Goodling | LaTourette |
| Coble | Gordon | Lazio |

- | | | |
|---------------|---------------|-------------|
| Leach | Paxon | Smith (OR) |
| Lewis (CA) | Pease | Smith (TX) |
| Lewis (KY) | Peterson (PA) | Smith, Adam |
| Linder | Petri | Snowbarger |
| Lipinski | Pitts | Snyder |
| Livingston | Pombo | Solomon |
| LoBiondo | Porter | Spence |
| Lofgren | Portman | Spratt |
| Lowe | Quinn | Stabenow |
| Lucas | Radanovich | Stearns |
| Maloney (CT) | Rahall | Stenholm |
| Manzullo | Ramstad | Stokes |
| McCarthy (MO) | Redmond | Stump |
| McCollum | Regula | Sununu |
| McHale | Riley | Talent |
| McHugh | Rivers | Tanner |
| McInnis | Roemer | Tauzin |
| McIntosh | Rogan | Taylor (NC) |
| McIntyre | Rogers | Thomas |
| McKeon | Rohrabacher | Thornberry |
| McKinney | Ros-Lehtinen | Thune |
| Metcalfe | Rothman | Tiahrt |
| Mica | Roukema | Torres |
| Miller (FL) | Royce | Trafigant |
| Minge | Ryun | Upton |
| Moakley | Salmon | Walsh |
| Mollohan | Sanders | Wamp |
| Moran (KS) | Sandlin | Watkins |
| Moran (VA) | Sanford | Watt (NC) |
| Morella | Saxton | Watts (OK) |
| Murtha | Scarborough | Weldon (FL) |
| Myrick | Schaefer, Dan | Weldon (PA) |
| Nadler | Schumer | Weller |
| Nethercutt | Scott | Weygand |
| Neumann | Sensenbrenner | White |
| Ney | Shadegg | Whitfield |
| Northup | Shaw | Wicker |
| Norwood | Shays | Wilson |
| Nussle | Sherman | Wise |
| Obey | Shimkus | Wolf |
| Oxley | Shuster | Yates |
| Packard | Siskiy | Young (AK) |
| Pappas | Skeen | |
| Parker | Smith (MI) | |

NAYS—125

- | | | |
|-------------|----------------|---------------|
| Abercrombie | Gejdenson | Millender- |
| Ackerman | Gephardt | McDonald |
| Allen | Green | Mink |
| Baessler | Gutierrez | Neal |
| Baldacci | Hall (OH) | Oberstar |
| Becerra | Harman | Olver |
| Berry | Hastings (FL) | Ortiz |
| Bishop | Hefner | Owens |
| Bonior | Hilliard | Pallone |
| Borski | Hinchee | Pascarell |
| Brady (PA) | Hinojosa | Payne |
| Brown (CA) | Holden | Peterson (MN) |
| Brown (FL) | Hooley | Pickett |
| Brown (OH) | Jackson-Lee | Pomeroy |
| Carson | (TX) | Poshard |
| Clay | Jefferson | Price (NC) |
| Clayton | Johnson, E. B. | Reyes |
| Clyburn | Kanjorski | Rodriguez |
| Condit | Kennedy (RI) | Roybal-Allard |
| Costello | Kennelly | Rush |
| Coyne | Kilpatrick | Sabo |
| Cramer | Klink | Sanchez |
| Davis (IL) | Kucinich | Sawyer |
| DeFazio | LaFalce | Schaffer, Bob |
| DeGette | Lantos | Serrano |
| Delahunt | Lee | Skaggs |
| DeLauro | Levin | Skelton |
| Deutsch | Lewis (GA) | Stark |
| Dickey | Luther | Strickland |
| Dicks | Manton | Stupak |
| Dixon | Markey | Tauscher |
| Doyle | Martinez | Taylor (MS) |
| Engel | Mascara | Thompson |
| English | Matsui | Thurman |
| Ensign | McCarthy (NY) | Tierney |
| Eshoo | McDermott | Turner |
| Etheridge | McGovern | Velazquez |
| Fattah | McNulty | Vento |
| Fazio | Meehan | Waxman |
| Filner | Meek (FL) | Wexler |
| Ford | Meeks (NY) | Woolsey |
| Frost | Menendez | Wynn |
| Furse | | |

NOT VOTING—32

- | | | |
|--------------|--------------|------------|
| Barton | Klug | Pelosi |
| Burton | Knollenberg | Pickering |
| Chenoweth | Largent | Pryce (OH) |
| Crane | Maloney (NY) | Rangel |
| Davis (VA) | McCrery | Riggs |
| Fossella | McDade | Sessions |
| Frank (MA) | Miller (CA) | Slaughter |
| Gonzalez | Pastor | Smith (NJ) |
| Johnson, Sam | Paul | |

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|--------------|-----------|------------|
| Smith, Linda | Towns | Waters |
| Souder | Visclosky | Young (FL) |

So the Journal was approved.

¶119.4 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

12594. A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, transmitting the Department's final rule—Foreign Donation of Agricultural Commodities (RIN: 0551-AA56) received November 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

12595. A communication from the President of the United States, transmitting from the President, requesting emergency supplemental appropriations for the repair of damage caused by Hurricane Georges, pursuant to Public Law 105-277; (H. Doc. No. 105-355); to the Committee on Appropriations and ordered to be printed.

12596. A letter from the Secretary of Health and Human Services, transmitting a report of a violation of the Anti-Deficiency Act, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

12597. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of the Air Force, transmitting notification that the Director of Plans and Programs at the 11th Wing is initiating a cost comparison of the Supply and Transportation functions at Bolling Air Force Base, District of Columbia, pursuant to 10 U.S.C. 2304 nt.; to the Committee on National Security.

12598. A letter from the Director, Defense Procurement, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Architectural and Engineering Services and Construction Design [DFARS Case 98-D313] received December 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

12599. A letter from the Assistant Secretary of Defense, Health Affairs, Department of Defense, transmitting a report regarding the feasibility and advisability of expanding the current Department of Defense (DoD) mail order pharmacy program for Medicare eligible beneficiaries affected by a base Realignment and Closure (BRAC) action to include DoD beneficiaries who are covered by Medicare and reside in the United States outside of the catchment area of a medical treatment facility of the uniformed services; to the Committee on National Security.

12600. A letter from the Assistant Secretary of Defense, Health Affairs, Department of Defense, transmitting the results of a study on the cost and feasibility of intergrating all or part of Dod/VA medical treatment; to the Committee on National Security.

12601. A letter from the Director, Administration and Management, Department of Defense, transmitting the Department's final rule—Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); State Victims of Crime Compensation Programs; Voice Prosthesis (RIN: 0720-AA42) received October 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

12602. A letter from the Acting Assistant Secretary, Department of Defense, transmitting the annual report on the Department's effective use and the costs of the civilian voluntary separation incentive pay program; to the Committee on National Security.

12603. A letter from the Office of the Secretary, Panama Canal Commission, transmitting the Commission's final rule—Tolls

for Use of Canal (RIN: 3207-AA-46) received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

12604. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Securities Credit Transactions; List of Marginable OTC Stocks; List of Foreign Margin Stocks [Regulations T and X] received November 6, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

12605. A letter from the General Counsel, Department of Housing and Urban Development, transmitting the Department's final rule—Rent Control Preemption for Supportive Housing for the Elderly and Persons With Disabilities [Docket No. FR-4346-F-01] (RIN: 2502-AH21) received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

12606. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Interagency Guidelines Establishing Year 2000 Standards for Safety and Soundness (RIN: 3064-AC18) received October 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

12607. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Federal Deposit Insurance Corporation's 1997 Merger Decisions report; to the Committee on Banking and Financial Services.

12608. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—List of Communities Eligible for the Sale of Flood Insurance [Docket No. FEMA-7697] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

12609. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—List of Communities Eligible for the Sale of Flood Insurance [Docket No. FEMA-7700] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

12610. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA-7256] received December 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

12611. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Suspension of Community Eligibility [Docket No. FEMA-7698] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

12612. A letter from the General Counsel, Federal Emergency Management Agency, transmitting the Agency's final rule—Final Flood Elevation Determinations—received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

12613. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the annual report of the Office of Juvenile Justice and Delinquency Prevention, pursuant to 42 U.S.C. 5617; to the Committee on Education and the Workforce.

12614. A letter from the Assistant Secretary for Employment Standards, Department of Labor, transmitting the Department's final rule—Use and Disclosure of Federal Employees' Compensation Act Claims File Material (RIN: 1215-AB18) received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

12615. A letter from the Secretary of Education, transmitting Twentieth Annual Report about the education of children and youth with disabilities; to the Committee on Education and the Workforce.

12616. A letter from the Secretary of Health and Human Service, transmitting a report to the Congress on the Community Food and Nutrition (CFN) Program for Fiscal Years (FY) 1992 through 1995; to the Committee on Education and the Workforce.

12617. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting the Energy Information Administration's Annual Energy Review for 1997, pursuant to 15 U.S.C. 790f(a)(2); to the Committee on Commerce.

12618. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the annual report of material violations or suspected material violations of regulations relating to Treasury auctions and other offerings of securities upon the issuance of such securities by the Treasury, pursuant to 31 U.S.C. 3121 nt.; to the Committee on Commerce.

12619. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting a report that during the period of January 1, 1997, through December 31, 1997, no exceptions to the prohibition against favored treatment of a government securities broker or dealer were granted by the Secretary; to the Committee on Commerce.

12620. A letter from the Acting Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Acquisition/Financial Assistance Letter—received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12621. A letter from the Acting Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Nuclear Materials Management and Safeguards System Reporting and Data Submission—received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12622. A letter from the Acting Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Acquisition Letter—received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12623. A letter from the Acting Assistant General Counsel for Regulatory Law, Department of Energy, transmitting the Department's final rule—Occupational Exposure Assessment—December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12624. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Technical Amendments to Approval and Promulgation of Air Quality State Implementation Plans, Texas; Recodification of, and Revisions to the State Implementation Plan; Chapter 114; Correction of Effective Date under the Congressional Review Act (CRA) [FRL-6182-9] received October 29, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12625. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Delegation of National Emission Standards for Hazardous Air Pollutants for Source Categories; State of Arizona; Pinal County Air Quality Control District [FRL-6175-2] received November 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12626. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmit-

ting the Agency's final rule—Approval and Promulgation of State Implementation Plans; Alaska [AK 15-1703a; FRL-6188-7] received November 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12627. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Tennessee; Final Approval of State Petroleum Underground Storage Tank Program [FRL-6186-1] received November 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12628. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Application of Minority and Women-Owned Business Enterprise Requirements in the Clean Water and Drinking Water State Revolving Fund Programs—received November 12, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12629. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Universal Waste Rule (Hazardous Waste Management System; Modification of the Hazardous Waste Recycling Regulatory Program) [Docket 6207-7] (RIN: 2050-AD19) received December 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12630. A letter from the AMD-PERM, Federal Communications Commission, transmitting the Commission's final rule—Allocation of Spectrum Below 5 GHz Transferred from Federal Government Use [ET Docket No. 94-32] received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12631. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Food Additives Permitted for Direct Addition to Food for Human Consumption; Natamycin (Pimaricin) [Docket No. 98F-0063] received December 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12632. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Medical Devices; Humanitarian Use of Devices [Docket No. 98N-0171] received November 9, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12633. A letter from the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Management Directive 5.6, Integrated Materials Performance Evaluation Program—received December 3, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12634. A letter from the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—An Approach for Plant-Specific Risk-Informed Decisionmaking Inservice Inspection of Piping [Regulatory Guide 1.178] received October 26, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12635. A letter from the Chairman, Nuclear Waste Technical Review Board, transmitting this report in accordance with the requirement of the Nuclear Waste Policy Amendments Act of 1987, pursuant to 42 U.S.C. 10268; to the Committee on Commerce.

12636. A letter from the Secretary of Energy, transmitting the 1997 Annual Report on Low-Level Radioactive Waste Management Progress; to the Committee on Commerce.

12637. A letter from the Secretary of Health and Human Service, transmitting the Administration's final rule—Regulations Re-

quiring Manufactures to Assess the Safety and Effectiveness of New Drug and Biological Products in Pediatric Patients [Docket No. 97N-0165] (RIN: 0910-AB20) received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12638. A letter from the Secretary of Health and Human Services, transmitting the Administration's final rule—Prescription Drug Labeling; Medication Guide Requirements [Docket No. 93N-0371] (RIN: 0910-AA37) received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12639. A letter from the Secretary of Health and Human Services, transmitting the Department's final rule—Medicaid Program; Inpatient Psychiatric Services Benefit for Individuals Under Age 21 [HCF-2060-F] (RIN: 0938-AJ05) received November 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

12640. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification that the President proposes to exercise his authority under section 614(a)(1) of the Foreign Assistance Act of 1961, as amended (the "Act"), to authorize the use of \$12 million in appropriations to the Korean Peninsula Energy Development Organization, pursuant to 22 U.S.C. 2364(a)(1); to the Committee on International Relations.

12641. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

12642. A letter from the Under Secretary for Export Administration, Department of Commerce, transmitting that the Secretary of Commerce is imposing certain foreign policy-based export controls on Specially Designated Terrorists ("SDT") determined to be disrupting the Middle East peace process and Foreign Terrorist Organizations ("FTO"); to the Committee on International Relations.

12643. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report entitled "Report of U.S. Citizen Expropriation Claims and Certain Other Commercial and Investment Disputes"; to the Committee on International Relations.

12644. A letter from the Executive Director, Japan-United States Friendship Commission, transmitting the Commission's annual report for fiscal year 1998, pursuant to 22 U.S.C. 2904(b); to the Committee on International Relations.

12645. A letter from the Administrator, U.S. Agency for International Development, transmitting the annual report on activities under the Denton Amendment Program; to the Committee on International Relations.

12646. A letter from the Chairman, Board of Directors Panama Canal Commission, transmitting the semiannual report of the Inspector General of the Panama Canal Commission, for the period of April 1, 1998 through September 30, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

12647. A letter from the Chairperson, Commodity Futures Trading Commission, transmitting a report on the Commodity Futures Trading Commission's (CFTC) management control and financial systems; to the Committee on Government Reform and Oversight.

12648. A letter from the Chairman, Consumer Product Safety Commission, transmitting the semiannual report for the period of April 1, 1998 through September 30, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

12649. A letter from the Assistant Secretary for Employment Standards, Department of Labor, transmitting the Department's final rule—Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors Regarding Special Disabled Veterans and Vietnam Era Veterans (RIN: 1215-AA62) received November 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

12650. A letter from the Assistant for Employment Standards, Department of Labor, transmitting the Department's final rule—Affirmative Action and Nondiscrimination Obligations of Contractors and Subcontractors Regarding Special Disabled Veterans and Vietnam Era Veterans (RIN: 1215-AA62) received November 4, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

12651. A letter from the Inspector General, General Services Administration, transmitting the Office's Audit Report Register for the period ending September 30, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

12652. A letter from the Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting the Administration's final rule—Federal Acquisition Circular 97-10; Introduction—received December 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

12653. A letter from the Acting Director, Office of Federal Housing Enterprise Oversight, transmitting the Office's final rule—Releasing Information (RIN: 2550-AA01) received December 18, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

12654. A letter from the Director, Office of Government Ethics, transmitting the Office's final rule—Technical Amendments to Financial Disclosure Rule for Executive Branch Employees (RIN: 3209-AA00) received December 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

12655. A letter from the Director, Office of Government Ethics, transmitting the Office's final rule—Standards of Ethical Conduct for Employees of the Executive Branch (RIN: 3209-AA04) received December 15, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform and Oversight.

12656. A letter from the Director, Office of Personnel Management, transmitting the semiannual report for the period of April 1, 1998 through September 30, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

12657. A letter from the Inspector General, Office of Personnel Management, transmitting the semiannual report for the period of April 1, 1998 through September 30, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

12658. A letter from the Executive Director, President's Committee on the Arts and the Humanities, transmitting a follow-up report on the recommendations of a Presidential Advisory committee; to the Committee on Government Reform and Oversight.

12659. A letter from the Inspector General, Railroad Retirement Board, transmitting the semiannual report on activities of the Office of Inspector General for the period April 1, 1998, through September 30, 1998, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

12660. A letter from the Assistant Secretary, Land and Minerals Management, De-

partment of the Interior, transmitting the annual report on royalty management and collection activities for Federal and Indian mineral leases, pursuant to 30 U.S.C. 237; to the Committee on Resources.

12661. A letter from the Assistant Secretary of the Interior for Indian Affairs, Department of the Interior, transmitting a proposed plan for the use and distribution of the Little Traverse Bay Bands of Odawa Indians (Tribe) share of the judgment funds in Docket 22-H, before the United States Court of Federal Claims, pursuant to 25 U.S.C. 1402(a) and 1404; to the Committee on Resources.

12662. A letter from the Assistant Secretary—Indian Affairs, Department of the Interior, transmitting the Bureau of Indian Affairs' FY 1995 and FY 1996 Contract Support Report; to the Committee on Resources.

12663. A letter from the Administrator, Rural Development, Department of Agriculture, transmitting the Department's final rule—Environmental Policies and Procedures (RIN: 0572-AB33) received December 14, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

12664. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the 1996 annual report on the activities and operations of the Department's Public Integrity Section, Criminal Division, pursuant to 28 U.S.C. 529; to the Committee on the Judiciary.

12665. A letter from the Regulatory Policy Officer, Bureau of Alcohol, Tobacco and Firearms, transmitting the Bureau's final rule—Implementation of Public Law 103-159, Relating to the Permanent Provisions of the Brady Handgun Violence Prevention Act (93F-057P) [T.D. ATF-405; Ref: Notice No. 857] (RIN: 1512-AB67) received October 27, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

12666. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's final rule—Final Guidelines for the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, as Amended (RIN: 1105-AA56) received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

12667. A letter from the Director, Federal Bureau of Prisons, Department of Justice, transmitting the Department's final rule—Inmate Work and Performance Pay Program: Work Evaluation [BOP-1078-F] (RIN: 1120-AA74) received December 17, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

12668. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the 1997 Annual Report of the National Institute of Justice (NIJ); to the Committee on the Judiciary.

12669. A letter from the Chairman, Inland Waterways Users Board, transmitting the Board's annual report of its activities; recommendations regarding construction, rehabilitation priorities and spending levels on the commercial navigational features and components of inland waterways and harbors, pursuant to Public Law 99-662, section 302(b) (100 Stat. 4111); to the Committee on Transportation and Infrastructure.

12670. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace: Grove City, PA [Docket No. 98-AEA-31] (RIN: 2120-AA66) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12671. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace: Poughkeepsie, NY [Docket No. 98-AEA-18] (RIN: 2120-AA66) received November 30, 1998, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12672. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace: East Hampton, NY [Docket No. 98-AEA-30] (RIN: 2120-AA66) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12673. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Agusta A109C Helicopters [Docket No. 98-SW-14-AD] (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12674. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS 332C, AS 332L, AS 332L1, and AS 332L Helicopters [Docket No. 98-SW-19-AD] (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12675. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Robinson Helicopter Company Model R22 Helicopters [Docket No. 98-SW-45-AD] (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12676. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives 98-24-17 [Docket No. 97-NM-14-AD]; McDonnell Douglas Model DC-10-10, -30, and -40 Series Airplanes (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12677. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA—Groupe AEROSPATIALE Model TBM 700 Airplanes [Docket No. 95-CE-65-AD] (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12678. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Stemme GmbH & Co. KG Models S10, S10-V, and S10-VT Sailplanes [Docket No. 98-CE-106-AD] (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12679. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerostar Aircraft Corporation PA-60-600 and PA-60-700 Series Airplanes [Docket No. 97-CE-139-AD] (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12680. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives 98-24-26 [Docket No. 97-NM-13-AD]; Boeing Model 747-400 Series Airplanes (RIN: 2120-AA64) November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12681. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model SE.3160, SA.316B, SA.316C, and SA.319B Helicopters [Docket No. 98-SW-17-AD] (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12682. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives 98-24-19 [Docket No. 98-NM-317-AD]; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-145 Series Airplanes (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12683. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Grob Luft-und Raumfahrt GmbH Models G 109 and G 109B Sailplanes [Docket No. 98-CE-40-AD] (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12684. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives 98-24-24 [Docket 98-NM-71-AD]; McDonnell Douglas Model MD-11 Series Airplanes (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12685. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives 98-24-25 [Docket 98-NM-84-AD]; Lockheed Model L-188A and L-188C Series Airplanes (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12686. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Eurocopter France Model AS-365N2, SA-360C, SA-365C, C1, C2, N, N1, and SA-366G1 Helicopters [Docket No. 98-SW-05-AD] (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12687. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace Grand Junction, CO [Air-space Docket No. 98-ANM-17] received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12688. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Model 240B, 205A, 205A-1, 205B, and 212 Helicopters [Docket No. 97-SW-20-AD] (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12689. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Dornier-Werks GmbH Model Do 27 O-6 Airplanes [Docket No. 97-CE-137-AD] (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12690. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives 98-24-18 [Docket 98-NM-299-AD]; Bombardier Model DHC-8-100 and -300 Series Airplanes (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12691. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Mooney Aircraft Corporation Models M20B, M20C, M20D, M20E, M20F, M20G, M20J, M20K, M20L, M20M, and M20R Airplanes [Docket No. 98-CE-20-AD] (RIN:

2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12692. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Ursula Hanle Model H101 "Salto" Sailplanes [Docket No. 98-CE-35-AD] (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12693. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; EXTRA Flugzeugbau GmbH Models EA-300, EA-300S, and EA-300L Airplanes [Docket No. 98-CE-53-AD] (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12694. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; HOAC-Austria Model DV-20 Katana Airplanes [Docket No. 97-CE-83-AD] (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12695. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Stemme GmbH & Co. KG Model S10 Sailplanes [Docket No. 98-CE-103-AD] (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12696. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Burkhart Grob Luft-und Raumfahrt Models G115, G115A, G115B, G115C, G115C2, G115D, and G115D2 Airplanes [Docket No. 98-CE-68-AD] (RIN: 2120-AA64) received November 30, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

12697. A letter from the Administrator, Federal Aviation Administration, Department of Transportation, transmitting a report on the foreign aviation authorities to which the Federal Aviation Administration provided services in the preceding fiscal year, pursuant to Pub.L. 103-305; to the Committee on Transportation and Infrastructure.

12698. A letter from the Acting Deputy Director, National Institute of Standards and Technology, Department of Commerce, transmitting the Department's final rule—Advanced Technology Program [Docket No. 980717184-8277-02] (RIN: 0693-AB48) received November 23, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

12699. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—VA Acquisition Regulation: Title and Reference Updates (RIN: 2900-AJ29) received December 10, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

12700. A letter from the Director, Office of Personnel Management, transmitting OPM's Fiscal Year 1997 annual report on Veteran's Employment in the Federal Government, pursuant to 38 U.S.C. 4214(e)(1); to the Committee on Veterans' Affairs.

12701. A letter from the Secretary of Labor, transmitting the fourteenth report on trade and employment effects of the Caribbean Basin Economic Recovery Act, pursuant to 19 U.S.C. 2705; to the Committee on Ways and Means.

12702. A letter from the Secretary of Labor, transmitting the Department's fifth report on the impact of the Andean Trade Preference Act on U.S. trade and employment

from 1996 to 1997, pursuant to Public Law 102-182, section 207 (105 Stat. 1244); to the Committee on Ways and Means.

12703. A letter from the Assistant Secretary For Import Administration, Department of Commerce, transmitting the Department's final rule—Countervailing Duties [Docket No. 950306068-8205-05] (RIN: 0625-AA45) received November 25, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12704. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Filing Procedure for Early Closing of Courier's Desk [Notice 98-67] received December 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12705. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Abatement of Interest [TD 8789] (RIN: 1545-A V32) received December 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12706. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Agency's final rule—Notice, Consent and Election Requirements of Sections 411(a)(11) and 417 for Qualified Retirement Plans [TD 8796] (RIN: 1545-AU05) received December 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12707. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Treatment of Certain Payments received as Temporary Assistance for Needy Families (TANF)—received December 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12708. A letter from the Assistant Commissioner, Examination, Internal Revenue Service, transmitting the Service's final rule—Coordinated Issue; Construction/Real Estate Industry Retainage Payable—received December 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12709. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—New Technologies in Retirement Plan Administration [Notice 99-1] received December 19, 1998, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

12710. A letter from the the Director, the Congressional Budget Office, transmitting CBO's final sequestration report for Fiscal Year 1999, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-587); (H. Doc. No. 105-357); to the Committee on the Whole House on the State of the Union and ordered to be printed.

12711. A letter from the the Director, the Office of Management and Budget, transmitting OMB's final sequestration report to the President and Congress for Fiscal Year 1999, pursuant to Public Law 101-508, section 13101(a) (104 Stat. 1388-587); (H. Doc. No. 105-356); to the Committee on the Whole House on the State of the Union and ordered to be printed.

12712. A letter from the Comptroller, Department of Defense, transmitting a notification of transfer of funds as required by the provisions of section 8005 of the Department of Defense Appropriations Acts for FY 1997 and FY 1998; jointly to the Committees on Appropriations and National Security.

12713. A letter from the Administrator, Agency for International Development, transmitting a quarterly update report on development assistance program allocations updated as of June 30, 1998, pursuant to 22 U.S.C. 2413(a); jointly to the Committees on International Relations and Appropriations.

12714. A letter from the Acting Chairman, Federal Election Commission, transmitting

its FY 2000 Budget Request for consideration by the President and the Congress; jointly to the Committees on House Oversight and Appropriations.

12715. A letter from the Chairman, National Transportation Safety Board, transmitting a copy of the Board's request for supplemental appropriations, pursuant to 49 U.S.C. app. 1903(b)(7); jointly to the Committees on Transportation and Infrastructure and Appropriations.

12716. A letter from the Director, Office of Management and Budget, transmitting a report that identifies accounts containing unvouchered expenditures potentially subject to audit by the Comptroller General, pursuant to 31 U.S.C. 3524(b); jointly to the Committees on Appropriations, the Budget, and Government Reform and Oversight.

12717. A letter from the Commissioner of Social Security, Social Security Administration, transmitting the Social Security Administration's Accountability Report for Fiscal Year 1998, pursuant to 42 U.S.C. 904; jointly to the Committees on Ways and Means, Government Reform and Oversight, and the Judiciary.

12718. A letter from the Secretary of the Treasury, transmitting the "1998 Report on Foreign Treatment of U.S. Financial Institutions"; jointly to the Committees on Banking and Financial Services, Commerce, International Relations, and Ways and Means.

¶119.5 H. RES. 611—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. LAHOOD, announced the unfinished business to be the further consideration of the resolution (H.Res. 611) impeaching William Jefferson Clinton, President of the United States, for high crimes and misdemeanors.

When said resolution was considered pursuant to the order of the House of December 18, 1998.

After debate,

Pursuant to the order of the House of December 18, the previous question was ordered on the resolution.

Mr. BOUCHER moved to recommit the bill to the Committee on Judiciary with instructions to report the bill back to the House forthwith with the following amendment:

Strike out all after the enacting clause and insert:

That it is the sense of the House that—

(1) on January 20, 1993, William Jefferson Clinton took the oath prescribed by the Constitution of the United States faithfully to execute the office of President; implicit in that oath is the obligation that the President set an example of high moral standards and conduct himself in a manner that fosters respect for the truth; and William Jefferson Clinton, has egregiously failed in this obligation, and through his actions violated the trust of the American people, lessened their esteem for the office of President, and dishonored the office which they have entrusted to him;

(2)(A) William Jefferson Clinton made false statements concerning his reprehensible conduct with a subordinate;

(B) William Jefferson Clinton wrongly took steps to delay discovery of the truth; and

(C) inasmuch as no person is above the law, William Jefferson Clinton remains subject to criminal and civil penalties; and

(3) William Jefferson Clinton, President of the United States, by his conduct has brought upon himself, and fully deserves, the censure and condemnation of the American people and this House.

Pending consideration of said motion,

Mr. SOLOMON reserved a point of order against the motion to recommit with instructions.

The SPEAKER pro tempore, Mr. LAHOOD, pursuant to the order of the House of December 18, 1998, recognized Mr. BOUCHER and Mr. SOLOMON for five minutes each,

After debate,

¶119.6 POINT OF ORDER

Mr. SOLOMON made a point of order against the motion to recommit with instructions, and said:

"Mr. Speaker, I do insist on my point of order and I wish to be recognized on the point of order.

"Mr. Speaker, I make the point of order against this motion to recommit on the grounds that it does violate clause 7 of House Rule XVI, that is the germaneness rule.

"Mr. Speaker, this rule is a rule of the House and it requires amendments to be germane to the text that one is attempting to amend. And, Mr. Speaker, House Resolution 611, a resolution impeaching President Clinton for high crimes and misdemeanors, was reported as a question of privileges of the House under Rule IX. This privileged status is established by the Constitution in Article I, Section 2, which grants the House the sole power of impeachment.

"It is also established by numerous precedents in the history of this House in which resolutions of impeachment have been called up as privileged matter on the floor.

"Mr. Speaker, the motion to recommit contains matter which is not privileged for consideration by this House. An attempt to insert nonprivileged matter into privileged matter by amendment clearly violates the germaneness rules of this House.

"Mr. Speaker, in order to be held germane, an amendment must share a fundamental purpose with the text one attempts to amend. Impeachment is the prescribed mechanism to address this conduct by the chief executive, and any other procedure has no foundation in the Constitution and is not contemplated by the separation of powers. To attempt to substitute a censure for impeachment is to violate the overall purpose of the Constitution's impeachment clause.

"Mr. Speaker, the fundamental purpose of the motion to recommit presently before the House obviously does not conform to the fundamental purpose of the impeachment resolution. It proposes a different end, a different result and a different method of achieving that end.

"Mr. Speaker, I urge the Chair to sustain this point of order.

"I ask unanimous consent to insert extraneous matter at this point in the RECORD. It is a 'Dear Colleague' letter to Members from myself and the incoming chairman of the Committee on Rules, the gentleman from California (Mr. DREIER).

"Finally, Mr. Speaker, let me just say that this House has a tradition, it has a tradition of nonpartisan rulings by the Chair on questions of germaneness. Indeed, the parliamentarian of the House is a nonpartisan officer of the majority and minority party Members. These recommendations are based on an orderly set of factual rulings from the past which establish precedents of the future.

"Mr. Speaker, I urge you to continue your reputation of fairness and sustain this point of order."

Mr. MOAKLEY was recognized to speak to the point of order and said:

"Mr. Speaker, there is nothing unusual or unprecedented in offering this motion. On many occasions the House has debated resolutions to censure presidents, other executive officials, even private citizens. In fact, Mr. Speaker, the House has even debated an amendment to convert articles of impeachment into a censure resolution. In 1830, Mr. Speaker, no one even questioned the legitimacy of that amendment.

"The Boucher amendment to censure the President is germane to the articles of impeachment that we find before us.

"Mr. Speaker, in proposing this amendment, we are simply following the precedents of the House. The 3rd volume of Hinds' Precedents, section 2367, clearly records that during the impeachment of Judge James Peck, Representative Edward Everett of Massachusetts offered an amendment to an impeachment resolution. That amendment stated that the 'House does not approve of the conduct of James Peck' and goes on to recommend that he not be impeached. This is, in essence, Mr. Speaker, what the motion of the gentleman from Virginia (Mr. BOUCHER) does.

"The Boucher amendment strikes out the articles of impeachment and, in a more expansive formulation, states that the 'House does not approve of the conduct of' President Clinton. The House went on to defeat Representative Everett's amendment, but it was offered, it was debated, and it was voted upon.

"Mr. Speaker, we are asking for the same consideration that the precedents of the House prove was given before. And furthermore, Mr. Speaker, the Peck case is not the only time that the House has considered censure of an individual subject to impeachment.

"In a recent study, the Congressional Research Service reported that the House has considered censuring executive officials a total of 9 times. And the House also has censured its own Members.

"The Republican-led House has considered numerous resolutions expressing its disapproval of individuals and their conduct. Just recently the House condemned travel by Louis Farrakhan and the House castigated the remarks of Sara Lister, Assistant Secretary of the Army for Manpower. The House

even expressed itself on the President's assertions of executive privilege. And the House expressed its views on many other matters.

"Surely, Mr. Speaker, if the House can approve the display of the Ten Commandments, it can censure the deplorable behavior of President Clinton, and we are simply asking for that opportunity.

"The gentleman from New York (Mr. SOLOMON) makes the point of order that the amendment is nongermane. The amendment could be challenged on three grounds: First, that it is not germane to amend privileged material with nonprivileged material; second, that even if censure is considered as privileged, the fundamental purpose of impeachment is different from censure; and third, that censure is not a constitutionally sound remedy.

"On the first argument, Mr. Speaker, the Chair may be tempted to follow footnote 8 in Deschler's volume 3, chapter 14, section 1.3 which states that it is not germane to amend impeachment which is privileged material with censure which is nonprivileged material. But I ask the Chair to withhold judgment on that. The footnote itself acknowledges that this is not a matter of precedent because the issue has never arisen. Again, Mr. Speaker, this is not a matter of precedent because the issue has never arisen.

"Moreover, it is clearly established that resolutions of censure have been considered as privileged in the past.

"In the second volume of Hinds, section 1625, a Mr. A.P. Field was reprimanded in the well of the House by the Speaker pursuant to a privileged resolution. And this is not the only case, Mr. Speaker. The 6th volume of Cannons precedents, section 333, records that in 1913, a Mr. Charles Glover was also brought to the well of the House. He was reprimanded by the Speaker pursuant to a privileged resolution.

"Mr. Speaker, it is clearly established that resolutions that provide for censure or reprimand have been considered as privileged in the past. In sum, it is supported by the precedents that resolutions of censure have been treated as privileged by this House and, therefore, the argument that it is not germane to amend privileged matters with nonprivileged material is not at issue in this case.

"The second line of argument my Republican colleagues use is that censure has a fundamentally different purpose than impeachment. The argument is that impeachment is intended to remedy a constitutional crisis whereas censure is designed to punish.

"Mr. Speaker, let me ask, where is the remedial meaning in phrases such as 'acted in a manner subversive of the rule of law and justice'; 'has brought disrepute on the presidency'; and 'exhibited contempt for the inquiry'?

"These words of censure are found in the very articles before us. Clearly, Mr. Speaker, this language is meant to inflict punishment on the President, pun-

ishment that is at odds with the remedial nature of impeachment.

"The articles of impeachment also touch on this issue of punishment by recommending to the Senate that the President be tried, convicted, removed from office and forbidden to hold any office in the future. In fact, Mr. Speaker, the House has never, ever recommended to the Senate that the person being impeached also be prohibited from holding other office. Even in the highly-charged, politically-motivated impeachment of President Andrew Johnson, the House did not dare recommend to the Senate an appropriate punishment.

"The committee clearly intends not only to remedy the situation by impeaching the President but also intends to punish him by its disqualification to hold and enjoy office of honor, trust or profit under the United States.

"The words of Alexander Hamilton in Federalist 65 are instructive. When discussing impeachment, Hamilton uses the word 'punishment' to describe being denied future public office. It certainly sounds like punishment to me, Mr. Speaker.

"Mr. Hamilton also describes that punishment as being 'sentenced to a perpetual ostracism from the esteem and confidence and honors and emoluments of this country.' Clearly, Alexander Hamilton believed that denial of future public office was intended to be punitive as well as remedial.

"Mr. Speaker, since this resolution contains both remedial impeachment and punitive censure, it should be germane to propose censure alone. The Committee on the Judiciary itself has opened the door by censuring the President.

"The last argument that is being propounded is that censure is not a constitutionally sound remedy. I would urge the Speaker not to entertain this argument. It is well established that the presiding officer does not pass judgment on the constitutionality of any proposed legislation, 8 Cannon section 3031.

"If the Speaker still feels constrained to address the constitutional question, I remind the Chair that the House has attempted to censure Federal officials numerous times in the past and has in fact voted to censure such individuals.

"Not once, Mr. Speaker, not once has there been a successful constitutional challenge. Clearly, censure is not prohibited by the Constitution.

"Mr. Speaker, I respectfully remind the Chair that you are ruling on a profoundly important matter, a matter of whether to allow us a vote of conscience in the matter of impeachment. In the 210 years of Congress, 210 years that Congress has been in existence, no Chair has ever been called on to rule whether censure is germane to impeachment. I repeat that. In 210 years, the Chair has never been called on to rule on that. Your decision would be the first and the only such decision and

will be recorded in the rule books as such.

"Volume 3 of Deschler's notes, and I quote, 'the issue of whether a proposition to censure a Federal officer would be germane to a proposition for his impeachment has not arisen'. While the Chair was not asked to rule on the question then, the House has considered an amendment to the impeachment resolution to censure Judge Peck and has in other instances considered censure resolutions as privileged.

"Mr. Speaker, it has happened in the past. I urge the Chair to follow the weight of House practice and to overrule the point of order."

Mr. SENSENBRENNER was recognized to speak to the point of order and said:

"Mr. Speaker, I rise in support of the point of order on the motion to recommit because it is not germane to House Resolution 611.

"Clause 7 of Rule XVI of the rules of the House of Representatives provides that 'no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment'. Prior rulings of the House have held this provision applicable to motions to recommit with or without instructions. A motion to recommit is not in order if it would not be in order as an amendment to the underlying proposition.

"The constitutional prerogatives of the House, such as impeachment and matters incidental thereto, are questions of high privilege under Rule IX of the House rules.

"A joint or simple resolution evincing the disapproval of the House is not a question of privilege under the rules of the House.

"Furthermore, the fundamental principle of such a censure resolution is inconsistent with the fundamental purpose of an impeachment resolution.

"I would point out to the Chair that the motion to recommit with instructions that is under consideration here is not even a censure motion. It is a sense of the Congress resolution, and I would refer the Chair to the last four lines of their resolution, that William Jefferson Clinton, President of the United States, by his conduct has brought upon himself and fully deserves the censure and condemnation of the American people and this House.

"It says he deserves the censure but it does not censure him.

"We have heard an awful lot about the rule of law during this debate, which I think has been one of the finest debates that the House of Representatives has had.

"This is our opportunity to uphold our rules, our laws, and I would strongly urge the Chair to sustain the point of order."

Mr. DELAHUNT was recognized to speak to the point of order and said:

"Mr. Speaker, I wish to be heard on the point of order and I urge you to overrule the point of order.

"Mr. Speaker, the argument has been made that censure is unprecedented,

uncommon or unconstitutional. That simply is not the case.

"In the impeachment of Judge Peck, an amendment was offered that contained a censure. The gentleman from Massachusetts (Mr. MOAKLEY) spoke to this in his remarks. I want to point out that on many other occasions the House has chosen censure over impeachment. I would like to cite a few examples.

"In the case of Judge Speers, the committee report stated, and I am quoting, 'The record presents a series of legal oppressions that demand condemnation and criticism'. Even in the light of this finding, the committee did not recommend proceeding with impeachment and the report containing censure was adopted.

"In the cases of Judge Harry Anderson, Judge Frank Cooper, Judge Grover Moscowitz, Judge Blodgett, Judge Boardman, Judge Jenkins and Judge Ricks, the committee recommended censure instead of proceeding with impeachment.

"The fact of the matter, Mr. Speaker, is that there is a long-standing history in the House of substituting censure for impeachment. Sometimes, as in the Louderback case, the Committee on the Judiciary recommends censure and the House rejects that recommendation and votes impeachment. Other times the committee has recommended censure over impeachment and the House has agreed with that recommendation. Mr. Speaker, what is important is that the House has had a choice between censure and impeachment.

"There is also a long tradition in the House of censuring executive officers. As we have heard, a recent Congressional Research Service study found nine instances where the House has attempted to censure Federal officials. Presidents John Adams, John Tyler, James Polk and James Buchanan were all subject of censure resolutions. In addition, Treasury Secretary Alexander Hamilton, Navy Secretary Isaac Toucey, former War Secretary Simon Cameron, Navy Secretary Gideon Welles, and Ambassador Thomas Bayard as well, were all subject to censure resolutions.

"Indeed, private citizens have also been censured by the House. The gentleman from Massachusetts (Mr. MOAKLEY) cited two examples in his opening argument. The House has also censured a Mr. John Anderson, a Mr. Samuel Houston, and moved to censure Mr. Russell Jarvis.

"I believe these examples will dispel the myth that censure by the House is uncommon, unprecedented or unconstitutional.

"The most salient fact is that when the House wants to censure an individual, both private citizens and executive officers, it can and it has. There is no constitutional prohibition against such an action, and the Congress has freely engaged in passing such censures.

"The question before the Speaker is, with this long line of precedent, can

censure be offered as an alternative to impeachment? The answer is clearly yes. As I cited above, the House has on many occasions adopted reports from the Committee on the Judiciary that has given the House the opportunity to express its views, its lack of regard, its censure, its condemnation, as an alternative to impeaching a judge. The same model should hold here.

"Mr. Speaker, I would argue that the reason this is such a long-standing practice and precedent of the House is because it just makes good common sense. When the House does not feel impeachment is warranted, but does want to go on the record censuring certain behavior, it has. One only need look at the precedents.

"Mr. Speaker, I urge that you overrule the point of order."

Mr. ROGAN was recognized to speak to the point of order and said:

"Mr. Speaker, I join with the gentleman from Wisconsin Mr. SENSENBRENNER in rising to a point of order and also noting the dichotomy in this particular proposal of censure; that if this were to pass, we would go on record as stating that the President deserves censure, but the document itself does not grant censure.

There are two other interesting areas relating to the proposal before us. In the House Committee on the Judiciary, when this matter came before us, the maker of the proposed resolution of censure was the same maker as the proposal today, the distinguished gentleman from Virginia BOUCHER. The resolution of censure that was presented to the Committee on the Judiciary had two distinguishing characteristics that are absent today.

"In the Committee on the Judiciary, the resolution that was put before us would have required not only a vote of the House but a vote of the Senate to bring the condemnation of Congress upon the President. That is absent here. It also had an additional element. It had an element of requiring the President to come to Congress and to affix his signature to the document in recognition of the censure. That too is absent.

"Impeachment, and not censure, is properly before the House at this time. The paradox between the two was demonstrated during our debate in the Committee on the Judiciary on the proposed resolution of censure.

"In committee I asked the author if there was any language in the proposal that would preclude any future Congress, by a simple majority vote, from erasing or expunging the censure from history. I knew in advance the answer to that question. No. There can be no such language in a resolution of censure because, under the rules of Congress, this Congress cannot bind a future Congress.

"What does this mean? It means that any censure adopted by this House today can be expunged from the record by a simple majority vote of this House. Now, in a courtroom, convicted

felons seek to have their criminal convictions expunged. When that request is granted, that felon may truthfully state that he was never convicted of a crime. In the eyes of the law, the criminal conduct simply never happened when expungement is granted. It is forgotten.

"A censure resolution of this President today can be erased from our journals and from our history books forever tomorrow, and it may be done by a simple majority vote. Censure is a remedy designed for the polls, it is not a remedy designed for the Constitution. It is a phantom remedy and the amendment should be turned back."

Mr. BARRETT of Wisconsin was recognized to speak to the point of order and said:

"Yes, Mr. Speaker, I wish to speak. But before I do that, I want to compliment you on the evenhandedness you have displayed in presiding over this matter.

"Mr. Speaker, the argument that censure is of a fundamentally different purpose than impeachment has been made; that impeachment is remedial in nature while censure is punitive in nature. Ordinarily, I would agree. The words in the censure resolution are meant to be punishment. But unlike previous articles of impeachment, the impeachment articles before us also raise the issue of punishment, and it does so in three ways:

"The articles incorporate language which clearly condemns and, in effect, censures the President. I quote from the articles: 'In all of this William Jefferson Clinton has undermined the integrity of his office and has brought disrepute on the Presidency, has betrayed his trust as President, and has acted in a manner subversive of the rule of law and justice to the manifest injury of the people of the United States.' This language appears in all four articles of impeachment.

"The article also states that he has, 'violated his constitutional duty', and 'willfully corrupted and manipulated the judicial process.' If this language were considered on its own, it clearly would be considered a condemnation and censure of the President.

"Second, and more importantly, last night I looked through the 16 previous articles of impeachment that this House has considered. And for the first time in the history of the Congress, for the first time in 210 years, this House is taking the additional step and telling the Senate that not only should the President be tried and removed from office but also disbarred from ever holding public office again. That language did not even appear in the articles of impeachment for Andrew Johnson or Richard Nixon.

"Let me repeat that, Mr. Speaker. For the first time in the history of the United States, the House is taking it upon itself to say that the power of disqualification from office should be invoked. Until today, no Member of this House has voted to do this. Until today.

"This is important. Alexander Hamilton, in Federalist 65, talks about this very issue. Hamilton says, 'Punishment is not to terminate the chastisement of the offender'. Hamilton goes on to talk about the offender having been sentenced to a perpetual ostracism from the esteem and confidence, and honors and emoluments of this country when the person is disqualified from holding public office. While this penalty is partly remedial, one can only conclude that there is something inherently punitive in forever disqualifying an individual from holding public office, and this punishment quality is intentional.

"Third, article 4 states that the President exhibited contempt for the inquiry. By charging the President with contempt, the articles open up the possibility for the House to address that contempt.

"Mr. Speaker, the precedents clearly show that contempt can be remedied by a censure of this House. It is equally clear that contempt of the House can be addressed by a privileged resolution of censure. The articles before us contain language that clearly raises the issue of punishment and censure.

"To a proposition that contains both impeachment and censure, clearly it is germane to offer a proposition for censure. For rather than expanding the purpose of the articles of impeachment, our censure resolution, in a real sense, narrows the focus of the resolution. We do not expand, we narrow the focus.

"One final point, Mr. Speaker. You have discretion. You can put the question of germaneness to this body. This is an issue that this body has never considered before. And in doing so, you could truly let the people decide."

Mr. PEASE was recognized to speak to the point of order and said:

"Mr. Speaker, what is clear from the debate in the Committee on the Judiciary and on the floor of this House is that the meaning, even the intent of a resolution of censure is not clear.

"Some contend that its purpose, no matter what it is called, is to punish the President. Others argue that it is not intended to punish but merely to state the opinion of the House on the matter. Without determining which it is, this much is now clear. If its purpose is to punish the President, no matter how it is captioned, it is a bill of attainder, that is, special legislation intended to punish and identify an individual or group without benefit of judicial proceedings, and constitutionally prohibited.

"I understand that the proposal originally before the committee has been amended so as not to require Senate action, thus diminishing it substantially in order to meet the constitutional infirmity. If it is not intended to punish the President, but merely state our opinions, it is clearly meaningless, for we have already done that extensively, some would say exhaustively.

"If anything, the debate of the last few months has brought consensus on one thing, the centrality of the rule of law to our system of government. Some contend that the rule of law is best acquitted through impeachment of the President; others that it will be upheld because of the President's exposure to proceedings in civil and criminal courts of this Nation after he leaves office.

"But all of us agree that following the rules is essential. The rules of this House, as we were reminded yesterday by both our outgoing rules chairman the gentleman from New York Mr. SOLOMON and the incoming rules chairman the gentleman from California Mr. DREIER, do not allow the interjection of nonprivileged matter into privileged matter by amendment. The articles of impeachment are privileged. The sense of the House resolution is not. The motion, though perhaps so across the rotunda, is not germane here and the point of order should therefore be sustained."

Mr. RANGEL was recognized to speak to the point of order and said:

"Mr. Speaker, I rise in opposition to the point of order that has been made by the gentleman from New York Mr. SOLOMON and in support of the motion to recommit so that this body could have before it the question as to whether or not we can vote for censure.

"As you look over the rules and precedents of this House, you will have the broad discretion to include in your ruling the question of fairness and the question of equity. Mr. Speaker, the whole world is watching."

Mr. BUYER was recognized to speak to the point of order and said:

"Mr. Speaker, if many of my colleagues are sitting here somewhat confused and scratching their heads and trying to follow this debate and they think this is a bunch of lawyers speaking lawyerly language, I kind of agree with them. They are right. I am confused.

"Now, I sat on the Judiciary Committee and I watched this debate. Let me share with my colleagues why. Here is why I am confused. When the censure resolution was offered in the Judiciary Committee, I asked questions of the author about what is its clear intent. The gentleman from Virginia (Mr. BOUCHER) was very clear to me. He said the intent of the censure resolution is not to have findings of guilt and it is not to punish. Then I questioned that, looking at the four corners of the document and got into the exact words, because it did have findings of guilt, that the President had egregiously failed, that he had violated his trust, that he lessened the esteem of his office, that he brought dishonor to his office and then as a form of punishment it sought that the President's actions were entitled to condemnation.

"The reason that the gentleman from Virginia (Mr. BOUCHER) would assert that his intent was not to have findings of guilt and not to punish is because it

would have brought it within the clear prohibition of the Constitution of bills of attainder. Now, even up to yesterday on this House floor we were still discussing bills of attainder. But now there is a problem. The problem is that how do they make a censure resolution germane as an alternative to impeachment? So they have gotten clever. The cleverness is to change the title but leave the words the same. It is no longer called a censure resolution, it is now called a sense of the House. So being clever, they have now tried to distance themselves from the clear, express constitutional prohibition on bills of attainder and now say that because this is a sense of the Congress resolution, it comes under the speech and debate clause.

"That is what is happening here, Mr. Speaker. So now that the same Members who yesterday in debate said that our intent by this was not to have findings of guilt and not to punish, if you are confused that now the same Members are saying that we are having findings of guilt and our intent is to punish, the same Members are saying that now because they have changed the title and it is merely now under the speech and debate clause.

"As one of the legal scholars testified before the Judiciary Committee, they said that if it is a sense of the Congress, it is the equivalency of Congress shouting down Pennsylvania Avenue at the President and saying, 'We think what you have done was a bad thing', and it has no other clear legal effect.

"Now, Mr. Speaker, I rise in support of the point of order on the motion to recommit because censure is not germane as an alternative to the impeachment resolution. I have great respect for every Member of this body. I have had opportunities to speak with many of them. I had a good conversation with the gentleman from Indiana (Mr. ROEMER) yesterday and he and I disagree on this issue.

"I understand the motives and the intentions of the Members of this House who would like to censure the President for his lack of integrity, responsibility and violations of the rule of law. I understand their convictions and that is why they offer this sense of the House resolution.

"Americans all across the country every day, we all try very hard to live by the rules, principles and proverbs and we teach them to our children. What are they? It is called honesty: You tell the truth, be sincere, do not deceive, mislead or be devious or use trickery. Do not withhold information in relationships of trust. Do not cheat or lie to the detriment of others nor tolerate such practice. You honor your oath. Be loyal. Support and protect your family, your friends, your community and your country. Do not violate the law and ethical principles to win personal gain. Do not ask a friend to do something wrong. Judge all people on their merits. Do not abuse or demean people. Do not use, manipulate, exploit or take advantage of others for

personal gain. Be responsible and accountable, think before you act, consider the consequences on all people by your actions."

Mr. HEFNER was recognized to speak to the point of order and said:

"Mr. Speaker, I do not understand why anybody would be confused, this being an exercise in lawyers here and all the technical things we have talked about.

"Let me just mention something here. I have been here longer than most of the people that have talked on this point of order. The most powerful committee in this House is the Rules Committee. It is the Speaker's committee. The leadership in this House and the Speaker in this House dictates the rules that will be considered on this House floor. Make no mistake about it.

"Now, it has been said that we cannot have a vote on censure because it is not constitutional. But no one, no one, has shown us why it is unconstitutional. It is an opinion. Nobody has given us concrete evidence that it is not constitutional for us to consider censure.

"Now, if that be the case and you want to make the argument that we want to be fair in these proceedings, well, then you would give us a vote on censure. The Rules Committee could have met, the gentleman from New York (Mr. SOLOMON) I think will agree, and you could have crafted any rule that you wanted. You could have waived any points of order to have a rule that comes to this floor, and you would have the votes to enforce the rule that you brought.

"But to say that it is unconstitutional and hide behind the fact that it is unconstitutional to me says we are going to have a vote for impeachment to get rid of this President and that is going to be it, period. We are not going to allow anybody to vote his conscience if it conflicts with our conscience.

"Now, I do not know about you, but this will be the last time that I will probably ever speak on the floor of this House of Representatives, and it has been the greatest privilege of my life. It has been the greatest privilege of my life to serve in this House of Representatives, and for every Member of Congress, whether I have agreed with you or not, if there is anything that I have said over these years that would have offended anybody, I would ask your forgiveness.

"The President of the United States stood before the whole world and said, I have sinned and I ask forgiveness, and that is what it is all about.

"I do not know how you are going to rule on this but just as soon as I can get finished, I want to go home and go to the Christmas programs and watch these children stand out front and spell out the name of Christmas and Jesus Christ. I want to go home and celebrate the birth of the savior Jesus Christ, the prince of peace, and if people want to stay here forever and ever and berate

the President, then you just have to let that be your Christmas legacy.

"But if you do not allow us a vote on censure, you are saying to me our mind is made up and we are going to get this President and we are not going to give you a vote on it and the deal is cut. If that be the case, we may as well all go home and have the vote now. But I hope that the Chair will not rule that this is not germane.

"I thank you very much, God bless you, and have a merry Christmas."

Mr. BARR of Georgia was recognized to speak to the point of order and said:

"Mr. Speaker, precedents are important and for precedent in this dispute, in discussing the germaneness of the motion to recommit, I believe one of the most important precedents one can turn to is the founder of the Democrat Party, President Andrew Jackson. His words, indeed, Mr. Speaker, for purposes of this particular debate are particularly relevant, because it was President Jackson who was the subject of a censure motion, and his words printed at great length in the registry of the proceedings of this Chamber in 1834 very clearly discuss, illustrate and stand for the proposition that the very carefully balanced system of checks and balances and separation of powers in our government was violated, would be violated then as it is today by any motion to censure the President as a substitute for impeachment.

"The words of Andrew Jackson should be in our minds today, should be in these halls today, because they say that a motion for censure as a substitute for impeachment is offensive to the fundamental work of this Congress, the fundamental powers of this Congress and the powers of the presidency.

This is the precedent, Mr. Speaker, that we should follow today and rule this motion for recommitment out of order as repugnant and offensive to the constitutional separation of powers on which our system of government is based."

Mr. TRAFICANT was recognized to speak to the point of order and said:

"Mr. Speaker, there has not been one Member that has addressed the legal precedents of the challenge to this motion.

"By removing further debate, there is no one else standing. I believe there is only one governing principle here today because of a lack of legislative precedents and action, and that is the Constitution. The Constitution, as has been stated, does not permit censure, but the Constitution does not prohibit censure.

"Insofar, under my parliamentary inquiry, as there is no legislative precedence that has been set, and the Founders did not place this with the elected judges of the Supreme Court, they left it to the elected Congress, therefore, they choose not to send it to judicial process but to the political process, and Congress should have the right to work its political will.

"Therefore, this motion should be defeated on the grounds that there is no

precedence, it is lacking, and it cries out for further interpretation of the Founders' actions. And the Founders' actions were clear. They did not want to place it with the Supreme Court judges that were not responsible to voters; they placed it to the Members of Congress.

Mr. Speaker, I ask that this motion be defeated."

Mr. BOUCHER was recognized to speak to the point of order and said:

"Mr. Speaker, the gentleman from Massachusetts (Mr. MOAKLEY) has answered well the arguments that have been made in support of the point of order. There is actual precedent for the acceptance by the House of a resolution of censure as an amendment to the impeachment resolution. That occurred in the matter of the impeachment of Judge Peck in 1830.

"In response to the argument that censure is nonprivileged material and that it may not be used to amend privileged material, the gentleman has pointed to instances in which the House has treated censure as privileged. And the gentleman persuasively argues that by their own language the articles of impeachment have a fundamental purpose that is both remedial and punitive. The punitive language of the censure resolution is, therefore, not inconsistent with the fundamental purpose of the articles of impeachment.

"Mr. Speaker, this is a question of first impression. The Chair has never ruled before on this precise matter. We have had in our Republic 200 years of silence on the question of whether the substitution of a resolution of censure for the President's conduct to articles of impeachment shall be considered as germane.

"Given the unprecedented nature of the question, given the extraordinary gravity of the matter that is now before the House, given the inherent unfairness of not making a censure alternative available to the Members and the inherent unfairness of disallowing the consideration of the House by the American public's clearly preferred outcome for this inquiry, which is the passage of a resolution of censure, I urge the Chair to resolve all ambiguities in the rules and all doubts about their proper application in favor of finding that the resolution of censure is germane and permitting its consideration by the House.

"A finding of germaneness would do no violence to the precedents of the House. It would not overturn previous rulings of the Chair. It would allow us today to give voice to the public's overwhelming desire to put this unfortunate matter behind us with the stern censure and rebuke which the President, for his conduct, deserves.

"I thank the Chair for his patience in listening to these arguments, and I urge his finding that the resolution of censure is germane."

Mr. MOAKLEY was recognized to speak to the point of order and said:

"Arguing in the alternative, Mr. Speaker, and I thank the Chair for its patience, arguing the alternative, if the Chair finds some merit in our argument but is not convinced in the sufficient merit to overrule the point of order, I respectfully urge the Chair to consider to put the motion, the question, directly to the House, and there is precedent for this action.

"One of the issues in deciding the germaneness of censure to impeachment is the notion that the censure is not privileged, but impeachment is. On a question of privilege, however, the early practice of the House was for the House to determine whether it should be entertained. In fact, the practice was so well established that in 1842 the Speaker, Representative John White of Kentucky, remarked he could find no instance on record where the Chair had determined what constituted a question of privilege. On the contrary, he found numerous instances where the House had settled it. This occasion is described in the third volume of Hinds' Precedents, section 2654.

"When the Speaker was asked to rule on whether a resolution regarding charges made by a Cabinet officer about Members of Congress committed a question of privilege, he said, the Speaker speaking:

For the Chair to decide in such a case would be an usurpation on its part, and what the Chair might deem a breach of privilege, the House may not deem so, and vice versa.

"Again, Mr. Speaker, I remind the Chair that this is a question of first impression. The Speaker has never in the 210 years of history of the Congress been asked to rule on whether censure is germane on impeachment. There is no precedence directly on point. The question has not arisen in the past, although the House has taken up an amendment that would have converted impeachment to censure in the matter of Judge Peck.

"Mr. Speaker, in a matter so grave as this, to deny the House a vote of conscience, I beg the Chair not to base its decision on a narrow and technical interpretation, and if the Chair cannot see its way to accept entirely our argument on the merits, I ask the Chair to put the question directly to the House."

The SPEAKER pro tempore, Mr. LAHOOD, sustained the point of order, and said:

"Knowing that the House may wish to express its will on this question, the Chair nevertheless will follow the course set by presiding officers for at least the past 150 years by rendering a decision from the Chair.

"The gentleman from New York has made the point of order that the amendment in the motion to recommit offered by the gentleman from Virginia is not germane to House Resolution 611.

"The rule of germaneness derives directly from the authority of the House under section 5 in article I of the Constitution to determine its own rules. It

has governed the proceedings of the House for all of its 210-year history. Its applicability to a motion to recommit is well established. As reflected in the Deschler-Brown Precedents in volume 10, chapter 28, both at section 1 and at section 17.2, then-Majority Leader Carl Albert made these general observations about the rule in 1965, and I quote:

It is a rule which has been insisted upon by Democrats and Republicans alike ever since the Democratic and Republican parties have been in existence.

It is a rule without which this House could never complete its legislative program if there happened to be a substantial minority in opposition.

One of the great things about the House of Representatives and one of the things that distinguish[es] it from other legislative bodies is that we do operate on the rule of germaneness.

No legislative body of this size could ever operate unless it did comply with the rule of germaneness.

"At the outset the Chair will state two guiding principles.

"First, an otherwise privileged resolution is rendered nonprivileged by the inclusion of nonprivileged matter. This principle is exemplified in the ruling of Speaker Clark on January 11, 1916, which is recorded in Cannon's Precedents at volume 6, section 468. Accordingly, to a resolution pending as privileged, an amendment proposing to broach nonprivileged matter is not germane.

"Second, to be germane, an amendment must share a common fundamental purpose with the pending proposition. This principle is annotated in section 798b of the House Rules and Manual. Accordingly, to a pending resolution addressing one matter, an amendment proposing to broach an intrinsically different matter is not germane.

"As the excellent arguments in debate on this point of order have made clear, these two principles are closely intertwined in any analysis of the relationship between the amendment proposed in the motion to recommit and the pending resolution. The Chair thanks those who have brought their arguments to the attention of the Chair.

"The pending resolution proposes to impeach the President of the United States. As such, it invokes an exclusive constitutional prerogative of the House. The final clause of section 2 in Article I of the Constitution mandates that the House, 'shall have the sole power of impeachment'. For this reason, the pending proposal constitutes a question of the privileges of the House within the meaning of Rule IX. Ample precedent is annotated in the House Rules and Manual at section 604.

"The amendment in the motion to recommit offered by the gentleman from Virginia proposes instead to censure the President. It has no comparable nexus to an exclusive constitutional prerogative of the House. Indeed, clause 7 of section 3 in article I of the Constitution prescribes that 'judgment in cases of impeachment shall not ex-

tend further than to removal from office and disqualification to hold and enjoy any office of honor, trust or profit under the United States'.

"An instructive contrast appears in clause 2 of section 5 in article I of the Constitution, which establishes a range of alternative disciplinary sanctions for Members of Congress by stating that each House may, 'punish its Members for disorderly behavior, and with the concurrence of two-thirds, expel a Member'. This contrast demonstrates that, while the constitutional power of either body in Congress to punish one of its Members extends through a range of alternatives, the constitutional power of the Congress to remove the President, consistent with the separation of powers, is confined to the impeachment process.

"Thus, a proposal to discipline a Member may admit as germane an amendment to increase or decrease the punishment (except expulsion, which the Chair will address presently), in significant part because the Constitution contemplates that the House may impose alternative punishments. But a resolution of impeachment, being a question of privileges of the House because it invokes an exclusive constitutional prerogative of the House, cannot admit as germane an amendment to convert the remedial sanction of potential removal to a punitive sanction of censure, as that would broach nonprivileged matter. For this conclusion the Chair finds support in Hinds' Precedents at volume 5, section 5810, as cited in Deschler's Precedents at volume 3, chapter 14, section 1.3, footnote 8.

"The qualitative difference between these two contrasting sources of disciplinary authority in the Constitution signifies an intrinsic parliamentary difference between impeachment and an alternative sanction against the President. The Chair believes that this distinction is supported in the cited precedents and is specifically discussed in the parliamentary notes on pages 400 and 401 of the cited volume. An analogous case emphasizing an intrinsic difference is recorded in Cannon's Precedents at volume 6, section 236, reflecting that on October 27, 1921, Speaker Gillett held that an amendment proposing to censure a Member of the House was not germane to a resolution proposing that the Member be expelled from the House.

"The cited precedent reveals several occasions when the Committee on the Judiciary, having been referred a question of impeachment against a civil officer of the United States, reported a recommendation that impeachment was not warranted and, thereafter, called upon the report as a question of privilege.

"The occasional inclusion in an accompanying report of the Committee on the Judiciary of language recommending that an official be censured has not been held to destroy the privilege of an accompanying resolution that does not, itself, convey the language of censure.

"The Chair is aware that, in the consideration of a resolution proposing to impeach Judge James Peck in 1830, the House considered an amendment proposing instead to express disapproval while refraining from impeachment. In that instance no Member rose to a point of order, and no parliamentary decision was entered from the Chair or by the House. The amendment was considered by common sufferance. That no Member sought to enforce the rule of germaneness on that occasion does not establish a precedent of the House that such an amendment would be germane.

"Where the pending resolution addresses impeachment as a question of the privileges of the House, the rule of germaneness requires that any amendment confine itself to impeachment, whether addressing it in a positive or a negative way. Although it may be possible by germane amendment to convert a reported resolution of impeachment to resolve that impeachment is not warranted, an alternative sanction having no equivalent constitutional footing may not be broached as a question of privilege and, correspondingly, is not germane.

"The Chair acknowledges that the language of House Resolution 611 articulates its proposition for impeachment in language that, itself, tends to convey opprobrium. The Chair must remain cognizant, however, that the resolution does so entirely in the framework of the articles of impeachment. Rather than inveighing any separate censure, the resolution only effects the constitutional prayer for judgment by the Senate.

"The Chair is not passing on the ultimate constitutionality of a separate resolution of censure. Indeed, the Chair does not judge the constitutionality of measures before the House. Rather, the Chair holds today only that the instant proposal to censure or otherwise admonish the President of the United States—as it does not constitute a question of the privileges of the House—is not germane to the pending resolution of impeachment—an intrinsically separate question of the privileges of the House."

Mr. GEPHARDT appealed the ruling of the Chair.

The question being put, *viva voce*, Will the decision of the Chair stand as the judgment of the House?

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

Mr. ARMEY moved to lay the appeal on the table.

The question being put, *viva voce*, Will the House lay on the table the appeal of the ruling of the Chair?

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

Mr. GEPHARDT 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 230
Nays 204

¶119.7 [Roll No. 542] YEAS—230

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

NAYS—204

Abercrombie	Bonior	Clyburn
Ackerman	Borski	Condit
Allen	Boswell	Conyers
Andrews	Boucher	Costello
Baesler	Boyd	Coyne
Baldacci	Brady (PA)	Cramer
Barcia	Brown (CA)	Cummings
Barrett (WI)	Brown (FL)	Danner
Becerra	Brown (OH)	Davis (FL)
Bentsen	Capps	Davis (IL)
Berman	Cardin	DeFazio
Berry	Carson	DeGette
Bishop	Clay	Delahunt
Blagojevich	Clayton	DeLauro
Blumenauer	Clement	Deutsch

Dicks	Kucinich	Poshard
Dingell	LaFalce	Price (NC)
Dixon	Lampson	Rahall
Doggett	Lantos	Rangel
Dooley	Lee	Reyes
Doyle	Levin	Rivers
Edwards	Lewis (GA)	Rodriguez
Engel	Lipinski	Roemer
Eshoo	Lofgren	Rothman
Etheridge	Lowe	Roybal-Allard
Evans	Luther	Rush
Farr	Maloney (CT)	Sabo
Fattah	Maloney (NY)	Sanchez
Fazio	Manton	Sanders
Filner	Markey	Sandlin
Ford	Martinez	Sawyer
Frank (MA)	Mascara	Schumer
Frost	Matsui	Scott
Furse	McCarthy (MO)	Serrano
Gejdenson	McCarthy (NY)	Sherman
Gephardt	McDermott	Sisisky
Gonzalez	McGovern	Skaggs
Gordon	McHale	Skelton
Green	McIntyre	Slaughter
Gutierrez	McKinney	Smith, Adam
Hall (OH)	McNulty	Snyder
Hamilton	Meehan	Spratt
Harman	Meek (FL)	Stabenow
Hastings (FL)	Meeks (NY)	Stark
Hefner	Menendez	Stokes
Hilliard	Millender-	Strickland
Hinche	McDonald	Stupak
Hinojosa	Minge	Tanner
Holden	Mink	Tauscher
Hoolley	Moakley	Thompson
Hoyer	Mollohan	Thurman
Jackson (IL)	Moran (VA)	Tierney
Jackson-Lee	Morella	Torres
(TX)	Murtha	Towns
Jefferson	Nadler	Trafigant
John	Neal	Turner
Johnson (WI)	Oberstar	Velazquez
Johnson, E. B.	Obey	Vento
Kanjorski	Olver	Visclosky
Kaptur	Ortiz	Waters
Kennedy (MA)	Owens	Watt (NC)
Kennedy (RI)	Pallone	Waxman
Kennelly	Pascrell	Wexler
Kildee	Pastor	Weygand
Kilpatrick	Payne	Wise
Kind (WI)	Pelosi	Woolsey
King (NY)	Peterson (MN)	Wynn
Klecicka	Pickett	Yates
Klink	Pomeroy	

NOT VOTING—1
Miller (CA)

So the motion to lay the appeal of the ruling of the Chair 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.

Pursuant to the order of the House of December 18, 1998, the question was divided by Article.

The question being put, viva voce, Will the House adopt Article I of said resolution?

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

Mr. SENSENBRENNER 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 228
affirmative } Nays 206

¶119.8 [Roll No. 543]
YEAS—228

Aderholt	Barrett (NE)	Bilirakis
Archer	Bartlett	Billey
Armey	Barton	Blunt
Bachus	Bass	Boehert
Baker	Bateman	Boehner
Ballenger	Bereuter	Bonilla
Barr	Bilbray	Bono

Brady (TX)	Hansen	Petri
Bryant	Hastert	Pickering
Bunning	Hastings (WA)	Pitts
Burr	Hayworth	Pombo
Burton	Hefley	Porter
Buyer	Herger	Portman
Callahan	Hill	Pryce (OH)
Calvert	Hilleary	Quinn
Camp	Hobson	Radanovich
Campbell	Hoekstra	Ramstad
Canady	Horn	Randolph
Cannon	Hostettler	Regula
Castle	Hulshof	Riggs
Chabot	Hunter	Riley
Chambliss	Hutchinson	Rogan
Chenoweth	Hyde	Rogers
Christensen	Inglis	Rohrabacher
Coble	Istook	Ros-Lehtinen
Coburn	Jenkins	Roukema
Collins	Johnson (CT)	Royce
Combust	Johnson, Sam	Ryun
Cook	Jones	Salmon
Cooksey	Kasich	Sanford
Cox	Kelly	Saxton
Crane	Kim	Scarborough
Crapo	Kingston	Schaefer, Dan
Cubin	Klug	Schaffer, Bob
Cunningham	Knollenberg	Sensenbrenner
Davis (VA)	Kolbe	Sessions
Deal	LaHood	Shadegg
DeLay	Largent	Shaw
Diaz-Balart	Latham	Shimkus
Dickey	LaTourrette	Shuster
Doolittle	Lazio	Skeen
Dreier	Leach	Smith (MI)
Duncan	Lewis (CA)	Smith (NJ)
Dunn	Lewis (KY)	Smith (OR)
Ehlers	Linder	Smith (TX)
Ehrlich	Livingston	Smith, Linda
Emerson	LoBiondo	Snowbarger
English	Lucas	Solomon
Ensign	Manzullo	Spence
Everett	McCollum	Stearns
Ewing	McCrery	Stenholm
Fawell	McDade	Stump
Foley	McHale	Sununu
Forbes	McHugh	Talent
Fossella	McInnis	Tauzin
Fowler	McIntosh	Taylor (MS)
Fox	McKeone	Taylor (NC)
Franks (NJ)	Metcalf	Thomas
Gallegly	Mica	Thornberry
Ganske	Miller (FL)	Thune
Gekas	Moran (KS)	Tiaht
Gibbons	Myrick	Upton
Gilchrest	Nethercutt	Walsh
Gillmor	Neumann	Wamp
Gilman	Ney	Watkins
Gingrich	Northup	Watts (OK)
Goode	Norwood	Weldon (FL)
Goodlatte	Nussle	Weldon (PA)
Goodling	Oxley	Weller
Goss	Packard	White
Graham	Pappas	Whitfield
Granger	Parker	Wicker
Greenwood	Paul	Wilson
Gutknecht	Paxon	Wolf
Hall (TX)	Pease	Young (AK)
	Peterson (PA)	Young (FL)

NAYS—206

Abercrombie	Clement	Fazio
Ackerman	Clyburn	Filner
Allen	Condit	Ford
Andrews	Conyers	Frank (MA)
Baesler	Costello	Frost
Baldacci	Coyne	Furse
Barcia	Cramer	Gejdenson
Barrett (WI)	Cummings	Gephardt
Becerra	Danner	Gonzalez
Bentsen	Davis (FL)	Gordon
Berman	Davis (IL)	Green
Berry	DeFazio	Gutierrez
Bishop	DeGette	Hall (OH)
Blagojevich	Delahunt	Hamilton
Blumenauer	DeLauro	Harman
Bonior	Deutsch	Hastings (FL)
Borski	Dicks	Hefner
Boswell	Dingell	Hilliard
Boucher	Dixon	Hinche
Boyd	Doggett	Hinojosa
Brady (PA)	Dooley	Holden
Brown (CA)	Doyle	Hoolley
Brown (FL)	Edwards	Houghton
Brown (OH)	Engel	Hoyer
Capps	Eshoo	Jackson (IL)
Cardin	Etheridge	Jackson-Lee
Carson	Evans	(TX)
Clay	Farr	Jefferson
Clayton	Fattah	John

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

NOT VOTING—1
Miller (CA)

So, Article I of said resolution was adopted.

Accordingly, The question being put, viva voce,

Will the House adopt Article II of said resolution?

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

Mr. SENSENBRENNER 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 205
negative } Nays 229

¶119.9 [Roll No. 544]
YEAS—205

Aderholt	Canady	Ewing
Archer	Cannon	Fawell
Armey	Chabot	Forbes
Bachus	Chambliss	Fossella
Baker	Chenoweth	Fowler
Ballenger	Christensen	Fox
Barr	Coble	Franks (NJ)
Barrett (NE)	Coburn	Frelinghuysen
Bartlett	Collins	Gallegly
Barton	Combust	Ganske
Bass	Cook	Gekas
Bateman	Cooksey	Gilchrest
Bereuter	Cox	Gillmor
Bilbray	Crane	Gingrich
Bilirakis	Crapo	Goode
Billey	Cubin	Goodlatte
Blunt	Cunningham	Goodling
Boehert	Davis (VA)	Goss
Boehner	Deal	Granger
Bonilla	DeLay	Gutknecht
Bono	Diaz-Balart	Hall (TX)
Brady (TX)	Doolittle	Hansen
Bryant	Dreier	Hastert
Bunning	Duncan	Hastings (WA)
Burton	Dunn	Hayworth
Buyer	Ehlers	Hefley
Callahan	Ehrlich	Herger
Calvert	Emerson	Hill
Camp	Everett	Hilleary

Hoekstra
Horn
Hostettler
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCullum
McCreary
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)

Moran (KS)
Myrick
Nethercutt
Neumann
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Quinn
Radanovich
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Saxton
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions

Shadegg
Shimkus
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Spence
Stearns
Stenholm
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—229

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Burr
Campbell
Capps
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
Deutsch
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
English

Ensign
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Foley
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gilman
Gonzalez
Gordon
Graham
Green
Greenwood
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Hobson
Holden
Hooley
Houghton
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (WI)
Johnson, E.B.
Kanjorski
Kaptur
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kleczka
Klink
Klug
Kucinich

LaFalce
Lampson
Lantos
Lazio
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Nadler
Neal
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Pryce (OH)
Rahall

Ramstad
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Scarborough
Schumer
Scott
Serrano

Shaw
Shays
Sherman
Shuster
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam
Snyder
Souder
Spratt
Stabenow
Stark
Stokes
Strickland
Stupak
Tanner
Tauscher

NOT VOTING—1

Miller (CA)

So, Article II of said resolution was not adopted.

Accordingly,

The question being put, *viva voce*,

Will the House adopt Article III of said resolution?

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

Mr. SOLOMON 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 221
affirmative { Nays 212

119.10

[Roll No. 545]

YEAS—221

Aderholt
Archer
Armey
Bachus
Baker
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bileyle
Blunt
Boehner
Bohilla
Bono
Brady (TX)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Chabot
Chambliss
Chenoweth
Christensen
Coble
Coburn
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cubin
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart

Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
Ensign
Everett
Ewing
Fawell
Foley
Forbes
Fossella
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Goode
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hall (TX)
Hansen
Hastert
Hastings (WA)
Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Horn
Hostettler
Hulshof
Hunter
Hutchinson

Hyde
Inglis
Istook
Jenkins
Johnson, Sam
Jones
Kasich
Kelly
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCullum
McCreary
McDade
McHale
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
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
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough

Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shadegg
Shaw
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stenholm
Stump
Sununu
Talent

Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)

NAYS—212

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Boehlert
Bonior
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Castle
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
English
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gonzalez
Gordon
Green
Gutierrez

Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Houghton
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kleczka
Kucinich
LaFalce
Lampson
Lantos
Lazio
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha

Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Pryce (OH)
Rahall

NOT VOTING—2

Allen

Miller (CA)

So, Article III of said resolution was adopted.

Accordingly,

The question being put, *viva voce*,

Will the House adopt Article IV of said resolution?

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

Ms. LOFGREN 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 148
negative { Nays 285

¶119.11 [Roll No. 546]
YEAS—148

Aderholt	Ewing	Paul
Archer	Forbes	Paxon
Armey	Fowler	Pease
Bachus	Fox	Peterson (PA)
Baker	Gallegly	Pickering
Ballenger	Gekas	Pitts
Barr	Gibbons	Pombo
Barrett (NE)	Gingrich	Radanovich
Bartlett	Goodlatte	Redmond
Barton	Goodling	Riley
Bateman	Graham	Rogan
Bilirakis	Gutknecht	Rohrabacher
Bliley	Hansen	Ros-Lehtinen
Blunt	Hastert	Roukema
Boehner	Hastings (WA)	Royce
Bono	Hayworth	Ryun
Brady (TX)	Herger	Salmon
Bryant	Hillery	Sanford
Bunning	Hoekstra	Schaefer, Dan
Burton	Horn	Schaffer, Bob
Buyer	Hostettler	Sensenbrenner
Callahan	Hunter	Sessions
Calvert	Hutchinson	Skeen
Camp	Hyde	Smith (MI)
Canady	Inglis	Smith (NJ)
Cannon	Istook	Smith (OR)
Chabot	Johnson, Sam	Smith (TX)
Chambliss	Jones	Smith, Linda
Chenoweth	Kingston	Snowbarger
Christensen	Knollenberg	Solomon
Coble	LaHood	Spence
Coburn	Lewis (CA)	Stearns
Collins	Lewis (KY)	Stump
Combest	Linder	Sununu
Cook	Livingston	Talent
Cooksey	Lucas	Taylor (MS)
Cox	Manzullo	Taylor (NC)
Crane	McCollum	Thomas
Crapo	McDade	Tiahrt
Cubin	McKeon	Wamp
Cunningham	Metcalf	Watkins
Deal	Mica	Watts (OK)
DeLay	Miller (FL)	Weldon (FL)
Diaz-Balart	Myrick	Wicker
Doolittle	Neumann	Wilson
Dreier	Norwood	Wolf
Duncan	Nussle	Young (AK)
Dunn	Oxley	Young (FL)
Ehlers	Packard	
Everett	Pappas	

NAYS—285

Abercrombie	Boswell	Cramer
Ackerman	Boucher	Cummings
Andrews	Boyd	Danner
Baesler	Brady (PA)	Davis (FL)
Baldacci	Brown (CA)	Davis (IL)
Barcia	Brown (FL)	Davis (VA)
Barrett (WI)	Brown (OH)	DeFazio
Bass	Burr	DeGette
Becerra	Campbell	Delahunt
Bentsen	Capps	DeLauro
Bereuter	Cardin	Deutsch
Berman	Carson	Dickey
Berry	Castle	Dicks
Bilbray	Clay	Dingell
Bishop	Clayton	Dixon
Blagojevich	Clement	Doggett
Blumenauer	Clyburn	Dooley
Boehlert	Condit	Doyle
Bonilla	Conyers	Edwards
Bonior	Ehrlich	Costello
Borski	Coyne	Emerson

Engel	Kucinich	Quinn
English	LaFalce	Rahall
Ensign	Lampson	Ramstad
Eshoo	Lantos	Rangel
Etheridge	Largent	Regula
Evans	Latham	Reyes
Farr	LaTourette	Riggs
Fattah	Lazio	Rivers
Fawell	Leach	Rodriguez
Fazio	Lee	Roemer
Filner	Levin	Rogers
Foley	Lewis (GA)	Rothman
Ford	Lipinski	Roybal-Allard
Fossella	LoBiondo	Rush
Frank (MA)	Lofgren	Sabo
Franks (NJ)	Lowey	Sanchez
Frelinghuysen	Luther	Sanders
Frost	Maloney (CT)	Sandlin
Furse	Maloney (NY)	Sawyer
Ganske	Manton	Saxton
Gejdenson	Markey	Scarborough
Gephardt	Martinez	Schumer
Gilchrest	Mascara	Scott
Gillmor	Matsui	Serrano
Gilman	McCarthy (MO)	Shadegg
Gonzalez	McCarthy (NY)	Shaw
Goode	McCrery	Shays
Gordon	McDermott	Sherman
Goss	McGovern	Shimkus
Granger	McHale	Shuster
Green	McHugh	Sisisky
Greenwood	McInnis	Skaggs
Gutierrez	McIntosh	Skelton
Hall (OH)	McIntyre	Slaughter
Hall (TX)	McKinney	Smith, Adam
Hamilton	McNulty	Snyder
Harman	Meehan	Souder
Hastings (FL)	Meek (FL)	Spratt
Hefley	Meeke (NY)	Stabenow
Hefner	Menendez	Stark
Hill	Millender-McDonald	Stenholm
Hilliard	Minge	Stokes
Hinchev	Mink	Strickland
Hinojosa	Moakley	Stupak
Hobson	Mollohan	Tanner
Holden	Moran (KS)	Tauscher
Hooley	Moran (VA)	Tauzin
Houghton	Morella	Thompson
Hoyer	Murtha	Thornberry
Hulshof	Nadler	Thune
Jackson (IL)	Neal	Thurman
Jackson-Lee (TX)	Nethercutt	Tierney
Jefferson	Ney	Torres
Jenkins	Northup	Towns
John	Oberstar	Traficant
Johnson (CT)	Obey	Turner
Johnson (WI)	Olver	Upton
Johnson, E.B.	Ortiz	Velazquez
Kanjorski	Owens	Vento
Kaptur	Pallone	Visclosky
Kasich	Parker	Walsh
Kelly	Pascrell	Waters
Kennedy (MA)	Pastor	Watt (NC)
Kennedy (RI)	Payne	Waxman
Kennedy	Pelosi	Weldon (PA)
Kildee	Peterson (MN)	Weller
Kilpatrick	Petri	Wexler
Kim	Pickett	Weygand
Kind (WI)	Pomeroy	White
King (NY)	Porter	Whitfield
Kleczyka	Portman	Wise
Klink	Poshard	Woolsey
Klug	Price (NC)	Wynn
Kolbe	Pryce (OH)	Yates

NOT VOTING—2

Allen	Miller (CA)
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So, Article IV of said resolution was not adopted.

A motion to reconsider the votes whereby said Article I and III were agreed to and Article II and IV were agreed to was, by unanimous consent, laid on the table.

¶119.12 NOTICE—CONSIDERATION OF RESOLUTION—QUESTION OF PRIVILEGES

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

Resolved, That Mr. Hyde, Mr. Sensenbrenner, Mr. McCollum, Mr. Gekas, Mr. Canady, Mr. Buyer, Mr. Bryant, Mr. Chabot, Mr.

Barr, Mr. Hutchinson, Mr. Cannon, Mr. Rogan, and Mr. Graham are appointed managers to conduct the impeachment trial against William Jefferson Clinton, President of the United States, that a message be sent to the Senate to inform the Senate of these appointments, and that the managers so appointed may, in connection with the preparation and the conduct of the trial, exhibit the articles of impeachment to the Senate and take all other actions necessary, which may include the following:

(1) Employing legal, clerical, and other necessary assistants and incurring such other expenses as may be necessary, to be paid from amounts available to the Committee on the Judiciary under applicable expense resolutions or from the applicable accounts of the House of Representatives.

(2) Sending for persons and papers, and filing with the Secretary of the Senate, on the part of the House of Representatives, any pleadings, in conjunction with or subsequent to, the exhibition of the articles of impeachment that the managers consider necessary.

The SPEAKER pro tempore, Mr. LAHOOD, responded to the foregoing notice, and said:

The resolution offered by the gentleman from Illinois (Mr. HYDE) is a question of the privileges of the House.

The Chair recognizes the gentleman from Illinois (Mr. HYDE) to proceed immediately on the resolution.

¶119.13 PRIVILEGES OF THE HOUSE—PROVIDING FOR CERTAIN APPOINTMENTS AND PROCEDURES RELATING TO THE IMPEACHMENT OF THE PRESIDENT PROCEEDINGS

Mr. HYDE, pursuant to clause 2(a)(1) of rule IX, called up the following resolution (H. Res. 614), as a question of the privileges of the House:

Resolved, That Mr. Hyde, Mr. Sensenbrenner, Mr. McCollum, Mr. Gekas, Mr. Canady, Mr. Buyer, Mr. Bryant, Mr. Chabot, Mr. Barr, Mr. Hutchinson, Mr. Cannon, Mr. Rogan, and Mr. Graham are appointed managers to conduct the impeachment trial against William Jefferson Clinton, President of the United States, that a message be sent to the Senate to inform the Senate of these appointments, and that the managers so appointed may, in connection with the preparation and the conduct of the trial, exhibit the articles of impeachment to the Senate and take all other actions necessary, which may include the following:

(1) Employing legal, clerical, and other necessary assistants and incurring such other expenses as may be necessary, to be paid from amounts available to the Committee on the Judiciary under applicable expense resolutions or from the applicable accounts of the House of Representatives.

(2) Sending for persons and papers, and filing with the Secretary of the Senate, on the part of the House of Representatives, any pleadings, in conjunction with or subsequent to, the exhibition of the articles of impeachment that the managers consider necessary.

The SPEAKER pro tempore, Mr. LAHOOD, ruled that the resolution submitted did present a question of the privileges of the House under rule IX, and pursuant to the previous order of the House, recognized Mr. HYDE and Mr. CONYERS for five minutes each.

After debate, Pursuant to the order of the House of December 18, 1998, 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. HYDE 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 228 affirmative } Nays 190

¶119.14 [Roll No. 547] YEAS—228

- Aderholt
- Archer
- Armey
- Bachus
- Baker
- Ballenger
- Barr
- Barrett (NE)
- Bartlett
- Barton
- Bass
- Bateman
- Bereuter
- Bilbray
- Bilirakis
- Bliley
- Blunt
- Boehlert
- Boehner
- Bonilla
- Bono
- Brady (TX)
- Bryant
- Bunning
- Burr
- Burton
- Callahan
- Calvert
- Camp
- Campbell
- Canady
- Cannon
- Castle
- Chabot
- Chambliss
- Chenoweth
- Christensen
- Coble
- Coburn
- Collins
- Combest
- Cook
- Cooksey
- Cox
- Crane
- Crapo
- Cubin
- Cunningham
- Davis (VA)
- Deal
- DeLay
- Diaz-Balart
- Dickey
- Doolittle
- Dreier
- Duncan
- Dunn
- Ehlers
- Ehrlich
- Emerson
- English
- Ensign
- Everett
- Ewing
- Fawell
- Foley
- Forbes
- Fossella
- Fowler
- Fox
- Franks (NJ)
- Frelinghuysen
- Galleghy
- Ganske
- Gekas
- Gibbons
- Gilchrest
- Gillmor
- Gilman
- Gingrich
- Goode
- Goodlatte
- Goodling
- Goss
- Graham
- Granger
- Greenwood
- Gutknecht
- Hall (TX)
- Hansen
- Hastert
- Hastings (WA)
- Hayworth
- Hefley
- Heger
- 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)
- Linder
- Livingston
- LoBiondo
- Lucas
- Manzullo
- McCollum
- McCrery
- McDade
- McHale
- 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
- Salmon
- Sanford
- Saxton
- Scarborough
- Schaefer, Dan
- Schaffer, Bob
- Sensenbrenner
- Sessions
- Shadegg
- Shaw
- Shimkus
- Shuster
- Skeen
- Smith (MI)
- Smith (NJ)

- Smith (TX)
- Smith, Linda
- Snowbarger
- Solomon
- Souder
- Spence
- Stearns
- Stenholm
- Stump
- Sununu
- Talent

- Tauzin
- Taylor (MS)
- Taylor (NC)
- Thomas
- Thornberry
- Thune
- Tiahrt
- Upton
- Walsh
- Wamp
- Watkins

- Watts (OK)
- Weldon (FL)
- Weldon (PA)
- Weller
- White
- Whitfield
- Wicker
- Wilson
- Wolf
- Young (AK)
- Young (FL)

NAYS—190

- Abercrombie
- Ackerman
- Andrews
- Baessler
- Baldacci
- Barcia
- Barrett (WI)
- Becerra
- Bentsen
- Berman
- Berry
- Bishop
- Blagojevich
- Blumenauer
- Bonior
- Borski
- Boswell
- Boucher
- Boyd
- Brady (PA)
- Brown (CA)
- Brown (FL)
- Brown (OH)
- Capps
- Cardin
- Carson
- Clay
- Clement
- Clyburn
- Condit
- Coyne
- Cramer
- Cummings
- Davis (FL)
- Davis (IL)
- DeFazio
- Delahunt
- DeLauro
- Deutsch
- Dicks
- Dingell
- Dixon
- Doggett
- Dooley
- Doyle
- Edwards
- Engel
- Eshoo
- Etheridge
- Evans
- Farr
- Fattah
- Fazio
- Filner
- Ford
- Frank (MA)
- Frost
- Gejdenson
- Gephardt
- Gonzalez
- Gordon
- Green
- Gutierrez
- Hall (OH)

- Hamilton
- Harman
- Hastings (FL)
- Hefner
- Hilliard
- Hinchev
- Hinojosa
- Holden
- Hooley
- Houghton
- Hoyer
- Jackson (IL)
- Jackson-Lee (TX)
- Jefferson
- John
- Johnson (WI)
- Johnson, E. B.
- Kanjorski
- Kaptur
- Kennedy (MA)
- Kennedy (RI)
- Kildee
- Kilpatrick
- Kind (WI)
- Kleczka
- Klink
- Kucinich
- LaFalce
- Lampson
- Lantos
- Lee
- Levin
- Lewis (GA)
- Lofgren
- Lowey
- Luther
- Maloney (CT)
- Maloney (NY)
- Manton
- Markey
- Martinez
- Mascara
- Matsui
- McCarthy (NY)
- McDermott
- McGovern
- McIntyre
- McKinney
- McNulty
- Meehan
- Meeke (FL)
- Meeks (NY)
- Menendez
- Millender-McDonald
- Minge
- Mink
- Moakley
- Mollohan
- Moran (VA)
- Nadler
- Oberstar
- Obey

- Olver
- Ortiz
- Owens
- Pallone
- Pascarella
- Pastor
- Payne
- Pelosi
- Peterson (MN)
- Pickett
- Pomeroy
- Price (NC)
- Rahall
- Rangel
- Reyes
- Rivers
- Rodriguez
- Roemer
- Rothman
- Roybal-Allard
- Rush
- Sabo
- Sanchez
- Sanders
- Sandlin
- Sawyer
- Schumer
- Scott
- Serrano
- Shays
- Sherman
- Sisisky
- Skaggs
- Skelton
- Slaughter
- Smith, Adam
- Snyder
- Spratt
- Stabenow
- Stark
- Stokes
- Strickland
- Stupak
- Tanner
- Tauscher
- Thompson
- Thurman
- Tierney
- Torres
- Towns
- Traficant
- Turner
- Velazquez
- Vento
- Visclosky
- Waters
- Watt (NC)
- Waxman
- Wexler
- Weygand
- Wise
- Woolsey
- Wynn
- Yates

NOT VOTING—17

- Allen
- Buyer
- Clayton
- Conyers
- Costello
- Danner

- DeGette
- Furse
- Kennelly
- Lipinski
- McCarthy (MO)
- Miller (CA)

- Murtha
- Neal
- Poshard
- Ryun
- Smith (OR)

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.

And then,

¶119.15 ADJOURNMENT SINE DIE

Mr. SOLOMON, pursuant to section 3 of House Concurrent Resolution 353 and as the designee of the Majority Leader, moved that the House do now adjourn.

Accordingly,

The SPEAKER pro tempore, Mr. LAHOOD, in accordance with the provisions of House Concurrent Resolution 353, at 2 o'clock and 36 minutes p.m., declared the second session of the One Hundred Fifth Congress adjourned sine die.

¶119.16 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII,

Mr. HYDE introduced a resolution (H. Res. 614) appointing and authorizing managers for the impeachment trial of William Jefferson Clinton, President of the United States; which was considered and agreed to.

¶119.17 MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

408. The SPEAKER presented a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 166 memorializing the Congress of the United States to enact Congress Roukema's amendment to H.R.4328 which would require the United States Secretary of Transportation to waive repayment of any Federal-aid highway funds expended on the construction of high occupancy vehicle ("HOV") lanes on Interstate Highway Route No. 287 if the New Jersey Commissioner of Transportation assures the Secretary that the removal of HOV lane restriction on Interstate Route 287 is in the public interest; to the Committee on Transportation and Infrastructure.

409. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 361 memorializing the Congress of the United States to rescind its mandate that the United States Department of Health and Human Services develop a national health identifier and to restrict the use of Social Security numbers to the purposes of Social Security and use permitted by law; to the Committee on Ways and Means.

¶119.18 PETITIONS, ETC.

Under clause 1 of rule XXII,

93. The SPEAKER presented a petition of the Legislature of Rockland County, relative to Resolution No. 500, petitioning the Congress of the United States to oppose passage of the proposed wireless and public safety act of 1998 insofar as it limits local consultation in the siting and building of wireless communications facilities on federally owned property; jointly to the Committees on Commerce and Transportation and Infrastructure.