

105TH CONGRESS
2D SESSION

H. RES. 341

Relating to a question of the privileges of the House.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 1998

Mr. GEPHARDT submitted the following resolution; which failed of adoption

RESOLUTION

Relating to a question of the privileges of the House.

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

Whereas a Notice of Contest of Election was filed with the Clerk of the House by Mr. Robert Dornan on December 26, 1996;

Whereas the Task Force on the Contested Election in the 46th District of California met on February 26, 1997, in Washington, D.C., on April 19, 1997, in Orange County, California, and on October 24, 1997, in Washington, D.C.;

Whereas Mr. Robert Dornan made unsubstantiated charges of improper voting from a business, rather than a resi-

dent address; underage voting; double voting; and large numbers of individuals voting from the same address;

Whereas these charges are without merit, as it was found that those voting from the same address included United States Marines residing at a Marine barracks and nuns residing at a domicile of nuns; that business addresses were legal residences for the individuals, including the zoo keeper of the Santa Ana zoo; that duplicate voting was by different individuals and those accused of underage voting were of age;

Whereas the Committee on House Oversight has issued unprecedented subpoenas directing the Immigration and Naturalization Service to compare its records with Orange County voter registration records, the first time in any election in the history of the United States that the INS has been asked by Congress to verify the citizenship of voters;

Whereas the INS has complied with the committee's request and, at the committee's request, for over eight months, has engaged in a manual check of its paper files and has provided worksheets containing supplemental information on that manual check to the Committee on House Oversight;

Whereas the committee's investigation has extended far beyond a review of those who actually voted in this contested election;

Whereas the District Attorney of Orange County has ended his investigation and an Orange County Grand Jury has refused to return any indictments and allegations of a conspiracy to engage in voter fraud have been proven groundless;

Whereas the Committee on House Oversight has received a report from the Secretary of State of California, in response to the committee's request, which yielded no new information;

Whereas the committee's requests have caused this contest to be needlessly extended for four additional months while the Secretary of State of California provided no new information regarding the citizenship status of registrants or voters;

Whereas the Task Force on the Contested Election in the 46th District of California and the committee have been reviewing these materials and have all the information they need regarding who voted in the 46th District and all the information required to make judgments concerning those votes;

Whereas the Committee on House Oversight has after thirteen months of review and investigation failed to present any credible evidence demonstrating that Congresswoman Sanchez did not win this election and continues to pursue never ending and groundless areas of investigation;

Whereas contestant Robert Dornan has not shown or provided credible evidence that the outcome of the election is other than Congresswoman Sanchez's election to the Congress; and

Whereas the Committee on House Oversight should complete its review of this matter and bring this contest to an end:
Now, therefore, be it

- 1 *Resolved*, That the election contest concerning the
- 2 46th District of California is dismissed.

