

NOT VOTING—18

Bunn	Heineman	Rangel
Durbun	Jacobs	Schroeder
Funderburk	Lincoln	Studds
Gephardt	Oxley	Wicker
Gibbons	Payne (VA)	Williams
Hayes	Peterson (FL)	Wilson

□ 2100

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF ADDITIONAL CONFEREES ON H.R. 3539, FEDERAL AVIATION AUTHORIZATION ACT OF 1996

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the Chair appoints the following additional conferees from the Committee on Ways and Means for the consideration of section 501 of the bill, H.R. 3539, and sections 417, 906 and 1001 of the Senate amendment and modifications committed to conference: Messrs. ARCHER, CRANE, and GIBBONS.

There was no objection.

PRIVILEGES OF THE HOUSE—RESOLUTION REQUIRING THAT INVESTIGATION INTO MATTERS SURROUNDING COMPLAINT ON REPRESENTATIVE RICHARD GEPHARDT BE ASSIGNED TO SPECIAL COUNSEL

Mr. LINDER. Mr. Speaker, earlier in this day I served notice that I would ask the House to consider a question of privilege under rule IX. I respectfully request that that resolution be brought to the floor right now.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. Res. 531

Whereas, a complaint filed against Representative Gephardt alleges House Rules have been violated by Representative Gephardt's concealment of profits gained through a complex series of real estate tax exchanges and;

Whereas, the complaint also alleges possible violations of banking disclosure and campaign finance laws or regulations and;

Whereas, the Committee on Standards of Official Conduct has in other complex matters involving complaints hired outside counsel with expertise in tax laws and regulations and;

Whereas, the Committee on Standards of Official Conduct is responsible for determining whether Representative Gephardt's financial transactions violated standards of conduct or specific rules of the House of Representatives and;

Whereas, the complaint against Representative Gephardt has been pending before the committee for more than seven months and the integrity of the ethics process and the manner in which Members are disciplined is called into question; and

Whereas, on Friday, September 20, 1996 the ranking Democrat of the Ethics Committee, Representative James McDermott in a public statement suggested that cases pending

before the committee in excess of 60 days be referred to an outside counsel; now be it

Resolved that the committee on Standards of Official Conduct is authorized and directed to hire a special counsel to assist in the investigation of the charges filed against the Democrat Leader Representative Richard Gephardt.

Resolved that all relevant materials presented to, or developed by, the committee to date on the complaint be submitted to a special counsel, for review and recommendation to determine whether the committee should proceed to a preliminary inquiry.

The SPEAKER pro tempore. The resolution constitutes a question of privileges of the House.

MOTION TO TABLE OFFERED BY MR. ARMEY

Mr. ARMEY. Mr. Speaker, I offer a privileged motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. ARMEY moves to lay the resolution on the table.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from Texas [Mr. ARMEY].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ARMEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 390, noes 11, answered “present” 7, not voting 25, as follows:

[Roll No. 428]

AYES—390

Abercrombie
Ackerman
Allard
Andrews
Archer
Armedy
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blumenauer
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunning

Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Conyers
Costello
Cox
Coyne
Cramer
Crane
Crapo
Creameans
Cubin
Cummings
Cunningham
Danner
Davis
Deal
DeFazio
DeLauro
DeLay
Dellums

Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Flanagan
Foglietta
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Furse
Gallegly
Ganske

Gejdenson
Gekas
Geren
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Graham
Green (TX)
Greene (UT)
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hilleary
Hilliard
Hinchey
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Klecza
Klink
Knollenberg
Kolbe
LaFalce
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston

LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalfe
Meyers
Mica
Millender-McDonald
Miller (CA)
Miller (FL)
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Orton
Owens
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Radanovich
Rahall
Ramstad
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose

Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Saxton
Scarborough
Schaefer
Schumer
Scott
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stockman
Stokes
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (NC)
Thomas
Thompson
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torricelli
Towns
Traficant
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Walker
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—11

Doyle
Holden
Kanjorski
Klug
McDermott
McHale
Minge
Peterson (MN)

Quinn
Taylor (MS)
Walsh

ANSWERED “PRESENT”—7

Borski
Cardin
Goss
Hobson
Pelosi
Sawyer

NOT VOTING—25

Boucher	Hayes	Rangel
Bunn	Heineman	Schroeder
Cooley	Jacobs	Studds
de la Garza	Lincoln	Tejeda
Durbin	Martinez	Torres
Flake	Ortiz	Williams
Funderburk	Oxley	Wilson
Gephardt	Payne (VA)	
Gibbons	Peterson (FL)	

□ 2121

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. JOHNSON of Connecticut. Mr. Speaker, on rollcall No. 428, I mistakenly voted "aye". I intended to vote "present."

PRIVILEGES OF THE HOUSE—
CALLING FOR RELEASE OF OUTSIDE COUNSEL'S REPORT ON
SPEAKER GINGRICH

Mr. LEWIS of Georgia. Mr. Speaker, I rise to a question of the privileges of the House, and I offer a resolution pursuant to clause 2 of rule IX.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 532

Whereas on December 6, 1995, the Committee on Standards of Official Conduct agreed to appoint an outside counsel to conduct an independent, non-partisan investigation of allegations of ethical misconduct by Speaker Newt Gingrich;

Whereas, after an eight-month investigation, that outside counsel has submitted an extensive document containing the results of his inquiry;

Whereas the report of the outside counsel cost the taxpayers \$500,000;

Whereas the public has a right—and Members of Congress have a responsibility—to examine the work of the outside counsel and reach an independent judgement concerning the merits of the charges against the Speaker;

Whereas these charges have been before the Ethics Committee for more than two years;

Whereas a failure of the Committee to release the outside counsel's report before the adjournment of the 104th Congress will seriously undermine the credibility of the Ethics Committee and the integrity of the House of Representatives;

Therefore be it resolved that

The Committee on Standards of Official Conduct shall release to the public the outside counsel's report on Speaker Newt Gingrich—including any conclusions, recommendations, attachments, exhibits or accompanying material—no later than Wednesday, September 25, 1996.

The SPEAKER pro tempore (Mr. LAHOOD). The resolution constitutes a question of the privileges of the House.

MOTION TO TABLE OFFERED BY MR. ARMEY

Mr. ARMEY. Mr. Speaker, I offer a privileged motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. ARMEY moves to lay the resolutions on the table.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from Texas [Mr. ARMEY].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BONIOR. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 225, noes 173, answered "present" 9, not voting 26, as follows:

[Roll No. 429]

AYES—225

Allard	Franks (CT)	Moorhead
Archer	Franks (NJ)	Morella
Army	Frelinghuysen	Myers
Bachus	Frisa	Myrick
Baker (CA)	Gallegly	Nethercutt
Baker (LA)	Ganske	Neumann
Ballenger	Gekas	Ney
Barr	Geren	Norwood
Barrett (NE)	Gilchrest	Nussle
Bartlett	Gillmor	Packard
Barton	Gilman	Parker
Bass	Goodlatte	Paxon
Bateman	Goodling	Petri
Bereuter	Graham	Pombo
Bilbray	Greene (UT)	Porter
Bilirakis	Greenwood	Portman
Bliley	Gunderson	Pryce
Blute	Gutknecht	Quillen
Boehlert	Hall (TX)	Radanovich
Boehner	Hancock	Ramstad
Bonilla	Hansen	Regula
Bono	Hastert	Riggs
Brewster	Hastings (WA)	Roberts
Brownback	Hayworth	Rogers
Bryant (TN)	Hefley	Rohrabacher
Bunning	Herger	Ros-Lehtinen
Burr	Hilleary	Roth
Burton	Hoekstra	Roukema
Buyer	Hoke	Royce
Castle	Horn	Sallmon
Callahan	Hostettler	Sanford
Calvert	Houghton	Saxton
Camp	Hunter	Scarborough
Campbell	Hyde	Schaefer
Canady	Inglis	Seastrand
Castle	Istook	Sensenbrenner
Chabot	Johnson, Sam	Shadegg
Chambliss	Jones	Shaw
Chenoweth	Kasich	Shays
Christensen	Kelly	Shuster
Chrysler	Kim	Skeen
Clinger	King	Smith (MI)
Coble	Kingston	Smith (NJ)
Coburn	Knollenberg	Smith (TX)
Collins (GA)	Kolbe	Smith (WA)
Combest	LaHood	Solomon
Condit	Largent	Souder
Cox	Latham	Spence
Crane	LaTourette	Stearns
Crapo	Laughlin	Stockman
Creameans	Lazio	Stump
Cubin	Leach	Talent
Cunningham	Lewis (CA)	Tate
Davis	Lewis (KY)	Tauzin
Deal	Lightfoot	Taylor (NC)
DeLay	Linder	Thomas
Diaz-Balart	Livingston	Thornberry
Dickey	LoBiondo	Tiahrt
Doolittle	Longley	Torkildsen
Dornan	Lucas	Upton
Dreier	Manzullo	Vucanovich
Duncan	Martini	Walker
Dunn	McCollum	Wamp
Ehlers	McCrery	Watts (OK)
Ehrlich	McDade	Weldon (FL)
English	McHugh	Weldon (PA)
Ensign	McInnis	Weller
Everett	McIntosh	White
Ewing	McKeon	Whitfield
Fawell	Metcalf	Wicker
Fields (TX)	Meyers	Wolf
Flanagan	Mica	Young (AK)
Foley	Miller (FL)	Young (FL)
Forbes	Molinari	Zeliff
Fowler	Montgomery	Zimmer
Fox		

Abercrombie	Gordon	Nadler
Ackerman	Green (TX)	Oberstar
Andrews	Gutierrez	Obey
Baessler	Hall (OH)	Oliver
Baldacci	Hamilton	Ortiz
Barcia	Harman	Orton
Barrett (WI)	Hastings (FL)	Owens
Becerra	Hefner	Pallone
Beilenson	Hilliard	Pastor
Bentsen	Hinchey	Payne (NJ)
Bevill	Holden	Peterson (MN)
Bishop	Hoyer	Pickett
Blumenauer	Hutchinson	Pomeroy
Bonior	Jackson (IL)	Poshard
Browder	Jackson-Lee	Quinn
Brown (CA)	(TX)	Rahall
Brown (FL)	Jefferson	Reed
Brown (OH)	Johnson (SD)	Richardson
Bryant (TX)	Johnson, E. B.	Rivers
Chapman	Johnston	Roemer
Clay	Kanjorski	Rose
Clayton	Kaptur	Roybal-Allard
Clement	Kennedy (MA)	Rush
Clyburn	Kennedy (RI)	Sabo
Coleman	Kennelly	Sanders
Collins (IL)	Kildee	Schumer
Collins (MI)	Klecza	Scott
Conyers	Klink	Serrano
Costello	Klug	Sisisky
Coyne	LaFalce	Skaggs
Cramer	Lantos	Skelton
Cummings	Levin	Slaughter
Danner	Lewis (GA)	Spratt
DeFazio	Lipinski	Stark
DeLauro	Lofgren	Stenholm
Dellums	Lowe	Stokes
Deutsch	Luther	Stupak
Dicks	Maloney	Tanner
Dingell	Manton	Taylor (MS)
Dixon	Markey	Tejeda
Doggett	Mascara	Thompson
Dooley	Matsui	Thornton
Doyle	McCarthy	Thurman
Edwards	McDermott	Torricelli
Engel	McHale	Towns
Eshoo	McKinney	Velazquez
Evans	McNulty	Vento
Farr	Meehan	Visclosky
Fattah	Meek	Volkmer
Fazio	Menendez	Walsh
Fields (LA)	Millender	Ward
Filner	McDonald	Waters
Foglietta	Miller (CA)	Watt (NC)
Ford	Minge	Wise
Frank (MA)	Mink	Woolsey
Frost	Moakley	Wynn
Furse	Mollohan	Yates
Gejdenson	Moran	
Gonzalez	Murtha	

ANSWERED "PRESENT"—9

Borski	Hobson	Sawyer
Cardin	Johnson (CT)	Schiff
Goss	Pelosi	Trafigant

NOT VOTING—26

Berman	Gibbons	Peterson (FL)
Boucher	Hayes	Rangel
Bunn	Heineman	Schroeder
Cooley	Jacobs	Studds
de la Garza	Lincoln	Torres
Durbin	Martinez	Waxman
Flake	Neal	Williams
Funderburk	Oxley	Wilson
Gephardt	Payne (VA)	

□ 2141

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT OF LEGISLATION
TO BE CONSIDERED UNDER SUSPENSION OF RULES ON WEDNESDAY, SEPTEMBER 25, 1996

Mr. GOSS. Mr. Speaker, pursuant to the rule adopted earlier today, I am announcing the following suspensions for Wednesday, September 25: