

## 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 OUT-  
SIDE 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  
Ackerman  
Andrews  
Baesler  
Baldacci  
Barcia  
Barrett (WI)  
Becerra  
Beilenson  
Bentsen  
Bevill  
Bishop  
Blumenauer  
Bonior  
Browder  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Bryant (TX)  
Chapman  
Clay  
Clayton  
Clement  
Clyburn  
Coleman  
Collins (IL)  
Collins (MI)  
Conyers  
Costello  
Coyne  
Cramer  
Cummings  
Danner  
DeFazio  
Dellums  
Deutsch  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doyle  
Edwards  
Engel  
Eshoo  
Evans  
Farr  
Fattah  
Fazio  
Fields (LA)  
Filner  
Foglietta  
Ford  
Frank (MA)  
Frost  
Furse  
Gejdenson  
Gonzalez

## NOES—173

Gordon  
Green (TX)  
Gutierrez  
Hall (OH)  
Hamilton  
Harman  
Hastings (FL)  
Hefner  
Hilliard  
Hinchey  
Holden  
Hoyer  
Hutchinson  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (SD)  
Johnson, E. B.  
Johnston  
Kanjorski  
Kaptur  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Klecza  
Klink  
Klug  
LaFalce  
Lantos  
Levin  
Lewis (GA)  
Lipinski  
Lofgren  
Lowey  
Luther  
Maloney  
Manton  
Markey  
Mascara  
Matsui  
McCarthy  
McDermott  
McHale  
McKinney  
McNulty  
Meehan  
Meek  
Menendez  
Millender  
McDonald  
Miller (CA)  
Minge  
Mink  
Moakley  
Mollohan  
Moran  
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 SUS-  
PENSION OF RULES ON WEDNES-  
DAY, SEPTEMBER 25, 1996

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