

for a number of these tax-exempt foundations that were set up by Speaker GINGRICH and that were associated with him. The time has come for an independent counsel to look into every one of these foundations. Anything less than that is really a betrayal of the American people.

#### USE OF SURPLUS FEDERAL PROPERTIES FOR PUBLIC SAFETY NEEDS

(Mr. CALVERT asked and was given permission to address the House for 1 minute.)

Mr. CALVERT. Madam Speaker, I want to offer my condolences to the families and loved one of those killed in Saudi Arabia yesterday, another act of terror. Madam Speaker, under current law, the Bureau of Justice may transfer any surplus property which they administer over to the State and local authorities provided that the property is used for the establishment of prisons. I am introducing a bill that would allow State and local authorities to use surplus Federal properties and other public safety needs such as police and firefighting training facilities. This will help prevent terror and lawlessness in our own country. Prisons may still be built under this measure.

This bill provides flexibility to make the best use of these facilities, based on local needs.

This is particularly helpful for communities attempting to reuse closed or realigned military bases. I work closely with the Bureau of Justice on this measure and it has bipartisan support. I intend to introduce this legislation tomorrow. Please join me and cosponsor this important measure.

#### ETHICS COMMITTEE MUST STOP STALLING

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Madam Speaker, the Los Angeles Times details how House Speaker NEWT GINGRICH used six nonprofit foundations to funnel money for his own political profit. I quote:

From 1984 to 1994, Gingrich and his cadre of key advisers used no fewer than six nonprofit groups to extend the reach of GOPAC, the partisan committee that fueled the successful 1994 Republican drive to gain control of the Congress. Together the foundations were part of a loose network of Gingrich-related enterprises dubbed Newt's world.

This is outrageous, it is unseemly and it is illegal. It violates Federal tax law that prohibits exempt organizations from any, any form of partisan politics. Those are the issues, serious issues. The serious questions are, why has not the Ethics Committee pursued the ethics complaint filed in January 1996 that alleges the misuse of the tax-free foundation called the Abraham Lincoln Opportunity Society? Why has not the committee forwarded these al-

legations to Special Investigator Cole? Can it be that in NEWT's world the laws that the average person must abide by do not apply?

#### FUNDS FOR ELDERLY AND DISABLED HOUSING, SUPPORT FOR THE LAZIO AMENDMENT

(Mrs. JOHNSON of Connecticut asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. JOHNSON of Connecticut. Madam Speaker, I rise in strong support of the Lazio amendment to restore funding for housing for the elderly and disabled. The Lazio amendment would restore \$140 million for section 202 elderly housing and section 811 housing for the disabled. This amendment is deficit neutral because it is offset from reductions in HUD's annual contributions fund, HUD's unallocated dollars.

By adding these funds over the life of these buildings, tens of thousands of our Nation's seniors and disabled persons will have housing opportunities they would otherwise not have. These funds not only provide affordable housing; they also provide those key supportive services that mean independence to seniors and our disabled citizens.

Madam Speaker, I strongly urge all Members on both sides of the aisle to support the Lazio amendment.

#### MORE ON THE ETHICS COMMITTEE

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, it is a shame to have used children to raise funds for political campaigns. I believe an independent counsel is needed.

Madam Speaker, I yield to the majority whip, the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Madam Speaker, I want to respond to the majority leader who came to the floor this morning. We have had repeated stories now, in the Washington Post, the Washington Times, the Atlanta Constitution Journal, the Los Angeles Times, papers all across this country, revealing that, as my colleagues have stated on the floor, there were six separate tax-exempt foundations in which the Speaker's committee GOPAC funneled money to the tune of about at least \$6 million through.

We have waited for 6 months for the Committee on Standards of Official Conduct to act on a complaint that I filed 6 months ago. No action has been taken, not even an action to do a preliminary inquiry to investigate. They have not referred it to the outside counsel.

It is incumbent upon them to act in one way or another or to dismiss this case. But to sit there, let the clock run out, idle away the time so they can es-

cape without any consequences by the end of this session is irresponsible. It is disrespectful to this institution.

#### PARLIAMENTARY INQUIRIES

Mr. DOGGETT. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Ms. GREENE of Utah). The gentleman will state it.

Mr. DOGGETT. Madam Speaker, if no motion to table is filed to immediately cut off debate on the privileged motion this afternoon on this matter about the Speaker's ethics, then will the gentleman from Georgia [Mr. LINDER] and all of his side have an opportunity to speak and ask questions at that time?

The SPEAKER pro tempore. The Chair is not ruling on that at this point. It would be appropriate to bring up at a later time.

Mr. LINDER. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LINDER. Madam Speaker, I have just heard several Members speak on the floor of the House with respect to matters that they claim the Ethics Committee is doing or not doing with regard to claims made against the Speaker. Is it appropriate, under the rules of the House, to refer to matters that are before the Ethics Committee when no one is supposed to know what they are discussing?

The SPEAKER pro tempore. The Chair will respond to the gentleman's parliamentary inquiry as follows:

It is an essential rule of decorum in debate that Members should refrain from references in debate to the conduct of other Members where such conduct is not the question actually pending before the House by way of a report from the Committee on Standards of Official conduct or by way of another question of the privileges of the House. This principle is documented on pages 168 and 526 of the House Rules and Manual and reflects the consistent rulings of the Chair in this and in prior Congresses and applies to 1-minute and special order speeches.

Neither the filing of a complaint before the Committee on Standards of Official Conduct, nor the publication in another forum of charges that are personally critical of another Member, justify the references to such charges on the floor of the House. This includes references to the motivations of Members who file complaints and to Members of the Committee on Standards of Official Conduct.

Clause 1 of rule 14 is a prohibition against engaging in personality in debate. It derives from article I, section 5 of the Constitution, which authorizes each House to make its own rules and to punish its Members for disorderly behavior, and has been part of the rules of the House in some relevant form since 1789. This rule supersedes any claim of a Member to be free from questioning in any other place.

On January 27, 1909, the House adopted a report that stated the following:

It is ... the duty of the House to require its Members in speech or debate to preserve that proper restraint which will permit the House to conduct its business in an orderly manner and without unnecessarily and unduly exciting animosity among its Members—(Canon's Precedents, volume 8, at section 2497).

This report was in response to improper references in debate to the President, but clearly reiterated a principle that all occupants of the Chair in this and in prior Congresses have held to be equally applicable to members's remarks in debate toward each other.

Mr. DOGGETT. Madam Speaker, I have a further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. DOGGETT. Madam Speaker, in view of the Chair's statement, what mechanism exists under the rules for a Member of the House to bring to the attention here on the floor of the House the failure of the Ethics Committee to explore fully and thoroughly ethical complaints that have been pending for over 6 months against Speaker GINGRICH?

The SPEAKER pro tempore. Proper questions of privilege may be brought before the House. This is not now a forum, however, to restate allegations where there is not pending a parliamentary privilege.

Mr. DOGGETT. Madam Speaker, is the privileged resolution that the gentleman from Florida, Mr. HARRY JOHNSTON, has filed for consideration later today regarding the failure of the committee to thoroughly investigate these charges and refer them to a special counsel the type of motion that would be proper for presentation of these matters?

The SPEAKER pro tempore. The Chair will rule on that at the time the resolution is brought to the floor. It is not properly before the House at this time.

#### POINT OF ORDER

Mr. LINDER. Madam Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. LINDER. Madam Speaker, the references by the gentleman from Texas as to whether or not he believes the Ethics Committee has faithfully carried out its duty refers specifically to matters he appears to know are before the Ethics Committee, and I think it is out of order.

□ 1045

The SPEAKER pro tempore (Ms. GREENE of Utah). The Chair again asks all Members to follow the admonition of the Chair to abide by the rules of this House that have been in place since 1789.

#### MOTION TO ADJOURN

Mr. VOLKMER. Madam Speaker, I have a privileged motion which I send to the desk.

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

The Clerk read as follows:

Mr. VOLKMER moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri [Mr. VOLKMER].

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

Mr. VOLKMER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 55, nays 345, answered "present" 2, not voting 31, as follows:

#### [Roll No. 271]

##### YEAS—55

Barcia	Frank (MA)	Mink
Blumenauer	Frost	Moran
Bonior	Gejdenson	Owens
Brown (OH)	Gutierrez	Payne (NJ)
Bryant (TX)	Hastings (FL)	Pomeroy
Clay	Hilliard	Rangel
Clyburn	Hoyer	Rush
Collins (IL)	Jackson (IL)	Slaughter
Collins (MI)	Jefferson	Stokes
Conyers	Johnson, E. B.	Stupak
Coyne	Johnston	Thompson
Dellums	Kaptur	Velazquez
Dicks	Kennedy (MA)	Volkmer
Dingell	Klink	Waters
Dixon	Levin	Wise
Doggett	Lewis (GA)	Woolsey
Engel	Martinez	Wynn
Evans	McNulty	
Filner	Miller (CA)	

##### NAYS—345

Abercrombie	Brownback	DeFazio
Ackerman	Bryant (TN)	DeLauro
Allard	Bunn	DeLay
Andrews	Bunning	Deutsch
Archer	Burr	Diaz-Balart
Armey	Burton	Dickey
Bachus	Buyer	Dooley
Baesler	Callahan	Doolittle
Baker (CA)	Calvert	Dornan
Baker (LA)	Camp	Doyle
Baldacci	Campbell	Dreier
Ballenger	Canady	Duncan
Barr	Cardin	Dunn
Barrett (NE)	Castle	Durbin
Barrett (WI)	Chabot	Edwards
Bartlett	Chambliss	Ehlers
Barton	Christensen	Ehrlich
Bass	Chrysler	English
Bateman	Clayton	Ensign
Beilenson	Clement	Eshoo
Bentsen	Clinger	Everett
Bereuter	Coble	Ewing
Berman	Coburn	Farr
Bevill	Collins (GA)	Fawell
Bilbray	Combest	Fazio
Bilirakis	Condit	Fields (LA)
Bishop	Cooley	Flake
Bliley	Costello	Flanagan
Blute	Cox	Foglietta
Boehlert	Cramer	Foley
Boehner	Crane	Forbes
Bonilla	Crapo	Fowler
Bono	Creameans	Fox
Borski	Cummings	Franks (CT)
Boucher	Cunningham	Frelinghuysen
Brewster	Davis	Frisa
Brown (CA)	Deal	Funderburk

Furse	Lipinski	Rohrabacher
Gallegly	Livingston	Ros-Lehtinen
Ganske	LoBiondo	Rose
Gekas	Lofgren	Roukema
Gephardt	Royce	Sabo
Geren	Lowey	Salmon
Gibbons	Lucas	Sanders
Gilchrest	Luther	Sanford
Gillmor	Maloney	Saxton
Gilman	Manton	Scarborough
Gonzalez	Manzullo	Schaefer
Goodlatte	Markey	Schiff
Goodling	Martini	Schroeder
Gordon	Mascara	Schumer
Goss	Matsui	Scott
Green (TX)	McCarthy	Seastrand
Greene (UT)	McCollum	Sensenbrenner
Greenwood	McHale	Serrano
Gunderson	McHugh	Shadegg
Gutknecht	McInnis	Shaw
Hall (OH)	McIntosh	Shays
Hall (TX)	McKeon	Shuster
Hamilton	McKinney	Sisisky
Hancock	Meehan	Skaggs
Hansen	Meek	Skeen
Harman	Menendez	Skelton
Hastert	Metcalfe	Smith (MI)
Hastings (WA)	Meyers	Smith (NJ)
Hayes	Mica	Smith (TX)
Hayworth	Millender	Smith (WA)
Hefley	McDonald	Solomon
Hefner	Miller (FL)	Souder
Heineman	Minge	Spence
Herger	Moakley	Spratt
Hilleary	Molinari	Stark
Hobson	Mollohan	Stearns
Hoekstra	Montgomery	Stenholm
Hoke	Moorhead	Studds
Holden	Morella	Stump
Horn	Murtha	Tanner
Hostettler	Myers	Tate
Houghton	Myrick	Tauzin
Hunter	Nadler	Taylor (MS)
Hutchinson	Neal	Taylor (NC)
Hyde	Nethercutt	Tejeda
Inglis	Neumann	Thomas
Istook	Ney	Thornberry
Jackson-Lee	Nussle	Thornton
(TX)	Oberstar	Thurman
Jacobs	Obey	Tiahrt
Johnson (CT)	Olver	Torkildsen
Johnson, Sam	Ortiz	Towns
Jones	Orton	Trafficant
Kanjorski	Oxley	Upton
Kasich	Packard	Vento
Kelly	Pallone	Visclosky
Kennedy (RI)	Parker	Vucanovich
Kennelly	Pastor	Walker
Kildee	Paxon	Walsh
Kim	Payne (VA)	Wamp
King	Peterson (MN)	Ward
Kingston	Petri	Watt (NC)
Klecza	Pickett	Watts (OK)
Klug	Porter	Waxman
Knollenberg	Portman	Weldon (FL)
Kolbe	Poshard	Weldon (PA)
LaFalce	Pryce	Weller
LaHood	Quillen	White
Lantos	Quinn	Whitfield
Largent	Radanovich	Wicker
Latham	Rahall	Williams
LaTourette	Ramstad	Wolf
Laughlin	Reed	Yates
Lazio	Regula	Young (AK)
Leach	Richardson	Young (FL)
Lewis (CA)	Rivers	Zeliff
Lewis (KY)	Roberts	Zimmer
Lightfoot	Roemer	
Linder	Rogers	

#### ANSWERED "PRESENT"—2

Pelosi Sawyer

#### NOT VOTING—31

Becerra	Ford	Pombo
Browder	Franks (NJ)	Riggs
Brown (FL)	Graham	Roth
Chapman	Hinchey	Roybal-Allard
Chenoweth	Johnson (SD)	Stockman
Coleman	Lincoln	Talent
Cubin	McCrery	Torres
Danner	McDade	Torricelli
de la Garza	McDermott	Wilson
Fattah	Norwood	
Fields (TX)	Peterson (FL)	

□ 1106

Messrs. LIVINGSTON, NUSSLE, RICHARDSON, ABERCROMBIE,