

Last year, Congress decided to eliminate the farm program which will leave farmers without a mechanism to recoup losses when the growing season is poor. One of the self-help mechanisms available to assist farmers in maintaining and increasing their incomes in farming is through the development and success of farmer cooperatives.

The success of agriculture ebbs and flows according to many circumstances outside the control of farmers. For instance, weather, disease, global market prices, and the economy all influence a producer's decisions. However, even with these influences on agriculture, the quality of the producer's goods increase and prices for consumers generally stay the same. Cooperatives benefit the farming community by allowing members to amass capital and maximize economic returns by enhancing the value of what farmers produce.

Farmers need bargaining tools in order to regain some influence over the prices they receive. With market concentration increasing, agricultural producers are finding fewer and fewer buyers for their products. Many farmers can only sell their product to a single processing company, and are forced to accept the price the company offers them. With empowered bargaining or vertical integration, farmers would have a greater opportunity to prosper and to share in the end-use profits their goods sometimes bring to others.

H.R. 2513 will provide for the nonrecognition of gain on the sale of stock in agricultural processors to eligible farmers' cooperatives. This provision will have the effect of encouraging agricultural processing facilities to work cooperatively with farmer cooperatives to maximize the work and profits of producers. The price paid to farmers for farm commodities represents less than 25 percent of the cost of the final product purchased by the consumer. It is imperative for the American farmer to increase his ownership stake in processing and refining in order to survive in an increasingly competitive market. Allowing farmers to become vertically integrated in their products will enable them to better adjust to fluctuations in commodity prices.

Mr. CRANE. Mr. Speaker, today, I want to express my support for H.R. 2513, legislation containing two important tax provisions, versions of which were contained in the landmark Taxpayer Relief Act of 1997. The provisions in question were line item vetoed by President Clinton on August 11, and today, we are endeavoring to pass slightly modified versions of the original proposals.

One provision of the bill relates to the sale of stock of a corporation that owns a processing facility of any cooperative which is engaged in marketing agriculture or horticultural products. This matter is of great concern and interest to the farm community in this country and it is hoped this version of the proposal can now be enacted.

The other item in this legislation, and the provision to which I would like to devote the bulk of my remarks, relates to foreign affiliates of U.S. financial services companies. Under the language contained in H.R. 2513, these affiliates including banks, securities firms, and insurance and finance companies would not be taxed by the United States on their active trade or business income until that income is repatriated to the U.S. parent company or shareholders. In other words, this bill would equalize the treatment of income earned by

U.S.-based financial services companies operating abroad with the active income earned by most other U.S.-based companies operating in international markets. As chairman of the Ways and Means Subcommittee on Trade, even more important to me is the fact that the bill will level the playing field for the U.S. financial services industry vis a vis their foreign competitors.

As one of the Members who worked to include this provision in the Taxpayer Relief Act, I was disappointed with the President's line item veto. Therefore, I very much would like to make progress in this effort to remove a competitive obstacle imposed by our international tax rules on the overseas operations of U.S. financial services firms. Language in H.R. 2513 is intended to replace the vetoed provision of the Taxpayers Relief Act that was designed to reform the antideferral rules of subpart F of the Internal Revenue Code. In vetoing this measure, the President stated that the "primary purpose of the provision was proper," but the manner in which it was written would have left room for abuses.

Although I disagree with the decision of the President to veto this important provision, I am pleased he recognized that reform of the antideferral rules of subpart F represents sound and prudent tax policy. Subsequent to the veto, the financial services firms affected by this bill have worked intensely and closely with the Treasury and the Committee on Ways and Means to address the concerns raised, and I applaud the cooperative effort to come up with an interim solution.

However, I must express my disappointment and concern that the bill, at the Treasury's insistence, unjustly singles out securities dealers. As currently drafted H.R. 2513 will force securities dealers to forfeit tax credits on foreign withholding taxes to which they are entitled under current law in order to obtain the benefits granted to other sectors of the financial services industry. These foreign tax credits are crucial to the role U.S. securities firms and banks play as global equities dealers, without which such dealers will not be able to remain competitive overseas.

When we adopted section 901(k) of the code in 1997, we did so to forestall abusive trafficking in credits for foreign withholding taxes. We excluded some securities dealers from section 901(k) because those dealers, in the legitimate, ordinary course of their businesses, would almost by necessity run afoul of the simple rules for identifying transactions with trafficking potential. At the same time, we gave the Treasury authority to deal with any abuses by dealers. I have not heard of any evidence that Treasury has in fact identified any problems with section 901(k) to date. Therefore, I frankly must conclude that Treasury's insistence on this trade-off in the current bill reflects an ulterior motive to overturn the dealer exception in section 901(k), although we recently approved that exception by enacting it.

Foreign tax credits and tax deferral for certain active overseas income have coexisted and should continue to do so, because each serves a different purpose. Foreign tax credits provide essential protection against double taxation of overseas income for U.S. businesses. Deferral does not provide such protection, but rather treats active overseas income of financial services firms consistently with such income of U.S. industrial firms, and

helps to level the playing field with respect to their foreign competitors. It is my firm belief that foreign tax credits and deferral are independent provisions of our international tax regime, and their co-existence is consistent with sound international tax policy.

Since the bill before us today would be effective for only 1 year, I strongly urge the Treasury to continue to work together with the securities and banking industries to reach a fair and lasting agreement on a permanent solution that can be enacted next year.

Mr. Speaker, I urge my colleagues to vote for H.R. 2513. This legislation represents sound policy that will enhance the ability of the financial services industry to compete in the global marketplace.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume to simply ask Members for their support on this bipartisan effort on H.R. 2513.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. THOMAS] that the House suspend the rules and pass the bill, H.R. 2513, as amended, and lay on the table H.R. 2444.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended, the bill, H.R. 2513, as amended, was passed.

H.R. 2444 was laid on the table.

The title of the bill, H.R. 2513, was amended so as to read: "A bill to amend the Internal Revenue Code of 1986 to restore and modify the provision of the Taxpayer Relief Act of 1997 relating to exempting active financing income from foreign personal holding company income and to provide for the nonrecognition of gain on the sale of stock in agricultural processors to certain farmers' cooperatives, and for other purposes."

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2513.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

#### WAIVING TIME LIMITATION ON AWARDING MEDAL OF HONOR TO ROBERT R. INGRAM

Mrs. FOWLER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2813) to waive time limitations specified by law in order to allow the Medal of Honor to be awarded to Robert R. Ingram of Jacksonville, FL, for acts of valor while a Navy Hospital Corpsman in the Republic of Vietnam during the Vietnam conflict.

The Clerk read as follows:

H.R. 2813

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. AUTHORITY FOR AWARD OF MEDAL OF HONOR TO ROBERT R. INGRAM FOR VALOR DURING THE VIETNAM CONFLICT.**

(a) **WAIVER OF TIME LIMITATIONS.**—Notwithstanding the time limitations specified in section 6248 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the naval service, the President may award the Medal of Honor under section 6241 of that title to Robert R. Ingram of Jacksonville, Florida, for the acts of valor referred to in subsection (b).

(b) **ACTION DESCRIBED.**—The acts of valor referred to in subsection (a) are the actions of Robert R. Ingram on March 28, 1966, as a Hospital Corpsman Third Class in the Navy serving in the Republic of Vietnam with Company C of the First Battalion, Seventh Marines, during a combat operation designated as Operation Indiana.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentlewoman from Florida [Mrs. FOWLER] and the gentleman from Pennsylvania [Mr. MCHALE] each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida [Mrs. FOWLER].

□ 1715

Mrs. FOWLER. Mr. Speaker, I yield myself such time as I may consume.

I am very pleased that the House is today considering H.R. 2813, legislation I have introduced that would waive the statute of limitations to enable the Defense Department to award Mr. Robert R. Ingram of Jacksonville, FL, a Congressional Medal of Honor. I want to thank especially both the chairman and the ranking Democrat of the House Committee on National Security and the staff there who helped expedite committee consideration of this bill and the gentleman from Arkansas [Mr. BERRY], who has been profoundly interested in this matter and whose assistance was instrumental in helping bring this measure to the floor today.

Mr. Speaker, this legislation was requested by the Defense Department and the award is long overdue. It was not made earlier only as a result of a very unfortunate oversight. In fact, Corpsman Ingram's fighting companions thought that the recommendation for his Congressional Medal of Honor had been made long ago and were shocked to learn only recently that the award had never been made.

Today we must move to correct that error. I want to read to Members the details of what happened that day and why he should be awarded this medal. Corpsman Ingram was serving with Company C, First Battalion, Seventh Marines, against elements of a North Vietnam aggressor in Quang Ngai Province, Republic of Vietnam, on March 28, 1966.

Corpsman Ingram accompanied a Marine point platoon as it dispatched an outpost of an NVA battalion. The momentum of the attack rolled off a ridge line down a tree covered slope to a small paddy in a village beyond. A village tree line suddenly and without any warning exploded in fire against the Marine platoon. There was an intense hail of automatic rifle fire from

approximately 100 North Vietnamese regulars. In mere moments the platoon ranks were decimated. Oblivious to the slaughter and danger around him, Corpsman Ingram crawled through a hail of bullets to reach a downed Marine. As he administered aid, a bullet went through the palm of his hand. Calls for corpsmen continued across the ridge. Bleeding, Corpsman Ingram moved across the battlefield, collecting ammunition from the dead and administering aid to the wounded as he went. Receiving two more wounds, one in the knee and one in his face that he immediately knew was life threatening, he looked for a way off the ridge, but again heard the call for corpsmen. Again he answered, knowing that he was facing sure death. Though severely wounded three times, he gathered magazines, resupplied and encouraged those capable of returning fire, rendered aid to those incapable of movement until he finally reached the right flank of the platoon. While addressing the head wound of another corpsman, he sustained his fourth bullet wound. Even with those wounds for the next 2 to 3 hours, Corpsman Ingram still encouraged and doctored his Marines.

Enduring the pain from his many wounds and disregarding his own life, Corpsman Ingram's intrepid actions saved many that day. By his indomitable fighting spirit, daring initiative and unfaltering dedication to duty, Corpsman Ingram earned the Medal of Honor during that action in Operation Indiana in March 1966. He demonstrated conspicuous gallantry and intrepidity above and beyond the call of duty.

I commend him for his enormous courage, and I look forward to passage of this bill so that he can finally receive this Nation's highest award for valor, which he so richly deserves.

Mr. Speaker, I reserve the balance of my time.

Mr. MCHALE. Mr. Speaker, I yield myself such time as I may consume. I am very pleased to join with the gentlewoman from Florida [Mrs. FOWLER] in presenting a much overdue recommendation to this House.

In the Marine Corps we call him Doc. He is the corpsman who administers to our needs both in peace and in war-time. In 2 days, we will celebrate the 222d birthday of the U.S. Marine Corps. I can tell the Speaker that there is no more courageous chapter in Marine Corps history than that which has been written by the corpsmen who have been attached. Whether you are reading the history of Iwo Jima or the battles in Vietnam up through the conflicts that took place in the Persian Gulf 6 years ago, corpsmen are by our sides when we need them.

In this case, I hope all who are present in the Chamber heard the words that were just read by the gentlewoman from Florida [Mrs. FOWLER]. Doc Ingram was shot 4 times in the service of his country. Over a period of several hours, having received wounds

that were life threatening, under circumstances that were almost impossible to imagine, this brave sailor, wounded 4 times and bleeding, continued to minister to the Marines around him and while he was wrapping a bandage around the head of another corpsman was shot a final time. I cannot imagine valor of that magnitude. 30 years later, we have the opportunity to correct an injustice. That brave young sailor, that friend of Marines, that man who went in harm's way for our Nation and shed his blood in the process is finally being recognized today as a man who earned, is not being given, but earned the Congressional Medal of Honor.

In 2 days, we celebrate that birthday of the Marine Corps. As someone who has been proud to be a marine for 25 years, I am equally proud of the corpsmen who have served so bravely with us.

Mr. Speaker, I yield 3 minutes to the gentleman from Arkansas [Mr. BERRY], who along with the gentlewoman from Florida [Mrs. FOWLER] directly produced the opportunity that we have today.

Mr. BERRY. Mr. Speaker, I am pleased to join my colleagues, the gentlewoman from Florida and the gentleman from Pennsylvania in this effort. On March 28, 1966, Corpsman Robert Ingram accompanied his Marine platoon as it approached an outpost of the North Vietnamese aggressor. As they approached the tree line, suddenly and without any warning, there was an explosion of gunfire against the platoon. Approximately 100 North Vietnamese were attacking. Disregarding the danger and slaughter around him, Corpsman Ingram crawled through a hail of bullets to reach a downed marine. As he was administering aid, a bullet went through the palm of his hand. While he was treating other downed Marines and collecting magazines to return fire, he received three additional bullet wounds, including one penetrating his sinus cavity. His actions saved many lives that day.

In 1995, former First Lieutenant Jim Fulkerson and others who served together in the war were working to set up a reunion for the platoon. They were shocked to learn in preparing for the reunion that Corpsman Ingram had never received the Medal of Honor. His companions all understood that a recommendation had been made and assumed that it was made. The Department of Defense agrees that Corpsman Ingram's actions qualify him for the Medal of Honor that day in March 1966. Now, over 30 years later, the House of Representatives has the opportunity to see appropriate recognition is given to Corpsman Ingram's display of valor. It is because of the efforts made by his platoon members that this has gotten where it is today. I also commend the gentlewoman from Florida for her work on this important matter. This is a fitting thing that the Congress will do.

Mr. MCHALE. Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida [Ms. BROWN].

Ms. BROWN of Florida. Mr. Speaker, as a member of the Committee on Veterans' Affairs and Representative of the Florida Third Congressional District, I am so proud today to honor one of Jacksonville's own, Robert Ingram.

This Tuesday is Veterans Day. Our annual celebration of the commitment and sacrifices made by our Nation's veterans. There are more than 26 million veterans today, many of whom served during times of conflict. Many veterans live in my home State of Florida. We are proud to have them there. We are proud of their service and proud of their civic action.

I also want to recognize for Veterans Day the many women veterans who have contributed to our Nation's security and preserved the American way of life. Last month, the Women in Military Service Memorial was dedicated in honor of more than 1 million women who have served this great country. I urge everyone to visit this great special place when they are in Washington.

Our veterans face many challenges. I urge the President to speedily designate and the other body confirm a Secretary of Veterans Affairs. I want to say a special thank you to all veterans, and today I want to honor one in particular. As my colleague from Florida has explained, Mr. Robert Ingram performed incredible acts of courage, honor, and bravery while he was a marine stationed in Vietnam. We ask so much of our young men and women when they are placed into conflict, particularly in conflict that was so unpopular.

Corpsman Ingram gave medical attention to other soldiers, even after he himself was injured with a bullet wound in his hand. He suffered even more wounds to his knees and face, yet continued to help others as they called on him. He continued to administer medical aid to others after receiving a total of 4 bullet wounds.

The Medal of Honor is awarded for bravery and courage, acts beyond the call of duty. Robert Ingram has had an incredible fighting spirit to stay alive, to help his brothers in combat and to serve our great Nation. I am very proud today to honor a man from Jacksonville and the great State of Florida. He deserves this Medal of Honor and should not be a victim of administrative error or oversight. I urge my colleagues to support this bill and salute this great veteran.

Mr. MCHALE. Mr. Speaker, I yield myself such time as I may consume. For the past 222 years, the Navy and the Marine Corps have established a partnership forged in steel and tempered in blood. Some 30 years ago, Suicide Charlie, Charlie 17, one of the most distinguished companies in the entire U.S. Marine Corps, faced incredible odds on a battlefield in Vietnam. Doc Ingram stepped forward under fire

when needed by his country. And despite 4 serious life threatening bullet wounds, he continued to care for his fellow marines, his fellow sailors and for his country. Some 30 years later, we correct an injustice. Mr. Speaker, I hope sincerely that Doc Ingram is watching as we speak today. I hope he realizes how much he is beloved by his country.

Doc, if you are watching, happy birthday, and semper fidelis.

Mr. Speaker, I yield back the balance of my time.

Mrs. FOWLER. Mr. Speaker, I yield myself such time as I may consume. I too just want to again say how privileged I feel today to be a part of this honoring of Doc Ingram. I know he is in Jacksonville today, watching this on television, and I know he understands with what honor and regard we Members of the Congress hold his actions. We are so pleased that here today we can commend his valor and bravery. This is due to the people he saved, who really came forward and said, this award is long overdue, they were surprised it had not been given. Those men that he saved that day will never forget that their lives were saved because of his actions.

That is what those people in our military do every day of their lives. They are out there sacrificing their lives for others. It is a great day when we can commend one. I want to again say how proud I am to be a part of this.

Thank you, Doc Ingram, for all you have done.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CALVERT). The question is on the motion offered by the gentlewoman from Florida [Mrs. FOWLER] that the House suspend the rules and pass the bill, H.R. 2813.

The question was taken.

Mr. MCHALE. 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 412, nays 0, not voting 21, as follows:

[Roll No. 619]

YEAS—412

Abercrombie  
Ackerman  
Aderholt  
Allen  
Andrews  
Archer  
Armey  
Bachus  
Baesler  
Baker  
Baldacci  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Barrett (WI)  
Bartlett  
Barton

Bass  
Bateman  
Becerra  
Bentsen  
Bereuter  
Berman  
Berry  
Billbray  
Bilirakis  
Bishop  
Blagojevich  
Bliley  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonior  
Bono

Borski  
Boswell  
Boucher  
Boyd  
Brady  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Bryant  
Bunning  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady

Cannon  
Cardin  
Carson  
Castle  
Chabot  
Chambliss  
Chenoweth  
Christensen  
Clay  
Clement  
Clyburn  
Coble  
Coburn  
Collins  
Combest  
Condit  
Conyers  
Cook  
Cooksey  
Costello  
Cox  
Coyne  
Cramer  
Crane  
Crapo  
Cummings  
Cunningham  
Danner  
Davis (FL)  
Davis (IL)  
Davis (VA)  
Deal  
DeFazio  
DeGette  
Delahunt  
DeLauro  
DeLay  
Dellums  
Deutsch  
Diaz-Balart  
Dickey  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Engel  
English  
Ensign  
Eshoo  
Etheridge  
Evans  
Everett  
Ewing  
Farr  
Fattah  
Fawell  
Fazio  
Filner  
Foglietta  
Foley  
Forbes  
Ford  
Fossella  
Fowler  
Fox  
Franks (NJ)  
Frelinghuysen  
Frost  
Furse  
Gallegly  
Ganske  
Gejdenson  
Gekas  
Gephardt  
Gibbons  
Gilchrest  
Gilman  
Goode  
Goodlatte  
Goodling  
Gordon  
Goss  
Graham  
Granger  
Green  
Greenwood  
Gutierrez  
Gutknecht  
Hall (OH)

Hall (TX)  
Hamilton  
Hansen  
Harman  
Hastert  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Hefley  
Hefner  
Herger  
Hill  
Hilleary  
Hilliard  
Hinchey  
Hinojosa  
Hobson  
Hoekstra  
Hooley  
Horn  
Hostettler  
Houghton  
Hoyer  
Hulshof  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Jenkins  
John  
Johnson (CT)  
Johnson (WI)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Kanjorski  
Kaptur  
Kasich  
Kelly  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kilpatrick  
Kim  
Kind (WI)  
King (NY)  
Kingston  
Klecza  
Klink  
Knollenberg  
Kolbe  
Kucinich  
LaFalce  
LaHood  
Lampson  
Lantos  
Largent  
Latham  
LaTourette  
Lazio  
Leach  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
Livingston  
LoBiondo  
Lofgren  
Lowey  
Lucas  
Luther  
Maloney (CT)  
Maloney (NY)  
Manzullo  
Markey  
Martinez  
Mascara  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCrery  
McDade  
McGovern  
McHale  
McHugh  
McInnis  
McIntyre  
McKeon  
McKinney

McNulty  
Meehan  
Meek  
Menendez  
Metcalfe  
Mica  
Millender-McDonald  
Miller (CA)  
Miller (FL)  
Minge  
Mink  
Moakley  
Mollohan  
Moran (KS)  
Moran (VA)  
Morella  
Murtha  
Nadler  
Neal  
Nethercutt  
Ney  
Northup  
Norwood  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Owens  
Oxley  
Packard  
Pallone  
Pappas  
Parker  
Pascarelli  
Pastor  
Paul  
Paxon  
Payne  
Pease  
Pelosi  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pickett  
Pitts  
Pombo  
Pomeroy  
Porter  
Portman  
Poshady  
Price (NC)  
Pryce (OH)  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Redmond  
Regula  
Reyes  
Riggs  
Rivers  
Rodriguez  
Roemer  
Rogan  
Rogers  
Rohrabacher  
Rothman  
Roukema  
Roybal-Allard  
Royce  
Rush  
Ryun  
Sabo  
Salmon  
Sanchez  
Sandlin  
Sanford  
Sawyer  
Saxton  
Scarborough  
Schaefer, Dan  
Schumer  
Scott  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Shimkus  
Shuster  
Siskisky  
Skaggs  
Skeen

Skelton	Stupak	Visclosky
Slaughter	Sununu	Wamp
Smith (MI)	Talent	Waters
Smith (NJ)	Tanner	Watkins
Smith (OR)	Tauscher	Watt (NC)
Smith (TX)	Tauzin	Watts (OK)
Smith, Adam	Taylor (MS)	Waxman
Smith, Linda	Thomas	Weldon (FL)
Snowbarger	Thompson	Weldon (PA)
Snyder	Thornberry	Weller
Solomon	Thune	Wexler
Souder	Thurman	Weygand
Spence	Tiahrt	White
Spratt	Tierney	Whitfield
Stabenow	Torres	Wicker
Stark	Towns	Wise
Stearns	Traficant	Wolf
Stenholm	Turner	Woolsey
Stokes	Upton	Wynn
Strickland	Velazquez	Young (AK)
Stump	Vento	Young (FL)

## NOT VOTING—21

Blumenauer	Holden	Ros-Lehtinen
Clayton	Klug	Sanders
Cubin	McDermott	Schaffer, Bob
Flake	McIntosh	Schiff
Frank (MA)	Myrick	Taylor (NC)
Gillmor	Neumann	Walsh
Gonzalez	Riley	Yates

□ 1750

Messrs. SMITH of Texas, BARTLETT of Maryland and COMBEST and Mrs. LOWEY changed their vote from "nay" to "yea".

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### WAIVING REQUIREMENT OF CLAUSE 4(b) OF RULE XI WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY COMMITTEE ON RULES

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 105-394) on the resolution (H. Res. 314) waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### PRIVILEGES OF THE HOUSE—DISMISSAL OF CONTEST IN 46TH DISTRICT OF CALIFORNIA

Mr. GEPHARDT. Mr. Speaker, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution (H. Res. 315) pursuant to rule IX and ask for its immediate consideration.

The SPEAKER pro tempore [Mr. CALVERT]. The Clerk will report the resolution.

The Clerk read as follows:

Whereas, the election contest concerning the 46th District of California should be dismissed as there is no credible evidence to show that the outcome of the election is different than the election of Congresswomen LORETTA SANCHEZ.

Whereas, State of California authorities should continue their investigation into questionable registration activities; and

Whereas, the Committee on House Oversight should examine voter registration procedures; and now therefore be it

Resolved, that the contest in the 46th District of California is dismissed.

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

MOTION TO TABLE OFFERED BY MR. SOLOMON

Mr. SOLOMON. Mr. Speaker, I offer a motion to table.

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

The Clerk read as follows:

Mr. SOLOMON 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 New York [Mr. SOLOMON].

#### PARLIAMENTARY INQUIRY

Mr. HOYER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOYER. Mr. Speaker, I was told by the majority leader that we would have time to debate this resolution. I was also told by the Speaker that we would have time to debate this resolution.

Am I correct that voting for this motion made by the Chairman of the Committee on Rules will obviate the representations of the Speaker and the majority leader?

The SPEAKER pro tempore. This is not a debatable motion.

The question is on the motion to table offered by the gentleman from New York [Mr. SOLOMON].

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

#### RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 215, noes 193, answered "present" 2, not voting 24, as follows:

[Roll No. 620]

#### AYES—215

Aderholt	Calvert	Dunn
Archer	Camp	Ehlers
Armey	Campbell	Ehrlich
Bachus	Canady	Emerson
Baker	Cannon	English
Ballenger	Castle	Ensign
Barr	Chabot	Everett
Barrett (NE)	Chambliss	Ewing
Bartlett	Chenoweth	Fawell
Barton	Christensen	Foley
Bass	Coble	Fossella
Bateman	Coburn	Fowler
Bereuter	Collins	Fox
Bilbray	Combest	Franks (NJ)
Bilirakis	Cook	Frelinghuysen
Bliley	Cooksey	Gallegly
Blunt	Cox	Ganske
Boehlert	Crane	Gekas
Boehner	Crapo	Gibbons
Bonilla	Cunningham	Gilchrest
Bono	Davis (VA)	Gilman
Brady	Deal	Gingrich
Bryant	DeLay	Goodlatte
Bunning	Diaz-Balart	Goss
Burr	Dickey	Graham
Burton	Doolittle	Granger
Buyer	Dreier	Greenwood
Callahan	Duncan	Gutknecht

Hansen	McCrery
Hastert	McDade
Hastings (WA)	McHugh
Hayworth	McInnis
Hefley	McKeon
Herger	Metcalfe
Hill	Mica
Hilleary	Miller (FL)
Hobson	Moran (KS)
Hoekstra	Morella
Horn	Nethercutt
Hostettler	Ney
Houghton	Northup
Hulshof	Norwood
Hunter	Nussle
Hutchinson	Oxley
Hyde	Packard
Inglis	Pappas
Istook	Parker
Jenkins	Paul
Johnson (CT)	Paxon
Johnson, Sam	Pease
Jones	Peterson (PA)
Kasich	Petri
Kelly	Pickering
Kim	Pitts
King (NY)	Pombo
Kingston	Porter
Knollenberg	Portman
Kolbe	Pryce (OH)
LaHood	Quinn
Largent	Radanovich
Latham	Ramstad
LaTourette	Redmond
Lazio	Regula
Leach	Riggs
Lewis (CA)	Rogan
Lewis (KY)	Rogers
Linder	Rohrabacher
Livingston	Roukema
LoBiondo	Royce
Lucas	Ryun
Manzullo	Salmon
McCollum	Sanford

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Abercrombie	Fattah	Markey
Ackerman	Fazio	Martinez
Allen	Filner	Mascara
Andrews	Foglietta	Matsui
Baesler	Forbes	McCarthy (MO)
Baldacci	Ford	McCarthy (NY)
Barcia	Frost	McGovern
Barrett (WI)	Furse	McHale
Becerra	Gejdenson	McIntyre
Bentsen	Gephardt	McKinney
Berman	Goode	McNulty
Berry	Gordon	Meehan
Bishop	Green	Meek
Blagojevich	Gutierrez	Menendez
Bonior	Hall (OH)	Millender-
Boswell	Hall (TX)	McDonald
Boucher	Hamilton	Miller (CA)
Boyd	Harman	Minge
Brown (CA)	Hastings (FL)	Mink
Brown (FL)	Hefner	Moakley
Brown (OH)	Hilliard	Mollohan
Cardin	Hinchey	Moran (VA)
Carson	Hinojosa	Murtha
Clay	Hoolley	Nadler
Clement	Hoyer	Neal
Clyburn	Jackson (IL)	Oberstar
Condit	Jackson-Lee	Obey
Conyers	(TX)	Olver
Costello	Jefferson	Ortiz
Coyne	John	Owens
Cramer	Johnson (WI)	Pallone
Cummins	Johnson, E. B.	Pascarell
Danner	Kanjorski	Pastor
Davis (FL)	Kaptur	Payne
Davis (IL)	Kennedy (MA)	Pelosi
DeFazio	Kennedy (RI)	Peterson (MN)
DeGette	Kennelly	Pickett
Delahunt	Kildee	Pomeroy
DeLauro	Kilpatrick	Poshard
Dellums	Kind (WI)	Price (NC)
Deutscher	Klecza	Rahall
Dicks	Klink	Rangel
Dingell	Kucinich	Reyes
Dixon	LaFalce	Rivers
Doggett	Lampson	Rodriguez
Dooley	Levin	Roemer
Doyle	Lewis (GA)	Rothman
Edwards	Lipinski	Roybal-Allard
Engel	Lofgren	Rush
Eshoo	Lowe	Sabo
Etheridge	Luther	Sandlin
Evans	Maloney (CT)	Sawyer
Farr	Maloney (NY)	Schumer