

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HEFLEY). Before we go to the next resolution, the Chair would remind the Members that these votes should not come as a surprise. Members are expected to be here and vote within the 15-minute time limit.

PRIVILEGES OF THE HOUSE—DISMISSAL OF CONTEST IN 46TH DISTRICT OF CALIFORNIA UPON EXPIRATION OF OCTOBER 31, 1997

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise to a question of the privileges of the House, and I offer a resolution (H. Res. 291) pursuant to clause 2 of rule IX.

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

The Clerk read as follows:

H. RES. 291

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; and

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

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

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit; charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the 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; and

Whereas the Committee House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their 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; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas some Members of the House Oversight Committee are now seeking a duplicate and dilatory review of materials already in the Committee's possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing

these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgments concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

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 and now, therefore, be it

Resolved, That unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of October 31, 1997.

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 move to table the resolution.

The SPEAKER pro tempore. 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

Ms. ROYBAL-ALLARD. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 216, noes 200, answered "present" 3, not voting 13, as follows:

[Roll No. 559]

AYES—216

| | | |
|--------------|---------------|---------------|
| Aderholt | Collins | Goss |
| Archer | Combest | Graham |
| Armey | Cook | Granger |
| Bachus | Cooksey | Greenwood |
| Baker | Crane | Gutknecht |
| Ballenger | Crapo | Hansen |
| Barr | Cunningham | Hastert |
| Barrett (NE) | Davis (VA) | Hastings (WA) |
| Bartlett | Deal | Hayworth |
| Barton | DeLay | Hefley |
| Bass | Diaz-Balart | Herger |
| Bateman | Dickey | Hill |
| Bereuter | Doolittle | Hilleary |
| Bilbray | Dreier | Hobson |
| Bilirakis | Duncan | Hoekstra |
| Bliley | Dunn | Horn |
| Blunt | Ehlers | Hostettler |
| Boehkert | Ehrlich | Hulshof |
| Boehner | Emerson | Hunter |
| Bonilla | English | Hutchinson |
| Brady | Ensign | Hyde |
| Bryant | Everett | Inglis |
| Bunning | Ewing | Istook |
| Burr | Fawell | Jenkins |
| Burton | Foley | Johnson (CT) |
| Buyer | Fowler | Johnson, Sam |
| Callahan | Fox | Jones |
| Calvert | Franks (NJ) | Kasich |
| Camp | Frelinghuysen | Kelly |
| Campbell | Galleghy | Kim |
| Canady | Ganske | King (NY) |
| Cannon | Gekas | Kingston |
| Castle | Gibbons | Klug |
| Chabot | Gilchrest | Knollenberg |
| Chambliss | Gillmor | Kolbe |
| Chenoweth | Gilman | LaHood |
| Christensen | Goodlatte | Largent |
| Coble | Goodling | Latham |

| | | |
|-------------|---------------|--------------|
| LaTourette | Paxon | Shimkus |
| Lazio | Pease | Shuster |
| Leach | Peterson (PA) | Skeen |
| Lewis (CA) | Petri | Smith (MI) |
| Lewis (KY) | Pickering | Smith (NJ) |
| Linder | Pitts | Smith (OR) |
| Livingston | Pombo | Smith (TX) |
| LoBiondo | Porter | Smith, Linda |
| Lucas | Portman | Snowbarger |
| Manzullo | Pryce (OH) | Solomon |
| McCollum | Quinn | Spence |
| McCrery | Radanovich | Stearns |
| McDade | Ramstad | Stump |
| McHugh | Redmond | Sununu |
| McInnis | Regula | Talent |
| McIntosh | Riggs | Tauzin |
| McKeon | Riley | Taylor (NC) |
| Metcalfe | Rogan | Thomas |
| Mica | Rogers | Thornberry |
| Miller (FL) | Rohrabacher | Thune |
| Moran (KS) | Ros-Lehtinen | Tiahrt |
| Morella | Roukema | Trafficant |
| Myrick | Royce | Upton |
| Nethercutt | Ryun | Walsh |
| Neumann | Salmon | Wamp |
| Ney | Sanford | Watkins |
| Northup | Saxton | Watts (OK) |
| Norwood | Scarborough | Weller |
| Nussle | Schaefer, Dan | White |
| Oxley | Schaffer, Bob | Whitfield |
| Packard | Sensenbrenner | Wickler |
| Pappas | Sessions | Wolf |
| Parker | Shaw | Young (AK) |
| Paul | Shays | Young (FL) |

NOES—200

| | | |
|--------------|---------------|---------------|
| Abercrombie | Frank (MA) | Meek |
| Ackerman | Frost | Menendez |
| Allen | Furse | Millender- |
| Andrews | Gejdenson | McDonald |
| Baesler | Gephardt | Miller (CA) |
| Baldacci | Goode | Minge |
| Barcia | Gordon | Mink |
| Barrett (WI) | Green | Mollohan |
| Becerra | Gutierrez | Moran (VA) |
| Bentsen | Hall (OH) | Murtha |
| Berman | Hall (TX) | Nadler |
| Berry | Hamilton | Neal |
| Bishop | Harman | Oberstar |
| Blagojevich | Hastings (FL) | Obey |
| Blumenauer | Hefner | Olver |
| Bonior | Hilliard | Ortiz |
| Bono | Hinchee | Owens |
| Borski | Hinojosa | Pallone |
| Boswell | Holden | Pascrell |
| Boucher | Hooley | Pastor |
| Boyd | Hoyer | Pelosi |
| Brown (CA) | Jackson (IL) | Peterson (MN) |
| Brown (FL) | Jackson-Lee | Pickett |
| Brown (OH) | (TX) | Pomeroy |
| Cardin | Jefferson | Poshard |
| Carson | John | Price (NC) |
| Clay | Johnson (WI) | Rahall |
| Clayton | Johnson, E.B. | Rangel |
| Clement | Kanjorski | Reyes |
| Clyburn | Kaptur | Rivers |
| Condit | Kennedy (MA) | Rodriguez |
| Conyers | Kennedy (RI) | Roemer |
| Costello | Kennelly | Rothman |
| Coyne | Kildee | Roybal-Allard |
| Cramer | Kilpatrick | Rush |
| Cumings | Kind (WI) | Sabo |
| Danner | Kleccka | Sanders |
| Davis (FL) | Klink | Sandlin |
| Davis (IL) | Kucinich | Sawyer |
| DeFazio | LaFalce | Schumer |
| DeGette | Lampson | Scott |
| Delahunt | Lantos | Serrano |
| DeLauro | Levin | Sherman |
| Dellums | Lewis (GA) | Sisisky |
| Deutsch | Lipinski | Skaggs |
| Dicks | Lofgren | Skelton |
| Dingell | Lowey | Slaughter |
| Dixon | Luther | Smith, Adam |
| Doggett | Maloney (CT) | Snyder |
| Dooley | Maloney (NY) | Spratt |
| Doyle | Markey | Stabenow |
| Edwards | Martinez | Stark |
| Engel | Mascara | Stenholm |
| Eshoo | Matsui | Stokes |
| Etheridge | McCarthy (MO) | Strickland |
| Evans | McCarthy (NY) | Stupak |
| Farr | McDermott | Tanner |
| Fattah | McGovern | Tauscher |
| Fazio | McHale | Taylor (MS) |
| Filner | McIntyre | Thompson |
| Flake | McKinney | Thurman |
| Forbes | McNulty | Tierney |
| Ford | Meehan | Torres |

| | | |
|-----------|-----------|---------|
| Towns | Waters | Wise |
| Turner | Watt (NC) | Woolsey |
| Velazquez | Waxman | Wynn |
| Vento | Wexler | |
| Visclosky | Weygand | |

ANSWERED "PRESENT"—3

| | | |
|--------|---------|---------|
| Coburn | Sanchez | Shadegg |
|--------|---------|---------|

NOT VOTING—13

| | | |
|-----------|---------|-------------|
| Cox | Manton | Weldon (FL) |
| Cubin | Moakley | Weldon (PA) |
| Foglietta | Payne | Yates |
| Gonzalez | Schiff | |
| Houghton | Souder | |

□ 1816

Mr. SPRATT changed his vote from "aye" to "no."

Mrs. JOHNSON of Connecticut and Mr. SNOWBARGER changed their vote from "no" to "aye."

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.

PRIVILEGES OF THE HOUSE—DISMISSAL OF CONTEST IN 46TH DISTRICT OF CALIFORNIA UPON EXPIRATION OF OCTOBER 31, 1997

Ms. NORTON. Mr. Speaker, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution (H. Res. 292) pursuant to clause 2 of rule IX and ask for its immediate consideration.

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

The Clerk read as follows:

H. RES. 292

Whereas, Loretta Sanchez has been duly elected to represent the 46th District of California; and

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

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

Whereas the allegations made by Mr. Robert Dornan have been largely found to be without merit: charges of improper voting from a business, rather than a resident address; underage voting; double voting; and charges of unusually large number of individuals voting from the same address. It was found that voting from the same address included a Marines barracks and the 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; and

Whereas the Committee on House Oversight has issued unprecedented subpoenas to the Immigration and Naturalization Service to compare their 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; and

Whereas the INS has complied with the Committee's request and, at the Committee's request, has been doing a manual check of its paper files and providing worksheets containing supplemental information on that manual check to the Committee on House Oversight for over five months; and

Whereas the Committee on House Oversight, subpoenaed the records seized by the District Attorney of Orange County on February 13, 1997 and has received and reviewed all records pertaining to registration efforts of that group; and

Whereas some Members of the House Oversight Committee are now seeking a duplicate and dilatory review of materials already in the Committees possession by the Secretary of State of California; and

Whereas the Task Force on the Contested Election in the 46th District of California and the Committee have been reviewing these materials and has all the information it needs regarding who voted in the 46th District and all the information it needs to make judgements concerning those votes; and

Whereas the Committee on House Oversight has after over nine months of review and investigation failed to present credible evidence to change the outcome of the election of Congresswoman Sanchez and is pursuing never ending and unsubstantiated areas of review; and

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 and now therefore be it;

Resolved, that unless the Committee on House Oversight has sooner reported a recommendation for its final disposition, the contest in the 46th District of California is dismissed upon the expiration of October 31, 1997.

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 move to table the resolution.

The SPEAKER pro tempore. 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

Ms. NORTON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 214, noes 187, answered "present" 4, not voting 27, as follows:

[Roll No. 560]

AYES—214

| | | |
|-----------|-------------|-------------|
| Aderholt | Bunning | Cunningham |
| Archer | Burr | Davis (VA) |
| Armey | Buyer | Deal |
| Bachus | Callahan | DeLay |
| Baker | Calvert | Diaz-Balart |
| Ballenger | Camp | Dickey |
| Barr | Campbell | Doolittle |
| Bartlett | Canady | Dreier |
| Barton | Cannon | Duncan |
| Bass | Castle | Dunn |
| Bateman | Chabot | Ehlers |
| Bilbray | Chambless | Ehrlich |
| Bilirakis | Chenoweth | Emerson |
| Bilely | Christensen | English |
| Blunt | Coble | Ensign |
| Boehlert | Collins | Everett |
| Boehner | Combest | Ewing |
| Bonilla | Cook | Fawell |
| Bono | Cooksey | Foley |
| Brady | Crane | Fowler |
| Bryant | Crapo | Fox |

| | | |
|---------------|---------------|---------------|
| Franks (NJ) | Lazio | Rogers |
| Frelinghuysen | Leach | Rohrabacher |
| Gallely | Lewis (CA) | Ros-Lehtinen |
| Ganske | Lewis (KY) | Roukema |
| Gekas | Linder | Royce |
| Gibbons | Livingston | Ryun |
| Gilchrest | LoBiondo | Salmon |
| Gillmor | Lucas | Sanford |
| Gilman | Manzullo | Saxton |
| Goodlatte | McCollum | Scarborough |
| Goodling | McCrery | Schaefer, Dan |
| Goss | McDade | Schaffer, Bob |
| Graham | McHugh | Sensenbrenner |
| Granger | McInnis | Sessions |
| Greenwood | McIntosh | Shaw |
| Gutknecht | McKeon | Shays |
| Hansen | Metcalf | Shimkus |
| Hastert | Mica | Shuster |
| Hastings (WA) | Miller (FL) | Skeen |
| Hayworth | Moran (KS) | Smith (MI) |
| Hefley | Morella | Smith (NJ) |
| Herger | Myrick | Smith (OR) |
| Hill | Nethercutt | Smith (TX) |
| Hilleary | Neumann | Smith, Linda |
| Hobson | Ney | Snowbarger |
| Hoekstra | Northup | Solomon |
| Horn | Norwood | Spence |
| Hostettler | Nussle | Stearns |
| Houghton | Oxley | Stump |
| Hulshof | Packard | Sununu |
| Hunter | Pappas | Talent |
| Hutchinson | Parker | Tauzin |
| Hyde | Paul | Taylor (NC) |
| Inglis | Paxon | Thomas |
| Istook | Pease | Thornberry |
| Jenkins | Peterson (PA) | Thune |
| Johnson (CT) | Petri | Tiahrt |
| Johnson, Sam | Pickering | Trafficant |
| Jones | Pitts | Upton |
| Kasich | Pombo | Walsh |
| Kelly | Porter | Watkins |
| Kim | Portman | Watts (OK) |
| King (NY) | Pryce (OH) | Weller |
| Kingston | Quinn | White |
| Klug | Radanovich | Whitfield |
| Knollenberg | Ramstad | Wicker |
| Kolbe | Redmond | Wolf |
| LaHood | Regula | Young (AK) |
| Largent | Riggs | Young (FL) |
| Latham | Riley | |
| LaTourette | Rogan | |

NOES—187

| | | |
|--------------|----------------|---------------|
| Abercrombie | Dooley | Kennelly |
| Ackerman | Doyle | Kildee |
| Allen | Edwards | Kilpatrick |
| Andrews | Engel | Kind (WI) |
| Baesler | Eshoo | Kleczka |
| Baldacci | Etheridge | Klink |
| Barcia | Evans | Kucinich |
| Barrett (WI) | Farr | LaFalce |
| Becerra | Fattah | Lampson |
| Bentsen | Fazio | Lantos |
| Berman | Filner | Levin |
| Berry | Flake | Lewis (GA) |
| Bishop | Forbes | Lipinski |
| Blagojevich | Ford | Lofgren |
| Blumenauer | Frank (MA) | Lowe |
| Bonior | Frost | Luther |
| Borski | Furse | Maloney (CT) |
| Boswell | Gejdenson | Markey |
| Boucher | Gephardt | Martinez |
| Boyd | Goode | Mascara |
| Brown (CA) | Gordon | Matsui |
| Brown (FL) | Green | McCarthy (MO) |
| Brown (OH) | Gutierrez | McCarthy (NY) |
| Cardin | Hall (OH) | McDermott |
| Carson | Hall (TX) | McGovern |
| Clay | Hamilton | McHale |
| Clement | Harman | McIntyre |
| Clyburn | Hastings (FL) | McKinney |
| Condit | Hefner | McNulty |
| Conyers | Hilliard | Meehan |
| Costello | Hinchey | Menendez |
| Coyne | Hinojosa | Miller (CA) |
| Cramer | Holden | Minge |
| Cummins | Hooley | Mink |
| Danner | Hoyer | Mollohan |
| Davis (IL) | Jackson (IL) | Moran (VA) |
| DeFazio | Jackson-Lee | Murtha |
| DeGette | (TX) | Nadler |
| Delahunt | Jefferson | Neal |
| DeLauro | John | Oberstar |
| Dellums | Johnson (WI) | Obey |
| Deutsch | Johnson, E. B. | Olver |
| Dicks | Kanjorski | Ortiz |
| Dingell | Kaptur | Pascrell |
| Dixon | Kennedy (MA) | Pastor |
| Doggett | Kennedy (RI) | Peterson (MN) |