

Pickett	Scott	Tauscher
Pomeroy	Serrano	Thompson
Poshard	Sherman	Thurman
Price (NC)	Sisisky	Tierney
Rahall	Skaggs	Torres
Reyes	Skelton	Towns
Rivers	Slaughter	Turner
Rodriguez	Smith, Adam	Velazquez
Roemer	Snyder	Vento
Rothman	Spratt	Visclosky
Roybal-Allard	Stabenow	Waters
Rush	Stark	Watt (NC)
Sabo	Stenholm	Wexler
Sanders	Stokes	Weygand
Sandlin	Strickland	Wise
Sawyer	Stupak	Wynn
Schumer	Tanner	

ANSWERED "PRESENT"—4

Coburn	Shadegg
Sanchez	Wamp

NOT VOTING—27

Barrett (NE)	Manton	Schiff
Bereuter	Meek	Souder
Burton	Millender-	Taylor (MS)
Clayton	McDonald	Waxman
Cox	Moakley	Weldon (FL)
Cubin	Owens	Weldon (PA)
Davis (FL)	Pallone	Woolsey
Foglietta	Payne	Yates
Gonzalez	Pelosi	
Maloney (NY)	Rangel	

□ 1838

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

Ms. MILLENDER-MCDONALD. Mr. Speaker, on rollcall No. 560, I was coming down the aisle when the Speaker closed the vote before I was able to cast my vote. Had I been able to vote, I would have voted "no."

PERSONAL EXPLANATION

Mr. PALLONE. Mr. Speaker, on rollcall No. 560, I was in the well of the House Chamber, and the Speaker did not notice that I was trying to vote. Had I been recognized, I would have voted "no."

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

Mr. CONDIT. Mr. Speaker, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution (H. Res. 293) 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. 293

Whereas Loretta Sanchez was issued a certificate of election as the elected Member of Congress from the 46th District 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 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 on February 26th, 1997 in Washington, D.C. on April 19th, 1997 in Orange County, California, and October 24, 1997 in Washington, D.C.; and

Whereas the Committee on the 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 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 or review; and

Whereas, the Committee on the House Oversight should complete its review of this matter and bring the matter forward for the House of Representatives to vote upon 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

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 212, noes 190, answered "present" 4, not voting 26, as follows:

[Roll No. 561]

AYES—212

Aderholt	Canady	Everett
Archer	Cannon	Ewing
Bachus	Castle	Fawell
Baker	Chabot	Fowler
Ballenger	Chambliss	Fox
Barr	Chenoweth	Franks (NJ)
Bartlett	Christensen	Frelinghuysen
Barton	Coble	Galleghy
Bass	Collins	Ganske
Bateman	Combest	Gekas
Bereuter	Cook	Gibbons
Bilbray	Cooksey	Gilchrest
Bilirakis	Cox	Gillmor
Bliley	Crane	Gilman
Blunt	Cunningham	Goodlatte
Boehlert	Davis (VA)	Goodling
Boehner	Deal	Goss
Bonilla	DeLay	Graham
Bono	Diaz-Balart	Granger
Brady	Dickey	Greenwood
Bryant	Doolittle	Gutknecht
Bunning	Dreier	Hansen
Burr	Duncan	Hastert
Burton	Dunn	Hastings (WA)
Buyer	Ehlers	Hayworth
Callahan	Ehrlich	Hefley
Calvert	Emerson	Hergert
Camp	English	Hill
Campbell	Ensign	Hilleary

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

NOES—190

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

Smith, Adam	Tanner	Vento
Snyder	Tauscher	Visclosky
Spratt	Thompson	Waters
Stabenow	Thurman	Watt (NC)
Stark	Tierney	Wexler
Stenholm	Torres	Weygand
Stokes	Towns	Wise
Strickland	Turner	Woolsey
Stupak	Velazquez	Wynn

ANSWERED "PRESENT"—4

Coburn	Taylor (MS)
Shadegg	Wamp

NOT VOTING—26

Armey	Martinez	Sanchez
Barrett (NE)	McInnis	Schiff
Crapo	McIntosh	Schumer
Cubin	Menendez	Souder
Dooley	Moakley	Waxman
Foglietta	Moran (VA)	Weldon (FL)
Foley	Owens	Weldon (PA)
Gonzalez	Payne	Yates
Manton	Rangel	

□ 1858

Mrs. MALONEY of New York changed her vote from "aye" to "no."

Mr. REGULA changed his 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.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

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

Mr. BECERRA. Mr. Speaker, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution (H. Res. 294) 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. 294

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 met 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 dupli-

cate 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, 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 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, for the fifth time, 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

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 217, noes 193, answered "present" 4, not voting 18, as follows:

[Roll No. 562]

AYES—217

Aderholt
Archer
Armey
Bachus
Baker
Ballenger

Barr
Bartlett
Barton
Bass
Bateman
Bereuter

Bilbray
Bilirakis
Bliley
Blunt
Boehert
Boehner

Bonilla
Bono
Brady
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Castle
Chabot
Chambliss
Chenoweth
Christensen
Coble
Collins
Combest
Cook
Cooksey
Cox
Crane
Crapo
Cunningham
Davis (VA)
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Foley
Fowler
Fox
Franks (NJ)
Frelinghuysen
Gallegly
Ganske
Gekas
Gibbons
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Granger
Greenwood
Gutknecht
Hansen
Hastert
Hastings (WA)

Hayworth
Hefley
Herger
Hill
Hilleary
Hobson
Hoekstra
Horn
Hostettler
Houghton
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Mica
Miller (FL)
Moran (KS)
Morella
Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)

NOES—193

Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fazio
Filner
Flake
Forbes
Ford

Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Sensenbrenner
Sessions
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Trafficant
Upton
Walsh
Watkins
Watts (OK)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hoolley
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (WI)
Johnson, E.B.
Kanjorski
Kaptur