

California. After 9 months of investigation at a cost of over 100,000 taxpayer dollars, no evidence of fraud being found, the challenge was withdrawn; and whereas, the Committee on House Oversight has had more than ample time to conclude its investigation, conducted at great taxpayer expense: now, therefore, be it

*Resolved*, That unless the Committee on Oversight has sooner reported a recommendation for its final disposition, the contest of the 46th District of California is dismissed upon the expiration of November 7, 1997.

Madam Speaker, I ask unanimous consent that the text of the entire resolution be printed at this point in the RECORD.

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

There was no objection.

The text of the resolution is as follows:

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 charged 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 record 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 House Oversight Committee is now pursuing 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 the 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, in the 104th Congress, similar challenges were brought in three elections, including one involving the offeror of this resolution, winner of her election by 812 votes, duly certified by the Secretary of State of California. After nine months of investigation at a cost of over \$100,000 taxpayer dollars, no evidence of fraud being found, the challenge was withdrawn; and

Whereas by prolonging the contest against Representative Loretta Sanchez, Mr. Robert Dornan has disrupted the proceedings of the House and fractured the comity necessary for Members of Congress to conduct the peoples' business and address by legislation and policy the major challenges facing the United States in the 21st Century; and

Whereas, the Committee on House Oversight has had more than ample time to conclude its investigation, conducted at great taxpayer expense, 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 November 7, 1997.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from California [Ms. HARMAN] will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

#### ANNOUNCEMENT OF INTENTION TO OFFER RESOLUTION RAISING QUESTION OF PRIVILEGES OF THE HOUSE

Ms. MCKINNEY. Mr. Speaker, pursuant to clause 2 of rule IX, I hereby give notice of my intention to offer a resolution which raises a question of the privileges of the House.

The form of the resolution is as follows:

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 has not met since that time; 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 charged 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 record 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 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 the 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, Loretta Sanchez of the Golden State smiles brighter than Bob Dornan even on a cloudy day.

Whereas Loretta Sanchez, a latina from California, has been persecuted for beating B-2 bomber Bob.

Whereas Loretta Sanchez is working to represent all the people of her district regardless of race, color, creed, gender, national origin or sexual orientation.

Whereas the Republican majority has failed to complete the nation's legislative business on time in each of its majority years.

Whereas many feel that the real bottom line in all of this is that Bob Dornan needs to get a life—and a job.

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 November 7, 1997.

□ 1215

The SPEAKER pro tempore (Mrs. EMERSON). Without objection, the Chair's prior statement will appear in the RECORD at this point.

There was no objection.

The text of the Chair's prior statement is as follows:

Under rule IX, a resolution offered from the floor by a Member other than the Majority Leader or the Minority Leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within two legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Georgia [Ms. MCKINNEY] will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

#### VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT OF 1997

Mr. STUMP. Madam Speaker, I ask unanimous consent for the immediate consideration in the House of the bill (H.R. 2367) to increase, effective as of December 1, 1997, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 2367

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Compensation Cost-of-Living Adjustment Act of 1997".

#### SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—The Secretary of Veterans Affairs shall, effective on December 1, 1997, increase the dollar amounts in effect for the payment of disability compensation and dependency and indemnity compensation by the Secretary, as specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) COMPENSATION.—Each of the dollar amounts in effect under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts in effect under sections 1115(l) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount in effect under section 1162 of such title.

(4) NEW DIC RATES.—The dollar amounts in effect under paragraphs (1) and (2) of section 1311(a) of such title.

(5) OLD DIC RATES.—Each of the dollar amounts in effect under section 1311(a)(3) of such title.

(6) ADDITIONAL DIC FOR DISABILITY.—The dollar amounts in effect under sections 1311(c) and 1311(d) of such title.

(7) DIC FOR DEPENDENT CHILDREN.—The dollar amounts in effect under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—(1) The increase under subsection (a) shall be made in the dollar amounts specified in subsection (b) as in effect on November 30, 1997.

(2) Except as provided in paragraph (3), each such amount shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 1997, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(3) Each dollar amount increased pursuant to paragraph (2) shall, if not a whole dollar amount, be rounded down to the next lower whole dollar amount.

(d) SPECIAL RULE.—The Secretary may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 (72 Stat. 1263) who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

(e) PUBLICATION OF ADJUSTED RATES.—At the same time as the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 1997, the Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b), as increased pursuant to subsection (a).

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. STUMP

Mr. STUMP. Madam Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. STUMP: Strike out all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE; REFERENCES TO TITLE 38, UNITED STATES CODE.

(a) SHORT TITLE.—This Act may be cited as the "Veterans' Compensation Rate Amendments of 1997".

(b) REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

#### SEC. 2. DISABILITY COMPENSATION.

(a) INCREASE IN RATES.—Section 1114 is amended—

(1) by striking out "\$87" in subsection (a) and inserting in lieu thereof "\$95";

(2) by striking out "\$166" in subsection (b) and inserting in lieu thereof "\$182";

(3) by striking out "\$253" in subsection (c) and inserting in lieu thereof "\$279";

(4) by striking out "\$361" in subsection (d) and inserting in lieu thereof "\$399";

(5) by striking out "\$515" in subsection (e) and inserting in lieu thereof "\$569";

(6) by striking out "\$648" in subsection (f) and inserting in lieu thereof "\$717";

(7) by striking out "\$819" in subsection (g) and inserting in lieu thereof "\$905";

(8) by striking out "\$948" in subsection (h) and inserting in lieu thereof "\$1,049";

(9) by striking out "\$1,067" in subsection (i) and inserting in lieu thereof "\$1,181";

(10) by striking out "\$1,774" in subsection (j) and inserting in lieu thereof "\$1,964";

(11) in subsection (k)—

(A) by striking out "\$70" both places it appears and inserting in lieu thereof "\$75"; and  
(B) by striking out "\$2,207" and "\$3,093" and inserting in lieu thereof "\$2,443" and "\$3,426", respectively;

(12) by striking out "\$2,207" in subsection (l) and inserting in lieu thereof "\$2,443";

(13) by striking out "\$2,432" in subsection (m) and inserting in lieu thereof "\$2,694";

(14) by striking out "\$2,768" in subsection (n) and inserting in lieu thereof "\$3,066";

(15) by striking out "\$3,093" each place it appears in subsections (o) and (p) and inserting in lieu thereof "\$3,426";

(16) by striking out "\$1,328" and "\$1,978" in subsection (r) and inserting in lieu thereof "\$1,471" and "\$2,190", respectively; and

(17) by striking out "\$1,985" in subsection (s) and inserting in lieu thereof "\$2,199".

(b) SPECIAL RULE.—The Secretary of Veterans Affairs may authorize administratively, consistent with the increases authorized by this section, the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

#### SEC. 3. ADDITIONAL COMPENSATION FOR DEPENDENTS.

Section 1115(l) is amended—

(1) by striking out "\$105" in clause (A) and inserting in lieu thereof "\$114";

(2) by striking out "\$178" and "\$55" in clause (B) and inserting in lieu thereof "\$195" and "\$60", respectively;

(3) by striking out "\$72" and "\$55" in clause (C) and inserting in lieu thereof "\$78" and "\$60", respectively;

(4) by striking out "\$84" in clause (D) and inserting in lieu thereof "\$92";

(5) by striking out "\$195" in clause (E) and inserting in lieu thereof "\$215"; and

(6) by striking out "\$164" in clause (F) and inserting in lieu thereof "\$180".

#### SEC. 4. CLOTHING ALLOWANCE FOR CERTAIN DISABLED VETERANS.

Section 1162 is amended by striking out "\$478" and inserting in lieu thereof "\$528."

#### SEC. 5. DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVING SPOUSES.

(a) NEW LAW RATES.—Section 1311(a) is amended—

(1) by striking out "\$769" in paragraph (1) and inserting in lieu thereof "\$850"; and

(2) by striking out "\$169" in paragraph (2) and inserting in lieu thereof "\$185".

(b) OLD LAW RATES.—The table in subsection (a)(3) is amended to read as follows:

	Monthly
"Pay grade	
E-1 .....	\$850
E-2 .....	850
E-3 .....	850
E-4 .....	850
E-5 .....	850
E-6 .....	850
E-7 .....	879
E-8 .....	928
E-9 .....	968
W-1 .....	898
W-2 .....	934
W-3 .....	962
W-4 .....	1,017
O-1 .....	898
O-2 .....	928
O-3 .....	992
O-4 .....	1,049
O-5 .....	1,155
O-6 .....	1,302
O-7 .....	1,406
O-8 .....	1,541
O-9 .....	1,651