

NOT VOTING—18

Bunn	Heineman	Rangel
Durbin	Jacobs	Schroeder
Funderburk	Lincoln	Studds
Gephardt	Oxley	Wicker
Gibbons	Payne (VA)	Williams
Hayes	Peterson (FL)	Wilson

□ 2100

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF ADDITIONAL CONFEREES ON H.R. 3539, FEDERAL AVIATION AUTHORIZATION ACT OF 1996

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the Chair appoints the following additional conferees from the Committee on Ways and Means for the consideration of section 501 of the bill, H.R. 3539, and sections 417, 906 and 1001 of the Senate amendment and modifications committed to conference: Messrs. ARCHER, CRANE, and GIBBONS.

There was no objection.

PRIVILEGES OF THE HOUSE—RESOLUTION REQUIRING THAT INVESTIGATION INTO MATTERS SURROUNDING COMPLAINT ON REPRESENTATIVE RICHARD GEPHARDT BE ASSIGNED TO SPECIAL COUNSEL

Mr. LINDER. Mr. Speaker, earlier in this day I served notice that I would ask the House to consider a question of privilege under rule IX. I respectfully request that that resolution be brought to the floor right now.

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

The Clerk read as follows:

H. Res. 531

Whereas, a complaint filed against Representative Gephardt alleges House Rules have been violated by Representative Gephardt's concealment of profits gained through a complex series of real estate tax exchanges and;

Whereas, the complaint also alleges possible violations of banking disclosure and campaign finance laws or regulations and;

Whereas, the Committee on Standards of Official Conduct has in other complex matters involving complaints hired outside counsel with expertise in tax laws and regulations and;

Whereas, the Committee on Standards of Official Conduct is responsible for determining whether Representative Gephardt's financial transactions violated standards of conduct or specific rules of the House of Representatives and;

Whereas, the complaint against Representative Gephardt has been pending before the committee for more than seven months and the integrity of the ethics process and the manner in which Members are disciplined is called into question; and

Whereas, on Friday, September 20, 1996 the ranking Democrat of the Ethics Committee, Representative James McDermott in a public statement suggested that cases pending

before the committee in excess of 60 days be referred to an outside counsel; now be it

Resolved that the committee on Standards of Official Conduct is authorized and directed to hire a special counsel to assist in the investigation of the charges filed against the Democrat Leader Representative Richard Gephardt.

Resolved that all relevant materials presented to, or developed by, the committee to date on the complaint be submitted to a special counsel, for review and recommendation to determine whether the committee should proceed to a preliminary inquiry.

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

MOTION TO TABLE OFFERED BY MR. ARMEY

Mr. ARMEY. Mr. Speaker, I offer a privileged motion.

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

The Clerk read as follows:

Mr. ARMEY 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 Texas [Mr. ARMEY].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 390, noes 11, answered “present” 7, not voting 25, as follows:

[Roll No. 428]

AYES—390

Abercrombie	Burr	Deutsch	LoBiondo	Roth
Ackerman	Burton	Diaz-Balart	Lofgren	Roukema
Allard	Buyer	Dickey	Longley	Roybal-Allard
Andrews	Callahan	Dicks	Lowey	Royce
Archer	Calvert	Dingell	Lucas	Rush
Army	Camp	Dixon	Luther	Sabo
Bachus	Campbell	Doggett	Maloney	Salmon
Baessler	Canady	Dooley	Manton	Sanders
Baker (CA)	Castle	Doolittle	Manzullo	Sanford
Baker (LA)	Chabot	Dornan	Markey	Saxton
Baldacci	Chambliss	Dreier	Martini	Scarborough
Ballenger	Chapman	Duncan	Mascara	Schaefer
Barcia	Chenoweth	Dunn	Matsui	Schumer
Barr	Christensen	Edwards	McCarthy	Scott
Barrett (NE)	Ehlers	Ehrlich	McCollum	Seastrand
Barrett (WI)	Chrysler	Engel	McCrery	Sensenbrenner
Bartlett	Clayton	English	McDade	Shadegg
Barton	Clement	Ensign	McHugh	Shaw
Bass	Clinger	Eshoo	McInnis	Shays
Bateman	Clyburn	Evans	McIntosh	Shuster
Becerra	Coble	Everett	McKeon	Sisisky
Beilenson	Coburn	Ewing	McKinney	Skaggs
Bentsen	Coleman	Farr	McNulty	Skeen
Bereuter	Collins (GA)	Fattah	Meehan	Skelton
Berman	Collins (IL)	Fawell	Meek	Slaughter
Bevill	Collins (MI)	Fazio	Menendez	Smith (MI)
Bilbray	Combest	Fields (LA)	Metcalfe	Smith (NJ)
Bilirakis	Condit	Fields (TX)	Meyers	Smith (TX)
Bishop	Conyers	Finler	Mica	Smith (WA)
Bliley	Costello	Flanagan	Millender-McDonald	Solomon
Blumenauer	Cox	Foglietta	Miller (CA)	Souder
Blute	Coyne	Foley	Miller (FL)	Spence
Boehlert	Cramer	Forbes	Mink	Spratt
Boehner	Crane	Ford	Moakley	Stark
Bonilla	Crapo	Fowler	Molinari	Stearns
Bonior	Creameans	Fox	Mollohan	Stenholm
Bono	Cubin	Frank (MA)	Montgomery	Stockman
Brewster	Cummings	Franks (CT)	Moorhead	Stokes
Browder	Cunningham	Franks (NJ)	Moran	Stump
Brown (CA)	Danner	Frelinghuysen	Morella	Stupak
Brown (FL)	Davis	Frisa	Murtha	Talent
Brown (OH)	Deal	Frost	Myers	Tanner
Brownback	DeFazio	Furse	Myrick	Tate
Brownback	DeLauro	Gallegly	Nadler	Tauzin
Bryant (TN)	DeLay	Ganske	Neal	Taylor (NC)
Bryant (TX)	Dellums		Nethercutt	Thomas
Bunning			Neumann	Thompson
			Ney	Thornberry
			Norwood	Thornton
			Nussle	Thurman
			Oberstar	Tiahrt
			Obey	Torkildsen
			Olver	Torricelli
			Orton	Towns
			Owens	Traficant
			Packard	Upton
			Pallone	Velazquez
			Parker	Vento
			Pastor	Visclosky
			Paxon	Volkmer
			Payne (NJ)	Vucanovich
			Petri	Walker
			Pickett	Wamp
			Pombo	Ward
			Pomeroy	Waters
			Porter	Watt (NC)
			Portman	Watts (OK)
			Poshard	Waxman
			Pryce	Weldon (FL)
			Quillen	Weldon (PA)
			Radanovich	Weller
			Rahall	White
			Ramstad	Whitefield
			Reed	Wicker
			Regula	Wise
			Richardson	Wolf
			Riggs	Woolsey
			Rivers	Wynn
			Roberts	Yates
			Roemer	Young (AK)
			Rogers	Young (FL)
			Rohrabacher	Zeliff
			Ros-Lehtinen	Zimmer
			Rose	

NOES—11

ANSWERED “PRESENT”—7

NOT VOTING—25

Boucher	Hayes	Rangel
Bunn	Heineman	Schroeder
Cooley	Jacobs	Studds
de la Garza	Lincoln	Tejeda
Durbin	Martinez	Torres
Flake	Ortiz	Williams
Funderburk	Oxley	Wilson
Gephardt	Payne (VA)	
Gibbons	Peterson (FL)	

□ 2121

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

Mrs. JOHNSON of Connecticut. Mr. Speaker, on rollcall No. 428, I mistakenly voted "aye". I intended to vote "present."

PRIVILEGES OF THE HOUSE—
CALLING FOR RELEASE OF OUTSIDE COUNSEL'S REPORT ON
SPEAKER GINGRICH

Mr. LEWIS of Georgia. Mr. Speaker, I rise to a question of the privileges of the House, and I offer a resolution pursuant to clause 2 of rule IX.

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

The Clerk read as follows:

H. RES. 532

Whereas on December 6, 1995, the Committee on Standards of Official Conduct agreed to appoint an outside counsel to conduct an independent, non-partisan investigation of allegations of ethical misconduct by Speaker Newt Gingrich;

Whereas, after an eight-month investigation, that outside counsel has submitted an extensive document containing the results of his inquiry;

Whereas the report of the outside counsel cost the taxpayers \$500,000;

Whereas the public has a right—and Members of Congress have a responsibility—to examine the work of the outside counsel and reach an independent judgement concerning the merits of the charges against the Speaker;

Whereas these charges have been before the Ethics Committee for more than two years;

Whereas a failure of the Committee to release the outside counsel's report before the adjournment of the 104th Congress will seriously undermine the credibility of the Ethics Committee and the integrity of the House of Representatives;

Therefore be it resolved that

The Committee on Standards of Official Conduct shall release to the public the outside counsel's report on Speaker Newt Gingrich—including any conclusions, recommendations, attachments, exhibits or accompanying material—no later than Wednesday, September 25, 1996.

The SPEAKER pro tempore (Mr. LAHOOD). The resolution constitutes a question of the privileges of the House.

MOTION TO TABLE OFFERED BY MR. ARMEY

Mr. ARMEY. Mr. Speaker, I offer a privileged motion.

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

The Clerk read as follows:

Mr. ARMEY moves to lay the resolutions on the table.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from Texas [Mr. ARMEY].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 225, noes 173, answered "present" 9, not voting 26, as follows:

[Roll No. 429]

AYES—225

Allard	Franks (CT)	Moorhead
Archer	Franks (NJ)	Morella
Armey	Frelinghuysen	Myers
Bachus	Frisa	Myrick
Baker (CA)	Gallegly	Nethercutt
Baker (LA)	Ganske	Neumann
Ballenger	Gekas	Ney
Barr	Geren	Norwood
Barrett (NE)	Gilchrest	Nussle
Bartlett	Gillmor	Packard
Barton	Gilman	Parker
Bass	Goodlatte	Paxon
Bateman	Goodling	Petri
Bereuter	Graham	Pombo
Bilbray	Greene (UT)	Porter
Bilirakis	Greenwood	Portman
Bliley	Gunderson	Pryce
Blute	Gutknecht	Quillen
Boehlert	Hall (TX)	Radanovich
Boehner	Hancock	Ramstad
Bonilla	Hansen	Regula
Bono	Hastert	Riggs
Brewster	Hastings (WA)	Roberts
Brownback	Hayworth	Rogers
Bryant (TN)	Hefley	Rohrabacher
Bunning	Herger	Ros-Lehtinen
Burr	Hilleary	Roth
Burton	Hoekstra	Roukema
Buyer	Hoke	Royce
Callahan	Horn	Salmon
Calvert	Hostettler	Sanford
Camp	Houghton	Saxton
Campbell	Hunter	Scarborough
Canady	Hyde	Schaefer
Castle	Inglis	Seastrand
Chabot	Istook	Sensenbrenner
Chambliss	Johnson, Sam	Shadegg
Chenoweth	Jones	Shaw
Christensen	Kasich	Shays
Chryslers	Kelly	Shuster
Clinger	Kim	Skeen
Coble	King	Smith (MI)
Coburn	Kingston	Smith (NJ)
Collins (GA)	Knollenberg	Smith (TX)
Combest	Kolbe	Smith (WA)
Condit	LaHood	Solomon
Cox	Largent	Souder
Crane	Latham	Spence
Crapo	LaTourette	Stearns
Creameans	Laughlin	Stockman
Cubin	Lazio	Stump
Cunningham	Leach	Talent
Davis	Lewis (CA)	Tate
Deal	Lewis (KY)	Tauzin
DeLay	Lightfoot	Taylor (NC)
Diaz-Balart	Linder	Thomas
Dickey	Livingston	Thornberry
Doollittle	LoBiondo	Tiahrt
Dornan	Longley	Torkildsen
Dreier	Lucas	Upton
Duncan	Manzullo	Vucanovich
Dunn	Martini	Walker
Ehlers	McCollum	Wamp
Ehrlich	McCrery	Watts (OK)
English	McDade	Weldon (FL)
Ensign	McHugh	Weldon (PA)
Everett	McInnis	Weller
Ewing	McIntosh	White
Fawell	McKeon	Whitfield
Fields (TX)	Metcalf	Wicker
Flanagan	Meyers	Wolf
Foley	Mica	Young (AK)
Forbes	Miller (FL)	Young (FL)
Fowler	Molinari	Zeliff
Fox	Montgomery	Zimmer

Abercrombie	Gordon	Nadler
Ackerman	Green (TX)	Oberstar
Andrews	Gutierrez	Obey
Baessler	Hall (OH)	Olver
Baldacci	Hamilton	Ortiz
Barcia	Harman	Orton
Barrett (WI)	Hastings (FL)	Owens
Becerra	Hefner	Pallone
Beilenson	Hilliard	Pastor
Bentsen	Hinchey	Payne (NJ)
Bevill	Holden	Peterson (MN)
Bishop	Hoyer	Pickett
Blumenauer	Hutchinson	Pomeroy
Bonior	Jackson (IL)	Poshard
Browder	Jackson-Lee	Quinn
Brown (CA)	(TX)	Rahall
Brown (FL)	Jefferson	Reed
Brown (OH)	Johnson (SD)	Richardson
Bryant (TX)	Johnson, E. B.	Rivers
Chapman	Johnston	Roemer
Clay	Kanjorski	Rose
Clayton	Kaptur	Roybal-Allard
Clement	Kennedy (MA)	Rush
Clyburn	Kennedy (RI)	Sabo
Coleman	Kennelly	Sanders
Collins (IL)	Kildee	Schumer
Collins (MI)	Klecicka	Scott
Conyers	Klink	Serrano
Costello	Klug	Sisisky
Coyne	LaFalce	Skaggs
Cramer	Lantos	Skelton
Cummings	Levin	Slaughter
Danner	Lewis (GA)	Spratt
DeFazio	Lipinski	Stark
DeLauro	Lofgren	Stenholm
Dellums	Lowe	Stokes
Deutsch	Luther	Stupak
Dicks	Maloney	Tanner
Dingell	Manton	Taylor (MS)
Dixon	Markey	Tejeda
Doggett	Mascara	Thompson
Dooley	Matsui	Thornton
Doyle	McCarthy	Thurman
Edwards	McDermott	Torricelli
Engel	McHale	Towns
Eshoo	McKinney	Velazquez
Evans	McNulty	Vento
Farr	Meehan	Visclosky
Fattah	Meek	Volkmer
Fazio	Menendez	Walsh
Fields (LA)	Millender	Ward
Filner	McDonald	Waters
Foglietta	Miller (CA)	Watt (NC)
Ford	Minge	Wise
Frank (MA)	Mink	Woolsey
Frost	Moakley	Wynn
Furse	Mollohan	Yates
Gejdenson	Moran	
Gonzalez	Murtha	

ANSWERED "PRESENT"—9

Borski	Hobson	Sawyer
Cardin	Johnson (CT)	Schiff
Goss	Pelosi	Trafigant

NOT VOTING—26

Berman	Gibbons	Peterson (FL)
Boucher	Hayes	Rangel
Bunn	Heineman	Schroeder
Cooley	Jacobs	Studds
de la Garza	Lincoln	Torres
Durbin	Martinez	Waxman
Flake	Neal	Williams
Funderburk	Oxley	Wilson
Gephardt	Payne (VA)	

□ 2141

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.

ANNOUNCEMENT OF LEGISLATION
TO BE CONSIDERED UNDER SUSPENSION OF RULES ON WEDNESDAY, SEPTEMBER 25, 1996

Mr. GOSS. Mr. Speaker, pursuant to the rule adopted earlier today, I am announcing the following suspensions for Wednesday, September 25: