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No. 61

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. NEY).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
May 14, 1998.

I hereby designate the Honorable ROBERT W. NEY to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
Speaker of the House of Representatives.

### PRAYER

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

Give us, we pray, the gifts of the spirit. O gracious God, from whom all blessings flow, remind us that our daily lives can be filled with benefits that come from Your good spirit. The gifts of love, joy, peace, patience, kindness, goodness, faithfulness, gentleness, and self-control. May these lively contributions to the human condition bless, strengthen and give encouragement to our daily lives and keep us all in Your grace now and evermore. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Alabama (Mr. ADERHOLT) come forward and lead the House in the Pledge of Allegiance.

Mr. ADERHOLT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 255. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

H. Con. Res. 262. Concurrent resolution authorizing the 1998 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capitol Grounds.

H. Con. Res. 263. Concurrent resolution authorizing the use of the Capitol Grounds for the seventeenth annual National Peace Officers' Memorial Service.

The message also announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2676. An act to amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 2676) "An Act to amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ROTH, Mr. CHAFEE, Mr. GRASSLEY, Mr. HATCH, Mr. MURKOWSKI, Mr. NICKLES, Mr. GRAMM, Mr. MOYNIHAN, Mr. BAUCUS, Mr. GRAHAM, Mr. BREAUX, and Mr. KERREY; and from the Committee on Governmental Affairs: Mr. THOMPSON, Mr. BROWNBACK, Mr. COCHRAN, Mr. DURBIN, and Mr. CLELAND, to be the conferees on the part of the Senate.

The message also announced that the Senate passed bills of the following titles, in which concurrence of the House is requested:

S. 1244. An act to amend title 11, United States Code, to protect certain charitable contributions, and for other purposes.

S. 1260. An act to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to limit the conduct of securities class actions under State law, and for other purposes.

### MOTION TO ADJOURN

Mr. SERRANO. Mr. Speaker, I have a privileged motion to adjourn at the desk.

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

The Clerk read as follows:

Mr. SERRANO moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from New York (Mr. SERRANO).

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

Mr. SERRANO. 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 15, nays 379, answered "present" 1, not voting 37, as follows:

[Roll No. 152]

YEAS—15

Ackerman	Frank (MA)	McDermott
Brown (CA)	Hoyer	McNulty
Conyers	Johnson, E. B.	Sabo
Eshoo	Lewis (GA)	Serrano
Filner	Martinez	Slaughter

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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## NAYS—379

Abercrombie	Ehlers	Latham	Rogers	Skeen	Thurman
Aderholt	Ehrlich	LaTourette	Rohrabacher	Skelton	Tiaht
Allen	Emerson	Lazio	Ros-Lehtinen	Smith (MI)	Tierney
Andrews	English	Leach	Roukema	Smith (NJ)	Towns
Archer	Ensign	Lee	Roybal-Allard	Smith (OR)	Turner
Army	Etheridge	Levin	Royce	Smith (TX)	Upton
Bachus	Evans	Lewis (CA)	Rush	Smith, Adam	Velazquez
Baesler	Everett	Lewis (KY)	Ryun	Smith, Linda	Vento
Baker	Ewing	Linder	Salmon	Snowbarger	Visclosky
Baldacci	Farr	Lipinski	Sanchez	Snyder	Walsh
Ballenger	Fawell	Livingston	Sanders	Solomon	Wamp
Barcia	Fazio	LoBiondo	Sandlin	Souder	Waters
Barr	Foley	Lofgren	Sanford	Spence	Watkins
Barrett (NE)	Forbes	Lowey	Sawyer	Spratt	Watt (NC)
Barrett (WI)	Ford	Lucas	Saxton	Stabenow	Watts (OK)
Bartlett	Fossella	Luther	Scarborough	Stokes	Waxman
Bass	Fox	Maloney (CT)	Schaefer, Dan	Strickland	Weldon (FL)
Bentsen	Franks (NJ)	Maloney (NY)	Schaffer, Bob	Stump	Weller
Bereuter	Frelinghuysen	Manton	Schumer	Stupak	Wexler
Berman	Frost	Manzullo	Scott	Sununu	Weygand
Berry	Furse	Markey	Sensenbrenner	Tanner	White
Billbray	Gallegly	Mascara	Sessions	Tauscher	Whitfield
Bilirakis	Ganske	Matsui	Shadegg	Tauzin	Wicker
Bishop	Gejdenson	McCarthy (MO)	Shaw	Taylor (MS)	Wise
Blagojevich	Gekas	McCarthy (NY)	Shays	Taylor (NC)	Wolf
Bliley	Gephardt	McCollum	Sherman	Thomas	Woolsey
Blumenauer	Gibbons	McCreery	Shimkus	Thompson	Wynn
Blunt	Gilchrest	McGovern	Shuster	Thornberry	Yates
Boehlert	Gillmor	McHale	Sisisky	Thune	Young (FL)
Boehner	Gilman	McHugh	ANSWERED "PRESENT"—1		
Bonilla	Goode	McInnis	DeFazio		
Bonior	Goodlatte	McIntosh	NOT VOTING—37		
Bono	Gordon	McIntyre	Barton	Harman	Riggs
Borski	Goss	McKeon	Bateman	Hefner	Rothman
Boswell	Graham	McKinney	Becerra	Jones	Skaggs
Boucher	Granger	Meehan	Bryant	Kaptur	Stark
Boyd	Green	Meek (FL)	Christensen	Kolbe	Stearns
Brady	Gutierrez	Menendez	Davis (FL)	McDade	Stenholm
Brown (FL)	Gutknecht	Metcalfe	Dixon	Meeks (NY)	Talent
Brown (OH)	Hall (OH)	Mica	Engel	Myrick	Torres
Bunning	Hall (TX)	Millender-McDonald	Fattah	Norwood	Trafficant
Burr	Hamilton	Miller (CA)	Fowler	Pombo	Weldon (PA)
Burton	Hansen	Miller (FL)	Gonzalez	Quinn	Young (AK)
Buyer	Hastert	Minge	Goodling	Radanovich	
Callahan	Hastings (FL)	Mink	Greenwood	Reyes	
Calvert	Hastings (WA)	Moakley	□ 1026		
Camp	Hayworth	Mollohan	Ms. FURSE, Ms. PELOSI, and		
Campbell	Hefley	Moran (KS)	Messrs. RILEY, EWING, DAVIS of Vir-		
Canady	Herger	Moran (VA)	ginia, LATHAM, LEWIS of California,		
Cannon	Hill	Morella	and KASICH changed their vote from		
Capps	Hilleary	Murtha	"yea" to "nay."		
Cardin	Hilliard	Nadler	So the motion to adjourn was re-		
Carson	Hinches	Neal	jected.		
Castle	Hinojosa	Nethercutt	The result of the vote was announced		
Chabot	Hobson	Neumann	as above recorded.		
Chambliss	Hoekstra	Ney	PRIVILEGES OF THE HOUSE—EX-		
Chenoweth	Holden	Northup	PRESSING DISAPPROVAL OF		
Clay	Hookey	Nussle	CONDUCT OF COMMITTEE ON		
Clayton	Horn	Oberstar	GOVERNMENT REFORM AND		
Clement	Hostettler	Obey	OVERSIGHT'S INVESTIGATION BY		
Clyburn	Houghton	Olver	REPRESENTATIVE BURTON		
Coble	Hulshof	Ortiz	Mr. GEPHARDT. Mr. Speaker, I rise		
Coburn	Hunter	Owens	to a question of the privileges of the		
Collins	Hutchinson	Oxley	House, and I send to the desk a privi-		
Combest	Hyde	Packard	leged resolution (H. Res. 431), pursuant		
Condit	Ingليس	Pallone	to clause 2 of rule IX, and ask for its		
Cook	Istook	Pappas	immediate consideration.		
Cooksey	Jackson (IL)	Parker	The Clerk read the resolution, as fol-		
Costello	Jackson-Lee	Pascrell	lows:		
Cox	(TX)	Pastor	H. RES. 431		
Coyne	Jefferson	Paul	Whereas the Supreme Court of the United		
Cramer	Jenkins	Paxon	States has noted that, although the power to		
Crane	John	Payne	conduct investigations is inherent in the leg-		
Crapo	Johnson (CT)	Pease	islative process, that power is not unlimited,		
Cubin	Johnson (WI)	Pelosi	may be exercised only in aid of the legisla-		
Cummings	Johnson, Sam	Peterson (MN)	tive function, and cannot be used to expose		
Cunningham	Kanjorski	Peterson (PA)	for the sake of exposure alone;		
Danner	Kasich	Petri	Whereas the Supreme Court of the United		
Davis (IL)	Kelly	Pickering	States has further noted that the investiga-		
Davis (VA)	Kennedy (MA)	Pickett	tive power of Congress contains "no general		
Deal	Kennedy (RI)	Pitts	authority to expose the private affairs of in-		
DeGette	Kennelly	Pomeroy	dividuals without justification in terms of		
Delahunt	Kildee	Porter	the functions of Congress";		
DeLauro	Kilpatrick	Portman	Whereas Representative Burton is the only		
DeLay	Kim	Poshard	member in the history of the House of Rep-		
Deutsch	Kind (WI)	Price (NC)	resentatives who has had the power to uni-		
Diaz-Balart	King (NY)	Pryce (OH)	laterally issue subpoenas and the power to		
Dickey	Kingston	Rahall	disclose information obtained therefrom, and		
Dicks	Kleczka	Ramstad	has abused these powers;		
Dingell	Klink	Rangel	Whereas the Committee on Standards of		
Doggett	Klug	Redmond	Official Conduct has determined that it is		
Dooley	Knollenberg	Regula	improper to alter a House document if such		
Doolittle	Kucinich	Riley	alteration changes the meaning or exten-		
Doyle	LaFalce	Rivers	sively modifies the document;		
Dreier	LaHood	Rodriguez	Whereas the Speaker of the House of Rep-		
Duncan	Lampson	Roemer	resentatives has correctly and steadfastly		
Dunn	Lantos	Rogan	called for adherence to the Rule of Law and		
Edwards	Largent		emphasized that no man is above the law;		