

Davis (FL)	Kaptur	Peterson (MN)
Davis (IL)	Kennedy (MA)	Pickett
DeFazio	Kennedy (RI)	Pomeroy
DeGette	Kennelly	Poshard
Delahunt	Kildee	Price (NC)
DeLauro	Kilpatrick	Rahall
Dellums	Kind (WI)	Rangel
Deutsch	Kleccka	Reyes
Dicks	Klink	Rivers
Dingell	Kucinich	Rodriguez
Dixon	LaFalce	Roemer
Doggett	Lampson	Rothman
Dooley	Lantos	Roybal-Allard
Doyle	Levin	Rush
Edwards	Lewis (GA)	Sabo
Engel	Lipinski	Sanchez
Eshoo	Lofgren	Sanders
Etheridge	Lowey	Sandlin
Evans	Luther	Sawyer
Farr	Maloney (CT)	Schumer
Fattah	Maloney (NY)	Scott
Fazio	Markey	Serrano
Filner	Martinez	Sherman
Flake	Mascara	Sisisky
Forbes	Matsui	Skaggs
Ford	McCarthy (MO)	Slaughter
Frank (MA)	McCarthy (NY)	Smith, Adam
Furse	McDermott	Snyder
Gejdenson	McGovern	Spratt
Gephardt	McHale	Stabenow
Goode	McIntyre	Stark
Gordon	McKinney	Stenholm
Green	Meehan	Stokes
Gutierrez	Meek	Strickland
Hall (OH)	Menendez	Stupak
Hall (TX)	Millender-	Tanner
Hamilton	McDonald	Tauscher
Harman	Miller (CA)	Thompson
Hastings (FL)	Minge	Thurman
Hefner	Mink	Tierney
Hilliard	Mollohan	Torres
Hinches	Moran (VA)	Towns
Hinojosa	Murtha	Turner
Holden	Nadler	Velazquez
Hooley	Neal	Vento
Hoyer	Oberstar	Visclosky
Jackson (IL)	Obey	Waters
Jackson-Lee	Olver	Watt (NC)
(TX)	Ortiz	Waxman
Jefferson	Owens	Wexler
John	Pallone	Weygand
Johnson (WI)	Pascrell	Wise
Johnson, E. B.	Pastor	Woolsey
Kanjorski	Pelosi	Wynn

ANSWERED "PRESENT"—3

Coburn	Tiahrt	Wamp
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NOT VOTING—19

Archer	Manton	Souder
Barrett (NE)	McNulty	Weldon (FL)
Cubin	Moakley	Weldon (PA)
Foglietta	Payne	Yates
Frost	Pryce (OH)	Young (AK)
Gekas	Schiff	
Gonzalez	Skelton	

□ 2005

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

Mr. DOOLEY of California. Mr. Speaker, I rise to a question of the privileges of the House, and I send to the desk a privileged resolution (H. Res. 297) 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:

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 three times; 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 numbers 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 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 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 eighth and last time, I move to table the resolution.

The CHAIRMAN. 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. DOOLEY of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 208, noes 192, answered "present" 4, not voting 28, as follows:

[Roll No. 565]  
AYES—208

Aderholt	Gilman	Pappas
Army	Goodlatte	Parker
Bachus	Goodling	Paul
Baker	Goss	Paxon
Ballenger	Graham	Pease
Barr	Granger	Peterson (PA)
Bartlett	Greenwood	Petri
Barton	Gutknecht	Pickering
Bass	Hansen	Pitts
Bateman	Hastert	Pombo
Bilbray	Hastings (WA)	Porter
Bilirakis	Hayworth	Portman
Bliley	Hefley	Quinn
Blunt	Herger	Radanovich
Boehler	Hill	Ramstad
Boehner	Hilleary	Redmond
Bonilla	Hobson	Regula
Brady	Hoekstra	Riggs
Bryant	Horn	Riley
Bunning	Hostettler	Rogan
Burr	Houghton	Rogers
Burton	Hulshof	Rohrabacher
Buyer	Hunter	Ros-Lehtinen
Callahan	Hutchinson	Roukema
Calvert	Hyde	Royce
Camp	Inglis	Ryan
Campbell	Istook	Salmon
Canady	Johnson (CT)	Sanford
Cannon	Johnson, Sam	Saxton
Castle	Jones	Scarborough
Chabot	Kelly	Schaefer, Dan
Chambliss	Kim	Schaffer, Bob
Chenoweth	King (NY)	Sensenbrenner
Christensen	Kingston	Sessions
Coble	Klug	Shaw
Collins	Knollenberg	Shays
Combest	Kolbe	Shimkus
Cook	LaHood	Shuster
Cooksey	Largent	Skeen
Cox	Latham	Smith (MI)
Crane	LaTourette	Smith (NJ)
Crapo	Lazio	Smith (TX)
Cunningham	Leach	Smith, Linda
Davis (VA)	Lewis (CA)	Snowbarger
Deal	Lewis (KY)	Solomon
DeLay	Linder	Spence
Diaz-Balart	Livingston	Stearns
Dickey	LoBiondo	Stump
Doolittle	Lucas	Sununu
Dreier	Manzullo	Talent
Duncan	McCollum	Tauzin
Dunn	McCrery	Taylor (MS)
Ehlers	McDade	Taylor (NC)
Emerson	McHugh	Thomas
English	McInnis	Thornberry
Ensign	McIntosh	Thune
Everett	McKeon	Trafficant
Ewing	Metcalf	Upton
Fawell	Mica	Walsh
Foley	Miller (FL)	Watkins
Fowler	Moran (KS)	Watts (OK)
Fox	Morella	Weller
Franks (NJ)	Myrick	White
Frelinghuysen	Nethercutt	Whitfield
Gallely	Neumann	Wicker
Ganske	Ney	Wolf
Gekas	Northup	Young (AK)
Gibbons	Norwood	Young (FL)
Gilchrest	Nussle	
Gillmor	Packard	

NOES—192

Abercrombie	Bonior	Condit
Ackerman	Borski	Conyers
Allen	Boswell	Costello
Andrews	Boucher	Coyne
Baesler	Boyd	Cramer
Barcia	Brown (CA)	Cummings
Barrett (WI)	Brown (FL)	Danner
Becerra	Brown (OH)	Davis (FL)
Bentsen	Cardin	Davis (IL)
Berman	Carson	DeFazio
Berry	Clay	DeGette
Bishop	Clayton	Delahunt
Blagojevich	Clement	DeLauro
Blumenauer	Clyburn	Dellums

Deutch	Kilpatrick	Price (NC)
Dicks	Kind (WI)	Rahall
Dingell	Kleczka	Rangel
Dixon	Klink	Reyes
Doggett	Kucinich	Rivers
Dooley	LaFalce	Rodriguez
Doyle	Lampson	Roemer
Edwards	Lantos	Rothman
Engel	Levin	Roybal-Allard
Eshoo	Lewis (GA)	Rush
Etheridge	Lipinski	Sabo
Evans	Lofgren	Sanders
Farr	Lowey	Sandlin
Fattah	Luther	Sawyer
Fazio	Maloney (CT)	Schumer
Filner	Maloney (NY)	Scott
Flake	Markey	Serrano
Forbes	Martinez	Shadegg
Ford	Mascara	Sherman
Frank (MA)	Matsui	Sisisky
Furse	McCarthy (MO)	Skaggs
Gejdenson	McCarthy (NY)	Slaughter
Gephardt	McDermott	Smith, Adam
Goode	McGovern	Snyder
Gordon	McHale	Spratt
Green	McIntyre	Stabenow
Gutierrez	Meehan	Stark
Hall (TX)	Meek	Stenholm
Hamilton	Menendez	Stokes
Harman	Millender-	Strickland
Hastings (FL)	McDonald	Stupak
Hefner	Miller (CA)	Tanner
Hilliard	Minge	Tauscher
Hinchev	Mink	Thompson
Hinojosa	Mollohan	Thurman
Holden	Moran (VA)	Tierney
Hooley	Nadler	Torres
Hoyer	Neal	Towns
Jackson (IL)	Oberstar	Turner
Jackson-Lee	Obey	Velazquez
(TX)	Olver	Vento
Jefferson	Ortiz	Visclosky
John	Owens	Waters
Johnson (WI)	Pallone	Watt (NC)
Johnson, E. B.	Pascrell	Waxman
Kanjorski	Pastor	Wexler
Kaptur	Pelosi	Weygand
Kennedy (MA)	Peterson (MN)	Wise
Kennedy (RI)	Pickett	Woolsey
Kennelly	Pomeroy	Wynn
Kildee	Poshard	

## ANSWERED "PRESENT"—4

Coburn	Tiaht
Sanchez	Wamp

## NOT VOTING—28

Archer	Hall (OH)	Pryce (OH)
Baldacci	Jenkins	Schiff
Barrett (NE)	Kasich	Skelton
Bereuter	Manton	Smith (OR)
Bono	McKinney	Souder
Cubin	McNulty	Weldon (FL)
Ehrlich	Moakley	Weldon (PA)
Foglietta	Murtha	Yates
Frost	Oxley	
Gonzalez	Payne	

## □ 2027

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.

## REREFERRAL OF S. 459 TO THE COMMITTEE ON EDUCATION AND THE WORKFORCE

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that the Committee on Resources be discharged from further consideration of the Senate bill, S. 459, and that the bill be referred to the Committee on Education and the Workforce. This bill amends and reauthorizes the Native American Programs Act of 1974.

The SPEAKER pro tempore [Mr. HEFLEY]. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

## MAKING IN ORDER ON FRIDAY, OCTOBER 31, 1997, OR ANY DAY THEREAFTER CONSIDERATION OF CONFERENCE REPORT ON S. 858, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1998

Mr. GOSS. Mr. Speaker, I ask unanimous consent that it be in order on Friday, October 31, 1997, or any day thereafter to consider the conference report to accompany S. 858; that all points of order against the conference report and against its consideration be waived; and that the conference report be considered as read when called up.

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

There was no objection.

## □ 2030

## AUTHORIZING SPEAKER TO DESIGNATE TIME FOR RESUMPTION OF PROCEEDINGS ON REMAINING MOTIONS TO SUSPEND RULES CONSIDERED MONDAY, SEPTEMBER 29, 1997

Mr. GOSS. Mr. Speaker, I ask unanimous consent that the Speaker be authorized to designate a time not later than November 7, 1997, for resumption of proceedings on the seven remaining motions to suspend the rules originally considered on Monday, September 29, 1997.

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

There was no objection.

## AGREEMENT FOR COOPERATION BETWEEN UNITED STATES AND FEDERATIVE REPUBLIC OF BRAZIL CONCERNING PEACEFUL USES OF NUCLEAR ENERGY—MESSAGE FROM PRESIDENT OF THE UNITED STATES.

The SPEAKER pro tempore (Mr. HEFLEY) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

*To the Congress of the United States:*

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)), the text of a proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Federative Republic of Brazil Concerning Peaceful Uses of Nuclear Energy, with accompanying annex and agreed minute. I am also pleased to transmit my written approval, authorization, and determination concerning the agreement, and the memorandum of the Director of the United States Arms Control and Disarmament Agency with the Nuclear Proliferation Assessment Statement con-

cerning the agreement. The joint memorandum submitted to me by the Secretary of State and the Secretary of Energy, which includes a summary of the provisions of the agreement and various other attachments, including agency views, is also enclosed.

The proposed agreement with Brazil has been negotiated in accordance with the Atomic Energy Act of 1954, as amended by the Nuclear Non-Proliferation Act of 1978 and as otherwise amended. In my judgment, the proposed agreement meets all statutory requirements and will advance the non-proliferation and other foreign policy interests of the United States. The agreement provides a comprehensive framework for peaceful nuclear cooperation between the United States and Brazil under appropriate conditions and controls reflecting a strong common commitment to nuclear non-proliferation goals.

The proposed new agreement will replace an existing United States-Brazil agreement for peaceful nuclear cooperation that entered into force on September 20, 1972, and by its terms would expire on September 20, 2002. The United States suspended cooperation with Brazil under the 1972 agreement in the late 1970s because Brazil did not satisfy a provision of section 128 of the Atomic Energy Act (added by the Nuclear Non-Proliferation Act of 1978) that required full-scope International Atomic Energy Agency (IAEA) safeguards in nonnuclear weapon states such as Brazil as a condition for continued significant U.S. nuclear exports.

On December 13, 1991, Brazil, together with Argentina, the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials (ABAAC) and the IAEA signed a quadrilateral agreement calling for the application of full-scope IAEA safeguards in Brazil and Argentina. This safeguards agreement was brought into force on March 4, 1994. Resumption of cooperation would be possible under the 1972 United States-Brazil agreement for cooperation. However, both the United States and Brazil believe it is preferable to launch a new era of cooperation with a new agreement that reflects, among other things:

- An updating of terms and conditions to take account of intervening changes in the respective domestic legal and regulatory frameworks of the parties in the area of peaceful nuclear cooperation;
- Reciprocity in the application of the terms and conditions of cooperation between the Parties; and
- Additional international non-proliferation commitments entered into by the Parties since 1972.

Over the past several years Brazil has made a definitive break with earlier ambivalent nuclear policies and has embraced wholeheartedly a series of important steps demonstrating its firm commitment to the exclusively peaceful uses of nuclear energy. In addition to its full-scope safeguards agreement