

Packard	Sabo	Stupak
Pallone	Salmon	Sununu
Pappas	Sanchez	Talento
Parker	Sanders	Tanner
Pascarella	Sandlin	Tauscher
Pastor	Sanford	Tauzin
Paul	Sawyer	Taylor (MS)
Paxon	Saxton	Taylor (NC)
Payne	Scarborough	Thomas
Pease	Schaffer, Bob	Thompson
Pelosi	Scott	Thornberry
Peterson (MN)	Sensenbrenner	Thune
Peterson (PA)	Serrano	Thurman
Petri	Sessions	Tiahrt
Pickering	Shadegg	Tierney
Pickett	Shaw	Torres
Pitts	Shays	Trafficant
Pombo	Sherman	Turner
Pomeroy	Shimkus	Upton
Porter	Shuster	Velazquez
Portman	Sisisky	Vento
Price (NC)	Skaggs	Visclosky
Quinn	Skeen	Walsh
Radanovich	Skelton	Wamp
Rahall	Slaughter	Waters
Ramstad	Smith (MI)	Watkins
Rangel	Smith (NJ)	Watt (NC)
Redmond	Smith (OR)	Watts (OK)
Regula	Smith (TX)	Waxman
Reyes	Snowbarger	Weldon (FL)
Riley	Snyder	Weldon (PA)
Rivers	Solomon	Weller
Rodriguez	Souder	Weygand
Roemer	Spence	White
Rogan	Spratt	Whitfield
Rogers	Stabenow	Wicker
Rohrabacher	Stark	Wilson
Ros-Lehtinen	Stearns	Wise
Rothman	Stenholm	Woolsey
Roybal-Allard	Stokes	Wynn
Royce	Strickland	Yates
Ryun	Stump	Young (FL)

## NOT VOTING—34

Ackerman	Hoekstra	Roukema
Barcia	Hoolley	Rush
Borski	John	Schaefer, Dan
Brown (FL)	Kennedy (MA)	Schumer
Burr	Kennedy (RI)	Smith, Adam
Buyer	Kennelly	Smith, Linda
Deutsch	Kolbe	Towns
Ehrlich	Lampson	Wexler
Ford	Moakley	Wolf
Furse	Poshah	Young (AK)
Gonzalez	Pryce (OH)	
Graham	Riggs	

□ 1741

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. DEUTSCH. Mr. Speaker, I was absent from the chamber today for rollcall votes 417, 418 and 419. Had I been present, I would like the RECORD to reflect that I would have voted "aye" on each of these votes.

## PERSONAL EXPLANATION

Mr. FORD. Mr. Speaker, today I was unavoidably detained and missed the following rollcall votes:

Rollcall No. 417—H.R. 678, Thomas Alva Edison Sesquicentennial Commemorative Coin Act;

Rollcall No. 418—H.R. 1560, Lewis and Clark Expedition Bicentennial Commemorative Coin Act; and

Rollcall No. 419—H. Res. 459, Commemorating 50 Years of Relations between the United States and the Republic of Korea.

Had I been present, I would have voted "aye" on Rollcall Nos. 417, 418, and 419.

## COMMUNICATION FROM INDEPENDENT COUNSEL KENNETH W. STARR

The Speaker laid before the House the following communication from Kenneth W. Starr, Independent Counsel:

OFFICE OF THE INDEPENDENT COUNSEL,  
Washington, DC, September 9, 1998.

Hon. NEWT GINGRICH,  
Speaker, U.S. House of Representatives,  
Washington, DC.  
Hon. RICHARD A. GEPHARDT,  
Democratic Leader, U.S. House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER AND REPRESENTATIVE GEPHARDT: Today this Office has delivered to the Sergeant at Arms, the Honorable Wilson Livingood, 36 sealed boxes containing two complete copies of a Referral to the House of Representatives. This Referral is filed in conformity with the requirements of Title 28, United States Code, Section 595(c), which provides that "[a]n independent counsel shall advise the House of Representatives of any substantial and credible information which such independent counsel receives . . . that may constitute grounds for an impeachment."

This Referral contains confidential material and material protected from disclosure by Rule 6(e) of the Federal Rules of Criminal Procedure. Disclosure of this material to the House of Representatives has been authorized by the United States Court of Appeals for the District of Columbia Circuit, Division for the Purpose of Appointing Independent Counsels. A copy of that order is attached. The contents of the Referral may not be publicly disclosed unless and until authorized by the House of Representatives. Many of the supporting materials contain information of a personal nature that I respectfully urge the House to treat as confidential.

I respectfully request that the Sergeant at Arms maintain this Referral in a sealed and secure condition and deliver this sealed Referral to the House of Representatives at a time and place to be determined by the House consistent with its own Rules. Until such time as the Sergeant at Arms is directed to deliver this Referral, I consider it a record of the Office of the Independent Counsel, and executive department of the Executive Branch. I respectfully request that the Referral remain sealed until its formal receipt by the House. Jefferson's Manual, §706(c) (citing Speaker O'Neill's ruling of July 31, 1980, CONG. REC. at 20765).

Respectfully yours,

KENNETH W. STARR,  
Independent Counsel.

□ 1745

The SPEAKER. The accompanying court order will appear at this point in the Congressional RECORD.

The text of the court order is as follows:

U.S. COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

DIVISION FOR THE PURPOSE OF APPOINTING INDEPENDENT COUNSELS

Ethics in Government Act of 1978, As Amended

In Re: Madison Guaranty Savings & Loan Association, Division No. 94-1.

Before: Sentelle, Presiding Judge, and Butzner and Fay, Senior Circuit Judges.

## ORDER

Upon consideration of the "Ex Parte Motion for Approval of Disclosure of Matters Occurring Before a Grand Jury" filed by Independent Counsel Kenneth W. Starr on

July 2, 1998, the Court finds that it is appropriate for the Independent Counsel to convey the materials described in that motion to the House of Representatives. Accordingly, it is

ORDERED that the motion be granted. The Court hereby authorizes the Independent Counsel to deliver to the House of Representatives materials that the Independent Counsel determines constitute information of the type described in 28 U.S.C. §595(c). This authorization constitutes an order for purposes of Federal Rule of Criminal Procedure 6(e)(3)(C)(i) permitting disclosure of all grand jury material that the independent counsel deems necessary to comply with the requirements of §595(c). This order may be disclosed as required in connection with the Independent Counsel's compliance with his statutory mandate.

PER CURIAM  
FOR THE COURT:

Mark J. Langer,  
Clerk

BY

MARILYN R. SARGENT,  
Chief Deputy Clerk.

## PARLIAMENTARY INQUIRIES

Mr. DINGELL. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DINGELL. Mr. Speaker, I note that the Rules of the House say that any document in any committee is available to any Member of this House upon proper presentation by that Member to this committee. Will that rule prevail with regard to the documents referred to?

The SPEAKER. The documents currently do not belong to any committee and are in possession of the House under armed guard. The House will consider a rule to deal with the documents. At that time, the gentleman may have an ample opportunity, to debate it.

The majority is working very closely with the minority leader and the ranking minority member of the Committee on the Judiciary and with the Members on both sides of the Committee on Rules to develop a rule which may come to the Committee on Rules. This hopefully will be a clearly bipartisan rule with a broad base of support which will handle a complex group of documents in a way that will both meet the public interest and the needs of the Members.

Mr. DINGELL. Mr. Speaker, I have a further parliamentary inquiry. As I note that the Rules of the House require that any document in the possession of any committee or in the possession of the House is available to any Member of this House upon demand; is that correct?

The SPEAKER. Only with respect to committee files. Documents initially in the possession of the whole House can be handled in a different manner. And until the Committee on Rules and the House has determined where these documents will go and in what manner they will be handled, they will be maintained under armed guard in a room that the Sergeant at Arms is responsible for.