

[Roll No. 19]

AYES—152

| | | |
|--------------|----------------|---------------|
| Abercrombie | Gonzalez | Owens |
| Baldacci | Hall (OH) | Pallone |
| Barcia | Hall (TX) | Parker |
| Bentsen | Hamilton | Pastor |
| Bevill | Hastings (FL) | Payne (NJ) |
| Bishop | Hilliard | Payne (VA) |
| Bonior | Hinchey | Peterson (FL) |
| Borski | Holden | Peterson (MN) |
| Boucher | Hoyer | Pomeroy |
| Browder | Jackson-Lee | Poshard |
| Brown (CA) | Jefferson | Rahall |
| Brown (FL) | Johnson (SD) | Rangel |
| Brown (OH) | Johnson, E. B. | Reed |
| Bryant (TX) | Johnston | Richardson |
| Cardin | Kanjorski | Rivers |
| Clay | Kaptur | Roybal-Allard |
| Clayton | Kennelly | Rush |
| Clement | Klink | Sabo |
| Clyburn | Lantos | Sanders |
| Coleman | Laughlin | Sawyer |
| Collins (IL) | Levin | Schumer |
| Condit | Lewis (GA) | Scott |
| Conyers | Lipinski | Serrano |
| Costello | Lofgren | Skaggs |
| Coyne | Lowey | Skelton |
| Cramer | Luther | Spratt |
| Danner | Maloney | Stark |
| DeFazio | Markey | Stenholm |
| DeLauro | Martinez | Stokes |
| Dellums | Mascara | Studds |
| Dicks | Matsui | Stupak |
| Dingell | McCarthy | Tauzin |
| Doggett | McDermott | Taylor (MS) |
| Dooley | McKinney | Tejeda |
| Doyle | Meek | Thompson |
| Durbin | Menendez | Thurman |
| Engel | Mfume | Torricelli |
| Eshoo | Miller (CA) | Towns |
| Evans | Mineta | Trafficant |
| Farr | Minge | Tucker |
| Fattah | Mink | Velazquez |
| Fazio | Moakley | Vento |
| Filner | Mollohan | Visclosky |
| Foglietta | Montgomery | Volkmer |
| Ford | Moran | Ward |
| Frank (MA) | Nadler | Waxman |
| Frost | Neal | Williams |
| Furse | Oberstar | Wise |
| Gejdenson | Olver | Woolsey |
| Gephardt | Ortiz | Wyden |
| Geren | Orton | |

NOES—247

| | | |
|--------------|---------------|---------------|
| Allard | Coble | Ganske |
| Archer | Coburn | Gibbons |
| Army | Collins (GA) | Gilchrest |
| Bachus | Combest | Gillmor |
| Baesler | Cooley | Gilman |
| Baker (CA) | Cox | Goodlatte |
| Baker (LA) | Crane | Goodling |
| Ballenger | Crapo | Gordon |
| Barr | Creameans | Goss |
| Barrett (NE) | Cubin | Graham |
| Barrett (WI) | Cunningham | Green |
| Bartlett | Davis | Greenwood |
| Barton | de la Garza | Gunderson |
| Bass | Deal | Hancock |
| Bateman | DeLay | Hansen |
| Beilenson | Diaz-Balart | Harman |
| Bereuter | Dickey | Hastert |
| Billray | Doolittle | Hastings (WA) |
| Bilirakis | Dornan | Hayworth |
| Bliley | Dreier | Hefley |
| Blute | Duncan | Heineman |
| Boehlert | Dunn | Herger |
| Boehner | Edwards | Hilleary |
| Bonilla | Ehlers | Hobson |
| Bono | Ehrlich | Hoekstra |
| Brewster | Emerson | Hoke |
| Brownback | English | Horn |
| Bryant (TN) | Ensign | Hostettler |
| Bunn | Everett | Houghton |
| Bunning | Ewing | Hunter |
| Burr | Fawell | Hutchinson |
| Burton | Fields (LA) | Hyde |
| Buyer | Fields (TX) | Inglis |
| Callahan | Flanagan | Jacobs |
| Calvert | Foley | Johnson (CT) |
| Camp | Forbes | Johnson, Sam |
| Canady | Fowler | Jones |
| Castle | Fox | Kasich |
| Chabot | Franks (CT) | Kelly |
| Chambliss | Franks (NJ) | Kildee |
| Chenoweth | Frelinghuysen | Kim |
| Christensen | Frisa | King |
| Chrysler | Funderburk | Kingston |
| Clinger | Gallegly | Klecza |

| | | |
|-------------|---------------|-------------|
| Klug | Ney | Smith (MI) |
| Knollenberg | Norwood | Smith (NJ) |
| Kolbe | Nussle | Smith (TX) |
| LaFalce | Obey | Smith (WA) |
| LaHood | Oxley | Solomon |
| Largent | Packard | Souder |
| Latham | Paxon | Spence |
| LaTourette | Petri | Stearns |
| Lazio | Pickett | Stump |
| Leach | Pombo | Talent |
| Lewis (CA) | Porter | Tanner |
| Lewis (KY) | Portman | Tate |
| Lightfoot | Pryce | Taylor (NC) |
| Linder | Quinn | Thomas |
| Livingston | Radanovich | Thornberry |
| LoBiondo | Ramstad | Thornton |
| Longley | Regula | Tiahrt |
| Lucas | Riggs | Torkildsen |
| Manzullo | Roberts | Upton |
| Martini | Roemer | Vucanovich |
| McCollum | Rogers | Waldholtz |
| McCrery | Rohrabacher | Walker |
| McDade | Roth | Walsh |
| McHale | Roukema | Wamp |
| McInnis | Royce | Waters |
| McIntosh | Sanford | Watt (NC) |
| McKeon | Saxton | Watts (OK) |
| Meehan | Scarborough | Weldon (FL) |
| Metcalfe | Schaefer | Weldon (PA) |
| Meyers | Schiff | Weller |
| Mica | Schroeder | White |
| Miller (FL) | Seastrand | Whitfield |
| Mollinari | Sensenbrenner | Wicker |
| Moorhead | Shadegg | Wolf |
| Morella | Shaw | Young (AK) |
| Myers | Shays | Zeliff |
| Myrick | Shuster | Zimmer |
| Nethercutt | Sisisky | |
| Neumann | Skeen | |

NOT VOTING—36

| | | |
|--------------|--------------|--------------|
| Ackerman | Gutknecht | Quillen |
| Andrews | Hayes | Reynolds |
| Becerra | Hefner | Ros-Lehtinen |
| Berman | Istook | Rose |
| Chapman | Kennedy (MA) | Salmon |
| Collins (MI) | Kennedy (RI) | Slaughter |
| Deutsch | Lincoln | Stockman |
| Dixon | Manton | Torres |
| Flake | McHugh | Wilson |
| Gekas | McNulty | Wynn |
| Gingrich | Murtha | Yates |
| Gutierrez | Pelosi | Young (FL) |

□ 1242

Mr. ENSIGN, Mr. ROEMER, and Mrs. CHENOWETH changed their vote from "aye" to "no."

Mr. MARKEY and Mr. HINCHEY changed their vote from "no" to "aye." So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

A CALL FOR OPENNESS

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute.)

Mrs. SCHROEDER. Mr. Speaker, I am delighted we stayed in session because I think this is a very tragic, tragic, historic day.

First of all, I must say we heard comments about we had to get on to the people's business. I must say if there were some people's business today, no one on our side knew it because the schedule we were handed said pro forma. That usually means they did not have anything scheduled. So if there was something, we were the last to know.

If there is some people's business, I hope the people on that side would tell us what it is that we are supposedly delaying. But I must say, I am very troubled to see what has happened to truth in this Chamber today.

We came here hoping there was going to be much more openness. We heard all these stories about openness and debate and all of that, and so far we have constantly seen people choked and gagged and cut off over and over again.

Today, I see that as one more example. I am very concerned about how we are going to proceed if we cannot bring issues to this floor and debate them openly and in the manner that we have in the past.

ONE EXPLANATION OF HOUSE PROCEEDINGS

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Mr. Speaker, I want to announce to the entire House that we are once again going to send every Member a copy of the rules so that they can understand the rules of the House as we passed them a couple of weeks ago.

It is very evident to me what is happening here, and we will inform the Members more. We know that the Committee on Rules is meeting on a rule in order to bring the unfunded mandate bill to the floor. You have to be in pro forma session in order to file that rule if there is no other business on the floor.

That is what is happening here. The other side of the aisle is trying every tactic that they can to stop the Contract With America. That is quite evident to the American people.

Mr. VOLKMER. Mr. Speaker, I ask that the gentleman's words be taken down.

The SPEAKER pro tempore (Mr. STEARNS). The gentleman from Texas [Mr. DELAY] will be seated while the words are being taken down.

□ 1250

The Clerk will report the words.

The Clerk read as follows:

That is what is happening here. The other side of the aisle is trying every tactic they can to stop the Contract With America. That is quite evident to the American people.

The SPEAKER pro tempore. In the opinion of the Chair that is not an improper personal reference to any Member.

The gentleman from Texas may proceed.

Mr. VOLKMER. I appeal the ruling of the Chair.

The CHAIRMAN. The gentleman wishes to appeal the ruling of the Chair.

PARLIAMENTARY INQUIRY

Mr. VOLKMER. Mr. Speaker, I withdraw that then and ask, if I may, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. VOLKMER. Before the gentleman from Texas continues, what I am hearing from the Chair, and correct

me, in the previous ruling it is impermissible to say anything about another Member, or insinuate by innuendo anything about the private life or aspects of a Member.

But now what the Chair is saying is it is all right to impugn motives by innuendo of a whole group. Is that correct? So he can say it about the whole group, but not to a Member, because that is by innuendo he implied our motives and my motives.

The SPEAKER pro tempore. It is the opinion of the Chair that the words do not engage in personal innuendo against any one Member, and Members can engage in debate on political motivation which is not—

Mr. VOLKMER. A book deal is not a political motivation.

The SPEAKER pro tempore. Let the Chair finish—which is not personal.

The gentleman from Texas [Mr. DELAY] may proceed.

Mr. DELAY. I think we all ought to take a deep breath. It is quite evident to the American people that from January 4 we have been working tirelessly to get to the Contract With America.

GRIDLOCK REPLACED BY TOTALITARIANISM

(Mr. WATT of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. WATT of North Carolina. Mr. Speaker, on last Wednesday at approximately 6 o'clock the Judiciary Committee, after 1 day of markup on the balanced budget amendment, and with the Democratic members of that committee having in excess of 20 amendments to the bill that was pending, closed debate and went home on Wednesday afternoon.

On yesterday, congressional accountability came to the floor without the benefit of any deliberations or debate in committee. Today we stifle debate on the floor of the Congress.

I would just say to the American people that gridlock is being replaced in this body by totalitarianism.

ADDITION OF NAME OF MEMBER AS AN ORIGINAL COSPONSOR OF HOUSE JOINT RESOLUTION 1

Mr. BARTON of Texas. Mr. Speaker, I ask unanimous consent to add the name of our distinguished Democratic colleague, the Honorable RALPH HALL of Texas, as an original cosponsor to House Joint Resolution 1, the tax limitation balanced budget amendment congressional plan. His name was inadvertently left off the original list turned in on the day the bill was introduced.

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

There was no objection.

THE GAG RULE

(Ms. KAPTUR asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, today freedom of speech on this floor is at stake. Two weeks into this Congress we see what gag rules are all about when no Ethics Committee has been appointed by the Speaker, when Members are purposefully muzzled in committees, when no hearings are allowed, when witness lists are completely controlled, we understand what a gag rule is.

In doing our people's business we have a right to know where a new author's personal interests, financial interests get tied up with his public duties. The deal for a \$4.5 million advance for three books not written, plus royalties are signed with a company owned by Rupert Murdoch, the very man who owns Fox News Network and could directly benefit by the obliteration of public television and radio, positions that the top official in this House has already publicly said he supports.

So we trade Big Bird and Barney for the gag rule.

THE MINORITY IS ATTEMPTING TO GAG THE AMERICAN PEOPLE

(Mr. PAXON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAXON. Mr. Speaker, the previous speaker mentioned a gag rule. It is the minority party that is attempting to put a gag rule on the will of the American people.

The American people want the unfunded mandates legislation brought to the floor today. But what is the minority party trying to do? Adjourn the House so that legislation cannot come to the floor of this august body.

□ 1300

Since election day, it is the game the minority party has tried to play. They did not understand what happened on election day. The contract will continue to move ahead.

And one other point, the distinguished gentleman brought up the point of the ethics committee. We are waiting on the minority leader to move that body forward, not the Speaker or the majority.

THE GAG RULE

(Mr. STUPAK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUPAK. Mr. Speaker, I came here today to speak of unfunded mandates, but I must point out to the American people that there was no legislation ready to come to the House floor this week or today or tomorrow. It will not be until Friday.

But now I must speak of a new gag rule which is being implemented in this House. The gag rule in this House, and this Chamber, is that the media can truthfully report to the American

people, but a duly elected Member of this body, of this Congress, cannot report from this floor to his or her constituency the latest press reports on the Speaker's book deal.

So let me remind any Speaker in this chair that the Members of this side of the aisle will not be gagged, we will not be silenced, we will not be intimidated, we will continue to question all actions of anyone who does not conform to the high standards expected by the American people and of this institution.

Free speech will not be squelched to protect anyone.

WE REMAIN DETERMINED

(Ms. MOLINARI asked and was given permission to address the House for 1 minute.)

Ms. MOLINARI. Mr. Speaker, there have been a lot of facts that have been ignored in this recent debate.

Fact No. 1, there was, up until this point in time, a lot of work that was going on, no, not on the House floor but in committee meetings.

Five subcommittees of Appropriations were attempting to meet today; the Economic and Educational Subcommittee was meeting on welfare reform; National Security, the Resources Committee. Rules is meeting to deliver the unfunded mandates bill to the floor. Small Business and Ways and Means. Those are important motions that are going on outside the House floor that have been delayed.

Fact No. 2, the people who ruled the so-called gag order was the Parliamentarian that was hired by the minority party, not by the Republicans.

And, fact No. 3, we, the Republican Party, admit our work today has been delayed, but the fact is we remain determined.

A GAG RULE IS BEING IMPOSED

(Mr. DINGELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, I came here to the House floor to discuss the unfunded mandates question. But a much more important question is before this body.

This is not the Duma, this is not the Reichstag. This is the House of the people, and in the 40 years that I have served here, it has been my pride that we have had free and open debate, and that great questions, including questions of the propriety and the behavior of Members of this body, could be discussed on the floor in an appropriate fashion.

Today we find that that cannot be. Members on this side get the distinct impression that a gag rule is being imposed and that Members of this side