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No. 103

House of Representatives

The House met at 10 a.m.

PRAYER

The Reverend David Sievert, pastor, St. Matthew's Lutheran Church, Janesville, WI, offered the following prayer: Heavenly Father, God of Nations, God of Peace:

We thank You for the men and women You have given our Nation in the past, leaders who "pledged their lives, their fortunes and their sacred honor" that we may enjoy "life, liberty and the pursuit of happiness."

Since the care of many must ever rest on the shoulders of the few, strengthen the leaders of our land and especially of this House of Representatives. Help them work for the common good. Make them conscious of their privilege and trust. Give them wisdom, courage, and resolution. Point out to them Your way.

Let the deliberations of those serving here this day speed the cause of justice and peace in our land and throughout the world; through Jesus Christ our Lord. Amen.

THE JOURNAL

The SPEAKER. 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.

Mr. COMBEST. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. COMBEST. 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. 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 220, nays 189, answered "present" 1, not voting 24, as follows:

[Roll No. 408]

YEAS—220

Allard
Archer
Army
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Billey
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Creameans
Cunningham

Davis
Deal
DeLay
Dickey
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayworth
Heineman
Herger
Hilleary
Hoekstra

Hoke
Horn
Hostettler
Houghton
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Johnston
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Livingston
LoBiondo
Longley
Lucas
Martinez
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalfe
Meyers
Mica
Miller (FL)
Molinari

Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen

Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman

NAYS—189

Abercrombie
Andrews
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bevill
Bilirakis
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Castle
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner

de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fields (LA)
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gilchrist
Gonzalez
Green
Gutierrez
Gutknecht
Hall (OH)
Hamilton
Hastings (FL)
Hayes
Hefley
Hefner
Hilliard
Hinchee
Hobson
Holden
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Klecza
Klink
LaFalce
Lantos
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Manzullo
Markey
Mascara

□ 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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H6203

McCarthy	Payne (VA)	Stark
McDermott	Pelosi	Stenholm
McHale	Peterson (FL)	Stokes
McKinney	Peterson (MN)	Studds
McNulty	Pickett	Stupak
Meehan	Pombo	Tanner
Meek	Pomeroy	Tauzin
Menendez	Porter	Thompson
Mfume	Poshard	Thornton
Miller (CA)	Rahall	Thurman
Mineta	Rangel	Towns
Minge	Reed	Upton
Mink	Reynolds	Velazquez
Mollohan	Richardson	Vento
Montgomery	Rivers	Visclosky
Moran	Roemer	Volkmer
Murtha	Rose	Ward
Nadler	Roybal-Allard	Waters
Neal	Rush	Watt (NC)
Oberstar	Sabo	Waxman
Obey	Sawyer	Williams
Olver	Schroeder	Wise
Orton	Scott	Woolsey
Owens	Sisisky	Wyden
Pallone	Skaggs	Wynn
Pastor	Slaughter	Yates
Payne (NJ)	Spratt	Zimmer

ANSWERED "PRESENT"—1

Harman

NOT VOTING—24

Ackerman	Hunter	Serrano
Chapman	Laughlin	Taylor (MS)
Chenoweth	Levin	Tejeda
Cubin	Matsui	Torres
Diaz-Balart	Moakley	Torricelli
Doolittle	Ortiz	Tucker
Fazio	Sanders	Wilson
Gordon	Schumer	Young (AK)

□ 1037

Mrs. COLLINS of Illinois, Messrs. GILCHREST, BALDACCI, JEFFERSON, and GONZALEZ, Ms. MCCARTHY, and Messrs. FIELDS of Louisiana, BEVILL, HAMILTON, CLEMENT, COYNE, DE LA GARZA, UPTON, COSTELLO, BISHOP, PAYNE of New Jersey, and MINGE changed their vote from "yea" to "nay."

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. GILLMOR). The gentlewoman from Florida [Mrs. MEEK] will lead the House in the Pledge of Allegiance.

Mrs. MEEK of Florida 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.

WELCOME TO PASTOR DAVID SIEVERT

(Mr. NEUMANN asked and was given permission to address the House for 1 minute.)

Mr. NEUMANN. Mr. Speaker, it is my privilege to thank Pastor David Sievert for opening Congress this morning with a prayer.

Pastor Sievert is from my home church—St. Matthew Evangelical Lutheran Church—in Janesville, WI.

I met Pastor Sievert about 15 years ago and quickly came to understand that his message was one of faith in God, commitment to family, and love of country.

As my family got better acquainted with the Sievert family, it became very

clear that his message from the pulpit was carried out in his own daily life.

Pastor Sievert's continuous message of faith, love, and commitment has inspired me and helped me through the daily trials and tribulations while running for office and now as a Member of Congress.

I look forward to listening to his motivating words for many years to come.

Pastor Sievert, I would like to thank you for making the journey out to Washington and for your encouraging prayer to open today's session of Congress.

□ 1040

FAIRNESS IN HOUSE VOTING PROCEDURES

(Mr. ARMEY asked and was given permission to address the House for 1 minute.)

Mr. ARMEY. Mr. Speaker, prior to making a unanimous-consent request, I have two comments to make about yesterday's vote on the amendment offered by the gentleman from California [Mr. FAZIO] as amended during consideration of the legislative branch appropriations bill.

First, after viewing and reviewing the videotape of yesterday's proceedings, it is quite clear that the Chair, the gentleman from Georgia [Mr. LINDER], was on solid parliamentary ground when he called the vote on the Fazio amendment. The clerk informs us that he called the vote after 17 minutes and 10 seconds. The videotape shows Mr. LINDER started to call the vote and refrained from completing the call to allow a Member on the minority side of the aisle to vote at the desk, the gentleman from New York [Mr. ACKERMAN]. The video then shows the gentleman from Georgia [Mr. LINDER] called the vote with the well of the House empty of Members. The video then shows that after some time two Members from the minority party appeared at the desk and attempted to vote. The regular procedure of the House is that after the Chair has called the vote, it is too late for Members to cast a vote. The fact that Mr. LINDER paused to allow the gentleman from New York [Mr. ACKERMAN] to vote demonstrates that his intent was not to arbitrarily shut off Members from their right to vote, nor did the Chair cut off anyone in the well from their right to vote because there were no Members in the well at the time he announced the vote.

I would further point out to the House that the vote on the amendment offered by the gentleman from California [Mr. FAZIO] followed two earlier series of parliamentary inquiries to the chair which were propounded to Members on the minority side. These Members asked the chair to be consistent in his respecting the 17-minute voting period. The Chair allowed that he had been, perhaps, too generous in allowing votes to stay open to accommodate

Members and that he would attempt to be more rigorous in abiding by the 17-minute vote policy, and with the vote on the Fazio amendment he did just that.

I would further point out that the two Members from the minority who entered the well to vote aye after the vote had already been announced were followed in seconds by another Member from the majority who also arrived too late to vote nay. Had all three of those Members voted, the amendment would still have been defeated on a tie vote, and I might point out, as is the custom, the Speaker did not cast a vote. In other words, Mr. Speaker, the outcome would not have changed even with an extra minute of voting time.

The disposition of the vote on the Fazio amendment was entirely appropriate and conducted within the proper parliamentary procedure of this Chamber.

Having said that, it is also true that many Members, most especially Members on this side of the aisle who supported the Houghton language earlier, felt that their victory had been snatched from them. They have made that clear to the leadership on this side of the aisle. Perhaps they did not have the chance to view the videotape, as I have had. I have that videotape in my office and will make it available to any Member who wishes to see it.

However, I know all too well that once the perception of unfairness and arbitrariness has set in, it is difficult to undo regardless of the facts of the matter. It is important to this Member that fairness govern this Chamber because this Member spent over a decade attempting to do the people's business under very unfair conditions. It is important to this Member that the victories we win are honest and that the defeats we endure are equally so.

For that reason I am about to make a unanimous-consent request to revisit the vote on the Fazio amendment, and, Mr. Speaker, before I make that request, if I may just speak very personally for a moment to my colleagues.

I have not been a Member of this body long, but I can think of few things in life beyond my wife and my children for which I have a greater deal of love than I have for this institution, and this body, and us as Members. I hope that we can set straight a perception of wrongdoing, errant behavior, unfairness, with this action today, and I hope we can all take time to pause and reflect, and remember this body in my estimation is the single most precious and unique institution of democracy in the world, perhaps in the history of the world, and we should all, in each and every act of conduct, no matter how small, always put the honor and the dignity of this body ahead of the politics or even, for that matter, the political subtlety of the moment.

Mr. Speaker, I hope that we can see this as an opportunity for all of us to regain a new understanding of how precious is this body, and how precious is