

Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Mascara
Matsui
McCarthy (MO)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
Meehan
Menendez
Metcalf
Mica
Millender-
McDonald
Miller (FL)
Minge
Moakley
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle

Obey
Ortiz
Owens
Packard
Pappas
Parker
Pascarell
Pastor
Paul
Paxon
Payne
Pease
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Radanovich
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Sessions
Shadegg

Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stearns
Stenholm
Stokes
Strickland
Stump
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Velazquez
Visclosky
Walsh
Wamp
Watkins
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wickert
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—22

Andrews
Becerra
Bonilla
Burr
Clayton
Davis (FL)
Foglietta
Furse

Gephardt
Gonzalez
Goss
Hinchey
Hunter
Largent
Meek
Moran (VA)

Oberstar
Oxley
Rangel
Ros-Lehtinen
Schiff
Yates

□ 1056

Messrs. GUTKNECHT, BONO, FORBES, LEWIS of California, BOEH-
LERT, and BOYD changed their vote
from “yea” to “nay.”

So the motion to adjourn was re-
jected.

The result of the vote was announced
as above recorded.

THE JOURNAL

Pursuant to clause 5 of rule I, the
pending business is the question of the
Speaker's approval of the Journal of
the last day's proceedings.

The question is on the Speaker's ap-
proval of the Journal.

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

RECORDED VOTE

Mr. DOGGETT. Mr. Speaker, I de-
mand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic de-
vice, and there were—ayes 337, noes 78,
not voting 18, as follows:

[Roll No. 406]

AYES—337

Ackerman
Aderholt
Allen
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Bilirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Boswell
Boucher
Boyd
Brown (FL)
Brown (OH)
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Cannon
Capps
Cardin
Carson
Castle
Chenoweth
Christensen
Clayton
Clement
Coble
Coburn
Collins
Combest
Condit
Conyers
Cook
Cooksey
Cox
Coyne
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeGette
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart

Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
Eshoo
Etheridge
Evans
Ewing
Farr
Fawell
Flake
Foley
Forbes
Ford
Fowler
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gilchrest
Gilman
Goode
Goodlatte
Goodling
Gordon
Graham
Granger
Green
Greenwood
Gutierrez
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefner
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E.B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)

Kennedy (RI)
Kennelly
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Manton
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McGovern
McHale
McHugh
McInnis
McIntyre
McKeon
McKinney
Meehan
Mica
Millender-
McDonald
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pappas
Parker
Pascarell
Pastor
Paul
Payne
Pease
Pelosi
Peterson (PA)
Petri
Pickering

Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Radanovich
Rahall
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Rothman
Royce
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schumer
Scott

Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snyder
Solomon
Spence
Spratt
Stabenow
Stark
Stearns
Stokes
Stump
Talent
Tanner

Tauscher
Tauzin
Taylor (NC)
Thomas
Thornberry
Thurman
Tiahrt
Tierney
Torres
Towns
Turner
Upton
Vento
Walsh
Watkins
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOES—78

Abercrombie
Becerra
Borski
Brady
Brown (CA)
Canady
Chabot
Chambliss
Clay
Clyburn
Costello
DeFazio
Doggett
English
Ensign
Everett
Fattah
Filner
Fox
Frank (MA)
Franks (NJ)
Gejdenson
Gibbons
Gillmor
Gutknecht
Hall (OH)

Hefley
Hilleary
Hilliard
Hulshof
Kilpatrick
Kucinich
LaHood
Levin
Lewis (GA)
LoBiondo
Maloney (NY)
Manzullo
Markey
McDermott
McIntosh
McNulty
Menendez
Metcalf
Miller (CA)
Moran (KS)
Nussle
Pallone
Pickett
Pitts
Pombo
Poshard

Quinn
Ramstad
Roukema
Ryun
Sabo
Salmon
Sanford
Schaffer, Bob
Shadegg
Snowbarger
Souder
Stenholm
Strickland
Stupak
Sununu
Taylor (MS)
Thompson
Thune
Traficant
Velazquez
Visclosky
Wamp
Waters
Watts (OK)
Weller
Yates

NOT VOTING—18

Andrews
Bonilla
Burr
Fazio
Foglietta
Furse

Gephardt
Gonzalez
Goss
Hunter
Meek
Oberstar

Paxon
Peterson (MN)
Rangel
Roybal-Allard
Rush
Schiff

□ 1113

Mr. BRADY changed his vote from
“aye” to “no.”

So the Journal was approved.

The result of the vote was announced
as above recorded.

PROVIDING FOR CONSIDERATION OF H. RES. 168, IMPLEMENTING THE RECOMMENDATIONS OF BI- PARTISAN HOUSE ETHICS RE- FORM TASK FORCE

Mr. SOLOMON. Mr. Speaker, by di-
rection of the Committee on Rules, I
call up House Resolution 230 and ask
for its immediate consideration.

The Clerk read the resolution, as fol-
lows:

H. RES. 230

Resolved, That at any time after the adop-
tion of this resolution the Speaker may, pur-
suant to clause 1(b) of rule XXIII, declare the
House resolved into the Committee of the
Whole House on the state of the Union for
consideration of the resolution (H. Res. 168)

to implement the recommendations of the bipartisan House Ethics Reform Task Force. The first reading of the resolution shall be dispensed with. General debate shall be confined to the resolution and shall not exceed one hour equally divided and controlled by Representative Livingston of Louisiana and Representative Cardin of Maryland or their designees. After general debate the resolution shall be considered for amendment under the five-minute rule. The resolution shall be considered as read. No amendment shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each amendment may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. At the conclusion of consideration of the resolution for amendment the Committee shall rise and report the resolution to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the resolution and amendments thereto to final adoption without intervening motion or demand for division of the question except one motion to recommit.

The SPEAKER pro tempore (Mr. HEFLEY). The gentleman from New York [Mr. SOLOMON] is recognized for 1 hour.

Mr. SOLOMON. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts [Mr. MOAKLEY], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, I want to begin by commending the two cochairmen of the bipartisan Task Force on House Ethics Reform, both the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Maryland [Mr. CARDIN], two of the most respected Members of this body, who have put in an enormous amount of time and effort into producing the proposal that is before us today.

They have negotiated at length over every single word and phrase in this recommendation of the task force. It has been a difficult job. It has been an extremely thankless job, as the two of them can tell, and myself as a member of that committee knows, from all the abuse that we have taken from Members who are not satisfied with our final product.

This Ethics Reform Task Force was bipartisan, consisting of six Republicans and six Democrats, and those of us who did serve on the task force, including four members of the Committee on Rules, can attest that all the task force members put in long hours of hearings and markup sessions over a period going back all the way to last February.

The House established this task force back on February 12 of this year in order to recommend reforms in the House standards process to try to take the politics out of the issues that we

have before us. There are many of us who feel the existing process did not function in the last Congress and needs substantial improvement and, in my opinion, the bill before us is substantial improvement.

At the same time this task force was established, the House also approved a moratorium on the filing of new ethics complaints which, as a result of a number of extensions, remained in effect until, I think, September 10 of last year.

This resolution provides for the consideration of the recommendations of the bipartisan House Ethics Reform Task Force, providing 1 hour of general debate equally divided between the two highly respected cochairmen of the Ethics Reform Task Force, and then makes in order the consideration of four bipartisan amendments.

The first is a bipartisan manager's amendment offered by the two cochairmen of the task force. It clarifies that any complaints filed after the September 10 expiration of the moratorium on filing of ethics complaints will be considered under the new procedures in this resolution rather than under the old procedures that did not work.

The manager's amendment will be debatable for just 10 minutes, since it is noncontroversial, and that is all the time that was requested by the two co-chairs.

This rule then provides for the consideration of three additional amendments to be debatable for 30 minutes each. These amendments respond to the three major concerns which have been raised about this package from Members from both sides of the aisle.

The first concern is the filing of complaints by nonmembers of the House. That will be the first amendment. The second concern is over what happens in case of a tie vote, and that is always contentious and we are trying to work out a workable system that will make it work. And the third concern is over the power of an investigative subcommittee to expand the scope of the investigation and issue subpoenas without approval of the full committee.

These are all legitimate issues which deserve consideration by this House. When the package was taken to the Republican Conference and to the Democrat Conference, these were the three issues that raised more concern than all of the others, and believe me, there were a lot of concerns about a lot of other areas in the package.

So, in order to be as fair as we could, we have taken only those bipartisan amendments, and there were a number of partisan amendments requested but we did not make any of those in order. We only made in order the bipartisan amendments that had substantial support on both sides of the aisle, and those are what will be voted on here today.

So as we begin this debate, there are a couple of points that should be made about the functions of the Committee

on Standards of Official Conduct, the so-called ethics committee.

First, the committee, my colleagues, is not a court of law. Members of Congress, like any other citizens, are already answerable in the courts for any violations of law. Any Member of Congress is answerable for any violation of the law and especially since we convened the 104th Congress, when we brought this Congress and its Members under the same laws, all of the laws, that the rest of the American public have to live under, and that was a great accomplishment in my estimation.

The Committee on Standards of Official Conduct is a peer review mechanism. Let me just say this. The U.S. Constitution in article I provides, and I would hope that all of those that are listening either here in the Chamber or off the Chamber would pay attention to this, article I of the Constitution says, "Each House may punish its Members for disorderly behavior and, with the concurrence of two-thirds of its Members, they may even expel a Member of Congress." And we have done that in the years past.

I would like to emphasize that the Constitution says that each House may punish its Members. That is right, each House may punish its Members. It does not say that some outside group will have the authority to punish Members of Congress.

It should also be noted that the House of Representatives' Code of Official Conduct sets a much higher standard than just conforming to the laws. Take a look at all of the rules of the House that we live under and then the ethics rules that are placed even on top of those House rules.

For example, under the code of conduct a Member, an officer, an employee of the House of Representatives shall conduct himself at all times in a manner which shall reflect credibility on this House of Representatives.

My colleagues, it is a privilege for us to be able to serve here, and at all times we should hold ourselves as high as we possibly can in order to establish credibility for each and every one of us in the eyes of not only just the people that each of us represent but all of the American people.

The Committee on Standards of Official Conduct is the mechanism by which Members should hold themselves to that higher standard, and that is why this bill before us today is so terribly, terribly important.

The resolution which is before the House today is a controversial matter. Members have different opinions and hold those opinions very strongly. Many of my colleagues are very opinionated. I know I am and my colleagues all know I am, and that is why every Member ought to have the opportunity to work his will on the floor of this House.

I recall saying back in the beginning of the 104th Congress, 3 years ago, that this committee, under the jurisdiction

of myself as the chairman of the Committee on Rules, would at all times be as fair to the Democrat minority as they were to us when we Republicans were in the minority, and more often than not even more fair. And that is exactly what we are doing here today. We are taking those amendments that had truly bipartisan support by truly respected and credible Members of this House and making those in order so that the House could work its will today.

So having said all that, we need to remember to respect the opinions of other Members, even though we disagree. So, in order to permit the House to consider this bill and these amendments, I would urge support for the rule and support for the bill when it comes to the floor.

I would just say this; that even though I did not get my way in the committee, none of us did, we all had to give a little, that whether or not these three amendments, which are controversial, pass, I will be voting for the package no matter what because it was put together, I think, after due diligence by all members of the committee. So I hope the amendments do pass, I will vote for them, but if they do not, I will support the final package.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume, and I thank my colleague and my dear friend from New York [Mr. SOLOMON], for yielding me the customary half-hour.

Mr. Speaker, what began as a sincere bipartisan effort to improve the House ethics process has disintegrated into one more political sham. On February 12 Democrats and Republicans agreed to a moratorium on ethics complaints and they stuck to it. Neither side filed any new charges until a bipartisan task force had the chance to examine the ethics process and suggest improvements. But like other truly bipartisan efforts before it, this agreement has been destroyed and the ethics moratorium seems to have served only to bolster the image of a few besieged Members.

For 9 months, 10 Members of this House, myself included, met and negotiated on every single aspect of the House ethics process. For 9 months we worked, buoyed by the promise that long hours and tiresome negotiations would eventually amount to something and that no amendments would be allowed, I repeat, no amendments would be allowed unless they were approved by the Democratic and Republican co-chairs.

Let me repeat that, Mr. Speaker. During the task force negotiations, there was no talk whatsoever about bipartisan amendments. So let us not at this date try to rewrite history. The leadership on the task force agreed that only amendments approved by the gentleman from Maryland [Mr. CARDIN] and the gentleman from Louisiana [Mr.

LIVINGSTON] would be allowed, but only one of the four amendments we will vote on today has been approved by those two gentlemen and the rest have not.

Democratic Members kept their word by agreeing not to file ethics complaints, and Republican Members went back on their word by allowing Members to make serious changes in our work. So, Mr. Speaker, after 9 months of hard labor, the only thing the House ethics task force is giving birth to is some very bad feelings and some very destructive amendments.

Today, this Republican leadership becomes the only leadership in the history of the House of Representatives to ignore the work of a bipartisan ethics task force. Once again, Mr. Speaker, it is the only leadership in the history of the House of Representatives to ignore the work of a bipartisan ethics task force. The Republican leadership has put political expediency before all else, and that, Mr. Speaker, is a shame.

Let me remind my colleagues, Mr. Speaker, we are talking about an ethics task force, not a task force on education, not a task force on transportation, not a task force on defense, but a task force on ethics.

□ 1130

We are talking about a task force created ostensibly to improve the way the House of Representatives governs itself. And I think we did a pretty good job. We came up with recommendations with which 11 of the 12 members of the task force agreed. We came up with ways to make our ethics process quicker. We came up with a way too make our ethics process more efficient. We came up with a way to make our ethics process more fair.

But there was something about our improvements that the Republican leadership did not like. There was something about our improvements that scared someone. So here we stand, 3 months after the Republican leadership refused to consider the recommendations, to find that they have exposed very fragile agreements to some particularly significant and particularly dangerous amendments.

Mr. Speaker, make no mistake about it, these amendments will not make this institution more respected in anyone's eyes. These amendments will make our ethics process much more partisan, more decentralized and more suspect in the eyes of every single American citizen.

I cannot believe that that is what we want, Mr. Speaker, because the recommendations as adopted by the task force would pass the House overwhelmingly if given the chance for an up-or-down vote. Mr. Solomon himself said if these amendments are not adopted he would absolutely vote for the package. So if nearly every Member of the House would vote to pass the recommendations, why on earth are we at this time changing them?

Mr. Speaker, I strongly urge this House, leave well enough alone. The

task force worked long and hard to come up with these recommendations that would improve the ethics process of the House and repair the reputation of the House, and those recommendations at this time should not be altered.

So I urge my colleagues to join me in opposing the previous question in order to uphold the agreement of the ethics task force. Mr. Speaker, if the previous question is defeated, we will replace this rule with a rule to provide for an up-or-down vote on the task force recommendations and make in order only amendments agreed to by the co-chairs, the gentleman from Maryland [Mr. CARDIN] and the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. Speaker, it was a pleasure to be a member of that task force. It was a pleasure to see the way that Chairman LIVINGSTON and Cochairman CARDIN worked together, coming from opposite poles and really working hard to make something work. They took politics out of this process, and it is a shame at this stage to put it back in.

Mr. Speaker, I reserve the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the ranking member of the Committee on Rules knows how fond I am of him. He is truly a respected member of this body. But I am just somewhat taken aback by his taking the floor today and saying that we should not be open and we should not allow the House to work its will.

The last count had this year alone, the gentleman has taken the well 21 times and said we must keep these rules open, we must let the House work its will. If there are meaningful, credible amendments they ought to be allowed on the floor. So this is exactly what I have been heeding, his advice. After 21 times, I am going to take the gentleman's advice.

Having said that, let me yield to a gentleman who I equally respect because he and another respected Member on the other side of the aisle headed up the task force to reform this House of Representatives. He did a magnificent job, and he is the vice chairman of my Committee on Rules.

Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. DREIER].

Mr. DREIER. Mr. Speaker, I thank my friend the gentleman from New York [Mr. SOLOMON] for yielding me this time frame.

I rise in strong support of this rule, and I do so to say that it is not with a great deal of enthusiasm that I strongly support it, because of the fact that we were not able to make an amendment in order that the gentleman from Indiana [Mr. HAMILTON] and I offered.

But having said that, I think in further defense of the gentleman from New York's [Mr. SOLOMON] position, the amendments that are moving forward we have addressed in a bipartisan way, which is one of those guidelines

that he set forth. We obviously need to reform the ethics process. The confidence in this institution by our colleagues, people in the media, and more important, the American people is higher than it has been in the past, but clearly there is a credibility problem and I think that is what led to the formation of this task force.

The gentleman from Glens Falls, NY [Mr. SOLOMON], the chairman of the Committee on Rules, just mentioned the fact that the gentleman from Indiana [Mr. HAMILTON] and I co-chaired the Joint Committee on the Organization of Congress back during the 103d Congress in 1993. We spent time looking at this issue of ethics reform and a wide range of other reforms, many of which were introduced and passed in a bipartisan way on the opening day of the 104th Congress.

But we still were not able to bring about the kind of reform that this bipartisan panel has successfully come to an agreement on. So while this may not be exactly what everybody wants, I think that it will take very, very strong and positive steps in the direction of bringing about a level of credibility that is, I think, needed.

So I am going to urge my colleagues to vote "yes" in favor of the rule, and I will join with the gentleman from New York [Mr. SOLOMON] in saying that when we come to the end, regardless of how the amendments come out on this, I will join in supporting the package because of the regard I have for the gentleman from Alabama [Mr. LIVINGSTON] and the gentleman from Massachusetts [Mr. MOAKLEY] and others who labored long and hard and even suffered through testimony that I gave before their task force.

So I want to say that I join and am happy to be here, of course, with the chairman of the Committee on Standards of Official Conduct [Mr. HANSEN] who has spent a long time addressing this issue, and I look forward to finally seeing us pass a very positive measure.

Mr. Speaker, I yield back the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield 8 minutes to the gentleman from Maryland, Mr. CARDIN, the task force co-chair, who really did an outstanding job in working so closely with Chairman LIVINGSTON.

I am very, very proud to have served on that task force just for the opportunity to observe these two gentlemen, and especially the gentleman from Maryland [Mr. CARDIN] in action, and how they came from one extreme and met in the middle to fashion a bill that would really do this House well.

Mr. CARDIN. Mr. Speaker, I want to thank my friend, the gentleman from Massachusetts [Mr. MOAKLEY], for not only yielding me this time but for the kind comments that he made about my service on this joint committee. The gentleman from Massachusetts [Mr. MOAKLEY] served that task force with distinction, as did the gentleman from New York [Mr. SOLOMON], and we

thank both of them for their help and leadership on these ethics issues.

I think this body should understand that we had the services of leaders in this House on this bipartisan task force: The gentleman from California [Mr. THOMAS], the gentleman from Florida [Mr. GOSS], the gentleman from Delaware [Mr. CASTLE], the gentleman from Utah [Mr. HANSEN], the gentleman from Ohio [Mr. STOKES], the gentleman from Massachusetts [Mr. MOAKLEY], the gentleman from Texas [Mr. FROST], the gentlewoman from California [Ms. PELOSI], and the gentleman from California [Mr. BERMAN], in addition to the gentleman from Louisiana [Mr. LIVINGSTON] and myself. It was a task force that took its work seriously. I am I proud of the work of our task force.

I also want to compliment Mr. Leong and Mr. Laufman, our staff, for the excellent work that they did. We have a good product. I am pleased that we have a rule before the House that will allow us to vote on that package. And I am hopeful that if this rule is adopted, that the package from the task force will be approved, the three amendments that the rule makes in order will be rejected.

I agree with the comments of the gentleman from Massachusetts [Mr. MOAKLEY] that these three amendments would do violence to the bipartisan spirit in which this package was developed.

Every Member of this House had an opportunity to appear before our task force. Many Members took that opportunity to work with us, to submit their ideas and to work with the task force. It is interesting to point out that the three controversial amendments that would be made in order by this rule, each of those amendments were discussed in full by the task force and rejected by the task force.

We did not take that lightly. We tried to bring out a package that makes sense, that moves forward the ethics process, that deals with the bipartisan nature in which the committee needs to operate, that deals with a more efficient committee, that adds time limits so that the Members are not hanging out there with complaints against them, that gives the chairman and ranking member more power in order to manage the workload, involves more Members of the House in the process. We went through each of these points and we had different views.

The leadership of the gentleman from Louisiana [Mr. LIVINGSTON] was critical in bringing Democrats and Republicans together and focusing us on our final product. I said yesterday in the Committee on Rules, and I will repeat here, there are not many fringe benefits for serving on the Committee on Standards of Official Conduct or the task force, but one that I enjoyed was getting to know and respect the gentleman from Louisiana [Mr. LIVINGSTON] and his leadership and love for this institution. The two of us worked

together so that we could come forward with a package that makes sense.

And what we asked the membership to do, we had 3 months to read the report, these amendments will do violence to the ethics recommendations. We have always worked in a bipartisan manner. We need to continue to work in a bipartisan manner.

Let me just, if I might, in the time that has been allotted to me, talk about one of the amendments that would be made in order. It would prohibit any direct filing by any outside individual. Since we adopted ethics rules in this house in 1968, we have allowed outsiders to file complaints with our Committee on Standards of Official Conduct. If that amendment were to be adopted, it would be the first time that we would shut out outsiders from bringing matters before us.

The current rule is one that I particularly do not like, where you need to get three Members to refuse to file a complaint for an outsider to be able to file directly. Our task force said that does not make a lot of sense; let us come up with a better way to do it.

So we looked to the other body and we developed their procedure, where we require a person not a Member to have personal knowledge before that person can file a matter with us, or they must have information directly from another source. We make it specific that a person cannot use a newspaper article to file a complaint if they are not a Member of this house. Then we give the chairman and ranking member, any one of them can stop the matter from being considered as a complaint if it does not meet the standards. We are mindful of the concern about abuse of the process, so we put those provisions in our package.

Mr. Speaker, I am concerned that in the time that the Members have today to consider these issues with this rule making that amendment in order, some Members, well-intended, may cast their votes for that amendment not realizing the history of this institution, not realizing what is in the body of our report. It is for those reasons that we are concerned that this rule makes in order amendments that may sound like they improve the process, but will do violence to the process.

Let me just give you an example. Let us say that one of our staff people alleges that a Member asks sexual favors in order for that staff person to get a promotion. How does that staff person bring that matter to our attention? How does that staff person bring that matter forward, if that amendment that is made in order were to be adopted? Does she have to shop to get another Member of the House to certify it is being filed in good faith? Do we really want to put that requirement on that staff person? That is what that amendment would do that was made in order by this rule.

That is wrong. We should allow for direct filing of complaints if the person has personal knowledge. We are saying,

yes, that we want to be able to judge our own Members; we want to represent to the American public that we can police ourselves. But should we shut everybody else out the process? No. That is why we get concerned about the amendments that were made in order under this rule. I am not so sure that we are going to have enough time to articulate those changes.

I could go on to another amendment, I will, I guess, in the 1½ minutes that remains; an amendment that would call for automatic dismissal for matters pending 180 days after a vote in the committee. That is just going to encourage partisan action in this House.

It is very easy to delay when we have a matter that has gotten divided on a partisan basis. It would not be difficult for a committee that has equal membership of Democrats and Republicans to delay a matter 180 days in order to get a dismissal. We are not doing a favor to this institution or to this Member if we allow the ethics process to have an automatic dismissal on a tie vote.

Let me remind my colleagues, on the most difficult days of the Committee on Standards of Official Conduct, the most difficult days, we were able to resolve every matter that was brought before us because we went back and worked together. If we had a time limit it would have been dismissed and there would be a cloud hanging over a Member. That is not right.

□ 1145

Mr. Speaker, I urge the Members of the House, we have a historic opportunity to improve the ethics process today. I hope we will take advantage of that opportunity and approve the work of our task force without the amendments that would be made in order by this rule.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

The time will come when the amendment the gentleman was just talking about will come for debate. I have some concerns about the present system. I was a victim of the present system. It seems that a year or two ago that the chairman of a State conservation committee, a pretty powerful position, he happened to be a Democrat, was using his clout as a chairman of this committee to come into my congressional district, where we already have practically no jobs, we never have recovered from the recession that this country has been in, and he was literally threatening a major manufacturer in my district and threatening those jobs.

I am of Scottish background. My grandfather used to tell me and his father before him that, "Son, you ought to be horsewhipped if you do something wrong." I wrote this chairman of this committee and I said, "Mr. Chairman, you ought to be horsewhipped for coming into my district and threatening these jobs." I went on to say to him, "Suppose I used my clout as chairman

of the Committee on Rules and I went into your district?"

Lo and behold, this gentleman thought that I was physically threatening him by saying, "You ought to be horsewhipped." I do not know about the rest of my colleagues, but that is an old saying. You can go back, and I will be glad to show you all of our Scottish mores and writings to show that that is true.

But to get to the point here, he went to three Members of this Congress. Under the old system, it is called the three blind mice. I think one of them was the gentleman from California [Mr. MILLER], one of them might have been the gentleman from Massachusetts [Mr. FRANK], and I forget who the other one was. But under the rule, they have to refuse to file the complaint against JERRY SOLOMON.

So once they did that, this is the subterfuge that exists in the system, then that complaint from the outsider was automatically laid against JERRY SOLOMON. That was wrong, but yet that was the system we were under.

Under the proposed amendment, and I am sure that the gentleman from Louisiana [Mr. TAUZIN] and the gentleman from Pennsylvania [Mr. MURTHA] will come over, bipartisan, and argue that if that chairman of that committee wanted to file a complaint, that he ought to come to a Member of Congress.

I am sure that the gentleman from California [Mr. MILLER] or the gentleman from Massachusetts [Mr. FRANK] or someone would say, "All right, I'll file that amendment on your behalf." And that is exactly what the amendment before us does. I will let them defend their amendment when it comes up.

Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana [Mr. LIVINGSTON], perhaps one of the most respected Members of this body. He has one of the toughest jobs, being chairman of the Committee on Appropriations, and yet he took on the assignment. He was dragged, kicking and screaming, to accept this position and did such an admirable job along with the gentleman from Maryland [Mr. CARDIN].

Mr. LIVINGSTON. I thank the gentleman for yielding me this time.

Mr. Speaker, I want to commend the Committee on Rules for carefully deliberating on this issue and reaching what I think is a fair conclusion.

There were several amendments, I think 11, 12, or 13 amendments offered. As a matter of fact, the Committee on Rules has only accepted four amendments, one of which is offered in bipartisan fashion by the gentleman from Maryland [Mr. CARDIN], the chairman of the task force, and myself as cochair. Then there are three other amendments, all offered in bipartisan fashion.

I think it is a good rule. It allows serious amendments to be deliberated by this body in a bipartisan fashion to a

package which was confected in superlative fashion and in bipartisan fashion as well.

I want to pay special tribute to the incredibly gifted and hard work and talent of the gentleman from Maryland [Mr. CARDIN], my counterpart, my cochair in this effort. There was no majority-minority in this task force. We worked together. I cannot say we were always in agreement. The gentleman from Maryland [Mr. CARDIN] is a gifted lawyer and a tough person to deal with in terms of a hard negotiator, but he is also a fine and valued Member of the House. He stuck by his beliefs. I stuck by mine. The rest of the members of the committee likewise spoke up in valiant fashion.

I think we have an excellent product. Whether or not amendments are ultimately adopted to this package, we have a magnificent improvement on the last bipartisan revision of the ethics rules.

The fact is that all of the members of the task force, the gentleman from New York [Mr. SOLOMON], the gentleman from California [Mr. THOMAS], the gentleman from Florida [Mr. GOSS], the gentleman from Delaware [Mr. CASTLE], the gentleman from Ohio [Mr. STOKES], the gentleman from Massachusetts [Mr. MOAKLEY], the gentleman from Texas [Mr. FROST], the gentlewoman from California [Ms. PELOSI]; and the gentleman from Utah [Mr. HANSEN], and the gentleman from California [Mr. BERMAN], who, unfortunately for them, have to take over as the new chair and cochair of the Committee on Standards of Official Conduct.

All of us worked very hard, together with the gentleman from Maryland and myself, to pound out from February through June a bill and a report which reaped, I think, a product that is a significant improvement over previous rules.

Mr. Speaker, there was great disenchantment over the administration of the rules of procedure governing standards of official conduct in the last Congress. I think everybody recognizes it. Regardless of party or political affiliation, there were grave misgivings over the net product and performance under those rules as they were administered. They were revised in 1989.

In fact, the whole process actually began in the aftermath of Watergate and has been improved from time to time since then. But they broke down, and they broke down on partisan grounds. The whole purpose of this task force was to try to rid partisanship from this issue and return to the days when we could judge our own Members and have peer review of our own Members without political influence, without political causes, from outside influences coming in and interacting for sheerly partisan reasons. I think we have got a package that does that.

But I have to say that there are deeply held feelings by certain Members on

both sides of the aisle that we did not present a perfect package. The fact is, we will never present a perfect package. In fact, I have to say that most witnesses that testified before the task force said that no rules will be perfect if, in fact, the people who administer the rules are going to use those rules for their own partisan or personal purposes. In fact, the whole process would break down under those circumstances. So we have to hope that that does not take place.

Mr. Speaker, we have given a package that, hopefully, will result in no future partisan breakdowns. But there are Members who believe that partisan breakdown is enhanced or actually the chances of such a breakdown are increased if, in fact, these other amendments are not adopted. I do not know whether they are right or wrong.

I will say that there is strong sentiment among Members of both sides that we ought to go back to the pre-1989 rules, when outside personnel could not file by simply getting press reports and submitting their names on them and sending in to the Committee on Standards of Official Conduct complaints against Members of Congress. That will be debated.

I think there is a strong argument on behalf of those who believe that we ought to go back to the original rule, before 1989, when we adopted that "three blind mice" rule that says three Members refuse and anything can come in.

There is another amendment that prevents deadlock. Never before in the ethics process has there ever been a rule that says if there is deadlock, it is automatically kicked out. I happen to think that that practice is questionable, because if in fact you have very strong, well-motivated, highly documented charges that are kicked out simply because there is a partisan breakdown, I do not think that that serves the interest of the House.

And then there is another amendment that kind of complicates the procedure by defusing the power of subpoena and expansion of the investigative powers. I think that that can easily be debated and fall either way.

My point is that these are real issues. They should be debated in the House. It is not a partisan move to simply ask that they be debated. I commend the Committee on Rules for entertaining these amendments, and I look forward to the debate on these issues as they go forward. I urge the adoption of the rule, and I urge the adoption of the bill.

Mr. MOAKLEY. Mr. Speaker, I have great respect for the gentleman who just took a seat. He did a great job in being Chair of the task force. But I have to correct him. The three-Member refusal, the "three blind mice," has been in place since 1968. It was part of the original Ethics Committee.

Mr. Speaker, I yield 9 minutes to the gentlewoman from California [Ms. PELOSI], the gentlewoman who made a

wonderful contribution to the bipartisan task force.

Ms. PELOSI. Mr. Speaker, I thank the gentleman from Massachusetts, ranking member on the Committee on Rules, for yielding me this time and commend him for his service on the Committee on Rules.

But apropos of today on the task force, I want to join him in commending the gentleman from Louisiana [Mr. LIVINGSTON], our distinguished chairman, and the gentleman from Maryland [Mr. CARDIN] for their service as chairs, for their balance, for the respect they had for Members, for listening to us, and for producing a consensus document that has as one of its virtues the balance that we were all striving to have to produce a bipartisan consensus.

I am disappointed this morning that we have this rule before us which has within it the potential to unravel the work of the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Maryland [Mr. CARDIN]. For 4 months, the task force worked together to iron out our differences, to carefully review the options before us. When you put a package like this together, it has a oneness, an integrity, a comprehensiveness. If you take this piece out, you lose balance.

That is why I was hoping that the Committee on Rules would afford to the task force, in light of the work that was invested and the careful attention to all the considerations that was given, that we would be able to have a rule that would call for a vote up or down on the comprehensive package. That was what was appropriate in 1989 when the ethics package came before the House.

This is the proposal, not this, cannibalized by taking chunks out of it, because we have to compare this to the status quo, and this product of the task force is better than the status quo. But if amended as allowed under this rule, we will be making a step backward.

Why is this package so worthy of the consideration, without amendment, of this body? First of all, because of the responsibility that is attached to it. The Constitution requires and the American people expect Congress to uphold a high ethical standard. The public expects us, again, and the Constitution requires us to be able to judge our own Members. We have a responsibility to uphold the highest ethical standards to protect the integrity of the House of Representatives.

This Chamber, in which we serve, should be a sacred room. We also have a responsibility to protect our Members from the kinds of assaults without foundation that they are susceptible to, as we are all susceptible to as public figures. That balance between upholding the integrity of the House and respecting the rights and the reputations of our Members is exactly what this task force proposal does.

In the report that is sent to the House in this rule, there is the poten-

tial to, as I say, go backward in this debate and once again incur the unhappiness of the American people about how Congress judges itself. The time limit that is allowed to be voted up or down here would be an invitation to no action taken on legitimate complaints that are placed before the committee.

I oppose the consideration of the subpoena being kicked up to the full committee, because the ethics process is based on a bifurcated process: Part of the committee investigates; the other part of the committee adjudicates. The investigative committee does its investigation confidentially, and then it presents its report to the other members of the adjudicatory committee for its adjudication, as the word says, for its judgment.

But if the full committee is participating in the debate on subpoenas, then the confidentiality that Members should be entitled to in the investigative committee, of course, is blown to the wind, completely undermined, and, as has been said, does violence to the system.

□ 1200

Let me just address one of the other amendments, which talks about who can file a complaint.

I think the bill strikes a balance in that regard. Many people on the outside are disappointed that our bill places a higher threshold on outside complaints instead of keeping the status quo as it was before or being similar to the Senate, where anyone can file a complaint.

We add the threshold that that person, an outside person, must have personal knowledge. I think that that is appropriate in the interests of the Members and the integrity of the House.

It also affords the opportunity, as the amendment to this bill does not, for staff members in the House to be able to bring complaints. I thank my colleague from Maryland [Mr. CARDIN]. I praised both chairmen before. Particularly I want to praise the gentleman from Maryland [Mr. CARDIN] for his sensitivity to the issue of sexual harassment, which would be affected by the raised threshold, for further raising the threshold for nonmember complaints.

In any event, for these reasons, any one of these amendments, if they pass, would not chip away, but undermine the integrity of the project that we are bringing forward. Any one of these would undermine the proposal that we are bringing here today. The three of them would call for a no vote on the package, the final package, if those amendments were to pass.

Once again, in conclusion, I would like to commend the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Maryland [Mr. CARDIN] for their leadership and all that that word implies. This was a difficult task. They brought us to consensus. I think out of respect for their hard work,

Members should support the package that they are presenting.

I am disappointed that this Committee on Rules did not regard their work product in a way that honored the tradition of the ethics process of giving an up or down vote to the proposals that are put forth on an ethics package.

I urge my colleagues to vote "no" on the rule.

Mr. MOAKLEY. Mr. Speaker, I yield 7 minutes to the gentleman from California [Mr. BERMAN], the ranking member of the Committee on Standards of Official Conduct, who has made a wonderful contribution to the task force.

Mr. BERMAN. Mr. Speaker, I rise in support of the ethics task force report that my distinguished colleagues, the gentleman from Louisiana [Mr. LIVINGSTON], and the gentleman from Maryland [Mr. CARDIN], have chaired, a panel on which I have served, an effort that took a great deal of time, that raised my esteem for both of these gentlemen tremendously by the sincerity with which they approach the issue, by the difficulty and complexity of the questions that were raised.

What they have come up with is a proposal that in every aspect of the process makes the process better. It does more to promote the due-process rights of people who are accused in this process; it does more to promote the confidentiality of the process; it does more to promote the discretionary ability of the chair and the ranking member and their flexibility to deal with the issues that come before this committee in a fair and sensible fashion; it does more to be honest with the American people. Getting rid of this three-refusal rule, that is a disingenuous measure by which people who want to see a complaint come before the committee are forced to write a letter refusing to file the complaint in order to allow outsiders to do it. That is scrapped, and a limited-outside-complaint provision is substituted for that decision.

It does more to enhance the bifurcation of the process, so that the people who are investigating a complaint where a complaint should be investigated are different and separate from the people who will be deciding whether or not in fact there were violations of ethical standards of conduct and what the sanctions for those violations should be.

In every aspect of the process, this task force made sensible, relatively modest, but important changes to enhance, I think, both what will ultimately be, I hope, the public regard for the process, the credibility of the process, and the protection of the Members who are brought into this process.

There are three amendments that this rule allows that are being proposed that were rejected by the task force. I would urge my colleagues to oppose those three amendments, because in each case they weaken what the task force was trying to do.

In one particular case, that is the effort that mandates a dismissal after 180

days of any complaint on which there is a tie vote, it works directly against everything that the gentleman from Utah [Mr. HANSEN], the chair of this committee, and I are trying to do.

We want to restore nonpartisanship to this committee. We want to have judgments based on facts. We want to operate in collegial fashion, that allows sensible and correct decisions to be made.

The 180-day automatic dismissal process, I think not because of the intent of the authors, their intent is a noble intent, but the mechanism they have chosen to achieve their intent is wrong, because it incentivizes partisanship. It tells people of the party, of the person who is accused to hang in there, stall, delay, because after a certain number of days a complaint will automatically be dismissed.

Trust me. What the intent of the people who are offering this amendment is is to not let a Member hang on with great damage to his reputation, with great cost, with great personal suffering, while a committee sits around and dawdles and refuses to come to a decision.

I deeply understand the desire to not have that happen. I feel that very strongly. It is my notion we should proceed expeditiously and be very sensitive to Members' protections and how much they can be damaged and unfairly damaged by this process. But the moment you try to institutionalize a result that has an automatic dismissal, you are incentivizing everything you do not want to happen.

Let me just give you a hypothetical, if I may. You have a close question that is before the committee. A difficult complaint has been filed, the answer has been received, the chair and ranking member have investigated, and it is coming before the full committee now to decide whether to create the investigative subcommittee.

There is debate, there is discussion, there is a motion, and it happens to break down to a tie vote. The clock starts ticking under this amendment. If 180 days pass, it is automatically dismissed.

I am telling you, if the Members are operating in good faith, if they are not taking direction from their leadership on both sides, but seriously trying to deal with this issue, if the question is close and I am on the side of those who want to create an investigative subcommittee and proceed with this complaint, but I see that this deadlock is sincere, it has not promoted bipartisanship on either side, I personally would switch my vote for dismissal, rather than leave a Member hanging, forget 180 days, but for 60 or 90 days, if that is what it takes to get a clean result so that a Member does not have to live through the entire term of this Congress or future Congresses with this hanging over him because the deadlock cannot be broken.

But leave it to the good faith of the members of the committee, and I be-

lieve it will be there. I know who is being talked about for this committee. I believe that this committee will approach this with that kind of an attitude. Leave it for the informal processes of the committee to protect that right, because, I guarantee you, the moment we institutionalize a time certain for a dismissal, we promote the likelihood of deadlocks, partisan bickering, and we lose the confidence of the Members and the public in this process.

Mr. Speaker, I strongly urge opposition to that amendment.

Mr. SOLOMON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me say to my good friend the gentleman from California [Mr. BERMAN] before he sits down, I hope everyone was listening, because if they were, they will know why the gentleman from California [Mr. BERMAN] is one of the most respected Members of this House and why we on this side have no concern at all about his becoming the cochairman or the ranking member on the Committee on Standards of Official Conduct, because he is perceived as being a very fair person, and I am sure he will be.

The gentleman drives the point home that as long as he is that ranking member, he would see to it that these complaints were not laid out there for an indefinite period of time, and I believe the gentleman and respect him for that.

Unfortunately, we are not talking about just placing the trust in the gentleman from California [Mr. BERMAN] for these 2 years. We are talking about changing the rules of the ethics of this House.

Just to use a hypothetical suggestion, the gentleman from California [Mr. BERMAN] may just very well run for the Senate in the other body from the State of California. Should that happen, he no longer would be the ranking member, and then we might just be put into a position where I believe personally in the past we have had partisan politics played in the Committee on Standards of Official Conduct, and we are trying to prevent that. That is the reason for this amendment.

Mr. BERMAN. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I would be more than glad to yield to the person I respect highly.

Mr. BERMAN. I thank my friend for yielding.

Mr. SOLOMON. Do not tell me you are not going to run for the Senate.

Mr. BERMAN. No, I was wondering whether I should disclose the fact that I gave you those inauguration tickets for President Reagan's second inauguration as the initiator for those kind remarks?

Mr. SOLOMON. Now you know why I really respect you.

Mr. BERMAN. But I deeply appreciate the gentleman's comments.

My point is when you create institutionally a reason for a deadlock, it does

not matter what the motivations of the leadership or the Members are. We are human beings. We have a very difficult process. We are judging our peers, our friends, our colleagues, about matters that may be very serious, or may not seem so serious to us. None of us have the ability to overcome the institutional problems that this time certain creates.

I do not know that I want to be part of a process which incentivizes the breakdown of it. The only reason I said yes to the request from my own leadership to take this position was because the challenge of seeing if this process could work on a bipartisan, non-partisan basis. This one amendment really eviscerates our ability to do that. That is why I feel so very strongly about this particular unit.

Mr. SOLOMON. Mr. Speaker, reclaiming my time, the gentleman's points are well taken. I was glad to yield him the time.

I would say to the gentleman from Massachusetts [Mr. MOAKLEY], I intend to close with a short statement, if the gentleman would like to yield back his time.

Mr. MOAKLEY. Mr. Speaker, would you please inform my dear friend the gentleman from New York [Mr. SOLOMON] and myself how much time is remaining?

The SPEAKER pro tempore (Mr. HEFLEY). The gentleman from Massachusetts [Mr. MOAKLEY] has 2 minutes remaining, and the gentleman from New York [Mr. SOLOMON] has 5 minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge Members to defeat the previous question. If the previous question is defeated, I will offer an amendment to provide that House Resolution 168, the recommendation of the Bipartisan Task Force on Ethics, will be considered under a modified closed rule that allows only one amendment, only if authored by the co-chairs of the task force, the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Maryland [Mr. CARDIN].

Mr. Speaker, in my opening statement I said, and I want to repeat, today this Republican leadership becomes the only leadership in the history of the House of Representatives to ignore the work of a bipartisan ethics task force. Those are very strong words, Mr. Speaker, but they happen to be the truth.

This task force met nearly every day for over 3 months to reach a genuinely bipartisan agreement on a very extreme, sensitive, and difficult issue. During final consideration of the task force recommendations, many of us had amendments that we thought would produce a better product.

□ 1215

However, we also realized that any further changes could seriously threaten any chance for a bipartisan agree-

ment. Therefore, we agreed not to amend the package any further unless it was agreed to and offered jointly by Co-chairs LIVINGSTON and CARDIN.

Members of this House deserve an opportunity for an up-or-down vote on the work of this task force. These killer amendments made in order by the rule not only will ruin the resolution supported by the task force, they will prevent Members from having the chance to vote for a clean version of the task force recommendation.

Mr. Speaker, I urge my colleagues to vote "no" on the previous question and support the hard work of the task force. I include for the RECORD at this point the text of the previous question amendment:

TEXT OF PREVIOUS QUESTION AMENDMENT TO HOUSE RESOLUTION 168 RECOMMENDATIONS OF THE BIPARTISAN HOUSE ETHICS REFORM TASK FORCE

Strike all after the resolving clause and insert in lieu thereof the following:

"Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the resolution (H. Res. 168) to implement the recommendations of the bipartisan House Ethics Reform Task Force. The resolution shall be considered as read for amendment. The previous question shall be considered as ordered on the resolution and any amendment thereto to final passage without intervening motion or demand for division of the question except: (1) one hour of debate on the resolution, which shall be equally divided and controlled by the chairman and ranking minority member of the Committee on Rules; (2) one motion to amend by Representative Livingston of Louisiana with the concurrence of Representative Cardin of Maryland, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read, and shall be separately debatable for 30 minutes equally divided and controlled by the proponent and an opponent; and (3) one motion to commit."

Mr. Speaker, I yield back the balance of my time.

Mr. SOLOMON. Mr. Speaker, I yield myself the balance of my time, just to point out that we in the Committee on Rules always have a difficult time trying to be fair to all Members.

When we were approached by Members from the other side of the aisle, Democrats, liberals like the gentleman from Hawaii [Mr. ABERCROMBIE], who I have great respect for; moderates like the gentleman from Pennsylvania [Mr. MURTHA], a good former Marine who I have great respect for as well, they, representing two wings of their own party, had serious concerns about it. We were approached by the same kind of moderates on our side of the aisle, and they asked to be heard on three important issues which were so contentious when our task force was meeting.

I at that point made a decision to ask the Committee on Rules to only make in order those amendments that were truly contentious and of a bipartisan nature. We had some 10 or 12 amendments with names attached to them filed with the Committee on Rules by very respected Members, but many of them were partisan; they did not have

bipartisan cosponsors. We had about 12 other amendments that were delivered to us anonymously with no names, and those we simply took a look at but threw in the trash basket. We did not even give them any consideration.

Mr. Speaker, what we have on the floor today is what we have promised on this side of the aisle, and that is the ability for this House to work its will when there are contentious issues, especially when they have bipartisan support. That is what we have today, and I would just hope that Members would come over now, vote for this previous question, vote for the rule, vote for all three amendments, including the manager's amendment, so four amendments, and then vote for this bill. It is a good bill that will bring back some credibility to this House.

Mr. Speaker, I yield back the balance of my time and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. HEFLEY). The question is on ordering the previous question.

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

Mr. MOAKLEY. 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.

Pursuant to clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time for any electronic vote, if ordered, on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 227, nays 191, not voting 15, as follows:

[Roll No. 407]

YEAS—227

Aderholt	Chambliss	Fowler
Archer	Chenoweth	Fox
Armey	Christensen	Frank (MA)
Bachus	Coble	Franks (NJ)
Baker	Coburn	Frelinghuysen
Ballenger	Collins	Galleghy
Barr	Combest	Ganske
Barrett (NE)	Cook	Gekas
Bartlett	Cooksey	Gibbons
Barton	Cox	Gilchrest
Bass	Crane	Gillmor
Bateman	Crapo	Gilman
Bereuter	Cubin	Goodlatte
Bilbray	Cunningham	Goodling
Bilirakis	Davis (VA)	Graham
Bliley	Deal	Granger
Blunt	Delahunt	Greenwood
Boehrlert	DeLay	Gutknecht
Boehner	Diaz-Balart	Hansen
Bono	Dickey	Hastert
Brady	Doolittle	Hastings (WA)
Bryant	Dreier	Hayworth
Bunning	Duncan	Hefley
Burr	Dunn	Herger
Burton	Ehlers	Hill
Buyer	Ehrlich	Hilleary
Callahan	Emerson	Hobson
Calvert	English	Hoekstra
Camp	Ensign	Horn
Campbell	Everett	Hostettler
Canady	Ewing	Houghton
Cannon	Fawell	Hulshof
Castle	Foley	Hunter
Chabot	Forbes	Hutchinson

Hyde
Ingalls
Istook
Jenkins
Johnson (CT)
Jones
Kanjorski
Kasich
Kelly
Kim
King (NY)
Kingston
Klug
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lazio
Leach
Lewis (CA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lucas
Manzullo
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Meehan
Metcalfe
Mica
Miller (FL)
Mollohan
Moran (KS)
Morella
Murtha

Myrick
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oxley
Packard
Pappas
Parker
Paul
Paxon
Pease
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Porter
Portman
Pryce (OH)
Quinn
Radanovich
Ramstad
Redmond
Regula
Riggs
Riley
Rogan
Rogers
Rohrabacher
Ros-Lehtinen
Roukema
Royce
Ryun
Salmon
Sanford
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob

Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Stearns
Stump
Sununu
Talent
Tauzin
Taylor (NC)
Thomas
Thornberry
Thune
Tiahrt
Traficant
Upton
Walsh
Wamp
Watkins
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

Snyder
Spratt
Stabenow
Stark
Stenholm
Stokes
Strickland
Tanner
Tauscher
Taylor (MS)

Thompson
Thurman
Tierney
Torres
Towns
Turner
Velazquez
Vento
Visclosky
Waters

Watt (NC)
Waxman
Wexler
Weygand
Wise
Woolsey
Wynn
Yates

NOT VOTING—15

Bonilla
Boswell
Fattah
Foglietta
Furse
Gephardt
Gonzalez
Goss
Johnson, Sam
Largent

Meek
Oberstar
Schiff
Stupak
Weldon (PA)

□ 1236

Mr. McNULTY and Mr. DINGELL changed their vote from "yea" to "nay."

Mr. BONO changed his vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 168 and that I may include tabular and extraneous material.

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

There was no objection.

IMPLEMENTING THE RECOMMENDATIONS OF BIPARTISAN HOUSE ETHICS REFORM TASK FORCE

The SPEAKER pro tempore. Pursuant to House Resolution 230 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the resolution, House Resolution 168.

□ 1240

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (H. Res. 168) to implement the recommendations of the bipartisan House Ethics Reform Task Force, with Mr. COMBEST in the chair.

The Clerk read the title of the resolution.

The CHAIRMAN. Pursuant to the rule, the resolution is considered as having been read the first time.

Under the rule, the gentleman from Louisiana [Mr. LIVINGSTON] and the gentleman from Maryland [Mr. CARDIN] will each control 30 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, I yield myself such time as I may consume.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Chairman, I am pleased to rise to recommend to the House the work product of a very hard-working task force on ethics rules reform.

Mr. Chairman, in the aftermath of Watergate, the House felt compelled to engage and apply certain rules of conduct to enforce the provisions of the Constitution that say that the Members of the House will police its own Members. They were known as the ethics rules, administered by the Committee on the Standards of Official Conduct. Those rules evolved with time, and were revised as recently as 1989, roughly 8 years ago, and have, by and large, worked pretty well over the years.

In the last Congress, it was felt by many Members on both sides of the aisle that there had been a partisan breakdown; that regardless of individual cases, the fact was that Members of the House were engaging in the war of politics by utilizing the rules of the Committee on Standards of Official Conduct to their own purposes.

If that charge is warranted or not, the fact is that the leadership of both Houses were called upon to decide whether or not that type of activity should be encouraged and continued or whether or not we should make a good-faith effort to stop that sort of conduct and encourage Members to understand that the rules of the House are sacred, they reflect on the integrity of the House, and that we, as the Members of the House of Representatives, should respect the roles which we hold and administer and that we should, indeed, police ourselves in a bipartisan fashion.

□ 1245

Pursuant to the directives of the leadership, the bipartisan leadership of the House, a task force was confected, comprised of myself and the gentleman from Maryland, Mr. BEN CARDIN, as cochair, coequals, in charge of the task force comprised of the gentleman from New York, JERRY SOLOMON, the gentleman from California, Mr. BILL THOMAS, the gentleman from Florida, Mr. PORTER GOSS, the gentleman from Delaware, Mr. MIKE CASTLE, and the gentleman from Utah, Mr. JIM HANSEN, on the Republican side; and the gentleman from Ohio, Mr. LOU STOKES, the gentleman from Massachusetts, Mr. JOE MOAKLEY, the gentleman from Texas, Mr. MARTIN FROST, the gentleman from California, Ms. NANCY PELOSI, and the gentleman from California, Mr. HOWARD BERMAN, on the Democrat side.

We began our deliberations in early February. We held hearings; gained a lot of testimony from a lot of witnesses, both in public and private forums; called Members to give us their

NAYS—191

Abercrombie
Ackerman
Allen
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Berry
Bishop
Blagojevich
Blumenauer
Bonior
Borski
Boucher
Boyd
Brown (CA)
Brown (FL)
Brown (OH)
Capps
Cardin
Carson
Clay
Clayton
Clement
Clyburn
Condit
Conyers
Costello
Coyne
Cramer
Cummings
Danner
Davis (FL)
Davis (IL)
DeFazio
DeGette
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Edwards
Engel
Eshoo
Etheridge
Evans
Farr

Fazio
Filner
Flake
Ford
Frost
Gejdenson
Goode
Gordon
Green
Gutierrez
Hall (OH)
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hinojosa
Holden
Hooley
Hoyer
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson (WI)
Johnson, E. B.
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kind (WI)
Klecza
Klink
Kucinich
LaFalce
Lampson
Lantos
Levin
Lewis (GA)
Lipinski
Manton
Markey
Martinez
Mascara
Matsui

McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McIntyre
McKinney
McNulty
Menendez
Millender-McDonald
Miller (CA)
Minge
Mink
Moakley
Moran (VA)
Nadler
Neal
Obey
Oliver
Ortiz
Owens
Pallone
Pascarell
Pastor
Payne
Pelosi
Peterson (MN)
Pickett
Pomeroy
Poshard
Price (NC)
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Rush
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Schumer
Scott
Serrano
Sherman
Sisisky
Skaggs
Skelton
Slaughter
Smith, Adam