

Burton Hostettler
 Buyer Houghton
 Callahan Hunter
 Calvert Hutchinson
 Camp Hyde
 Campbell Isakson
 Canady Istook
 Cannon Jenkins
 Castle Johnson (CT)
 Chabot Johnson, Sam
 Chambliss Jones (NC)
 Chenoweth-Hage Kelly
 Coble Kildee
 Collins King (NY)
 Combest Kingston
 Cook Knollenberg
 Cox Kolbe
 Crane Kuykendall
 Cubin LaHood
 Cunningham LaTourette
 Davis (VA) Lazio
 Deal Leach
 DeLay Lewis (CA)
 DeMint Lewis (KY)
 Doolittle Linder
 Doyle LoBiondo
 Dreier Lucas (KY)
 Duncan Lucas (OK)
 Ehlers Manzullo
 Emerson Martinez
 English McCollum
 Everett McCrery
 Ewing McHugh
 Fletcher McInnis
 Foley McKeon
 Fowler Metcalf
 Franks (NJ) Mica
 Gallegly Miller, Gary
 Gekas Moran (KS)
 Gibbons Morella
 Gillmor Myrick
 Gilman Nethercutt
 Goode Ney
 Goodling Northup
 Goss Norwood
 Graham Nussle
 Granger Ose
 Green (WI) Oxley
 Greenwood Packard
 Gutknecht Paul
 Hall (TX) Pease
 Hastings (WA) Petri
 Hayes Pickering
 Hayworth Pickett
 Herger Pombo
 Hill (MT) Porter
 Hillery Portman
 Hobson Pryce (OH)
 Hoekstra Quinn
 Horn Radanovich

NAYS—151

Abercrombie Dixon
 Allen Doggett
 Baca Dooley
 Baird Edwards
 Baldacci Engel
 Baldwin Eshoo
 Barcia Etheridge
 Barrett (WI) Evans
 Bentsen Fattah
 Berkley Ford
 Berman Frost
 Berry Gejdenson
 Blagojevich Gephardt
 Blumenauer Gonzalez
 Bonior Gordon
 Boucher Gutierrez
 Brady (PA) Hastings (FL)
 Brown (OH) Hill (IN)
 Capps Hilliard
 Capuano Hinchey
 Cardin Hinojosa
 Clayton Holt
 Clement Hooley
 Clyburn Hoyer
 Condit Inslee
 Conyers Jackson (IL)
 Costello Jackson-Lee
 Cramer (TX)
 Crowley Johnson, E. B.
 Cummings Jones (OH)
 Davis (FL) Kanjorski
 Davis (IL) Kilpatrick
 DeGette Kind (WI)
 Delahunt Klecza
 DeLauro Kucinich
 Dicks LaFalce
 Dingell Lampson

Ramstad
 Regula
 Reynolds
 Riley
 Rogers
 Rohrabacher
 Ros-Lehtinen
 Roukema
 Royce
 Ryan (WI)
 Ryun (KS)
 Salmon
 Sanford
 Saxton
 Scarborough
 Schaffer
 Sensenbrenner
 Sessions
 Shadegg
 Shaw
 Shays
 Sherwood
 Shimkus
 Shuster
 Simpson
 Sisisky
 Skeen
 Skelton
 Smith (MI)
 Smith (NJ)
 Smith (TX)
 Spence
 Stabenow
 Stearns
 Stump
 Sununu
 Sweeney
 Tancredo
 Tauzin
 Taylor (MS)
 Terry
 Thomas
 Thornberry
 Thune
 Tiahrt
 Toomey
 Traficant
 Upton
 Vitter
 Walden
 Watkins
 Watts (OK)
 Weldon (FL)
 Weldon (PA)
 Weller
 Whitfield
 Wicker
 Wolf
 Young (AK)
 Young (FL)

Pelosi
 Phelps
 Pomeroy
 Rahall
 Rangel
 Reyes
 Rivers
 Rodriguez
 Roemer
 Roybal-Allard
 Sabo
 Sanchez
 Sanders
 Sandlin

Ackerman
 Aderholt
 Andrews
 Ballenger
 Becerra
 Bishop
 Borski
 Boswell
 Boyd
 Brown (FL)
 Burr
 Carson
 Clay
 Coburn
 Cooksey
 Coyne
 Danner
 DeFazio
 Deutsch
 Diaz-Balart
 Dickey
 Dunn
 Ehrlich
 Farr
 Filner
 Forbes
 Fossella
 Frank (MA)

NOT VOTING—80

Frelinghuysen
 Ganske
 Gilchrest
 Goodlatte
 Green (TX)
 Hall (OH)
 Hansen
 Hefley
 Hoeffel
 Holden
 Hulshof
 Jefferson
 John
 Kaptur
 Kasich
 Kennedy
 Klink
 Largent
 Latham
 Lowey
 Maloney (NY)
 McCarthy (NY)
 McIntosh
 McNulty
 Meehan
 Millender-
 McDonald
 Miller (FL)

□ 1829

Messrs. HILL of Indiana, UDALL of Colorado and SHOWS changed their vote from “yea” to “nay”.

Mr. TAYLOR of Mississippi changed his vote from “nay” to “yea”.

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 595, I was in my Congressional District on official business. Had I been present, I would have voted “nay.”

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore (Mr. PEASE). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on the additional motion to suspend the rules on which the Chair has postponed further proceedings.

CONVEYANCE TO DELORES, COLORADO
CURRENT SITE OF JOE ROWELL PARK

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 1972.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. DOOLITTLE) that the House suspend the rules and pass the Senate bill, S. 1972,

on which the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 201, nays 145, not voting 86, as follows:

[Roll No. 596]

YEAS—201

Archer
 Bachus
 Baker
 Barr
 Barrett (NE)
 Bartlett
 Barton
 Bass
 Bereuter
 Biggert
 Bilbray
 Bilirakis
 Blagojevich
 Bliley
 Blunt
 Boehlert
 Boehner
 Bonilla
 Bono
 Brady (TX)
 Bryant
 Burton
 Buyer
 Callahan
 Calvert
 Camp
 Campbell
 Canady
 Cannon
 Castle
 Chabot
 Chambliss
 Chenoweth-Hage
 Coble
 Collins
 Combest
 Cook
 Cox
 Crane
 Cummings
 Cunningham
 Davis (VA)
 Deal
 DeGette
 DeLay
 DeMint
 Doolittle
 Dreier
 Duncan
 Ehlers
 Emerson
 English
 Everett
 Ewing
 Fletcher
 Foley
 Fowler
 Franks (NJ)
 Gallegly
 Gekas
 Gibbons
 Gillmor
 Gilman
 Goode
 Goodling
 Goss
 Graham

NAYS—145

Cardin
 Clayton
 Clement
 Clyburn
 Condit
 Conyers
 Costello
 Cramer
 Crowley
 Davis (FL)
 Davis (IL)
 Delahunt
 DeLauro
 Dicks
 Dingell
 Dixon
 Doggett
 Dooley
 Doyle

Pombo
 Porter
 Portman
 Pryce (OH)
 Quinn
 Radanovich
 Ramstad
 Regula
 Reynolds
 Riley
 Rogers
 Rohrabacher
 Ros-Lehtinen
 Roukema
 Royce
 Ryan (WI)
 Ryun (KS)
 Salmon
 Sanford
 Saxton
 Scarborough
 Schaffer
 Sensenbrenner
 Sessions
 Shadegg
 Shaw
 Shays
 Sherwood
 Shimkus
 Shows
 Shuster
 Simpson
 Skeen
 Skelton
 Smith (MI)
 Smith (NJ)
 Smith (TX)
 Spence
 Stabenow
 Stearns
 Stump
 Sununu
 Sweeney
 Tancredo
 Tauzin
 Taylor (MS)
 Terry
 Thomas
 Thornberry
 Thune
 Tiahrt
 Toomey
 Traficant
 Udall (CO)
 Upton
 Vitter
 Walden
 Walsh
 Watkins
 Watts (OK)
 Weldon (PA)
 Weller
 Wicker
 Wolf
 Wu
 Young (AK)
 Young (FL)

| | | |
|----------------|----------------|---------------|
| Hoyer | McKinney | Roybal-Allard |
| Inslee | Meek (FL) | Sabo |
| Jackson (IL) | Meeks (NY) | Sanchez |
| Jackson-Lee | Menendez | Sanders |
| (TX) | Miller, George | Sandlin |
| Johnson, E. B. | Minge | Sawyer |
| Jones (OH) | Mink | Shakowsky |
| Kanjorski | Mollohan | Scott |
| Kildee | Moore | Serrano |
| Kilpatrick | Moran (VA) | Sherman |
| Kind (WI) | Murtha | Slaughter |
| Klecza | Nadler | Snyder |
| Kucinich | Napolitano | Spratt |
| LaFalce | Oberstar | Stupak |
| Lampson | Obey | Tanner |
| Lantos | Olver | Tauscher |
| Larson | Ortiz | Thompson (CA) |
| Lee | Owens | Thompson (MS) |
| Lewis (GA) | Pallone | Thurman |
| Lipinski | Pastor | Tierney |
| Lofgren | Payne | Towns |
| Luther | Pelosi | Turner |
| Maloney (CT) | Phelps | Udall (NM) |
| Markey | Pomeroy | Visclosky |
| Mascara | Rahall | Waters |
| Matsui | Rangel | Watt (NC) |
| McCarthy (MO) | Reyes | Waxman |
| McDermott | Rivers | Woolsey |
| McGovern | Rodriguez | Wynn |
| McIntyre | Roemer | |

NOT VOTING—86

| | | |
|-------------|---------------|---------------|
| Ackerman | Frank (MA) | Moakley |
| Aderholt | Frelinghuysen | Neal |
| Andrews | Ganske | Pascrell |
| Army | Gilchrest | Peterson (MN) |
| Ballenger | Goodlatte | Peterson (PA) |
| Becerra | Green (TX) | Pitts |
| Bishop | Hall (OH) | Price (NC) |
| Borski | Hansen | Rogan |
| Boswell | Hefley | Rothman |
| Boyd | Hoeffel | Rush |
| Brown (FL) | Holden | Sisisky |
| Burr | Hulshof | Smith (WA) |
| Carson | Jefferson | Souder |
| Clay | John | Stark |
| Coburn | Kaptur | Stenholm |
| Cooksey | Kasich | Strickland |
| Coyne | Kennedy | Talent |
| Cubin | Klink | Taylor (NC) |
| Danner | Largent | Velazquez |
| DeFazio | Latham | Wamp |
| Deutsch | Lowey | Weiner |
| Diaz-Balart | Maloney (NY) | Weldon (FL) |
| Dickey | McCarthy (NY) | Wexler |
| Dunn | McCrery | Weygand |
| Edwards | McIntosh | Whitfield |
| Ehrlich | McNulty | Wilson |
| Farr | Meehan | Wise |
| Filner | Millender- | |
| Forbes | McDonald | |
| Fossella | Miller (FL) | |

□ 1837

Mr. UDALL of Colorado changed his vote from "nay" to "yea."

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 596, I was in my Congressional District on official business. Had I been present, I would have voted "nay."

PERSONAL EXPLANATION

Mr. DEUTSCH. Mr. Speaker, I was unavoidably absent from the Chamber today during rollcall vote No. 595 and rollcall vote No. 596. Had I been present I would have voted "nay" on rollcall vote No. 595 and "nay" on roll call vote No. 596.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. PEASE) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, November 6, 2000.
Hon. J. DENNIS HASTERT,
The Speaker, U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope from the White House on Saturday, November 4, 2000 at 3:55 p.m., and said to contain a message from the President whereby he returns without his approval, H.R. 4392, the "Intelligence Authorization Act for Fiscal Year 2001".

Sincerely yours,

JEFF TRANDAH, L.
Clerk of the House.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2001—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

To the House of Representatives:

Today, I am disapproving H.R. 4392, the "Intelligence Authorization Act for Fiscal Year 2001," because of one badly flawed provision that would have made a felony of unauthorized disclosures of classified information. Although well intentioned, that provision is overbroad and may unnecessarily chill legitimate activities that are at the heart of a democracy.

I agree that unauthorized disclosures can be extraordinarily harmful to United States national security interests and that far too many such disclosures occur. I have been particularly concerned about their potential effects on the sometimes irreplaceable intelligence sources and methods on which we rely to acquire accurate and timely information I need in order to make the most appropriate decisions on matters of national security. Unauthorized disclosures damage our intelligence relationships abroad, compromise intelligence gathering, jeopardize lives, and increase the threat of terrorism. As Justice Stewart stated in the Pentagon Papers case, "it is elementary that the successful conduct of international diplomacy and the maintenance of an effective national defense require both confidentiality and secrecy. Other nations can hardly deal with this Nation in an atmosphere of mutual trust unless they can be assured that their confidences will be kept . . . and the development of considered and intelligent international policies would be impossible if those charged with their formulation could not communicate with each other freely." Those who disclose classified information inappropriately thus commit a gross breach of the public trust and may recklessly put our national security at risk. To the extent that existing sanctions have proven insufficient to address and deter unauthorized disclosures, they should be

strengthened. What is in dispute is not the gravity of the problem, but the best way to respond to it.

In addressing this issue, we must never forget that the free flow of information is essential to a democratic society. Justice Stewart also wrote in the Pentagon Papers case that "the only effective restraint upon executive policy in the areas of national defense and international affairs may lie in an enlightened citizenry—in an informed and critical public opinion which alone can here protect the values of democratic government."

Justice Brandeis reminded us that "those who won our independence believed . . . that public discussion is a political duty; and that this should be a fundamental principle of the American government." His words caution that we must always tread carefully when considering measures that may limit public discussion—even when those measures are intended to achieve laudable, indeed necessary, goals.

As President, therefore, it is my obligation to protect not only our Government's vital information from improper disclosure, but also to protect the rights of citizens to receive the information necessary for democracy to work. Furthering these two goals requires a careful balancing, which must be assessed in light of our system of classifying information over a range of categories. This legislation does not achieve the proper balance. For example, there is a serious risk that this legislation would tend to have a chilling effect on those who engage in legitimate activities. A desire to avoid the risk that their good faith choice of words—their exercise of judgment—could become the subject of a criminal referral for prosecution might discourage Government officials from engaging even in appropriate public discussion, press briefings, or other legitimate official activities. Similarly, the legislation may unduly restrain the ability of former Government officials to teach, write, or engage in any activity aimed at building public understanding of complex issues. Incurring such risks is unnecessary and inappropriate in a society built on freedom of expression and the consent of the governed and is particularly inadvisable in a context in which the range of classified materials is so extensive. In such circumstances, this criminal provision would, in my view, create an undue chilling effect.

The problem is compounded because this provision was passed without benefit of public hearings—a particular concern given that it is the public that this law seeks ultimately to protect. The Administration shares the process burden since its deliberations lacked the thoroughness this provision warranted, which in turn led to a failure to apprise the Congress of the concerns I am expressing today.

I deeply appreciate the sincere efforts of Members of Congress to address