

Radanovich	Shays	Thomas
Rahall	Sherwood	Thornberry
Ramstad	Shimkus	Thune
Regula	Shows	Tiahrt
Rehberg	Shuster	Tiberi
Reyes	Simpson	Toomey
Reynolds	Skeen	Turner
Riley	Skelton	Upton
Roemer	Smith (MI)	Visclosky
Rogers (KY)	Smith (NJ)	Vitter
Rogers (MI)	Smith (TX)	Walden
Rohrabacher	Souder	Walsh
Ros-Lehtinen	Spratt	Wamp
Ross	Stenholm	Watkins (OK)
Roukema	Strickland	Watts (OK)
Royce	Stump	Weldon (FL)
Ryan (WI)	Stupak	Weller
Ryun (KS)	Sullivan	Whitfield
Sandlin	Sununu	Wicker
Saxton	Sweeney	Wilson (NM)
Schaffer	Tancredo	Wilson (SC)
Schrock	Tanner	Wolf
Sensenbrenner	Tauzin	Young (AK)
Sessions	Taylor (MS)	Young (FL)
Shadegg	Taylor (NC)	
Shaw	Terry	

## NOES—151

Abercrombie	Green (TX)	Mink
Ackerman	Greenwood	Moore
Allen	Gutierrez	Morella
Andrews	Harman	Nadler
Baca	Hastings (FL)	Napolitano
Baird	Hilliard	Oliver
Baldacci	Hinchey	Owens
Baldwin	Hoeffel	Pallone
Barrett	Holt	Pastor
Becerra	Honda	Payne
Bentsen	Hooley	Pelosi
Berkley	Horn	Price (NC)
Berman	Hoyer	Rangel
Blagojevich	Inslee	Rivers
Blumenauer	Israel	Rodriguez
Boehlert	Jackson (IL)	Rothman
Boucher	Jackson-Lee	Roybal-Allard
Brady (PA)	(TX)	Rush
Brown (FL)	Johnson (CT)	Sabo
Brown (OH)	Johnson, E. B.	Sanchez
Capps	Jones (OH)	Sanders
Capuano	Kilpatrick	Sawyer
Cardin	Kind (WI)	Schakowsky
Carson (IN)	Kirk	Schiff
Clay	Kolbe	Scott
Clayton	Lantos	Serrano
Clyburn	Larsen (WA)	Sherman
Conyers	Larson (CT)	Simmons
Coyne	Lee	Slaughter
Cummings	Levin	Smith (WA)
Davis (CA)	Lewis (GA)	Snyder
Davis (IL)	Lofgren	Solis
DeFazio	Lowey	Stark
DeGette	Luther	Tauscher
Delahunt	Maloney (NY)	Thompson (CA)
DeLauro	Markey	Thompson (MS)
Deutsch	Matheson	Thurman
Dicks	Matsui	Tierney
Doggett	McCarthy (MO)	Towns
Dooley	McCarthy (NY)	Udall (CO)
Edwards	McCollum	Udall (NM)
Engel	McDermott	Velazquez
Eshoo	McGovern	Waters
Evans	McKinney	Watson (CA)
Farr	Meehan	Watt (NC)
Fattah	Meek (FL)	Waxman
Filner	Meeks (NY)	Weiner
Frank	Menendez	Wexler
Frost	Millender-	Woolsey
Gilman	McDonald	Wu
Gonzalez	Miller, George	Wynn

## ANSWERED "PRESENT"—1

Kucinich

## NOT VOTING—8

Bonior	Knollenberg	Trafficant
Condit	Phelps	Weldon (PA)
Cunningham	Stearns	

□ 1849

Mr. LEWIS of Georgia changed his vote from "aye" to "no."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CUNNINGHAM. Mr. Speaker, on rollcall vote 343 concerning partial-birth abortion, I was detained. Had I been present, I would have voted "aye."

# SENSE OF CONGRESS THAT CHINA SHOULD CEASE PERSECUTION OF FALUN GONG PRACTITIONERS

The SPEAKER pro tempore (Mr. LAHOOD). The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 188, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 188, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 14, as follows:

[Roll No. 344]

## YEAS—420

Abercrombie	Chabot	Ford
Ackerman	Chambliss	Fossella
Aderholt	Clay	Frank
Akin	Clayton	Frelinghuysen
Allen	Clement	Frost
Andrews	Clyburn	Gallegly
Armey	Coble	Ganske
Baca	Collins	Gekas
Baird	Combest	Gibbons
Baker	Cooksey	Gilchrest
Baldacci	Costello	Gillmor
Baldwin	Cox	Gilman
Ballenger	Coyne	Gonzalez
Barr	Cramer	Goode
Barrett	Crane	Goodlatte
Bartlett	Crenshaw	Gordon
Barton	Crowley	Goss
Bass	Cubin	Graham
Becerra	Culberson	Granger
Bentsen	Cummings	Graves
Bereuter	Cunningham	Green (TX)
Berkley	Davis (CA)	Green (WI)
Berman	Davis (FL)	Greenwood
Berry	Davis (IL)	Grucci
Biggert	Davis, Jo Ann	Gutierrez
Bilirakis	Davis, Tom	Gutknecht
Bishop	Deal	Hall (OH)
Blagojevich	DeFazio	Hall (TX)
Blumenauer	DeGette	Hansen
Blunt	Delahunt	Harman
Boehlert	DeLauro	Hart
Boehner	DeLay	Hastings (FL)
Bonilla	DeMint	Hastings (WA)
Bono	Deutsch	Hayes
Boozman	Diaz-Balart	Hayworth
Borski	Dingell	Hefley
Boswell	Doggett	Hergert
Boucher	Dooley	Hill
Boyd	Doolittle	Hilleary
Brady (PA)	Doyle	Hilliard
Brady (TX)	Dreier	Hinchey
Brown (FL)	Duncan	Hinojosa
Brown (OH)	Dunn	Hobson
Brown (SC)	Edwards	Hoeffel
Bryant	Ehlers	Hoekstra
Burr	Ehrlich	Holden
Burton	Emerson	Holt
Buyer	Engel	Honda
Callahan	English	Hooley
Calvert	Eshoo	Horn
Camp	Etheridge	Hostettler
Cannon	Evans	Houghton
Cantor	Everett	Hoyer
Capito	Farr	Hulshof
Capps	Fattah	Hunter
Capuano	Ferguson	Hyde
Cardin	Filner	Inslee
Carson (IN)	Flake	Isakson
Carson (OK)	Fletcher	Israel
Castle	Forbes	Jackson (IL)

Jackson-Lee	Mink	Sensenbrenner
(TX)	Mollohan	Serrano
Jefferson	Moore	Sessions
Jenkins	Moran (KS)	Shadegg
John	Moran (VA)	Shaw
Johnson (CT)	Morella	Shays
Johnson (IL)	Murtha	Sherman
Johnson, E. B.	Myrick	Sherwood
Johnson, Sam	Nadler	Shimkus
Jones (NC)	Napolitano	Shows
Jones (OH)	Neal	Shuster
Kanjorski	Nethercutt	Simmons
Kaptur	Ney	Simpson
Keller	Northup	Skeen
Kelly	Norwood	Skelton
Kennedy (MN)	Nussle	Slaughter
Kennedy (RI)	Oberstar	Smith (MI)
Kerns	Obey	Smith (NJ)
Kildee	Olver	Smith (TX)
Kilpatrick	Ortiz	Smith (WA)
Kind (WI)	Osborne	Snyder
King (NY)	Ose	Solis
Kingston	Otter	Souder
Kirk	Owens	Spratt
Klecicka	Oxley	Stark
Kolbe	Pallone	Stenholm
Kucinich	Pascarell	Strickland
LaFalce	Pastor	Stump
LaHood	Paul	Stupak
Lampson	Payne	Sullivan
Langevin	Pelosi	Sununu
Lantos	Pence	Sweeney
Larsen (WA)	Peterson (MN)	Tancredo
Larson (CT)	Peterson (PA)	Tanner
Latham	Petri	Tauscher
LaTourette	Phelps	Tauzin
Leach	Pickering	Taylor (MS)
Lee	Pitts	Taylor (NC)
Levin	Platts	Terry
Lewis (CA)	Pombo	Thomas
Lewis (GA)	Pomeroy	Thompson (CA)
Lewis (KY)	Portman	Thompson (MS)
Linder	Price (NC)	Thornberry
Lipinski	Pryce (OH)	Thune
LoBiondo	Putnam	Thurman
Lofgren	Quinn	Tiahrt
Lowey	Radanovich	Tiberi
Lucas (KY)	Rahall	Tierney
Lucas (OK)	Ramstad	Toomey
Luther	Rangel	Towns
Lynch	Regula	Turner
Maloney (CT)	Rehberg	Udall (CO)
Maloney (NY)	Reyes	Udall (NM)
Manzullo	Reynolds	Upton
Markey	Riley	Velazquez
Mascara	Rivers	Visclosky
Matheson	Rodriguez	Vitter
Matsui	Roemer	Walden
McCarthy (MO)	Rogers (KY)	Walsh
McCarthy (NY)	Rogers (MI)	Wamp
McCollum	Rohrabacher	Waters
McCrery	Ros-Lehtinen	Watkins (OK)
McDermott	Ross	Watson (CA)
McGovern	Rothman	Watt (NC)
McHugh	Roukema	Watts (OK)
McInnis	Roybal-Allard	Waxman
McIntyre	Royce	Weiner
McKeon	Rush	Weldon (FL)
McKinney	Ryan (WI)	Weller
McNulty	Ryun (KS)	Wexler
Meehan	Sabo	Whitfield
Meek (FL)	Sanchez	Wicker
Meeks (NY)	Sanders	Wilson (NM)
Menendez	Sandlin	Wilson (SC)
Mica	Sawyer	Wolf
Millender-	Saxton	Woolsey
McDonald	Schaffer	Wu
Miller, Dan	Schakowsky	Wynn
Miller, Gary	Schiff	Young (AK)
Miller, George	Schrock	Young (FL)
Miller, Jeff	Scott	

## NOT VOTING—14

Bachus	Dicks	Knollenberg
Barcia	Foley	Stearns
Bonior	Gephardt	Trafficant
Condit	Issa	Weldon (PA)
Conyers	Istook	

□ 1859

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1900

IN THE MATTER OF REPRESENTATIVE JAMES A. TRAFICANT, JR.

Mr. HEFLEY. Mr. Speaker, I call up the privileged resolution (H. Res. 495) in the matter of JAMES A. TRAFICANT, Jr., and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 495

*Resolved*, That, pursuant to Article I, Section 5, Clause 2 of the United States Constitution, Representative James A. Traficant, Jr., be, and he hereby is, expelled from the House of Representatives.

The SPEAKER. The resolution constitutes a question of the privileges of the House and may be called up at any time.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Before our debate begins, the Chair will make a statement about the decorum expected in the Chamber.

The Chair has often reiterated that Members should refrain from references in debate to the conduct of other sitting Members where such conduct is not the question actually pending before the House, either by way of a report from the Committee on Standards of Official Conduct, or by way of another question of the privileges of the House.

This principle is documented on pages 174 and 703 of the House Rules and Manual and reflects the consistent rulings of the Chair.

It is also well established that indecent language either against the proceedings of the House or cast against its Membership is out of order.

Disciplinary matters, by their very nature, involve personalities. The calling up of a resolution reported by the Committee on Standards of Official Conduct or the offering of a resolution as a similar question of the privileges of the House embarks the House on consideration of a proposition that admits references in debate to a sitting Member's conduct.

This exception to the general rule against engaging in personality, admitting references to a Member's conduct when that conduct is the very question under consideration by the House, is closely limited.

This point was well stated by the Chair on July 31, 1979, as follows: while a wide range of discussion is permitted during debate on a disciplinary resolution, clause 1 of rule XVII still prohibits the use of language which is personally abusive.

This was reiterated by the Chair as recently as January 27, 1997. It also extends to language which is profane, vulgar or obscene and to comportment which constitutes a breach of decorum.

On the question about to be pending before the House, the resolution offered

by the gentleman from Colorado (Mr. HEFLEY), as chairman of the Committee on Standards of Official Conduct, Members should confine their remarks in debate to the merits of that precise question.

Members should refrain from remarks that constitute personalities with respect to members of the Committee on Standards of Official Conduct, with respect to other sitting Members whose conduct is not the subject of the pending report, or to Members of the other body.

The Chair asks and expects the cooperation of all Members in maintaining a level of decorum that properly dignifies the proceedings of this House.

As always, the galleries must refrain from any manifestation of approval or disapproval of the proceedings.

Pursuant to clause 4 of rule XVII, the Chair intends to take necessary initiatives to ensure proper decorum.

MOTION OFFERED BY MR. LATOURETTE

Mr. LATOURETTE. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. LATOURETTE moves to postpone further consideration of House Resolution 495 until September 4, 2002.

The SPEAKER pro tempore (Mr. HANSEN). The gentleman from Ohio (Mr. LATOURETTE) is recognized for 1 hour.

Mr. LATOURETTE. Mr. Speaker, as a first matter of business, I ask unanimous consent to yield 30 minutes of my time to the gentleman from Colorado (Mr. HEFLEY), the distinguished chairman of the Committee on Standards of Official Conduct, and further ask that he be permitted to yield time from that 30 minutes.

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

There was no objection.

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

Mr. Speaker, my motion to postpone would postpone the proceedings until a date certain, as a matter of fact, the day we would return from recess.

Mr. Speaker, this is a historic moment in the House of Representatives. Not since 1861, nearly 120 years ago, has the House expelled one of its Members. As we consider the resolution of expulsion today, it seems to me that we should do so with all the care and due regard for both this institution and the individual involved. This institution makes the Nation's laws; therefore, we have the obligation to be more concerned with the rule of law and the observance of law than any other institution in America.

Mr. Speaker, I wish I could take credit for those words, but I cannot. Those words were spoken by the Honorable Louis Stokes in 1980, the only other time that the House of Representatives has taken upon this course of action since the American Civil War; and on that particular occasion, which was the expulsion vote of Representative Myers

of Pennsylvania, Congressman Stokes rose and made the same motion that I am making here this evening.

I would ask Members to pay attention to the similarities between where we find ourselves today and where the Congress found themselves in 1980, the only other time that this happened in this Congress's history, again, since the Civil War. Representative Myers had been convicted by a jury of a felony, of felonies. Representative TRAFICANT has been convicted by a jury of felonies. Representative Myers was pending sentence and had not been sentenced on the date that the resolution was brought to the floor. Congressman TRAFICANT has not been sentenced by the judge in Ohio. The House considered the resolution against Representative Myers on the last day before Congress left town for a 1-month recess in 1980. Tonight, we are 2 days from a 1-month recess in 2002. Representative Myers was caught on videotape accepting \$50,000 from an individual who was dressed up as an Arab sheik; he admitted his conduct before the Committee on Standards of Official Conduct. Congressman TRAFICANT, in his case, there is no videotape, there is no audiotape, there are no fingerprints, and he has denied the allegations.

In this matter, although there were numerous witnesses that testified in the proceeding in Cleveland, Ohio, in Federal court, I would submit to Members, in my opinion, it boils down to a case of direct testimony in conflict. There are, and those of my colleagues that have practiced law know that there is something that we prosecutors used to do called "putting lipstick on the pig," and you would have one witness that was seminal to your case, but you would call on other witnesses to say oh, I went to the bank, or I picked up the newspaper that morning, or I did this or I did that, seemingly to corroborate the main witness's testimony.

I would give an example, because since I have traveled the floor since this matter came about, the one count, although all are serious, and I will tell my colleagues right now, so that there is no confusion about where I come from, that if Congressman TRAFICANT committed these acts, I will vote to expel him, because they are reprehensible.

The most serious example that has been given to me as I have talked to other Members on the floor deals with kickbacks, the allegation that a member of his staff was hired and was required to deposit his congressional paycheck and every month take \$2,500 in cash and deliver it to the Congressman.

Over the course of time, and this fellow's name was Sinclair. Over the course of time that this was alleged to have occurred, it would have been \$2,500 a month for the months of his employment; it adds up to \$32,500. During the same period of time, the government also indicated that Congressman TRAFICANT had received \$13,000 in cash bribes from another individual.