

Ortiz Radanovich Tauzin
Paul Slaughter Towns

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (Mr. SIMPSON (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1809

Messrs. THOMPSON of Mississippi, ABERCROMBIE, DEFAZIO, and DINGELL changed their vote from “yea” to “nay.”

Mr. COLE, Mr. DOOLEY of California, Ms. LINDA T. SANCHEZ of California, and Mr. SAM JOHNSON of Texas changed their vote from “nay” to “yea.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 524, I was in my Congressional District on official business. Had I been present, I would have voted “nay.”

Mr. BASS. Mr. Speaker, on Friday, October 8, 2004, I regrettably missed recorded vote numbered 524. Had I been present, I would have voted “nay.”

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON S. 2845, NATIONAL INTELLIGENCE REFORM ACT OF 2004

The SPEAKER pro tempore. The pending business is the question on the motion to instruct conferees on S. 2845, on which further proceedings were postponed earlier today.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. GUTIERREZ) 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 169, nays 229, not voting 34, as follows:

[Roll No. 525]

YEAS—169

Abercrombie	Cardoza	Etheridge
Ackerman	Carson (IN)	Evans
Allen	Clyburn	Farr
Andrews	Conyers	Fattah
Baca	Cooper	Frost
Baird	Crowley	Gonzalez
Baldwin	Cummings	Green (TX)
Becerra	Davis (AL)	Grijalva
Bell	Davis (CA)	Gutierrez
Berkley	Davis (FL)	Harman
Berman	Davis (IL)	Hastings (FL)
Berry	DeGette	Herseth
Bishop (GA)	Delahunt	Hinchey
Bishop (NY)	DeLauro	Hoeffel
Blumenauer	Deutsch	Holden
Boswell	Dicks	Holt
Brady (PA)	Dingell	Honda
Brown (OH)	Doggett	Hooley (OR)
Brown, Corrine	Dooley (CA)	Hoyer
Butterfield	Doyle	Inslee
Capps	Emanuel	Israel
Capuano	Engel	Jackson (IL)
Cardin	Eshoo	

Jackson-Lee (TX)	Millender-McDonald	Sanders
Jefferson	Miller (NC)	Sandin
Johnson, E. B.	Miller, George	Schakowsky
Jones (OH)	Mollohan	Schiff
Kanjorski	Moran (VA)	Scott (GA)
Kennedy (RI)	Murtha	Scott (VA)
Kildee	Nadler	Serrano
Kilpatrick	Napolitano	Sherman
Kind	Neal (MA)	Skelton
Klecza	Obestar	Smith (WA)
Kolbe	Obeys	Snyder
Kucinich	Oliver	Solis
Lampson	Owens	Spratt
Langevin	Pallone	Stark
Lantos	Pascarella	Strickland
Larsen (WA)	Pastor	Stupak
Larson (CT)	Payne	Tauscher
Leach	Pelosi	Thompson (CA)
Lee	Pomeroy	Thompson (MS)
Levin	Price (NC)	
Lewis (GA)	Rahall	Tierney
Lofgren	Rangel	Udall (CO)
Lowe	Reyes	Udall (NM)
Lynch	Rodriguez	Van Hollen
Maloney	Ross	Velázquez
McCarthy (MO)	Rothman	Visclosky
McCarthy (NY)	Royal-Allard	Watson
McCollum	Ruppersberger	Watt
McDermott	Rush	Waxman
McGovern	Ryan (OH)	Weiner
McNulty	Sabo	Wexler
Meehan	Sánchez, Linda T.	Wilson (NM)
Menendez	Sanchez, Loretta	Woolsey
Michaud		Wu
		Wynn

NAYS—229

Aderholt	Dunn	Lewis (CA)
Akin	Edwards	Lewis (KY)
Alexander	Ehlers	Linder
Bachus	Emerson	LoBiondo
Baker	English	Lucas (KY)
Barrett (SC)	Everett	Lucas (OK)
Bartlett (MD)	Feeney	Manzullo
Barton (TX)	Ferguson	Marshall
Beauprez	Flake	Matheson
Biggert	Foley	McCotter
Bilirakis	Forbes	McCrery
Bishop (UT)	Fossella	McHugh
Blackburn	Franks (AZ)	McInnis
Blunt	Frelinghuysen	McIntyre
Boehner	Garrett (NJ)	McKeon
Bonilla	Gerlach	Mica
Bonner	Gibbons	Miller (FL)
Bono	Gilchrest	Miller (MI)
Boozman	Gillmor	Moore
Boucher	Gingrey	Moran (KS)
Boyd	Goode	Murphy
Bradley (NH)	Goodlatte	Musgrave
Brady (TX)	Gordon	Myrick
Brown (SC)	Granger	Nethercutt
Brown-Waite	Graves	Neugebauer
Ginny	Green (WI)	Ney
Burgess	Gutknecht	Northup
Burns	Hall	Nunes
Burr	Harris	Nussle
Buyer	Hart	Osborne
Calvert	Hastings (WA)	Ose
Camp	Hayes	Otter
Cannon	Hayworth	Oxley
Cantor	Hefley	Pearce
Capito	Hensarling	Pence
Carson (OK)	Herger	Peterson (MN)
Carter	Hill	Peterson (PA)
Case	Hobson	Petri
Castle	Hoekstra	Pickering
Chabot	Hostettler	Pitts
Chandler	Houghton	Platts
Chocola	Hulshof	Pombo
Coble	Hunter	Porter
Cole	Hyde	Portman
Costello	Isakson	Pryce (OH)
Cox	Istook	Putnam
Cramer	Jenkins	Quinn
Crane	John	Ramstad
Crenshaw	Johnson (CT)	Regula
Cubin	Johnson (IL)	Rehberg
Culberson	Johnson, Sam	Renzi
Cunningham	Keller	Reynolds
Davis (TN)	Kelly	Rogers (AL)
Davis, Jo Ann	Kennedy (MN)	Rogers (KY)
Davis, Tom	King (IA)	Rogers (MI)
Deal (GA)	King (NY)	Rohrabacher
DeLay	Kingston	Ros-Lehtinen
DeMint	Kirk	Royce
Diaz-Balart, M.	Kline	Ryan (WI)
Doolittle	Knollenberg	Ryun (KS)
Dreier	Latham	Saxton
Duncan	LaTourette	Schrock

Sensenbrenner	Stenholm	Upton
Sessions	Sullivan	Vitter
Shadegg	Sweeney	Walden (OR)
Shaw	Tancredo	Walsh
Shays	Tanner	Wamp
Sherwood	Taylor (MS)	Weldon (FL)
Shimkus	Taylor (NC)	Weldon (PA)
Shuster	Terry	Weller
Simmons	Thomas	Whitfield
Simpson	Thornberry	Wicker
Smith (MI)	Tiahrt	Wilson (SC)
Smith (NJ)	Tiberi	Wolf
Smith (TX)	Toomey	Young (AK)
Souder	Turner (OH)	Young (FL)
Stearns	Turner (TX)	

NOT VOTING—34

Ballenger	Gephardt	Meeks (NY)
Bass	Greenwood	Miller, Gary
Boehlert	Hinojosa	Norwood
Burton (IN)	Issa	Ortiz
Clay	Jones (NC)	Paul
Collins	Kaptur	Radanovich
DeFazio	LaHood	Slaughter
Diaz-Balart, L.	Lipinski	Tauzin
Filner	Majette	Towns
Ford	Markey	Waters
Frank (MA)	Matsui	
Gallegly	Meek (FL)	

□ 1835

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 525, I was in my congressional district on official business. Had I been present, I would have voted “yea.”

Stated against:

Mr. BASS. Mr. Speaker, on Friday, October 8, 2004, I regrettably missed recorded vote numbered 525, Had I been present, I would have voted “nay.”

PRIVILEGES OF THE HOUSE—SPECIAL COUNSEL TO INVESTIGATE ACTIONS OF REPUBLICAN MAJORITY LEADER

Ms. PELOSI. Mr. Speaker, pursuant to rule IX, I rise to a question of the privileges of the House, and I offer a privileged resolution (H. Res. 845) for a special counsel to investigate the actions of the Republican majority leader and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 845

Whereas, in May of 1999, the Committee on Standards of Official Conduct, by letter, admonished Representative Tom DeLay for his conduct in connection with a threat of retribution against an organization for hiring a person connected to the Democratic Party;

Whereas, on September 30, 2004, the Committee on Standards of Official Conduct publicly admonished Mr. DeLay for improperly linking support for the personal interests of another Member as part of a quid pro quo to achieve a legislative goal;

Whereas, on October 6, 2004, the Committee on Standards of Official Conduct publicly admonished Mr. DeLay for his participation in a fundraiser that created an appearance that donors were being provided special access to him regarding then pending energy legislation;

Whereas, on October 6, 2004, the Committee on Standards of Official Conduct publicly admonished Mr. DeLay for intervening in a

partisan conflict in the Texas House of Representatives using the resources of a Federal agency;

Whereas, on October 6, 2004, the Committee on Standards of Official Conduct, in a letter to Mr. DeLay, noted that it had found it necessary to comment on his conduct in a number of instances and reminded Mr. DeLay the "House Code of Official Conduct provides the Committee with authority to deal with any given act or accumulation of acts which, in the judgment of the Committee, are severe enough to reflect discredit on the House";

Whereas, on October 6, 2004, the Committee on Standards of Official Conduct noted that a complaint before it alleged that Mr. DeLay used TRMPAC, the Texans for a Republican Majority PAC, to funnel corporate funds to Texas state campaigns in 2002 in violation of the Texas election code, and, based on the information then in its possession, deferred action on the matter pending action by the Texas Grand Jury and the Texas District Attorney of TRMPAC's activities;

Whereas, on October 7, 2004, a Texas newspaper reported that a newly obtained memo indicates that Mr. DeLay had personal involvement in directing some of the fund-raising activities of TRMPAC for which three of Mr. DeLay's associates have been indicted by a Texas Grand Jury;

Whereas, in responding to the admonishments issued by the Committee on Standards of Conduct, Mr. DeLay displayed contempt for that Committee, for appropriate ethical standards, and for the House of Representatives by the public statements he made and which were made on his behalf: Now be it

Resolved, That the Committee on Standards of Official Conduct is authorized and directed to establish an Investigative Subcommittee to determine if there is substantial reason to believe that by his past and continuing conduct Mr. DeLay has violated the Code of Official conduct or other relevant laws, rules or regulation; and be it further

Resolved, That the Committee on Standards of Official Conduct retain a Special Counsel to assist in its investigation.

The SPEAKER pro tempore (Mr. SIMPSON). In the opinion of the Chair, the resolution constitutes a question of the privileges of the House.

MOTION TO TABLE OFFERED BY MR. BLUNT

Mr. BLUNT. Mr. Speaker, the minority leader did not extend the normal courtesy of notifying the majority of her resolution, and I move to table the resolution so we can go back to the business of debating the defense conference report.

The SPEAKER pro tempore. The motion that the resolution be laid on the table is not debatable.

The question is on the motion to table offered by the gentleman from Missouri (Mr. BLUNT).

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

RECORDED VOTE

Ms. PELOSI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 210, noes 182, answered "present" 5, not voting 36, as follows:

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Burgess
Burns
Burr
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps

[Roll No. 526]

AYES—210

Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Latham
LaTourette
Leach
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Nunes
Nussle
Osborne
Ose
Otter

NOES—182

Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Chandler
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Deutsch

Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancred
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Kanjorski
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Lynch
Maloney
Marshall
Matheson
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre

McNulty
Meehan
Menendez
Michaud
Millender-
McDonald
Miller (NC)
Miller, George
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Oliver
Owens
Pallone
Pascarelli
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda
T.
Sanchez, Loretta

Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

ANSWERED "PRESENT"—5

Delahunt
Doyle
Jones (OH)
Mollohan
Roybal-Allard

NOT VOTING—36

Ballenger
Bass
Boehlert
Burton (IN)
Clay
Dooley (CA)
Filner
Ford
Frank (MA)
Gallegly
Gephardt
Greenwood
Hinojosa
Issa
Johnson, E. B.
Jones (NC)
Kaptur
King (NY)
Kleczka
LaHood
Lewis (CA)
Lipinski
Majette
Markey
Matsui
Meek (FL)
Meeks (NY)
Miller, Gary
Norwood
Ortiz
Paul
Quinn
Radanovich
Slaughter
Tauzin
Towns

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1858

Messrs. PORTMAN, KNOLLENBERG and WHITFIELD changed their vote from "no" to "aye."

So the motion to table was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BASS. Mr. Speaker, on Friday, October 8, 2004, I regrettably missed recorded vote numbered 526. Had I been present, I would have voted "aye."

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 526, I was in my congressional district on official business. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. HINOJOSA. Mr. Speaker, I regret that I had to return to my district. Had I been present, I would have voted yes on rollcalls 512, 513, 514, 515, 517, 518, 520, 521, 522, 523, and 525. I would have voted no on rollcalls 516, 519, 524 and 526.