

McCrery	Solis	Towns
Serrano	Thomas	Wamp

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SWEENEY) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1208

Messrs. GOODE, FRANKS of Arizona, SHADEGG, BEAUPREZ, AND SHERMAN, and Ms. GINNY BROWN-WAITE of Florida, Mrs. CAPITO, and Ms. BEAN changed their vote from “yea” to “nay.”

Mr. KUCINICH and Mr. PAYNE changed their vote from “nay” to “yea.”

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 103 on motion to adjourn I was unavoidably detained. Had I been present, I would have voted “yea.”

PROVIDING FOR CONSIDERATION OF S. 256, BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2005

The SPEAKER pro tempore. Members are advised that the gentleman from Georgia (Mr. GINGREY) has 2½ minutes remaining; and the gentleman from Florida (Mr. HASTINGS) has 4½ minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield to the gentlewoman from California (Ms. WOOLSEY) for a unanimous consent request.

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, I rise in opposition to S. 256 because this bill does not protect disabled veterans from creditors.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for a unanimous consent request to my friend, the gentlewoman from Indiana (Ms. CARSON).

(Ms. CARSON asked and was given permission to revise and extend her remarks.)

Ms. CARSON. Mr. Speaker, I rise in opposition to S. 256.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would advise Members that, as indicated most recently by the Chair on March 24, 2004, although a unanimous consent to insert remarks in debate may embody a simple, declarative statement of the Member’s attitude toward the pending measure, it is improper for a Member to embellish such a request with other oratory, and it can become an imposition on the time of the Member who has yielded for that purpose.

The Chair will entertain as many requests to insert as may be necessary to accommodate Members, but the Chair also must ask Members to cooperate by confining such remarks to the proper form.

Mr. HASTINGS of Florida. Mr. Speaker, I yield to the gentleman from New Mexico (Mr. UDALL) for a unanimous consent request.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, I rise in opposition to S. 256, because this bill severely hurts a middle-class citizen’s ability to get a second chance.

Mr. HASTINGS of Florida. Mr. Speaker, I yield to my good friend, the gentleman from New Jersey (Mr. PAYNE), for a unanimous consent request.

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

Mr. PAYNE. Mr. Speaker, I rise in opposition to S. 256 because the bill does not protect disabled veterans from creditors.

Mr. HASTINGS of Florida. Mr. Speaker, I yield to my good friend, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), for a unanimous consent request.

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in opposition to S. 256 because the bill does nothing to address the epidemic of identity theft or protect its victims.

Mr. HASTINGS of Florida. Mr. Speaker, I yield to the ranking member of the Committee on Rules, the gentlewoman from New York (Ms. SLAUGHTER), for a unanimous consent request.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I rise in opposition to S. 256 because the bill does nothing to address the problem of identity theft or protect its victims.

Mr. HASTINGS of Florida. Mr. Speaker, I yield to my friend, the gentlewoman from California (Ms. LEE), for a unanimous consent request.

(Ms. LEE asked and was given permission to revise and extend her remarks.)

Ms. LEE. Mr. Speaker, I rise in opposition to S. 256 because it is morally bankrupt and puts credit card companies ahead of children.

Mr. HASTINGS of Florida. Mr. Speaker, I yield to the gentleman from California (Mr. STARK) for a unanimous consent request.

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

Mr. STARK. Mr. Speaker, I rise in opposition to S. 256 because the bill does not accommodate the 50 million uninsured Americans forced into bankruptcy by health care costs.

Mr. HASTINGS of Florida. Mr. Speaker, I yield to the ranking member of the Committee on Transportation and Infrastructure, my good friend, the gentleman from Minnesota (Mr. OBERSTAR), for a unanimous consent request.

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

Mr. OBERSTAR. Mr. Speaker, I rise in opposition to S. 256.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for a unanimous consent request to my good friend, the gentlewoman from Michigan (Ms. KILPATRICK).

(Ms. KILPATRICK of Michigan asked and was given permission to revise and extend her remarks.)

Ms. KILPATRICK of Michigan. Mr. Speaker, I rise in opposition to S. 256, this bankruptcy bill, because it does nothing to protect the victims of identity theft.

Mr. HASTINGS of Florida. Mr. Speaker, I yield to the gentleman from New York (Mr. OWENS), my good friend, for a unanimous consent request.

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

Mr. OWENS. Mr. Speaker, I rise in opposition to S. 256 because it protects the risks that credit card companies take, while allowing them to swindle citizens.

Mr. Speaker, as a result of the actions of the Republican led Congress, unscrupulous credit card companies will increase their strong, hard sell tactics pressuring more and more individuals and families to purchase more credit. Credit card hucksters can take more risks because they will now enjoy greater protection from the courts. The taxpayer financed courts will become the debt collectors for the credit card swindlers. A federalized system will now protect the predators. Once again the doctrine of laissez-faire has been turned upside down. The marketplace has chosen to cling to the aprons of government. The banking private sector is demanding governmental interference in a situation where the taxpayers prefer not to pay agents for the work of strong enforcers. To serve the interest of consumer justice I urge a “no” vote on S. 256, the Bankruptcy Reform Bill.

Mr. HASTINGS of Florida. Mr. Speaker, I yield to the gentlewoman from San Diego, California (Mrs. DAVIS) for a unanimous consent request.

(Mrs. DAVIS of California asked and was given permission to revise and extend her remarks.)

Mrs. DAVIS of California. Mr. Speaker, I rise in opposition to S. 256 because this bill adds to the burden of military families finding basic financial strength.

Mr. HASTINGS of Florida. Mr. Speaker, I yield to my good friend, the gentlewoman from Ohio (Mrs. JONES), for a unanimous consent request.

(Mrs. JONES of Ohio asked and was given permission to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Speaker, I rise in opposition to Senate bill 256 because the bill punishes working families and lets large corporations off the hook.

Mr. HASTINGS of Florida. Mr. Speaker, I yield to the gentleman from Washington (Mr. McDERMOTT) for a unanimous consent request.

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

Mr. McDERMOTT. Mr. Speaker, I rise in opposition to S. 256 because this bill puts credit card companies ahead of children in the priorities.

Mr. HASTINGS of Florida. Mr. Speaker, I yield to my good friend, the gentleman from Massachusetts (Mr. OLVER) for a unanimous consent request.

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

Mr. OLVER. Mr. Speaker, I rise in opposition to S. 256.

Mr. HASTINGS of Florida. Mr. Speaker, I yield to the gentleman from Vermont (Mr. SANDERS) for a unanimous consent request.

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

Mr. SANDERS. Mr. Speaker, I rise in opposition to S. 256 because, on a bill of this magnitude, it is undemocratic and an outrage that amendments are not being allowed.

Mr. HASTINGS of Florida. Mr. Speaker, I yield to my good friend, the gentlewoman from Illinois (Ms. SCHAKOWSKY), for a unanimous consent request.

(Ms. SCHAKOWSKY asked and was given permission to revise and extend her remarks.)

Ms. SCHAKOWSKY. Mr. Speaker, I rise in opposition to S. 256 because this bill puts credit card companies ahead of children.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for a unanimous consent request to my good friend, the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in opposition to S. 256 because this bill puts credit card companies ahead of children and does not protect disabled veterans from creditors.

Mr. HASTINGS of Florida. Mr. Speaker, I yield to my good friend, the gentlewoman from California (Ms. WATSON), for a unanimous consent request.

(Ms. WATSON asked and was given permission to revise and extend her remarks.)

Ms. WATSON. Mr. Speaker, I rise in opposition to S. 256 because this bill does nothing to address the epidemic of identity theft or protect its victims.

□ 1215

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield for a unanimous consent request to my good friend, the gentlewoman from California (Ms. ROYBAL-ALLARD).

(Ms. ROYBAL-ALLARD asked and was given permission to revise and extend her remarks.)

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in opposition to S. 256 because

this bill does nothing to protect disabled veterans or to address the epidemic of identity theft.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for a unanimous consent request to my good friend, the gentlewoman from Connecticut (Ms. DELAURU).

(Ms. DELAURU asked and was given permission to revise and extend her remarks.)

Ms. DELAURU. Mr. Speaker, I rise in opposition to S. 256 because this bill turns its back on middle-class America, continuing an administration that proceeds to reward the wealthy and tax wages.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for a unanimous consent request to my good friend, the gentlewoman from Florida (Ms. CORRINE BROWN).

(Ms. CORRINE BROWN of Florida asked and was given permission to revise and extend her remarks.)

Ms. CORRINE BROWN of Florida. Mr. Speaker, I rise in opposition to S. 256 because this bill does nothing to protect our heroic Reservists and Guard who are fighting for us every day in war.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for a unanimous consent request to my good friend, the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I rise in opposition to S. 256. It abuses the people.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for a unanimous consent request to my good friend, the gentlewoman from California (Ms. WATERS).

(Ms. WATERS asked and was given permission to revise and extend her remarks.)

Ms. WATERS. Mr. Speaker, I rise in opposition to S. 256 because the Republicans have sold out to the credit card companies and they are hurting American families.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Speaker Pro Tempore (Mr. SWEENEY). The Chair would remind Members that their statements should be confined to their unanimous consent requests.

Mr. HASTINGS of Florida. Mr. Speaker, I am privileged to yield for a unanimous consent request to my good friend, the gentleman from Massachusetts (Mr. MEEHAN).

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

Mr. MEEHAN. Mr. Speaker, I rise in opposition to S. 256, which clearly is a payback and payout to the credit card companies.

Mr. HASTINGS of Florida. Mr. Speaker I am pleased to yield for a unanimous consent request to my good friend, the gentleman from North Carolina (Mr. WATT) from the Judiciary Committee, who had the opportunity

to participate in some of those hearings, and is the chairman of the Congressional Black Caucus.

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

Mr. WATT. Mr. Speaker, I rise in opposition to the rule and in opposition to the bill; the rule because the rule shuts out all amendments to this bill.

The SPEAKER pro tempore. The gentleman from Florida has 3½ minutes remaining. The gentleman from Georgia has 2½ minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, just previous to the unanimous consent request, I was told by way of the gentleman from Georgia (Mr. GINGREY) that we had 4½ minutes.

The SPEAKER pro tempore. The Chair advises the gentleman from Florida that, during the series of unanimous consent requests, some Members embellished with oratory beyond the proper form. One minute was taken from the time for that.

PARLIAMENTARY INQUIRIES

Mr. CONYERS. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may inquire.

Mr. CONYERS. Mr. Speaker, did I understand you to tell the leader of the Rules Committee managing the bill today that time would be taken from him because of the unanimous consent request?

The SPEAKER pro tempore. The Chair advised on that earlier, and will amplify the earlier statement. As indicated by previous occupants of the Chair on March 24, 2004; November 21, 2003; July 24, 2003; June 26, 2003; June 22, 2002; and March 24, 1995, although a unanimous consent request to insert remarks in debate may embody a simple declarative statement of the Member's attitude toward the pending measure, it is improper for a Member to embellish such a request with other oratory, and it can become an imposition on the time of the Member who has yielded for that purpose.

Mr. CONYERS. Mr. Speaker, may I point out that the floor manager in no way encouraged anyone to speak contrary to the rule that you have just enunciated.

The SPEAKER pro tempore. Members are yielded to for that purpose. They must confine their remarks to the proper form, or time can be subtracted from the individual yielding.

Mr. CONYERS. And in the judgment of the distinguished Speaker, how much time are you proposing to take from the floor manager?

The SPEAKER pro tempore. One minute was charged.

Mr. CONYERS. Is there some precedent for that, sir?

The SPEAKER pro tempore. Yes, as just cited.

Mr. CONYERS. There is?

Mr. GINGREY. Mr. Speaker, in the interest of comity, I ask unanimous consent that the gentleman from Florida be yielded an additional 1 minute.

The SPEAKER pro tempore. From the gentleman from Georgia's time?

Mr. GINGREY. Not from my time, no, Mr. Speaker. That he be allowed an additional 1 minute.

The SPEAKER pro tempore. Beyond the hour available for debate on the rule?

Mr. HASTINGS of Florida. Parliamentary inquiry, Mr. Speaker.

Mr. GINGREY. Mr. Speaker, I request that we grant by unanimous consent 30 seconds of my time to the gentleman from Florida.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my colleague, but I am confused by the Chair's ruling. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may inquire.

Mr. HASTINGS of Florida. Mr. Speaker, even though there is only 1 hour debate, a unanimous consent request by a Member that is not objected to is not permitted for extension of time?

The SPEAKER pro tempore. Would the gentleman from Georgia like to modify his request?

Mr. GINGREY. Mr. Speaker, I would like to modify that request to extend time by one minute on both sides.

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

Mr. MURTHA. Objection, Mr. Speaker.

The SPEAKER pro tempore. Objection is heard.

Mr. HASTINGS of Florida. Mr. Speaker, moving right along, I am pleased at this time to yield 3 minutes to the gentleman from California (Mr. SCHIFF), my good friend.

Mr. SCHIFF. Mr. Speaker, on Tuesday night I took an amendment to the Rules Committee asking the committee to permit this body to consider allowing each Member the opportunity to approve that amendment or reject it. The Republican majority on the Rules Committee, however, rejected giving Members that opportunity.

My amendment would have simply provided that if more than one half of the creditor claims against you in bankruptcy are the result of identity theft, you should not be forced out of the protections of chapter 7. It was similar to an amendment offered by Senator NELSON of Florida, but was even narrower than that amendment.

Mr. Speaker, a few years ago, the manager of the identity theft at the FTC commented on how identity theft was becoming rampant in this country, that it wreaks havoc on the credit of the victim and can even force them into bankruptcy. Since then, the problem has grown even worse, and an estimated 27.3 million Americans have fallen victim to identity theft in the last 5 years.

We have all heard of recent breaches of massive databases holding personal

information. On Monday, the parent company of the Lexis-Nexis reported that 310,000 people, nearly 10 times more than the original estimate reported last month, may have had their personal information stolen, including names, addresses, Social Security numbers, and driver's license numbers.

And this is not an isolated incident. Identity thieves have gained access to Choicepoint's database and personal information has been stolen and compromised from a major bank, department of motor vehicles, and a number of universities. Added together, these recent incidents in the last several weeks alone have exposed more than 2 million people to possible ID theft.

During the Judiciary Committee consideration of my amendment, I cited two recent examples of identity theft victims who were forced to declare bankruptcy, one young woman defrauded out of \$300,000 and another woman who was wiped out financially when her identity was stolen, forcing her to file for bankruptcy right before Christmas.

When I offered the amendment in the Judiciary Committee it provoked quite a debate as well as a disagreement between the Chair of the full committee and the Chair of the subcommittee. The Chair of the subcommittee argued that my amendment would somehow do harm, while the Chair of the full committee argued that the problem with my amendment was that it did nothing at all. The chairman of the subcommittee then argued that the problem was that this issue had never been explored. However, the chairman of the full committee argued that this issue, and every other, had already been explored.

Well, Mr. Speaker and Members, it cannot be both. The chairman of the subcommittee even pondered what would happen if a person had their identity stolen, but then later became wealthy and had the ability to pay off their debt. While admitting that he was stretching, he still urged his colleagues to reject the amendment because it would "clearly disrupt the whole process of moving forward the bill." Thus prompting a question: When is a markup not really a markup? And the answer is, whenever the bankruptcy bill is in committee.

This is now the third session in a row where essentially no amendments have been entertained in committee and no amendments have been allowed here on the floor.

Mr. Speaker, just to conclude, last year the House supported identity theft legislation cracking down on identity thieves. This amendment gives us the chance to protect some of those who have been victimized by identity theft, and I urge an "aye" vote.

The SPEAKER pro tempore. The gentleman from Florida (Mr. HASTINGS) has 1 minute remaining. The gentleman from Georgia (Mr. GINGREY) has 2 minutes remaining.

Mr. GINGREY. Mr. Speaker, I have the right to close, and I wanted to re-

serve the balance of my time for that purpose.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the remainder of my time. Mr. Speaker, I will be asking Members to vote "no" on the previous question. If the previous question is defeated, I will amend this rule so we can vote on the Schiff amendment to help victims of identity theft. It will exempt from the bill's means test those consumers who are victimized by identity theft if it means 51 percent of the creditor claims against them are due to identity theft. This is a very reasonable and much-needed amendment, being debated in the Senate I might add, not on the bankruptcy measure, was offered in the Rules Committee last night, but unfortunately was blocked by the Republican majority by a straight party line vote.

Voting "no" on the previous question will not stop the bankruptcy bill from coming to the floor today. S. 256 will still be considered in this House before we leave for the weekend. However, a "yes" vote will preclude the House from addressing one of the most serious consumer issues in this country, identity theft. And I ask for a "no" on the previous question.

We owe it to our constituents to take action on this serious and escalating problem.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment immediately prior to the vote on the previous question.

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

There was no objection.

Mr. GINGREY. Mr. Speaker, I yield myself the remainder of my time. As we come to the end of the debate on the rule for S. 256, I urge my colleagues to support its passage and the underlying bill.

Mr. Speaker, it is time to pass bankruptcy reform. Today we must fix our bankruptcy laws to prevent irresponsible and unnecessary bankruptcies. Bankruptcy affects all American families. It is estimated that the annual cost is \$400 to every family in America, and it is time to reform an outdated and broken system.

Despite the objections of a few Members, I know we have followed a fair process to get to this point. The Rules Committee offered to provide the minority with the ability to submit a substitute amendment. Their substitute amendment could have included any provisions they felt necessary. The Democrats rejected this offer, and they have failed to provide any alternative plan.

It is important to note many of the individual amendments they have discussed here today were considered over the past few years. Regardless of the rhetoric, this legislation has been under consideration and amended a number of times. We are now on the final product.

This year alone, S. 256 passed the House Judiciary Committee where 18

amendments were considered. To the substance of the bill, contrary to the claims of some, this legislation is not lining the pockets of wealthy creditors with the savings of the financially challenged.

Mr. Speaker, when casting their vote, I ask my colleagues to consider those constituents the current law harms. This bill gives support to small businesses and financially responsible families. I ask my colleagues to pass this rule and finally end the 8-year debate on bankruptcy reform.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

PREVIOUS QUESTION FOR H. RES. 211, THE BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2005

In the resolution strike “and (2)” and insert the following:

“(2) the amendment printed in Sec. 2 of this resolution if offered by Representative Schiff of California or a designee, which shall be in order without intervention of any point of order, shall be considered as read, and shall be separately debatable for 60 minutes equally divided and controlled by the proponent and an opponent; and (3)”

SEC. 2.

AMENDMENT TO S. 256, AS REPORTED

Offered by Mr. Schiff of California

Page 19, after line 21, insert the following (and make such technical and conforming changes as may be appropriate):

“(8)(A) No judge, United States trustee (or bankruptcy administrator, if any), trustee, or other party in interest may file a motion under paragraph (2) if the debtor is an identity theft victim.

“(B) For purposes of this paragraph—

“(i) the term ‘identity theft’ means a fraud committed or attempted using the personally identifiable information of another individual; and

“(ii) the term ‘identity theft victim’ means a debtor with respect to whom not less than 51 percent of the aggregate value of allowed claims is a result of identity theft using the personally identifiable information of the debtor.”

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

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. 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. HASTINGS of Florida. 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 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 227, nays 199, not voting 8, as follows:

	[Roll No. 104]	YEAS—227	Dingell	Levin	Ross
Aderholt	Gilchrest	Nussle	Doggett	Lewis (GA)	Rothman
Akin	Gingrey	Osborne	Doyle	Lipinski	Royal-Allard
Alexander	Gohmert	Otter	Emanuel	Lofgren, Zoe	Ruppersberger
Bachus	Goode	Oxley	Engel	Lowey	Rush
Baker	Goodlatte	Paul	Eshoo	Lynch	Ryan (OH)
Barrett (SC)	Granger	Pearce	Etheridge	Maloney	Sabo
Bartlett (MD)	Graves	Pence	Evans	Markey	Salazar
Barton (TX)	Green (WI)	Peterson (PA)	Fattah	Marshall	Sánchez, Linda
Bass	Gutknecht	Petri	Filner	Matheson	T.
Beauprez	Hall	Pickering	Ford	McCarthy	Sanchez, Loretta
Biggert	Harris	Pitts	Frank (MA)	McCullom (MN)	Schakowsky
Bilirakis	Hart	Platts	Gonzalez	McDermott	Schiff
Bishop (UT)	Hastings (WA)	Poe	Gordon	McGovern	Schwartz (PA)
Blackburn	Hayes	Pombo	Green, Al	McIntyre	Scott (GA)
Blunt	Hayworth	Porter	Green, Gene	McKinney	Scott (VA)
Boehlert	Heffley	Portman	Grijalva	McNulty	Serrano
Boehner	Hensarling	Price (GA)	Gutierrez	Meehan	Sherman
Bonilla	Herger	Pryce (OH)	Harman	Meeks (NY)	Skelton
Bonner	Hobson	Putnam	Hastings (FL)	Melancon	Slaughter
Bono	Hoekstra	Radanovich	Hereth	Menendez	Smith (WA)
Boozman	Hostettler	Ramstad	Higgins	Michaud	Snyder
Boustany	Hulshof	Regula	Hinchey	Millender-	Spratt
Bradley (NH)	Hunter	Rehberg	Hinojosa	McDonald	Stark
Brady (TX)	Hyde	Reichert	Holden	Miller (NC)	Strickland
Brown (SC)	Inglis (SC)	Renzi	Holt	Miller, George	Stupak
Brown-Waite, Ginny	Issa	Reynolds	Honda	Mollohan	Tanner
Burgess	Istook	Rogers (AL)	Hooley	Moore (KS)	Tauscher
Burton (IN)	Jenkins	Rogers (KY)	Hoyer	Moore (WI)	Taylor (MS)
Buyer	Jindal	Rogers (MI)	Inslee	Moran (VA)	Thompson (CA)
Calvert	Johnson (CT)	Rohrabacher	Israel	Murtha	Thompson (MS)
Camp	Johnson (IL)	Ros-Lehtinen	Jackson (IL)	Nadler	Tierney
Cannon	Johnson, Sam	Royce	Jackson-Lee	Napolitano	Towns
Cantor	Jones (NC)	Ryan (WI)	(TX)	Neal (MA)	Udall (CO)
Capito	Keller	Ryan (KS)	Jefferson	Oberstar	Udall (NM)
Carter	Kelly	Saxton	Johnson, E. B.	Obey	Van Hollen
Castle	Kennedy (MN)	Schwarz (MI)	Jones (OH)	Olver	Velázquez
Chabot	King (IA)	Sensenbrenner	Kanjorski	Ortiz	Visclosky
Chocola	King (NY)	Sessions	Kaptur	Owens	Wasserman
Coble	Kingston	Shadegg	Kennedy (RI)	Pallone	Schultz
Cole (OK)	Kirk	Shaw	Kildee	Pascrall	Watson
Conaway	Kline	Shays	Kind	Pastor	Wat
Cox	Knollenberg	Sherwood	Kucinich	Pelosi	Waxman
Crenshaw	Kolbe	Shimkus	Langevin	Pomeroy	Weiner
Cubin	Kuhl (NY)	Shuster	Lantos	Price (NC)	Wexler
Culberson	Latham	Simmons	Larsen (WA)	Rahall	Woolsey
Cunningham	LaTourette	Simpson	Larson (CT)	Rangel	Wu
Davis (KY)	Leach	Smith (NJ)	Lee	Reyes	Wynn
Davis, Jo Ann	Lewis (CA)	Smith (TX)			
Deal (GA)	Lewis (KY)	Sodrel			
DeLay	Linder	Souder			
Dent	LoBiondo	Stearns			
Diaz-Balart, L.	Lucas	Sullivan			
Diaz-Balart, M.	Lungren, Daniel E.				
Doolittle	Mack	Sweeney			
Drake	Manzullo	Tancredo			
Dreier	Marchant	Taylor (NC)			
Duncan	McCaull (TX)	Terry			
Ehlers	McCotter	Thomas			
Emerson	McCrery	Thornberry			
English (PA)	McHenry	Tiaht			
Everett	McHugh	Tiberi			
Feeney	McKeon	Turner			
Ferguson	McMorris	Upton			
Fitzpatrick (PA)	Mica	Walden (OR)			
Flake	Miller (FL)	Walsh			
Foley	Miller (MI)	Weldon (FL)			
Forbes	Miller, Gary	Weldon (PA)			
Fortenberry	Moran (KS)	Weller			
Fossella	Murphy	Westmoreland			
Foxx	Musgrave	Whitfield			
Franks (AZ)	Myrick	Wicker			
Frelinghuysen	Neugebauer	Wilson (NM)			
Gallegly	Ney	Wilson (SC)			
Garrett (NJ)	Northup	Wolf			
Gerlach	Norwood	Young (AK)			
Gibbons	Nunes	Young (FL)			
		NAYS—199			
Abercrombie	Boucher	Conyers			
Ackerman	Boyd	Costa			
Allen	Brady (PA)	Costello			
Andrews	Brown (OH)	Cramer			
Baca	Brown, Corrine	Crowley			
Baird	Butterfield	Cuellar			
Baldwin	Capps	Cummings			
Barrow	Capuano	Davis (AL)			
Bean	Cardin	Davis (CA)			
Becerra	Cardoza	Davis (FL)			
Berman	Carnahan	Davis (IL)			
Berry	Carson	Davis (TN)			
Bishop (GA)	Case	DeFazio			
Bishop (NY)	Chandler	DeGette			
Blumenauer	Clay	Delahunt			
Boren	Cleaver	DeLauro			
Boswell	Clyburn	Dicks			

NOT VOTING—8

Berkley	Gillmor	Solis
Cooper	LaHood	Wamp
Davis, Tom	Payne	

□ 1253

Mrs. TAUSCHER, Mr. DAVIS of Florida and Mr. PASTOR changed their vote from “yea” to “nay.”

Mr. BASS and Mr. HOEKSTRA 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:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 104 on H. Res. 211, ordering the previous question, I was unavoidably detained. Had I been present, I would have voted, “nay.”

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

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 196, not voting 11, as follows:

[Roll No. 105]

AYES—227

Aderholt Gilchrest Otter
 Akin Gingrey Oxley
 Alexander Gohmert Paul
 Bachus Goode Pearce
 Baker Goodlatte Pence
 Barrett (SC) Granger Peterson (MN)
 Bartlett (MD) Graves Peterson (PA)
 Barton (TX) Green (WI)
 Bass Hall Pickering
 Beauprez Harris Pitts
 Biggert Hart Platts
 Bilirakis Hastings (WA) Poe
 Bishop (UT) Hayes Pombo
 Blackburn Haworth Porter
 Blunt Hefley Portman
 Boehlert Hensarling Price (GA)
 Boehner Herger Pryce (OH)
 Bonilla Hobson Putnam
 Bonner Hoekstra Radanovich
 Bono Hostettler Ramstad
 Boozman Hulshof Regula
 Boustany Hunter Rehberg
 Bradley (NH) Hyde Reichert
 Brady (TX) Inglis (SC)
 Brown (SC) Issa
 Brown-Waite, Ginny Istook
 Burgess Johnson (CT) Jindal
 Burton (IN) Johnson (IL) Rogers (AL)
 Buyer Johnson, Sam Rogers (KY)
 Calvert Jones (NC)
 Camp Keller
 Cannon Kelly
 Cantor Kennedy (MN)
 Capito King (IA)
 Carter King (NY)
 Castle Kingston
 Chabot Kirk
 Chocola Kline
 Coble Knollenberg
 Cole (OK) Kolbe
 Conaway Kuhl (NY)
 Cox Latham
 Cramer LaTourette
 Crenshaw Leach
 Cubin Lewis (CA)
 Culberson Lewis (KY)
 Cunningham Linder
 Davis (KY) LoBiondo
 Davis, Jo Ann Lucas
 Deal (GA) Lungren, Daniel E.
 DeLay Mack
 Dent
 Diaz-Balart, L. Manzullo
 Diaz-Balart, M. Merchant
 Doolittle McCaul (TX)
 Drake McCotter
 Dreier McCrery
 Duncan McHenry
 Ehlers McHugh
 Emerson McKeon
 English (PA) McMorris
 Everett Mica
 Ferguson Miller (FL)
 Fitzpatrick (PA) Miller (MI)
 Flake Miller, Gary
 Foley Moran (KS)
 Forbes Murphy
 Fortenberry Musgrave
 Fossella Myrick
 Foxx Neugebauer
 Franks (AZ) Ney
 Frelinghuysen Northup
 Gallegly Norwood
 Garrett (NJ) Nunes
 Gerlach Nussle
 Gibbons Osborne

NOES—196

Abercrombie Boucher Conyers
 Ackerman Boyd Costa
 Allen Brady Costello
 Andrews Brown (OH) Crowley
 Baca Brown, Corrine Cuellar
 Baird Butterfield Cummings
 Baldwin Capps Davis (AL)
 Barrow Capuano Davis (CA)
 Bean Cardin Davis (FL)
 Becerra Cardoza Davis (IL)
 Berman Carson Davis (TN)
 Berry DeFazio
 Bishop (GA) Case DeGette
 Bishop (NY) Chandler Delahunt
 Blumenauer Clay DeLauro
 Boren Cleaver Dicks
 Boswell Clyburn Dingell

Doggett Lewis (GA)
 Doyle Lipinski
 Emanuel Edwards
 Engel Lofgren, Zoe
 Eshoo
 Etheridge
 Evans
 Farr
 Fattah
 Filner
 Ford
 Frank (MA)
 Gonzalez
 Green, Al
 Green, Gene
 Grimalva
 Gutierrez
 Harman
 Hastings (FL)
 Hastings (FL)
 Hart
 Hart
 Hayes
 Hobson
 Hoekstra
 Hoekstra
 Hefley
 Hensarling
 Herger
 Hobson
 Hobson
 Hoekstra
 Hostettler
 Hunter
 Hyde
 Inglis (SC)
 Issa
 Istook
 Jindal
 Johnson (CT)
 Johnson (IL)
 Johnson, Sam
 Jones (NC)
 Keller
 Kelly
 Kennedy (MN)
 King (IA)
 King (NY)
 King (NY)
 Kingston
 Kirk
 Chocola
 Coble
 Cole (OK)
 Conaway
 Cox
 Cramer
 Crenshaw
 Cubin
 Culberson
 Cunningham
 Davis (KY)
 Davis, Jo Ann
 Deal (GA)
 DeLay
 Dent
 Diaz-Balart, L.
 Diaz-Balart, M.
 Doolittle
 Drake
 Dreier
 Duncan
 Ehlers
 Emerson
 English (PA)
 Everett
 Ferguson
 Fitzpatrick (PA)
 Flake
 Foley
 Forbes
 Fortenberry
 Fossella
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gallegly
 Garrett (NJ)
 Gerlach
 Gibbons

Lowey
 Lynch
 Maloney
 Markey
 Marshall
 Matheson
 Matsui
 McCarthy
 Ford
 McCollum (MN)
 McDermott
 Schiff
 McGovern
 Schwartz (PA)
 McIntyre
 Scott (GA)
 McKinney
 Scott (VA)
 McNulty
 Serrano
 Meehan
 Sherman
 Meek (FL)
 Meeks (NY)
 Herseth
 Melancon
 Higgins
 Hinckley
 Ramstad
 Hinojosa
 Holden
 Holt
 Honda
 Renzi
 Reynolds
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rogers (MI)
 Johnson, Sam
 Jones (NC)
 Ros-Lehtinen
 Royce
 Ryan (WI)
 Ryun (KS)
 Saxton
 Schwarz (MI)
 Sessions
 Kirk
 Kline
 Knollenberg
 Kolbe
 Kuhl (NY)
 Latham
 LaTourette
 Leach
 Lewis (CA)
 Lewis (KY)
 Linder
 LoBiondo
 Lucas
 Lungren, Daniel E.
 Mack
 Manzullo
 Merchant
 McCaul (TX)
 McCotter
 McCrery
 McHenry
 McHugh
 McKeon
 McMorris
 Mica
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Moran (KS)
 Murphy
 Musgrave
 Myrick
 Neugebauer
 Ney
 Northup
 Norwood
 Nunes
 Nussle
 Osborne

NOT VOTING—11

Berkley Gillmor LaHood
 Cooper Gordon Rangel
 Davis, Tom Gutknecht Solis
 Feeney Jenkins

□ 1302

So the resolution was agreed to.
 The result of the vote was announced as above recorded.
 A motion to reconsider was laid on the table.
 Stated against:
 Ms. SOLIS. Mr. Speaker, during rollcall vote No. 105, on agreeing to the resolution H. Res. 211, I was unavoidably detained. Had I been present, I would have voted, "no."

PRIVILEGES OF THE HOUSE—RESTORING PUBLIC CONFIDENCE IN ETHICS PROCESS

Ms. PELOSI. Mr. Speaker, pursuant to rule IX, I rise in regard to a question of the privileges of the House, and I offer a privileged resolution that would create a bipartisan task force to return to ethical rules of the House.

The SPEAKER pro tempore (Mr. SIMPSON). The Clerk will report the resolution.

The Clerk read the resolution, as follows:

H. RES. 213

Whereas, the constitution of the United States authorizes the House of Representatives to "determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the concurrence of two thirds, expel a Member";

Whereas, in 1968, in compliance with this authority and to uphold its integrity and ensure that Members act in a manner that reflects credit on the House of Representatives, the Committee on Standards of Official Conduct was established;

Whereas, the ethics procedures in effect during the 108th Congress, and in the three preceding Congresses, were enacted in 1997 in a bipartisan manner by an overwhelming vote of the House of Representatives upon the bipartisan recommendation of the ten-member Ethics Reform Task Force, which conducted a thorough and lengthy review of the entire ethics process;

Whereas, in the 109th Congress, for the first time in the history of the House of Representatives, decisions affecting the ethics process have been made on a partisan basis without consulting the Democratic Members of the Committee or of the House;

Whereas, the Chairman of the Committee, and two of his Republican colleagues, were dismissed from the Committee;

Whereas, in a statement to the press, the departing Chairman of the Committee stated "[t]here is a bad perception out there that there was a purge in the Committee and that people were put in that would protect our side of the aisle better than I did," and a replaced Republican Member, also in a statement to the press, referring to his dismissal from the Committee, noted his belief that "the decision was a direct result of our work in the last session;"

Whereas, the newly appointed chairman of the Committee improperly and unilaterally fired non-partisan Committee staff who assisted in the ethics work in the last session;

Whereas, these actions have subjected the Committee to public ridicule, produced contempt for the ethics process, created the public perception that their purpose was to protect a Member of the House, and weakened the ability of the Committee to adequately obtain information and properly conduct its investigative duties, all of which has brought discredit to the House; now be it

Resolved, that the Speaker shall appoint a bi-partisan task force with equal representation of the majority and minority parties to make recommendations to restore public confidence in the ethics process; and be it further

Resolved, that the task force report its findings and recommendations to the House of Representatives no later than June 1, 2005.

The SPEAKER pro tempore. The resolution does present a question of privilege.

MOTION TO TABLE OFFERED BY MR. SENSENBRENNER

Mr. SENSENBRENNER. Mr. Speaker, I move to table the resolution.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from Wisconsin (Mr. SENSENBRENNER).

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

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 218, nays 195, not voting 21, as follows:

[Roll No. 106]

YEAS—218

Aderholt	Barrett (SC)	Biggert
Akin	Bartlett (MD)	Bilirakis
Alexander	Barton (TX)	Bishop (UT)
Bachus	Bass	Blackburn
Baker	Beauprez	Blunt