

Mr. SANDERS. 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 86, nays 338, answered “present” 1, not voting 8, as follows:

[Roll No. 239]

YEAS—86

| | | |
|---------------|--------------|----------------|
| Abercrombie | Goode | Owens |
| Aderholt | Green, Gene | Pallone |
| Baldwin | Grijalva | Pascarell |
| Barrett (SC) | Hinchee | Pastor |
| Barrow | Hostettler | Paul |
| Bartlett (MD) | Hunter | Payne |
| Bilirakis | Istook | Pombo |
| Bishop (UT) | Jackson (IL) | Rahall |
| Brown (OH) | Jenkins | Rohrabacher |
| Cardoza | Jones (NC) | Ryan (OH) |
| Coble | Jones (OH) | Sabo |
| Costa | Kaptur | Sánchez, Linda |
| Costello | Kennedy (RI) | T. |
| Davis (IL) | Kildee | Sanders |
| Davis (TN) | Kucinich | Schakowsky |
| Deal (GA) | LaTourette | Sensenbrenner |
| DeFazio | Lee | Strickland |
| Doyle | Lynch | Stupak |
| Duncan | Marshall | Sullivan |
| Evans | McCotter | Tancredo |
| Everett | McIntyre | Taylor (MS) |
| Feeney | McKinney | Taylor (NC) |
| Foxx | Miller (FL) | Tierney |
| Frank (MA) | Mollohan | Visclosky |
| Franks (AZ) | Ney | Wamp |
| Garrett (NJ) | Norwood | Waters |
| Gibbons | Oberstar | Weldon (FL) |
| Gingrey | Obey | Westmoreland |
| Gohmert | Otter | Whitfield |

NAYS—338

| | | |
|----------------|------------------|-----------------|
| Ackerman | Case | Fossella |
| Akin | Castle | Frelinghuysen |
| Alexander | Chabot | Galleghy |
| Allen | Chandler | Gerlach |
| Andrews | Chocola | Gilchrest |
| Baca | Clay | Gillmor |
| Bachus | Cleaver | Gonzalez |
| Baird | Clyburn | Goodlatte |
| Baker | Coile (OK) | Gordon |
| Barton (TX) | Conaway | Granger |
| Bass | Conyers | Graves |
| Bean | Cooper | Green (WI) |
| Beauprez | Cramer | Green, Al |
| Becerra | Crenshaw | Gutierrez |
| Berkley | Crowley | Gutknecht |
| Berman | Cubin | Hall |
| Berry | Cuellar | Harman |
| Biggert | Culberson | Harris |
| Bishop (GA) | Cummings | Hart |
| Bishop (NY) | Cunningham | Hastings (WA) |
| Blackburn | Davis (AL) | Hayes |
| Blumenauer | Davis (CA) | Hayworth |
| Blunt | Davis (FL) | Hefley |
| Boehlert | Davis (KY) | Hensarling |
| Boehner | Davis, Tom | Herger |
| Bonilla | DeGette | Herseth |
| Bonner | Delahunt | Higgins |
| Bono | DeLauro | Hinojosa |
| Boozman | DeLay | Hoekstra |
| Boren | Dent | Holden |
| Boswell | Diaz-Balart, L. | Holt |
| Boucher | Diaz-Balart, M. | Honda |
| Boustany | Dicks | Hooley |
| Boyd | Dingell | Hoyer |
| Bradley (NH) | Doggett | Hyde |
| Brady (PA) | Doolittle | Inglis (SC) |
| Brady (TX) | Drake | Inslee |
| Brown (SC) | Dreier | Israel |
| Brown, Corrine | Edwards | Issa |
| Brown-Waite, | Ehlers | Jackson-Lee |
| Ginny | Emanuel | (TX) |
| Burgess | Emerson | Jefferson |
| Burton (IN) | Engel | Jindal |
| Butterfield | English (PA) | Johnson (CT) |
| Buyer | Eshoo | Johnson (IL) |
| Calvert | Etheridge | Johnson, E. B. |
| Camp | Farr | Johnson, Sam |
| Cannon | Fattah | Kanjorski |
| Cantor | Ferguson | Keller |
| Capito | Filner | Kelly |
| Capps | Fitzpatrick (PA) | Kennedy (MN) |
| Capuano | Flake | Kilpatrick (MI) |
| Cardin | Foley | Kind |
| Carnahan | Forbes | King (IA) |
| Carson | Ford | King (NY) |
| Carter | Fortenberry | Kingston |

| | | |
|-----------------|------------------|---------------|
| Kirk | Myrick | Shadegg |
| Kline | Nadler | Shaw |
| Knollenberg | Napolitano | Shays |
| Kolbe | Neal (MA) | Sherman |
| Kuhl (NY) | Neugebauer | Sherwood |
| Langevin | Northup | Shimkus |
| Lantos | Nunes | Shuster |
| Larsen (WA) | Nussle | Simmons |
| Larson (CT) | Oliver | Simpson |
| Latham | Ortiz | Skelton |
| Leach | Osborne | Slaughter |
| Levin | Oxley | Smith (NJ) |
| Lewis (CA) | Pearce | Smith (TX) |
| Lewis (GA) | Pelosi | Smith (WA) |
| Lewis (KY) | Pence | Snyder |
| Linder | Peterson (MN) | Sodrel |
| LoBiondo | Peterson (PA) | Solis |
| Lofgren, Zoe | Petri | Souder |
| Lowe | Pickering | Spratt |
| Lucas | Pitts | Stark |
| Longren, Daniel | Platts | Stearns |
| E. | Poe | Sweeney |
| Mack | Pomeroy | Tanner |
| Maloney | Porter | Tauscher |
| Manzullo | Price (GA) | Terry |
| Marchant | Price (NC) | Thomas |
| Markey | Pryce (OH) | Thompson (CA) |
| Matheson | Putnam | Thompson (MS) |
| Matsui | Radanovich | Thornberry |
| McCarthy | Ramstad | Tiahrt |
| McCaul (TX) | Rangel | Towns |
| McCollum (MN) | Regula | Turner |
| McCrery | Rehberg | Udall (CO) |
| McDermott | Reichert | Udall (NM) |
| McGovern | Renzi | Upton |
| McHenry | Reyes | Van Hollen |
| McHugh | Reynolds | Velázquez |
| McKeon | Rogers (AL) | Walden (OR) |
| McMorris | Rogers (KY) | Walsh |
| McNulty | Rogers (MI) | Wasserman |
| Meehan | Ros-Lehtinen | Schultz |
| Meek (FL) | Ross | Watson |
| Meeks (NY) | Rothman | Watt |
| Melancon | Roybal-Allard | Waxman |
| Mica | Royce | Weiner |
| Michaud | Ruppersberger | Weldon (PA) |
| Millender- | Rush | Weller |
| McDonald | Ryan (WI) | Wexler |
| Miller (MI) | Ryun (KS) | Wicker |
| Miller (NC) | Salazar | Wilson (NM) |
| Miller, Gary | Sanchez, Loretta | Wilson (SC) |
| Miller, George | Saxton | Wolf |
| Moore (KS) | Schiff | Woolsey |
| Moore (WI) | Schwartz (PA) | Wu |
| Moran (KS) | Schwarz (MI) | Wynn |
| Moran (VA) | Scott (GA) | Young (AK) |
| Murphy | Scott (VA) | Young (FL) |
| Murtha | Serrano | |
| Musgrave | Sessions | |

ANSWERED “PRESENT”—1

Lipinski

NOT VOTING—8

| | | |
|---------------|---------|----------|
| Cox | Hobson | Menendez |
| Davis, Jo Ann | Hulshof | Tiberi |
| Hastings (FL) | LaHood | |

□ 1257

Mrs. CUBIN, Ms. KILPATRICK of Michigan, Ms. MCCOLLUM of Minnesota and Messrs. ROGERS of Alabama, BACHUS, BRADY of Texas, KINGSTON and SHADEGG changed their vote from “yea” to “nay.”

Messrs. GARRETT of New Jersey, SULLIVAN, FRANKS of Arizona, GINGREY, BARRETT of South Carolina and MOLLOHAN changed their vote from “nay” to “yea.”

So the joint resolution was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. FEENEY. Mr. Speaker, in rollcall vote 239 held today on H.J. Res. 27 I was recorded as “yea.” This incorrectly represents my view on this resolution. I intended for my

vote to be recorded as “no.” I have long been a supporter of free trade, and though I believe the WTO may have some faults, I support the United States membership in the organization.

PRIVILEGES OF THE HOUSE—RESTORING PUBLIC CONFIDENCE IN ETHICS PROCESS

Ms. PELOSI. Mr. Speaker, we are halfway through the first session of the 109th Congress and the Committee on Standards of Official Conduct has yet to begin its important work; and because the chairman of the Committee on Standards of Official Conduct refuses to obey the rules of the House and provide for a nonpartisan staff; therefore, pursuant to rule IX, I rise in regard to a question of the privileges of the House and offer a privileged resolution.

The Clerk read the resolution, as follows:

Whereas, in 1968, in furtherance of its constitutional authority and to promote the highest ethical standards for Members of Congress, the House of Representatives established the Committee on Standards of Official Conduct;

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, Rule XI, clause 3(g) of the Rules of the House, first adopted in 1997 upon the recommendation of the task force, provides that the Committee “staff be assembled and retained as a professional non-partisan staff” and “[a]ll staff member shall be appointed by an affirmative vote of the majority of the Members of the Committee;”

Whereas, Rule XI states that each such staff person “shall be professional and demonstrably qualified for the position which he is hired” and is prohibited from engaging in “any partisan political activity directly affecting any congressional or presidential election;”

Whereas, Rule XI also provides that, “in addition to any other staff provided by law, rule or other authority,” the Chair and Ranking Minority Member may each appoint, without a vote of the Committee, one person as a shared staff member from his or her personal staff to perform service for the Committee; and further provides such shared staff persons are exempt from the provision requiring that “the staff be assembled and retained as a professional, nonpartisan staff” and the provision stating that “no member of the staff shall engage in any partisan political activity directly affecting any congressional or presidential election;”

Whereas, from 1997 through 2004, the Staff Director/Chief Counsel and other professional staff were appointed by an affirmative vote of a majority of the members of the Committee, and the shared staff members exercised no supervisory or other authority over the professional staff;

Whereas, in January of 2005, the chairman of the Committee improperly and unilaterally fired nonpartisan Committee staff;

Whereas, the Chairman now proposed to designate his shared staff person as the Committee Staff Director, clothed with supervisory authority, without subjecting him to a vote of the Committee;

Whereas, because of the Chairman's proposal and with nearly half of the First Session of the 109th Congress having expired, the committee has been unable to carry out its charge, set out in Rule XI, to investigate allegations of misconduct by Members and staff;

Whereas, the Committee's resulting inability to carry out its duties has subjected the House to public ridicule and produced contempt for the ethics process, thus bringing discredit to the House; now be it

Resolved, That the Committee on Standards of Official Conduct is hereby directed to proceed in accord with clause 3(g) of rule XI, to appoint, upon an affirmative vote of the majority of the Members of the Committee, a non-partisan professional staff.

□ 1300

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

MOTION TO TABLE OFFERED BY MR. BLUNT

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

PARLIAMENTARY INQUIRY

Mr. HOYER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. HOYER. Mr. Speaker, am I correct that if the gentleman from Missouri's motion prevails, that we will be unable to discuss the substance of the motion made by the minority leader?

The SPEAKER pro tempore. The adoption of the motion to table would dispose of the resolution.

Mr. HOYER. I thank the Speaker.

The SPEAKER pro tempore. 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 219, noes 199, not voting 15, as follows:

[Roll No. 240]

AYES—219

| | | |
|---------------|-----------------|------------------|
| Aderholt | Burgess | Diaz-Balart, M. |
| Akin | Burton (IN) | Doolittle |
| Alexander | Buyer | Drake |
| Bachus | Calvert | Dreier |
| Baker | Camp | Duncan |
| Barrett (SC) | Cannon | Ehlers |
| Bartlett (MD) | Cantor | Emerson |
| Barton (TX) | Capito | English (PA) |
| Bass | Carter | Feeney |
| Beauprez | Castle | Ferguson |
| Biggert | Chabot | Fitzpatrick (PA) |
| Bilirakis | Chocola | Flake |
| Bishop (UT) | Coble | Foley |
| Blackburn | Cole (OK) | Forbes |
| Blunt | Conaway | Fortenberry |
| Boehler | Crenshaw | Fossella |
| Boehner | Cubin | Fox |
| Bonilla | Culberson | Franks (AZ) |
| Bonner | Cunningham | Frelinghuysen |
| Boozman | Davis (KY) | Gallegly |
| Boustany | Davis, Jo Ann | Garrett (NJ) |
| Bradley (NH) | Davis, Tom | Gerlach |
| Brady (TX) | Deal (GA) | Gibbons |
| Brown (SC) | DeLay | Gilchrest |
| Brown-Waite, | Dent | Gillmor |
| Ginny | Diaz-Balart, L. | Gingrey |

| | | | | | |
|-----------------|---------------|---------------|------------------|---------------|------------|
| Gohmert | Mack | Rogers (AL) | Peterson (MN) | Schiff | Tierney |
| Goode | Manzullo | Rogers (KY) | Pomeroy | Schwartz (PA) | Towns |
| Goodlatte | Marchant | Rogers (MI) | Price (NC) | Scott (GA) | Udall (CO) |
| Graves | McCaul (TX) | Rohrabacher | Rahall | Scott (VA) | Udall (NM) |
| Green (WI) | McCotter | Ros-Lehtinen | Rangel | Serrano | Van Hollen |
| Gutknecht | McCrery | Royce | Reyes | Sherman | Velázquez |
| Hall | McHenry | Ryan (WI) | Ross | Skelton | Visclosky |
| Harris | McHugh | Ryun (KS) | Rothman | Slaughter | Wasserman |
| Hart | McKeon | Saxton | Roybal-Allard | Smith (WA) | Schultz |
| Hastings (WA) | McMorris | Schwarz (MI) | Ruppersberger | Snyder | Waters |
| Hayes | Mica | Sensenbrenner | Rush | Solis | Watson |
| Hayworth | Miller (FL) | Sessions | Ryan (OH) | Spratt | Watt |
| Hefley | Miller (MI) | Shadegg | Sabo | Stark | Waxman |
| Hensarling | Miller, Gary | Shaw | Salazar | Stupak | Weiner |
| Herger | Moran (KS) | Shays | Sánchez, Linda | Tanner | Wexler |
| Hoekstra | Murphy | Sherwood | T. | Tauscher | Woolsey |
| Hostettler | Musgrave | Shimkus | Sanchez, Loretta | Taylor (MS) | Wu |
| Hunter | Myrick | Shuster | Sanders | Thompson (CA) | Wynn |
| Hyde | Neugebauer | Simmons | Schakowsky | Thompson (MS) | |
| Inglis (SC) | Ney | Simpson | | | |
| Issa | Northup | Smith (NJ) | | | |
| Istook | Norwood | Smith (TX) | | | |
| Jenkins | Nunes | Sodrel | | | |
| Jindal | Nussle | Souder | | | |
| Johnson (CT) | Osborne | Stearns | | | |
| Johnson (IL) | Otter | Sullivan | | | |
| Johnson, Sam | Oxley | Tancredo | | | |
| Jones (NC) | Paul | Taylor (NC) | | | |
| Keller | Pearce | Thomas | | | |
| Kelly | Pence | Thornberry | | | |
| Kennedy (MN) | Peterson (PA) | Tiahrt | | | |
| King (IA) | Petri | Turner | | | |
| Kingston | Pickering | Upton | | | |
| Kirk | Pitts | Walden (OR) | | | |
| Kline | Platts | Walsh | | | |
| Knollenberg | Pombo | Wamp | | | |
| Kolbe | Porter | Weldon (FL) | | | |
| Kuhl (NY) | Latham | Weldon (PA) | | | |
| Latham | Pryce (OH) | Weller | | | |
| LaTourette | Putnam | Westmoreland | | | |
| Leach | Radanovich | Whitfield | | | |
| Lewis (CA) | Ramstad | Wicker | | | |
| Lewis (KY) | Regula | Wilson (NM) | | | |
| Linder | Rehberg | Wilson (SC) | | | |
| LoBiondo | Reichert | Wolf | | | |
| Lucas | Renzi | Young (AK) | | | |
| Lungren, Daniel | Reynolds | Young (FL) | | | |
| E. | | | | | |

NOES—199

| | | |
|----------------|-----------------|----------------|
| Abercrombie | DeGette | Langevin |
| Ackerman | Delahunt | Lantos |
| Allen | DeLauro | Larsen (WA) |
| Andrews | Dicks | Larson (CT) |
| Baca | Dingell | Lee |
| Baird | Doggett | Levin |
| Baldwin | Doyle | Lewis (GA) |
| Barrow | Edwards | Lipinski |
| Bean | Emanuel | Lofgren, Zoe |
| Becerra | Engel | Lowey |
| Berkley | Eshoo | Lynch |
| Berman | Etheridge | Maloney |
| Berry | Evans | Markey |
| Bishop (GA) | Farr | Marshall |
| Bishop (NY) | Fattah | Matheson |
| Blumenauer | Filner | Matsui |
| Boren | Ford | McCarthy |
| Boswell | Frank (MA) | McCollum (MN) |
| Boucher | Gonzalez | McDermott |
| Boyd | Gordon | McGovern |
| Brady (PA) | Green, Al | McIntyre |
| Brown (OH) | Green, Gene | McKinney |
| Brown, Corrine | Grijalva | McNulty |
| Butterfield | Gutierrez | Meehan |
| Capps | Harman | Meek (FL) |
| Capuano | Herseth | Meeks (NY) |
| Cardin | Higgins | Melancon |
| Cardoza | Hinche | Michaud |
| Carnahan | Hinojosa | Millender- |
| Carson | Holden | McDonald |
| Case | Holt | Miller (NC) |
| Chandler | Honda | Miller, George |
| Clay | Hooley | Mollohan |
| Cleaver | Hoyer | Moore (KS) |
| Clyburn | Inslee | Moore (WI) |
| Conyers | Israel | Moran (VA) |
| Cooper | Jackson (IL) | Nadler |
| Costa | Jackson-Lee | Napolitano |
| Costello | (TX) | Neal (MA) |
| Cramer | Jefferson | Oberstar |
| Crowley | Johnson, E. B. | Obey |
| Cuellar | Jones (OH) | Olver |
| Cummings | Kanjorski | Ortiz |
| Davis (AL) | Kaptur | Owens |
| Davis (CA) | Kennedy (RI) | Pallone |
| Davis (FL) | Kildee | Pascarell |
| Davis (IL) | Kilpatrick (MI) | Pastor |
| Davis (TN) | Kind | Payne |
| DeFazio | Kucinich | Pelosi |

| | | |
|------------------|---------------|------------|
| Peterson (MN) | Schiff | Tierney |
| Pomeroy | Schwartz (PA) | Towns |
| Price (NC) | Scott (GA) | Udall (CO) |
| Rahall | Scott (VA) | Udall (NM) |
| Rangel | Serrano | Van Hollen |
| Reyes | Sherman | Velázquez |
| Ross | Skelton | Visclosky |
| Rothman | Slaughter | Wasserman |
| Roybal-Allard | Smith (WA) | Schultz |
| Ruppersberger | Snyder | Waters |
| Rush | Solis | Watson |
| Ryan (OH) | Spratt | Watt |
| Sabo | Stark | Waxman |
| Salazar | Stupak | Weiner |
| Sánchez, Linda | Tanner | Wexler |
| T. | Tauscher | Woolsey |
| Sanchez, Loretta | Taylor (MS) | Wu |
| Sanders | Thompson (CA) | Wynn |
| Schakowsky | Thompson (MS) | |

NOT VOTING—15

| | | |
|---------------|-----------|------------|
| Bono | Hobson | Murtha |
| Cox | Hulshof | Strickland |
| Everett | King (NY) | Sweeney |
| Granger | LaHood | Terry |
| Hastings (FL) | Menendez | Tiberi |

□ 1323

Ms. DEGETTE changed her vote from "aye" to "no."

Mr. OXLEY changed his 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.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT JUNE 10, 2005, TO FILE PRIVILEGED REPORT ON DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006

Mr. WOLF. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, June 10, 2005, to file a privileged report on a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXI, points of order are reserved.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT JUNE 10, 2005, TO FILE PRIVILEGED REPORT ON SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Mr. WOLF. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, June 10, 2005, to file a privileged report on a bill making appropriations for Science, the Departments of State, Justice, and Commerce and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

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

There was no objection?