

Mr. TORRICELLI. Mr. Speaker, my parliamentary inquiry was this: Was the Member from Georgia's words, Madam President, Mr. GINGRICH's words, ever taken down when he rose on the floor and raised questions about the \$12,000 publishing deal of Mr. Wright?

□ 1220

My memory, Mr. Speaker, is those words were never taken down.

The SPEAKER pro tempore (Mr. STEARNS). The gentleman from New Jersey, as he can imagine, the Speaker pro tempore announced a standard but, did not rule in response to a point of order on that occasion. And more importantly, those words were not challenged at the time.

Mr. TORRICELLI. Mr. Speaker, I believe that my point has been made and that it stands. There has been an inconsistency. The precedents of the House have not been maintained, and the truth has been ruled out of order.

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. DINGELL. Mr. Speaker, the Chair has made the ruling that it is not parliamentary language to raise questions by innuendo. May I inquire of the Chair what that means with regard to the right of Members to raise questions about the propriety of the behavior of other Members of this body under either the rules or the statutes of the United States and the House of Representatives?

The SPEAKER pro tempore. Personal references to Members are clearly not in order.

Mr. DINGELL. What about questions, though, Mr. Speaker, relative to the propriety of the behavior of Members under the rules of the House of Representatives and the laws of the United States? Are those questions still permitted to be raised under the rules and have the rules of the House been changed with regard to those matters?

The SPEAKER pro tempore. The Chair will enforce the rules of the House as those demands come forward.

Mr. DINGELL. Well, am I permitted or is another Member of this body permitted to raise questions about the propriety of the behavior of Members of this body under the rules and under the statutes of the United States? Or does the ruling of the Chair preclude Members from raising questions of that kind in appropriate fashion on the floor of this body?

The SPEAKER pro tempore. The gentleman realizes, there are rules and proper channels for bringing conduct of Members before the House.

Mr. DINGELL. And I appreciate that, Mr. Speaker, but that does not respond to my question. I asked, are Members now precluded from raising questions about the behavior of other Members of this body?

The SPEAKER pro tempore. It would depend upon whether it was a personal-inquiry in the debate.

Mr. DINGELL. Have the rules been changed to effect a different order of precedents and dignity to the Speaker? Is he now treated differently than other Members of this body so that questions about propriety of behavior of other Members may be raised but questions about the propriety of the behavior of the Speaker may not now be raised?

The SPEAKER pro tempore. Simply put, personalities in regard to all Members should not be part of the debate.

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. THOMAS. Under the rules, if a Member, in fact, speaks words that under the rules could be taken down and no one asks that they be taken down, then, in fact, words could have been spoken that would have been taken down but no one asked that they be taken down; is that correct under our rules? Or does the Chair have the prerogative to ask the words be taken down?

The SPEAKER pro tempore. The Chair does have that prerogative. The Chair does have the prerogative of taking a Member's words down.

Mr. THOMAS. If the Chair does not exercise that right and no Member of the House exercises that right, words indeed may have been spoken that could have been taken down but were not because the proper request was never made; is that correct under our rules?

The SPEAKER pro tempore. The gentleman is correct.

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. BONIOR. Mr. Speaker, I have two parliamentary inquiries to pose to the Speaker. The first deals with the concern that the Speaker raised with respect as to how this should be dealt with. The Speaker, as I recall, suggested that this should be dealt with in proper order and in a proper forum. How can we deal with this in the proper forum if we do not have an Ethics Committee, Mr. Speaker, when there is none that has been appointed?

And, second, I would like to ask the Speaker this question: The gentleman who spoke, the distinguished gentleman from Georgia [Mr. LINDER], I believe, made reference to the Vice President in his remarks. Are those remarks with respect to his conduct, the Vice President's, out of order as well?

The SPEAKER pro tempore. References should not be made to the personal conduct of the Vice President.

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. RANGEL. Mr. Speaker, my friend and colleague, the gentleman

from California [Mr. THOMAS], made inquiry of the Chair as to whether or not the Chair could rule on a remark that was made by a Member if, indeed, that remark was not taken down and not challenged by another Member. I believe the Chair ruled in the affirmative.

My first parliamentary inquiry is, Is not a Member entitled to know, before he or she is challenged, as to what the rules are of this House before they make any statement?

The SPEAKER pro tempore. Members can seek advice before they intend to speak on any issue. The rules of the House are clear on this matter.

Mr. RANGEL. Mr. Speaker, obviously, the House is seeking clarification of the rules. The Chair has ruled that he will give rulings only when the Member is challenged. Until we can really find out what is said and what is not said, it is going to be acceptable conduct, forgetting this present subject. My predecessor, Adam Clayton Powell, was voted out of office 25 years ago because of allegations made on this floor. I would like to know what restrictions do I have as a Member that I would know that no one could ever challenge this statement successfully. And the only way I would know is by the Chair clarifying its ruling.

The SPEAKER pro tempore. The Chair cannot anticipate all references. The House has ruled on this question. It is pretty clear and evident what the Speaker's decision has been. And it was confirmed.

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

The SPEAKER pro tempore. The gentleman will state it.

Mr. OBEY. Mr. Speaker, would it be in order for an individual Member such as myself to indicate his agreement with the words just stricken?

The SPEAKER pro tempore. The gentleman has not stated a parliamentary inquiry.

Mr. OBEY. The Chair does not care to answer that.

MOTION TO ADJOURN

Mr. MFUME. Mr. Speaker, this Member believes that the Chair today has demonstrated a very clear inconsistency with respect to the rights of Members of this institution in an unfair and biased way. As such, Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland [Mr. MFUME].

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

RECORDED VOTE

Mr. MFUME. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 152, noes 247, not voting 36, as follows:

[Roll No. 19]

AYES—152

Abercrombie	Gonzalez	Owens
Baldacci	Hall (OH)	Pallone
Barcia	Hall (TX)	Parker
Bentsen	Hamilton	Pastor
Bevill	Hastings (FL)	Payne (NJ)
Bishop	Hilliard	Payne (VA)
Bonior	Hinchey	Peterson (FL)
Borski	Holden	Peterson (MN)
Boucher	Hoyer	Pomeroy
Browder	Lightson-Lee	Poshard
Brown (CA)	Jefferson	Rahall
Brown (FL)	Johnson (SD)	Rangel
Brown (OH)	Johnson, E. B.	Reed
Bryant (TX)	Johnston	Richardson
Cardin	Kanjorski	Rivers
Clay	Kaptur	Roybal-Allard
Clayton	Kennelly	Rush
Clement	Klink	Sabo
Clyburn	Lantos	Sanders
Coleman	Laughlin	Sawyer
Collins (IL)	Levin	Schumer
Condit	Lewis (GA)	Scott
Conyers	Lipinski	Serrano
Costello	Lofgren	Skaggs
Coyne	Lowey	Skelton
Cramer	Luther	Spratt
Danner	Maloney	Stark
DeFazio	Markey	Stenholm
DeLauro	Martinez	Stokes
Dellums	Mascara	Studds
Dicks	Matsui	Stupak
Dingell	McCarthy	Tauzin
Doggett	McDermott	Taylor (MS)
Dooley	McKinney	Tejeda
Doyle	Meek	Thompson
Durbin	Menendez	Thurman
Engel	Mfume	Torricelli
Eshoo	Miller (CA)	Towns
Evans	Mineta	Trafficant
Farr	Minge	Tucker
Fattah	Mink	Velazquez
Fazio	Moakley	Vento
Filner	Mollohan	Visclosky
Foglietta	Montgomery	Volkmer
Ford	Moran	Ward
Frank (MA)	Nadler	Waxman
Frost	Neal	Williams
Furse	Oberstar	Wise
Gejdenson	Olver	Woolsey
Gephardt	Ortiz	Wyden
Geren	Orton	

NOES—247

Allard	Coble	Ganske
Archer	Coburn	Gibbons
Army	Collins (GA)	Gilchrest
Bachus	Combest	Gillmor
Baesler	Cooley	Gilman
Baker (CA)	Cox	Goodlatte
Baker (LA)	Crane	Goodling
Ballenger	Crapo	Gordon
Barr	Creameans	Goss
Barrett (NE)	Cubin	Graham
Barrett (WI)	Cunningham	Green
Bartlett	Davis	Greenwood
Barton	de la Garza	Gunderson
Bass	Deal	Hancock
Bateman	DeLay	Hansen
Beilenson	Diaz-Balart	Harman
Bereuter	Dickey	Hastert
Bilbray	Doolittle	Hastings (WA)
Bilirakis	Dornan	Hayworth
Bliley	Dreier	Hefley
Blute	Duncan	Heineman
Boehlert	Dunn	Herger
Boehner	Edwards	Hilleary
Bonilla	Ehlers	Hobson
Bono	Ehrlich	Hoekstra
Brewster	Emerson	Hoke
Brownback	English	Horn
Bryant (TN)	Ensign	Hostettler
Bunn	Everett	Houghton
Bunning	Ewing	Hunter
Burr	Fawell	Hutchinson
Burton	Fields (LA)	Hyde
Buyer	Fields (TX)	Inglis
Callahan	Flanagan	Jacobs
Calvert	Foley	Johnson (CT)
Camp	Forbes	Johnson, Sam
Canady	Fowler	Jones
Castle	Fox	Kasich
Chabot	Franks (CT)	Kelly
Chambliss	Franks (NJ)	Kildee
Chenoweth	Frelinghuysen	Kim
Christensen	Frisa	King
Chrysler	Funderburk	Kingston
Clinger	Gallegly	Klecza

Klug	Ney	Smith (MI)
Knollenberg	Norwood	Smith (NJ)
Kolbe	Nussle	Smith (TX)
LaFalce	Obey	Smith (WA)
LaHood	Oxley	Solomon
Largent	Packard	Souder
Latham	Paxon	Spence
LaTourette	Petri	Stearns
Lazio	Pickett	Stump
Leach	Pombo	Talent
Holden	Porter	Tanner
Lewis (CA)	Portman	Tate
Lewis (KY)	Pryce	Taylor (NC)
Lightfoot	Quinn	Thomas
Linder	Radanovich	Thornberry
Livingston	Ramstad	Thornton
LoBiondo	Regula	Tiahrt
Longley	Lucas	Torkildsen
Rivers	Riggs	Upton
Manzullo	Roberts	Vucanovich
Martini	Roemer	Waldholtz
McCollum	Rogers	Walker
McCreery	Rohrabacher	Walsh
McDade	Roth	Wamp
McHale	Roukema	Waters
McInnis	Royce	Watt (NC)
McIntosh	Sanford	Watts (OK)
McKeon	Saxton	Weldon (FL)
McKeon	Scarborough	Weldon (PA)
Metcalf	Schaefer	Weller
Meyers	Schiff	White
Mica	Schroeder	Whitfield
Miller (FL)	Seastrand	Wicker
Molinari	Sensenbrenner	Wolf
Moorhead	Shadegg	Young (AK)
Morella	Shaw	Zeliff
Myers	Shays	Zimmer
Myrick	Shuster	
Nethercutt	Sisisky	
Neumann	Skeen	

NOT VOTING—36

Ackerman	Gutknecht	Quillen
Andrews	Hayes	Reynolds
Becerra	Hefner	Ros-Lehtinen
Berman	Istook	Rose
Chapman	Kennedy (MA)	Salmon
Collins (MI)	Kennedy (RI)	Slaughter
Deutsch	Lincoln	Stockman
Dixon	Manton	Torres
Flake	McHugh	Wilson
Gekas	McNulty	Wynn
Gingrich	Murtha	Yates
Gutierrez	Pelosi	Young (FL)

□ 1242

Mr. ENSIGN, Mr. ROEMER, and Mrs. CHENOWETH changed their vote from "aye" to "no."

Mr. MARKEY and Mr. HINCHEY changed their vote from "no" to "aye." So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

A CALL FOR OPENNESS

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute.)

Mrs. SCHROEDER. Mr. Speaker, I am delighted we stayed in session because I think this is a very tragic, tragic, historic day.

First of all, I must say we heard comments about we had to get on to the people's business. I must say if there were some people's business today, no one on our side knew it because the schedule we were handed said pro forma. That usually means they did not have anything scheduled. So if there was something, we were the last to know.

If there is some people's business, I hope the people on that side would tell us what it is that we are supposedly delaying. But I must say, I am very troubled to see what has happened to truth in this Chamber today.

We came here hoping there was going to be much more openness. We heard all these stories about openness and debate and all of that, and so far we have constantly seen people choked and gagged and cut off over and over again.

Today, I see that as one more example. I am very concerned about how we are going to proceed if we cannot bring issues to this floor and debate them openly and in the manner that we have in the past.

ONE EXPLANATION OF HOUSE PROCEEDINGS

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Mr. Speaker, I want to announce to the entire House that we are once again going to send every Member a copy of the rules so that they can understand the rules of the House as we passed them a couple of weeks ago.

It is very evident to me what is happening here, and we will inform the Members more. We know that the Committee on Rules is meeting on a rule in order to bring the unfunded mandate bill to the floor. You have to be in pro forma session in order to file that rule if there is no other business on the floor.

That is what is happening here. The other side of the aisle is trying every tactic that they can to stop the Contract With America. That is quite evident to the American people.

Mr. VOLKMER. Mr. Speaker, I ask that the gentleman's words be taken down.

The SPEAKER pro tempore (Mr. STEARNS). The gentleman from Texas [Mr. DELAY] will be seated while the words are being taken down.

□ 1250

The Clerk will report the words.

The Clerk read as follows:

That is what is happening here. The other side of the aisle is trying every tactic they can to stop the Contract With America. That is quite evident to the American people.

The SPEAKER pro tempore. In the opinion of the Chair that is not an improper personal reference to any Member.

The gentleman from Texas may proceed.

Mr. VOLKMER. I appeal the ruling of the Chair.

The CHAIRMAN. The gentleman wishes to appeal the ruling of the Chair.

PARLIAMENTARY INQUIRY

Mr. VOLKMER. Mr. Speaker, I withdraw that then and ask, if I may, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. VOLKMER. Before the gentleman from Texas continues, what I am hearing from the Chair, and correct