

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
Lungren, 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
Boehrlert	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
Hoeftstra	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	Poe	Wamp			
Kolbe	Pombo	Weldon (FL)			
Kuhl (NY)	Porter	Weldon (PA)			
Latham	Price (GA)	Weller			
LaTourette	Pryce (OH)	Westmoreland			
Leach	Putnam	Whitfield			
Lewis (CA)	Radanovich	Wicker			
Lewis (KY)	Ramstad	Wilson (NM)			
Linder	Regula	Wilson (SC)			
LoBiondo	Rehberg	Wolf			
Lucas	Reichert	Young (AK)			
Lungren, Daniel	Renzi	Young (FL)			
E.	Reynolds				

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?