

son or circumstance, is held invalid, the validity of any other provision of this Act, or the application of such provision to other persons and circumstances, shall not be affected thereby.

SEC. 904. EXPEDITED REVIEW OF CONSTITUTIONAL ISSUES.

(a) DIRECT APPEAL TO SUPREME COURT.—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory order or final judgment, decree, or order issued by any court ruling on the constitutionality of any provision of this Act or amendment made by this Act.

(b) ACCEPTANCE AND EXPEDITION.—The Supreme Court shall, if it has not previously ruled on the question addressed in the ruling below, accept jurisdiction over, advance on the docket, and expedite the appeal to the greatest extent possible.

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title of the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the amendment of the House to the title of the bill, insert the following: "An Act to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and benefits for congressional election campaigns, and for other purposes."

And the House agree to the same.

CHARLIE ROSE,
SAM GEJDENSON,
RICHARD GEPHARDT,
AL SWIFT,
LEON E. PANETTA,
MIKE SYNAR,
GERALD D. KLECZKA,

For consideration of sections 103 and 202 of the Senate bill, section 802 of the House amendment, and modifications committed to conference:

EDWARD J. MARKEY,

For consideration of sections 104, 404, 409, and 411 of the Senate bill, section 103 of the House amendment, and modifications committed to conference:

W.L. CLAY,
FRANK MCCLOSKEY,
Managers on the Part of the House.

WENDELL H. FORD,
DAVID L. BOREN,
GEORGE MITCHELL,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,

Mr. GEJDENSON moved the previous question on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. ECKART, announced that the yeas had it.

Mr. WALKER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared

{	Yeas	260
	Nays	161

¶43.10 [Roll No. 77]
YEAS—260

Abercrombie	Anderson	Andrews (TX)
Ackerman	Andrews (ME)	Annunzio
Alexander	Andrews (NJ)	Anthony

Aspin	Harris	Panetta
Atkins	Hatcher	Parker
AuCoin	Hayes (IL)	Pastor
Bacchus	Hayes (LA)	Patterson
Beilenson	Hefner	Payne (NJ)
Bennett	Hogland	Payne (VA)
Berman	Hochbrueckner	Pease
Bevill	Horn	Pelosi
Bilbray	Hoyer	Penny
Blackwell	Hubbard	Perkins
Bonior	Huckaby	Peterson (FL)
Borski	Hughes	Peterson (MN)
Boucher	Hutto	Pickett
Boxer	Jefferson	Pickle
Brewster	Jenkins	Poshard
Brooks	Johnson (SD)	Price
Browder	Johnston	Rahall
Brown	Jones (GA)	Rangel
Bruce	Jones (NC)	Reed
Bryant	Jontz	Richardson
Bustamante	Kanjorski	Roe
Byron	Kaptur	Roemer
Campbell (CO)	Kennedy	Rose
Cardin	Kennelly	Rostenkowski
Carper	Kildee	Rowland
Carr	Klecza	Roybal
Chapman	Klug	Sabo
Clay	Kolter	Sanders
Clement	Kopetski	Sangmeister
Coleman (TX)	Kostmayer	Sarpalius
Collins (IL)	LaFalce	Savage
Collins (MI)	Lancaster	Sawyer
Condit	Lantos	Scheuer
Conyers	LaRocco	Schroeder
Cooper	Laughlin	Schumer
Cox (IL)	Leach	Serrano
Coyne	Lehman (CA)	Sharp
Cramer	Lehman (FL)	Sikorski
Darden	Levin (MI)	Sisisky
de la Garza	Lewis (GA)	Skaggs
DeFazio	Lipinski	Skelton
DeLauro	Lloyd	Slattery
Dellums	Long	Slaughter
Derrick	Lowey (NY)	Smith (FL)
Dicks	Luken	Snowe
Dixon	Manton	Solarz
Donnelly	Markey	Spratt
Dooley	Marlenee	Staggers
Dorgan (ND)	Martinez	Stallings
Downey	Matsui	Stark
Durbin	Mavroules	Stenholm
Dwyer	Mazzoli	Stokes
Early	McCloskey	Studds
Eckart	McCurdy	Sweet
Edwards (CA)	McDermott	Swift
Edwards (TX)	McHugh	Synar
Engel	McMillen (MD)	Tallon
English	McNulty	Tanner
Erdreich	Mfume	Tauzin
Espy	Miller (CA)	Taylor (MS)
Evans	Mineta	Thomas (GA)
Fascell	Mink	Thornton
Fazio	Moakley	Torres
Feighan	Mollohan	Torricelli
Fish	Montgomery	Towns
Flake	Moody	Traficant
Foglietta	Moran	Traxler
Ford (MI)	Mrazek	Unsoeld
Ford (TN)	Murtha	Valentine
Frank (MA)	Nagle	Vento
Frost	Natcher	Visclosky
Gaydos	Neal (MA)	Volkmer
Gejdenson	Neal (NC)	Washington
Gephardt	Nowak	Waters
Geren	Oakar	Waxman
Gibbons	Oberstar	Weiss
Glickman	Obey	Williams
Gonzalez	Olin	Wilson
Gordon	Olver	Wise
Green	Ortiz	Wolpe
Guarini	Orton	Wyden
Hall (OH)	Owens (NY)	Yatron
Hall (TX)	Owens (UT)	
Hamilton	Pallone	

NAYS—161

Allard	Boehlert	Cox (CA)
Allen	Boehner	Crane
Applegate	Broomfield	Cunningham
Archer	Bunning	Davis
Armey	Burton	DeLay
Baker	Callahan	Dickinson
Ballenger	Camp	Doolittle
Barrett	Campbell (CA)	Dornan (CA)
Barton	Chandler	Dreier
Bateman	Clinger	Duncan
Bentley	Coble	Edwards (OK)
Bereuter	Coleman (MO)	Emerson
Bilirakis	Combest	Ewing
Bliley	Coughlin	Fawell

Fields	Lewis (FL)	Rogers
Franks (CT)	Lightfoot	Rohrabacher
Galleghy	Livingston	Ros-Lehtinen
Gallo	Lowery (CA)	Roth
Gekas	Machtley	Roukema
Gilchrest	McCandless	Santorum
Gillmor	McCollum	Saxton
Gilman	McCrery	Schaefer
Gingrich	McDade	Schiff
Goodling	McEwen	Schulze
Goss	McGrath	Sensenbrenner
Gradison	McMillan (NC)	Shaw
Grandy	Meyers	Shays
Granger	Michel	Shuster
Hammerschmidt	Miller (OH)	Skeen
Hancock	Miller (WA)	Smith (NJ)
Hansen	Molinaro	Smith (OR)
Hastert	Moorhead	Smith (TX)
Hefley	Morella	Solomon
Henry	Morrison	Spence
Herger	Murphy	Stearns
Hobson	Myers	Stump
Holloway	Nichols	Sundquist
Hopkins	Nussle	Taylor (NC)
Horton	Oxley	Thomas (CA)
Houghton	Packard	Thomas (WY)
Hunter	Paxon	Upton
Hyde	Petri	Vander Jagt
Inhofe	Porter	Vucanovich
Ireland	Pursell	Walker
Jacobs	Quillen	Walsh
James	Ramstad	Weber
Johnson (CT)	Ravenel	Weldon
Johnson (TX)	Regula	Wolf
Kasich	Rhodes	Wylie
Kolbe	Ridge	Young (AK)
Kyl	Riggs	Young (FL)
Lagomarsino	Rinaldo	Zeliff
Lent	Ritter	Zimmer
Lewis (CA)	Roberts	

NOT VOTING—13

Barnard	Hertel	Wheat
Costello	Levine (CA)	Whitten
Dannemeyer	Martin	Yates
Dingell	Russo	
Dymally	Smith (IA)	

So the previous question on the conference report was ordered.

Mr. WALSH moved to recommit the conference report on S. 3 to the committee of conference with the following instructions to the managers on the part of the House to include in the conference report the provisions of H.R. 3770, including: (1) The requirement that a majority of a candidate's contributions come from individuals residing in the candidate's district; (2) A limit of \$1,000 on PAC contributions to candidates; (3) A total ban on soft money contributions to political parties; and (4) To further include the requirement that no taxpayer dollars may be used to finance congressional campaigns.

Pending consideration of said motion,

¶43.11 POINT OF ORDER

Mr. GEJDENSON made a point of order against motion, and said:

"Mr. Speaker, I would make a point of order that the instructions exceed the scope of the conference report. It is clear that the requirement of in-district funding is beyond the scope of the conference report, and I would move that therefore the motion to recommit should be ruled out of order."

Mr. LEACH was recognized to speak to the point of order and said:

"Mr. Speaker, there are two issues that this Member would like to make. One is that in his belief this is thoroughly and utterly germane.

"The second point is how extraordinary it is that the party of alleged

reform may or may not want to block real reform.”.

The SPEAKER pro tempore, Mr. ECKART, sustained the point of order, and said:

“The Chair is prepared to rule.

“The gentleman from Connecticut [Mr. GEJDENSON] makes a point of order against the motion offered by the gentleman from New York [Mr. WALSH] on the ground that the instructions therein exceed the scope of the conference.

“The motion offered by the gentleman from New York proposes to instruct the managers on the part of the House to include in the conference report three features of a separate bill, H.R. 3770. Each of these three initiatives falls outside the matters committed to the conference as disagreements between the Senate bill and the House amendment thereto.

“Therefore, under clause 3 of rule XXVIII, a conference report may not include a matter although germane that was not committed to the conference of either House.

“In the opinion of the Chair, the instructions proposed in the motion offered by the gentleman from New York exceed the scope of the differences committed to the conference, and the point of order is sustained.”.

Mr. WALSH moved to recommit the conference report on the bill of the Senate (S. 3) to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits for Senate election campaigns, and for other purposes, to the committee of conference with the following instructions to the managers on the part of the House to strip all sections from the bill that allow for public financing of subsidies of congressional campaigns, to wit sections providing for matching payments to candidates, voter communication vouchers, and reduced postal rate subsidies for candidates.

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said conference report with instructions?

The SPEAKER pro tempore, Mr. ECKART, announced that the nays had it.

Mr. WALSH demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the $\left\{ \begin{array}{l} \text{Yeas} \dots\dots 179 \\ \text{negative} \dots\dots\dots \text{Nays} \dots\dots 243 \end{array} \right.$

¶43.12 [Roll No. 78] YEAS—179

Allard	Barrett	Bliley
Allen	Barton	Boehner
Applegate	Bateman	Broomfield
Archer	Bennett	Bunning
Armey	Bentley	Burton
Baker	Bereuter	Byron
Ballenger	Bilirakis	Callahan

Camp	Houghton
Campbell (CA)	Huckaby
Carr	Hunter
Chandler	Hutto
Clinger	Hyde
Coble	Inhofe
Coleman (MO)	Ireland
Combest	James
Condit	Johnson (CT)
Coughlin	Johnson (TX)
Cox (CA)	Kasich
Crane	Kolbe
Cunningham	Kyl
Davis	Lagomarsino
DeLay	Lent
Dickinson	Lewis (CA)
Doolittle	Lewis (FL)
Dornan (CA)	Lightfoot
Dreier	Livingston
Duncan	Lowery (CA)
Early	Machtley
Edwards (OK)	Marlenee
Emerson	McCandless
Ewing	McCollum
Fawell	McCrery
Fields	McDade
Fish	McEwen
Franks (CT)	McGrath
Gallegly	McMillan (NC)
Gallo	Meyers
Gekas	Michel
Geren	Miller (OH)
Gilchrest	Molinari
Gillmor	Montgomery
Gingrich	Moorhead
Gingrich	Morrison
Goodling	Murphy
Goss	Myers
Gradison	Nagle
Grandy	Nichols
Gunderson	Nussle
Hall (TX)	Orton
Hammerschmidt	Oxley
Hancock	Packard
Hansen	Parker
Hastert	Patterson
Hayes (LA)	Paxon
Hefley	Pickle
Henry	Porter
Herger	Pursell
Hobson	Quillen
Holloway	Ramstad
Hopkins	Ravenel
Horton	

NAYS—243

Abercrombie	de la Garza
Ackerman	DeFazio
Alexander	DeLauro
Anderson	Dellums
Andrews (ME)	Derrick
Andrews (NJ)	Dicks
Andrews (TX)	Dixon
Annuzio	Donnelly
Anthony	Dooley
Aspin	Dorgan (ND)
Atkins	Downey
AuCoin	Durbin
Bacchus	Dwyer
Beilenson	Dymally
Berman	Eckart
Bevill	Edwards (CA)
Bilbray	Edwards (TX)
Blackwell	Engel
Boehlert	English
Bonior	Erdreich
Borski	Espy
Boucher	Evans
Boxer	Fascell
Brewster	Fazio
Brooks	Feighan
Browder	Flake
Brown	Foglietta
Bruce	Ford (MI)
Bryant	Ford (TN)
Bustamante	Frank (MA)
Campbell (CO)	Frost
Cardin	Gaydos
Carper	Gejdenson
Chapman	Gephardt
Clay	Gibbons
Clement	Gilman
Coleman (TX)	Glickman
Collins (IL)	Gonzalez
Collins (MI)	Gordon
Conyers	Green
Cooper	Guarini
Cox (IL)	Hall (OH)
Coyne	Hamilton
Cramer	Harris
Darden	Hatcher

Regula	Regula
Rhodes	Rhodes
Ridge	Ridge
Riggs	Riggs
Rinaldo	Rinaldo
Ritter	Ritter
Roberts	Roberts
Rogers	Rogers
Rohrabacher	Rohrabacher
Ros-Lehtinen	Ros-Lehtinen
Roth	Roth
Roukema	Roukema
Santorum	Santorum
Sarpalius	Sarpalius
Sawyer	Sawyer
Saxton	Saxton
Schaefer	Schaefer
Schiff	Schiff
Schulze	Schulze
Sensenbrenner	Sensenbrenner
Shaw	Shaw
Shuster	Shuster
Skeen	Skeen
Smith (NJ)	Smith (NJ)
Smith (OR)	Smith (OR)
Smith (TX)	Smith (TX)
Snowe	Snowe
Solomon	Solomon
Spence	Spence
Stearns	Stearns
Stump	Stump
Sundquist	Sundquist
Tauzin	Tauzin
Taylor (MS)	Taylor (MS)
Taylor (NC)	Taylor (NC)
Thomas (CA)	Thomas (CA)
Thomas (WY)	Thomas (WY)
Trafficant	Trafficant
Upton	Upton
Vander Jagt	Vander Jagt
Volkmer	Volkmer
Vucanovich	Vucanovich
Walker	Walker
Walsh	Walsh
Weber	Weber
Weldon	Weldon
Wolf	Wolf
Wylie	Wylie
Yatron	Yatron
Young (AK)	Young (AK)
Young (FL)	Young (FL)
Zeliff	Zeliff

Hayes (IL)	Hayes (IL)
Hefner	Hefner
Hertel	Hertel
Hoagland	Hoagland
Hochbrueckner	Hochbrueckner
Horn	Horn
Hoyer	Hoyer
Hubbard	Hubbard
Hughes	Hughes
Jacobs	Jacobs
Jefferson	Jefferson
Jenkins	Jenkins
Johnson (SD)	Johnson (SD)
Johnston	Johnston
Jones (GA)	Jones (GA)
Jones (NC)	Jones (NC)
Jontz	Jontz
Engel	Kanjorski
Kaptur	Kennelly
Kennelly	Kildée
Kildée	Kleczka
Kleczka	Klug
Klug	Kolter
Kolter	Kopetski
Kopetski	Kostmayer
Kostmayer	LaFalce
LaFalce	Lancaster
Lancaster	Lantos
Lantos	LaRocco
LaRocco	Laughlin
Laughlin	Leach
Leach	Lehman (CA)
Lehman (CA)	Lehman (FL)
Lehman (FL)	Levin (MI)
Levin (MI)	Lipinski
Lipinski	Lloyd
Lloyd	Long
Long	Lowey (NY)
Lowey (NY)	Luken
Luken	Manton
Manton	Markey
Markey	Martinez
Martinez	Matsui
Matsui	Mavroules

Mazzoli	Pease	Slaughter
McCloskey	Pelosi	Smith (FL)
McCurdy	Penny	Solarz
McDermott	Perkins	Spratt
McHugh	Peterson (FL)	Staggers
McMillen (MD)	Peterson (MN)	Stallings
McNulty	Petri	Stark
Mfume	Pickett	Stenholm
Miller (CA)	Poshard	Stokes
Miller (WA)	Price	Studds
Mineta	Rahall	Sweet
Mink	Rangel	Swift
Moakley	Ray	Synar
Mollohan	Reed	Tallon
Moody	Richardson	Tanner
Moran	Roe	Thomas (GA)
Morella	Roemer	Thornton
Mrztek	Rose	Torres
Murtha	Rostenkowski	Torricelli
Natcher	Rowland	Towns
Neal (MA)	Roybal	Traxler
Neal (NC)	Sabo	Unsoeld
Nowak	Sanders	Valentine
Oakar	Sangmeister	Vento
Oberstar	Savage	Visclosky
Obey	Scheuer	Washington
Olin	Schroeder	Waters
Olver	Schumer	Waxman
Ortiz	Serrano	Weiss
Owens (NY)	Sharp	Wheat
Owens (UT)	Shays	Williams
Pallone	Sikorski	Wilson
Panetta	Sisisky	Wise
Pastor	Skaggs	Wolpe
Payne (NJ)	Skelton	Wyden
Payne (VA)	Slattery	Zimmer

NOT VOTING—12

Barnard	Kennedy	Russo
Costello	Levine (CA)	Smith (IA)
Dannemeyer	Lewis (GA)	Whitten
Dingell	Martin	Yates

So the motion to recommit said conference report with instructions was not agreed to.

A motion to reconsider the vote whereby said conference report was not recommitment with instructions was, by unanimous consent, laid on the table.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. ECKART, announced that the yeas had it.

Mr. GEJDENSON demanded a recorded vote on agreeing to said conference report, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the $\left\{ \begin{array}{l} \text{Yeas} \dots\dots 259 \\ \text{affirmative} \dots\dots\dots \text{Nays} \dots\dots 165 \end{array} \right.$

¶43.13 [Roll No. 79] AYES—259

Abercrombie	Browder	Dellums
Ackerman	Brown	Derrick
Alexander	Bruce	Dicks
Anderson	Bryant	Dingell
Andrews (ME)	Bustamante	Dixon
Andrews (NJ)	Byron	Donnelly
Andrews (TX)	Campbell (CO)	Dooley
Annuzio	Cardin	Dorgan (ND)
Anthony	Carper	Downey
Aspin	Chapman	Duncan
Atkins	Clay	Durbin
AuCoin	Clement	Dwyer
Bacchus	Coleman (TX)	Dymally
Beilenson	Collins (IL)	Early
Berman	Collins (MI)	Eckart
Bevill	Condit	Edwards (CA)
Bilbray	Conyers	Edwards (TX)
Blackwell	Cooper	Engel
Boehlert	Cox (IL)	Engshild
Bonior	Coyne	Erdreich
Borski	Cramer	Espy
Boucher	Darden	Evans
Boxer	de la Garza	Fascell
Brewster	DeFazio	Fazio
Brooks	DeLauro	Feighan