

Jackson (IL)	McKinney	Sanchez
Jackson-Lee (TX)	Meehan	Sanders
Jefferson	Meek (FL)	Sandlin
Johnson (CT)	Meeks (NY)	Sawyer
Johnson (WI)	Menendez	Schumer
Johnson, E. B.	Millender-McDonald	Scott
Kanjorski	Miller (CA)	Serrano
Kaptur	Minge	Sherman
Kennedy (MA)	Mink	Sisisky
Kennedy (RI)	Mollohan	Skaggs
Kennelly	Morella	Skelton
Kildee	Murtha	Slaughter
Kilpatrick	Nadler	Smith, Adam
Kind (WI)	Neal	Snyder
Kleccka	Oberstar	Spratt
Klink	Obey	Stabenow
Kucinich	Olver	Stark
LaFalce	Ortiz	Stenholm
Lampson	Owens	Stokes
Lantos	Pallone	Strickland
Lee	Pascrell	Stupak
Levin	Pastor	Tanner
Lewis (GA)	Paul	Thompson
LoBiondo	Payne	Thurman
Lofgren	Pelosi	Tierney
Lowe	Peterson (MN)	Towns
Luther	Pickett	Traficant
Maloney (CT)	Pomeroy	Turner
Maloney (NY)	Poshard	Velazquez
Manton	Price (NC)	Vento
Markey	Rahall	Visclosky
Martinez	Rangel	Watt (NC)
Mascara	Reyes	Waxman
Matsui	Rivers	Wexler
McCarthy (MO)	Rodriguez	Weygand
McCarthy (NY)	Roemer	Woolsey
McDermott	Rothman	Wynn
McGovern	Roybal-Allard	Yates
McHugh	Rush	
McIntyre	Sabo	

NOT VOTING—12

Baldacci	Hastings (FL)	Sessions
Cooksey	Leach	Torres
Gonzalez	McNulty	Weldon (FL)
Green	Moakley	Wise

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered. That the Clerk notify the Senate thereof.

¶60.6 PROVIDING FOR THE CONSIDERATION OF H. RES. 463

Mr. SOLOMON, by direction of the Committee on Rules, called up the following resolution (H. Res. 476):

Resolved. That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 463) to establish the Select Committee on U.S. National Security and Military/Commercial Concerns With the People's Republic of China. The resolution shall be considered as read for amendment. The amendment in the nature of a substitute recommended by the Committee on Rules now printed in the resolution shall be considered as adopted. The resolution, as amended, shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Rules. The previous question shall be considered as ordered on the resolution, as amended, to final adoption without intervening motion.

When said resolution was considered. After debate,

Mr. SOLOMON moved the previous question on the resolution to its adoption or rejection.

The question being put, *viva voce*,

Will the House now order the previous question?

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

Mr. FROST 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 226
Nays 197

¶60.7 [Roll No. 244] YEAS—226

Aderholt	Gilchrest	Pappas
Archer	Gillmor	Parker
Armey	Gilman	Pascrell
Bachus	Gingrich	Paul
Baker	Goodlatte	Paxon
Ballenger	Goodling	Pease
Barr	Goss	Peterson (PA)
Barrett (NE)	Graham	Petri
Bartlett	Granger	Pickering
Barton	Greenwood	Pitts
Bass	Gutknecht	Pombo
Bateman	Hansen	Porter
Bereuter	Hastert	Portman
Bilbray	Hastings (WA)	Pryce (OH)
Bilirakis	Hayworth	Quinn
Bliley	Hefley	Radanovich
Blunt	Herger	Ramstad
Boehlert	Hill	Redmond
Boehner	Hilleary	Regula
Bonilla	Hobson	Riggs
Bono	Hoekstra	Riley
Brady (TX)	Horn	Rogan
Bryant	Hostettler	Rogers
Bunning	Houghton	Rohrabacher
Burr	Hulshof	Ros-Lehtinen
Burton	Hunter	Roukema
Buyer	Hutchinson	Royce
Callahan	Hyde	Ryun
Calvert	Inglis	Salmon
Camp	Istook	Sanford
Campbell	Jenkins	Saxton
Canady	Johnson (CT)	Scarborough
Cannon	Johnson, Sam	Schaefer, Dan
Castle	Jones	Schaffer, Bob
Chabot	Kasich	Sensenbrenner
Chambliss	Kelly	Sessions
Chenoweth	Kim	Shadegg
Christensen	King (NY)	Shaw
Coble	Kingston	Shays
Coburn	Klug	Shimkus
Collins	Knollenberg	Shuster
Combest	Kolbe	Skeen
Cook	LaHood	Smith (MI)
Cox	Largent	Smith (NJ)
Crane	Latham	Smith (OR)
Crapo	LaTourette	Smith (TX)
Cubin	Lazio	Smith, Linda
Cunningham	Leach	Snowbarger
Davis (VA)	Lewis (CA)	Solomon
Deal	Lewis (KY)	Souder
DeLay	Linder	Spence
Diaz-Balart	Livingston	Stearns
Dickey	LoBiondo	Stump
Doollittle	Lucas	Sununu
Dreier	Manzullo	Talent
Duncan	McCollum	Tauzin
Dunn	McCrery	Taylor (NC)
Ehlers	McDade	Thomas
Ehrlich	McHugh	Thornberry
Emerson	McInnis	Tiahrt
English	McIntosh	Traficant
Ensign	McKeon	Upton
Everett	Metcalf	Walsh
Ewing	Mica	Wamp
Fawell	Miller (FL)	Watkins
Foley	Moran (KS)	Watts (OK)
Forbes	Morella	Weldon (PA)
Fossella	Myrick	Weller
Fowler	Nethercutt	White
Fox	Neumann	Whitfield
Franks (NJ)	Ney	Wicker
Frelinghuysen	Northup	Wolf
Galleghy	Norwood	Young (AK)
Ganske	Nussle	Young (FL)
Gekas	Oxley	
Gibbons	Packard	

NAYS—197

Abercrombie	Barrett (WI)	Blumenauer
Ackerman	Becerra	Bonior
Allen	Bentsen	Borski
Andrews	Berman	Boswell
Baesler	Berry	Boucher
Baldacci	Bishop	Boyd
Barcia	Blagojevich	Brady (PA)

Brown (CA)	Jackson-Lee (TX)	Payne
Brown (FL)	Jefferson	Pelosi
Brown (OH)	John	Peterson (MN)
Capps	Johnson (WI)	Pickett
Cardin	Johnson, E.B.	Pomeroy
Carson	Kanjorski	Poshard
Clay	Kaptur	Price (NC)
Clayton	Kennedy (MA)	Rahall
Clement	Kennedy (RI)	Rangel
Clyburn	Kennelly	Reyes
Condit	Kildee	Rivers
Conyers	Kilpatrick	Rodriguez
Costello	Kind (WI)	Roemer
Coyne	Kleccka	Rothman
Cramer	Klink	Roybal-Allard
Cummings	Kucinich	Rush
Danner	LaFalce	Sabo
Davis (FL)	Lampson	Sanchez
Davis (IL)	Lantos	Sanders
DeFazio	Lee	Sandlin
DeGette	Levin	Sawyer
Delahunt	Lewis (GA)	Schumer
DeLauro	Lipinski	Scott
Deutsch	Lofgren	Serrano
Dicks	Lowe	Sherman
Dingell	Luther	Sisisky
Dixon	Maloney (CT)	Skaggs
Doggett	Maloney (NY)	Skelton
Dooley	Manton	Slaughter
Doyle	Markey	Smith, Adam
Edwards	Mascara	Snyder
Engel	Matsui	Spratt
Eshoo	McCarthy (MO)	Stabenow
Etheridge	McCarthy (NY)	Stark
Evans	McDermott	Stenholm
Farr	McGovern	Stokes
Fattah	McHale	Strickland
Fazio	McIntyre	Stupak
Filner	McKinney	Tanner
Ford	Meehan	Tauscher
Frank (MA)	Meek (FL)	Taylor (MS)
Frost	Meeks (NY)	Thompson
Furse	Menendez	Thurman
Gejdenson	Miller (CA)	Tierney
Gephardt	Minge	Towns
Goode	Mink	Turner
Gordon	Mollohan	Velazquez
Gutierrez	Murtha	Vento
Hall (OH)	Nadler	Visclosky
Hall (TX)	Neal	Waters
Hamilton	Oberstar	Watt (NC)
Harman	Obey	Waxman
Hefner	Olver	Wexler
Hilliard	Ortiz	Weygand
Hinchee	Owens	Wise
Hinojosa	Pallone	Woolsey
Holden	Pastor	Wynn
Hoolley		Yates
Hoyer		
Jackson (IL)		

NOT VOTING—11

Cooksey	Martinez	Thune
Gonzalez	McNulty	Torres
Green	Moakley	Weldon (FL)
Hastings (FL)	Moran (VA)	

So the previous question on the resolution was ordered.

The question being put, *viva voce*,

Will the House agree to said resolution?

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

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶60.8 SELECT COMMITTEE ON PEOPLE'S REPUBLIC OF CHINA

Mr. SOLOMON, pursuant to House Resolution 476, called up the following resolution (H. Res. 463):

Resolved.

SECTION 1. ESTABLISHMENT.

There is hereby created the Select Committee on U.S. National Security and Military/Commercial Concerns With the People's Republic of China, (hereafter in this Act referred to as the "Select Committee"). The Select Committee may sit and act during the

present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or in any other country, whether the House is in session, has recessed, or has adjourned, as it shall deem appropriate for the completion of its work.

SEC. 2. JURISDICTION.

(a) IN GENERAL.—The Select Committee shall conduct a full and complete inquiry regarding the following matters and report such findings and recommendations, including those concerning the amendment of existing law or the enactment of new law, to the House as it considers appropriate:

(1) The transfer of technology, information, advice, goods, or services that may have contributed to the enhancement of the accuracy, reliability, or capability of nuclear-armed intercontinental ballistic missiles or other weapons of the People's Republic of China, or that may have contributed to the enhancement of the domestic or foreign intelligence capabilities of the People's Republic of China.

(2) The transfer of technology, information, advice, goods, or services that may have contributed to the manufacture of weapons of mass destruction, missiles, or other weapons or armaments by the People's Republic of China.

(3) The effect of any transfer or enhancement referred to in paragraphs (1) or (2) on regional security and the national security of the United States, its friends, and its allies.

(4) The conduct of the executive branch of the United States Government with respect to the transfers or enhancements referred to in paragraphs (1) or (2), and the effect of that conduct on the national security of the United States, its friends, and its allies.

(5) The conduct of defense contractors, weapons manufacturers, satellite manufacturers, and other private or government-owned commercial firms with respect to the transfers or enhancements referred to in paragraphs (1) or (2).

(6) The enforcement of United States law, including statutes, regulations, or executive orders, with respect to the transfers or enhancements referred to in paragraphs (1) or (2).

(7) Any effort by the Government of the People's Republic of China or any other person or entity to influence any of the foregoing matters through political contributions, bribery, influence-peddling, or otherwise.

(8) Decision-making within the executive branch of the United States Government with respect to any of the foregoing matters.

(9) Any effort to conceal or withhold information or documents relevant to any of the foregoing matters or to otherwise obstruct justice, or to obstruct the work of the Select Committee or any other committee of the Congress in connection with those matters.

(10) All matters relating directly or indirectly to any of the foregoing matters.

(b) PERMITTING REPORTS TO BE MADE TO HOUSE IN SECRET SESSION.—Any report to the House pursuant to this section may, in the Select Committee's discretion, be made under the provisions of rule XXIX of the Rules of the House of Representatives.

SEC. 3. COMPOSITION; VACANCIES.

(a) COMPOSITION.—The Select Committee shall be composed of 8 Members of the House to be appointed by the Speaker of the House of Representatives, one of whom he shall designate as Chairman. Service on the Select Committee shall not count against the limitations on committee service in clause 6(b)(2) of rule X.

(b) VACANCIES.—Any vacancy occurring in the membership of the Select Committee shall be filled in the same manner in which the original appointment was made.

SEC. 4. RULES APPLICABLE TO SELECT COMMITTEE.

(a) QUORUM.—One-third of the members of the Select Committee shall constitute a quorum for the transaction of business other than the reporting of a matter, which shall require a majority of the committee to be actually present, except that the Select Committee may designate a lesser number, but not less than two, as a quorum for the purpose of holding hearings to take testimony and receive evidence.

(b) APPLICABILITY OF HOUSE RULES.—The Rules of the House of Representatives applicable to standing committees shall govern the Select Committee where not inconsistent with this resolution.

(c) RULES OF SELECT COMMITTEE.—The Select Committee shall adopt additional written rules, which shall be public, to govern its procedures, which shall not be inconsistent with this resolution or the Rules of the House of Representatives.

SEC. 5. CLASSIFIED INFORMATION.

No employee of the Select Committee or any person engaged by contract or otherwise to perform services for or at the request of such committee shall be given access to any classified information by such committee unless such employee or person has—

(1) agreed in writing and under oath to be bound by the rules of the House (including the jurisdiction of the Committee on Standards of Official Conduct and of the Select Committee as to the security of such information during and after the period of his employment or contractual agreement with the Select Committee); and

(2) received an appropriate security clearance as determined by the Select Committee in consultation with the Director of Central Intelligence.

The type of security clearance to be required in the case of any such employee or person shall, within the determination of the Select Committee in consultation with the Director of Central Intelligence, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by such committee.

SEC. 6. LIMITS ON DISCLOSURE OF INFORMATION.

The Select Committee shall formulate and carry out such rules and procedures as it deems necessary to prevent the disclosure, without the consent of the person or persons concerned, of information in the possession of such committee which unduly infringes upon the privacy or which violates the constitutional rights of such person or persons. Nothing herein shall be construed to prevent such committee from publicly disclosing any such information in any case in which such committee determines that national interest in the disclosure of such information clearly outweighs any infringement on the privacy of any person or persons.

SEC. 7. PROCEDURES FOR HANDLING INFORMATION.

(a) The Select Committee may, subject to the provisions of this section, disclose publicly any information in the possession of such committee after a determination by such committee that the public interest would be served by such disclosure. Whenever committee action is required to disclose any information under this section, the committee shall meet to vote on the matter within five days after any member of the committee requests such a vote. No member of the Select Committee shall disclose any information, the disclosure of which requires a committee vote, prior to a vote by the committee on the question of the disclosure of such information or after such vote except in accordance with this section. In any case in which the Select Committee votes to disclose publicly any information, which has

been classified under established security procedures, which has been submitted to it by the executive branch, and which the executive branch requests be kept secret, the Select Committee shall submit such classified information to the Permanent Select Committee on Intelligence.

(b)(1) As set forth in clause 7(b) of rule XLVIII, in any case in which the Permanent Select Committee on Intelligence votes to disclose publicly any information submitted pursuant to subsection (a), which has been classified under established security procedures, which has been submitted to the Select Committee by the executive branch, and which the executive branch has requested be kept secret, the Permanent Select Committee on Intelligence shall notify the President of such vote.

(2) The Permanent Select Committee on Intelligence may disclose publicly such information after the expiration of a five-day period following the day on which notice of such vote is transmitted to the President, unless, prior to the expiration of such five-day period, the President, personally in writing, notifies the Permanent Select Committee on Intelligence that he objects to the disclosure of such information, provides his reasons therefor, and certifies that the threat to the national interest of the United States posed by such disclosure is of such gravity that it outweighs any public interest in the disclosure.

(3) If the President, personally, in writing, notifies the Permanent Select Committee on Intelligence of his objections to the disclosure of such information as provided in paragraph (2), the Permanent Select Committee on Intelligence may, by majority vote, refer the question of this disclosure of such information with a recommendation thereon to the House for consideration. The Permanent Select Committee on Intelligence shall not publicly disclose such information without leave of the House.

(4) Whenever the Permanent Select Committee on Intelligence votes to refer the question of disclosure of any information to the House under paragraph (3), the chairman of the Permanent Select Committee on Intelligence shall, not later than the first day on which the House is in session following the day on which the vote occurs, report the matter to the House for its consideration.

(5) If within four calendar days on which the House is in session, after such recommendation is reported, no motion has been made by the chairman of the Permanent Select Committee on Intelligence to consider, in closed session, the matter reported under paragraph (4), then such a motion will be deemed privileged and may be made by any Member. The motion under this paragraph shall not be subject to debate or amendment. When made, it shall be decided without intervening motion, except one motion to adjourn.

(6) If the House adopts a motion to resolve into closed session, the Speaker shall then be authorized to declare a recess subject to the call of the Chair. At the expiration of such recess, the pending question, in closed session, shall be, "Shall the House approve the recommendation of the Permanent Select Committee on Intelligence?"

(7) After not more than two hours of debate on the motion, such debate to be equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence, or their designees, the previous question shall be considered as ordered and the House, without intervening motion except one motion to adjourn, shall immediately vote on the question, in open session but without divulging the information with respect to which the vote is being taken. If the recommendation of the Permanent Select Committee on In-

telligence is not agreed to, the question shall be deemed recommitted to the Permanent Select Committee on Intelligence for further recommendation.

(c)(1) No information in the possession of the Select Committee relating to the lawful intelligence or intelligence-related activities of any department or agency of the United States which has been classified under established security procedures and which the Select Committee, the Permanent Select Committee on Intelligence, or the House pursuant to this section, has determined should not be disclosed shall be made available to any person by a Member, officer, or employee of the House except as provided in paragraph (2).

(2) The Select Committee shall, under such regulations as the committee shall prescribe, make any information described in paragraph (1) available to any other committee or any other Member of the House and permit any other Member of the House to attend any hearing of the committee which is closed to the public. Whenever the Select Committee makes such information available (other than to the Speaker), the committee shall keep a written record showing, in the case of any particular information, which committee or which Members of the House received such information. No Member of the House who, and no committee which, receives any information under this paragraph, shall disclose such information except in a closed session of the House.

(d) The Committee on Standards of Official Conduct shall investigate any unauthorized disclosure of intelligence or intelligence-related information by a Member, officer, or employee of the House in violation of subsection (c) and report to the House concerning any allegation which it finds to be substantiated.

(e) Upon the request of any person who is subject to any such investigation, the Committee on Standards of Official Conduct shall release to such individual at the conclusion of its investigation a summary of its investigation, together with its findings. If, at the conclusion of its investigation, the Committee on Standards of Official Conduct determines that there has been a significant breach of confidentiality or unauthorized disclosure by a Member, officer, or employee of the House, it shall report its findings to the House and recommend appropriate action such as censure, removal from committee membership, or expulsion from the House, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

SEC. 8. TRANSFER OF INFORMATION TO SELECT COMMITTEE.

Any committee of the House of Representatives having custody of records, data, charts, and files concerning subjects within the jurisdiction of the Select Committee shall furnish the originals or copies of such materials to the Select Committee. In the case of the Permanent Select Committee on Intelligence, such materials shall be made available pursuant to clause 7(c)(2) of rule XLVIII.

SEC. 9. INFORMATION GATHERING.

(a) IN GENERAL.—The Select Committee is authorized to require, by subpoena or otherwise, the attendance and testimony of such witnesses, the furnishing of such information by interrogatory, and the production of such books, records, correspondence, memoranda, papers, documents, calendars, recordings, electronic communications, data compilations from which information can be obtained, tangible objects, and other things and information of any kind as it deems necessary, including all intelligence materials however classified, White House materials,

and materials pertaining to unvouchered expenditures or concerning communications interceptions or surveillance.

(b) SUBPOENAS, DEPOSITIONS AND INTERROGATORIES.—Unless otherwise determined by the Select Committee, the Chairman, upon consultation with the ranking minority member, or the Select Committee may—

(1) authorize and issue subpoenas;

(2) order the taking of depositions, interrogatories, or affidavits under oath or otherwise; and

(3) designate a member or staff of the Select Committee to conduct any deposition.

(c) INTERNATIONAL AUTHORITIES.—Unless otherwise determined by the Select Committee, the Chairman of the Select Committee, upon consultation with the ranking minority member of the Select Committee, or the Select Committee may—

(1) order the taking of depositions and other testimony, under oath or otherwise, anywhere outside the United States; and

(2) make application for issuance of letters rogatory, and request through appropriate channels, other means of international assistance, as appropriate.

(d) HANDLING OF INFORMATION.—Information obtained under the authority of this section shall be—

(1) considered as taken by the Select Committee in the District of Columbia, as well as the location actually taken; and

(2) considered to be taken in executive session.

SEC. 10. TAX RETURNS.

Pursuant to sections 6103(f)(3) and 6104(a)(2) of the Internal Revenue Code of 1986, for the purpose of investigating the subjects set forth in this resolution and since information necessary for this investigation cannot reasonably be obtained from any other source, the Select Committee shall be specially authorized to inspect and receive for the tax years 1991 through 1998 any tax return, return information, or other tax-related material, held by the Secretary of the Treasury, related to individuals and entities named by the Select Committee as possible participants, beneficiaries, or intermediaries in the transactions under investigation. As specified by section 6103(f)(3) of the Internal Revenue Code of 1986, such materials and information shall be furnished in closed executive session.

SEC. 11. ACCESS TO INFORMATION OF THE SELECT COMMITTEE.

The Select Committee shall provide other committees and Members of the House with access to information and proceedings, consistent with clause 7(c)(2) of rule XLVIII, except that the Select Committee may direct that particular matters or classes of matter shall not be made available to any person by its members, staff, or others, or may impose any other restriction. The Select Committee may require its staff to enter nondisclosure agreements, and its chairman, in consultation with the ranking minority member, may require others, such as counsel for witnesses, to do so. The Committee on Standards of Official Conduct may investigate any unauthorized disclosure of such classified information by a Member, officer, or employee of the House or other covered person upon request of the Select Committee. If, at the conclusion of its investigation, the Committee on Standards of Official Conduct determines that there has been a significant unauthorized disclosure, it shall report its findings to the House and recommend appropriate sanctions for the Member, officer, employee, or other covered person consistent with clause 7(e) of rule XLVIII and any committee restriction, including nondisclosure agreements. The Select Committee shall, as appropriate, provide access to information and proceedings to the Speaker and the mi-

nority leader and their appropriately cleared and designated staff.

SEC. 12. COOPERATION OF OTHER ENTITIES.

(a) COOPERATION OF OTHER COMMITTEES.—The Select Committee may submit to any standing committee specific matters within its jurisdiction and may request that such committees pursue such matters further.

(b) COOPERATION OF OTHER FEDERAL ENTITIES.—The Chairman of the Select Committee, upon consultation with the ranking minority member, or the Select Committee may request investigations, reports, and other assistance from any agency of the executive, legislative, and judicial branches of the Federal Government.

SEC. 13. ACCESS AND RESPONSE TO JUDICIAL PROCESS.

In addition to any applications to court in response to judicial process that may be made in behalf of the House by its counsel, the Select Committee shall be authorized to respond to any judicial or other process, or to make any applications to court, upon consultation with the Speaker consistent with rule L.

SEC. 14. ADMINISTRATIVE MATTERS.

(a) PERSONNEL.—The Chairman, upon consultation with the ranking minority member, may employ and fix the compensation of such clerks, experts, consultants, technicians, attorneys, investigators, clerical and stenographic assistants, and other appropriate staff as the Chairman considers necessary to carry out the purposes of this resolution. Detailees from the executive branch or staff of the House or a joint committee, upon the request of the Chairman of the Select Committee, upon consultation with the ranking minority member, shall be deemed staff of the Select Committee to the extent necessary to carry out the purposes of this resolution.

(b) PAYMENT OF EXPENSES.—(1) The Select Committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Select Committee.

(2) Not more than \$2,500,000 are authorized for expenses of the Select Committee for investigations and studies, including for the procurement of the services of individual consultants or organizations thereof, and for training of staff, to be paid out of the applicable accounts of the House of Representatives upon vouchers signed by the Chairman and approved in the manner directed by the Committee on House Oversight.

SEC. 15. APPLICABILITY OF OTHER LAWS TO SELECT COMMITTEE.

The Select Committee shall be deemed a committee of the House for all purposes of the rules of the House of Representatives and shall be deemed a committee for all purposes of law, including, but not limited to, section 202(f) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(f)), sections 102 and 104 of the Revised Statutes (2 U.S.C. 192 and 194), sections 1001, 1505, 1621, 6002, and 6005 of title 18, United States Code, section 502(b)(1)(B)(ii) of the Mutual Security Act of 1954 (22 U.S.C. 1754(b)(1)(B)(ii)), and section 734 of title 31, United States Code.

SEC. 16. DISPOSITION OF RECORDS.

At the conclusion of the existence of the Select Committee, all records of the Select Committee shall be transferred to other committees, or stored by the Clerk of the House, as directed by the Select Committee, consistent with applicable rules and law concerning classified information.

Pending consideration of said resolution.

Pursuant to House Resolution 476, the following amendment in the nature of a substitute offered by the Com-

mittee on Rules and printed in said resolution was considered as adopted:

Resolved,

SECTION 1. ESTABLISHMENT.

There is hereby created the Select Committee on U.S. National Security and Military/Commercial Concerns With the People's Republic of China, (hereafter in this resolution referred to as the "Select Committee"). The Select Committee may sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or in any other country, whether the House is in session, has recessed, or has adjourned, as it shall deem appropriate for the completion of its work.

SEC. 2. JURISDICTION.

(a) IN GENERAL.—The Select Committee shall conduct a full and complete inquiry regarding the following matters and report such findings and recommendations, including those concerning the amendment of existing law or the enactment of new law, to the House as it considers appropriate:

(1) The transfer of technology, information, advice, goods, or services that may have contributed to the enhancement of the accuracy, reliability, or capability of nuclear-armed intercontinental ballistic missiles or other weapons of the People's Republic of China, or that may have contributed to the enhancement of the intelligence capabilities of the People's Republic of China.

(2) The transfer of technology, information, advice, goods, or services that may have contributed to the manufacture of weapons of mass destruction, missiles, or other weapons or armaments by the People's Republic of China.

(3) The effect of any transfer or enhancement referred to in paragraphs (1) or (2) on regional security and the national security of the United States.

(4) The conduct of the executive branch of the United States Government with respect to the transfers or enhancements referred to in paragraphs (1) or (2), and the effect of that conduct on regional security and the national security of the United States.

(5) The conduct of defense contractors, weapons manufacturers, satellite manufacturers, and other private or government-owned commercial firms with respect to the transfers or enhancements referred to in paragraphs (1) or (2).

(6) The enforcement of United States law, including statutes, regulations, or executive orders, with respect to the transfers or enhancements referred to in paragraphs (1) or (2).

(7) Any effort by the Government of the People's Republic of China or any other person or entity to influence any of the foregoing matters through political contributions, commercial arrangements, or bribery, influence-peddling, or other illegal activities.

(8) Decision-making within the executive branch of the United States Government with respect to any of the foregoing matters.

(9) Any effort to conceal or withhold information or documents relevant to any of the foregoing matters or to obstruct justice, or to obstruct the work of the Select Committee or any other committee of the House of Representatives in connection with those matters.

(10) All matters relating directly or indirectly to any of the foregoing matters.

(b) PERMITTING REPORTS TO BE MADE TO HOUSE IN SECRET SESSION.—Any report to the House pursuant to this section may, in the Select Committee's discretion, be made under the provisions of rule XXIX of the Rules of the House of Representatives.

SEC. 3. COMPOSITION; VACANCIES.

(a) COMPOSITION.—The Select Committee shall be composed of 9 or fewer Members of the House to be appointed by the Speaker of the House of Representatives, one of whom he shall designate as Chairman. Service on the Select Committee shall not count against the limitations on committee service in clause 6(b)(2) of rule X.

(b) VACANCIES.—Any vacancy occurring in the membership of the Select Committee shall be filled in the same manner in which the original appointment was made.

SEC. 4. RULES APPLICABLE TO SELECT COMMITTEE.

(a) QUORUM.—One-third of the members of the Select Committee shall constitute a quorum for the transaction of business other than the reporting of a matter, which shall require a majority of the committee to be actually present, except that the Select Committee may designate a lesser number, but not less than 2, as a quorum for the purpose of holding hearings to take testimony and receive evidence.

(b) APPLICABILITY OF HOUSE RULES.—The Rules of the House of Representatives applicable to standing committees shall govern the Select Committee where not inconsistent with this resolution.

(c) RULES OF SELECT COMMITTEE.—The Select Committee shall adopt additional written rules, which shall be public, to govern its procedures, which shall not be inconsistent with this resolution or the Rules of the House of Representatives.

SEC. 5. CLASSIFIED INFORMATION.

No employee of the Select Committee or any person engaged by contract or otherwise to perform services for or at the request of such committee shall be given access to any classified information by such committee unless such employee or person has—

(1) agreed in writing and under oath to be bound by the rules of the House (including the jurisdiction of the Committee on Standards of Official Conduct and of the Select Committee as to the security of such information during and after the period of his employment or contractual agreement with the Select Committee); and

(2) received an appropriate security clearance as determined by the Select Committee in consultation with the Director of Central Intelligence.

The type of security clearance to be required in the case of any such employee or person shall, within the determination of the Select Committee in consultation with the Director of Central Intelligence, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by such committee.

SEC. 6. LIMITS ON DISCLOSURE OF INFORMATION.

The Select Committee shall formulate and carry out such rules and procedures as it deems necessary to prevent the disclosure, without the consent of the person or persons concerned, of information in the possession of such committee which unduly infringes upon the privacy or which violates the constitutional rights of such person or persons. Nothing herein shall be construed to prevent such committee from publicly disclosing any such information in any case in which such committee determines that national interest in the disclosure of such information clearly outweighs any infringement on the privacy of any person or persons.

SEC. 7. PROCEDURES FOR HANDLING INFORMATION.

(a) The Select Committee may, subject to the provisions of this section, disclose publicly any information in the possession of such committee after a determination by such committee that the public interest would be served by such disclosure. When-

ever committee action is required to disclose any information under this section, the committee shall meet to vote on the matter within five days after any member of the committee requests such a vote. No member of the Select Committee shall disclose any information, the disclosure of which requires a committee vote, prior to a vote by the committee on the question of the disclosure of such information or after such vote except in accordance with this section. In any case in which the Select Committee votes to disclose publicly any information, which has been classified under established security procedures, which has been submitted to it by the executive branch, and which the executive branch requests be kept secret, the Select Committee shall submit such classified information to the Permanent Select Committee on Intelligence.

(b)(1) As set forth in clause 7(b) of rule XLVIII, in any case in which the Permanent Select Committee on Intelligence votes to disclose publicly any information submitted pursuant to subsection (a), which has been classified under established security procedures, which has been submitted to the Select Committee by the executive branch, and which the executive branch has requested be kept secret, the Permanent Select Committee on Intelligence shall notify the President of such vote.

(2) The Permanent Select Committee on Intelligence may disclose publicly such information after the expiration of a five-day period following the day on which notice of such vote is transmitted to the President, unless, prior to the expiration of such five-day period, the President, personally in writing, notifies the Permanent Select Committee on Intelligence that he objects to the disclosure of such information, provides his reasons therefor, and certifies that the threat to the national interest of the United States posed by such disclosure is of such gravity that it outweighs any public interest in the disclosure.

(3) If the President, personally, in writing, notifies the Permanent Select Committee on Intelligence of his objections to the disclosure of such information as provided in paragraph (2), the Permanent Select Committee on Intelligence may, by majority vote, refer the question of this disclosure of such information with a recommendation thereon to the House for consideration. The Permanent Select Committee on Intelligence shall not publicly disclose such information without leave of the House.

(4) Whenever the Permanent Select Committee on Intelligence votes to refer the question of disclosure of any information to the House under paragraph (3), the chairman of the Permanent Select Committee on Intelligence shall, not later than the first day on which the House is in session following the day on which the vote occurs, report the matter to the House for its consideration.

(5) If within four calendar days on which the House is in session, after such recommendation is reported, no motion has been made by the chairman of the Permanent Select Committee on Intelligence to consider, in closed session, the matter reported under paragraph (4), then such a motion will be deemed privileged and may be made by any Member. The motion under this paragraph shall not be subject to debate or amendment. When made, it shall be decided without intervening motion, except one motion to adjourn.

(6) If the House adopts a motion to resolve into closed session, the Speaker shall then be authorized to declare a recess subject to the call of the Chair. At the expiration of such recess, the pending question, in closed session, shall be, "Shall the House approve the recommendation of the Permanent Select Committee on Intelligence?"

(7) After not more than two hours of debate on the motion, such debate to be equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence, or their designees, the previous question shall be considered as ordered and the House, without intervening motion except one motion to adjourn, shall immediately vote on the question, in open session but without divulging the information with respect to which the vote is being taken. If the recommendation of the Permanent Select Committee on Intelligence is not agreed to, the question shall be deemed recommitted to the Permanent Select Committee on Intelligence for further recommendation.

(c)(1) No information in the possession of the Select Committee relating to the lawful intelligence or intelligence-related activities of any department or agency of the United States which has been classified under established security procedures and which the Select Committee, the Permanent Select Committee on Intelligence, or the House pursuant to this section, has determined should not be disclosed shall be made available to any person by a Member, officer, or employee of the House except as provided in paragraph (2).

(2) The Select Committee shall, under such regulations as the committee shall prescribe, make any information described in paragraph (1) available to any other committee or any other Member of the House and permit any other Member of the House to attend any hearing of the committee which is closed to the public. Whenever the Select Committee makes such information available (other than to the Speaker), the committee shall keep a written record showing, in the case of any particular information, which committee or which Members of the House received such information. No Member of the House who, and no committee which, receives any information under this paragraph, shall disclose such information except in a closed session of the House.

(d) The Committee on Standards of Official Conduct shall investigate any unauthorized disclosure of intelligence or intelligence-related information by a Member, officer, or employee of the House in violation of subsection (c) and report to the House concerning any allegation which it finds to be substantiated.

(e) Upon the request of any person who is subject to any such investigation, the Committee on Standards of Official Conduct shall release to such individual at the conclusion of its investigation a summary of its investigation, together with its findings. If, at the conclusion of its investigation, the Committee on Standards of Official Conduct determines that there has been a significant breach of confidentiality or unauthorized disclosure by a Member, officer, or employee of the House, it shall report its findings to the House and recommend appropriate action such as censure, removal from committee membership, or expulsion from the House, in the case of a Member, or removal from office or employment or punishment for contempt, in the case of an officer or employee.

SEC. 8. TRANSFER OF INFORMATION TO SELECT COMMITTEE.

Any committee of the House of Representatives having custody of records, data, charts, and files concerning subjects within the jurisdiction of the Select Committee shall furnish the originals or copies of such materials to the Select Committee. In the case of the Permanent Select Committee on Intelligence, such materials shall be made available pursuant to clause 7(c)(2) of rule XLVIII.

SEC. 9. INFORMATION GATHERING.

(a) IN GENERAL.—The Select Committee is authorized to require, by subpoena or otherwise, the attendance and testimony of such witnesses, the furnishing of such information by interrogatory, and the production of such books, records, correspondence, memoranda, papers, documents, calendars, recordings, electronic communications, data compilations from which information can be obtained, tangible objects, and other things and information of any kind as it deems necessary, including all intelligence materials however classified, White House materials, and materials pertaining to unvouchered expenditures or concerning communications interceptions or surveillance.

(b) SUBPOENAS, DEPOSITIONS AND INTERROGATORIES.—Unless otherwise determined by the Select Committee, the Chairman, upon consultation with the ranking minority member, or the Select Committee may—

- (1) authorize and issue subpoenas;
- (2) order the taking of depositions, interrogatories, or affidavits under oath or otherwise; and
- (3) designate a member or staff of the Select Committee to conduct any deposition.

(c) INTERNATIONAL AUTHORITIES.—Unless otherwise determined by the Select Committee, the Chairman of the Select Committee, upon consultation with the ranking minority member of the Select Committee, or the Select Committee may—

- (1) authorize the taking of depositions and other testimony, under oath or otherwise, anywhere outside the United States; and
- (2) make application for issuance of letters rogatory, and request through appropriate channels, other means of international assistance, as appropriate.

(d) HANDLING OF INFORMATION.—Information obtained under the authority of this section shall be—

- (1) considered as taken by the Select Committee in the District of Columbia, as well as the location actually taken; and
- (2) considered to be taken in executive session.

SEC. 10. TAX RETURNS.

Pursuant to sections 6103(f)(3) and 6104(a)(2) of the Internal Revenue Code of 1986, for the purpose of investigating the subjects set forth in this resolution and since information necessary for this investigation cannot reasonably be obtained from any other source, the Select Committee shall be specially authorized to inspect and receive for the tax years 1988 through 1998 any tax return, return information, or other tax-related material, held by the Secretary of the Treasury, related to individuals and entities named by the Select Committee as possible participants, beneficiaries, or intermediaries in the transactions under investigation. As specified by section 6103(f)(3) of the Internal Revenue Code of 1986, such materials and information shall be furnished in closed executive session.

SEC. 11. ACCESS TO INFORMATION OF THE SELECT COMMITTEE.

The Select Committee shall provide other committees and Members of the House with access to information and proceedings, consistent with clause 7(c)(2) of rule XLVIII, except that the Select Committee may direct that particular matters or classes of matter shall not be made available to any person by its members, staff, or others, or may impose any other restriction. The Select Committee may require its staff to enter nondisclosure agreements, and its chairman, in consultation with the ranking minority member, may require others, such as counsel for witnesses, to do so. The Committee on Standards of Official Conduct may investigate any unauthorized disclosure of such classified information by a Member, officer, or employee

of the House or other covered person upon request of the Select Committee. If, at the conclusion of its investigation, the Committee on Standards of Official Conduct determines that there has been a significant unauthorized disclosure, it shall report its findings to the House and recommend appropriate sanctions for the Member, officer, employee, or other covered person consistent with clause 7(e) of rule XLVIII and any committee restriction, including nondisclosure agreements. The Select Committee shall, as appropriate, provide access to information and proceedings to the Speaker and the minority leader and an appropriately cleared and designated member of each staff.

SEC. 12. COOPERATION OF OTHER ENTITIES.

(a) COOPERATION OF OTHER COMMITTEES.—The Select Committee may submit to any standing committee specific matters within its jurisdiction and may request that such committees pursue such matters further.

(b) COOPERATION OF OTHER FEDERAL ENTITIES.—The Chairman of the Select Committee, upon consultation with the ranking minority member, or the Select Committee may request investigations, reports, and other assistance from any agency of the executive, legislative, and judicial branches of the Federal Government.

SEC. 13. ACCESS AND RESPONSE TO JUDICIAL PROCESS.

In addition to any applications to court in response to judicial process that may be made in behalf of the House by its counsel, the Select Committee shall be authorized to respond to any judicial or other process, or to make any applications to court, upon consultation with the Speaker consistent with rule L.

SEC. 14. ADMINISTRATIVE MATTERS.

(a) PERSONNEL.—The Chairman, upon consultation with the ranking minority member, may employ and fix the compensation of such clerks, experts, consultants, technicians, attorneys, investigators, clerical and stenographic assistants, and other appropriate staff as the Chairman considers necessary to carry out the purposes of this resolution. Details from the executive branch or staff of the House or a joint committee, upon the request of the Chairman of the Select Committee, upon consultation with the ranking minority member, shall be deemed staff of the Select Committee to the extent necessary to carry out the purposes of this resolution.

(b) PAYMENT OF EXPENSES.—(1) The Select Committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Select Committee.

(2) Not more than \$2,500,000 are authorized for expenses of the Select Committee for investigations and studies, including for the procurement of the services of individual consultants or organizations thereof, and for training of staff, to be paid out of the applicable accounts of the House of Representatives upon vouchers signed by the Chairman and approved in the manner directed by the Committee on House Oversight.

SEC. 15. APPLICABILITY OF OTHER LAWS TO SELECT COMMITTEE.

The Select Committee shall be deemed a committee of the House for all purposes of the rules of the House of Representatives and shall be deemed a committee for all purposes of law, including, but not limited to, section 202(f) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(f)), sections 102 and 104 of the Revised Statutes (2 U.S.C. 192 and 194), sections 1001, 1505, 1621, 6002, and 6005 of title 18, United States Code, section 502(b)(1)(B)(ii) of the Mutual Security Act of 1954 (22 U.S.C. 1754(b)(1)(B)(ii)), and section 734 of title 31, United States Code.

SEC. 16. DISPOSITION OF RECORDS.

At the conclusion of the existence of the Select Committee, all records of the Select Committee shall be transferred to other committees, or stored by the Clerk of the House, as directed by the Select Committee, consistent with applicable rules and law concerning classified information.

When said resolution, as amended, was considered.

After debate,

Pursuant to House Resolution 476, the previous question was ordered on the resolution, as amended, to its adoption or rejection.

The question being put, *viva voce*,

Will the House agree to said resolution, as amended?

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

Mr. FOLEY 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 409
Nays 10

¶60.9 [Roll No. 245]
YEAS—409

Abercrombie	Carson	Fattah
Ackerman	Castle	Fawell
Aderholt	Chabot	Fazio
Allen	Chambliss	Filner
Andrews	Chenoweth	Foley
Archer	Christensen	Forbes
Armev	Clay	Ford
Bachus	Clyburn	Fossella
Baesler	Coble	Fowler
Baker	Coburn	Fox
Baldacci	Collins	Frank (MA)
Ballenger	Combest	Franks (NJ)
Barcia	Condit	Frelinghuysen
Barr	Cook	Frost
Barrett (NE)	Costello	Gallely
Barrett (WI)	Cox	Ganske
Bartlett	Coyne	Gejdenson
Barton	Cramer	Gekas
Bass	Crane	Gephardt
Bateman	Crapo	Gibbons
Becerra	Cubin	Gilchrest
Bentsen	Gillmor	Gillmor
Bereuter	Cunningham	Gilman
Berman	Danner	Goode
Berry	Davis (FL)	Goodlatte
Bilbray	Davis (IL)	Goodling
Bilirakis	Davis (VA)	Gordon
Bishop	Deal	Goss
Blagojevich	DeFazio	Graham
Bliley	DeGette	Granger
Blumenauer	Delahunt	Greenwood
Blunt	DeLauro	Gutierrez
Boehlert	DeLay	Hall (OH)
Boehner	Deutsch	Hall (TX)
Bonilla	Diaz-Balart	Hamilton
Bonior	Dickey	Hansen
Bono	Dicks	Harman
Borski	Dingell	Hastert
Boswell	Dixon	Hastings (WA)
Boucher	Doggett	Hayworth
Boyd	Dooley	Hefley
Brady (PA)	Doolittle	Hefner
Brady (TX)	Doyle	Hergert
Brown (CA)	Dreier	Hill
Brown (FL)	Duncan	Hilleary
Brown (OH)	Dunn	Hilliard
Bryant	Edwards	Hinchey
Bunning	Ehlers	Hinojosa
Burr	Ehrlich	Hobson
Burton	Emerson	Hoekstra
Buyer	Engel	Holden
Callahan	English	Hooley
Calvert	Ensign	Horn
Camp	Eshoo	Hostettler
Campbell	Etheridge	Hoyer
Canady	Evans	Hulshof
Cannon	Everett	Hunter
Capps	Ewing	Hutchinson
Cardin	Farr	Hyde

Inglis	Millender-McDonald	Schaefer, Dan
Istook	Miller (CA)	Schaffer, Bob
Jackson (IL)	Miller (FL)	Schumer
Jackson-Lee (TX)	Minge	Scott
Jefferson	Mink	Sensenbrenner
Jenkins	Moran (KS)	Serrano
John	Moran (VA)	Sessions
Johnson (CT)	Morella	Shadegg
Johnson (WI)	Myrick	Shaw
Johnson, E. B.	Neal	Shays
Johnson, Sam	Nethercutt	Sherman
Jones	Neumann	Shimkus
Kaptur	Ney	Shuster
Kasich	Northup	Sisisky
Kelly	Norwood	Skaggs
Kennedy (MA)	Nussle	Skeen
Kennedy (RI)	Obey	Skelton
Kennelly	Oliver	Slaughter
Kildee	Ortiz	Smith (MI)
Kilpatrick	Owens	Smith (NJ)
Kim	Oxley	Smith (OR)
Kind (WI)	Packard	Smith (TX)
King (NY)	Pallone	Smith, Adam
Kingston	Pappas	Smith, Linda
Klecza	Parker	Snowbarger
Klink	Pascrell	Snyder
Klug	Pastor	Solomon
Knollenberg	Paul	Souder
Kolbe	Paxon	Spence
Kucinich	Payne	Spratt
LaFalce	Pease	Stabenow
LaHood	Pelosi	Stark
Lampson	Peterson (MN)	Stearns
Lantos	Peterson (PA)	Stenholm
Largent	Petri	Stokes
Latham	Pickering	Strickland
LaTourette	Pickett	Stump
Lazio	Pitts	Stupak
Leach	Pombo	Sununu
Lee	Pomeroy	Talent
Levin	Porter	Tanner
Lewis (CA)	Portman	Tauscher
Lewis (KY)	Poshard	Tauzin
Linder	Price (NC)	Taylor (MS)
Lipinski	Pryce (OH)	Taylor (NC)
Livingston	Quinn	Thomas
LoBiondo	Radanovich	Thompson
Rahall	Rahall	Thornberry
Ramstad	Ramstad	Thune
Rangel	Rangel	Thurman
Redmond	Redmond	Tiahrt
Regula	Regula	Tierney
Reyes	Reyes	Trafficant
Riggs	Riggs	Turner
Riley	Riley	Upton
Rivers	Rivers	Velazquez
Rodriguez	Rodriguez	Vento
Roemer	Roemer	Visclosky
Rogan	Rogan	Walsh
Rogers	Rogers	Wamp
Rohrabacher	Rohrabacher	Waters
Ros-Lehtinen	Ros-Lehtinen	Watkins
Rothman	Rothman	Watt (NC)
Roukema	Roukema	Watts (OK)
Roybal-Allard	Roybal-Allard	Waxman
Royce	Royce	Weldon (PA)
Rush	Rush	Weller
Ryun	Ryun	Wexler
Sabo	Sabo	Weygand
Salmon	Salmon	White
Sanchez	Sanchez	Whitfield
Sanders	Sanders	Wicker
Sandlin	Sandlin	Wise
Sanford	Sanford	Wolf
Sawyer	Sawyer	Woolsey
Saxton	Saxton	Wynn
Scarborough	Scarborough	Young (AK)
		Young (FL)

NAYS—10

Conyers	McDermott	Oberstar
Furse	Mollohan	Yates
Kanjorski	Murtha	
Lewis (GA)	Nadler	

NOT VOTING—14

Clayton	Gutknecht	Moakley
Clement	Hastings (FL)	Torres
Cooksey	Houghton	Towns
Gonzalez	Martinez	Weldon (FL)
Green	McNulty	

So the resolution, as amended, was agreed to.

A motion to reconsider the vote whereby said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶60.10 PROVIDING FOR THE FURTHER CONSIDERATION OF H.R. 2183

Mr. LINDER, by direction of the Committee on Rules, called up the following resolution (H. Res. 458):

Resolved, That during further consideration of the bill (H.R. 2183) to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for elections for Federal office, and for other purposes, in the Committee of the Whole House on the State of the Union pursuant to House Resolution 442, all points of order against each amendment printed in the report of the Committee on Rules accompanying this resolution are waived if the amendment is offered by a Member designated in the report. An amendment so offered shall be considered as read.

When said resolution was considered.

After debate,

On motion of Mr. LINDER, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, *viva voce*,

Will the House now order the previous question?

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

Mr. FROST 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 221
Nays 194

¶60.11 [Roll No. 246]
YEAS—221

Aderholt	DeLay	Houghton
Bachus	Diaz-Balart	Hulshof
Baker	Dickey	Hunter
Ballenger	Doolittle	Hutchinson
Barr	Dreier	Hyde
Barrett (NE)	Duncan	Inglis
Bartlett	Dunn	Istook
Barton	Ehlers	Jenkins
Bass	Ehrlich	Johnson (CT)
Bateman	Emerson	Johnson, Sam
Bereuter	English	Jones
Bilbray	Ensign	Kasich
Bilirakis	Everett	Kelly
Bliley	Ewing	Kim
Blunt	Fawell	King (NY)
Boehlert	Foley	Kingston
Boehner	Forbes	Klug
Bonilla	Fossella	Knollenberg
Bono	Fowler	Kolbe
Brady (TX)	Fox	LaHood
Bryant	Franks (NJ)	Largent
Bunning	Frelinghuysen	Latham
Burr	Gallely	LaTourette
Burton	Ganske	Lazio
Buyer	Gekas	Leach
Callahan	Gibbons	Lewis (CA)
Calvert	Gilchrest	Lewis (KY)
Camp	Gillmor	Linder
Campbell	Gilman	Livingston
Canady	Goodlatte	LoBiondo
Cannon	Goodling	Lucas
Castle	Goss	Manzullo
Chabot	Graham	McCollum
Chambliss	Granger	McCry
Chenoweth	Greenwood	McDade
Christensen	Hall (TX)	McHugh
Coble	Hansen	McInnis
Coburn	Hastert	McIntosh
Collins	Hastings (WA)	McKeon
Combest	Hayworth	Metcalf
Cook	Hefley	Mica
Cox	Hergert	Miller (FL)
Crane	Hill	Moran (KS)
Crapo	Hilleary	Morella
Cubin	Hobson	Myrick
Cunningham	Hoekstra	Nethercutt
Davis (VA)	Horn	Neumann
Deal	Hostettler	Ney