

provided a written explanation. A log is not specifically required under the subpoena. The subpoena required POGO to "specify and characterize the record so withheld and specify the objection or constitutional privilege under which the record is withheld." This requirement has been met. Therefore, the House should not find POGO in contempt. Again, even if the House were to find this nonprofit corporate entity in contempt, it is unclear who the U.S. Attorney would be compelled to prosecute, as the Resolution does not specify which of the officers or board of directors are to be prosecuted.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. Brady).

Mr. BRADY of Texas. Mr. Speaker, we asked. To the attorney for the special interest group we asked, "Did you have knowledge of this lawsuit that was under seal, that was held confidential by the Court?" All he had to do was answer, "No, of course not. I am a private citizen. Why would I know of a sealed document?"

Of the two government employees, we wanted to ask, "What service did you provide to receive three-quarters of a million dollars?" Because one does not get something for nothing in this world.

We could never get these basic pertinent questions answered. That is the truth we were seeking.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have heard a lot today, and I would just like to clarify some of the things that were said. The rules of this House, the Supreme Court say the committee can judge what is pertinent, not the witness. That is the rules and that is the Supreme Court. We told all three of these parties that was the case, and they still declined to answer.

Let us make it perfectly clear that POGO is not the whistleblower. Neither are the gentlemen or ladies that are involved in these contempt citations the whistleblowers. The whistleblower, Johnson, was filed on top of for money. POGO now is under criminal investigation as I stand here and speak.

Mr. Speaker, I know that this is such a serious debate, that we have to have more debate. So I ask unanimous consent, pursuant to clause 2 of rule XVI, to withdraw the resolution.

The SPEAKER pro tempore (Mr. PEASE). Pursuant to clause 2 of rule XVI, and the precedent of the House of April 8, 1964, the gentleman does not require unanimous consent. The gentleman may by right withdraw the resolution at this point.

The resolution was withdrawn.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 11 o'clock and 36 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1210

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 12 o'clock and 10 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATOURETTE). Pursuant to clause 8, rule XX, the Chair will now put the question de novo on each motion to suspend the rules on which further proceedings were postponed yesterday in the order in which that motion was entertained.

Votes will be taken in the following order:

- S. 2943,
- H.R. 2498,
- H. Res. 650,
- H. Res. 655,
- S. 2712,
- H.R. 5309,
- S. 3194,
- H.R. 4399, and
- H.R. 4400.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

INTERNATIONAL MALARIA CONTROL ACT OF 2000

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate bill, S. 2943, as amended.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the Senate bill, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. TIERNEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

This will be a 15-minute vote, followed by a series of 5-minute votes, if ordered.

The vote was taken by electronic device, and there were—yeas 385, nays 2, not voting 45, as follows:

[Roll No. 564]
YEAS—385

| | | |
|--------------|---------------|----------------|
| Ackerman | Doolittle | Kind (WI) |
| Aderholt | Doyle | King (NY) |
| Allen | Dreier | Klecza |
| Andrews | Duncan | Knollenberg |
| Archer | Edwards | Kucinich |
| Army | Ehlers | Kuykendall |
| Baca | Ehrlich | LaFalce |
| Bachus | Emerson | LaHood |
| Baird | Engel | Lampson |
| Baker | English | Lantos |
| Baldacci | Eshoo | Largent |
| Baldwin | Etheridge | Larson |
| Ballenger | Evans | Latham |
| Barcia | Everett | LaTourette |
| Barrett (NE) | Ewing | Leach |
| Barrett (WI) | Farr | Lee |
| Bartlett | Fattah | Levin |
| Barton | Filmer | Lewis (CA) |
| Bass | Fletcher | Lewis (GA) |
| Becerra | Foley | Lewis (KY) |
| Bentsen | Forbes | Linder |
| Bereuter | Ford | Lipinski |
| Berkley | Fossella | LoBiondo |
| Berman | Frank (MA) | Lofgren |
| Berry | Frelinghuysen | Lowe |
| Biggert | Frost | Lucas (KY) |
| Bilirakis | Galleghy | Lucas (OK) |
| Bishop | Gejdenson | Luther |
| Blagojevich | Gekas | Maloney (CT) |
| Bliley | Gephardt | Maloney (NY) |
| Blumenauer | Gibbons | Manzullo |
| Blunt | Gilchrest | Markey |
| Boehlert | Gillmor | Mascara |
| Boehner | Gilman | Matsui |
| Bonilla | Gonzalez | McCarthy (MO) |
| Bonior | Goode | McCarthy (NY) |
| Bono | Goodlatte | McCrery |
| Borski | Goodling | McDermott |
| Boswell | Gordon | McGovern |
| Boucher | Goss | McHugh |
| Boyd | Granger | McIntyre |
| Brady (TX) | Green (TX) | McKinney |
| Brown (FL) | Green (WI) | McNulty |
| Brown (OH) | Greenwood | Meehan |
| Bryant | Gutierrez | Meek (FL) |
| Burr | Gutknecht | Meeks (NY) |
| Burton | Hall (OH) | Menendez |
| Buyer | Hall (TX) | Mica |
| Callahan | Hansen | Millender- |
| Calvert | Hastings (FL) | McDonald |
| Camp | Hastings (WA) | Miller (FL) |
| Canady | Hayes | Miller, Gary |
| Cannon | Hayworth | Miller, George |
| Capps | Herger | Minge |
| Capuano | Hill (IN) | Mink |
| Cardin | Hill (MT) | Moakley |
| Carson | Hilleary | Moore |
| Castle | Hilliard | Moran (KS) |
| Chabot | Hinchee | Moran (VA) |
| Chambliss | Hinojosa | Morella |
| Clay | Hobson | Murtha |
| Clayton | Hoeffel | Myrick |
| Clement | Hoekstra | Nadler |
| Clyburn | Holden | Napolitano |
| Coble | Holt | Neal |
| Collins | Hooley | Nethercutt |
| Combest | Horn | Ney |
| Condit | Hostettler | Northup |
| Cook | Houghton | Norwood |
| Cooksey | Hoyer | Nussle |
| Costello | Hulshof | Oberstar |
| Crane | Hunter | Obey |
| Crowley | Hutchinson | Olver |
| Cubin | Hyde | Ortiz |
| Cummings | Insole | Ose |
| Cunningham | Istook | Owens |
| Davis (FL) | Jackson (IL) | Oxley |
| Davis (IL) | Jackson-Lee | Pallone |
| Davis (VA) | (TX) | Pascarell |
| Deal | Jefferson | Pastor |
| DeFazio | Jenkins | Payne |
| DeGette | John | Pease |
| DeLauro | Johnson (CT) | Pelosi |
| DeLay | Johnson, E.B. | Peterson (MN) |
| DeMint | Johnson, Sam | Petri |
| Deutsch | Jones (NC) | Phelps |
| Diaz-Balart | Jones (OH) | Pickering |
| Dicks | Kanjorski | Pitts |
| Dingell | Kaptur | Pombo |
| Dixon | Kelly | Pomeroy |
| Doggett | Kennedy | Porter |
| Dooley | Kildee | Portman |
| | Kilpatrick | Price (NC) |